

THE EUROPEAN UNION AS A DISTINCTIVE ACTOR IN GLOBAL CLIMATE  
CHANGE POLICY

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Approval of the Graduate School of Social Sciences

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## **ABSTRACT**

### THE EUROPEAN UNION AS A DISTINCTIVE ACTOR IN GLOBAL CLIMATE CHANGE POLICY

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This dissertation focus on the relationship with the international climate change policy and key actors' positions on global climate negotiations. The main aim of this dissertation is to show that the European Union takes a different position than other international actors in terms of international climate change negotiation and policy. This distinction stems from the founding philosophy of the European Union and its environmentalist tradition. The argument of this dissertation is that whereas nation-states in general, great emitter states in particular, emphasize their national interests regarding climate change issues, the EU behaves in different way. This different behavior stems from the factors of 'logic of action,' 'supranational decision-making mechanism' and 'its concern of spreading the EU standards.' Despite the fact that there are different views on climate change policy among the EU members and the EU (because it is itself a great emitting body), these factors enable the EU to behave differently than other actors in the international climate change process.

Key Words: European Union, Great Emitters, Climate Change Negotiations

## ÖZ

### KÜRESEL İKLİM DEĞİŞİKLİĞİ POLİTİKASINDA FARKLILAŞAN BİR AKTÖR OLARAK AVRUPA BİRLİĞİ

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Bu tez uluslararası iklim değişikliği politikası ile küresel iklim müzakerelerindeki ana aktörlerin arasındaki ilişkiye odaklanmaktadır. Bu tezin temel amacı Avrupa Birliği'nin (AB) uluslararası iklim değişikliği müzakerelerinde diğer uluslararası aktörlerden farklı bir pozisyon almasını göstermektir. Bu farklılaşma Avrupa Birliği'nin kuruluş felsefesi ve AB'nin çevreci geleneğinden kaynaklanmaktadır. Bu tezin temel argümanı, genel anlamda ulus-devletler, özelde de büyük gaz emisyon yayıcısı devletler iklim değişikliği konusunda ulusal çıkarları çerçevesinde davranırken, Avrupa Birliği farklı bir şekilde davranmaktadır. Bu farklı davranış “davranış mantığı”, “ulusüstü karar verme mekanizması” ve “AB'nin standartlarını yayma isteği” şeklinde üç unsurdan kaynaklanmaktadır. Aslında, Avrupa Birliği üyeleri arasında iklim değişikliği politikasında farklı görüşler olmasına rağmen, bu unsurlar uluslararası iklim değişikliğinde AB'nin diğer aktörlerden birlik seviyesinde farklı davranmasına imkan sağlamaktadır.

Key Words: Avrupa Birliği, İklim Değişikliği Müzakereleri, Büyük Gaz Emisyonu  
Yayıncı

*To my dearest family...*



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## **LIST OF ABBREVIATIONS**

ACP- African, Caribbean, Pacific

ADP- Ad Hoc Working Group on the Durban Platform for Enhanced Action

AGBM- Ad Hoc Group on the Berlin Mandate

AIJ- Activities Implemented Jointly

AILAC- Independent Alliance of Latin America and Caribbean

AOSIS- Alliance of Small Island States

AWG-LCA - Ad Hoc Working Group on Long Term Cooperation Action under the  
Convention

BAPA- Buenos Aires Plan of Action

BASIC- Brazil, South Africa, India and China

CACAM- Caucasus, Albania and Moldova

CBDR- Common but Differentiated Responsibilities

CDM- Clean Development Mechanisms

CER- Certified Emissions Reductions

CFCs- Chlorofluorocarbons

CFSP- Common Foreign and Security Policy

CMP- Meeting of the Parties to the Kyoto Protocol

COP- Conference of Parties

EAP- European Action Program

ECCLP- European Climate Change Program

EIG- Environmental Integrity Group

ENP- European Neighborhood Policy

EP- European Parliament

ESDP- European Security and Defense Policy

ETS- Emissions Trading System

EU- European Union

GDR- German Democratic Republic of East Germany

GEF- Global Environment Facility

HFCs- Hydrofluorocarbons

ICAO- International Civil Aviation Organization

IMF- International Monetary Fund

INC- Intergovernmental Negotiating Committee

INDCs- Intended Nationally Determined Contributions

IPCC- Intergovernmental Panel on Climate Change

IUCN- International Union for the Conservation of Nature

JI- Joint Implementation

JUZCANZ- Japan, the US, Canada, Australia and New Zealand

LDC- Least Developed Countries

LULUCF- Land Use Change and Forestry

MEAs- Multilateral Environmental Agreements

MOI- Means of Implementation

NASA- National Aeronautics and Space Administration

NGO- Non-governmental Organization

OECD- Organization for Economic Cooperation and Development

OPEC- Oil Producing and Exporting Countries



PIC- Prior Informed Consent

QELROs- Quantitative Emission Limitation and Reduction Objectives

REACH- Regulatory Regimen for Chemicals

REDD- Reduce Emissions from the Destruction and Degradation of Forests

SBI- Subsidiary Body for Implementation

SBSTA- Subsidiary Body for Scientific and Technological Advice

SCOPE- Scientific Committee on Problems of the Environment

SIDS- Small Island Developing States

SMF- Sustainable Forest Management

SRES- Special Report on Emission Scenarios

TAR- Third Assessment Report

TEU- Treaty of European Union

TFEU- Treaty on the Functioning of the European Union

UN- United Nations

UNCED- United Nations Conference on Environment and Development

UNDP- United Nations Development Program

UNEP- United Nations Environmental Program

UNFCCC- United Nations Framework Convention on Climate Change

UNGA- United Nations General Assembly

US- United States

WMO- World Meteorological Organization

# CHAPTER I

## INTRODUCTION

In the late nineteenth and early twentieth centuries, international environmental politics was very limited. However, from approximately 1960 onwards, its scope has expanded as environmental problems acquired transnational and later global dimensions.<sup>1</sup> Environmental topics have appeared more and more frequently in the international agenda over the last three decades. An increasing number of people, especially in Western countries, believe that human economic and social activities threaten the environment. Today, an increasing global population, widespread industrialization, a pursuit of higher living standards, an increase in human needs, the scarcity of resources and unequal distribution of these resources are primary factors negatively affecting the environment. Air pollution, acid rain, stratospheric ozone depletion, the loss of biological diversity, and climate change are major regional or global problems.<sup>2</sup> These regional and global problems have greatly increased the scale and intensity of the over-exploitation of natural resources and environment degradation, generating a wide range of urgent international and global problems. Within this framework, especially in the last three decades, if international security and global economics are the two major traditional issue areas in world politics, the environment has emerged as the third major issue area.<sup>3</sup>

Since the last half of the 20<sup>th</sup> century, climate change has been the most important issue in discussions related to the environment. Climate change generally can be

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<sup>1</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens (Eds), *The Globalization of World Politics*, Fifth Edition, Oxford University Press, New York, 2011, p.356.

<sup>2</sup> Interview with Satoshi Hoshino, Chuo University, Tokyo, Japan, October 2010.

<sup>3</sup> Gareth Porter and Janet Welsh Brown, *Global Environmental Politics*, Westview Publishing, Oxford, 1996.

described as the change in the statistical distribution of weather over periods of time. In recent usage, especially within the context of environmental policy, climate change usually refers to global warming. Global warming is the increase in the average temperature of the Earth's near-surface air and oceans.<sup>4</sup> The main reason for climate change is the greenhouse effect, which emerged because of the burning of fossil fuels and release of CO<sub>2</sub> in the atmosphere.<sup>5</sup> The fundamental cause of greenhouse effect is the gases in the atmosphere that absorb and emit radiation within the thermal infrared range. The main greenhouse gases in Earth's atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone. Scientists have been studying climate change for nearly 200 years, and in that time a successful theory of climate has emerged. Over the past 20 years, our understanding of the human impact on climate has greatly improved, and this is reflected in the evolution of the conclusions of subsequent IPCC reports. Svante Arrhenius, who recognized in the late 19th century that human combustion of fossil fuels might warm the climate, made the first prediction of human-induced climate change. In the late 1930s, Guy Stewart Callendar made the first claim that human-induced global warming had arrived. In the 1950s, people realized that humans possessed the power to greatly modify our environment – and not to our benefit. In addition, the economic growth and increases in wealth over that decade meant the environment had more value to people, and people had more money to spend to enjoy it. In the 1970s and 1980s, the debates over ozone depletion and acid rain were a preview for the debate over climate. Those opposed to action adopted the strategy of the tobacco companies: cast doubt on the science. This explains why there is such vigorous disagreement over science in the public policy debate, even though there is widespread agreement among most climate scientists.<sup>6</sup>

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<sup>4</sup> ---, "Summary of Policymakers", A Report of Working Group I of the Intergovernmental Panel on Climate Change, 2007, p.2.

<sup>5</sup> Sebastian Oberthür and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, p.3

<sup>6</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.213.

Climate change is an issue with repercussions for the entire world, and it affects all nations because they all share the same climate system. Since the beginning of the 21<sup>st</sup> century, in several regions of the world, drought, flood, scarcity of resources and fire have taken place. These catastrophes increased with the effects of global warming and have influenced the perceptions and practices of international security. In a parallel way, states started to establish a bridge between climate change and national security. The concept of security, interacting with each other on various levels (individual, state and international system), after the Cold War began to be evaluated as not only a political and military threat but also in terms of economic, social and environmental factors. To mitigate the threat and effect of global warming and climate change, broad international cooperation from states, international organizations and major powers such as United States, European Union, and Russia is required.<sup>7</sup>

Dealing with the unavoidable impacts of climate change on poor countries and on shared resources such as ocean ecosystems requires solidarity. International agreements can provide this. Addressing climate change through emission reduction and adaptation is in a country's self-interest. The damages caused by climate change are, in most cases, more financially significant than the costs needed to avoid them. Additionally, moving towards a low carbon economy provides huge benefits to most countries in terms of lower energy costs, efficient industrial production, improved energy security, cleaner air, and job creation. International cooperation is a way to do this much more effectively and efficiently by instigating the more cost-effective procedures first and by creating bigger markets for low carbon energy and products. Solidarity between countries in dealing with climate change impacts and adaptation remains important in this perspective.<sup>8</sup>

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<sup>7</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p.115.

<sup>8</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, p.318-319.

In actuality, in today's world, sharing common burden of dealing with climate change is still the dominant view, compared to benefiting from the opportunities of joint action. Also, the dominant attitude is still to minimize contributions. Investments in low-carbon technologies are still seen as costs. Business associations still speak primarily for members that have to adjust their business and much less for companies that produce efficient products and renewable energy. Politicians still listen predominantly to the voices of those that resist change. However, things are gradually changing gradually. The financial crisis of 2008 may be sparking a rethinking of what sustainable economic development really means.<sup>9</sup>

Today, an established set of international agreements to deal with the problem of climate change exists. In the first place, there is the United Nations Framework Convention on Climate Change and its Kyoto Protocol. Related to these, but completely independent, are many other international agreements between states and/or private entities: agreements on Research and Development in the framework of the International Energy Agency, financial arrangements of multilateral development banks to invest in emission reduction projects, programs to promote energy efficiency, renewable energy, CO<sub>2</sub> capture and storage and other mitigation technologies, as well as joint regional expert centers.<sup>10</sup>

Issues related to the environment and environmental policy have also attracted the attention of the European Union. The European Union is tasked with working for a global climate regime to control and mitigate the effects of climate change.<sup>11</sup> The EU played a key role in the development of two major treaties, namely the 1992 United Nations Framework Convention on Climate Change, its Kyoto Protocol in 1997, and the post-Kyoto climate change negotiation process. The European Union

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<sup>9</sup> *Ibid.*, p.319.

<sup>10</sup> *Ibid.*, p.319.

<sup>11</sup> John Vogler, "Climate Change and the EU foreign policy: The Negotiation of burden sharing", in *International Politics*, Vol.46, Number 4, July 2009, p.469.

has been taking serious steps to reduce its own emissions within the Union and in the international arena. In brief, The European Union's attitude towards climate change is that climate change is viewed as a threat multiplier, which exacerbates existing trends, tensions and instability.<sup>12</sup> In the international sphere, the risks caused by climate change are real and its impacts are already taking place. In addition to this, the European Union also considers climate change as an element of common foreign and security policy. In this sense, in the report which was presented by the High Representative and the European Commission to the European Council in Spring 2008, the impact of climate change on international security and the impact of the international security consequences for Europe's own security and how the EU should respond were focused on and deemed to be interrelated. The report considers how the full range of EU instruments, including Community and CFSP/ESDP action, can be used alongside mitigation and adaptation policies to address security risks. It also considers the implications for the intensification of political dialogue with the third world countries.<sup>13</sup>

All in all, in order to mitigate the effects of climate change, the EU suggests that the comprehensive cooperation process among states, international organizations and NGOs is the most important element and that the active role of the EU in international climate change negotiations is vital and worth continuing. In a changing international political landscape, major emitters and emerging economies will also have to be engaged and will have to commit to an ambitious global climate agreement under the UN framework.<sup>14</sup> At the same time, policy makers should be aware of any development that puts environmental quality at risk and

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<sup>12</sup> Interview with Tom How, Climate Security Desk Officer in Climate Change and Energy Group, Foreign and Commonwealth Office, London, England, September 2010.

<sup>13</sup> ---, "Climate Change and International Security", Paper from the High Representative and the European Commission to the European Council, 14 March 2008, pp.1-6.

<sup>14</sup> *Ibid.*, p.9.

take action at the right time and in an appropriate manner.<sup>15</sup> Global problems may need global solutions and pose a fundamental requirement for global environment governance, yet local or regional action remains a vital aspect of responses to many problems; one of the defining characteristics of environmental politics is the awareness of such interconnections and of the need to 'think globally, act locally'. NGOs have been very active in this respect.<sup>16</sup> However, this cooperation process is so complicated because of the multiple sources of emissions that contribute to global warming and due to scientific uncertainties, especially the chemistry of the atmosphere. In addition to these factors, energy is the main need for every nation's economy and in order to reduce greenhouse gas emissions, changing policy is politically difficult. As a result, to stabilize the global carbon dioxide amounts, reducing current emissions by about one-half and mitigating the effects of global warming will be required. Also, it is crucial that countries use natural gas and renewable resources instead of coal and oil.<sup>17</sup>

Moreover, this issue occupied not only the EU's agenda but also the agenda of international community. Indeed, it is an issue of continuous and long-lasting debates in the negotiations of international actors. This dissertation focused on actors and their behaviors and positions in international climate change negotiations.

### **1.1.Scope and Objective**

The main objective of this dissertation is to show that the European Union takes a different position than other international actors in terms of international climate

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<sup>15</sup> J.B. Weenink, *Environmental Policy and the Greenhouse Effect*, Vegetation 104/105, 1993, p.357.

<sup>16</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds) *The Globalization of World Politics*, Fifth Edition, Oxford University Press, New York, 2011

<sup>17</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, pp.115-116.



change negotiation and policy. This distinction stems from the founding philosophy of the European Union and its environmentalist tradition. This philosophy can be assessed in the context of three concepts and mechanisms. These are ‘logic of action’, ‘supranational decision-making mechanism’ and ‘EU’s concern of spreading its standards’.

‘Logic of action’, as one of previously mentioned distinctive concepts, refers to the elements or perceptions that actors take into consideration in the decision making process. Logic of action, which reveals the difference of the EU vis-à-vis the subject of climate change, will be explained in this study by using two key concepts. March and Olsen provide a distinct division of “logics” namely “logic of consequences” and “logic of appropriateness.”<sup>18 19 20</sup> The two concepts, which are influential in decision-making processes, have importance in three respects. First, the concepts share perspectives that provide different point of view on politics. Second, they represent the theories concerning policies. Third and finally, these two types of logic identify the ideal types that can be compared with the actual existing policies. The concept of ‘logic of consequences’ can be explained by making use of individualism in decision-making processes. According to this way of thinking, people, for personal or common reasons, make choices by interpreting possible consequences. Likewise, policies are determined rationally. In this regard, determining policy is seen as a matter of interest and rationality. Actors often underline the concepts such as “individual goals and aims,” and “an actor’s own values.” Actors determine the policies using these perceptions rationally. While doing so, the concept of logic of consequences ignores common values, rules and identities. In other words, nation-states basically determine their own policies by

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<sup>18</sup> James G. March and Johan P. Olsen, “The Logic of Appropriateness”, in Arena Center For European Studies, Working Paper, University of Oslo, 2004.

<sup>19</sup> James G. March and Johan P. Olsen, *Democratic Governance*, Free Press, New York, 1995.

<sup>20</sup> James G. March and Johan P. Olsen, *Rediscovering Institutions*, the Free Press, New York, 1989.

calculating the expectations. Therefore, nation states, in the decision-making process, prefer to give particular importance to national priorities rather than to common values, identity, norms and global priorities. Another concept used in the determination of policy is 'logic of appropriateness.' According to this concept, people are seen as individuals who can share a common life and who can identify and concern themselves with others. Therefore, the policies are seen as a matter of identity and emotional kinship. The main themes of logic of appropriateness are composed of rules, structures, institutions, practices, procedures, and socially constructed identity. This logic includes collective responsibility, common institutions, and identity construction instead of utilitarian individualism and interests. Within this framework, actors should pursue policies in accordance with socially constructed rules and practices. While nation-states in general, and countries such as the US, China, Russia and India in particular, follow the ideas of the logic of consequences, the EU acts in accordance with the principles of logic of appropriateness in the decision making process. It is possible to say that the main reasons for the action of countries such as the US, Russia, China, and India in conformity with the ideas of logic of consequences are 'structure of nation-state' and 'the weakness of the environmental traditions.' The EU's supranational structure, deep-rooted environmental traditions vis-à-vis nation-states and its neoliberal institutionalist behavioral tradition can be demonstrated as the reason for acting in accord with principles related to the logic of appropriateness.

Notwithstanding this discussion on 'logic of action', this dissertation does not claim that the European Union is an idealistic actor and, therefore, that it follows the logic of appropriateness in its decision making process. Actually, the Union uses both 'the logic of consequences' and 'the logic of appropriateness' in its decisions. Also, the European Union, like all other actors, is an international actor acting in accordance with its own interests. However, The EU's definition of interest is different. The European Union prefers to follow the approaches of the 'logic of appropriateness' not just in its international climate change policy in particular, but also in the issues such as social policy, energy, consumer protection, transport that are included in the

supranational structure of the European Union in general. This is due to the fact that the EU is a civilian rather than a military power, and it is pursuing post-national or ethical interests in an attempt to shape global order through normative change rather than use of force.

The second distinctive element in this dissertation is related to the supranational decision-making mechanism. When a nation-state's behavior patterns in international negotiations are examined, the analysis that best describes this process is Putnam's "Two level game" theory.<sup>21</sup> According to this concept, there are two levels in the process of how an agreement can be reached at the end of international negotiations. The first level, the international level, signifies the bargaining process among negotiators. The second level represents the domestic ratification procedure of the agreement, which has been reached as a result of negotiations. From this point of view, the basic motivation of a nation-state is to maximize the gains at an international level to satisfy its own domestic pressures or concerns. At both the international and national levels, nation-states and domestic groups determine policies in accordance with their own interests. The main reason for the pragmatic behavior of states is due to a state's internal structure. Max Weber, known with his theory on the state, explains that the state's internal structure is defined by the concepts of rationality and bureaucracy.<sup>22</sup>

Following the process in nation-states, a third level in the structure of the European Union can be observed. This third level stems from supranational institution building within the European Union itself. The European Union's decision-making mechanism is both supranational and intergovernmental. The EU created a three-pillars system with the advent of the 1992 Maastricht Treaty to establish a balance

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<sup>21</sup> Robert Putnam, "Diplomacy and domestic politics: the logic of two-level games", in *International Organizations*, vol.42, no:3, Summer 1988

<sup>22</sup> Max Weber, "Economy and Society: An outline of Interpretive Sociology", Guenther Roth and Claus Wittich (Eds), University of California Press, Berkeley, Los Angeles, London, 1978

between intergovernmental and supranational decision-making mechanisms. The three-pillars system was abolished by the Lisbon Treaty, and the three pillars were subsequently merged into a single European Union.<sup>23</sup> In both systems, the three pillars system and the system after the 2009 Lisbon Treaty, the environment had a place in both the ‘European Community pillar’ of the three-pillar system and in the ‘shared competence’ list of the post-2009 Lisbon process system. That is to say, in either case, the issue of environment has been involved in the supranational logic of the Union. The fact that the climate change issue remained in supranational logic implies that it is subjected to the ‘ordinary legislative procedure’ of the EU, which was referred to as a ‘co-decision procedure’ before the Lisbon Treaty. According to Vice President Maroš Šefčovič, "With the Lisbon Treaty, the ordinary legislative procedure which brings together Council, Parliament and Commission has become the standard way of decision-making. Through this partnership between the institutions, the common interests of the European Union, of its Member States and its citizens are expressed in a unique and tangible way, creating the necessary legislation to meet the challenges of the future."<sup>24</sup> In other words, it can be said that the EU Council cannot take decisions alone without the approval of the European Parliament regarding the issues that are subjected to the mechanism of “ordinary legislative procedure.” Given that the Parliament is the environmentalist and supra-national body of the Union, it can be deduced that the supranational structure of the Union is effective in the formulation of the climate change policy of the Union. Nevertheless, this does not mean that member states are not influential in the climate change debate. The member states participate in the process of determination of climate change policy by way of the Council. Also, there is a view that calls for the primacy of member states in the determination of environmental policy in the EU. This view fits the theory of inter-governmentalism, which

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<sup>23</sup> Carine Germond, “The End of the Cold War and the Unification of the European Continent”, in Klaus Larres (ed.), *A Companion to Europe since 1945*, Wiley-Blackwell, United Kingdom, 2009, p.220.

<sup>24</sup> ---, “Co-Decision on the "ordinary legislative procedure" ” Available at [http://ec.europa.eu/codecision/index\\_en.htm](http://ec.europa.eu/codecision/index_en.htm), Accessed on 09.02.2015.

emphasizes the role of states as unitary actors in the anarchic international system. States are the ultimate decision-makers and they want to maximize their interests, which are defined in terms of power. For inter-governmentalists, the EU is only a bargaining area for member states. With regards to discussion of environmental policy with inter-governmentalist lenses, it has been argued that “environmental leader and/or highly regulatory Member States export their national environmental standards and regulatory styles.” This argument is not shared by a number of scholars who have argued that EU environmental policy is comprised of complex compromises, which reflect many different interests from multiple levels.<sup>25</sup> Rejecting the “export” argument, Albert Weale, for instance, claimed that EU environmental standards are neither solely produced by a dominant coalition of countries, nor by different countries imposing their national style in a sector that is of particular importance to them. For Weale, the environmental standards at the EU level are to be recognized as “the aggregated and transformed standards of their original champions modified under the need to secure political accommodation from powerful veto players.”<sup>26</sup> As a result, apart from the issue of whether the member state or the Union determines environment policy, which leads us to question supranational impact, there is another issue that needs to be mentioned here: the “implementation deficit.” The implementation gap is defined as the difference between actual implementation and full implementation.<sup>27</sup> That is to say, the term “implementation gap” has been used to describe the gap between legislative intentions and policy results. While criticizing the environment policy implementation deficit in the EU’s development programs, the Union’s pioneering

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<sup>25</sup> Vakur Sümer, “The European Union water Framework Directive and Turkey’s Water Management Policy: An Analysis”, A Thesis Submitted to the Graduate School of Social Science of Middle East Technical University, September 2011, p.70.

<sup>26</sup> Albert Weale, “Environmental Rules and rule-making in the European Union”, in *Journal of European Public Policy*, Vol. 3, No. 4, 1996, p. 607

<sup>27</sup> ---, “The costs of not implementing the environmental acquis”, Available at [http://ec.europa.eu/environment/enveco/economics\\_policy/pdf/report\\_sept2011.pdf](http://ec.europa.eu/environment/enveco/economics_policy/pdf/report_sept2011.pdf), Accessed on 08.02.2015, p.14.

role in negotiations on international and regional environmental regimes – especially in the area of climate protection – must not be overlooked.<sup>28</sup> Moreover, beyond the member states' impact on the environmental decision-making process and the debates concerning the implementation deficit, this dissertation focuses on the EU's behavior in international climate change negotiations. Because of this focus, this study is based on the supranational structure of the Union and environmental issue's being within ordinary legislative procedure rather than its domestic structure.

The third distinctive factor is the EU's concern of spreading its the standards. The EU is widely seen as the global leader for regional environmental governance and, although it is still far from being a perfect one, it could represent a model for other regions of the world. This does not mean that other countries should merely adopt the same block of strategies and initiatives created by the EU. However, other actors can learn many lessons from the European experience and borrow some of its tools to strengthen regional environmental cooperation, shaping them according to their own needs and problems. The EU can influence and shape global environmental policy in three different ways. The first one is related to the impact of the EU's normative structure. The second path of influence is coercion through economic and political conditionality, threats and incentives. Economic and political power asymmetries between the EU and third countries are used, for example, by attaching conditions to development aid or by banning imports from certain countries that do not respect EU standards. The third way is the diffusion of the EU's high legislative standards.

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<sup>28</sup> German Advisory Council On Global Change (Wbgu) , *World in Transition: Fighting Poverty through Environmental Policy*, Earthscan from Routledge, 2013, p.178

## **1.2.Main Research Question and Argument of the Dissertation**

Within this context, the main research question of the dissertation is that why and how the EU follows a different policy regarding the global climate change issue, notwithstanding its great emissions, and while other emitting countries such as US, Russia, China, India and Brazil take status-quo-favoring stances. Here, ‘status-quo-favoring’ implies that the actors do not give up the positions that they have created in accordance with their interests and, more importantly, that they do not make commitments which will bring economic burdens to their countries.

In parallel with this research question, the argument of this dissertation is that whereas nation-states in general, great emitter states in particular, emphasize their national interests regarding climate change issues, the EU behaves in different way. This different behavior stems from the factors of ‘logic of action,’ ‘supranational decision-making mechanism’ and ‘its concern of spreading the EU standards.’ Despite the fact that there are different views on climate change policy among the EU members and the EU (because it is itself a great emitting body), these factors enable the EU to behave differently than other actors in the international climate change process.

## **1.3. Methodology**

Robert Stake, in his study “Case Studies,” stated that “As a form of research, case study is defined by interest in individual cases, not by the methods of inquiry used.”<sup>29</sup> A case study is expected to capture the complexity of a single case. The methodology, which enables this, has developed within the social sciences. Such methodology is applied not only in the social sciences, such as psychology, sociology, anthropology, and economics, but also in practice-oriented fields such as

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<sup>29</sup> Robert E. Stake, “Case Studies” in Norman Denzin and Yvonna Lincoln (eds), *Strategies of Qualitative Inquiry*, Sage, New Delhi, 1998, p.236.

environmental studies, social work, education, and business studies.<sup>30</sup> The great advantage of the case study is that by focusing on a single case, that case can be intensively examined even when the research resources at the investigator's disposal are relatively limited. The case study method can and should be closely connected with the comparative method; certain types of case studies can even be considered implicit parts of the comparative method.<sup>31</sup> For this reason, studying a single case, actor or country can be considered to be a comprehensive analysis if it is guided by implicit comparison with other systems or if the research has a strong connection to theories based on comparison.<sup>32</sup>

Within this context, the main method used in this particular study is the single case study method. The main focus of this study is to show that the EU behaves differently from other actors in global climate politics. Thus, the primary subject of inquiry is the European Union. To demonstrate this difference from the nation states in climate negotiations in general, great emitters such as the US, Russia, Brazil, China and India in particular, will be evaluated as “shadow cases.”

I utilize firsthand primary sources, which cover a broad range of official climate-related documents, including: the United National Framework Convention on Climate Change (UNFCCC), Kyoto Protocol as the international treaties; UN, United Nations Development Program (UNDP), World Meteorological Organization (WMO), and Intergovernmental Panel on Climate Change (IPCC) reports, Negotiation Bulletins, reports, documents and decisions within the framework UNFCCC process and reports, documents and environmental action

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<sup>30</sup> Rolf Johansson, “Case Study Methodology”, Available at [http://www.psyking.net/htmlobj-3839/case\\_study\\_methodology-rolf\\_johansson\\_ver\\_2.pdf](http://www.psyking.net/htmlobj-3839/case_study_methodology-rolf_johansson_ver_2.pdf), Accessed on 31.01.2015.

<sup>31</sup> Arend Lijphart, “Comparative Politics and the Comparative Method”, in the American Political Science Review, Vol.65, No.3, Sep. 1971, p.691.

<sup>32</sup> B. Guy Peters, *Strategies for Comparative research in Political Science*, Palgrave Macmillan, New York, 2013, p.4.



plans of the European Union. Numerous primary resources such as climate-related books and reports were collected in the UNFCCC Secretariat and European Commission Library in Brussels. The European Union, The European Commission, and websites of interested parties are also utilized for obtaining information and data. However, above all, UNFCCC and International Institute for Sustainable Development (Earth Negotiations Bulletin) web sites provided the most well-organized and open data, especially in terms of details of the negotiation process and positions of the parties involved.

Within the framework of drafting this dissertation, a project entitled “The Security Dimension of the Climate Change within the Context of European Union Foreign and Security Policy” was conducted in September 2010 in London. In this project, I had the privilege to interview Tom How, Climate Security Desk Officer in Climate Change and Energy Group, Foreign and Commonwealth Office; Pelin Zorlu and Nick Mabey From E3G (Third Generation Environmentalism); and Stephen Tindale, Climate Change Research Fellow at the Center for European Reform. In October 2010 in Tokyo, Japan, I conducted interviews on climate change and Japan’s policy with Satoshi Hoshino from Chuo University, Tokyo and Hiro Fujimaki from Tokai University, Tokyo. In November 2011, I was a guest fellow in European Policy Center in Brussels for a month. During this period, I had the opportunity to interview Josef Janning, Director of studies, European Policy Center and Lars Muller, International and Inter-institutional Relations, Directorate General for Climate Action for the European Commission. In the same visit to Brussels, I also conducted research on the EU climate change documents in the Commission library. In the period between September 2012 and July 2013, I also carried out a dissertation project in Bonn, Germany, and I was a Research Fellow at the Center for European Integration Studies (ZEI). Finally, I conducted an interview on my dissertation subject with Prof. Dr. Ludger Kühnhardt, Director of ZEI.

Secondary sources are also widely used in this work, including books, articles and reports with respect to climate change. Secondary sources such as books and

articles published in academic journals in Turkish and in English were also used as background readings in formulating the setting of the dissertation.

The official web sites on climate change and its negotiations such as UNFCCC, the Kyoto Protocol, IPCC, UN, the EU have been used as a source. Consequently, the main data needed for answering the research question and testing the argument of the dissertation were acquired by reviewing the first and second hand sources, conducting projects, carrying out research visits and making interviews.

#### **1.4.Review of Literature**

This section has focused on the literature claiming that the European Union is a distinctive and normative actor in climate change issue and the literature concerning climate change negotiations and EU's position in it. This literature will be evaluated in three groups. The first group of studies is focused on structure of the European Union such as normative power of the EU, governance by conditionality and the Governance of the European Union. The literature in the second group centers upon studies claiming that EU is distinctive and leader in international climate change issue. The third group of studies has focused on the politics of climate change negotiations.

*The Studies in the first group* analyzed the distinctive nature of the EU as a normative power in international relations, the EU's institutions and available institutions of governance. Apart from them, other works in this group focused on the governance by the conditionality and EU rules transfer issues. The main arguments of some studies in this group are summarized as follows:

Robert Falkner, in the article that appeared in European Journal of Public Policy in 2007, called "The political economy of 'normative power' Europe: EU environmental leadership in international biotechnology regulation", placed much emphasis on transforming the EU (European Union) from a mere entity into an

assertive player in global politics on biotechnology regulation. The rise of EU leadership in international environmental politics in the 1990s tends to compliment latest debates concerning the EU's unique nature as a 'normative power' in international relations. Nevertheless, as argued in this article, this viewpoint does not have a historical depth, thus is unable to consider the tensions between principles in competition and dispute among local interest entities in Europe. The article calls for an in-depth reading for the normative power argument and locates changes within the local political economy for agricultural biotechnology as the major reasons behind the EU's backing of a precautionary global regime on trade in GMOs (genetically modified organisms).

Helene Sjurgen, in the article "The EU as a 'normative' power: how can this be?" that is published by the European Public Policy Journal (2006), evaluated the current EU conceptions as a 'civilian', 'normative', 'civilizing'. There might be 'normative' or 'civilian' dimensions in EU's foreign policy, however, it is difficult to imply, the way such conceptualizations do, that the EU is a 'force for good' without locating the criteria as well as analytical standards which enhance qualification, substantiation or rejection of such a notion. The critical question is how can one know that pursuit of norms by EU is legitimate? One likely 'critical standard' may entail considering that a putative 'normative' or 'civilian' power would be in action for transformation of power politics parameters using a focus that strengthens the global legal structure. From such a view point a tension within EU's approach towards international affairs exists.

Simon J. Bulmer, in the article called "the Governance of the European Union: A New Institutionalist Approach", which appeared in the Public Policy Journal (1993), stressed that the assessment of European integration has seemingly used a tool obtained from international relations. However, since the integration was revived in mid 1980s, the EC (European Community) and EU (European Union) governance has widely resembled the one used in multi-tiered state. Additionally, this article examines the EU governance from a perspective of comparative public

policy. Using new or historical institutionalism, three levels are considered. In the first part, attention is focused on the EU's institutions and the available instruments of governance. The second part examines the analysis of governance at the policy-specific or sub-system level, and puts forward an approach based on governance regimes. The final part considers the institutional roots of the persistent, regulatory character of governance in the European Union.

Frank Schimmelfennig and Ulrich Seemliet, in the article called "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe" that is published within the European Public Policy Journal (2004), suggest that in the EU's process of enlargement, the CEECs (Central and Eastern European countries) have gone through a comprehensive process of external governance. "What are the main characteristics of the mode of EU external governance in this region, and under which conditions is it most effective for the transfer of EU rules to the CEECs?" The article provides the findings for a collaborative global research project that include comparative case studies for EU rule transfer in various policy areas as well as CEECs. They indicate that can be explained by the external incentives governance model; its efficiency differs with the authenticity of EU conditions and the local costs for rule adoption. The effect of such conditions, however, is dependent on two conditionality contexts namely democratic conditionality and *acquis* conditionality.

The studies in the second group focused on the EU's distinctive character and EU's role in international climate change and environmental policy. The studies discussed the international role of the EU, the EU's leadership potential in climate change issue and Europeanization of environmental policy. The main arguments of some publications in this group are summarized as follows:

Karen E. Smith observes that the EU is a unique player in global relations in the article called "The European Union: A Distinctive Actor in International Relations" that is published within The Brown Journal of World Affairs (2003). In the article,

Smith focuses on the rifts between “Europe” and the US, which have widened. The Bush Administration turned down international treaties, such as the ICC (International Criminal Court) and the 1997 Kyoto Protocol and instead supported the strengthening for the 1972 Biological Weapons Convention and imposing of restrictions on illegal trade in small arms-all mechanisms that had EU backing.

Brigid Laffan, in the article “The European Union: A Distinctive Model of Internationalisation?” that is published within European University Institute, Robert Schuman centre for Advanced Studies (1997), points out that the EU has created a unique form for internationalisation that represents a type of deep regionalism. The EU is a depiction of deep regionalism, compared to other regionalisms because of the scope, institutionalisation levels as well as normative underpinnings. The second part of the article examines the features of political alongside economic order that emerge within the union. Four factors for the EU are examined they include global role of the union, polity building, market integration and loosely coupled collective governance.

Rüdiger Wurzel and James Connelly, in the book entitled “European Union as a Leader in International Climate Change Politics” suggest that climate change is among the huge problems affecting humankind. The EU has been transformed into a major player in politics of global climate change though it was initially established based on a 'leaderless Europe' whereby the powers of making decisions is distributed amongst EU's societal, member state and institutional players. The main of the book that is written by experts within the field entails explaining the type of leadership that EU's societal, member state and institutional factors provide. Although leadership has emerged as the most prominent thematic concern within the book, other chapters offer a description of multi-level governance, policy instruments and ecological modernisation. The focus of the book is on the societal factors (businesses and environmental NGOs), member states (Britain, Germany, France, the Netherlands, Poland and Spain), European Council and Council of Ministers, European Parliament and the Commission. More chapters examine the

EU in terms of a global player and the policies of climate change for Washington and Beijing coupled with their reaction to the ambitions of EU.

Hakan Cavlak, in the PhD Dissertation called “Europeanization of environmental policy in Turkey” stated that the EU affects members as well as candidate countries through different ways. In some instances, the EU intentionally influences the member states using its legislative, administrative or political tools and in other instances, the countries are compelled to agree with EU’s general policies alongside practices. In the last few years, the ‘Europeanization’ approach is often utilised for explaining the EU effect. In the dissertation, the EU effect on Turkey’s environmental policy coupled with the environmental policy change emanating from the impact is examined.

Annica Kronsell, in the PhD Dissertation, entitled “Greening the EU, Power practices, resistances and agenda setting” notes that from 1970 – 1995, more than 200 directives touching on environmental issues have been embraced by the EC. The aim of the study entails understanding the process where environmental issues are presented by the Community agenda along with the manner in which the agenda has been designed. It is suggested that by commencing from an important position within ecocentric as well as feminist theory, additional understandings of setting the Community agenda may be achieved. The study indicates EU greening is not only about increasing policies to current legislation. Arguably, the author attributes this to the notion that ecocentric views present critical challenges towards dominant practices for the EU project. Greening (environmental agenda-setting) may be defined in terms of macropolitical as well as micro political processes.

*The studies in the third group* focused on the politics of climate change issue and negotiations. While doing so, they discussed the climate change policy of the European Union, the differences of main actors’ climate change policies and voice of the European Union in the global climate change negotiations. The main arguments of some publications in this group are summarized as follows:

Anthony Giddens, in the book “The Politics of Climate Change”, argues controversially, “we do not have a systematic politics of climate change. Politics—as-usual won’t allow us to deal with the problems we face, while the recipes of the main challenger to orthodox politics, the green movement, are flawed at source”. Giddens forms a variety of emerging concepts as well as proposals of filling the gap and conducting an in-depth examination of the link between energy security and climate change.

Christian Downie, in the book, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, placed much emphasis on US and EU behaviour within the global climate negotiations. The negotiations on climate may not essentially represent a pattern towards more protracted global negotiations; however, they offer a suitable example for the current phenomenon. And since, they intent to tackle one critical issue facing the world, the climate negotiations are particularly important.

Amorella Horvat, in the book “Global Climate Change Negotiations: Voice of the European Union” placed much emphasis on the UN Climate Change Conferences with a focus on the EU. Presented chronologically the book tracks the political games involving the major actors in the global arena and attempts to identify the answers to activities, which some countries took. Additionally, it provides the measurements taken by EU as a critical move towards arriving at a consensus on a global scale. Moreover, this article presents examples for the actions in EU countries coupled with role they play in the global stage.

### **1.5. Contribution to the Literature**

The summarized literature above contributed to the discussion of the subject of this dissertation in a number of ways. First of all, studies on the EU interpreted the structure of the EU and EU’s climate change policy from several perspectives, and applied it to a number of cases across Europe. Also, these studies have addressed

various aspects of the European Union's distinctive character. However, these studies illustrate the subject through a single concept or a case. In this sense, this dissertation aims to contribute to the existing literature by providing a comprehensive analysis of the EU's distinctive character through primary resources and field study within the framework of the EU's climate change policy. So, the dissertation aims to explain the differences in behavior between the EU and other actors in the climate change negotiations through focusing on three concepts called 'logic of action', 'supranational decision-making mechanism' and 'the EU's concern of spreading its standards' in a theoretical basis. In addition to the theoretical discussion, this dissertation will enable the reader to better understand the reflections in practice of the theoretical difference in the positions of actors in international climate change negotiations.

### **1.6. Structure of the Chapters**

The dissertation is comprised of eight chapters. The first introductory chapter is followed by a second chapter on the evolution of international climate change policy. The main aim of focusing on the historical background is to show how this process evolves. Focusing on the process will help reveal the differences in the policy and practice of the actors in international climate change negotiations. Within this context, this chapter will analyze the development of global climate change policy into five periods: 1-The emergence of scientific consensus; 2-Early International Responses 1985-1990; 3-The Rio Conference, Negotiations of the UNFCCC and the Kyoto Protocol; 4-From the Kyoto Protocol to the 2012 period; 5-Post-2012. Under the five periods, the chapter will demonstrate the foundational base of study for this dissertation by providing a detailed portrait of developments on climate change beginning from early scientific developments to the international multi-party negotiations, last of which being the LIMA conference.

The third chapter is designed to elaborate on the main international legal documents about the climate change regime: 'the UNFCCC and the Kyoto Protocol' and the



European Union legal framework on climate change. The main aim of this chapter is to detail the framework documents forming the basis of the negotiations. Moreover, another aim is that the position of the European Union and other actors in international climate change issue is the main topic of this dissertation, which will be analyzed both in theoretical and practical terms. However, the basis of analysis is the legal frameworks that are provided in the current chapter. UNFCCC, Kyoto Protocol and EU's legal framework are crucial document to understand actors' mindsets and legal boundaries. In this sense, this chapter consists of two sections. In the first part, the chapter will elaborate on the documents of the UNFCCC and of the Kyoto Protocol because of the fact that these documents form the basis of the negotiation process. In the second part, the European Union legal framework on climate change will be focused on to better understand its position in international negotiations. This is because it is believed that the EU's internal decision-making process reflects its decision-making in foreign policy.

In line with the argument of this dissertation, which is that the EU behaves differently in international climate change negotiations from other actors involved, the logic of action of the actors should also be considered. Hence, the remaining three chapters of this study will focus on the three concepts and mechanisms that make the EU different in international climate change policy. These include "the difference between the logic of consequence and logic of appropriateness," "Supranational structure of the European Union," and "its concern of spreading the EU standards." The rest of the dissertation will emphasize the differentiation in accordance with the aforementioned elements.

In this respect, the fourth chapter will discuss the difference in the logic of action between the nation states and the European Union on the basis of climate change. While doing so, first of all, two pieces of logic will be analyzed within the conceptual framework. These two parts are "logic of consequence," followed by nation-states and "the logic of appropriateness" reflected in the EU decision-making process. Following the discussions on the two logic of action concepts, the

chapter will focus on the EU's logic of action in the international arena, the theoretical clash concerning the EU's governance, and driving factors behind EU's climate policy.

The fifth chapter, in parallel with the argument of the overall dissertation, addresses the Union's supranational structure as a second determining factor, which indicates that the EU's behavior on the climate change issue differs from nation-states in general and with the behavior of great emitters such as the US, China India, Russia in particular. Within this context, in this chapter of the dissertation, Putnam's "Two level game" will be focused on for a better understanding of the behavioral style of nation-states. Subsequently, in order to have a better perception of the differences of the European Union, the structure of the EU, which is composed of supranational decision-making mechanism within the framework of climate change, will be elaborated on. In other words, unlike the two-stage decision-making process of nation-states, the European Union has a third level called a supranational structure. The strengthening of supranational structure of the Union after the Lisbon Treaty and the increasing the powers of the European Parliament led the Union to behave more environmentally friendly. In this chapter, this framework will be detailed.

The sixth chapter is dedicated to finding out how the European Union spread its standards on climate change. While looking for the answer to this question, the conditionality and normative perspective of the EU will be emphasized. The chapter will discuss the influence of the EU on global environmental policy and actors' environmental policies. This influence occurs in three ways. These are 'the impact of the EU's normative structure,' 'economic and political conditionality, threats and incentives,' and ' the diffusion of the EU's high legislative standards'. The discussion of how the EU influences environmental policy will be elaborated on with specific examples.

The seventh chapter is devoted to analyzing the different discourses and positions of the actors in international climate change negotiations. While the dissertation

aims to explain the differences in behavior between the EU and other actors in the climate change negotiations through focusing on three concepts called ‘logic of action’, ‘supranational decision-making mechanism’ and ‘the EU’s concern of spreading its standards’ in a theoretical basis, this chapter will enable the reader to better understand the reflections in practice of the theoretical difference in the positions of actors in international climate change negotiations. Another objective of this chapter is to show the EU’s different position in the negotiation process, comparing it with the postures of great emitters such as China, USA, Russia, and India. In evaluating policies, actions and practices during negotiations, the UNFCCC process will be considered as a framework of analysis. The Conference of the Parties (COPs) in the UNFCCC process that have become turning points, such as the Kyoto Protocol and the Lima, Copenhagen, Berlin, Bali conferences, will be taken into account, as well. Within this context, this chapter will first focus on different groupings in the climate change negotiations. After, the positions and movements of the groups in the negotiations will be described in three stages. These are ‘The First Stage (1991-1994): the UNFCCC period,’ ‘The Second Stage (1997-2005): the Kyoto Protocol Period,’ and ‘The Third stage (1996-Present): the Post-Kyoto Period’. Finally, in the concluding remarks section of the chapter, a brief analysis on the positions of the actors in negotiations and the stance of the European Union climate actions will be presented.

Finally, in the conclusion, a general assessment will be made related to the subject of study and argument of the dissertation.

## **CHAPTER 2**

### **Evolution of International Climate Change Policy**

#### **2.1.Introduction**

The American Meteorological Society defines climate as;

“The slowly varying aspects of the atmosphere-hydrosphere-land surface system. It is typically characterized in terms of suitable averages of the climate system over periods of a month or more, taking into consideration the variability in time of these averaged quantities”.<sup>33</sup>

According to Intergovernmental Panel on Climate Change (IPCC), “Climate change in IPCC usage refers to a change in the state of the climate that can be identified (e.g. using statistical tests) by changes in the mean and/or the variability of its properties and that persists for an extended period, typically decades or longer.”<sup>34</sup>

Climate change can be caused by human impacts or by natural factors. The usage of it differs from that in UNFCCC. Accordingly, change in climate is due to the human induced factors directly or indirectly.<sup>35</sup>

Following the definition of the climate, climate change can be characterized as seasonal routine: the progression of seasons from summer to fall to winter to spring and back to summer, during which a large number of areas are exposed to

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<sup>33</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p1.

<sup>34</sup> ---, “Climate Change 2007: Synthesis Report”, IPCC Fourth Assessment Report: Climate Change 2007, Available at [http://www.ipcc.ch/publications\\_and\\_data/ar4/syr/en/mains1.html](http://www.ipcc.ch/publications_and_data/ar4/syr/en/mains1.html), Accessed on 10.02.2015.

<sup>35</sup> *Ibid.*

substantial temperature and precipitation variations. As matter of fact, nearly any kind of climate variable can differ during the year. The issue in the climate change is with long-lasting climate change. The American Meteorological Society defines the term Climate change as follows: “It is a systematic change in the long-term statistics of climate elements (such as temperature, pressure, or winds) sustained over several decades or longer”<sup>36</sup> In other words, Climate change usually can be referred to as the change in the statistical distribution of weather condition over period of time and it generally identify with global warming. It is the rise in the ordinary temperature of the Earth's near-surface air as well as oceans.<sup>37</sup> The primary factor of climate change is the greenhouse effect arisen by burning fossil fuels and releasing more CO2 atmosphere.<sup>38</sup> The basic reason for greenhouse effect is the gases in the atmosphere. The main greenhouse gases in Earth’s atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone.

Evolution of environmental issues in general and climate change in particular show parallelism with the course of the international politics. Perceptions of actors vary in parallel to the scope of inter-state relations and the nature of the events in the international community. This situation also determines which elements will be included in the scope of security studies. In the years 1940s, "Security Studies" have emerged under the name of strategic studies and for many years, remained under the hegemony of the realist theory of international relations. Within this context, the subject of security studies has been limited for a long time with the state-centric and military issues. In 1970s, the military-based subjects have relatively lost their popularity in the wake of the reduction the nuclear tension between the two poles. In that period, interdependence and welfare issues have also

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<sup>36</sup> Andrew E. Dessler, *op. cit.*, p4.

<sup>37</sup> ---, “Summary of Policymakers”, A Report of Working Group I of the Intergovernmental Panel on Climate Change, 2007, p.2.

<sup>38</sup> Sebastian Oberthür and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, p.3

gained importance against the military power. This has led to shifts in the fields of security studies. Hence, new security issues began to settle on the security agenda. One of these new issues is the concept of environmental security. This issue has been raised in the 1972 United Nations Human Environment Conference. Early international environment movement has concentrated on regional, acute and recoverable pollution such as oil spills and hazardous wastes at sea. This thought ended up with the 1972 Stockholm Conference and the creation of the United Nations Environment Program (UNEP) in same year. In the later period, environmental actions has not only centered upon environmental protection but also interested in longer-term, worldwide risks, including depletion of ozone layer, the greenhouse heating up, and deterioration of biological diversity.<sup>39</sup>

In the early 1980s, international conjuncture has again changed with placing intermediate-range nuclear missiles in Europe by the main actors of the bipolar system and the Soviet invasion of Afghanistan. So, military threats and the role of the nation-state have gained importance in security studies again. With the end of the Cold War, the scholars who carried out discussions on the security agenda have defined the concept of security beyond military threats. From this period, security emerges as a "multidimensional" concept. After the end of the Cold War, the perceptions on security in international sphere have started to change and new security concepts such as human security, environmental security, energy security, food security and water security have emerged as complementary elements to national security. Security debate has been shaped in the 1994 UNDP (United Nations Development Program) Human Development Report. The report identified following seven set of elements, which is related to each other and in a sense, together have formed the concept of human security.<sup>40</sup> Within this context, climate

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<sup>39</sup> Daniel Bodansky, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.23.

<sup>40</sup> ---, "Human Development Report 1994", the United Nations Development Program, Oxford University Press, New York, 1994, pp.24-25.

change gained importance in international area. Since the beginning of the 21<sup>st</sup> century, in the several regions of the world, drought, flood, scarcity and fire have taken place. These catastrophes increased with the effects of global warming have influenced on the perceptions and practices of international security. In a parallel way, states started to establish a bridge between climate change and national security. Security concept, interacting each other on the various levels (individual, state and international system), after the Cold War, was started to be evaluated as not only political and military threats but also economic, social and environmental factor.

Following brief analysis of linkage between climate change/environment and the concept of security, it can be expressed that environmental topics have appeared more and more frequently on the international agenda over the last three decades. An increasing number of people, especially in Western countries, believe that human economic and social activities threaten the environment. Increasing global population, wide-spread industrialization, pursuing higher living standards, increasing human needs, scarcity of resources and unequal distribution of resources can be shown as factors affecting environment in a negative way. Air pollution, acid rain, stratospheric ozone depletion, the loss of biological diversity, and climate change are major regional or global problems. These regional and global problems have greatly increased the scale and intensity of the over-exploitation of natural resources and environment degradation, generating a wide range of urgent international and global problems. Within this framework, especially in last three decades, if perchance global security and international economics tend to be the two main typical issues in the world politics, environment can be shown as the third significant problem area.<sup>41</sup>

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<sup>41</sup> Gareth Porter and Janet Welsh Brown, *Global Environmental Politics*, Westview Publishing, Oxford, 1996.

Since the end of the 20<sup>th</sup> century, climate change has been known as the most important issue in the environmental topics. Climate change, defined as "the risks posed by climate change are real and its effects are already taking place"<sup>42</sup> by the European Union just became a current issue after 1990s in the top agenda of international community. Climate change is a global problem affecting all nations because of having a single climate system.<sup>43</sup>

Within this circumstance, the progression of international climate change policy in the late 1980s as well as very early 1990s dominated a wave of environmental action. These actions started in 1987 with the discovery of the stratospheric "ozone hole" and the publication of the Brundtland Commission report, *Our Common Future* (World Commission on Environment and Development, 1987) and reached a peak at the 1992 United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro.<sup>44</sup> The development of the global climate change policy can usefully be divided into five periods: 1-The emergence of scientific consensus; 2-Early International Responses 1985-1990; 3-Rio Conference, Negotiations of the UNFCCC and Kyoto Protocol; 4-From Kyoto Protocol to 2012 period; 5-Post-2012

## **2.2.The Development of the Global Climate Change Policy**

### **2.2.1.The Emergence of Scientific Consensus**

Environmental awareness and accumulation of knowledge on environment began with scientific studies in 19<sup>th</sup> century. In 1827, the French mathematician-physicist Jean Baptiste Fourier stated for the first time that the atmosphere controls heat

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<sup>42</sup> ---, "Climate Change and International Security", Paper from the High Representative and the European Commission to the European Council, S113/8, 14 March 2008, p.1.

<sup>43</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p.115.

<sup>44</sup> Daniel Bodansky, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.23



escaping from the planet and balances heat differences. In parallel with this finding, he underlined if there were no atmosphere, the globe would be warmer. John Tyndall then demonstrated in Britain in 1859 that methane and carbon dioxide takes in infrared and heat radiation. This absorption helps to control the Earth's surface air temperature. One step beyond is that, in 1859, physicist John Tyndall discovered water vapor and carbon dioxide, as two components of the atmosphere, provides the warming of the planet.<sup>45</sup> In the same year, Tyndall ran an experiment demonstrating the greenhouse effect. Visible sunlight easily passes through our atmosphere to warm the Earth.<sup>46</sup> In the later 19<sup>th</sup> century, accumulation of knowledge about environment and climate was progressing rapidly. In the light of the developments in the century, the Swedish chemist Svante Arrhenius argued in 1896 that rising CO<sub>2</sub> might make Earth warmer. He gave the first warning that human activities since the Industrial Revolution might possibly cause to changes in Earth's climate. In fact, the main field of study was to understand the ice ages. However, he also determined that coal combustion increases the amount of carbon dioxide in the atmosphere.<sup>47</sup> Additionally, he made an important projection on the interaction between CO<sub>2</sub> amount and the Earth's surface warming. According to him, if the amount of carbon dioxide in the atmosphere is increased to double, warming of the earth's surface is likely to be between 4 and 6 degrees. Considering that the 2007 Intergovernmental Panel on Climate Change (IPCC) report estimated between 1.5 to 4.5 degrees, Arrhenius's projection can be evaluated as quite successful. The first awareness of climate change happened in 1930s. In this period, geologist Louis Agassiz and others recognized glacial particles spread throughout Europe. They correctly concluded that northern Europe must have previously been covered by

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<sup>45</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p. 198.

<sup>46</sup> John Tyndall, *The Bakerian Lecture: On the Absorption and Radiation of Heat by Gases and Vapours, and on the Physical Connexion of Radiation, Absorption and Conduction*, Philosophical Transactions of the Royal Society of London, Vol.151,1861.

<sup>47</sup> *Ibid.*, p.198.

ice. The finding was a crucial discovery because of the fact that up to that time, everybody presumed that the climate was exactly what it had actually always been as well as always would certainly be. This discovery revealed that climate had changed in the past, and it certainly suggested that it could change again in the future. This inspired much of the scientific researches on climate over the following century.<sup>48</sup> In 1938, GS Callender made a similar warning. In that warning, GS Callender focused on the interaction between global warming and rising carbon dioxide and stated that it may already be occurring.<sup>49</sup> Charles Keeling of the Scripps Institution of Oceanography in San Diego established the first carbon dioxide monitoring stations, at the South Pole and Mauna Loa in Hawaii.<sup>50</sup>

In the 1950s, opinions on environment began to alter with the influence of some aspects. The first one was the creation of nuclear weapons. Nuclear bombs had been used twice in World War II. As a matter of fact, one nuclear bomb has carried explosive more than that all of it used in the Second World War. So it became clear that humans had the power to obliterate themselves and the idea that we can possibly change the environment became more reasonable in comparison.<sup>51</sup>

Secondly, after the Second World War, international economic recovery also caused the atmosphere, pollution of rivers and seas, especially Mediterranean. Such matters as discharges from oil tankers led to international agreements in the 1950s and 1960s. Such “low politics” issues were discussed in the specialized agencies of the UN, like the Food and Agriculture Organization. However, at that time, such issues have not been the main topics to diplomacy at the UN General Assembly

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<sup>48</sup>*Ibid.*, p.198.

<sup>49</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, pp.277-278.

<sup>50</sup> A. Barrie Pittock, *Climate Change, Turning Up The Heat*, Earthscan, London, 2005, p.246.

<sup>51</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p 200.

(UNGA). This disregard was also reflected in academic writing. Hans J. Morgenthau's well-known text, namely *Politics among Nations* (1955), can be given as example, which indicated the natural environment only as a fixed contextual factor or a constituent of national power.<sup>52</sup>

Third aspect is that air pollution was additionally a crucial problem that results environmental conscious. Essentially the most renowned air pollution case was the "killer smog" in London on 7<sup>th</sup> December, 1952. In London in those days, the majority of houses had been heated using fossil fuel, especially coal. In early December 1952, a temperature inversion led a thick layer of smog over London. Because Londoners used fossil fuel in general, coal in particular, heavy soot filled the air. The dark smog and thick dirty fog prevented the sunlight and this caused the temperature to drop rapidly. This situation has led the people to burn more coal to heat, causing to even more smog and soot over London. During the peak of the event on December 7<sup>th</sup>, sight distance decreased by 1 foot. The particulates damaged people's health and killed many of the weak and old. In the following days, the weather started to change and the harmful smog and soot over London lifted. This kind of continual air pollution issues took place around the World and human beings negative impact on the environment should be taken into account.<sup>53</sup>

One of the key aspects is that people in many regions around the world are getting richer. While people become wealthy and also, people spend their income on non-essential things, protecting the environment turns into a higher concern.<sup>54</sup>

One more significant event, which influences the awareness on the environment, was the International Geophysical Year in 1957 and 1958. A smaller number of

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<sup>52</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds) *The Globalization of World Politics*, 5<sup>th</sup> Edition, Oxford University Press, New York, 2011, p.349.

<sup>53</sup> Andrew E. Dessler, *op.cit.*, pp 200-201.

<sup>54</sup> *Ibid.*, p 201.

experts and researchers have figured that a common ground for thinking and experiment is critical.<sup>55</sup> It was the design with regard to global co-operation within research to be able to enhance the knowledge of the essential geophysical processes, which regulate the environment. This intensive observations and studies enhanced our information on environment and the Earth. One of the well-known measuring in the year, namely the International Geophysical Year was of atmospheric carbon dioxide. These measurements demonstrated that increase in the level of atmospheric carbon dioxide stems from human actions.<sup>56</sup>

Charles Keeling of the Scripps Institution of Oceanography in San Diego was instrumental in establishing the first carbon dioxide monitoring stations, at the South Pole and Mauna Loa in Hawaii. In 1957 he wrote:

Human beings are now carrying out a large scale geophysical experiment of a kind that could not have happened in the past nor be reproduced in the future. Within a few centuries we are returning to the atmosphere and oceans the concentrated organic carbon stored in sedimentary rocks over hundreds of millions of years.<sup>57</sup>

The salience associated with environmental problems increased in 1960s. This was valid until 1968. In 1968, UNGA approved a Swedish proposal, which led to the 1972 UN Conference on Human Environment in Stockholm. In this sense, 1972 Conference on Human Environment concentrated on the governments' interest and public awareness about the significance and urgency of the issue. This conference resulted in the creation of the UNEP (United Nations Environment Program) and

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<sup>55</sup> Lloyd Viel Berkner, "The International Geophysical year, 1957-1958: A Pattern for International Cooperation in Research", in *Proceedings of the American Philosophical Society*, Vol.101, No.2, April, 1957, p.159.

<sup>56</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.201.

<sup>57</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, p.278.

triggered the establishment of environmental departments by numerous countries.<sup>58</sup> Additionally, 1972 Conference created a document entitled 'Principle 21'. This document brings together sovereignty on national resources and state responsibility for external pollution.<sup>59</sup>

Apart from this, even though environmental issues have been pushed off the international agenda due to the economic decline in the 1970s, a number of cases in the same period increased the public consciousness. One of the cases is related to the development of a supersonic airliner. In the 1970s, experts and scientists mentioned that supersonic airliners could have serious effects on environment. Aircraft motor exhaust consists of chemical substances that may ruin ozone, and because supersonic airliners travel from higher altitudes in order for effectiveness, these kinds of waste materials of aircraft engine would be diffused directly into the ozone layer. Researchers and experts started to concern that the depletion of ozone layer may possibly result. While, on the one hand, the discussions on Supersonic airliner continue, on the other hand, in 1973 and 1974, scientists have classified, for the first time, industrial chemicals known as chlorofluorocarbons (CFCs), which might deplete ozone layer. In parallel to the supersonic airliner discussion, the matter of deterioration in the ozone layer has already attracted the public sphere. Thus, policy makers and general public already acquired familiarity with danger. At the end of the 1970s, the US has banned the use of CFCs in unnecessary areas such as a propellant in aerosol spray cans.<sup>60</sup> During the aforementioned scientific developments, in the same period, another issue also came up in international sphere. The issue was related to the global cooling pattern. This cooling trend was realized 0.5 °C as observed in 1950s and 1960s. This cooling has increased concern

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<sup>58</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds), *The Globalization of World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.349.

<sup>59</sup> *Ibid.*, p. 353.

<sup>60</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, pp.202-203.

and some scientists mentioned that this could be the start of a long-term cooling and even of a new glaciation. Various explanations about the cooling were performed. One of them revealed the relationships between the cooling and increasing particulate matter in the atmosphere. Moreover, it was feared that this effect might be amplified into a greater cooling by increased snow cover.<sup>61</sup>

Nevertheless, Wally Broecker of Columbia University commented in 1975 that:

... a strong case can be made that the present cooling will, within a decade or so, give way to pronounced warming induced by carbon dioxide. Once this happens, the exponential rise in the atmospheric carbon dioxide content will tend to become a significant factor and by early next century will have driven the mean planetary temperature beyond the limits experienced during the last 1000 years.<sup>62</sup>

Questioning the truth of the continuing global cooling, the World Meteorological Organization (WMO) published a special report in 1976. In this report, the importance of shorter-term climate change, natural and man-made causes of the change were emphasized. The report concluded that urgent attention and more study on this issue were needed. Also, other scientific groups such as the Australian Academy of Science reached similar findings in 1976. Nevertheless, in 1979, WMO's First World Climate Conference was held in Geneva. In his conference, it was indicated that the increase in carbon dioxide in the atmosphere could cause a gradual warming of the lower atmosphere.<sup>63</sup> Scientists in the Conference urged the governments to 'foresee and prevent potential man-made changes in climate that might be adverse to the well-being of humanity', 'to take full advantage of man's

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<sup>61</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, p.278.

<sup>62</sup> Wallace S. Broecker, "Climatic Change: Are We on the Brink of a Pronounced Global Warming?", in *Science*, New Series, Volume 189, No. 4201, 1975, p.460.

<sup>63</sup> A. Barrie Pittock, *op.cit.*, p.278.

present knowledge of climate’ and ‘to take steps to improve significantly that knowledge’.<sup>64</sup>

Acid rain was another problem that had emerged simultaneously. The atmosphere is contaminated by huge amount of sulphur dioxide and nitrogen oxides emitted by power plants especially the ones burning coal. These hazardous molecules are absorbed by cloud droplets once they are emitted in the atmosphere; once they are absorbed by raindrops and react with water, forming sulphuric acid and nitric acid. The damage this acid rain does to the ground and the environment is severe. It bleaches the nutrients present in the soil, acidifies the rivers and lakes, the plants and wildlife is damaged, the structures built by human are damaged and spoiled, and many other such hazards. This theory of acid rain is pretty simple. Related research has been done over decades have always shown a connection between power plant emissions and acidic precipitation. With respect to this research, The Convention on Long Range Transboundary Air Pollution, the first international agreement about acid rain, was signed by 34 countries of the U.N. on 16 November in 1979. A directive reducing sulphur dioxide emissions was enacted by the Council of the European Communities the following year.<sup>65</sup>

There was an important report done by the U.S. National Academy of Sciences in the end of 1970s. It reviewed the subjective science to reach a conclusion which was that with consistent increase in carbon dioxide, there will be inevitable climatic changes and the changes will be too dominant to be ignored.<sup>66</sup> Similarly, if the presence of carbon dioxide in the atmosphere doubles, there will be an overall

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<sup>64</sup> John W. Zillman, “A History of Climate Activities”, Bulletin, Vol.58(3), July 2009, Available at [http://www.wmo.int/pages/publications/bulletin\\_en/archive/58\\_3\\_en/58\\_3\\_zillman\\_en.html](http://www.wmo.int/pages/publications/bulletin_en/archive/58_3_en/58_3_zillman_en.html), Accessed on 20.02.2015.

<sup>65</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p. 203.

<sup>66</sup> ---, *Carbon Dioxide and Climate: A Scientific Assessment: Report of an Ad Hoc Study Group on Carbon Dioxide and Climate*”, National research Council (U.S.), Massachusetts, 1979, p.viii.

warming of 1.5–4.5 °C. Likewise, research done back in the 1980s also suggested that there would be a significant change in the climatic conditions around the world. Yet, there was little concern and thought given to this issue by the politicians and the general public.<sup>67</sup>

Throughout the 1980s the ozone problem was a significant issue with respect to the politicians and scientists. An observation was made on part of the scientists that the ozone layer had been undergoing depletion because of CFCs. They pointed out that nearly 90% of the ozone present over Antarctica was destroyed every spring. This observation was quite shocking and then was referred as the ozone hole. Other 1970s' theories believed that the process of ozone depletion would take at least 50 years or more to result in serious depletion. However, this was not the case for Antarctica as the ozone there was depleting at a faster rate as predicted. This observation proved that there was a role of humans in this and its direness was brought into the light. With respect to this, the Montreal Protocol was adopted in 1988. This commitment served to phase out CFCs over the years to come.<sup>68</sup>

The most significant element of the Montreal Protocol was this phasing out Chlorofluorocarbons (CFCs). This was done in two parts. First, the phasing out was done by the industrialized countries, and the by the developing countries after 10 years. The reasons for this are firstly, the industrialized countries tend to be better and richer than the latter; hence they can utilize more resources to carry out the task. Besides, when the rich countries would start first, the aspects of economies of scale and technological edges would give lesser costs for the developing countries to continue with the task. Moreover, ethical considerations were also brought in when phasing out the CFCs. The CFCs present in the atmosphere were mainly the

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<sup>67</sup> Andrew E. Dessler, *op.cit.*, p. 206.

<sup>68</sup> ---, "The Montreal Protocol on Substances that Deplete the Ozone Layer", Available at [http://ozone.unep.org/new\\_site/en/Treaties/treaties\\_decisions-hb.php?art\\_id=29](http://ozone.unep.org/new_site/en/Treaties/treaties_decisions-hb.php?art_id=29), Accessed on 10.02.2015.



result of the activities of industrialized countries. There was little contribution in this from the developing countries. Therefore, this meant that the industrialized countries had a greater responsibility to tackle with the problem first than the developing countries.<sup>69</sup>

The cooling trend came to an end by the 1980s and scientists then started to think more about new information, having different minds about the issue. The scientists had an increasing interest in the magnitude and the likelihood of global warming, especially after realizing that there was a consistent rise in the greenhouse gases and that carbon dioxide had a greater life span in the atmosphere as compared to the particulates. There was a mutual agreement between non-governmental International Council of Scientific Unions and a scientists' conference at Villach in Austria in 1985. It also involved the WMO and the UNEP (United Nations Environment Program). The agreement was that in the following first half of the century, there would be an increase in the mean temperature globally, and this would be much severe than ever in the history.<sup>70</sup>

A report was issued by the Scientific Committee on Problems of the Environment (SCOPE). This report was headed as 'The greenhouse effect, climate change and ecosystems' and it discussed the global warming issues. The conclusion that SCOPE reported was that if the increase of carbon dioxide continued at the same rate, there would be a value double the pre-industrial time by the end of 21<sup>st</sup> century; the average global warming from this would be 1.5–5.5°C, where the related rise in sea level would be 20-165 cm. this report further discussed possible influences in forests, ecosystems and agriculture. This issue went on being a demanded need for action from just a concern. More than 300 scientists at the UN

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<sup>69</sup> Andrew E. Dessler, *op.cit.*, p. 204.

<sup>70</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, Second Edition, Earthscan, London, 2009, p.278.

adopted strategies to reduce carbon dioxide emissions.<sup>71</sup> A conference was held in 1988 in Toronto ‘Conference on the Changing Atmosphere’. The conference set a motive to reduce carbon dioxide emissions by 20% by the year 2005. It stated that unintentionally, the people of the planet are exploiting and destroying the environment and the results of the actions would be disastrous.<sup>72</sup>

The Intergovernmental Panel was set up by UNEP and WMO in response to the aforementioned concerns. This panel was set up on Climate Change in 1988. At starting, the IPCC was to give reports on the Second World Climate Conference and the UN Assembly (General). The report was to cover any scientific information related to different aspects of climate change and its concerning issues. Besides, it was to formulate reasonable strategies in response to manage the issue of the climatic change.<sup>73</sup> It was also said that there might be negotiations internationally with respect to an agreement to control the emissions of greenhouse gases and to take preventive measures to control the climatic changes. Three different working groups were established by IPCC. One group was to assess the scientific data and information available climate change. The second was to assess the socio-economic and environmental influences, while the third one was to come up with strategies in response.<sup>74</sup>

There have been five important assessment reports issued by the IPCC to date. These reports were issued in 1990, 1995, 2001, 2007 and 2014 respectively. In

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<sup>71</sup> B. Bolin, J. Jäger. and B. R. Döös, *The Greenhouse Effect, Climatic Change, and Ecosystems*, SCOPE 29, 1986.

<sup>72</sup> ---, “Climate Change”, Available at <http://www.torontoenvironment.org/campaigns/climate/climatechange>, Accessed on 28.03.2013.

<sup>73</sup> ---, “Climate Change: The IPCC Response Strategies”, Available at [http://www.ipcc.ch/ipccreports/far/wg\\_III/ipcc\\_far\\_wg\\_III\\_chapter\\_01.pdf](http://www.ipcc.ch/ipccreports/far/wg_III/ipcc_far_wg_III_chapter_01.pdf), Accessed on 28.03.2013, 1990, p.5

<sup>74</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, p.279.

1988, they issued a special report named ‘The regional impacts of climatic change’. Apart from these reports, there are various IPCC reports such as ‘Special report on emission scenarios’ (SRES) published in 2000. This gave a variety of scenarios for emissions of greenhouse gas in future till the year 2100. A global framework Convention on Climate Change (UNFCCC) was drawn in February 1991 under UN auspices. This was set up by different country representatives. This was called as a framework convention which meant that it had laid a broader perspective of objectives and principles, yet it had left many details to be discussed later. Its aim was to bring stability in the concentrations of the greenhouse gas to avoid any dangerous influences on the environment. The United Nations Framework Convention on Climate Change came into adoption in 1992 on 9<sup>th</sup> May.<sup>75</sup> This was done in New York and was set up for open signature at the UN conference on Environmental and Development at Rio. March 21 1994 brought the UNFCCC into force.<sup>76</sup>

The greenhouse warming theory became a matter of concern almost a century ago, yet the issue of climate change was brought to light in the 1990s. Back in the 1960s, scientists established that the concentration of carbon dioxide in the atmosphere was increasing. The Keeling curve (keeling 1960) showed the rise, and it was a generally agreed upon notion around the world. This led to the rise in the concern the scientists had in 1960s and 1970s. 1970s and 80s saw improvement in terms of technology and computing power. Scientists were able to develop better computer models with respect to the atmosphere; this led to better confidence levels of scientists in terms of predictions of global warming. According to a report in 1979 by the US National Academy, with consistent increase in carbon dioxide in the atmosphere, it is inevitable that there will be climatic changes and the subsequent

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<sup>75</sup> Earth Negotiations Bulletin, “Summary of the Eleventh Session of the INC for a Framework Convention on Climate Change: 6-17 February 1995”, in Earth Negotiations Bulletin, Vol.12, No.11, p.2.

<sup>76</sup> A. Barrie Pittock, *op.cit.*, pp.247-279.

results will be severe. The First World Climate Conference and its organizers failed to attract policy makers in 1979, and in 1985, a workshop was conducted in Villach, Austria. Although the US government had participated in it, there were no clear specific instructions.<sup>77</sup> The Villach conference in 1985 gained some attention toward the issue of climatic changes and drew some attention by the policy makers in terms measures to be taken.<sup>78</sup>

The subjective problem grew even worse when other anthropogenic emissions of nitrous and methane oxides were found by scientists in mid 1980s. This contributed even more to the greenhouse effect. After assessing carefully, it was decided that the temperature had been rising historically since the middle of the century.<sup>79</sup>

### **2.2.2.Early International Responses 1985-1990**

The purpose of international environmental meetings is to discuss and lay down the political objectives apart from the environmental objectives.<sup>80</sup> There is a need to play an action on an international level for the promotion of the environmental norms and for the development of scientific understanding in order to aid the participation of the developing countries. It is important to have international cooperation in order to have governance regimes for global commons. They are said to be those resources and areas which are not categorized under sovereign jurisdiction that is, nobody owns them. Another significant common is outer space

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<sup>77</sup> Daniel Bodansky, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. sprinz (Eds.) *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.24.

<sup>78</sup> Ronald Bruce Mitchell, William C. Clark, David W. Cash and Nancy M. Dickson, *Global Environmental Assessments: Information and Influences*, MIT Press, 2006, p.43.

<sup>79</sup> Daniel Bodansky, *op.cit.*, p. 26.

<sup>80</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds), *The Globalization of World Politics*, Fifth Edition, Oxford University Press, New York, 2011,p.355.

which is important with respect to modern telecommunications, navigation, surveillance and broadcasting. Lastly, another common is the global atmosphere.<sup>81</sup>

The fact that greenhouse gases present in the atmosphere causes changes in the climate was known to scientists since a very long time, yet the process of the issue started properly in 1985-1986. The international cooperation has the function to generate and share scientific information with public bodies as WMO (World Meteorological Organization) and myriad organizations like International Council for the Exploration of the Seas (ICES). Besides, it also includes the International Union for the Conservation of Nature (IUCN).<sup>82</sup> WMO (World Meteorological Organization) was the first one to make a significant effort as well as UNEP (United Nations Environment Program), where they had a conference in Villach, Austria in 1985. This conference discussed a scientific consensus with respect to the problem of global warming. The National Aeronautics and Space Administration (NASA) and WMO in collaboration with other agencies published a report consisting of three separate volumes based on climate change. This was done in 1986.<sup>83</sup>

All the measures taken on part of the Villach meetings (1985-1987), the foundation of the Advisory Group of Greenhouse Gases with UNEP and WMO, Enquete Commission's report in Germany and testimonies like that of climate modellers, for example that of James Hansen, together worked to create a familiarity among the policy makers with respect to the climatic changes and its subsequent issues.<sup>84</sup>

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<sup>81</sup> *Ibid.*, p.353.

<sup>82</sup> *Ibid.*, p.353.

<sup>83</sup> Daniel Bodansky, "The United Nations Framework Convention on Climate Change: A Commentary", in *Yale Journal of International Law*, Vol. 18, No:2, Summer 1993, p.461.

<sup>84</sup> Daniel Bodansky, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.27.

There was an increased concern in the late half of the 1980s with regard to the global environmental issues.<sup>85</sup> The problems included deforestation, the stratospheric ozone layer's depletion, and pollution in the oceans, biological diversity's loss and hazardous wastes in international trade. After the realization of the Antarctic ozone hole, and that it was the result of the chlorofluorocarbons, it was confirmed how human activities influence the atmosphere and how it affected in the rise of the subjective problem.<sup>86</sup>

In 1988, the issue of climate change transformed from being a problem of the academics to a problem of the politics. The unexpected extreme summer of 1988 accelerated the attention of the media and the US. The aforementioned summer was extremely hot, where the US suffered from drought and history breaking temperature records. The greenhouse proponents were boosted after the North American heat wave of 1988, especially in Canada and the US. It was then that some US Congressional leaders showed interest in the issue of the climate change. James Hansen, a scientist of NASA said that he was almost 100% sure that the problem of the world getting warmer was the result of human activities. There was a media firestorm with respect to the publicity of the problem of the ozone hole, and this marked the shift in the issue becoming a political one. A resolution was passed by the United Nations after a few months. This resolution asked for a protection of the climate globally in the present and in the future. The famous Time magazine named the 'Planet of the Year' as 'Endangered Earth' instead of having a 'Person of the Year'. There was a conference in Canada, Toronto, in 1988 that discussed emissions of carbon dioxide globally and asked to work toward reducing it by 20 % by 2005; it discussed a global infrastructure convention for the protection of the atmosphere and to establish a fund for a world atmosphere that would be financed by taxing

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<sup>85</sup> Joan B. Aron, *Licensed to Kill?: The Nuclear regulatory Commission and the Shoreham Power Plant*, University of Pittsburg Press, United States, 1997, p.4.

<sup>86</sup> Daniel Bodansky, *op.cit.*, p.27.

fossil fuels.<sup>87</sup> This year also marked the formation of IPCC (Intergovernmental Panel on Climate Change). The goal was to give a summary of climate change to the public and to the policy makers. Besides all this, there was an increased awareness among the general public and they started to think of measure to reduce the emission of greenhouse gases.<sup>88</sup>

This measure was opposed by the energy industry as it sold fossil fuel based energy in trillions of dollars, for them it meant to pay a lot for taxes. This view was summed up by the President of the Czech Republic, Vaclav Klaus, who was a leader who doubted the essence of the climate change science. He said that socialism was no longer a significant threat to democracy, freedom and the market economy; it was instead the arrogant and ambitious idea of environmentalism.<sup>89</sup> With respect to this, there was an emergence of a policy change of climate change in 1988. Earlier, this issue had been dealt by non-governmental actors and scientists. However, after 1988, it became an intergovernmental problem.<sup>90</sup>

The International Panel on Climate Change (IPCC) was organized by UNEP and WMO in 1988. Its aim was to form a united ground to negotiate and determine the policy about climate change.<sup>91</sup> Its first Assessment Report was issued in 1990

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<sup>87</sup> *Ibid.*, p.27.

<sup>88</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, pp.206-207.

<sup>89</sup> *Ibid.*, pp.206-207.

<sup>90</sup> Daniel Bodansky, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001, pp.27-28.

<sup>91</sup> Ronald B. Mitchell, "Regime Design Matters: Intentional Oil Pollution and Treaty Compliance", in *International Organization*, Vol. 48, No.3, Summer 1994.

which said that there was a serious threat to the world because of global warming.<sup>92</sup> It decided that the extent of the warming was persistent with climate models prediction, but it also had the magnitude of natural variability. This idea of human role being a reason of the climate change brought uncertainties with respect to the science of climate. Based on these uncertainties, it was not possible to attribute EL Ni no/ Southern Oscillation, the internal and solar variation with the issue of warming of the greenhouse gases.<sup>93</sup>

There was a transitional period during the years 1988-1990. There was a greater role played on part of governments, where there was still significant influence of the nongovernmental actors. The IPCC, founded by UNEP and WMO in 1988 spoke on the ambivalence. The most significant output on part of the IPCC was the 1990 scientific assessment done on global warming.<sup>94</sup>

Following were the landmarks discussed in the climate change issue:

- The General Assembly resolution of 1988 on climate change characterized the issue as the ‘common concern on part of mankind’,
- The 1989 Hague Summit asked to develop a new authority institutionally in order to protect the atmosphere and fight global warming,
- The first intergovernmental meeting, the 1989 Noordwijk ministerial meeting focused particularly on the issue of climate change,
- The May Bergen Ministerial Conference 1990 discussed sustainable development.<sup>95</sup>

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<sup>92</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p.119.

<sup>93</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, pp.207-208.

<sup>94</sup> Daniel Bodansky, “The History of the Global Climate Change Regime” in Urs Luterbacher and Detlef F. Sprinz (Eds), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.28.

<sup>95</sup> *Ibid.*, p.28.



### **2.2.3. Rio Conference, Negotiations of the UNFCCC and Kyoto Protocol**

One of the most significant issues globally is climate change as every nation is affected and influenced by the results it has. In order to deal with the issue and its related threats to earth, there is a need of an international cooperation that would consist of states, important powers like EU, Russia and USA and international organizations. This process of cooperation however, is not simple and is very complicated as there are numerous sources of emissions that influence global warming. Then there are uncertainties on part of scientists, particularly with respect to the atmospheric chemistry. Apart from all these aforementioned factors, it is not easy to change the policy at a political level since the need for energy is a universal economic demand and reducing the greenhouse gas and the emissions is not very simple. In order to reduce the level of carbon dioxide in the atmosphere, there is a need to switch on alternative energy resources instead of oil and coal.<sup>96</sup>

The composition of greenhouse gas emissions consist of fossil fuels burn emissions (which makes 80% of the total emissions globally), natural methane resources and deforestations. There exists three different states with respect to energy and fossil fuel use. The first consists of states that mostly rely on energy that is imported and hence they maintain good living standards, where their use of fossil fuel is not much. Examples include Germany, Japan, France, Sweden, Italy, Denmark and the Netherlands). The second group comprises of those states that rely on cheap resources of energy and have inefficient use of energy. Examples include China, India, Mexico, Russia and USA. The third group is the one that rely heavily on exports of fossil fuels as income. Examples include Australia, the Arab oil states, the UK and Norway.

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<sup>96</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, pp.115-116.

There has been significant growth in the environmental law globally over the last 20 years, yet, when the issue of climate change rose in 1980s, there was little that international environmental law had to offer. Although there are general international laws concerning principles of pollution on the atmosphere, there are no certain and specified principles to cater to the problem of climate change. Hence, there is a need of a new treaty to cater to the subjective problem.<sup>97</sup>

It took around three years to formally make the treaty and to start the negotiations and to enter the UNFCCC force. This was quite a short time period if we refer to international environmental negotiations. This started in 1990 December, after the establishment of the Intergovernmental Negotiating Committee by the UN General Assembly. This was done with respect to climate change for a Framework Convention (INC/FCCC), to make negotiations. There were a total of five sessions held by INC/FCCC during 1991 February- 1992 May. The UNFCCC was adopted on 9<sup>th</sup> May 1992 as well as the Convention. This is among the three that were adopted at the “Rio Earth Summit” in 1992.<sup>98</sup> In less than two years’ time later-on March 21, 1994- influenced by its ratification by fifty states, it came in to force.<sup>99</sup>

The official start of the negotiations in the Intergovernmental Negotiating Committee with respect to Climate Change was in February 1991. This was formed by the UN General Assembly. The process leader in these negotiations was the EU, which worked with the aim to reduce the combined carbon dioxide emissions by the year 2000 to 1990 levels. At the same time, Denmark, the Netherlands,

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<sup>97</sup> Daniel Bodansky, “The History of the Global Climate Change Regime” in Urs Luterbacher and Detlef F. Sprinz (Eds), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.31.

<sup>98</sup> ---, “Five Steps to a safer future: Introducing the United Nations Framework Convention on Climate Change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 10.02.2015.

<sup>99</sup> Daniel Bodansky, "The History of the Global Climate Change Regime" in Urs Luterbacher and Detlef F. Sprinz (Eds), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.32.

Germany, Australia, New Zealand and Austria worked together to lower their total emissions by 2000 or 2005. Besides these countries, other countries such as Brazil, India and China also took measures in the cause. There has been 21 % release of emissions globally by these countries. Moreover, the proportion of these gases is likely to increase as there is a significant use of fossil fuels that run the economy of many states. They established a potential veto coalition, under this framework.<sup>100</sup>

The largest conference held internationally was the 1992 UN Conference done on Environment and Development. This conference raised the environment profile as an international problem and discussed various important agreements and documents like international conventions and Agenda 21 based on climate change and biodiversity. The Agenda 21 was published by Rio Earth Summit in 1992 and was often derided. This was because it was internationally agree upon and held a wide influence and reference point.<sup>101</sup> A resolution and a timetable of goal were missing in the conclusion of the 1992 negotiations. George Bush, the former president, announced his decision to be a part of the Rio Conference. The signature opening of the convention was done in June 1992 at the Rio Earth Summit.<sup>102</sup>

The UN Framework Convention was signed by 154 countries gathered at Rio (UNFCCC). Around 40 industrialized countries which included Russia, Japan, the US, Ukraine, the EU and Australia, defined under Annex 1 parties, took a leading part in the cause of reduction of greenhouse gas emissions. Their singular goal was to restore the greenhouse gas level to previous levels. The governments however,

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<sup>100</sup>Sebastian Oberthür, and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, pp.21-29.

<sup>101</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds), *The Globalization of World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.353.

<sup>102</sup> Batu Krishna Uprety, "Climate Change Negotiation: Understanding the Process", in *Climate Change and UNFCCC Negotiation Process*, A Resource Book for Climate Change Negotiators, Government of Nepal, Ministry of Environment, Science and Technology, Singhadurbar, Kathmandu, Nepal, November 2012, p.1.

do not promise to reduce emissions with respect to any certain dates or time periods. This regime was not regarded very strong due to the US veto power.<sup>103</sup>

Taking the element of delay that can come between the force of a treaty and its adoption, the INC/FCCC planned to pursue the meeting before the first Conference of the Parties (COP-1). This was decided to explicitly elaborate and practise the review and reporting procedure and to cater to the unresolved problems like the relations between the financial mechanism and the review reporting. Besides, it was also done to consider the future steps beyond the scope of the FCCC. This step may have worked toward increasing the development of the climate change policy globally by 2-3 years through multilateral negotiations.<sup>104</sup>

In response to the process, the UNFCCC Convention decided to take part into force in 1994 once the ratification was done by at least 50 states; this was done in the UNFCCC framework. A decision was taken by the parties in the first COP.<sup>105</sup> It was to make negotiations by 1997 and put limits on the emissions after the year 2000. They agreed to take relevant measures such as strengthening the commitments of the Annex 1 Parties.<sup>106</sup> A commitment was supported by the EU to make significant reductions. However, JUZCANZ (that is Japan, the US, Canada, Australia and New Zealand) stood in opposition as a veto coalition to reduce emissions, an Ad Hoc Group was also formed in the first COP in the Berlin Mandate (AGBM) to make

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<sup>103</sup> Pamela S. Chasek, David L. Downie and Janet Welsh Brown, *Global Environmental Politics*, Westview Press, Boulder, 2014.

<sup>104</sup> Daniel Bodansky, "The History of the Global Climate Change Regime" in Urs Luterbacher and Detlef F. Sprinz (Eds) *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.34.

<sup>105</sup> Sebastian Oberthür, and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, p.38.

<sup>106</sup> ---, "Report of the Conference of the Parties on its First Session, Held at Berlin from 28 March to 7 April 1995", FCCC/CP/1995/7/Add.1, 6 June 1995, Available at <http://unfccc.int/resource/docs/cop1/07a01.pdf>, Accessed on 10.02.2015, p.4.

negotiations. The aim that the Berlin Mandate had was to strengthen the efforts to fight climate change.<sup>107</sup> There were eight times when AGBM got together to work in the cause. Among the important outcomes in which the Berlin meetings planned to:

- For negotiating a protocol or other legal instrument by 1997, an ad hoc committee has to be developed which will additionally contain commitments for industrialized countries for the post-2000 period.
- Form an ad hoc committee for the negotiations of a protocol and other instrument legally by 1997, which would contain further commitments. This was called as the Berlin Mandate while the new committee was labelled as the Ad Hoc Group on the Berlin Mandate (AGBM).
- Starting a pilot phase having joint activities that would involve any country which would be willing to take a part. However, no credits would be provisioned.
- Continued use of the Global Environment Facility (GEF) as a UNFCCC's financial mechanism on an interim basis.
- A permanent placement of UNFCCC's secretariat in Bonn.<sup>108</sup>

The IPCC's second Assessment Report that was issued in 1995 was followed in the second COP that took place in 1996. This report stated that there was an increase in the earth's temperature to 0.6 from 0.3 percent. It emphasised on the role of humans on this climate change.<sup>109</sup> By 1997, during the periods COP 2 and COP 3, there was a continued effort by the EU to reduce the greenhouse gases. A proposal was introduced by the EU focusing on the reduction in the emissions levels by 7.5 % by

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<sup>107</sup> A. Barrie Pittock, *Climate Change Turning up the Heat*, Earthscan, London, 2005, p.248.

<sup>108</sup> Daniel Bodansky, "The History of the Global Climate Change Regime" in Urs Luterbacher and Detlef F. Sprinz (Eds), *International Relations and Global Climate Change*, the MIT Press, London, 2001, p.35.

<sup>109</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p.121.

the year 2005 and 15 % by 2010. All the members of the EU were a part of this decision. However, many states were reluctant to take serious measures and other poorer EU states gave in to reduce to lower the targets. The trading emissions were proposed by the US among parties, starting right away without any specified conditions. It assigned reduction levels to Russia and the Eastern Europe.

The UNFCCC held its third conference in December 1997 at Kyoto. There was not much progress made based on the UNFCCC pattern. There were questions and queries by some countries regarding legal binding commitments, with respect to either timetables and targets or policies. There were some that questioned IPCC's authoritativeness and its Second Assessment Report.<sup>110</sup> The rest ultimately adopted and accepted the Kyoto Protocol.<sup>111</sup> This Kyoto Protocol is an agreement at an international level associated to the UN Nations Framework Convention on Climate Change.<sup>112</sup> Based on this protocol, those industrialized countries that are the part of Kyoto Protocol should lower the emissions of greenhouse gases, particularly methane, carbon dioxide, hydro fluorocarbons and nitrous oxide. This reduction was to be by 5.2 % at levels below 1990 between 2008 and 2012. There is however, no particular formula to achieve targets for the parties. Under a framework of bargaining process, the protocol is aimed to differentiate national goals between the EU and the coalition states.<sup>113</sup>

The Kyoto Protocol came into force in 2005. Its Protocol has been ratified by 184 parties of the Convention. There have been various flexibility mechanisms by the Protocol which includes emissions exchange and combined implementations among

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<sup>110</sup> Daniel Bodansky, *op.cit.*, p.35.

<sup>111</sup> ---, "Kyoto Protocol", Available at <http://unfccc.int/cop3/>, Accessed on 6 December 2009.

<sup>112</sup> ---, "Kyoto Protocol", Available at [http://unfccc.int/kyoto\\_protocol/items/2830.php](http://unfccc.int/kyoto_protocol/items/2830.php), Accessed on 6 December 2009.

<sup>113</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p.122.

countries. Moreover, “Clean Development Mechanisms” (CDM) are implemented in developing countries for emission reduction projects however they have to be “supplemental” to domestic action.

#### **2.2.4.From Kyoto Protocol to 2012 Period**

In 1997 Kyoto COP Meeting, discussion on the details about how to work the Kyoto Mechanisms or ‘flexible mechanisms’ was postponed to future negotiations. One year later, COP-4 was held in Buenos Aires. In this conference, parties settled over a work plan to create the actual comprehensive guidelines for the flexibility mechanisms, having a look at these types of rules or guidelines at COP-6.<sup>114</sup> Discussions in Buenos Aires in 1998 and also in the Hague in 2000 triggered a new reconvening of the parties in Bonn in July 2001. However, in the Hague negotiations, a development that adversely affected the negotiation process occurred. This was the Bush administration declared its withdrawal from the Kyoto process in 2001 after the breakdown in negotiations at the meeting in Hague.<sup>115</sup> The main reasons of the withdrawal can be shown as scientific uncertainty on climate change and potential harm of Kyoto Protocol process to the US economy. In fact, if the US focused on scientific uncertainty as the main reason, the Bush Administration thought that the Kyoto Protocol would bring a high cost to the US economy. Apart from that, the main concern of the US was the absence or the lack of targets for developing countries, specifically voicing his concern about China and India’s vast increase in greenhouse emissions since 1990.<sup>116</sup> Moreover, the US

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<sup>114</sup> Daniel Bodansky, “The History of the Global Climate Change Regime”, in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001, pp.36-37.

<sup>115</sup> ---, “Briefcase for the World Summit on Sustainable Development”, International Institute for Sustainable development, Available at [http://www.iisd.org/briefcase/ten+ten\\_success8.asp](http://www.iisd.org/briefcase/ten+ten_success8.asp), Accessed on 10.02.2015.

<sup>116</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), *Climate Change in Context*, Vol.182, Gale, London, 2008, p.606-607.

indicated that the ‘common but differentiated responsibility’ principle in UNFCCC was unfair to the United States, although the US Administration signed the Convention. According to Dessler, “It is true that China was already a major economic competitor to the United States in many areas, but it is also true that China was still a much poorer country than the United States and had far fewer resources to devote to reducing emissions”.<sup>117</sup>

The US withdrawal from the Kyoto Protocol increased the political interest and triggered to reach an agreement in Bonn. The participating states in Bonn agreed on a series of agreements, namely Bonn Agreements. Apart from them, some agreement drafts on mechanisms, compliance and land use, land-use change and forestry was forwarded to the next meeting in Marrakesh, Morocco in 2001.<sup>118</sup>

Despite the efforts to reach an agreement on the implementation of the Protocol, until the COP-7, in Marrakesh, in November 2001, countries in the Conference did not agreed on any arrangement implementing the Kyoto Protocol. Nevertheless, parties at COP-7 in Marrakesh in 2001 reached an accord involving detailed rules for the implementation of the Protocol, entitled ‘Marrakesh Accords’.<sup>119</sup> Marrakesh Accords established a ground for the process of entering into force of the Kyoto Protocol.<sup>120</sup>

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<sup>117</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.210.

<sup>118</sup> A. Barrie Pittock, *Climate Change, Turning up the Heat*, Earthscan, London, 2005, p.249.

<sup>119</sup> ---, “Kyoto Protocol”, available at [http://unfccc.int/kyoto\\_protocol/items/2830.php](http://unfccc.int/kyoto_protocol/items/2830.php), Accessed on 6 December 2009.

<sup>120</sup> ---, “Summary of the Seventh Conference of the Parties to the UN Framework Convention on Climate Change: 29 October- 10 November 2001”, in *Earth Negotiations Bulletin*, Vol.12 No.189, Available at <http://www.iisd.ca/download/pdf/enb12189e.pdf>, Accessed on 10.02.2015.



Also in 2001, the IPCC released its third assessment report on the science of climate change. The report concluded that “there is new and stronger evidence that most of the warming observed over the last 50 years is likely attributable to human activities”.<sup>121</sup> Unlike other IPCC reports, this one stated clearly the human impact on global warming. And also, eight session of the Conference of the Parties was held in New Delhi in 2002. In this conference, some other agreements were reached. One of them, entitled ‘Delhi Declaration on Climate Change and Sustainable Development’, according to Pittock, “reaffirms development and poverty eradication as overriding principles in developing countries and again recognizes member countries' common but differentiated responsibilities and national development priorities and circumstances in implementing the commitments under the UNFCCC”.<sup>122</sup> In this sense, while persistently saying that climate change was an existing problem that needs a solution, the US administration stayed away from discussing on reducing greenhouse gas emissions. Instead of talking about emission reduction, the US focused on reducing the greenhouse gas intensity. In 2002, Bush Administration put forward an alternative arrangement for a target of emission reduction. This is called ‘targeting a reduction in emission intensity’. It referred to the less emissions per unit growth in GDP. Nevertheless, Pittock stated that “reducing emissions intensity would only reduce total emissions if the reduction in emissions intensity were enough to more than cancel out the effect of the growth in GDP. For example, if GDP were to double, halving emissions intensity would just leave total emissions unchanged.”<sup>123</sup> The US’s reduction target in emission intensity declared by Bush Administration was 18 per cent for the period between 2002 and 2012. Nevertheless, The US, in the same period, planned to reach about 30 per cent in the growth of GDP. It means,

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<sup>121</sup> ---, “Climate Change 2001: Synthesis Report, Summary for Policymakers”, IPCC, Available at <http://www.ipcc.ch/ipccreports/tar/vol4/pdf/spm.pdf>, Accessed on 10.02.2015, p.4.

<sup>122</sup> A. Barrie Pittock, *Climate Change, Turning up the Heat*, Earthscan, London, 2005, p.249.

<sup>123</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, p.281.

according to this planning, the US emissions would in reality increase by some 12 per cent.<sup>124</sup> Also, the US aforementioned goal was a weak target because of the fact that 1-2% per year for the fall in the US's intensity of greenhouse gases without any policy has been already observed. Hence, it can be said that the main aim of the Bush Administration was to achieve its target with very little effort or no extra effort. Additionally, when considering increases in population and welfare and despite the reduction in the US's greenhouse gas intensity, the total emission of the US has increased.<sup>125</sup>

While the US Administration was trying to shape its policy in this direction, other industrialized actors have continued to strive for the Kyoto Protocol. The future of the Protocol remained uncertainty until 2004. On this date, the Protocol entered into force with the approval of 55 countries, constituting at least 55% of 1990 emissions.<sup>126</sup> This means that, the Protocol came into force, without the US approval, with the support of other major industrialized countries, including Russia. In November 2004, Russia sent its ratification and so, allowed the Protocol to come into force in February 2005.<sup>127</sup>

In 2007, the 4<sup>th</sup> IPCC Assessment Report on the science of climate change was published. The report concluded that "Most of the observed increase in global averaged temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations."<sup>128</sup> In parallel to this

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<sup>124</sup> *Ibid.*, p.281.

<sup>125</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.211.

<sup>126</sup> Jane A. Leggett, *A U.S.-centric Chronology of the International Climate Change Negotiations*, Congressional Research Service, 23 December 2008, p.5.

<sup>127</sup> Andrew E. Dessler, *op.cit.*, p.211.

<sup>128</sup> ---, "Climate Change 2007: Synthesis Report", IPCC, Available at [http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4\\_syr.pdf](http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr.pdf), Accessed on 10.02.2015, p.39.

scientific development, parties came together in Bali, 2007. In this conference, representatives agreed to discuss a new agreement, instead of the Kyoto Protocol, which would expire in 2012. Also Parties decided that the new climate agreement would be ready before a meeting in Copenhagen in 2009. According to Dessler, importantly, it was agreed in Bali that this new agreement would, unlike the Kyoto Protocol, include emissions reductions by both industrialized and developing countries. Subsequent negotiations quickly split over the relative efforts required of these two groups.<sup>129</sup> Vogler stated that “at the Bali COP in 2007, the problem of US participation was addressed by a 'road map' in which parallel negotiations were set up on the future of the Convention and the Protocol, with USA absent from the latter.”<sup>130</sup>

In 2009, Parties met in Copenhagen to negotiate a new agreement. However, it is quite obvious that a new agreement would not be available during the negotiations in Copenhagen Meeting. The US under Obama Administration engaged with the process of climate change negotiations again. This situation raised hopes in 2009 Copenhagen Conference. Despite the positive atmosphere, in Copenhagen meeting, discussions on sharing the burden, giving commitments and many procedural obstacles. As Dessler mentioned, “Developing nations wanted the industrialized world to make sharp near-term (e.g., by 2020) reductions in emissions, whereas the industrialized world wanted the developing nations to agree to quantitative emissions reductions.”<sup>131</sup> Also, in the accordance with Kyoto Protocol, developing countries demanded the continuation of financial aid for mitigation and adaptation actions and projects. At the end of the all negotiations in Copenhagen Conference, parties did not agreed on a new binding agreement on climate change. Instead,

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<sup>129</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.212.

<sup>130</sup> John Vogler, “Environmental Issues”, in John Baylis, Steve Smith and Patricia Owens (Eds.), *The Globalization of the World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.358.

<sup>131</sup> Andrew E. Dessler, *op.cit.*, p.212.

Copenhagen Accord was accepted at the last minute by the USA and large developing countries.<sup>132</sup> However, in Copenhagen Meeting Bulletin, it is stated that “while willing to admit that the outcome was far from perfect, most countries recognized the Accord as an important step forward.”<sup>133</sup> In Copenhagen Accord, parties agreed on some issues. These are the target of limiting warming to 2 degrees Celsius, the emission cuts, the financial aids and national actions. Vogler focused on the commitments in Copenhagen Accord that “The Annex I countries made a series of pledges to cut emissions by 2020. The EU 20 percent or 30 percent (conditional), Japan 25 percent, both against a 1990 baseline. The USA and Canada, 17 percent against a 2005 baseline. For the developing non-Annex I countries there were voluntary pledges. China and India promised to attempt to reduce the carbon intensity of their rising emissions by 40-45 percent and 20-25 percent respectively.”<sup>134</sup> In addition, the Copenhagen Accord outlined two significant funding commitments. These two funds were created to assist the developing countries for the projects on mitigation, adaptation, forest loss prevention (REDD+) and technology transfer. One of them arranged under the Accord is related to ‘first start’ investments of US\$ 30 billion during three years. The Second one was a \$ 100 billion annual fund by 2020, entitled Copenhagen Green Climate Fund,<sup>135</sup> However, the Accord was also evaluated as inadequate and weak. Dessler explains this situation as follows: “the agreement was vague or weak on several key points. Moreover, objections from just five nations blocked the accord from formal adoption, so its status remains uncertain. It therefore remains unclear whether leaders of major nations are willing to act strongly enough to address the problem,

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<sup>132</sup> John Vogler, *op. cit.*, pp.358-359.

<sup>133</sup> ---, “Summary of the Copenhagen Climate Change Conference: 7-19 December 2009”, IISD Reporting Services, in *Earth Negotiations Bulletin*, Vol.12, No.459, p.29.

<sup>134</sup> John Vogler, *op. cit.*, p.359.

<sup>135</sup> Athena Ballesteros, “From Copenhagen to Cancun: Climate Finance”, World Resources Institute, 04.06.2010, Available at <http://www.wri.org/blog/2010/06/copenhagen-cancun-climate-finance>, Accessed on 15.02.2015.

or whether the current international negotiation process is able to motivate and coordinate such action.”<sup>136</sup>

In December 2010, the United Nations Climate Change Conference (Conference of the Parties-COP-16) was held in Cancun, Mexico. Parties in Cancun focused on aiming to improve the longstanding cooperation under the Convention and the Protocol.<sup>137</sup> Cancun Conference has resulted in a number of decisions aimed at helping countries to reduce their emissions. These decisions are called as “the Cancun Agreements”. The decisions in Cancun Agreements were related to organizing mitigation commitments; planning and enhancing action on adaptation; affirming the needs of developing countries; strengthening institutional capacities; strengthening data, information and knowledge systems; building resilience of socio-economic and ecological systems and protecting forests.<sup>138</sup>

In 2011, Parties came together in COP-17 in Durban, South Africa. In this UN Conference, the Durban Platform was established. It is officially known as Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP). In the UNFCCC website, this platform is described as follows: “ADP is a subsidiary body that was established by decision 1/CP.17 in December 2011. The mandate of the ADP is to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties, which is to be completed no later than 2015 in order for it to be adopted at the twenty-first session or the Conference of the Parties (COP) and for it to come into effect and be implemented

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<sup>136</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.212.

<sup>137</sup> ---, “Summary of the Cancun Climate Change Conference: 29 November-11 December”, in *Earth Negotiations Bulletin*, Vol.12, No. 498, p.1

<sup>138</sup> ---, “Report of the Conference of the Parties on its sixteenth session, held in Cancun from 29 November to 10 December 2010”, FCCC/CP/2010/7/Add.1, Available at <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=2>, Accessed on 25.02.2015.

from 2020”<sup>139</sup> Apart from the ADP, parties in Durban agreed on adopting a new binding agreement on climate change as soon as possible and they emphasized this new agreement should be prepared at the latest in 2015. In December 2012, after Doha Conference, states agreed to extend the validity period of the Kyoto Protocol. According to the extension decision, existing targets would continue to be valid and new international agreement would enter into force in 2020.<sup>140</sup>

In the light of these developments, Pittock has summarized the period of Kyoto Protocol and beyond as follows: “the mandated reductions in emissions by developed countries under the first commitment period of the Kyoto Protocol (2008–12) would slow the growth in total world emissions, compared to ‘business as usual’. However, unless strengthened beyond 2012, the Kyoto targets would nowhere near stop growth in world emissions, let alone reduce them, due to rapid growth in emissions, especially in the United States and developing countries.”<sup>141</sup>

### **2.2.5. Post-2012 Negotiation Period**

Negotiations for Post-Kyoto period refer to talks aiming to combat global warming. These negotiations, as a part of the UNFCCC, focused on the post-‘first commitment period’ of the Kyoto Protocol after 2012, the year of expiry of the Kyoto Protocol. It is precisely that objectives in the first commitment period of the Protocol could not be realized. Because of that, further steps and decisions were necessary to restrain climate change after post-Kyoto Protocol period. Deadline for the first commitment period has been exceeded. The unwillingness of the USA to

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<sup>139</sup> ---, “Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP)”, UNFCCC website, Available at <http://unfccc.int/bodies/body/6645.php>, Accessed on 10.02.2015.

<sup>140</sup> ---, “Climate Change”, available at <http://www.un.org/en/globalissues/climatechange/index.shtml>, Accessed on 04.10.2014.

<sup>141</sup> A. Barrie Pittock, *Climate Change: The Science, Impacts and Solutions*, 2<sup>nd</sup> Edn, Earthscan, London, 2009, p.281.

start negotiations was shown as the main reason. Also, Metz stated that “the best possible outcome of the Conference of the Parties in December 2005 in Montreal was a decision that the Kyoto Annex I countries (i.e. without the USA) would start negotiations on further reductions for Annex I countries after 2012 under the Kyoto Protocol, while a general dialogue would start amongst all countries about possible next steps under the Convention – quite a complex structure that was invented to circumvent the USA resistance to real negotiations.”<sup>142</sup>

Amazingly, talks on process went well in 2006 and 2007. In December 2007, during COP 13 meeting, there was a growing trend in starting negotiations for a new agreement. Apart from the UNFCCC negotiations, in the same period, climate change issue also took place at the top of the international political agenda. This position is not only caused by the publication of the 2007 IPCC report, but also stems from the Nobel Peace Prize given to IPCC and Al Gore. This has led to the creation of a new negotiating group in addition to the existing group. The new negotiation group was called as “the Ad-Hoc Group on the Long Term Cooperation”. According to Metz, “The mandate of this group was a hard fought result that is known as the Bali Action Plan. It is a carefully balanced text that sets the stage for negotiations on a new agreement with new commitments by developed and developing countries, dropping the rigid distinction between Annex I and non-Annex I countries from the current Kyoto Protocol. It covers mitigation, adaptation, technology, and financial support to developing countries.”<sup>143</sup>

Within this context, COP 18 was held in Doha from 26 November to 8 December 2012.<sup>144</sup> Parties in Doha concentrated on the issue of implementation of agreements

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<sup>142</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, pp.334-335.

<sup>143</sup> *Ibid.*, pp.334-335.

<sup>144</sup> ---, “Doha Climate Change Conference-November 2012”, UNFCCC website, Available at [http://unfccc.int/meetings/doha\\_nov\\_2012/meeting/6815.php](http://unfccc.int/meetings/doha_nov_2012/meeting/6815.php), Accessed on 10.02.2015.

in the previous the Conference of Parties. In Doha, actors in Doha reached a package of decisions, entitled “Doha Climate Gateway”. This package contained some amendments to the Kyoto Protocol. The main aim of these amendments was to establish its second commitment period.<sup>145</sup> The importance of the Doha Climate Change Conference was pointed out in Earth Negotiation Bulletin as follows;

The “transitional” Doha Climate Change Conference was a case in point. Doha was about moving forward on a trajectory towards adopting a universal climate agreement by 2015—rather than immediately raising ambition as demanded by many youth and NGOs. Delegates also arrived in Doha with the objective of adopting a second commitment period under the Kyoto Protocol and finally closing the door on the two Ad hoc Working Groups: the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP)<sup>146</sup> and the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA)<sup>147</sup>. Doha was also very much about the cost of addressing climate change and, in particular, making progress on long-term funding to support action in developing countries, which is supposed to reach a level of US\$100 billion a year by 2020, as agreed in Copenhagen in 2009.<sup>148</sup>

The Warsaw Climate Change Conference (COP-19 to UNFCCC and 9<sup>th</sup> Meeting of the Parties to Kyoto Protocol-CMP-9) took place from 11-23 November 2013 in Poland. Parties concentrated on the implementation of the agreements, which were reached at previous meetings, including pursuing the work of the Ad Hoc Working

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<sup>145</sup> ---, “Summary of the Doha Climate Change Conference: 26 November-8 December 2012”, in Earth Negotiations Bulletin, Vol.12, No.567, p.1.

<sup>146</sup> AWG-KP: In 2005, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) at its first meeting in Montreal, by its decision 1/CMP.1, established the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP). The AWG-KP was established to discuss future commitments for industrialized countries under the Kyoto Protocol. (Available at <http://unfccc.int/bodies/body/6409.php>)

<sup>147</sup> The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) was established as a subsidiary body under the Convention by decision 1/CP.13 (the Bali Action Plan) to conduct a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012, in order to reach an agreed outcome to be presented to the COP for adoption. (Available at <http://unfccc.int/bodies/body/6431.php>, Accessed on 12.02.2015)

<sup>148</sup> ---, “Summary of the Doha Climate Change Conference: 26 November-8 December 2012”, in Earth Negotiations Bulletin, Vol.12, No.567, p.26.



Group on the Durban Platform for Enhanced Action (ADP). In COP-19, parties took a ADP decision on initiating domestic preparations for their intended nationally-determined contributions, and accelerating the full implementation of the Bali Action Plan and pre-2020 ambition<sup>149</sup> Also, as mentioned in the UNFCCC official website, “Parties also adopted a decision establishing the Warsaw international mechanism on loss and damage, and the “Warsaw REDD+ (Reducing Emissions from Deforestation and Forest Degradation<sup>150</sup>) framework,” a series of seven decisions on REDD+ finance, institutional arrangements and methodological issues”.<sup>151</sup>

In December 2014, COP-20 and CMP-10 meetings was held in Lima, Peru.<sup>152</sup> Parties in Lima focused on the results of ADP, necessary to a new agreement in Paris in 2015 (COP-21), and negotiation on a draft text for a new agreement on climate change. As a result of the long-term negotiations on a draft decision for advancing the Durban Platform for Enhanced Action, a documents were reached, namely “Lima Call for Climate Change”. This document could be qualified as a draft for negotiations of 2015 agreement. Parties also adopted 19 decisions. These decisions were related to the helping operationalize the Warsaw International Mechanism for Loss and Damage; establishing the Lima work program on gender and adapting the Lima Declaration on Education and Awareness Raising. Also, as

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<sup>149</sup> ---, “Summary of the Warsaw Climate Change Conference: 11-23 November 2013”, in Earth Negotiations Bulletin, Vol.12, No.594, p.1.

<sup>150</sup> Reducing Emissions from Deforestation and Forest Degradation (REDD) is an effort to create a financial value for the carbon stored in forests, offering incentives for developing countries to reduce emissions from forested lands and invest in low-carbon paths to sustainable development. "REDD+" goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks. (Available at <http://www.un-redd.org/aboutredd/tabid/102614/default.aspx>, Accessed on 12.02.2015.)

<sup>151</sup> ---, “Warsaw Climate Change Conference- November 2013”, UNFCCC website, Available at [http://unfccc.int/meetings/warsaw\\_nov\\_2013/meeting/7649/php/view/decisions.php](http://unfccc.int/meetings/warsaw_nov_2013/meeting/7649/php/view/decisions.php), Accessed on 10.11.2014.

<sup>152</sup> ---, “Lima Climate Change Conference- December 2014”, UNFCCC website, Available at [http://unfccc.int/meetings/lima\\_dec\\_2014/meeting/8141.php](http://unfccc.int/meetings/lima_dec_2014/meeting/8141.php), Accessed on 10.02.2015.

mentioned in the Earth Negotiation Bulletins, “The Lima Climate Change Conference was able to lay the groundwork for Paris next year, by capturing progress made in elaborating the elements of a draft negotiating text for the 2015 agreement and adopting a decision on INDCs, including their scope, upfront information, and steps to be taken by the Secretariat after their submission”.<sup>153</sup>

In this period, apart from the COP meetings, there is one more important step concerning the international climate change negotiations. This is ‘the US-China Joint Announcement on Climate Change and Clean Energy Cooperation.’<sup>154</sup> Within the framework of this document, On the one hand, Obama Administration announced a new emission reduction target. This new goal was 26-28 percent below 2005 levels by 2025. On the other hand, Xi Jinping, President of China, declared their new targets. According to this, China will peak CO2 emission around 2030 or early and will increase the rate of non-fossil fuel in all types of energy to some 20 percent by 2030.<sup>155</sup>

In addition, the joint announcement revealed that the two countries should play a critical role in combating climate change, because of the fact that the US and China are responsible for one third of global greenhouse gas emissions. As mentioned in fact sheet of the White House, Office of the Press Secretary, “The actions they announced are part of the longer range effort to achieve the deep decarbonization of the global economy over time. These actions will also inject momentum into the

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<sup>153</sup> ---, “Summary of the Lima Climate Change Conference: 1-14 December 2014”, in Earth Negotiations Bulletin, Vol.12, No.619, p.1.

<sup>154</sup> ---, “U.S.-China Joint Announcement on Climate Change and Clean Energy Cooperation”, Fact Sheet, The White House, Office of the Press Secretary, 11 November, 2014. Available at <http://www.whitehouse.gov/the-press-office/2014/11/11/fact-sheet-us-china-joint-announcement-climate-change-and-clean-energy-c>, Accessed on 10.02.2015.

<sup>155</sup> Suzanne Goldenberg, Lenore Taylor, Tania Branigan, “US-China climate deal boosts global talks but Republicans vow to resist”, The Guardian, 12 November 2014, Available at <http://www.theguardian.com/environment/2014/nov/12/us-china-climate-deal-boosts-global-talks-but-republicans-vow-to-resist>, Accessed on 10.02.2015.

global climate negotiations on the road to reaching a successful new climate agreement next year in Paris”.<sup>156</sup>

Also, Obama, in his second term, announced a Climate Action Plan, concentrated on stopping the carbon-based pollution, preparing the country against the worst effects of climate, and playing a leadership role in international arena. To accomplish these objectives, the plan envisaged some new measures such as ‘Clean Power Plan’, ‘Standards for Heavy-Duty Engines and Vehicles’, ‘Energy Efficiency Standards’, and ‘Economy-wide Measures to reduce other Greenhouse Gases’.<sup>157</sup>

US-China agreement has been several reflections in the World. Although the Deal between the US and China on reduction their greenhouse gas emissions has been evaluated as “historic milestone in the global fight against climate change,” “the real deal,” a “landmark,” “ambitious,” and “game-changer” by western media, the agreement received a less than enthusiastic response in India. According to Janaki Lenin, “Indian think-tank said the US-China climate deal is neither historic nor ambitious, and would lead to dangerous temperature rises. Prakash Javadekar, the minister for environment, forests and climate change, called the deal “not so ambitious” but welcomed it as a “good beginning.” ”<sup>158</sup>

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<sup>156</sup> ---, “U.S.-China Joint Announcement on Climate Change and Clean Energy Cooperation”, Fact Sheet, The White House, Office of the Press Secretary, 11 November, 2014. Available at <http://www.whitehouse.gov/the-press-office/2014/11/11/fact-sheet-us-china-joint-announcement-climate-change-and-clean-energy-c>, Accessed on 10.02.2015.

<sup>157</sup> ---, “U.S.-China Joint Announcement on Climate Change and Clean Energy Cooperation”, Fact Sheet, The White House, Office of the Press Secretary, 11 November, 2014. Available at <http://www.whitehouse.gov/the-press-office/2014/11/11/fact-sheet-us-china-joint-announcement-climate-change-and-clean-energy-c>, Accessed on 10.02.2015.

<sup>158</sup> Janaki Lenin, “US-China climate deal's ambition fails to impress India”, The Guardian, 18 November 2014, Available at <http://www.theguardian.com/environment/india-untamed/2014/nov/18/indians-not-impressed-with-us-china-climate-deal>, Accessed on 10.02.2015.

### **2.3. Concluding Remarks**

This chapter, which aims to show how this process evolves, focused on the milestones of international climate change policy, focusing on the historical background. While doing this, the developments of the global climate change have been evaluated in five periods. Under the five periods, the chapter demonstrated the foundational base of study for this dissertation by providing a detailed portrait of developments on climate change beginning from early scientific developments to the international multi-party negotiations, last of which being the LIMA conference.

Next chapter is designed to elaborate on the main international legal documents about the climate change regime: 'the UNFCCC and the Kyoto Protocol' and the European Union legal framework on climate change. The main aim of this chapter is to detail the framework documents forming the basis of the negotiations.

## **CHAPTER 3**

### **International Framework and European Union Legal Framework on Climate Change**

#### **3.1. Introduction**

To examine better historical background of International Climate Change Movement, the chapter is designed to elaborate on the main international legal documents about the climate change regime: 'the UNFCCC and the Kyoto Protocol' and the European Union legal framework on climate change. The main aim of this chapter is to detail the framework documents forming the basis of the negotiations. Moreover, another aim is that the position of the European Union and other actors in international climate change issue is the main topic of this dissertation, which will be analyzed both in theoretical and practical terms. However, the basis of analysis is the legal frameworks that are provided in the current chapter. UNFCCC, Kyoto Protocol and EU's legal framework are crucial document to understand actors' mindsets and legal boundaries. In this sense, this chapter consists of two sections. In the first part, the chapter will elaborate on the documents of the UNFCCC and of the Kyoto Protocol because of the fact that these documents form the basis of the negotiation process. In the second part, the European Union legal framework on climate change will be focused on to better understand its position in international negotiations. This is because it is believed that the EU's internal decision-making process reflects its decision-making in foreign policy.

#### **3.2. United Nations Framework Convention on Climate Change**

##### **3.2.1. Overall Process**

The first IPCC Assessment Report on Climate change in 1990 and the First World Climate Conference held in Sweden in the same year raised awareness on the issue of climate change. In this sense, the UN General Assembly took a decision in

December 1990. According to the decision, parties set a committee to start negotiations for an agreement.<sup>159</sup> Under the auspices of the United Nations, representatives of states came together in February 1991 to create a Framework Convention on Climate Change (UNFCCC). The result of this meeting was a ‘framework convention’ known as the United Nations Framework Convention on Climate Change.<sup>160</sup> In 1992, parties joined the UNFCCC to restrain average global temperature rise triggering adverse impacts of climate change.<sup>161</sup> In June 1992, UNFCCC was signed by 154 nations. The signatory states included the US, China and all other great emitters. In 1994, the treaty came into force, following the ratification of 55 countries representing 55% of industrialized countries’ emissions. The UNFCCC as a framework convention was limited in obligations. Instead, it focused on principles, overall targets and general actions. Also, the treaty created some institutions, reporting mechanism and a review system for actions in future.<sup>162</sup> However, according to Andrew Dessler, during the UNFCCC negotiations, “the most contentious debate over climate change policies involves mitigation. In that regard, the stated goal of the FCCC is “to achieve stabilization of greenhouse gas concentrations in the atmosphere at a low enough level to prevent dangerous anthropogenic interference with the climate system.” ”<sup>163</sup>

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<sup>159</sup> A. Barrie Pittock, *Climate Change Turning up the Heat*, Earthscan, London, 2005, p.248.

<sup>160</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.208.

<sup>161</sup> ---, “Background on the UNFCCC: The international response to climate change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/items/6031.php](http://unfccc.int/essential_background/items/6031.php), Accessed on 10.02.2015

<sup>162</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, pp.319-320.

<sup>163</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.208.

The most basic future of the UNFCCC was to provide, for the first time, an international recognition on greenhouse gases that cause climate change. Also, Its stated objective was “to achieve stabilization of greenhouse gas concentrations in the atmosphere at a low enough level to prevent dangerous anthropogenic interference with the climate system.’<sup>164</sup> Moreover, developed countries built consensus, within the framework of the Convention, on providing financial support for actions in developing countries on combating climate change.<sup>165</sup>

There were some criticisms on the Treaty. First, in Treaty, there was no mandatory limits on emissions for nations. Second, the treaty did not establish an international institution on monitoring and enforcing reductions of emissions. Third, several organizations and states in the process concerned the reluctance of great emitter states like the US to dispute binding goals and commitments. The fourth and final criticism was that the convention was not successful enough in the fight against climate change and in the subject of establishing binding emission reduction goals. Despite all this criticisms, Lerner stated that “the UNFCCC set in motion the period of negotiation that would culminate in binding targets for emissions reductions set in Kyoto, Japan, five years later. From this, the Kyoto Protocol emerged in December 1997, and entered into force in February 2005.”<sup>166</sup>

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<sup>164</sup> ---, “First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 10.01.2015.

<sup>165</sup> ---, “First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 10.01.2015.

<sup>166</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), *Climate Change in Context*, Vol.182, Gale, London, 2008, pp.870-872.

### **3.2.2. Principles agreed in the Convention**

The UNFCCC as a framework convention created some principles and objectives. The main target of the treaty was to provide the stabilization of greenhouse gas concentrations in order to avoid 'dangerous anthropogenic interference with the climate system'.<sup>167</sup> Before specifying the key principles, the parties to the convention have agreed on general assumptions and basic points which is related to climate change and international system. First of all, the parties to the convention noted that “there are many uncertainties in predictions of climate change, particularly with regard to the timing, magnitude and regional patterns” and acknowledged that “change in the Earth’s climate and its adverse effects are a common concern of humankind” and concerned that “human activities have been substantially increasing the atmospheric concentrations of greenhouse gases, that these increases enhance the natural greenhouse effect, and that this will result on average in an additional warming of the Earth’s surface and atmosphere and may adversely affect natural ecosystems and humankind”<sup>168</sup>

Also, developed countries were seen as responsible for the emissions. They noted that “the largest share of historical and current global emissions of greenhouse gases has originated in developed countries, that per capita emissions in developing countries are still relatively low”. Besides, the parties recognized “the need for developed countries to take immediate action in a flexible manner on the basis of clear priorities, as a first step towards comprehensive response strategies at the global, national and, where agreed, regional levels that take into account all greenhouse gases, with due consideration of their relative contributions to the enhancement of the greenhouse effect.”<sup>169</sup>

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<sup>167</sup> A. Barrie Pittock, *Climate Change Turning up the Heat*, Earthscan, London, 2005, p.248.

<sup>168</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, pp.2-3.

<sup>169</sup> *Ibid.*, p.2.



In the convention, parties focused on the rights and responsibilities of the states. According to this, it was recalled that “States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction” and “the principle of sovereignty of States in international cooperation to address climate change was reaffirmed.”<sup>170</sup>

Parties recognized the needs of developing countries and the situation of the low-lying and other small island countries. According to this, “low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change”, and participating states recognized “the special difficulties of those countries, especially developing countries, whose economies are particularly dependent on fossil fuel production, use and exportation, as a consequence of action taken on limiting greenhouse gas emissions”. And, they affirmed that “responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impacts on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty”. Also, parties recognized that “all countries, especially developing countries, need access to resources required to achieve sustainable social and economic development and that, in order for developing countries to progress towards that goal, their energy consumption will need to grow taking into account the possibilities for achieving greater energy efficiency and for controlling greenhouse gas emissions in general,

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<sup>170</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.2

including through the application of new technologies on terms which make such an application economically and socially beneficial”.<sup>171</sup>

During negotiations, the actors have reminded some appropriate decisions in other relevant documents. Parties to the Convention recalled “the pertinent provisions of the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972”, “the provisions of General Assembly resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development, and resolutions 43/53 of 6 December 1988, 44/207 of 22 December 1989, 45/212 of 21 December 1990 and 46/169 of 19 December 1991 on protection of global climate for present and future generations of mankind”, “the provisions of General Assembly resolution 44/206 of 22 December 1989 on the possible adverse effects of sea-level rise on islands and coastal areas, particularly low-lying coastal areas and the pertinent provisions of General Assembly resolution 44/172 of 19 December 1989 on the implementation of the Plan of Action to Combat Desertification”, and also “further the Vienna Convention for the Protection of the Ozone Layer, 1985, and the Montreal Protocol on Substances that Deplete the Ozone Layer, 1987, as adjusted and amended on 29 June 1990, the Ministerial Declaration of the Second World Climate Conference adopted on 7 November 1990”.<sup>172</sup>

Finally, participating states focused on a solution perspective. According to this, “the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions” and “States should enact effective environmental legislation, that environmental standards, management objectives and priorities should reflect the environmental and

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<sup>171</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, pp.5-6.

<sup>172</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.4.

developmental context to which they apply, and that standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries”.<sup>173</sup>

Within this context, after pre-acceptances described above, the UNFCCC focused on three critical principles. These are “common but differentiated responsibilities”, “the precautionary principle”, and an agreement, which concentrated on limiting greenhouse-gas emissions.<sup>174</sup> It is not easy to realize these principles and there is need for a mix of national interests, common goals and equity.<sup>175</sup> Nevertheless, the principles in the convention remain the major building groupings on which negotiations of treaties to decrease greenhouse gas emissions have been created.<sup>176</sup>

The principle of ‘common but differentiated responsibilities’ enshrined in UNFCCC means that all parties involved in the process have to contribute to combat climate change. However, this type and level of contribution would vary from country to country.<sup>177</sup> In this sense, developed/industrialized states, firstly, should reduce their emissions, with developing countries cutting their emissions later. The industrialized countries are much richer than developing states. Therefore, developed countries have more opportunities and alternatives to decrease emissions. According to Dessler, “there are also moral considerations. The two billion or so poorest people in the world currently live hard lives of crushing poverty. One of the ways to raise these people out of poverty is by economic

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<sup>173</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, pp.2-3.

<sup>174</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.213.

<sup>175</sup> A. Barrie Pittock, *Climate Change Turning up the Heat*, Earthscan, London, 2005, p.248.

<sup>176</sup> Andrew E. Dessler, *op.cit.*, p.208.

<sup>177</sup> John Vogler, "Environmental Issues", in Jonh Baylis, Steve Smith and Patricia Owens (Eds.), *The Globalization of World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.358.

growth – increasing their consumption of goods and services. This requires energy, so anything that makes consuming energy harder or more expensive for the poorest will also make it harder to lift these people out of poverty.”<sup>178</sup> The principle of ‘Common but differentiated responsibility’ enshrined in UNFCCC is to say that solutions to climate change should not work at cross-purposes to efforts to reduce poverty.<sup>179</sup>

Another issue discussed in the UNFCCC is ‘historical responsibility’. The concept means the most amount of increase in carbon dioxide in a long term stems from the developed/industrialized countries. However, it can be said that developing countries eventually contributed. For example, China, accepted as a developing country, is the greatest emitter and there are some other developing countries having high amount of emission or are on track to be.<sup>180</sup>

The UNFCCC also focused on another concept known as ‘the precautionary principle’. The concept was defined in a provision under Article 3 of the United Nations Framework Convention on Climate Change. According to this, “the Parties should take precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing such measures, taking into account that policies and measures to deal with climate change should be cost-effective so as to ensure global benefits at the lowest possible cost”.<sup>181</sup>

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<sup>178</sup> Andrew E. Dessler, *op.cit.*, p.208.

<sup>179</sup> *Ibid.*, p.208.

<sup>180</sup> *Ibid.*, p.209.

<sup>181</sup> ---, “Precautionary Principle”, Available at [http://unfccc.int/files/documentation/text/html/list\\_search.php?what=&val=&valan=a&anf=0&id=891](http://unfccc.int/files/documentation/text/html/list_search.php?what=&val=&valan=a&anf=0&id=891), Accessed on 15.02.2015.

Pittock mentioned the principles set out in the UNFCCC as follows:

- “The need to limit climate change on a basis of equity, in accordance with each country's common but differentiated responsibilities and respective capacities. Accordingly, the developed countries were expected to take the lead.
- The need recognise the specific needs and special circumstances of developing countries, especially the most vulnerable (such as low-lying island states and major fossils fuel exporters).
- The need for precautionary measures in the absence of full scientific certainty, qualified by the need to be cost-effective and comprehensive, by taking account of all sources and sinks, adaptation, and all economic sectors.
- The right to sustainable development, and the need to avoid unjustified discrimination or a disguised restriction on international trade”.<sup>182</sup>

In this sense, the Parties to this Convention have agreed as follows:

In the first article, some critical concepts on climate change such as “Adverse effects of climate change”, “Climate change”, “Climate system”, “emissions”, “Greenhouse gases”, “Regional economic integration organization”, “reservoir”, “Sink”, and “Source” were defined.<sup>183</sup>

In the second article, the main goal of the convention and any related legal instruments was mentioned. Accordingly,

the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not

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<sup>182</sup> A. Barrie Pittock, *Climate Change Turning up the Heat*, Earthscan, London, 2005, p.248.

<sup>183</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.7.

threatened and to enable economic development to proceed in a sustainable manner.<sup>184</sup>

The third article focused on the principles which the Parties shall be guided in their actions to achieve the objective of the Convention and to implement its provisions.<sup>185</sup>

In the article four of the convention, it has been focused on the commitments of the parties. The Commitments have been divided as commitments of all parties; commitments of developed countries and other parties in Annex I; and commitments of developed countries and other developed parties in Annex II.<sup>186</sup>

Following articles have shown the ways to the Parties so as to carry out their commitments. They are listed as follows: “supporting international and intergovernmental programs”, “supporting international and intergovernmental efforts to strengthen systematic observation and national scientific and technical research capacities and capabilities, particularly in developing countries”, and “taking into account the particular concerns and needs of developing countries and cooperate in improving their endogenous capacities and capabilities”.<sup>187</sup>

In the rest of the convention, “the structure of Conference of the Parties”, “the bodies of convention” such as secretariat, subsidiary body; “financial mechanism”; “methods of amendments of convention”, “voting system”, “withdrawal from the convention” have been regulated.<sup>188</sup>

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<sup>184</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.9.

<sup>185</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.9.

<sup>186</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.10.

<sup>187</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, p.16.

<sup>188</sup> ---, “United Nations Framework Convention on Climate Change”, United Nations, 1992, pp.17-31.

### **3.3.Kyoto Protocol**

#### **3.3.1. Overall Process**

The UNFCCC set the emission reduction targets but in the mid of 1990s it was apparent that none of the nations were able to achieve what they desired. Hence, there was a requirement of mandatory reductions treaty. The second assessment of the climate change science was presented by the IPCC near the same time period. They concluded that evidence shows the climate is affected by the discernible human.<sup>189</sup> Since the first assessment of the IPCC, there has been a significant advancement in the climate change science. It was now evident that human activities are strongly linked to this climate. However, there is yet some presence of uncertainties. A binding international agreement was required for the reduction of emissions and this fact was realized in the mid-1990s. In 1995, it was decided by the first Conference of the Parties to the Convention that the climate change required further action. The Parties to the Convention decided that for the next two years they would entirely focus on other legal instruments or this certain protocol. After the year 2000, these negotiations would prove to be crucial and it must be observed that the Annex I Parties, excluding Netherlands and the Czech Republic, are unable to meet the present commitments. Many of the Annex I Parties in their Ministerial Segment stated that they had the ability to reduce the CO2 emissions at the level present in the 1990s but this was not actually happening.<sup>190</sup> In December 1997, the Kyoto Protocol was brought forward to respond to these developments.<sup>191</sup> The protocol was brought about to initiate negotiations with the industrialized nations to reduce their greenhouse gas emissions. These nations had not yet

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<sup>189</sup> ---, "IPCC Second Assessment Climate Change 1995", Intergovernmental Panel on Climate Change", 1995, p.22.

<sup>190</sup> ---, "Summary of the First Conference of the Parties for the Framework Convention on Climate Change: 28 March-7 April 1995", in Earth Negotiations Bulletin, p.11.

<sup>191</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, pp.209-213

committed to the reduction of the emission by this time. The developing nations had been exempted from the Convention principle as part of the differentiated and common responsibility. USA was one of the Parties to the Convention and it explicitly agreed. It was these negotiations which took place in 1997 which brought about the COP agreement or the Kyoto Protocol.<sup>192</sup> The Kyoto Protocol required the participating industrialized nations to form a commitment to reduce the emissions by 5% below their 1990 levels from the period of 2008 till 2012. The requirements of this protocol were different from that of the UNFCCC nonbinding emission reduction. However, the developing nations were not required to any such emission reduction requirements.<sup>193</sup> Hence, the Convention is operationalized by the Koyoto Protocol. Based on the principles of the Convention, the industrialized nations are required to stabilize their greenhouse gas emissions. The nations are only encouraged to carry out this task by the Convention on its own.<sup>194</sup>

On March 16, 1998, this protocol was opened for signature. It could only be forced upon the nations till at least 55 nations had ratified it, this included the industrialized nations who were responsible for 1990s 55% of the carbon dioxide emissions. 122 nations had ratified the Protocol as of mid-2004; however, there were 32 Annex I nations that accounted for 44.2% of the global carbon dioxide emissions.<sup>195</sup> Several modifications took place in the Kyoto Protocol between 1997 and 2005. In July 2001, the Bonn Conference took place and this created a significant change within the protocol. It provisions required funds to assist the less developed nations in the world and help them transition into cleaner technologies

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<sup>192</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, p.322.

<sup>193</sup> Andrew E. Dessler, *op.cit.*, p.209.

<sup>194</sup> ---, "Making those first steps count: An Introduction to the Kyoto Protocol", UNFCCC website, Available at [http://unfccc.int/essential\\_background/kyoto\\_protocol/items/6034.php](http://unfccc.int/essential_background/kyoto_protocol/items/6034.php), Accessed on 25.11.2014.

<sup>195</sup> A. Barrie Pittock, *Climate Change, Turning up the Heat*, Earthscan, London, 2005, pp.249-250.



and constantly monitor their emissions. As part of these amendments, the countries were allowed to trade their spare emissions with other signatory nations as part of the authorized emissions trading. Accounting for carbon sinks, like vast forest reserves, on a limited basis, was also allowed. At an early stage of the process, Australia and United States declined the ratification of the treaty. This was mainly because they collectively accounted for nearly 20% of the 1990 greenhouse gas emissions. This basically means that virtually all other nations of the world would have to ratify the treaty in order to help the Kyoto Protocol come into force.<sup>196</sup>

There was a vast division between the scientists and politicians of Russia which is why at one point it was reluctant towards the ratification. However, in the fall of 2004, the Parliament of Russia agreed to the Kyoto ratification and finally the protocol came into force on February 15, 2005.<sup>197</sup> Formal support was provided to the Kyoto Protocol by 175 countries, representing 61.6% of 1990 emissions by December 2007. Also, in December 2007, Australia ratified the Kyoto Protocol after rejecting it at various occasions.<sup>198</sup>

### **3.3.2. Inferences from Protocol**

The UN Framework Convention on Climate Change consists of the Kyoto Protocol which maintains a preamble, 28 articles and 2 annexes. The Kyoto Protocol summary is presented below and the issues resolved as part of the COP-3 are highlighted.<sup>199</sup>

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<sup>196</sup> *Ibid.*, pp.249-250.

<sup>197</sup> *Ibid.*, pp.249-250.

<sup>198</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), *Climate Change in Context*, Vol.182, Gale, London, 2008, p.605-606.

<sup>199</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997", in *Earth Negotiations Bulletin*, Vol.12 No.76, p.6

The Protocol provisions are to be agreed by all Parties as part of the Preamble. The Berlin Mandate, UNFCCC Articles 2 and 3 are also noted in the Preamble. The UNFCCC definitions are recalled by Article 1 in order to be used for the Protocol.<sup>200</sup>

Chair Mohamed Ould El Ghaouth (Mauritania) prepared a revised draft text which was presented in the negotiating group on Article 2. An agreement was made on the measures and policies to be analysed and included within the protocol. A difference of opinion was present upon whether the measures and policies must be applied to the non-Annex I Parties and if the application of these should be adjusted based on the national circumstances. The policies and measures are stated in Article 2 where it is required that all Annex I Party must elaborate or implement the reduction objectives (QELROs) and the quantitative emission limitation keeping in mind the national circumstances. There is a subparagraph where the list measures stating such as new and renewable forms of energy, GHG emission limitation and reduction, methane recovery and use, sectoral reform, phasing out of subsidies and incentives that run counter to the UNFCCC objective, carbon sequestration and advanced technology, sustainable agriculture and the protection and enhancement of sinks. The effectiveness of the P&Ms must be increased and it is required for the all parties to cooperate. With the help of the International Civil Aviation Organization and the International Maritime Organization, the Annex I Parties are required to limit their aviation and marine bunker fuel emissions. The adverse effect of one Party to another Party must also be reduced specially the developing country Parties and the UNFCCC Articles 4.8 and 4.9 identified ones.<sup>201</sup>

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<sup>200</sup> ---, “Kyoto Protocol to the United Nations Framework Convention on Climate Change”, United Nations, 1998, p.1.

<sup>201</sup> ---, “Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997”, in Earth Negotiations Bulletin, Vol.12 No.76, p.6.

A negotiating group discussion was carried out upon the article 3 on quantitative emission limitation and reduction objectives (QELROs). A verified and transparent reporting must be carried out for activities that have been associated with the greenhouse gas emissions by sources and removals by sinks. The period of 2008 to 2012 was the first quantified emission limitation and reduction commitment period and this required that each Annex I party must have an assigned amount which is equal to the percentage stated in Annex B for the aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990. The commitments mentioned in paragraph 1 are to be implemented by the Parties present in the Annex 1 as stated in Article 3. This would help reduce the adverse impacts of economic, environmental and social issues upon the developing nation Parties.<sup>202</sup>

The COP-3 adopted the Article 4 where there were 6 paragraphs stating rules for the Annex I Parties. These parties have provided their complete commitment stated under Article 3. In Paragraph 1 it is required that the Annex I Parties would meet their commitments if the total aggregate anthropogenic carbon dioxide is equivalent to the emissions of GHGs listed in Annex A. They must also not exceed the amounts of the calculated pursuant to their QELROs in Annex B. The agreement should clearly state the emission level allocated to the each Party. On the date of deposit, the Secretariat must be notified with the terms of agreement as mentioned in paragraph 2. This date of deposit would be the concerned Parties' instruments of ratification, approval, accession or acceptance. In return, the Secretariat would be required to inform the signatories and Parties to the Convention of the agreement terms. As Article 3 specifies the commitment duration, the agreement must remain in operation during this time period according to paragraph 3. In paragraph 4 it is stated that if the Parties work with the regional economic integration organization under a framework, the alteration of the organization composition would not be

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<sup>202</sup> ---, "Kyoto Protocol to the United Nations Framework Convention on Climate Change", United Nations, 1998, pp.4-5.

affecting the present commitments under the Protocol after it has been accepted. If the parties are unable to reach an agreement to achieve the combined level of emissions, it is required that each Party signs an agreement where they are responsible for their own emission levels. This aspect is stated in paragraphs 5 and 6.<sup>203</sup>

The methodologies for the anthropogenic emissions by sources and removals by sinks estimations for all greenhouse gases not being controlled by the Montreal Protocol are stated in Article 5. These would not only be accepted by the Intergovernmental Panel on Climate Change but also in the third session would be agreed upon by the Conference of the Parties.<sup>204</sup>

Joint Implementation is presented in Article 6 of the Koyoto Protocol. The Annex 1 parties are allowed to transfer or then acquire from any other Party those emission reduction units which are projects with an objective of reducing anthropogenic emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases within any economic sector.<sup>205</sup> Clean Development Mechanism and the Joint Implementation (JI) are very similar. The Clean Development Mechanism involved cooperation between the developed and developing nations and the JI only includes the developed nations whose economies are in transition like Central and Eastern European States. All parties must approve the JI project and it should result in the reduction of emissions.<sup>206</sup>

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<sup>203</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997", in *Earth Negotiations Bulletin*, Vol.12 No.76, p.9.

<sup>204</sup> ---, "Kyoto Protocol to the United Nations Framework Convention on Climate Change", United Nations, 1998, p.6.

<sup>205</sup> ---, "Kyoto Protocol to the United Nations Framework Convention on Climate Change", United Nations, 1998, p.7.

<sup>206</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, *Global Environmental Politics*, 4th Edn, Westview Press, January 2006, p. 124.

Credits against its own emission must be provided to the nation under this mechanism as it aims to reduce these emissions and finances the projects through other developed nations. Hence, it can be said that generation and transfer of emission reduction from one Annex 1 nation to another in the form of investment, creating credit for the investing Party, is known as JI. When the greatest reduction in the world emission of greenhouse gases is achieved, it is referred to as money best spent. This scheme is usually used by nations with extremely efficient power plants.<sup>207</sup>

Up till Article 13, several other articles are based on the Advancing the Commitments in UNFCCC Article 4.1.”, “submissions by parties”, “review of the Protocol”, “expert review of implementation” and “Financial Resources”.

The clean development mechanism (CDM) has been presented in Article 12 as the final text. It helps the non-Annex I Parties attain sustainable development and contribute towards the UNFCCC objective. They also assist in the achievement of the QELROs for the Annex I Parties. The activities related to the certified emission reductions will benefit the Non-Annex I Parties and it is the Annex I Parties who could use the certified reductions in order to comply with the QELROs.<sup>208</sup> JI and CDM are very much similar but it is CDM which develops credit for the Annex I Parties investments from the investment project of the non-Annex I Parties.<sup>209</sup> The same relation principle is applied by CDM between the developing and developed

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<sup>207</sup> John Vogler, "Environmental Issues", in John Baylis, Steve Smith and Patricia Owens (Eds.) *The Globalization of the World Politics*, 5<sup>th</sup> Edition, Oxford University Press, New York, 2011, p.357.

<sup>208</sup> ---, “Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997”, in *Earth Negotiations Bulletin*, Vol.12 No.76, p.11.

<sup>209</sup> A. Barrie Pittock, *Climate Change, Turning up the Heat*, Earthscan, London, 2005, p.249.

nations. It is referred to as a source of new technology and funds which is why it has enhanced an interest in China.<sup>210</sup>

The Clean Development Mechanism (CDM) states that the developed nations would initiate the projects for reduction in greenhouse gases within the developing nations. The CDM project would produce Certified Emissions Reductions (CER) units. One tone of carbon dioxide would equal to one CER. There would be sale and trading of these units and then the industrialized states would meet some of their goals of their reduction in emission as part of the Kyoto Protocol framework.<sup>211</sup>

COP is expected to serve as the MOP of the Protocol as mentioned in Article 13 agreed by the delegates. Parties which are part of the Convention and not of the Protocol would be allowed to participate in the meetings as observers. The Parties would only make the decisions at the Protocol. The Protocol must assign the functions to the COP and it should analyse the implementation, obligations and help mobilize the additional financial resources.<sup>212</sup>

The institutions and mechanisms (I&Ms) negotiating group presented the 14 and 15 articles. The Protocol must also be served by the UNFCCC Secretariat and Subsidiary Bodies as part of the 14 (Secretariat) and 15 (Subsidiary Bodies) articles. The I&M negotiating group analysed article 16. This section states that the relevant modalities, guidelines, rules and principles would be defined by the COP especially in cases of reporting, accountability and verification of the trading of

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<sup>210</sup> John Vogler, "Environmental Issues", in John Baylis, Steve Smith and Patricia Owens (Eds.) *The Globalization of the World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.357.

<sup>211</sup> ---, United Nations Framework Convention on Climate Change, 'About CDM', UNFCCC website, available at <http://cdm.unfccc.int/about/index.html>, Accessed on 6 December 2009.

<sup>212</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997", in *Earth Negotiations Bulletin*, Vol.12 No.76, p.11.

emissions. In order to fulfil the commitments made by the Parties of Annex B under Article 3 of the protocol, they may engage in emission trading. Such kind of trading would be supplemented to the domestic actions, which are solely for the purpose of reducing the emissions as per commitment in the Article and meeting a quantified emission limitation.<sup>213</sup> Countries, which remain below their allowed emission, can trade their unused greenhouse gases emission as part of the Emission Trading mechanism. This trading is done with those nations who exceed their limits. The buying or selling of the emission is carried out between the Annex I nations. As observed in EU in 2005, there would be international and domestic schemes to help facilitate this activity.<sup>214</sup> Also, a market of emission rights is created through Emission Trading. Through this trading mechanism, the costs incurred by various nations are complying with quantified targets.

Hence, through this trading there is minimization of the overall cost of reducing emissions. Therefore, through Emissions Trading, it is possible to manage the maximum efficiency for the reduction of emissions.<sup>215</sup>

Through this activity, a system is established which allows a market where there is right to pollute. For instance, the efficient power plants would sell permit to allow others to emit carbon dioxide. Long term reduction is the availability of permit will raise the price of the carbon; making the alternative power sources to become competitive and the overall carbon dioxide emission would be reduced as well.<sup>216</sup>

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<sup>213</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997", in *Earth Negotiations Bulletin*, Vol.12 No.76, p.12

<sup>214</sup> A. Barrie Pittock, *Climate Change, Turning up the Heat*, Earthscan, London, 2005, p.249.

<sup>215</sup> Sebastian Oberthür, and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, p.187.

<sup>216</sup> John Vogler, "Environmental Issues", in John Baylis, Steve Smith and Patricia Owens (Eds.) *The Globalization of the World Politics*, 5<sup>th</sup> Edn, Oxford University Press, New York, 2011, p.357.

The issues relating to “dispute resolution”, “withdrawal”, “reservations”, “Annexes to the Protocol”, Amendments to the Protocol” and “appropriate and effective procedures and mechanisms to determine and to address cases of noncompliance with the provisions of this Protocol” are discussed in the rest of the Protocol.<sup>217</sup>

### **3.4. European Union Legal Framework on Climate Change**

The European Union is working to put in place a global climate regime and curb and lessen climate change effects.<sup>218</sup> The Union is playing a significant role of putting in place two major treaties such as the 1992 United Nations Framework Convention on Climate Change’ as well as the 1997 Kyoto Protocol. By emphasizing on the safety principles and demonstrating a strong commitment in International law, the EU’s goal is to augment the UNFCCC’s soft law principles by imposing on industrializing countries, high and legally binding reduction targets. While taking equity into considerations, the Union’s intension was to simultaneously allow developing countries to develop their economies without worrying about reducing their emissions. This stood completely against the negotiating positions of major industrialized nations. The United States on its part appealed for the simple standard of emission control level put in place in 1990 over the 2008–12 be continued, and for countries like China or India to undertake equal responsibilities through actions that would lessen emissions. It further argued that the emission levels of these two nations would grow exponentially during the next decades. It was very clear that the United States position was anchored on economic interests, especially the fear of losing out in competition in areas where no regulations of the emissions coming from major industrial powers were put in place. The EU on its part came up with an exclusive strategy for negotiation, by

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<sup>217</sup> ---, “Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997”, in Earth Negotiations Bulletin, Vol.12 No.76, pp.12-13.

<sup>218</sup> John Vogler, “Climate Change and the EU foreign policy: The Negotiation of burden sharing”, in International Politics, Vol.46, Number 4, July 2009, p.469.



bringing forward an emission reduction proposal that would not put domestic measures in place but demonstrate the ability to bring down emissions by as much as 15%. The EU was thus criticized for advancing a proposal that lacked credibility, apart from being unrealistic. Many key players, for a long time, dug in with their 'positions. Their stances only came to a stand off towards the last days of the Kyoto Protocol's discussions. The stand off led to a compromise with United States and Japan committing to reduce emissions in the tune of 7 and 6 per cent respectively compared to EU countries' commitment of 8% emission reduction. The Union was practically forced to give up almost every aspect of its stand as a way of proving its sincerity to reach the high target it was aiming. .The global climate regime would now follow the United States backed cost-effective 'flexible mechanisms' rather than command-and-control design containing 'policies and measures'. Nonetheless, the first failed to get the developing countries' commitment regarding its implementation since the EU had always backed them implicitly in their fight to be exempted for the time being from following any of the regulations imposed. The EU's position at the crucial time of negotiation was to institute a strong commitment to follow the precautionary principle which the fixation on the emissions reduction target embodied, and to adopt the principle of equity when it comes to the commitments of developing countries. From the start, the European Union had made every effort to play by the sense of fairness logic, refusing to pay attention to some degrees of the objective realities with the external context within, where the action was taking place. Other players were, nonetheless, positioning themselves strategically for the final negotiations. There is no denying the fact that the EU's influence on the targets would be in conflict with an absent leverage over the new Treaty's other factors, for the fact that there was a failure on the part of the EU to come in terms with further major objectives. Surprisingly, its effects on the targets turned out to be a Pyrrhic victory. Nonetheless, the concessions extended to third world nations are the major reasons the administrations of Bill Clinton and George Bush Jr never sent the treaty to the US Senate for ratification since they knew that the Senate would readily approve the treaty. The US as a major emitter is

never obligated to adhere to the 7% reduction which the EU bravely fought for in the Kyoto Protocol.<sup>219</sup>

Serious efforts have been made by the European Union as far back as the 1990s to curb its emissions. The Union, for example, implemented the Decision 93/389/EEC in April 1999 to add teeth to the Community greenhouse gases emissions monitoring techniques and to share information coming from the national emission reduction programmes.<sup>220</sup> The data so far gathered and the projections made are all proof of EU members' seriousness in attempting to achieve the goals of the Kyoto Protocol of reducing the greenhouse gas emissions. The target calls for the parties involved to see that emission are reduced by 8% below the 1990 level during the period 2008-2012.<sup>221</sup>

The commission rolled out the European Climate Change Programme (ECCP) in 2000 geared towards helping in the adoption of numerous new policies and measures related to the minimisation of the effects of climate change. The EU, in addition to the programme, came up with the Emissions Trading System (ETS), which has become a defining moment in its effort to cost-effectively reduce greenhouse gas emissions. There are 11.500 energy intensive facilities all over the entire 27 EU member states within the structure of this system. Part of these is industrial establishments and energy generating facilities producing electricity in excess of 20 megawatts, as well as coke ovens. Others are iron and steel manufacturing plants as well as establishments producing pulp and paper, glass and

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<sup>219</sup> Louise Van Schaik and Simon Schunz, "Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?", in *JCMS*, Vol.50, No:1, 2012, pp.179-180.

<sup>220</sup> Marc Pallemarts and Rhiannon Williams, "Climate Change: the International and European Policy Framework", in Marjan Peeters and Kurt Deketelaere (eds.), *EU Climate Change Policy: the Challenge of new Regulatory Initiatives*, Edward Elgar Publishing, Northampton, 2006, p.45.

<sup>221</sup> ---, "Climate Change", available at [http://ec.europa.eu/environment/climat/home\\_en.htm](http://ec.europa.eu/environment/climat/home_en.htm), Accessed on 9 December 2009.

ceramics. There are also facilities that manufacture building materials such as cement and lime, January 1, 2005, marked the first trading session with the second trading period anticipated to start in 2008, coinciding with the Kyoto Protocol period, while another trading period was planned for 2013.<sup>222</sup>

The European and China struck a deal on 7 September 2005 resulting in a Joint declaration known as “Joint declaration on Climate Change between China and the European Union”. The two parties, based on agreement emphasise on their responsibilities with regards to the goals and principles of the UNFCCC and Kyoto Protocol. Furthermore the EU and China have reached a consensus to set up partnership on the issue of climate change. The major goal of this understanding is to strongly cooperate and have dialogues on the issues of clean air and low carbon technology transfer, together with energy efficiency and sustainable development. The parties also agreed in the declaration on certain technical issues surrounding the clean coal and methane recovery and use as well as carbon capture and storage. Other issues agreed upon are hydrogen and fuel cells, together with power generation and transmission. Two initiatives, “The China-EU action plan on Clean Coal” and “The China-EU Action Plan on Industrial Cooperation on Energy Efficiency and Renewable Energies” were agreed on so as to achieve these objectives.<sup>223</sup>

The Council of the European Union resolved on 11<sup>th</sup> September 2005, regarding what the strategies and targets for the medium and longer term emission reduction should be. The Council, in the document greeted the news of the enforcement of the Kyoto Protocol, which has become the first legally binding document to tackle climate change, and set its focus on how essential the urgency and applications of

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<sup>222</sup> Larry Parker, “Climate Change: The European Union’s Emissions Trading System (EU-ETS)”, CRS Report for Congress, 2006, pp.1-2.

<sup>223</sup> ---, “Joint Declaration on Climate Change between China and the European Union”, Council of the European Union, 12009/05 (Presse 226), Brussels, 7 September 2005, pp.1-2.

the agreed policies and measures should proceed, as well as the need to promote public awareness. The council also emphasised that that the public funding which normally goes through development banks this time should be channelled to help fund the private sector in areas where climate-friendly investments are involved, specifically in energy technologies where low greenhouse gases are emitted. The Council recognised a report coming from the Commission displayed in 2002, which called for a 9% decrease in the amount of greenhouse gas emissions produced by the 25 EU Member States in what is known as the “Catching up with the Community’s Kyoto Target. This report is quite different from that of the base year levels. It was also different from the 2.9% reduction that should come from the EU-15. The Council, nonetheless, reiterated that additional policies and measures need to come into play if the collective EU-15 Kyoto target are to be met, specifically in the energy and transport sectors since emission in these areas are expected to rise remarkably. The Council of the European Union has unequivocally stated that a joint global effort is required in the coming decades in compliance with the common but different responsibilities, and based on respective capabilities that would include all significantly every improved aggregated reduction effort to be undertaken by the more economically advanced nations.

In the absence of proclaiming any prior judgement on the new features for differences among the Parties in a fair and flexible structure in the future, the EU is hoping to join hands with other Partners in exploring possible strategies that would help achieve the required emission reductions. It is convinced that reduction pathways within this context can be achieved by developed nations in the tune of 15-30% by 2020 as well as 60-80% by 2050 when contrasted with what the baseline of what was envisioned in the Kyoto Protocol.<sup>224</sup>

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<sup>224</sup> ---, “Information Note”, Council of the European Union, 7242/05, 11 March 2005 Brussels, pp.1-5.

The European Commission put out in January 2007 certain proposal and alternatives connected to a worldwide agreement that would help device a plan of strategies to be implemented after 2012 when the of Kyoto Protocol's targets would have come to an end. The EU leaders gave approval to this vision in March 2007, which committed EU member to reduce their emissions by the year 2020 at 30% below the level of 1990.<sup>225</sup>

The Council of the European Union distributed cover note containing the conclusions of the Brussels European Council President (8/9 March 2007) to all delegations on the 2<sup>nd</sup> of May, 2007. this note calls for member states and EU institutions to engage in helpful activities such as:

- Provide strength to the internal market and competitiveness, develop more efficient structure conditions in the areas of innovation and greater investment in the field of research and development, enhance quality employment, and make improvement to social unity.
- Improve all agenda calling for better regulation in the development of a more vibrant business environment.
- Create European climate and energy policies that are both integrated and sustainable.<sup>226</sup>

The European Council highlights in the cover paper on 2<sup>nd</sup> May, 2007, reiterated on the essential need to attain the strategic goal of putting a cap to the global average temperature rise so as not to go beyond the 2 °C pre-industrial levels. An integrated approach to climate and energy policy must be in place if this goal is to be reached.<sup>227</sup>

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<sup>225</sup> ---, "Climate Change", Available at [http://ec.europa.eu/environment/climat/home\\_en.htm](http://ec.europa.eu/environment/climat/home_en.htm), Accessed on 9 December 2009.

<sup>226</sup> ---, "Cover Note", Council of the European Union, 7224/1/07, Brussels, 2 May 2007, p.2.

<sup>227</sup> *Ibid.*, pp.10-11.

The Council, in the same note, underscored the EU's leading role in international climate protection and emphasised on collective action by the international community as being critical in pushing for equitable response that is effective and efficient in a magnitude needed to face the challenges of climate change. It is with this regard that negotiations should start for global and comprehensive post-2012 agreement that should build, as well as widen the design structure of the Kyoto Protocol and make provisions for a flexible structure for an all-inclusive participation. There is a need for this to be inaugurated at the UN international climate conference, which commences towards the end of 2007 and closes by 2009. Attaining the goals of the UN Framework Convention on Climate Change will include extending global carbon markets and making them more powerful; developing, deploying and transferring essential technologies to minimise emissions; adopting the correct measures in dealing with the effects of climate change, taking action on deforestation and tackling emissions emanating from the international aviation and maritime transportation. Every country should be asked to participate and contribute its part to the efforts under this structure in accordance with their different responsibilities and specific capabilities.<sup>228</sup> The European Council again asserted strongly that the responsibilities of absolutely decreasing emission are the foundation of a global carbon market. Industrialised countries should continue to be in the forefront by making commitments that bind themselves together to collectively reduce by the year 2020, the emission of greenhouse gases to an amount of 30% less than the 1990 level. They should continue working together so that by 2050, emission would be further reduced by 60% to 80% below the 1990 level. The European Council declared its support for the objective of the EU within this context for a 30% reduction in greenhouse gas emissions below the 1990 level by the year 2020, which serves as its own commitment in the global consensus for a period that goes beyond 2012. The European Council reiterated on the commitment made by the EU to transform Europe into an economy that is highly energy-efficient and low greenhouse-gas emission. It also made a decision of

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<sup>228</sup> ---, "Cover Note", Council of the European Union, 7224/1/07, Brussels, 2 May 2007, p.11.

continuing to reach independent agreements with no prejudice regarding its international negotiation positions, in order to see whether it could achieve a 20% reduction below the 1990 level of the greenhouse gas emissions by year 2020 until a post 2012 global and comprehensive agreement is reached. The Council has also observed that an increasing share of greenhouse gas emissions is now coming from developing countries and expressed the need for these countries to address the situation by decreasing the intensity of their emissions resulting from their economic development in order to conform with the general principles but different responsibilities and respective capabilities stipulated in the Kyoto Protocol. The European Council remains firm in strengthening its support to the developing nations to decrease their vulnerability and in adapting to the climate change. The European Council, given its pivotal role in seeing that emission trading in the long-term strategy of EU' would bring down the greenhouse gas emissions, has extended its invitation to the Commission so that it could initiate an evaluation of the EU Emission Trading Scheme at the correct timing and with the goal of enhancing transparency as well as strengthening and widening the scope of the scheme. It also takes into consideration, the possibility of extending its scope to include land use and forestry, together with surface transport.<sup>229</sup>

The European Commission has embraced a Green Paper that will help adopt climate change in Europe and make proposals regarding different alternatives for action that deal with the effects of climate change. The Green Paper has enabled the European Commission to initiate public consultation with regards to the policy standard that sees to it that the effects and increasing costs of catastrophes linked to climate change-in the form of floods and forest fires are minimised.<sup>230</sup>

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<sup>229</sup> *Ibid.*, pp.12-13.

<sup>230</sup> ---, "EU climate change adaptation policy", Available at <http://www.euractiv.com/en/climate-change/eu-climate-change-adaptation-policy/article-167826>, Accessed on 10.12.2009.

The European Union takes issues of climate change seriously, for it looks at common foreign and security policy factor due to the fact that climate change is seen as a threat multiplier that worsens the existing tensions and instability. The threat brought about by climate change is real and its adverse effects wreaking havoc in the international arena. The report which the High Representative and the European Commission sent in spring of 2008 to the European Council detailed the effects of climate change in international security. It also highlighted on how the European Union should act and react to climate change. The report also provided means of utilising the full range of the EU instruments like Community and CFSP/ESDP action, together with reduction and adaptation policies in handling the security risks. The report also took into consideration the implications involved in reinforcing political discourse with third world nations.<sup>231</sup> It also enumerated some threats and confrontations, as well as forms of conflicts induced by climate change which are taking place in different regions of the world. Some of the conflict sources are as follows:

- Struggle for resources
- Economic destruction and risks facing coastal cities and critical infrastructure
- Disappearance of territories and border conflicts.
- Induced migration as a result of environmental problems.
- Fragility and radicalization conditions.
- Conflicts over energy supply.
- Tensions associating with international leadership.

All these forms of conflicts within this structure are the result of climate change, and the High Representative and the European Commission contend that the adverse effects of climate change are present problems that must be tackled now and not left as something that should be pushed further into the future. The EU came up with the suggestion of setting up a comprehensive cooperation process

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<sup>231</sup> ---, "Climate Change and International Security", Paper from the High Representative and the European Commission to the European Council, 14 March 2008, pp.1-6.



among nations to lessen the effects of climate change and with the NGOs becoming the most essential factor while the EEU's active role played in the negotiations involving international climate change being very important and must not be allowed to cease operation. It is inevitable but to engage the major emitters and emerging economies, in the changing international political landscape, to come under the UN structure and forge an ambitious global climate agreement.<sup>232</sup>

Between 28 and 29 May 2009, a meeting was held among African states, the Caribbean and Pacific (ACP) Group, and the European Community and its Member State resulting in a declaration whereby the ACP-EU agreed to dialogue and cooperate on climate change. The parties concerned accepted the Cariforum-EU Declaration on Climate Change and Energy of May 2008, as well as the EU on Climate Change, together with the Africa EU Declaration on Climate Change of December 2008 and MINDFUL. All these are ongoing actions that call for the Joint Africa-European Union Strategic Partnership on Climate Change to be executed. At the international level and the UNFCCC procedure, all who were party to the declarations arrived at an agreement to proceed in the following manner<sup>233</sup>:

- Work together for a successful end of the a post-2012 agreement of the UNFCCC and its Kyoto Protocol, and in the correct execution of the plans of their respective obligation that emphasises the essence of correctly handling development matters in the ongoing process of attempting to reach an agreement at Copenhagen,
- Improve their consultations within the international negotiation context on climate change.

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<sup>232</sup> *Ibid.*,p.9.

<sup>233</sup> ---, "Joint ACP-EU Declaration on Climate Change and Development", Council of the European Union, Brussels, 28-29 May 2009, pp.1-4.

- Build teamwork in the mobilisation of political support by taking stronger action on climate change and assessing the manner by which international structure could be utilised in facilitation of such actions.
- Establish a teamwork that makes it possible to harvest higher benefits by ACP nations from the Clean Development Mechanism potentials.
- Continue developing capacity and strengthening the efficiency of the Participating nations of ACP in the climate negotiation.<sup>234</sup>

The document based on the document of the 17 May 2011 held meeting where the “Council arrived on a conclusion regarding the economic features of EU energy and climate change issues”, the Council penned down the 2050 Roadmap. On the basis of the document, the Council penned down a roadmap that would usher in a competitive low carbon economy by 2050 and take cognisance of vital need to transition to a new low carbon economy in pushing for a sustainable growth and technological breakthrough, improving on energy security and cost efficiency of the energy supply, and making the economy of Europe to be more competitive. Furthermore, during the meeting, the council saw what the Energy infrastructure priorities for the Commission Communication were for 2020 and beyond and reiterated that the EU-wide energy market would be a key factor in energy delivery and the goals for the climate change. The Council brought back the idea of the 2020 target of the 20% energy efficiency that was acknowledged on June 2010. Since the European Council I not fully in compliance, it must be made to deliver while taking into consideration that proposal which call for reaching the national target for efficiency in energy use would do away with the flexibility which lends support to a cost-effective approach in executing a comprehensive plan that will meet the target in the reduction of greenhouse gas emission. In addition, the council too cognisance of the proposals advanced by the commission in the communication of 8 March regarding the “Energy Efficiency Plan 2011”. It further recognises a cost-effective

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<sup>234</sup> ---, “Joint ACP-EU Declaration on Climate Change and Development”, Council of the European Union, Brussels, 28-29 May 2009, pp.1-4.

approach presented by the EU to deliver by 2020, the target for the 20% energy efficiency.<sup>235</sup>

The Council of the European Union on 11<sup>th</sup> June, 2010, accepted a presentation made to it during the 3021<sup>st</sup> Environment Council Meeting. This presentation was made by the EU Commission of the Green Paper on Forest Protection and Information. It was a Green Paper presentation that prepared the forest to embrace any climate change thus serving as an update of the White Paper on Adapting to climate change. It also called for another follow up to the forestry strategy of the EU and the inauguration of debate on alternatives to EU principles on the protection and information on forest. Forest protection has all along been regarded as an integral component of sustainable forest management (SMF). The SMF is essential for the maintenance of a diverse, healthy, strong forest structure, which aids in protecting and fulfilling its diverse functions in the European continent. .The Council also highlights the objectives of adapting to and reducing the effects of climate change through the acknowledgment of the roles played by forests when it comes to carbon sequestration and storage, as well as in utilising it in substituting fossil fuels. Besides, in that meeting, the Council emphasised on the role played by forest biodiversity in adaptation to climate change and the importance of enhancing knowledge with regards to forest biodiversity while factoring in the Natura 2000 experience. There were certain decisions that were taken by the Council during that meeting, such as those of climate change based on the “Council Conclusions on Climate Change” document. The Council observed the analysis of options initiated by the Commission communication to move even beyond the target of 20% reduction of greenhouse gas emission as well as evaluating the risk of carbon leakage. In addition, it emphasised on the communication mentioned above which covered a broad range of matters that called for in-depth discourse as a way of letting the EU prepare for the challenges involving with climate change both on

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<sup>235</sup> ---, “Council conclusions on economic aspects of EU energy and climate change issues”, Council of the European Union, 3088<sup>th</sup> Economic and Financial Affairs Council meeting, Brussels, 17 May 2011, pp.1-3.

medium- and longer-term especially in the next stages where international negotiations are involved.<sup>236</sup> The Council of the European Union, during the 3021<sup>st</sup> Environment Council Meeting, paid particular attention on the issue of water scarcity and drought, as well as climate change. The Council was already aware of the serious problem that water scarcity and droughts pose in European regions based on the context of the meeting, and with the situation expected to become worse due to the ill effects of climate change, which results in increasing the demand for water if not properly handled. It also called attention to the ill effects anticipated with regards to the quality and availability of water resources, together with the negative effect it poses to biodiversity and health of the population. Furthermore, the Council emphasised on the importance of the most current data IPCC delivered, reiterating that that the areas affected are probably more, compared to 1970 and with regional differences expected to increase further by a large magnitude so as to expect a higher frequency and severity of droughts especially in southern Europe. The Council extended its invitation to the Commission to conduct a review within the context, which would, by the year 2012, further enhance the evolving EU Strategy on the issues of water scarcity and drought while the Commission gives report of the execution of the Water Framework Directive and the adaptation structure of climate change expected the same year.

Council came up with some key messages during the 3021<sup>st</sup> Environment Council Meeting:

- There is a likelihood of a decline in the availability of fresh water in many member states as a result of natural and anthropogenic causes.
- It is essential that member states promote tools and solutions that would help in handling extreme cases of scarcity and hydrological situations in the form of drought and on the basis of integration of sectorial policies. Second

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<sup>236</sup> ---, "Council conclusions on climate change", Council of the European Union, 3021<sup>st</sup> Environment Council meeting, Luxemburg, 11 June 2010, p.1.

is the importance of territorial planning that is very prone to water scarcity and drought.

- The Council emphasises on the anticipated effects of climate change on water resources and exposure to the ecosystem and the associated socio-economic principles that include non-EU countries that have any contributions to make on the matter.
- A lot of water bodies found in the European Union flow across boundaries and as such share the risks and challenges, therefore, solutions need coordination. There is need for cross-boundary cooperation to be implemented for both member states and non-EU countries that have major role to play in this process.
- The Council emphasised on the need to respect the order of measures in preventing and adapting to water scarcity and droughts, and the importance of promoting water efficiency and water demand management by utilising a combination of tools in the form of water pricing and better irrigation technologies as well as techniques. Others include the efficient use of water in buildings and industries, as well as tourism and distribution networks, together with waste water re-use and awareness-raising campaigns and educational measures. Also where needed, small water retention, afforestation and reforestation goes a long way.
- Despite the fact that droughts are unavoidable, their effects and aftereffects can be minimised through advanced and proper planning, as well as through drought risk management.<sup>237</sup>

The European Union Council on 10<sup>th</sup> October 2011 approved some results while in preparation for the 17<sup>th</sup> session of the Conference of the Parties (COP 17). Based on this, the Council remembers what was arrived at on 14 October 2010, 14 March 2011 and 4 October 2011. During those years, emphasis was made on the urgency to create a resourceful international regime that would fight climate change through

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<sup>237</sup> *Ibid.*, pp.3-4.

the involvement of all the major economies. In this context, the Council calls for consensus on global and comprehensive legally-binding structure to be in place as soon as possible to ensure that the global temperature increase is kept below 2% to that of the pre-industrial level. This gives assurance to legal certainty and predictability, as well as reciprocity and comparability by sending a strong message of willingness on the part of every country to act. The Council also remembers the anxiety of the United Nations Security Council, which feared that climate may worsen the current threats to international peace and security. It also acknowledges the progress so far made in the current year with regards to the execution of the Cancun Agreements that provided the grounds for additional development in international regime to fight climate change mentioned above. The Council is very much willing to offer assistance to developing countries at par to the capability of each country with regards to their obligations and activities so far advanced and which represents an important step in attaining the 2°C reduction goal, although more efforts are needed. The Council emphasises on the use of multilateral procedures in finding global solutions to global challenges. The Cancun Agreements, to this end, is welcomed by the Council as an affirmation of the United Nations Framework Convention on Climate Change strength. It further looks with anticipation, the coming Durban Conference which would further move forward in continuing and strengthening the rules of the multilateral climate regime as the Council recognises the contributions so far made through inclusive and transparent and straightforward discussions and partnership in pushing for discourses on a balanced consensus for Durban.<sup>238</sup>

The EU leaders came up with three major goals within this context that are to be accomplished by 2020 in order to give support to the commitments made to reach the emission reduction targets after 2012 and to lessen the impact of climate change. The first of these goals is to reduce by 20% below the 1990 level of all EU

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<sup>238</sup> ---, “Council conclusions on climate change”, Council of the European Union, 3118<sup>st</sup> Environment Council meeting, Luxemburg, 10 October 2011, pp.1-2.

greenhouse emissions. The second goal is to increase by 20% in renewable energy of the total EU energy consumption. The third goal is to increase the energy efficiency among EU states by 20%.<sup>239</sup> This is not the first time these targets were actually set up since the EU leaders first made this very commitment in March 2007 stating that Europe would become low carbon economy that is highly energy-efficient by enacting the 2009 energy-efficient. The EU also offers to increase its reduction of emissions by 30% if other developed and developing nations would commit to make effort to contribute their own share in reducing global emissions.<sup>240</sup>

On 23 October 2014, the EU leaders reached an agreement on the domestic 2030 greenhouse gas reduction target in the nature of 40% less than the 1990 level. The consensus also included other policies such as the main building blocks for the 2030 policy structure for climate and energy which the European Commission advanced forward in January 2014. Making the economy and energy system of the European Union more competitive is the goal of the policy framework of 2030. The policy also aims to make them secure and more sustainable by setting a minimum target of 27% for renewable energy and energy savings to be accomplished by the year 2030. This framework of 2030 was a proposal made in 2014 by the Commission. Its aim is to build on the experience and lessons learned from the 2020 structure of climate and energy. It also factors in the longer perspective laid out in 2011 by the Commission within the Roadmap for pushing for the establishment of a low carbon economy to be up and running by 2050, as well as the Transport White Paper. All these documents are just a reflection of the goals set by the European Union in trying to bring down the greenhouse gas emissions by 80-95% less than what the level was in 1990 by the year 2050. All these are part of

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<sup>239</sup> Christoph Böhringer, Thomas F. Rufherford, and Richard S. J. Tol, "The EU 20/20/2020 Targets: An overview of the EMF 22 Assessment", ESRI Working Paper No:325, October 2009,p.2

<sup>240</sup> ---, "The 2020 Climate and Energy Package", Available at [http://ec.europa.eu/clima/policies/package/index\\_en.htm](http://ec.europa.eu/clima/policies/package/index_en.htm), Accessed on 25.02.2015.

what was expected from developed nations working as a group. In preparation for the 2030 framework, the Commission ratified a Green Paper in March 2013 and then proceeded to set in motion a public consultation regarding what should be included in the . The public consultation went on running until it ended in 2 July 2013.<sup>241</sup>

### **3.5. Concluding remarks:**

This chapter elaborated on the framework documents on climate change negotiations. In this sense, these documents, which formed the basis of international negotiations, are UNFCCC and Kyoto Protocol. In the second part of the third chapter, the European Union legal framework on climate change has been focused to better understand its position in international negotiations because of the belief that EU's internal decision making process reflects its decision making in foreign policy.

Detailing these documents is meaningful in terms of the guiding nature of documents to the international climate change negotiation process, which is the focus of the argument of the dissertation.

Next chapter will discuss the difference in the logic of action between the nation states and the European Union on the basis of climate change. While doing so, first of all, two pieces of logic will be analyzed within the conceptual framework. These two parts are “logic of consequence,” followed by nation-states and “the logic of appropriateness” reflected in the EU decision-making process. Following the discussions on the two logic of action concepts, the chapter will focus on the EU's logic of action in the international arena, the theoretical clash concerning the EU's governance, and driving factors behind EU's climate policy.

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<sup>241</sup> ---, “2030 Framework for Climate and Energy Policies”, Available at [http://ec.europa.eu/clima/policies/2030/index\\_en.htm](http://ec.europa.eu/clima/policies/2030/index_en.htm), Accessed on 25.02.2015.



## **CHAPTER 4**

### **Decision Making Process of Actors in International Climate Change Negotiations: the Influential Concept of ‘Logic of Action’**

#### **4.1. Introduction**

Logic of action refers to the elements or perceptions that actors take into consideration in decision making process. At the same time, logic of action is one of the factors that reveal behavioural differences between the European Union and other actors (especially great emitter nation states such as the US, China, Russia and India) in international climate change negotiations. Logic of action, which reveals the difference of the EU in the subject of climate change, will be tried to explain by using two concepts. These concepts are ‘logic of consequences’ and ‘logic of appropriateness’.

The two concepts, which are influential in decision making process, have importance in three respects. First, the concepts share perspectives that provide different point of view on politics. Second, they represent the theories concerning policies. Third and finally, these two types of logic identify the ideal types that can be compared with the actually existing policies.

In this sense, the concept of logic of consequences can be explained making use of individualism in decision making processes. According to this opinion, people, for personal or common purposes, make choices by interpreting possible consequences. Likewise, policies are determined rationally. In this regard, determining policy is seen as a matter of interest and rationality. Actors often underline the concepts such as ‘individual goals and aims’, and ‘an actor’s own values’. Actors determine the policies using these perceptions rationally. While doing so, the concept of logic of consequences ignores common values, rules and identities. In other words, nation

states basically determine their own policies by calculating the expectations. So, nation states, in decision making process, prefer to give particular importance the national priorities, rather than common values, identity, norms and global priorities. Another concept used in the determination of policy is 'logic of appropriateness'. According to the concept, individuals are seen as people who can share a common life and identify and can concern for others. Therefore, the policies are seen as a matter of identity and emotional tie. The main themes of 'logic of appropriateness' composed of rules, structures, institutions, practices, procedures, socially constructed identity. The logic includes collective responsibility, common institutions and identity construction instead of utilitarian individualism and interests. Within this framework, actors should pursue policies in accordance with socially constructed rules and practices.

Within this context, parallel to the idea developed in this dissertation, i.e. the argument that the EU behaves differently in international climate change negotiations from other actors involved, the logic of action of the actors should also be considered. Then, it can be said that while nation-states in general, countries such as the US, China, Russia and India in particular, follow the ideas of the logic of consequences, the EU act in accordance with the principles of the logic of appropriateness in decision making process. It is possible to say that the main reasons for the act of countries such as the US, Russia, China and India in conformity with the ideas of logic of consequences are 'structure of nation-state' and 'the weakness of the environmental traditions'. The EU's supranational structure, deep-rooted environmental traditions vis-à-vis nation-states and its neoliberal institutionalist behavioral tradition can be demonstrated as the reason for acting in accord with principles of the logic of appropriateness. However, it should be noted that the EU is composed of nation-states. This situation leads to difficulties in decision-making process at the union level. Although the EU acts in international platform with the understanding of creating norms, constructing identities, creating international institutions and reaching common solutions, in

domestic politics, it has to struggle against the EU member states' behavioral patterns according to which they prioritize their own national interests.

#### **4.2. Discussion on Logic of Action**

The concept of the 'logic of action' can be defined as the cognitive schema that an actor brings to behavioral choices linking means to ends.<sup>242</sup> The definition of logic of action goes as follows. It is a set of rules concerning thought and behavior in the society that shares mental models and rules regarding behavior, which involves a domain of action, the metric in use, and the aims and expectations of the people who hold different positions in the given domain.<sup>243</sup> In other words, the concept of 'logic of action' is a calculation resolving the issue 'if I do this, then...such will be the result'.<sup>244</sup> Logic of action are a collection of rules with respect to thought and behavior, that the society shares.<sup>245</sup> Hence, they may be termed as institutions. The characteristics of the logic of action are institutions, which are very important. Firstly, their conception is related to the very broad domains like market, family and polity; this gives rise to the expression provisioning logic of action. Secondly, a high degree of generality is present in the logic of action, meaning that a great variety of ways finds compatibility with each of the logics. This can be done by demarcating the defining aspects of the logic and it means that the three defining aspects of the logic are to be specified. Next a particular logic has to be followed once the aspects are specified. Every given logic can have a different demarcated domain, metric establishment criteria and the forms of associations between

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<sup>242</sup> David A. Buchanan, "The Logic of Political Action: an Experiment with the Epistemology of the Particular", in *British Journal of Management*, Vol.10, 1999, p.73.

<sup>243</sup> David Dequech, "Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics", in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013, p.95.

<sup>244</sup> *Ibid.*, p.75.

<sup>245</sup> Filiz Cicioğlu, *Sivil Toplum ve Dış Politika İlişkisi Çerçevesinde Sivil Toplum Kuruluşlarının Türkiye'nin Avrupa Birliği Politikasına Yaklaşımı*, Doktora Tezi, Sakarya Üniversitesi Sosyal Bilimler Enstitüsü", 2013, p.29.

objectives, associations and positions. On the other hand, the specific ways logic can vary according to time and space in ways, which they are followed. The institutions may guide the given logic or may even be adopted by a single individual, who displays some deviation from the usual ways. The person who has deviated may be a great innovator in a certain sense. They may give rise to a new institution and broader logic.<sup>246</sup>

In the logics of action, the involved features are:

- The domain action is defined, which specifies the boundaries as well as the individual and collective agents apart from the domain related roles, positions and objects.
- The units, dimensions or qualities, which measure the different features related to the domain, in the least relating to objects or individuals of special relevance.
- The objectives or appropriate kinds of behaviors related to the positions or roles of the agents, who are involved in the domain.<sup>247</sup>

James G. March and Johan P. Olsen take a neo-institutionalist approach by setting “logic of appropriateness” with “logic of expected consequences”, inspiring scholars from fields as diverse as ‘public administration’ and ‘international relations’. One can interpret the “logic of appropriateness” in relation to “logic of appropriateness” in various different ways.

- Perspectives are formed by the logics, which may be used to form perspectives that can be used to form contending views of the essence of politics or about the study of politics and the things associated with them.
- Theories about politics and the ideas that explain what politics is like and their reasons are represented through these logics.

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<sup>246</sup> David Dequech, “Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics”, in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013, pp.101-102.

<sup>247</sup> *Ibid.*, pp.96-97.

- Ideal types for comparing actual political incidences and developments are developed through the use of these logics.<sup>248</sup>

In a democracy, carefully balancing out the opposing forces of different logics of action is required. An example of this is the balance that is struck between demands and obligations relating to the offices and those which personal and calculated interests have.<sup>249</sup> Both the appropriateness and the consequences of the actions by political actors are accounted for. Dilemma arises when proper behavior is related with bad consequences or actions that are improper yield good consequences. There are times when democratic actors get “dirty hands”, which means that improper or inappropriate methods have been used to achieve desirable or good outcomes.<sup>250</sup>

Since there are often tensions between these two logics of action, we see cycles related to them. As opposed to Rechtsstaat, that follows the logic of appropriateness in the traditions and rhetoric that it follows, the twentieth century democracies, with particular reference to the twentieth century European welfare states, that emphasized greatly on the logic of consequentiality. Professions that are more directed towards consequences received a boost replacing professions that were more reliant on principles and procedures, which had been followed. Thus the objectives of governance shifted from a community of shared objectives instead of a community of shared principles, processes and rules.<sup>251</sup>

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<sup>248</sup> Kjell Goldmann, “Appropriateness and Consequences: The Logic of Neo-Institutionalism”, in *An International Journal of Policy, Administration and Institutions*, Vol.18, No.1, January 2005, pp.35-37.

<sup>249</sup> Tussman J., *Obligation and the Body Politics*, Oxford University Press, London, 1960, p.18.

<sup>250</sup> James G. March and Johan P. Olsen, “The Logic of Appropriateness”, *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.18.

<sup>251</sup> *Ibid.*, p.18.

This trend has been carried on by more recent reforms in the same area. During the period of the 1980s, the governments attempted to shift the attention from accountability towards that of the results. The rules and regulations were seen as more of an instrument in providing the results rather than being a legitimate agency on its own. They were particularly directed towards binding and limiting the powers of the elected politicians and the experts. The reforms were initiated with the understanding that the individuals needed to be protected from any intervening agency of the government. Another reason for the shift was that professionals, who were aimed towards the consequences like medical doctors and teachers, who were employed in the welfare states did not have effective public accountability and their obligation to report and subjection to auditing needed a greater scope. However, we do not see any linear or uniform trend that outdated the rules related to appropriateness. Both private and public sectors have been embroiled in scandals that have turned the public opinion towards legal and ethical regulations and responsibility of the sectors. Rules and legal integration forms the basis of the polity that is referred to as the European Union. This even includes an increased focus on human rights, even though this trend cannot be called either even or irreversible.<sup>252</sup>

There are times when even the same institution displays different logics of action. Conversely, individual institutions differentiate logic by providing different roles to different logics. There are times even single institutions find themselves torn between competing logics. We can take the example of public administration, which experiences trust in controlling behavior by manipulating structures of incentive as well as cost benefits in individual calculation and trust in an ethos of internal-normative responsibility the will to act by the rules appropriateness. There has been a historical interaction between the two and the importance they are accorded in relation to each other and with changes in institutional settings, the importance changes. In theory, it is challenging to fit the diverse motivation and

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<sup>252</sup> *Ibid.*, p.18.

logics into the same framework. Under specified conditions, certain logics like following rules of appropriateness and calculating the expected utility of an individual, are excellent approximates. One cannot deny the importance that each of them have and improper to singly choose one to depend on. Hence, in order to develop a theory regarding purposeful human behavior, one needs to take the diverse range of motivations and modes of behaviors experienced by humans that take into account the various relationships and interactions that various logics experience with each other. This can be initiated by regarding the complementarity of behavioral logics rather than assuming a single dominant logic.<sup>253</sup>

The following focuses on possible relationship, which the logic of appropriateness and logic of consequences may have with each other. At the initiation of the analysis, Jeffrey Checkel asks the question, “Why is agents compliant to the norms, which have been established by regimes and international institutions?”<sup>254</sup> and to this he gives two possible answers. The first one is rational and emphasizes on coercion, calculation of cost benefit and material attractions, while the second one is constructivist that there are agents in the norms, which gives them some sense of identity and interest. The difference between the rationalist explanation and constructivist explanation are highlighted. In the former, the actors preserve their preferences, even though they have received new information and changed their strategies, while in the later the interest and the identities of the agent are preserved through interaction. According to him, the process of interaction is also an act of argumentative persuasion, which causes change in the attitude, belief or behavior of the target person.<sup>255</sup>

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<sup>253</sup> *Ibid.*, pp.18-19.

<sup>254</sup> Jeffrey T. Checkel, “Why Comply? Social Learning and European Identity Change?”, in *International Organization*, the MIT Press Vol.55, No.3, Summer 2001, p.553.

<sup>255</sup> Özlem Terzi, *The Influence of the European Union on Turkish Foreign Policy*, Ashgate, Farnham, 2010, p.13.

During the process of socialization, we can have two outcomes. Either, the actors choose to behave rationally by analyzing the cost benefits and display a change in the behavior caused by the “logic of consequences” or, they find conviction that the new norms are essential for integration into the new setting of society, which is called “logic of appropriateness”. Thus the actors start defending the norms that they had internalized as a part of the new identity even in the international arena. The approach of the “logic of appropriateness” suggests that actors have a collective understanding of behavior that may be accepted by the society and are guided by this understanding. The collective understanding is the key to the definition of goals and their perception of “rational” action. James March and Johan P. Olsen define ‘to act appropriately’ as functioning according to the institutionalized practices, which are founded upon mutual and largely tacit understanding of truth, reasonability, natural, right and good, and is a part of a learning process.<sup>256</sup> Jeffery Checkel suggests that the logic of appropriateness may be followed in two different ways. One can learn a role and work in accordance to what is expected of them. The issues of acceptability in a given situation or community is something that the actors are aware of. This is termed as conscious role playing, which is classified as Type I socialization. The Type II socialization takes place when the interests and even the identity of the community are adopted and accepted by the actor of which they become a part. The basis of the analysis by Checkel lies in the previous analyzes carried out in IR on how individuals who socialize in international organizations are affected.<sup>257</sup>

March and Olsen also focus on dual approaches on the topic regarding relation of approaches. The approaches include “one logic being a special case of the other” and a “hierarchy between logics”. According to them, subsuming one logic as a special case of another is an approach that cannot be termed as satisfactory. From

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<sup>256</sup> Steven C. Roach, *Critical Theory of International Politics: Complementarity, Justice and Governance*, Routledge, London and New York, 2010, p.77

<sup>257</sup> Özlem Terzi, *op. cit.*, p.13.



the point of view of the logic of appropriateness, consequential choice is viewed as one of the numerous possible choices that the actor can slowly come to believe and is a model for specific roles in specific settings and situations. On the other hand, the perspective of the logic of consequentiality may suggest that the rules of appropriateness may be a result of higher level or prior utility calculations, explicit contract and choice. This approach may also be deemed unsatisfactory since the distinctiveness of the different logics is not accepted in it. Alternatively, one can assume a hierarchy to exist between the logics. The logic of appropriateness may find itself to be subjects of constraints related to extreme consequences or rules of appropriateness may be seen as a binding force, which restricts the operation of consequentiality. A version of the hierarchy notion suggests that one logic is responsible for the major decisions, while the other is for the purpose of its refinement or one defines the behavior of the politically important actors and the other defines it to politically unimportant actors. It has often been cited as an example that politics is subject to the logic of consequences, while public administrators and judges are subject to laws of appropriateness. However, empirical findings do not support this theory of the hierarchy of different type's decisions and actors.<sup>258</sup>

The low availability of resources may justify the use of different reasons and actions for the purpose of making and justification of policies. In the institutions that prescribe the logic of appropriateness for the purpose of decision making, it becomes hard to implement rule of law, traditions and precedents, and prescriptions. However, the logic of appropriateness may be used even in the cases where they are not used for the purpose of policy making. In a very similar way, in institutions and areas where the logic of consequences, rational calculation and a future oriented vision, but is difficult to keep to the word, the logic of consequences is used in order to justify even those decisions that did not follow the same logic

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<sup>258</sup> James G. March and Johan P. Olsen, "The Logic of Appropriateness", *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.20.

while being formulated. However, March and Olsen suggest that the logic of consequences and rationality is easier to use for the purpose of justifying decisions. This may be because the logic of consequences is of a more indeterminate character and implications than following rules and the logic of appropriateness in situations that have moderate ambiguity and complexity. Rationalizing behavior in terms of one interest or another is easier than interpreting a behavior as appropriate since the rules of appropriateness are known by all and quite stable over time.<sup>259</sup>

Lastly, specific experiences may lead to change in the logic of action. If a specific situation creates accumulated experiences over a long period of time, rules regarding appropriateness may be subject to change. Hence, the rules and standard procedures of operation more likely to dominate the discourse in case of actors having long tenure, frequent interaction and shared experiences and information. The same may be applicable in case they share accounts and institutionalized memories and the environment is quite stable. Consequences are providing feedback to the rules, which may be abandoned or replaced by the logic of consequences if the rule following does not provide satisfactory results in terms of established targets and aspiration level.<sup>260</sup>

### **4.3. Logic of Appropriateness versus Logic of Consequences**

On one hand, there are those who see action as anticipated consequences and prior preferences. On the other hand, there are those who see the senses of identity and logic of appropriateness as the driving force. That means that some see politics as a matter of rationality and interest while others regard it with affection and a sense of

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<sup>259</sup> *Ibid.*, pp.21-22.

<sup>260</sup> *Ibid.*, p.22.

identity. March and Olsen suggest that two ways about telling stories about politics exist.<sup>261</sup>

Those who see the actions as driven by expectation of consequences, they may be required to choose from the likely consequences for their own personal or collective objectives. These people consider society to be a collection of individuals, who are working to meet their individual ends. The only obligations that individuals recognize are those which have been formed through consent or contacts that have been formed on the grounds of calculated consequential advantage. Those who have a view of politics in this light, link action solely to the logic of expected consequences, and overlook the role that identities, rules and institutions play in modeling the human behavior. On the other side, those who follow the logic of appropriateness, see the role of rules as the basis of action. It is assumed that actors, who subscribe to particular identities, will react particularly in certain situations. Action is a matter of obligation that reacting in a specific manner to a certain situation as prescribed by one's identity. Those scholars who find themselves committed to the identity position often interpret those, who are agents of politics as acting only to satisfy the rules and expectations of them and these rules are publicly known and accepted. Thus those who use the logic of consequentiality are considered to be simple-minded and without imagination in relation to those who follow the logic of appropriateness, who are considered to be open minded and more sophisticated. March and Olsen, wrote a book in 1989, where they compared the two methods of reasoning, which were termed as conventional litanies for action. This approach made the pursuit of self-interest related to consequentialist reasoning, while application of ground rules in identities constructed socially as related to non-consequentialist reasoning. These self-interests and reasoning are always present and it may be reasonable to assume that the meanings of them are one and same in every context. Similarly, even if the rules of that have been

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<sup>261</sup> Kjell Goldmann, "Appropriateness and Consequences: The Logic of Neo-Institutionalism", in *An International Journal of Policy, Administration and Institutions*, Vol.18, No.1, January 2005, p.37.

appropriated are more of simple routine or standard operating procedures, they are often expressed by March and Olsen as social obligations. The logic of appropriateness, assumes that the individual share a common life and identity with others and have concerns for the others as well. Hence, we need to take into consideration the fact that consequentialist obligation and non-selfish interests require some form of characterization. It is obvious that consequentialist argument in terms of identity related social obligations is something we come across regularly in everyday politics. On top of that it is not always possible to characterize self-interest and selfishness as one and same thing.<sup>262</sup>

March and Olsen provide a distinct division of “logics” namely “logic of consequences” and “logic of appropriateness”. March sees that logic of consequences as one that is pursued by a rational method. To him, rationality is something that others term as instrumental rationality. An instrumental action has its orientation towards a goal or a set of goals. If described in everyday terms, is an action, which the agent believes, will help them towards the achievement of a goal or a number of goals. March views instrumental rationality as either pure form of rationality that neoclassical economics assumes, which was called by Herbert Simon as “substantive rationality” or the limited form that March, Simon and others called “bounded” or “limited rationality”. We may add another form instrumental rationality that is the rationality of innovation.<sup>263</sup> If one follows the logic of consequences, then they need to take alternative actions into consideration, imagine the consequences they may have, and adopt a procedure that can assist them in choosing the right alternatives.<sup>264</sup>

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<sup>262</sup> *Ibid.*, pp.39-40.

<sup>263</sup> David Dequech, “Bounded Rationality, Institutions and Uncertainty”, in *Journal of Economic Issues*, Vol.35, No: 4, 2001, p.923.

<sup>264</sup> David Dequech, “Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics”, in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013, p.106.

The logic of appropriateness is considered by March and Olsen to be normatively superior to the logic of consequences. It sees human action as driven by rules of behavior considered appropriate and is organized into institutions.<sup>265</sup> The rules are heeded since they are considered as natural, rightful, expected and have legitimacy. The appropriateness of rules includes both cognitive and normative components.<sup>266</sup> The obligations encapsulated in a role, an identity, a membership in a political community or group, and the ethos, practices and expectations of its institutions, are fulfilled by the actors.<sup>267</sup>

We must pick our sides as to whether we choose to be associated with those who support the assumption of expected consequences, which are assessed in terms of interest or those who choose the assumption that rules are embedded in identities. A more complex view of the factors motivating humans is provided by the logic of appropriateness as it does not exclude consequences, whereas on the other hand the logic of expected consequences ignores the rules and identities. In other words, 'the logic of consequences' pay no attention the role of identities, rules and institutions in determining actor behavior.<sup>268</sup> Although we may debate of the second argument, since the logic of appropriateness makes an assumption of identities instead of accounting for them, in the same manner that logic of expected consequences makes an assumption of preferences instead of accounting for them.<sup>269</sup> It has been written by March and Olsen that obligations encapsulated in a role, identity,

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<sup>265</sup> James G. March and Johan P. Olsen, "The Logic of Appropriateness", *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.2.

<sup>266</sup> March J.G. and J.P. Olsen, *Democratic Governance*, Free Press, New York, 1995, pp.30-31.

<sup>267</sup> James G. March and Johan P. Olsen, *op.cit.*, p.3.

<sup>268</sup> Adrian Hyde-Price, *Germany and European Order: Enlarging NATO and the EU*, Manchester University Press, Manchester, 2000, p.49.

<sup>269</sup> Kjell Goldmann, "Appropriateness and Consequences: The Logic of Neo-Institutionalism", in *An International Journal of Policy, Administration and Institutions*, Vol.18, No.1, January 2005, pp.43-44.

political membership, and the ethos, are attempted to be fulfilled by actors.<sup>270</sup> So the logic of appropriateness may be followed by the agents in more than one way. On the other hand, an appropriate behavior may be displayed by the agents if they learn the roles and meet the expectations, without any regard to whether they like the roles or not. The secret to success is to understand the behavior that is socially accepted or appreciated in a given setting or community. To follow the logic of appropriateness means that instead of simply implementing a conscious instrumental calculation, conscious role playing is that community or organizational norms are accepted by the agents. This is called a Type I internalization or socialization. Conversely, by following the logic of appropriateness, the agents may imply that the community and organizational norms is automatically the right thing to do. This is called Type II internalization or socialization. The implication of this form of socialization is that the agents may be beyond role-playing and that the agents may actually adopt the interests and the identities of the community in which they took part. The conscious instrumental calculations no longer work in this period and are replaced by a sense of taking things for granted. The two different types of internalization are to be kept in mind at the time of analyzing the process of socialization. Both the processes represent a shift from the logic of consequences to the logic of appropriateness and the distinct aspects that are observed in contemporary Europe in the field of socialization dynamics.<sup>271</sup>

Actors, who follow an internalized prescription of what the society defines as right, true, normal or good, even if the calculations of consequences or utility suggest otherwise, possess a vision. There seems to be a universal trend towards the development of rules, codes and principles of conduct that justifies prescribed action, which is more than the expected consequences. Even in many modern

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<sup>270</sup> David Dequech, "Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics", in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013, p.106.

<sup>271</sup> Jeffrey Checkel, "International Institutions and Socialisation in Europe: Introduction and Framework", in *International Organization*, Vol:59, No:4, 2005, pp.804-805.

discussions regarding the importance of rules in guiding the life of humans. Working according to the guidelines assigned to a particular role or being is a comparatively complex mental process which needs well considered and reasoned actions. However, the reasoning processes are not chiefly related with the expectation of future concerns, because they come as they arrive as the current idea about the fact. The factors of resemblance and equivalence are more used by the actors compared to the factors of probability and worth. For acting properly it is vital to work, often in a tactful way, as per the pre-set notions, with a shared collective realization about what is true, logical, normal, proper, and noble. The notion “logic of appropriateness” includes a theme of ethics, however, the guidelines of appositeness highlights carnages of action, like moral cleaning and severe disputes, including ethical valor. When guidelines for a particular action is set as perfect by a person or a group, it may demonstrate learning in some way from the history, but will not confirm practical effectiveness or ethical tolerability. As per the simple intent of behavior, logical actions are performed by individuals for answering three primary queries; first, the type of the situation; second, the type of the person himself; and third, how a person like me reacts in this kind of situations. Working as per the consequence means dealing probable guidelines and explanations as options in a problem of logical choice and it is normally taken that the natural tendency of human being is to follow his/her self-welfares. Working as per the consequences or expected action includes the next steps: 1. What are the options available to me? 2. What are my morals? 3. What are the outcomes of the options as per my morals? 4. Select the option with the finest anticipated outcome. In the next step, working in accordance with the guidelines that limit the behavior depends on the logical computations and agreements and is driven by enticements and expected individual gains.<sup>272</sup>

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<sup>272</sup> James G. March and Johan P. Olsen, “The Logic of Appropriateness”, in *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p., pp.3-4.

Independent political existence within a political entity is regulated by organizations that are formed according to guidelines and norms. The political entity is a structure of officially designed organizations that demonstrate the set-up in which administration and policy formation occurs. An organization is a comparatively steady assembly of guidelines and processes, rooted into the architecture of the assets vital for the action – institutional, economic and abilities of the employees; and the architecture of worth which defines and validate behavior are – guidelines, personalities and belongings, mutual objective, as well as fundamental and normative views. This organizational view is quite contrasting with the contemporary clarifications of politics, which accept actors motivated by self- interest and logical calculations, consequentialism as well as instrumentalism. In this case, the guidelines either only demonstrate intentions and powers or they have no relevance at all. It is always preferred to follow guidelines that are perfect for a particular situation, rather than following guidelines that need certain actions, and hence the concept that the society is ruled by a stable constitution and guidelines to meet perfection can be a probable image of immature assurance like that of the eighteen century. Rather the reason of aptness heeds to an even older view, which demonstrates politics as guideline –regulated and marks the employment of public organizations and power for private requirements as the exploitation and deterioration of politics.<sup>273</sup>

March and Olsen in their book titled “*The Democratic Governance*”, arrive at the inference that the validation for democratic administration and democratic alterations does not come from the reason of outcomes; rather a democratic institution should also take accountability for offering an institution based structure within which regular political dissertations can be performed. Working as per the democratic essence means, taking accountability for designing the guidelines, processes, norms, abilities, architectures, finances as well as individualities that

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<sup>273</sup> *Ibid.*, p.5



make the democratic political life.<sup>274</sup> The theme of the democratic spirit is to strive to do well, even if it is known that the efforts may be futile or misled. The reason of aptness is considered as superior and demands effort including pledge of communitarian than the self-oriented identity, the formation of general organizations and comprehensive identity instead of seeking self-welfares.<sup>275</sup>

Guidelines, norms, individualities and organizations places limits for action but does not actually define a particular action; and at time, significant capability of the actors are demonstrated in adjusting with the altering situations by the way of altering their attitudes but sticking to the basic norms and definitions. A general idea about the existence of norms, organizations, roles and individualities is that they are well working and offer better results than the other options. These are functional at least in case of some situation and value ethical pledge and worth of people. In the modern democracies, this explanation is seen in case of high learning desires. In practical as well as normative terms, proper guidelines are expected to come up with time as fresh experiences are described and rules are formed, or less likely options are removed through comparison. Knowledge gathered from experience as expected to enhance intelligence, efficiency as well as flexibility of the political entity and work as a central point of understanding and growth. The prime democratic process for confirming logical employment of the norms is open discussion, where the actors need to describe and validate their actions by logical arguments, in the public while maintaining the norms of a perfect discussion. However, in reality, the enthusiasm as well as capability of the democracies to know and familiarize with the norms, and enhancing performance according to the experience is very limited. Norms are simply conveyed from one generation to the next, or from a group of individuals through rearing of kids, learning, skill development, socializing and habitat acclimatization. Norms are either preserved or

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<sup>274</sup>*Ibid.*, pp.6-7.

<sup>275</sup> Kjell Goldmann, "Appropriateness and Consequences: The Logic of Neo-Institutionalism", in *An International Journal of Policy, Administration and Institutions*, Vol.18, No.1, January 2005, p.46.

altered as per communication with others and gathering of experience and information. Norms are often conveyed through social links and their circulation is restricted by margins and detachments. They arrive in competition with each other for gaining consideration. They are also altered with the other norms; they mingle or back each other and at the time of transfer they are also transformed. Alterations also happen as an outcome of public treaties and measured interferences. These subtleties demonstrate the outcome of alteration persuaded by the environment and also the endogenous alteration created by the action of the rule system.<sup>276</sup>

Different ideas of democratic residency are implied by the logics. One view is that each of the residents will take his/her stand on the problem in a logical way as per his/her views and benefits. It is the core of profuse democracy. It is similar to the definition of enlightened realization by Robert Dahl, which stresses that the processes for taking a decision must be assessed as per the scopes they offer the residents for gaining a realization of income and substances as per his/her interests and the most probable outcomes of rules for welfares of not only his/herself, but also for all the related people. This kind of idea of democracy is embedded in “rationality of most probable outcomes”. On the other hand, the civic individuality ideal, considers that actions are based on the rules, and it includes toning with the restrictions of an individual to a circumstance. As per this view, the tactics for reaching democracy focuses on changing rules and individualities and socializing people within them. In case the, the rational of aptness place an assumption of open democracy in the question, it will also look like the case in modern studies with respect to the intentional democracy, as it is called. On the other hand, collective decision making by the way of arguments given by and also offered to the members dedicated to the morals of wisdom and fairness defines deliberate democracy.<sup>277</sup>

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<sup>276</sup> James G. March and Johan P. Olsen, “The Logic of Appropriateness”, *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, pp.10-13.

<sup>277</sup> Kjell Goldmann, *op. cit.*, pp.46-47.

As a whole, working as per the logic of outcomes means treating probable norms and explanations as options in a rational option question and it is normally expected that the natural tendency of human being is to rush for their own-welfares.<sup>278</sup> To behave according to the logic of outcomes or expected action (logic of consequences) the following steps needs to be followed: a. what are the options available to me? b. what are my morals? c. what are the outcomes of the options against my morals? d. Select the option with the best probable outcome. To work according to the norms that limit actions, logical measurements and contracts are then used and is inspired by personal gains and inducements.<sup>279</sup>

On the contrary, working as per the logic of appropriateness needs answering the next questions:

- The recognition question: What is the type of the situation?
- The identity question: What is the type of person am I? /what is the type of this institution?
- The rule question: What is done by a person like me or an institute like this in this type of situation?<sup>280</sup>

An individual working as per the logic of appropriateness develops the type of attitude which is perfect for the individuality of the person or the role in case of a specific situation. According to March (1994), it is a rule-resulting attitude as the person follows the rules of aptness or archetypical attitude.<sup>281</sup> The origin of the

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<sup>278</sup> Brennan, G. and J.M. Buchanan, *The Reason of Rules. Constitutional Political Economy*, Cambridge University Press, Cambridge, 1985, p.ix.

<sup>279</sup> James G. March and Johan P. Olsen, "The Logic of Appropriateness", *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.5

<sup>280</sup> David Dequech, "Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics", in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013, p.106.

<sup>281</sup> James March and Olse Johan, "The Logic of Appropriateness", in Michael Moran, Martin Rein and Robert Goodin (eds.), *The Oxford Handbook of Public Policy*, p.689.

theory put forward by March and Olsen can be traced back to the age old idea of actors working as per the adopted ideas of true, good, normal and right as defined by the society without measuring the outcomes and the probable use.<sup>282</sup> Civil turmoil needs complete re-deployment of political power and well-being, and at the same time political revolts and prime alterations are driven by individuality oriented ideas of aptness rather than thoughtful measurements of the expenses and gains. The most appropriate action is normally suggested by the rules. They also offer an idea to the actors about where to find the models, who are the prime explainers of the different norms, also the primary explanatory traditions. It cannot be guessed that behaviour is always guided or dictated by rules, rather it is vital to realize the methods through which translation of the rules occur into real behaviour and the causes that might reinforce or deteriorate the connection between the rules and the actions.<sup>283</sup>

#### **4.4. Logic of Actions Discussion from Theoretical Perspective**

The differences in approach between the ‘logic of appropriateness’ and the ‘logic of consequences’ have been adequately stated by March and Olsen, with the contingency theory related to the instrumental rationality. Therefore, it has been proposed that the bottom line profitability of an initiative determines the technology employed and associated strategies. However, the institutional theory is of the perspective that the path adopted is determined by the logic of appropriateness, explained in terms of its corresponding roles, routines, rights, obligations, standard operating procedures and practices. The logic of consequence is of the recommendation that changes in organizational structures and processes are made in relation to technical aspects towards increasing the profitability of the enterprise. However, on the other hand the logic of appropriateness recommends that changes

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<sup>282</sup> *Ibid.*, p.690.

<sup>283</sup> James G. March and Johan P. Olsen, “The Logic of Appropriateness”, *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.7.

implemented are done so with the intention towards properly organizing the processes.<sup>284</sup>

An explanation on the gradual changes exhibited in the system encompasses the logic of consequence. Correspondingly, the primary features are directed towards achieving the strategic long term organizational goals based on whatever input has been provided to the paradigm. Further, the logic of consequences focuses on the technical aspects of the entire system, with an emphasis on new technology towards initiating new processes. Finally, organizational change is also significantly dependent on how the stakeholders influence the processes towards their greatest individual benefit.<sup>285</sup>

Current generation institutional theories are based on the premise of strategic actors acting from behind the public eye, preferring to direct reform initiatives from behind-the-scenes. Nevertheless, a normative commitment to organizing things in a particular manner guides their rationality, and not just aspects of knowledge and analytical capacity are taken into consideration.<sup>286</sup> In this regard, Immergut opines that human behaviour is more a function of coping with cognitive limits, and probably has less to do with individual preferences.<sup>287</sup>

While contingency theory perceives development by considering the overall environment under reference, institutionalists consider development by being able to select the most effective medium of development. Therefore, the latter do not

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<sup>284</sup> Tom Entwistle, "For Appropriateness or Consequences? Explaining Organizational Change in English Local Government", in *Public Administration* Vol.89 No.2 2011, pp.661-662.

<sup>285</sup> *Ibid.*, pp.663-664.

<sup>286</sup> *Ibid.*, p.664.

<sup>287</sup> Ellen M. Immergut, "The Theoretical core of the New Institutionalism" in *Politics and Society*, vol.26, No.1, 1998, pp.14-15.

necessarily focus on increasing the efficiency of the selected process, but are more focused with representing the development taking place in terms of the ‘archetype’ achieved.<sup>288</sup> In this regard, Greenwood and Hinings are of the recommendation that archetype is associated with ideas, beliefs and values in describing what an ideal organization should be like. Further, aspects of how the same should function, the structural parameters and the related aspects are of focus and consideration.<sup>289</sup>

The logic of appropriateness can therefore be summarized to state that change is actually not so much related or associated with instrumental reasons. Therefore, it can be stated that strategic actors are inclined to bring around changes in working towards aligning all organizational structures with certain preconceived and standardized organizational formats, and are perhaps less concerned with efforts towards enhancing actual performance. Therefore, the institutionalist theory focuses more on normative stimuli and is perhaps less concerned with the technological aspect. Further, proponents of the institutionalist theory are more inclined towards bringing about change as a ‘transmission’ or as a ‘translation’ of the standards of imitation, coercion and professionalization.<sup>290</sup>

Neo-liberals and corresponding regime theorists are observed to accord a nominal emphasis on how the rules are adhered to. Instead, the theorists encourage coordination amongst the different stakeholders. Pre-ordained processes are perceived to limit in bringing about change on the part of the states and the agents, although the corresponding identities and interests are only nominally affected, since the norms are a function of the basic powers running through the system. Such theories have come under close scrutiny and evaluation towards explaining

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<sup>288</sup> Tom Entwistle, *op.cit.*, p.664.

<sup>289</sup> Greenwood,R.andC.R. Hinings, ‘Organizational Design Types,Tracks and the Dynamics of Strategic Change’, in *Organization Studies*, Vol. 9, No:3, 1988, p.295.

<sup>290</sup> Tom Entwistle, “For Appropriateness or Consequences? Explaining Organizational Change in English Local Government”, in *Public Administration* Vol.89 No.2 2011, p.665.

their dynamics and processes. In recent years, multiple studies have been conducted which have contributed to exhibit how norms are assumed to exhibit constitutive processes.<sup>291</sup>

Actors are observed to function on the basis of their perception of their surroundings and in how they should respond to the same, instead of initially analyzing the benefits which would be accrued from their actions. Social constructivism is of the perception that humanity does not function in isolation, and the individual actions exhibited are a function of the environment surrounding the actor. Correspondingly, social constructivism is of the perception that humanity repeatedly endeavours to 'reconstruct' the ideal environment, which then correspondingly defines and determines the actions taken in support of this endeavour. Additionally, working against concepts of Neofunctionalism and intergovernmentalism, the concept of constructivism is not necessarily ontologically rationalist or materialist. Therefore, the societal actors are not necessarily working on increasing their productivity or enhancing their efficiency. Instead, constructivism considers society is deeply affected by ideas, beliefs and the associated identity. This is reinforced in how constructivists strive to demonstrate how individual beliefs and perceptions regarding the 'right' process to execute the task are focused upon. Therefore, constructivism could be assumed to bifurcating and creating divisions related to agents and the related structural context which could be in the form of the European Council meetings as a demonstration. Intergovernmentalism would be correspondingly stated to be a theory more related to the existence of an agency, and would be probably concerned in how they function in this context. Correspondingly, due recognition is also provided to actors in a structure in relation to their power and association within the EU as a whole.

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<sup>291</sup> Jeffrey T. Checkel, "Norms, Institutions and National Identity in Contemporary Europe", in *International Studies Quarterly*, No:43, 1999, p.84.

On the other hand, constructivists consider agents and their structures as being mutually constitutive within themselves. Thus, the structures within society are stated to determine how the actors function in the context and who the actors actually are. Correspondingly, the sum of individual actions contributes to determine and define the cumulative action of the structures. Hence, structures define the paradigms under consideration, with the 'logic of appropriateness' explaining what is acceptable in a societal context. On the other hand, the 'logic of consequence' relates to the individual actors acting in consideration of improving their own interests towards benefitting themselves and safeguarding their own interests. Thus, a review of the text till date would reveal and detail the multiple theories evaluated till date. The intergovernmentalism theory could therefore be defined to be a derivation of multiple logic of consequences. Therefore, states being reflective of the societies contained within themselves, would also consider their actions in the same line, reflected in their actions towards ensuring their continued membership within the borders of the European Union as a demonstration. On the other hand, sociological institutionalism is of the perspective that national behaviour is reflective of the logic of appropriateness. This is based on the premise that on the national level, actions implemented and decisions undertaken are not necessarily based on what benefits would be accrued from a certain line of action. Instead, the focus would be on the morality of the action undertaken and in whether the action would be able to withstand scrutiny in the comity of nations.

#### **4.5. Logic of Action of EU in International Arena**

To have a clear understanding in how the EU has reacted in relation to the aspect of climate issues, it is important to analyze and understand the extent to which norms and EU interests are focused upon in the decision making process. It is also important to have clarity regarding whether there is a logic of appropriateness or consequence in the EU's formulation of its climate policies.



The European Union, like all the other actors, is an international actor acting in accordance with its interests. However, The EU's definition of interest is different. Due to its structure and founding philosophy, the European Union prefer to follow the approaches of the logic of appropriateness in not just its international climate change policy in particular, but also foreign policy of the European Union in general. The EU foreign policy is significantly influenced by aspects in managing its identity and how it is perceived within the comity of nations. In other words, EU policies carry more punch and have greater identity building effect than in classical foreign and security policy.<sup>292</sup> Correspondingly, this thought process has a major role in determining the social constructivist argument when the actors' interests are not so explicitly stated. Hence, where the actions are symbolic and dramaturgic with respect to institutionalist accounts, it does seem to reflect a certain level of influence on the nation's foreign policies.<sup>293</sup> Correspondingly, the parameters associated with this situation should have a measure of elasticity in the context of the prevailing social system. This would enable constructivists or sociological institutionalists to impress upon a perceived 'logic of appropriateness' towards enabling the designated actors to have an identity. The actors are thereafter responsible for identifying the situational context, and accordingly design and formulate their response to the same in an appropriate manner with the entire process being more defined as increasing numbers of the community are aligned with the process. To ensure the effectiveness of the EFP process, a few of the recommendations made would probably need to be discarded at times, but there also has to be a demonstrated degree of consensus amongst the EU policy-makers. This would allow for a certain degree of rationalization within the policy makers

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<sup>292</sup> Adam Hug, "Europe in the World, Can EU Foreign Policy make an Impact?", in Adam Hug (Ed), *Europe in the World, Can EU Foreign Policy make an Impact?*, The Foreign Policy Center, London, 2013, p.12.

<sup>293</sup> Ulrich Sedelmeier, "EU Enlargement, Identity, and the Analysis of European Foreign Policy: Identity Formation Through Policy Practice", in Robert Schuman Center for Advanced Studies, European University Institute, European Forum Series, RSC No. 2003/13, 2003, p.4.

with respect to the implementation of these processes and also with regard to how the same are graded in importance relative to each other.<sup>294</sup>

#### **4.5.1.Theoretical clash on the EU’s Governance**

The difference in perception regarding concepts and functions of neo-functionalism and inter-governmentalism has in time gone through transformations so as to now be reflected as an ideological struggle related to aspects of constructivism with the logic of appropriateness versus rationalism imbued with a logic of consequence.<sup>295</sup> Therefore, although at one time rationalism was considered the primary derivative which used to influence and affect the new-institutionalist thought processes, constructivist critiques have now come around to gradually bring around a decline in the effectiveness of rationalism associated with regard to the same being a normative theory and also its functioning as a research tool.

The constructivist concept is more related with a paradigm which is not necessarily just dependent on material aspects but also encompasses such factors as the ideational, social, and material ontologies.<sup>296</sup> Therefore, the tenet of constructivism goes to provide its basic measure of identity. Although the vast majority of scholars are not necessarily averse to assigning the rational choice process to be a central pillar of the model, most of them do so with a certain level of caution ensuring to allow for a simplification of the individual desires and preferences. Additionally, the concepts related to abstracts as being classified ‘obscure’ by rationalists contribute to the same. The concept of ‘common European identity’ is therefore significantly affected by such thought processes with the same being a challenge to

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<sup>294</sup> *Ibid.*, p.4.

<sup>295</sup> Thomas Christiansen, Knud Erik Jorgensen and Antje Wiener “The Social Construction of Europe”, in *Journal of European Public Policy*, vol.6 No.4, 1999, pp.528-544.

<sup>296</sup> Anastasia Chebakova, “Theorizing the EU as a Global Actor: a Constructivist Approach”, *The Maturing European Union- ESCA- Canada Biennial Conference Paper*, p.5.

be normally accepted. While sharing the identity does seem to contribute towards ensuring the commonality of European perceptions and the dissolution of national borders within the continent, the corresponding rationalist opinion seem to allow for this union in relation to the corresponding cost-benefit analysis, making the process illogical. It instead goes to support a feature of governance which tends to overlook the entire theory and concept. The theory of constructivism correspondingly shows how governance in the EU context can probably allow for a greater evaluation of the process, in simultaneous endogenous and exogenous perspectives. Further, once a consensus is reached on what is to be done, the member states all become united towards ensuring the success of the effort being undertaken, without allowing for their personal likes and dislikes or their objections to shade their input. Hence, even if there are subsequent attempts to try rolling back the initiatives, there are generally minimal possibilities of changing direction. It is this demonstrated commitment to the objectives set and agreed upon which has come around to making the EU a respected entity in the sphere of international relations.<sup>297</sup>

The protection of national interests is often determined by the processes of how the country's security is safeguarded after a due rational evaluation of multiple processes. However, constructivists are of the perspective that CFSP has come around to bring a consensus towards standardizing and formulating a common identity from an international perspective.<sup>298</sup> In this regard, Chebakova (2008) is of the opinion that this contributes to establish and explain the importance of having a

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<sup>297</sup> Ulrich Sedelmeier, "EU Enlargement, Identity, and the Analysis of European Foreign Policy: Identity Formation Through Policy Practice", in Robert Schuman Center for Advanced Studies, European University Institute, European Forum Series, RSC No. 2003/13, 2003, p.16.

<sup>298</sup> Wolfgang Wagner, "Why the EU's Common Foreign and Security Policy will remain Intergovernmental: A Rationalist Institutional Choice Analysis of European Crisis Management Policy", *Journal of European Public Policy*, Vol.10, No:4, p.576.

common identity and also explains how now institutions are born with the passage of time.<sup>299</sup>

EU governance is identified with its high standards of an established decision making process and in having a continuing reforms taking place which strives to brings in continuous improvements to the entire process. The Lisbon treaty has provided a greater intensity to this process by empowering the majority votes in the European Council to push through all necessary reforms within the boundaries of the Union. In doing away with the veto system within the EU, it is now much easier to ensure that necessary reforms are implemented, even if at times this could be against the short term interests of any single nation within the Bloc.

At the other end of the spectrum, constructivists are huge proponents in understanding institutional change and policy reforms towards implementing their standards of governance. Thus, Chebakova is of the perspective that speeches must be translated to meaningful action towards realizing actual, material benefits and progress on the ground.<sup>300</sup> Correspondingly, this can be demonstrated in the way the constitutionalization of Europe has been brought about in the present times.

Constructivism is therefore of great importance and significance in the EU perspective, explaining and demonstrating in how rational choices are made in the governance of the Bloc. Hence, the current text has gone to explain in significant detail how the differences in perceptions between aspects of constructivism and rationalism have often given rise to the latter concept being hindered by 'ontological blindness'. Therefore, the concept of rationalism is observed to have disconnect with the associated structures and agents, and is found to be short-sighted in identifying how ideas, the identity and a discourse in the governance

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<sup>299</sup> Anastasia Chebakova, "Theorizing the EU as a Global Actor: a Constructivist Approach", The Maturing European Union- ESCA- Canada Biennial Conference Paper, pp.1-16.

<sup>300</sup> *Ibid.*, p.7.

process determines the entire paradigm. Further, it is also demonstrated in how the concepts of constructivism has provided for explaining the concepts governing the EU.

The logic of appropriateness significantly influences EU foreign policy, and decisions taken with respect to climate change and the related aspects. The concept of securing Europe in a better world is reflective of the internationalization of the EU mind-set, and demonstrates the intention of the organization to function with a globalized perspective. Thus, three factors actually determine the implementation of this process, with perhaps the first of this being as a result of the EU being a driving force towards bringing around positive and constructive change. Synonymous to this concept, the EU is stated to be able to think, decide and act while keeping in mind global considerations and its corresponding impact. Further, the concept is also a continuation of the will of the collective subject, in assistance and alignment with the individual aspirations of member states. In processing this aspect, the EU is of the perspective that humanity emphasizes upon ‘speech acts’ which in due course would morph into specific rules and standardized processes, reproduced and reflected in the common mind-set of the entire community. Therefore, in so many aspects, such an ‘institutionalized’ demonstration of the model would have a positive consequence. Besides, the globalized ambitions and initiatives of the EU makes it to be considered as more than a regional power,<sup>301</sup> and instead to be taken in equal measure to the other entities shaping major global policies and decisions. Correspondingly, the EU provides major input towards developing global consensus on issues of importance affecting all stakeholders.<sup>302</sup>

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<sup>301</sup> Anastasia Chebakova, “Theorizing the EU as a global actor: a constructivist approach”, in ECSA-Canada Biennial Conference, The Maturing European Union, Edmonton, Alberta, 25-27 September 2008, pp.6-7.

<sup>302</sup> *Ibid.*, p.14.

The Logic of Appropriateness provides significant input in understanding major concepts associated with the European Union. The associated theories therefore contribute towards understanding how the individual identity of nations form the core reason on why nations want to be a part of the EU at all. Therefore, countries having a greater affinity to the European continent would probably have a greater desire to be part of this Union. This logic and associated theory also goes to explain in how far the UK is willing to amend itself so as to integrate itself within the EU. On a similar note, individual perceptions of the countries constituting regarding the morality of their policies would also determine the extent of their participation within the Union. Therefore, if a country perceives that an EU initiative is in alignment to their own perception of what is right, they would be naturally more vigorous in perusing the policy to its logical conclusion. Finally, the Logic of Appropriateness also assists the body in coordinating itself through the meandering process of regional politics towards drawing a common approach based on consensus with all the multiple stakeholders. This then acts as a counter to such materialist-rationalist sentiments, which contribute to individual state gaining or losing on their individual interests.<sup>303</sup>

#### **4.5.2. Driving Factors behind Union's Climate Policy**

In essence, the European Union can be described to be an institution based on the implementation of certain rules and legal aspects. Global and international politics is played out in deference to such rules which at the bottom line should not be changed to prevent anarchy.<sup>304</sup> In the case of the EU, such considerations include aspects associated with such concepts towards creating a foreign policy determined on the basis of what is perceived to be 'normal', acceptable and in congruence to

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<sup>303</sup> ---, "Social Constructivism and the EU", Available at <http://hum.port.ac.uk/europeanstudieshub/wp-content/uploads/2013/05/Module-4-extract-9-Social-Constructivism-and-the-EU.pdf>, Accessed on 25 October 2014, p.5.

<sup>304</sup> James G. March and Johan P. Olsen, "The Logic of Appropriateness", *Arena Center For European Studies, Working Paper*, University of Oslo, 2004, p.18.

the accepted norms of society and the comity of nations. Corresponding to this thought, Schaik and Schunz in their article titled “Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?”, argue that the EU policies related to global climate change are intended to be in alignment with their triple categorization; multilateralism and international law, propagating long term sustainable development and precautionary principle.<sup>305</sup> Since this categorization, thoroughly fits the logic of action of the EU to explain its driving factors behind both domestic and international climate policy, their categorization will be utilized for this research.

#### **4.5.2.1. Effective Multilateralism and Adherence to International Law:**

The EU has been a traditional proponent of multilateral systems, and in this regard has time and again demonstrated its inclinations towards ‘effective multilateralism’ with regard to the formulation of global policies. Correspondingly, it uses a variety of means to promote this agenda and normally desists from setting up its own independent policies and having them directly implemented without consensus. Therefore, the rules, laws and legislation enacted within the confines of the Bloc are more often in alignment to existing agreements and international resolutions. This is also very much evident with regard to rules and regulations related to business and commerce, where existing global trade agreements and policies form the basis for EU specific guidelines related to aspects of food, the environment and general trade. This is in turn also related in laws processed with regard to aspects of climate change, with the EU inclined to move with the consensus of all stakeholders. This is illustrated by the fact that since the EU contributes hardly 14 percent of all greenhouse gases, a multilateral approach on the part of the EU would

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<sup>305</sup> Louise Van Schaik and Simon Schunz, “Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?”, in JCMS, Vol.50, No:1, 2012, p.169.

hardly do much to resolve this huge challenge. Such alignment on a global level would be classified as being ‘normal’ for the purposes of our study and subject.<sup>306</sup>

#### **4.5.2.2.Sustainable Development:**

Climate change issues are very much related to and associated with sustainable development concepts within the EU, since the effort and initiatives undertaken in the present would go on to demonstrate its effectiveness for the future. When the Amsterdam Treaty entered into force in 1999, sustainable development was involved in Union’s founding goals and its basic objectives.<sup>307</sup> Therefore, in addition to having already ratified the Lisbon strategy, the EU also adopted the Sustainable Development Strategy in 2000, which focused on aspects of growth and jobs. While sustainable development is perhaps more associated with environmental objectives, it is actually more of a cross functional relationship which forms a significant basis towards determining how associated policies would be drawn up and implemented. Therefore, considering the importance associated with this aspect, it is under constant focus in drawing up continuous reforms, and as such would be considered to be ‘normal’ to have garnered a high level of attention.<sup>308</sup>

#### **4.5.2.3.The Precautionary Principle and Climate Science:**

In setting climate policies, the EU took the lead in 1990 when it passed the Community policy related to environmental aspects, silencing critics of the

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<sup>306</sup> *Ibid.*, pp.173-174.

<sup>307</sup> Ruşen Keleş, Can Hamamcı and Aykut Çoban, *Çevre Politikası*, İmge Yayınevi, Ankara, Nisan 2012, p.467.

<sup>308</sup> Louise Van Schaik and Simon Schunz, “Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?”, in *JCMS*, Vol.50, No:1, 2012, p.174.



initiative and justifying its actions with the recommendation not to delay the formulation of the policy merely on the plea of looking for further scientific evidence. It is called as precautionary Principle. It means that when human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm.<sup>309</sup> Nevertheless, to ensure that the policies adopted are broad based and inclusive to the extent possible, the EU has allowed the same to be non-discriminatory and consistent to be able to incorporate scientific findings as they are made available in due course. The same approach is also adopted with regard to drawing up policies in coordinating and interacting with members and countries outside the borders of the EU. Therefore, this policy direction has also been adopted vis-à-vis such globally accepted regulations as the Rio Declaration and the United Nations Framework Convention on Climate Change (UNFCCC), both of which were ratified in 1992. Therefore, with regard to policies adopted in regard to climate change and associated aspects, the EU has endeavored to ensure that its policies are in conjunction and alignment with the IPCC guidelines, which focuses in a major way on aspects related to such concepts as greenhouse gas emissions made from man-made processes.<sup>310</sup>

The EU has taken the lead in reducing greenhouse gas emissions and in supporting this international initiative by unilaterally establishing a cap and target on the amount of emissions over the course of a number of years back in 1996, when the EU Environment Ministers agreed that the Earth's surface temperature should not vary more than 2 degrees Celsius in comparison to pre-industrial age levels. While the 2 degrees Celsius recommendation was actually not necessarily based on concrete scientific data and evidence, it was nevertheless decided to recommend this figure so that the same could be either slightly raised or lowered in the future whenever concrete figures became available. In 2005, the European Council

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<sup>309</sup> ---, "The Precautionary Principles", Available at <http://www.precautionaryprinciple.eu/>, Accessed on 23.01.2015.

<sup>310</sup> Louise Van Schaik and Simon Schunz, *op. cit.*, pp.174-175.

ultimately endorsed the 2 degree recommendation, stating the figure to constitute a ‘tipping point’ as per the text of a Commission Communication prepared in this regard. During subsequent initiatives, the Commission made commendable input towards maintaining the figures so as to be in alignment to the figures proposed by the IPCC. Given the success achieved in correctly predicting the 2 degree figure, the EU later called upon developed nations to target an appreciable reduction in their greenhouse emissions, proposing an overall 30 percent reduction by 2020 which would be increased to 60-80 reduction by 2050, considering the 1990 figures as the baseline. The aforementioned figures proposed in 2007 also called for a 15 – 30 percent contribution from the developing economies, and a double reduction by the EU countries should the developing nations support the EU in this regard. Nevertheless, the EU has unilaterally gone for a 20 percent reduction of its own emissions. Such broad figures are demonstrative of broad-based political will and consensus within the EU in going through with the reforms to materialize the figures as per recommendations by the IPCC. And in support thereof, the EU has also followed up on this with corresponding legislation in this regard back in 2009.<sup>311</sup>

In trying to understand the EU’s interest in reducing climate change, both normative and interest-based explanations are evident to the analyst. This is so in consideration of the fact that norms and interests are by nature complementary to each other, with all the member states constituting the Union being motivated by different perspectives at various points in time. Further, there is also an inclination to adhere to norms as per the precautionary principles of sustainable development, something, which has historical significance for the Union as a whole. Hence, the interest of the member countries in taking steps towards ensuring the sustenance of the environment is motivated by significant economic reasons. Correspondingly, it is reasonably concluded that the social actions determining the EU’s external activities with regard to climate change has elements of political, economic and

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<sup>311</sup> *Ibid.*, pp.174-175.

security gains associated with the same at multiple levels. It is certainly commendable that despite not knowing the extent to which it can actually succeed in its endeavors, the EU has taken the lead in coordinating efforts towards reducing greenhouse emissions and bringing about stability in the climate affects to the extent reasonably possible, based on normative foundations.<sup>312</sup>

Hence, there has been a global realization on the need to cash in on the inherent long term and strategic economic benefits associated with reducing global pollution levels and greenhouse emissions, in line with the demonstrate-able lead established by the EU in this regard. It is therefore a matter of great and significant pride that the EU has been on the forefront of taking steps towards reducing emissions, irrespective of the short term costs associated with the initiatives. Further, the EU has a mechanism whereby competing interests within the Bloc are seemingly automatically adjusted out amongst themselves. Thus, when the ambitious 30 percent reduction strategy was first floated, there were definitely some countries, which were against such an ambitious figure. This led to some discussions among the members. Some countries, which are trying to develop like Poland, claimed that if this amount of emission reductions occurs, there is no way to develop. Likewise, developed countries in the European Union, such as Germany, stated that this amount makes it difficult to maintain the states' level of development.<sup>313</sup> In response, a few countries within the Bloc took the lead in announcing their intention to go way over the limit, so as to adjust for the inability of other member states to match the figure. Ultimately, the sum total and average from the entire Bloc translated to what was proposed. Thus, in consideration of the Union's assertiveness in implementing its strategies within its borders, and its ability to withstand pressure from lobbying and interest groups, they have inevitably passed through with effective policies whenever and wherever required. A few aspects of

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<sup>312</sup> *Ibid.*, p.178.

<sup>313</sup> Interview with Pelin Zorlu, from E3G (Third Generation Environmentalism), London, England, September 2010.

basic determinants including aspects of precautionary principle, sustainable development and multilateralism have been given precedence over other policies, so as to enable an active policy regarding aspects of climate change and the related.<sup>314</sup>

To conclude the discussions undertaken, available information indicates that decision making on climate related issues within the EU is dependent and a derivative of the norms taking precedence over individual interests. True, interests can be supportive of norms to an extent, but ultimately the norms determine the policies. The EU is observed to be in the habit of taking the correct decision at the right time, at least with regard to climate issues. This stance has been consistently upheld by the EU across multiple forums, demonstrated in relation to ‘saving’ the Kyoto protocols. In this event too, the EU negotiated with all international stakeholders on the basis of its firm concepts and understanding of promoting its interests on the basis of deriving its arguments normatively. Therefore, it would be rightly concluded that on the Europe follows a normative, rather than an empirical approach towards defining policies and legislation regarding climate issues.<sup>315</sup> Nevertheless, other global players of corresponding stature to the EU, including the United States, Japan and lately also the BASIC countries and their policy makers are observed to be more inclined to operate under the principle of consequences of rational calculation, more interested in protecting their short-term interests.<sup>316</sup>

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<sup>314</sup> Louise Van Schaik and Simon Schunz, “Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?”, in *JCMS*, Vol.50, No:1, 2012, p.178.

<sup>315</sup> *Ibid.*, pp.182-183.

<sup>316</sup> Ase Gornitzka and Liv Langfeldt, “Borderless Knowledge”, Springer, Berlin, 2008, p.144.

#### **4.6. Concluding Remarks**

The Chapter discussed the influence of the ‘logic of action’ concept in determining foreign policy because of the fact that this concept led to the difference in the climate change policies between nation states and the European Union. While doing so, two pieces of logic called ‘logic of appropriateness’ and ‘logic of consequences’ have been discussed. Then, in this chapter, to have a clear understanding in how the EU has reacted in relation to the aspect of climate issues, it was important to analyze and understand the extent to which norms and EU interests are focused upon in the decision making process. It was also important to have clarity regarding whether there is logic of appropriateness or consequence in the EU’s formulation of its climate policies.

Next chapter, in parallel with the argument of the overall dissertation, will address the Union's supranational structure as a second determining factor, which indicates that the EU's behavior on the climate change issue differs from nation-states in general and with the behavior of great emitters such as the US, China India, Russia in particular. Within this context, in this chapter of the dissertation, Putnam's “Two level game” will be focused on for a better understanding of the behavioral style of nation-states. Subsequently, in order to have a better perception of the differences of the European Union, the structure of the EU, which is composed of supranational decision-making mechanism within the framework of climate change, will be elaborated.

## **CHAPTER 5**

### **The Analysis of Behavior Patterns in International Negotiations : ‘Two Level Game’ and Third Level of the European Union**

#### **5.1.Introduction**

In parallel with the argument of the dissertation, the second determining factor, which indicates that the EU's behavior on climate change issue differs from nation-states in general and great emitters such as the US, China India, Russia in particular, is union's supranational structure.

When nation-states' behavior patterns on international negotiations are examined, the analysis that best describes this process is Putnam's "Two level game" theory. Based on that, there are two levels in the process of how an agreement can be reached at the end of the international negotiations. The first level, referred as international level, signifies the bargaining process among negotiators. The second level represents the domestic ratification procedure of the agreement which has been reached as a result of negotiations. From this point of view, the basic motivation of a nation-state is to maximize the gains in international level to satisfy its own domestic pressures. In both international and national level, nation-states and domestic groups determine policies in accordance with their own interests.

Following the process in nation-states, it can be said that there is a third level in the structure of the European Union. This third level stems from supranational institution building in the European Union. That is to say, actually, the EU is an actor which is trying to maximize its own interests. Nevertheless, definition of interest is different from that of the nation-state. That difference is caused by the union's supranational structure. The institutional structure of the EU is composed of "three pillars" which are 'Community Pillar', 'the pillar devoted to the common

foreign and security policy' and 'the pillar devoted to the police and judicial cooperation in criminal matters. The first pillar, referred to as supranational level, covers the activities of the old EC Treaties, i.e. the policy areas where the EU has strong competencies and where the Community method of decision-making applied. Environmental issues in general and climate change in particular have been evaluated in the pillar mentioned above. In brief, what is meant is that the EU with the different decision making procedure differs from nation-states.

Within this context, in this chapter of the dissertation, Putnam's "Two level game" will be focused on for a better understanding of the behavioral style of nation-states. Then, in order to have a much better perception of the differences of the European Union, the structure of the EU, which is composed of three pillars and supranational decision making mechanism within the framework of climate change, will be elaborated.

## **5.2.Nation-State**

The Protocol to the United Nations Framework Convention on Climate Change (UNFCCC) was adopted at the third session of the Conference of the Parties (COP 3) in Kyoto, Japan, on 11 December 1997. In accordance with Article 24, it was open for signature from 16 March 1998 to 15 March 1999 at United Nations Headquarters, New York.<sup>317</sup> Although the USA has participated in the negotiation process of the Kyoto Protocol, in the last instance it has not signed and ratified the Protocol. Even before the final draft of the protocol was agreed to in July 1997, the U.S. Senate unanimously passed the Byrd-Hagel Resolution stating that the United States should not be a signatory to any agreement that did not include binding targets and timetables for developing nations or that "would result in serious harm

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<sup>317</sup> ---, "Status of ratification of the Kyoto Protocol", Available at [http://unfccc.int/kyoto\\_protocol/status\\_of\\_ratification/items/2613.php](http://unfccc.int/kyoto_protocol/status_of_ratification/items/2613.php), Accessed on 09.11.2014.

to the economy of the United States.”<sup>318</sup> Shortly after the breakdown in negotiations at the meeting in The Hague and just a few months after taking office in 2001, the Bush Administration announced it was withdrawing from the Kyoto Protocol process.<sup>319</sup> Underlying reason was the competition between the US and China. That is because China, as the biggest competitor of the US in international economy, has no binding commitments under the Kyoto Protocol. In this case, China will bring an advantageous position against the US in international competition. Hence, the US is involved in the negotiations in order to reach an agreement at the international level (Level II). However, at domestic level (Level I), the US has not approved the agreement on the ground that it is contrary to its national interest.

US’s manner as exemplified with Kyoto Protocol Process is valid for all nation states’ international bargaining behavior. The main reason for the pragmatic behavior of states is to due to state’s internal structure. Max Weber, known with his theory on state, explains the state’s internal structure with the concepts of rationality and bureaucracy. According to Weber, state is a rational structure and the notion of rationality must be central and important. Rationality implies two elements for the state behavior. First one is coherence or consistency, i.e. the like treatment of like cases and regularity, which brings bureaucratic attitude. The second one is efficiency, i.e., the cool rational selection of the best available means to given, clearly formulated and isolated ends, which mean states pursue their interests to attain their rational aims.<sup>320</sup>

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<sup>318</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), *Climate Change in Context*, Vol.182, Gale, London, 2008, p.606-607.

<sup>319</sup> Andrew E. Dessler, *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012, p.210.

<sup>320</sup> Richard Swedberg and Ola Agevall, *The Max weber Dictionary: Key Words and Central Concepts*, Stanford University Press, Stanford, California, 28 Feb 2005, p.19.



The best type of organization of the rational structure is bureaucracy. Bureaucracy, on the one hand, is the most effective and rational way of organizing the functioning of the state. On the other hand, it is a balancing element against the power of politicians.<sup>321</sup> In other words, in *Economy and Society* Weber gives a shorter description of a bureaucracy: “The combination of written documents and a continuous operation by officials constitutes the office (Bureau) which is the central focus of all types of modern organized action.”<sup>322</sup>

In this sense, there is an interaction between rationality and bureaucracy. The state is organized as bureaucratic because it is rational. State’s behavior is also rational because the operation of the bureaucratic organization is rational.

So, there are two determining points for state behavior. One of them is that bureaucratic structure of the states limit the power of the politicians. Therefore, this bureaucratic structure affects the behavior of the state in international negotiations. Second is that states prioritize their national interests in international era because states act rationally. Within this context of aforementioned discussion, in the following section, domestic and foreign policy interaction will be evaluated.

### **5.2.1 Interaction between Domestic and Foreign Policy**

There is an inherent interrelationship between domestic politics and international relations but this relationship has not been clearly defined. Any attempt to determine which of these has the upper hand is like trying to decide whether domestic politics determine international relations, or the reverse and is a time wasting exercise and the answer also varies according to the situation being assessed. A very small number of people favored the change in policy according to

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<sup>321</sup> *Ibid.*, pp.18-19.

<sup>322</sup> Guenther Roth and Claus Wittich (Eds), *Max Weber, Economy and Society: An outline of Interpretive Sociology*, University of California Press, Berkley, Los Angeles, London, 1978, p.217.

the global scenario. So, it was the pressure of other nations that ultimately lead to these decisions. But, one must accept that if local support would not have existed for these changes then it would not have been possible for them to be ratified solely on the basis of global pressure.<sup>323</sup>

The present study material available on the relations between local and global issues is either a compilation of many home grown issues that have affected global policy or is a general study of the links between them. The torch bearer in this field of study was James Rosenau but his detailed description of “linkage politics” produced many works related to domestic and international “conflict behavior” but produced little concrete research.<sup>324</sup>

In recent times, the literature has started placing importance on “structural” factors especially work done by Peter Katzenstein and Stephen Kressner focuses on the role played by indigenous issues in decisions related to global economic problems . Katzenstein has managed to hit the nail on its head in concluding that the ultimate aim of any economic decision made between nation is to benefit the domestic sector. Both researchers have harped on the fact that the main governing body “the state” has to give equal importance to both local and global demands.<sup>325</sup> If “state strength” is simply defined in terms of economic clout of a nation then it serves a minimum purpose in the research of foreign policy initiatives .But, a genuine drawback of this approach as stated by Gourevitch is that if only the structure of the governing body is considered then the human element of the decision making process is completely ignored.. In addition if we consider “state strength” as defined in this literature it would not change according to the issues or the

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<sup>323</sup> Robert Putnam, *Diplomacy ad domestic politics: the logic of two-level games*”, in *International Organizations*, vol.42, no:3, Summer 1988, pp.427-430.

<sup>324</sup> James Rosenau “Theorizing Across Systems: Linkage Politics Revisited,” in Jonathan Wilkenfeld (ed.), *Conflict Behavior and Linkage Politics*, David McKay, New York, 1973), p. 49.

<sup>325</sup> Robert Putnam, *op. cit.*, p.431.

situations involved nor would it vary over a period of time so such rationalization is imperfect for explaining the differences in policies over different issues or in different time periods. The correct approach would be to consider all involved factors like political parties, the demographic of the people involved, socioeconomic status, people with special needs, lawmakers, existing public mood, timing of elections and not only focus on the authority figures and officials.<sup>326</sup>

The role of varied factors in world relations studied by Walton and McKersie,<sup>327</sup> Daniel Druckman state that efforts have to be made to reach an agreement that is acceptable to all parties involved. Druckman has researched local and international factors separately and has stated that the interrelationship between them still needs to be analyzed further. The “Gamma paradigm” has been introduced by Robert Axelord to emphasize on the fact the policies adopted by the United States president towards the Soviet Union have an underlying motive of increasing his support base at home. However, the drawback of this concept is that it completely ignores local factionalism and suggests that one of the superpowers Soviet Union is focused only on increasing its world supremacy and does not have to answer to its citizens back home where as the president of the other superpower the U.S. is interested only in electoral numbers except in cases where world policies start to directly affect the American public. The work of Glenn Snyder and Paul Diesing sheds quite a thought provoking light on the backroom politics of domestic and international negotiations. In this work, single factors were considered in the neo-realist way and it was deciphered that amongst the situations that were studied, the ultimate authorities were unable to reach a consensus in 50% cases. The final result of this study showed that global policy outcomes can be better analyzed/ predicted

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<sup>326</sup> *Ibid.*, p.432.

<sup>327</sup> Joel Cutcher-Gershenfeld, Robert B. McKersie, Richard Walton, “Negotiating Transformation: Bargaining Lessons Learned from the Transformation of Employment Relations”, in W.E. Upjohn foundation for Employment Relations, August 1989, Available at <http://dspace.mit.edu/bitstream/handle/1721.1/2262/SWP-3057-20314885.pdf>, Accessed on 25.11.2014.

better by a better understanding of local issues and the necessary modifications that need to be made to satisfy local need.<sup>328</sup>

One must accept that world issues do influence the political environment at home and bringing changes in it thus affecting the decisions taken at the world level.<sup>329</sup> These influences can affect both global and local policies in two ways. If the concerned nation is dependent on any other or nations share common interests then they will follow a live and let live policy. Persuasive influence is exerted when the general public or undecided people are forced to take a stand due to unpredictable situations, information from foreign sources or changing world scenario. Financial negotiation usually sees this happening more commonly than political or military one.<sup>330</sup>

Along with above works domestic and systemic theories have also been propounded to explain the varying nature of the relationship between domestic and foreign policy. Waltz's pioneering work analyzing this relationship in *Man, The State and War* has not managed to settle the point in anyone's favor. Proponents of both theories are in consensus with respect to the fact that domestic politics are a very important factor in determining foreign decisions.<sup>331</sup>

Though, the magnitude of influence exerted on local lawmakers by system constraints or home based issues is the deciding factor for the type of theory to be

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<sup>328</sup> Robert Putnam, "Diplomacy ad domestic politics: the logic of two-level games", in *International Organizations*, Vol.42, No:3, Summer 1988, pp.434-435.

<sup>329</sup> *Ibid.*, p.454.

<sup>330</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, pp.6-7.

<sup>331</sup> Evans, Peter B., Harold Karan Jacobson, and Robert D. Putnam, *Double-Edged Diplomacy: International Bargaining and Domestic Politics*, *Studies in International Political Economy*, University of California Press, Berkeley, 1993, p.7.

applied. The systemic theory considers nations as logical decision making bodies that have a rigid mindset and a complete control over local resources which can be utilized to negotiate deals. On the other hand, domestic politics approach at least theoretically has the capability of pin pointing specific issues like, people with special needs and representational logic of law making bodies. Both theories have helped individually in providing a clearer picture of interactions between countries and their policies at a world stage but if we combine both of them then there is a golden chance to fully understand the backroom negotiation and the power games that are an essential part of policy making process. The two level game approach is a combination of three approaches and does not rigidly confirm to either systemic or domestic theory. Firstly, it deals with international bargaining. International negotiation within two level game studies the influence one nation has over the other keeping in mind the limitations imposed by political atmosphere at home, this is similar to the Realist school which defines power as the central figure.<sup>332</sup> In two-level game the statesman is the chief executive authority and instead of emphasizing the state as the sole decision making body with hidden domestic purposes this theory states that the chief negotiator is the main protagonist of the whole scenario and uses many methods to find the main underlying motive behind any policy decision.<sup>333</sup>

### **5.2.2 Discussion on States' Logic in International Negotiations; "Two-Level Game"**

The way a nation deals with international issues is largely dependent on the relationship between local and global needs. Political bodies, public opinion and interests decide the choices made by the nation and also the main social goals it

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<sup>332</sup> *Ibid.*, p.16.

<sup>333</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, pp.8-9.

aims to fulfill thus laying the foundation for a negotiating plan. Governments usually participate in negotiations that will give beneficial results with minimum costs.<sup>334</sup>

The three cardinal principles of this approach are:

- Foreign policy choices made in consensus if there is common interest.
- In case of unequal nations, there are always negotiations that favor one side more.
- Final policy decision made on the basis of a reliable commitment.<sup>335</sup>

Any government wants to settle foreign issues in a way that national aims are fulfilled. This is usually due to the influence of public opinion or politics at home that vary according to changes in the international environment. However, as the garbage can concept states the national interest should be clearly defined and should always be kept in mind and raised not only when bargaining or be so fixed in ideology or geographical interest that it serves no purpose. They should in fact be based on the issue at hand. Four examples of this approach are described ahead. Firstly the government usually has different attitudes to problems related to different sectors depending on the maximum benefit that can be achieved from adapting a flexible approach. Secondly, the people involved in negotiations follow the government's orders to the letter to avoid any harm to national interest. Thirdly, the world order of nations is quite fixed and any flexibility is due to the final result that needs to be achieved, involvement of the most powerful nations and local opinion. Fourthly, any planned changes in domestic policy may lead to modifications.<sup>336</sup>

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<sup>334</sup> Piotr Tosiek, "The European Union after the Treaty of Lisbon- Still an Intergovernmental System", Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 25.02.2015, pp.2,3.

<sup>335</sup> *Ibid.*, p.3.

<sup>336</sup> *Ibid.*, p.3.

During, negotiations on the world stage, the bargaining power of nations play an important role in the use of aforementioned methods. This bargaining power depends on the position held by the country amongst the other nations of the world.<sup>337</sup> Usually, it is the smaller and dependent states who find it easier to convince their public to support a foreign policy decision than the larger state whose people question more and are more aware of any burden placed on them by a foreign policy decision so self-sufficient nations who do not have much to gain from international negotiations should either sign no agreements or ensure that they use their full negotiating power for the benefit of their citizens.<sup>338</sup>

David Lake has said that every nation has to take policy decisions based on the international political climate at all times and in almost all issues.<sup>339</sup> The decision makers involved are almost never in agreement about issues concerning national policies under the reflection of international needs. Even if a decision is made as done in this work to exclude the legislature from the definition of the state it would still be false to presume that all the players involved ever manage to reach a complete consensus.<sup>340</sup>

Both domestic and international politics are closely related. Governments have to balance both domestic goals and international negotiations and make any foreign

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<sup>337</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, p.6.

<sup>338</sup> Robert D. Putman, "Diplomacy and domestic politics: the logic of two-level games", in *International Organizations*, Vol.42, No. 3, 1988, p.443.

<sup>339</sup> David A. Lake, "The State as Conduit: The International Sources of National Political Action," presented at the 1984 annual meeting of the American Political Science Association, p. 13.

<sup>340</sup> Robert Putnam, *op. cit.*, p.432

policy decisions with an eye on politics back home.<sup>341</sup> To further explain the balancing game policy makers must indulge in, the Two- Level Game approach has been developed by Putnam.<sup>342</sup> The levels are described below: Level 1 involves meetings between decision makers leading to a rough consensus and in level 2 meetings are held at the domestic level to decide whether the consensus reached at the international table is acceptable locally and an agreement be signed.<sup>343</sup>

Level 1 is the international level in which the most important player is the chief negotiator who can be a single individual, a group of people or an organization depending on the issues involved. In level 2 the domestic level the supporters of the chief negotiator decide whether to finalize the agreement reached in level1. A parliament meeting or a vote or any other method can be used in level 2 and the participants can vote either for or against the agreement. The important point to remember is that any decision made in level 1 has to be confirmed by level2.<sup>344</sup>

Putnam further states that in local politics, people force the government to make policies that benefit them and politicians manipulate the system for electoral gains. During international negotiations governments try and work within the domestic constraints and limit any unfavorable effects of a foreign policy decision.<sup>345</sup> The idea of constraints on negotiators is not new and increasingly scholars have been

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<sup>341</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, p.1.

<sup>342</sup> Ann Conner Wilson, *Ibid.*, p.2.

<sup>343</sup> Robert Putnam, *op. cit.*, p.436.

<sup>344</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, pp.2-3.

<sup>345</sup> Robert D. Putman, "Diplomacy and domestic politics: the logic of two-level games", in *International Organizations*, 42, 3, 1988, p.434.



showing that domestic institutions can constrain negotiators, and under certain conditions provide a bargaining advantage for the country, that is more constrained by domestic factors than its opponent. In 1960, Schelling observed that “the power to constrain an adversary may depend on the power to bind oneself.”<sup>346</sup> So, ultimately negotiations follow the two level game approaches. The head of the nation has to pay heed to both levels when negotiating with independent yet interdependent nation states. Each head has to deal with his opposite counterpart and also diplomats, international advisors, party members, representatives of political and social groups, and his own supporters. The problem that the chief decision maker faces is that he has to use separate techniques at the levels. For example any decision like increasing energy prices, compromising on land area or setting a limit on auto imports may have completely different implications on the international and domestic table. But, the best results are often achieved when there is a clear vision presented across both levels. Some word play or propaganda is acceptable to convince people but in the end a final decision has to be made for example the energy prices are either increased or not. There can be no ambiguity left at the end of negotiations.<sup>347</sup>

This approach sheds light on important factors governing the relation between foreign policies and local politics and especially differentiates between the causes of voluntary and involuntary withdrawal from international agreements;

- At times, certain issues lead to a clear cut polarization in the public creating either for or against groups. In such situations it is harder to comply with international agreements than when there are no fixed opinions about a particular issue in the general public.

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<sup>346</sup> Thomas C. Schelling, *The Strategy of Conflict*, Harvard University, Cambridge, Massachusetts, London, England, 1980, p.22.

<sup>347</sup> Robert Putnam, *Diplomacy and Domestic Politics: The Logic of Two-Level Games*, in *International Organizations*, Vol.42, No:3, Summer 1988, p.434.

- If decision makers achieve more credibility by changing their foreign policies then this may lead to non-compliance.
- Any international threat, kickbacks, backroom politics may also lead to noncompliance. Unstable political environment creating uncertainty among citizens, use of kinky win-sets, changing world scenarios and the personal preferences of the chief decision maker in conflict with preferences of the people he is representing and also the worldwide ramifications of the decisions taken at local level affect the compliance to an agreement.<sup>348</sup>

The introduction of ‘Double Edged Diplomacy: In International Bargaining and Domestic Politics’ by Andrew Moravcsik states that the two level game approach offers us a bird’s eye view of the relationship between the nation and its leader and also studies the consequences of the leader’s personal opinions. The Classical Realist view with its view of perceiving the chief decision maker as a prisoner of his domestic limitations, Liberal view of projecting the leader as an agent of society who has the aim of consolidating his political support base and the view that during the negotiations the leader is guided by his own personal interests are all included in this approach. Walt’s typology explains that this approach also unexpectedly sheds light on the human component of decision making and the political and manipulative skills of the leader.

Some assumptions have to be made both at individual and systemic levels to understand the two- level game approach. One must assume that at individual level all players are well informed individuals with a safety first approach and use the information provided to take logical decisions. Players involved generally aim at interests that satisfy their rationality, these interests are also influenced by individual, local and global issues. Also, all the people involved in the process including the leader and domestic policy makers understand that they have to work within the two level game framework. International counterparts also understand

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<sup>348</sup> *Ibid.*, p.460.

the nature of this game and their negotiating space. The ability to successfully manipulate this approach varies from individual to individual. Some people can play this game better than others. For example, governments may receive intelligence inputs, rely on past experiences or obtain additional information from other sources to decide the route to be taken. Similarly, some individuals navigate the legislative maze better than others who get stuck in bureaucratic red tape. These attributes mean that certain individuals will be better suited to conduct negotiations and as a result the corresponding countries will be more efficient in conducting the negotiations, deriving maximum benefit from them and be able to convert the agreement into a binding law. It is also assumed that the levels are conducted in sequence with the “chief negotiators” meeting first to reach a consensus and that consensus is voted upon by level 2 players. If the agreement is accepted the international counterparts are informed but if it is rejected then the issue has to be renegotiated. The chief negotiator may be involved in both levels at the same time as he has knowledge of the win- set at home; the position of local law makers at times necessitates work at both levels simultaneously. Local government may inform the chief negotiator of the win set to increase the chances of ratification but the game has to be played sequentially as voting can be done for one issue at a time.<sup>349</sup>

If policy making decisions are studied using the two- level game approach then we can assess both sides of the coin. The theory is based on the inherent acceptance of the fact that political issues play a great role in international negotiations in terms of specific limits or preferences set by the political establishment. On the other hand, the theory also accepts that in many instances negotiations at the international table are strategically manipulated to ensure political success. For example, any nationalistic propaganda on the world stage is usually aimed at the audience back

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<sup>349</sup> Ann Conner Wilson, “Putnam’s Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements”, A Master Thesis, Submitted to The Ohio State University, 2010, pp.15-16.

home.<sup>350</sup> The two-level game theory provides a prism through which the complicated world of international negotiations can be better understood.<sup>351</sup>

### **5.2.3 Discussion on International Negotiations within Two Level Game Framework**

The ultimate result of negotiations depends on the authority wielded by persons involved, the ability of the main players, and their aim in conducting the negotiations and win -sets or the possible outcomes that may result from the negotiations. The following literature tries to explain these factors in detail.

There are informal efforts to reach a consensus on a certain issue amongst Level 2 participants to provide Level 1 players with bargaining leverage and Level 1 participants always have to keep in mind that no matter what decision they take, it has to be upheld by Level 2. Thus, in some cases if it appears that the decision will not be accepted by Level 2 talks may break down at Level 1 itself without the issue being voted upon by Level 2.

Some negotiations may involve a trial process involving preparation of many rough drafts and placed in front of Level 2 participants. It is but obvious that in case of two-level international negotiations the chief negotiator will always place the interests of his domestic audience at the forefront as his own chances of retaining power and position depends on that very audience.<sup>352</sup> So, he will most likely choose an agreement that when presented to Level 2 will give him maximum political

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<sup>350</sup> Evans, Peter B., Harold Karan Jacobson, and Robert D. Putnam, *Double-Edged Diplomacy: International Bargaining and Domestic Politics, Studies in International Political Economy*, University of California Press, Berkeley, 1993, p.17.

<sup>351</sup> Ann Conner Wilson, *op. cit.*, p.10

<sup>352</sup> Aslaug Asgeirsdottir, *Who gets what?, Domestic Influences on International Negotiations Allocating Shared Resources*, State University of New York Press, New York, 2008, p.11.

benefits while minimizing the chances of alienating any of his voters.<sup>353</sup> In case the issue at hand is of a complex nature the views of the participants may change during discussions. In conclusion, the fact that all Level 1 decisions are binding only when upheld by Level 2 provides the basis of a love-hate relationship between the two. Any entity like a bureaucratic agency, interest groups, people with special needs or public opinion can form Level 2. This process of two-level negotiations is seen usually in democratic nations.<sup>354</sup>

The progress of any negotiation at both levels depends on the issues concerned and the relationship between the two parties. Representatives of both sides meet up to reach a consensus knowing very well that any decision has to be upheld by Level 2. Heads of governments, labor unions and management, different party leaders, finance minister and IMF team, members of a house senate committee or leaders of various social groups in a multicultural democracy are examples of negotiators of Level 1. To explain things further we will consider a single leader of “chief negotiator” on each side as the main player who has no personal motives and only wants to reach an agreement that will be accepted by his domestic counterparts.<sup>355</sup> Heads of state, members of the United Nations, representatives of nongovernment and government organizations or powerful nations may be considered as examples of level 1 “chief negotiator”. All the above have different levels of authority depending on their personal clout or political, social and military influence of the organizations they represent. In a democracy, the national leader is answerable to his level 2 the general public that has voted him in office but in totalitarian regimes the executive head of the government/the chief negotiator at level 1 due to his single handed authority may not need to confirm the agreement with Level 2 constituents or he may be answerable to other power wielding authorities like the

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<sup>353</sup> Robert Putnam, “Diplomacy and Domestic Politics: The Logic of Two-Level Games”, in *International Organizations*, Vol.42, No:3, Summer 1988, p.457

<sup>354</sup> *Ibid.*, p.436.

<sup>355</sup> *Ibid.*, pp.435-436.

army or may have to seek public approval to prevent the overthrow of his government. In budding democracies the Level 2 bodies may not yet have achieved the maturity for taking important decisions so the Level 1 leader may or may not need to seek their approval for example if the leader/President/PM/'chief negotiator' has a complete majority in the legislature Level 2 vote is a mere formality. When applied in a monarchy the leader will need approval from the royal members at Level 2. Various issues can be the subject of negotiations. The responsibilities for scenarios involving use of armed forces may be vested at Level 1 in nascent democracies where as in an evolved democratic nation such intervention needs approval from Level 2. Totalitarian regimes require almost no Level 2 involvement for any military action. The same principle applies to economic, social and political issues. The success of negotiations conducted by nations depends on the equal distribution of power between the two levels. An example to explain this is given below. If state A has a greater political, social or economic might then during Level 1 bargaining, A would be able to negotiate a better deal for itself. Also, the authority wielded by different players also influences policy making. For example, if the head of the nation has widespread support amongst the general public, Parliament or in different groups across his country then he alone can stand up against the collective opinion of Level 2 players. As he can negotiate at Level 1 without having to worry about support at Level 2. If we take a scenario where the leader does not have public support or is functioning within a hostile legislature then he has to compromise heavily at Level 2 and thus becomes less powerful than Level 2 despite occupying a higher position. So, the maneuverability the chief negotiator has at Level 1 is dependent on his clout at Level 2 and vice versa. The greater the power he has at Level 1 the easier it becomes for him to negotiate an agreement that will benefit Level 2 constituents thus increasing the chances of Level 2 approval. The increased chance of acceptance of the agreement forces the other side to grant more concessions thus increasing the win-sets. Win potential or the benefits derived from the agreement at

Level 1 is inversely proportional to win-sets at Level 2.<sup>356</sup>

No matter what kind of government is in power be it a young/nascent democracy, an evolved one or a military regime, the way it conducts its business with other countries depends largely on the power dynamics between the two levels. The direction of the negotiations along with power wielded determines the chances of compromise, size of win-sets and which leaders will come out at the top. If we consider negotiations between two states, state A which is a first world democracy with good standing in social, economic, political and military matters and state B which is a military governed third world nation with quite a low position in the world order, it is but natural that A will take the lead during the negotiations as it has more power at Level 1 even if B has greater Level 2 powers by virtue of being a nondemocratic nation. The compromises will have to be made by B as it is dependent on A for resources and also has limited negotiating space at Level 1 due to its poor world stature. If A and C are negotiating where C is a young first world democracy with good standing in the world order then depending on the issues involved A and C can meet as equal partners. If any of the two A or C is dependent on the other in financial, military, social or political matters then the more developed nation can drive a hard bargain by threatening to withdraw support in any sector. Also, these negotiations are influenced by the mood of respective Level 2 players. State A may face more limitations due to the democratic nature of its government whereas C will have more freedom at Level 1 due to limited Level 2 constraints. So, state C comes out to be more powerful at Level 2 and hence has the upper hand in Level 1 discussions. This shifting and flexible power dynamic affects decisions at both levels and an in depth study of these factors provides a better understanding of the process involved in negotiations and policy making. The balancing beam of driving a hard bargain at Level 1 and reaching an agreement that

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<sup>356</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, pp. 17-20.

is approved at Level 2 depends to a huge extent on this interplay of shifting power dynamic amongst all players.<sup>357</sup>

All Level 1 players work on a mutually cooperative basis as they also have a stake in the popularity of their counterparts. If party A is more acceptable to the public then there are greater chances of acceptance of the agreement reached by it and so party B on the opposite side can garner more support at home thus increasing its bargaining space. Usually both sides support each other at least in the public eye to ensure greater support back home. This interdependence and the constant presence of the media at such negotiations encourages the heads of states to take part in these meetings despite the concessions they might have to make or the transaction costs that they have to bear. These negotiations provide the leader the benefit of projecting a positive image in front of his voters thus giving him an advantage over his electoral opponents. Countries and public entities always prefer to deal directly with the head of the government than an official with lower position in the power equation as this result in greater positive publicity and other benefits for the negotiators. If considered purely theoretically a country might stand a better chance in negotiations if they are represented by a clerk. The diplomatic courtesy of dealing with an equal rank official is not only of symbolic value but makes practical sense. The nations that deal with America have doubts about agreements whenever the popularity of the president decreases at home.<sup>358</sup>

Usually, the Level 1 players have little or no information about the Level 2 constraints especially with regard to their counterparts.<sup>359</sup> According to Snyder and Diesing only few Level 1 leaders have tried to study Level 2 constraints but no satisfactory results were achieved. According to them it is quite difficult logistically

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<sup>357</sup> *Ibid.*, pp.20-21.

<sup>358</sup> Robert Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games", in *International Organizations*, Vol.42, No:3, Summer 1988, pp.451-452.

<sup>359</sup> *Ibid.*, p.452.



for countries to correctly gauge the mood of another nation's public at any time be it in the normal course of events or during a crisis.<sup>360</sup> Also, all Level 1 negotiators would like their counterparts to have varied options during the negotiations thus increasing their win-sets however, as far as his own win-sets are concerned he is caught in a catch position where with a large win –set he has many options and thus it is easier for him to negotiate at Level 1 but at the same time this decreases his bargaining currency in front of his counterpart. This can be strategically corrected by demonstrating to the other side the public opinion through protests, rhetoric about armed supremacy and manipulation of financial markets. This strategy may at times backfire as it may influence the Level 2 constituents negatively and thus it becomes difficult for the agreement to be upheld at Level 2.<sup>361</sup>

In the confines of this context, the following identify the agenda of the chief negotiator:

- Augmenting his position within the Level II game through initiating an influx in the available political resources together with the integration of new strategies aimed at limiting the losses experienced. For instance, a head of government may have sights upon the imminent popularity in the event that he oversees the integration of a successful international agreement. This may be considered in the event that the individual has projected the results of the agreement (for instance, high levels of growth together with the identification of a fall in defence spending), which may influence the identification of favourable rewards.
- initiating a change within the balance of power at Level II aimed at influencing the integration of favourable domestic policies that are preferred as they incorporate an ulterior motive. International negotiations present government leaders with the opportunity to initiate the majority of developmental projects, which are difficult to be incorporated within the

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<sup>360</sup> Snyder and Diesing, *Conflict among Nations*, Columbia University Press, New York, p.516.

<sup>361</sup> Robert Putnam, *op. cit.*, p.450.

local capacity due to a limitation in funds. Similar to the 1978 case, this pattern has developed the basis for the integration of the majority of stabilization programs, which are allegedly sponsored and influenced by the IMF. For instance, the 1974 and 1977 negotiations initiated between Italy and the IMF identified the exploitation of the IMF pressure by the domestic conservative forces to influence the integration of certain policies, which were previously rendered infeasible within the government's internal capacity.

- To follow individual perception of the aspects considered of national interest regarding the international context. This strategy is best illustrated in Jimmy Carter's extraordinary efforts integrated pertaining to the provision of an explanation of the Panama Canal Treaty together with the identification of Woodrow Wilson's commitment to the Versailles Treaty.<sup>362</sup>

Apart from what the motives of negotiators are, what the negotiator is, and what the structure of the actors/states is, win-sets are also important in negotiating process. The character and personality of the negotiators together with the existent structure of the actors/states together with the existent win-sets influence the negotiating process. Win-sets are vital as they influence the determination of the relative negotiating power.

Win-sets are important for two reasons. First, countries will only reach an agreement if their win-sets overlap. Hence large, overlapping win-sets facilitate cooperation. Second, the size of the win-set will influence the distributive outcome of the negotiations in such a way that a country with a large win-set (that is, with fewer constraints in what it can demand and offer) can be pushed around by a country with a narrower and more constrained win-set.<sup>363</sup> It remains important to develop a clear understanding regarding the factors that influence the win-set size.

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<sup>362</sup> *Ibid.*, p.457

<sup>363</sup> Aslaug Asgeirsdottir, *Who gets what?, Domestic Influences on International Negotiations Allocating Shared Resources*, State University of New York Press, New York, 2008, p.23.

There are five sets of factors, which are deemed vital in the determination process:

- The size of the win-set remains dependent upon the distribution of power, preferences together with the existent or potential coalitions developed among Level II constituents.
- The existent Level II political institutions
- The strategies developed by the Level I negotiators.
- The endorsement of the procedures clearly influence the identified or existent size of the win-set. For instance, in the event that a two-thirds vote is necessary for the endorsement, the win-set may be identified smaller in comparison to a situation that necessitated the integration of a simple majority. The U.S. separation of powers integrates higher levels of limitations pertaining American win-set in comparison to the existent level of constraints experienced in other countries. This enhances the bargaining power of American negotiators while reducing the extent of international cooperation. This increases the chances of involuntary defection, which limits the strength of the potential partners pertaining to the development of an effective trading relationship with the Americans.<sup>364</sup>
- Increased discussions pertaining to "state strength" and "state autonomy" are identified applicable within this context. An increase in the level of autonomy of central decision-makers from their Level II constituents increases the size of the win-set. This increases the chances of increasing the identified levels of international agreement. For instance, the existent of high levels of protection of the central bank from domestic political pressures leads to the identification of an increase within the win-set. This influences the potential for the integration and consequent development of international monetary cooperation. This has influenced the development of

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<sup>364</sup> Robert Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games", in *International Organizations*, Vol.42, No:3, Summer 1988, p.448.

several proposals leading to the integration of an enhanced role for central bankers in international policy coordination. However, the two-level analysis identifies that in the same vein, the strength of a state developed from increased independence from domestic pressures decreases its strength levels pertaining to its relative bargaining position on the global platform. For instance, diplomats representing a dictatorial government have limited capacity in comparison to diplomats representing democratic countries who espouse that domestic pressures may present some shortcomings relating to the internationalization process. This notion presents a different view into the growing consensus pertaining to the definition and understanding of the term; "state strength".<sup>365</sup>

Through the integration of different viewpoints, for two quite different reasons, the outline of the Level 2 win-sets are vital in the development of an understanding regarding the Level 1 agreements. Firstly, the development of larger win-sets increase the probability of integrating Level 1 agreements, *ceteris paribus*. This stipulates that for an agreement to be rendered successful, it should be identified within the criteria of the Level 2 win-sets pertaining to all the parties involved in the agreement. This identifies that the agreement is rendered successful in the event that the win-sets overlap, with an increase in the size of the win-set influence the probability of the overlap. This identifies that the existence of smaller win-sets influence the development of higher risk pertaining to failure of the ongoing or existent negotiations. For instance, during the long-standing pre-war Anglo-Argentine proceedings relating to the Falklands/Malvinas were rejected and agreements influenced by the existent domestic political reasons. Once the parties established that the developed British and Argentine win-sets did not overlap, war was considered inevitable and a reality. Secondly, the win-set size is vital as the relative size of the respective Level 2 win-sets influence the distribution of the joint gains derived from the international bargain. This identifies that the larger the

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<sup>365</sup> *Ibid.*, p.449.

perceived win-set of a negotiator, the higher the chances of influence the negotiator by the Level 1 negotiators.<sup>366</sup> However, the existence of a small domestic win-set may also be regarded as a bargaining advantage as the negotiator may identify that they are in acceptance of the agreement, but the home country has refuted the integration of the terms incorporated within the agreement. This is regarded a vital excuse to be incorporated at the initiation of the negotiating process in the event that the negotiation is identified to incorporate several challenges due to its tough nature.<sup>367</sup>

In addition, the existence of increasing levels of ambiguity regarding the size of a win-set may be utilized as a bargaining device and a stumbling block in the course of two-level negotiation. In the integration of distributive Level 1 bargaining, negotiators are provided with the opportunity to understate their existent win-sets. This is influenced by the fact that each negotiator has more knowledge pertaining to their individual Level II in comparison of the opponent, which increases the chances of plausibility.<sup>368</sup> In the event that all the aspects are rendered equal, the identification of larger win-sets increase the probability of Level I agreements as the constituents are more open to the integration of a broader range of options for action.<sup>369</sup> Level I negotiators lack individual discrete win-sets. This identifies that Level I negotiators initiate bargains for outcomes that may be easily integrated by the constituents at Level II. Due to the existence of prior knowledge that successful

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<sup>366</sup> *Ibid.*, pp.437-440.

<sup>367</sup> Geoffrey W. Harrison, in John C. Campbell (Ed.), *Successful Negotiation: Trieste 1954*, Princeton University Press, Princeton, 1976), p. 62, quoted by Robert Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games", in *International Organizations*, Vol.42, No:3, Summer 1988, p.440.

<sup>368</sup> Robert Putnam, *op. cit.*, p.452.

<sup>369</sup> *Ibid.*, p.437.

agreement will be realized in the event that the Level II win-sets of the constituents involved at Level II overlap.<sup>370</sup>

In this scenario, the win-sets are the range of outcomes individuals/groups have a higher probability of accepting the presented issue, which identifies that the larger the individual win-set of the component constituents; the higher are the chances of identifying an overlap. This develops an understanding that the negotiations at Level I may be rendered successful in the event that the larger win-sets are identified present at Level II.

This identifies that the smaller the win-set, the higher the risk of experiencing unfavorable negotiations. However, the existence of large win-sets provide several shortcomings to the process. This is whereby, the larger the perceived win-set of a negotiator, the higher the probability of the negotiator being pushed around by the Level I negotiators. In the event that the influencers at the international level are aware of the existence of a broad win-set, they remain aware of the possibility of the leader influencing the integration of several policies, which may identify the leader's weakness at the negotiating table. On the other hand, the existence of a small domestic win-set may provide a bargaining advantage. Leader has a small domestic win-set, the leader may utilize their capacity to influence the integration of a more effective bargaining process at the international level by stating that they may only access domestic support pertaining to a limited number of policies. This will necessitate the integration of concessions by the other parties involved in the negotiations to ensure that all parties benefit from the process upon the ratification of the developed agreement. This identifies that the two-level game espouses that the international negotiations between states influence the integration of simultaneous negotiations within the intra-national level (i.e. domestic) and the international level (i.e. between governments). In the process of domestic

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<sup>370</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, p.5

negotiations, the chief negotiator integrates the concern of societal actors, which are utilized in the development of coalitions. At the international level, the chief negotiator influences the integration of an agreement that seeks to integrate the possible 'wins' in his state's 'win-set'. Win-sets identify the potential outcomes, which may be integrated by the domestic interest groups who have the capacity to influence the ratification of the agreement or influence the provision of different forms of government backing. International agreements are identified in the existence of an overlap between the win-sets of the states involved in the international negotiations. In the event that a country is identified as having a small win-set, it is identified as its sole bargaining advantage in the event that the other negotiator has the awareness of the existence of domestic constraints. The development of potential knowledge pertaining to the elements that the leader can influence their acceptance domestically influences the bargaining power of the leader. This influences their bargaining power on an international basis, which influences the leader's bargaining capacity on an international level. This is vital as it influences the integration of concessions/policies that are in-line with the stipulations of the domestic coalitions thus influencing their acceptance. Leaders may have prior knowledge of the asymmetric information relating to the win-set of their 'opponents' domestic audience. However, the provision of imperfect information limits the identification of quick and more conciliatory results as the negotiators remain unaware of the level in which the domestic constraints limit the opposition's bargaining power. This identifies that politicizing an issue attracts the attention of groups who are less worried about the cost of no-agreement, which influences the identification of a reduction within the effective win-set. This scenario is identified at both the international and domestic levels. This is identified as the existence of a small international win-set enhances the influence of the leader to the domestic audience through influencing them to take what is available as the potential of getting more may not be assured internationally. On the other hand, the integration of a large international win-set influences the integration of a harder bargain by the domestic constituents.<sup>371</sup>

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<sup>371</sup> Ann Conner Wilson, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions

### **5.3.European Union**

In the previous part of this chapter, it was focused that national interest and bureaucracy are the main determining factors in state's foreign policy because of the fact that the nature of the states is bureaucratic and rational. The approach that best explains the positions of states in international negotiations is Putnam's "Two level game". Thus, bargainers should get approval from the components in domestic level to reach an agreement at international level. This requirement led the bargainers to prioritize the national interests.

Parallel to the idea developed in this dissertation, i.e. the argument that the EU behaves differently in international climate change negotiations from other actors involved, another reason for the different behavior is due to the structure of the European Union. Unlike nation-states, the European Union has a "third level". This "third level" stems from the EU's supranational structures. In this sense, the part of this chapter, first of all, will focus on supranationalism. And then, third level of the European Union will be analyzed. Finally, the EU in international Environmental Policy making and Evolution of the EU's Environmental Policy will be evaluated.

#### **5.3.1.The Third Level: the European Union**

##### **5.3.1.1.Supranationalism**

According to Lee Ann Patterson, the Putnam's two-level game is identified simplistic in some circumstances. This is influenced by her research within agricultural policy in Europe, which identifies the existence of three-levels to the game. Contrary to the provision of rejections pertaining to the Putnam's argument, Patterson seeks to expand the argument through the inclusion of the domestic

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to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010, pp.4-5.



audience, the European Community together with the international community.<sup>372</sup>  
The European Union's supranational structure is incorporated within the third level.

This identifies that Supranationalism influences the replacement of the state paradox through the integration of a pluralistic avenue, which provides an opportunity to the nations, different ethnicities together with the existent religious groups to influence the integration of democratic forms of governance. The nation-state places emphasis upon the integration of the values and ethos of the cultural nation. According to Smith, suppression integrates three main components: the looming decline of the 'nation state', the supersession of nationalism and the transcendence of ethnicity. These elements are enhanced through increased suppression of nationalist ethnicity with supranational and/or global identities and assumptions.<sup>373</sup>

Supranationalism incorporates the following characteristics:

- Increased transfer of independent sovereign capabilities of the member states to the institutions of the EC. This renders the institutions of governance and their policy-making activity superseding the nation-state.
- The figures of the supranational organization incorporate the decision making process through the integration of quality majority voting.
- The levels of compliance of the member states pertaining to the developed laws remains reliant upon the judicial review integrated by an independent court of justice.
- Intergovernmental cooperation has been in existence overtime as an avenue aimed at enhancing cooperation among different states. The Luxembourg Accords has influenced an increase in the intergovernmental tendency,

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<sup>372</sup> Lee Ann Patterson, "Agricultural Policy Reform in the European Community: A Three- Level Game Analysis", in *International Organization*. 1997, pp.99-134.

<sup>373</sup> Anthony D. Smith, *Nationalism and Modernism*, Routledge, London, 1998, p.214.

which has influenced the supranational characteristics of EC in negative ways.

- Intergovernmental cooperation incorporates the following characteristics:
- The integration of unanimous decision-making, which places emphasis upon the development of intergovernmental bargaining in enhancing European integration
- The organs involved in the integration of decisions comprise of government representatives.
- Domestic influences are vital in the development of the preferences.<sup>374</sup>

This influences the integration of two main approaches pertaining to the organization model within the European integration process. These include the intergovernmental and supranational approach. Discussions pertaining to the supranationalism-intergovernmentalism dichotomy were initiated as early as the 1980s. The intergovernmental model identifies that for the EU to be considered a democratic polity, it has to receive consent from the member states.<sup>375</sup> This identifies that the member have immense influence over the integration process. In addition, supranationalism influences the supranational organizations to integrate policies and rules that bind the Member States. Increased competence of supranational institutions together with increased voting of the qualified majority has influenced the development of more power for the supranationalism.<sup>376</sup>

This identifies that the EU system remains influenced by its own structure together with the perceptions of legitimate organizational rules, which influences the integration of logic of international enterprise or supranational technocracy.

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<sup>374</sup> Celal Polat, "The Immigration Policy and Process of European Integration: Supranationalism versus Intergovernmentalism", in *Ankara Review of European Studies*, Vol.6, No.1, Fall 2006, pp.71-72.

<sup>375</sup> Sionaidh Douglas-Scott, *Constitutional Law of the EU*, Longman, 2002, p.20

<sup>376</sup> *Ibid.*, p.20

Therefore, legitimacy remains dependent upon the quality of member states' governments together with the efficiency of the system. However, a sovereign nation-state remains as the vital participant within the process while the community influences the achievement of the individual goals pertaining to the states. In addition, the citizen's role is regarded a second-order issue. This influences the creation of a formal structure and informal behaviour through the integration of a non-typical hybrid system.<sup>377</sup> The European Union's decision-making mechanism is both supranational and intergovernmental. The EU has created three pillars system in 1992 Maastricht Treaty to establish a balance between intergovernmental and supranational decision making mechanisms. The three-pillar system was abolished by the Lisbon Treaty and the three pillars were merged into a single European Union.<sup>378</sup> In both systems which are three pillars system and the system after 2009 Lisbon Treaty, environment took place in both 'European Community pillar' of three-pillar system and 'shared competence' list of the system after 2009 Lisbon process. That is to say, in either case, the issue of environment has been involved in the supranational logic of the union.

### **5.3.1.2. The Structure of the European Union**

The European Union's structure is recognized democratic added value, which influences the integration of new ideas and interests while maintaining high regard for minority groups. In addition, it influences the integration of interests, which are not adhered to at the state level. However, some aspects incorporated within the state level are identified absent at the EU. These include the possibility of general management of political process, the existence of an army, which identifies its

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<sup>377</sup> Piotr Tosiek, "The European Union after the Treaty of Lisbon- Still an Intergovernmental System", Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 10.10.2014, p.7.

<sup>378</sup> Carine Germond, "The End of the Cold War and the Unification of the European Continent", in Klaus Larres (ed.), *A Companion to Europe since 1945*, Wiley-Blackwell, United Kingdom, 2009, p.220.

existence as a political and legal structure as opposed to a state.<sup>379</sup> The EU incorporates a pluralistic structure that integrates four main features. These include: the existence of a double democratic legitimacy, which remains accountable to citizens through the integration of elections to the European Parliament by elected national officials. The union operates in situations that influence the integration of informative pluralism, which influence the integration of a final decision. Secondly, the EU system develops its basis upon technocracy through the integration of high levels of substantive democratic legitimacy. Thirdly, it integrates direct participation of EU population within the decision-making process. Fourthly, the EU governance system seeks to integrate a balance between the liberal economic model and model of social protection. The opposition to liberal reforms at the EU level remain limited through the integration of the decentralised approach to the construction of social protection systems in member states.<sup>380</sup>

The article entitled “The European Union after the Treaty of Lisbon- Still an Intergovernmental System”, which was written by Tosiek did provide ample emphasis on the Europe’s system in a hybrid manner of characteristics and denoted to seven components which include the nature of decisions in a legal manner, procedures on decision making, systems of institution, community power through unions, legal based construction, supranational divisions in competence in addition to self-conferral possibilities. This categorization will be utilized for this research because of the fact that this categorization thoroughly fits the argument of third level of the EU to explain its driving factors behind both domestic and international climate policy. The discussion focuses on the legal system through treaty provisions relating to EU generation. For instance, Article 10 TEC26 illustrating that members of a nation will stipulate the treaty by knowing of integrated duties as well as

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<sup>379</sup> Piotr Tosiek, *op. cit.*

<sup>380</sup> *Ibid.*, p.7.

responsibilities. There was about provision limits that counteracts to the primary provision and its guidelines.<sup>381</sup>

Hence, there was absence of a reform process that is about the Treaty of Lisbon except for a certain factor found in the number 17 declaration. This declaration asserted that the laws being integrated through EU did assume higher power over member nation laws from the confinement of a law case.<sup>382</sup> There was discussion on the nature of decisions in a legal manner and did allow binding incorporations to these decisions along with the non-binding actions. There was a law identification that the EU had integrated in an arrangement of legal actions that are stipulating and binding from within Article 249 TEC from such decisions, directives and regulations as deemed necessary.<sup>383</sup> In the process, some actions were not considered as lawful and lawfully binding in performance such as actions that reflect on common strategy, guidelines, and position in support with global oriented agreements.

Additionally, Article 34 TEU empowers frameworks of decision that might be relevant and vital to the matters of police policies and judiciary assistance. This law is regarded as a global based law of which EU sources identifies the Treaty of Lisbon through the presence of additional reforms and impacts based on certain outcome.<sup>384</sup> There was a development that linked to cooperating ways of

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<sup>381</sup> --- “Consolidated Version of the Treaty Establishing the European Community”, in Official Journal of the European Communities, 24.12.2002, p.42.

<sup>382</sup> Piotr Tosiek, “The European Union after the Treaty of Lisbon- Still an Intergovernmental System”, Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 10.10.2014, pp.7-12.

<sup>383</sup> --- “Consolidated Version of the Treaty Establishing the European Community”, in Official Journal of the European Communities, 24.12.2002, p.94.

<sup>384</sup> Jean Peter Bonde (Ed.), “Consolidated Reader-Friendly Edition of the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) as amended by the Treaty of Lisbon (2007), Foundation for EU Democracy, 2008, p.36.

intergovernmental as well as supranational institution by necessitating integration of balance between decisions like within the European Parliament and its Council, being delegated within the Commission. Focusing on the technique in voting practiced by councils developed qualified majority rules.<sup>385</sup> The determination of pillars through unanimity of general principles and the knowing of limitations from within the Commission and the Parliament of EU, in relation to the treaty for present situations and from reform integration in the system of voting system. Thus, in delivering points of agreements, the Common Foreign as well as Security Policy embraces to the principle of unanimity which is in general structure of updating maintenance of majority in contradiction to unanimity.<sup>386</sup>

There was comprehensive discussion of the institutional system that puts an emphasis on relative influence of an EU member state. There has been composition of institution as well as its body as influence by the representation of an individual member nation. Thus, every state member may not be equally represented within the Treaty of Lisbon of which reforms to the Commission was not realized in the year 2014 and not ensured two third of the EU members in stipulated actions. There was a division of powers connecting European Union along with its member states through development of principles. There was a discussion that vital sets of rule are included within integration of the philosophy of limited delivery, auxiliary, proportionality in addition to loyalty. There was Article 3a (4) and in Article 3b (5) adhering to the four most important principles from the Declaration number 18. This declaration regard delimitations of competence furthermore Declaration

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<sup>385</sup> ---, "Treaty of Maastricht on European Union", Available at [http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/treaties\\_maastricht\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_maastricht_en.htm), Accessed on 10.10.2014.

<sup>386</sup> ---, "Consolidated Verion of the Treaty on European Union, Article 23 and 34" Official Journal of the European Union", 26.10.2012, p.33.

number 24 pertain to legal personalities EU that are known within the member roles and determination of power in delivery.<sup>387</sup>

There was involvement made based on classification system that allowed exclusive as well as shared capability of Article 2b (3) and Article 2c (4) TFEU, that presented an exclusive proficiency of EU from within certain aspects like through integration of internal markets and biological assets with common business policies.<sup>388</sup> There was thorough explanation on the EU mandate and that is to integrate a certain policy to the enhancement of cooperation within the humanitarian aid, permitting a member state to carry out its set of activities. The EU will add in some improvement that supports health, business industry, culture and social order, education, as well as administrative collaboration. The integration of planned activities from within a certain manner and fashion, from within lawful elements involved must be remained in coverage to the EU Act. There was a clear assumption to vital changes that are frequently identified in accordance to an intergovernmental institution that incorporates and strengthens the element of supranational base with the inclusion of European Council with the President, the Council with EU High Representative such as in the division connected to Foreign Affairs and the Security Policy.<sup>389</sup>

There was discussion of Article 308 (352) TFEU that render self-conferral element in a more complex manner and if the EU actions are proven necessary, Councils will be acting in a unanimous way the obtaining consent of EU Parliament. There

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<sup>387</sup> Piotr Tosiek, "The European Union after the Treaty of Lisbon- Still an Intergovernmental System", Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 10.10.2014, pp.7-12.

<sup>388</sup> ---, "Consolidated Version of the Treaty on the Functioning of the European Union", Official Journal of European Union, 09.05.2008, p.51.

<sup>389</sup> Piotr Tosiek, "The European Union after the Treaty of Lisbon- Still an Intergovernmental System", Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 10.10.2014, pp.7-12.

was then an integration of actions from developed frameworks pertaining to treaties and are vital in understanding the stipulated aims and objectives. For instance, such known provisions are gradually updated through the process of declarations like the Declaration number 41 to Article 308 of Treaty on EU functioning. This article determines the EU objectives by way of recognizing the existent value emphasizing the EU society and the wellness of the people in due respect to external actions.<sup>390</sup>

There was also explanation Article 8 TEU that focuses on EU functioning and important provisions are found in the Article 10 TEU. This expresses that a citizen is represented at EU level into the Parliament. The member nations are represented in EU Council and noting that each citizen shall use his right to contribute in democracy of the EU Union. Thus, generating a clean, and clear politics for supporting the needs of every citizen.<sup>391</sup> Through submission of proposal on legal matters wherein a citizen considers and knows that legal actions of EU Union will be in requirement for executing of certain treaties.<sup>392</sup> For instance, by means of getting involved into parliamentary grounded cooperation among the national Parliament and the EU Parliament, in agreement with the code of behavior on ample roles of nationwide Parliament of EU.<sup>393</sup>

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<sup>390</sup> ---, “Consolidated Version of The Treaty in The Functioning of The European Union”, Official Journal of the European Union, 09.05.2008, p.196.

<sup>391</sup> ---, “Consolired Version of the Treaty on European Union”, Official Journal of the European Union, 26.10.2012, p.20.

<sup>392</sup> Piotr Tosiek, “The European Union after the Treaty of Lisbon- Still an Intergovernmental System”, Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 10.10.2014, p.7.

<sup>393</sup> ---, “Consolired Version of the Treaty on European Union”, Official Journal of the European Union, 26.10.2012, p.21.



### **5.3.2. Evolution of EU's Environment Policy**

As stated and discussed in the previous sections, around half-a-decade back the European Union started out with issuing ad-hoc policy directives and guidelines regarding environmental matters. However, over the decades this has changed, evolved and matured with the body now having a formal multi-level environmental governance system. This has enabled the EU to play a leading role in domestic and international environmental politics, and especially within the borders of the 28 nations bloc Brussels often sets the tone on environmental policies and programs. This is aptly demonstrated by the more than 450 regulations and directives related to such diverse aspects as air and water pollution, waste management, biodiversity, chemical safety, noise, energy, industrial risks and related. Globally, the EU increasingly negotiates with multilateral partners on environmental issues of regional and international importance, which contributes to rationalizing national laws across the entire Bloc. This demonstrates increasing supranational competences and capabilities from both a European perspective and on a global level too.<sup>394</sup>

The system has evolved to constitute an effective and well organized process. Both the European Union and the individual member nations share the responsibility in formulating relevant environmental rules and regulations, covering their respective internal policies and external relations. Consequently both stakeholders have equal opportunities to contribute to the final law, rule and legislation formulated. This makes the EU a political entity within which legislation is formulated and also a guarantor of the same. Thus, the European Union is an efficient and effective forum in which all the national governments collectively provide input towards formulating effective legislation. Correspondingly, the EU plays a major role coordinating the entire process by raising relevant issues, advancing positions,

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<sup>394</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, p.367.

engaging and being in turn engaged by respective national governments and interest groups. This inclusive form of management is not just restricted to the policy formulation stage, but extends itself to the implementation and enforcement stage too, demonstrated in the form of regular EU “directives” and “regulations”. Such periodic directives issued form the basis for subsequent national legislation across all the member states, with the directives being equally applicable throughout the entire economic region. This means that individual countries in the Bloc are bound to implement the respective laws, while principally answerable to EU institutions.<sup>395</sup>

The EU environmental policy is overseen by multiple bodies, including the European Council, the European Commission, the Council of Ministers, the European Parliament and the European Court of Justice. Further, national governments provide their own input. In the organizational hierarchy, the European Council would be the foremost EU body, comprising of the respective heads of state of member nations and the EU President. This body is rarely involved with specific environmental issues, instead preferring to limit itself with providing general directives on the course of action for the respective legislation to be subsequently drafted. Actual policy making is coordinated through the European Commission, acting as a centralized office of the EU bureaucrats coordinating a mix of administrative and executive functions.<sup>396</sup> The Commission is empowered with the resources to help the EU and member states actually draft necessary legislation, and in cases of disputes in interpreting issues, arbitrates and ensures implementation of whatever has been judged.<sup>397</sup> A Directorate-General (DG) Environment in the European Commission was established in 1981 to specially coordinate environmental policy and it has been a driving force in the development

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<sup>395</sup> *Ibid.*, pp.375-376.

<sup>396</sup> *Ibid.*, pp.376-378.

<sup>397</sup> ---, “The European Climate Change Programme, EU Action against Climate Change”, European Commission, 2006, p.5.

of environmental legislation.<sup>398</sup> Subsequently, this body has been provided substantial powers and leeway in developing environmental policy proposals, and ensuring their implementation by individual member states within the EU environmental regulation paradigms. The Council of Ministers is a body bringing together the respective Ministers for specific policy areas, and provides an effective forum to coordinate intergovernmental input. Although the body is not empowered to actually initiate legislation, it can nevertheless provide submissions to the Commission. Further, it is necessary to have the approval of all Council members before a law is entered in the environmental laws statute books. The weightage of individual votes of the Ministers are a function of their respective national population in the Zone. Therefore, the European Parliament functions closely in coordination with the Council of Ministers. Although the former is considered to be pro-environment, it is nevertheless not empowered to independently initiate legislation on any issue other than asking the Commission's input. The Parliament's Environment committee demonstrated its initiative in seeking the Commission's input on key issues, thus initiating discussions on key issues affecting the entire Bloc. This is also equally true for environmental issues too. The Parliament however has the power to amend EU law, and veto the same if required, which is also applicable for environmental laws. Under the Maastricht and Amsterdam treaties, a "co-decision" process has been established which allows for the EP to provide drafts of legislation for review by the Council of Ministers. However, if the latter is unable to agree on three consecutive reviews of the law being debated, the bill is deemed defeated for the moment.<sup>399</sup> Hence, similarly all environment related laws not only need to be approved by the ministers from the 28 countries, but they

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<sup>398</sup> Philip Lowe and Stephen Ward, "British Environmental Policy and Europe: Politics and Policy in Transition", Routledge, London and New York, 2005, p.11

<sup>399</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, pp.376-378.

are also scrutinized by the 732 deputies in the EP.<sup>400</sup> The European Court of Justice is empowered to review multiple aspects both forth for review, and this includes environmental issues. Hence, the Court provides recourse to review EU law. The judgements subsequently delivered are very much binding all across the Bloc, and the Court can also penalize national governments. Although there were clear directives on understanding environmental issues in the beginning, the Court has consistently demonstrated its competence in ensuring that the EU legislative guidelines are always adhered to.<sup>401</sup>

The aforementioned describes the general framework of the environmental law processing systems prevalent in the EU at present. Initially, the Union directed minimal resources towards this aspect, and it was only in 1967 that it passed its very first environment related directive applicable all across the economic zone. This specifically and very narrowly related to aspects of classifying, labelling, and packaging dangerous goods. In the course of the next fifteen years, the body passed only eight additional directives and a single regulation. However, as society and technologies evolved, it became evident that technological trends were having an adverse effect on the ecology and unless the downward slide was arrested, there would be serious environmental concerns. This was specifically demonstrated in the early 1960s by the discovery of higher acid levels in Swedish lakes as a consequence of the actions in other European nations, and the wind-borne containments landing in Swedish waterways. This ultimately led to the first ever United Nations Conference dedicated to the environment in 1967, and later to the UN Conference on the Human Environment in Stockholm in June 1972. The latter was a major achievement in raising awareness on the environmental aspects at the national level in global capitals, with the event attended by delegates from over 114 countries. Increasing public awareness was demonstrated by a 1972 poll in the EU,

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<sup>400</sup> ---, “The European Climate Change Programme, EU Action against Climate Change”, European Commission, 2006, p.5.

<sup>401</sup> David Michel, *op.cit.* pp.376-378.

which listed environment as a major concern, along with such issues as poverty, unemployment and inflation. As a follow-up to the 1972 UN Environment conference, the EU heads of state in Paris requested the Commission for a formal draft of an environmental policy, and subsequently the European Council of Ministers passed the Union's first ever Environmental Action Program (EAP) in November 1973. This document agreed upon the need to ensure that economic progress and expansion simultaneously also keep in consideration environmental aspects at all times. This was practically demonstrated by setting specific objectives, priorities and measures for an initial three year period between 1973 and 1976. Simultaneously, there was also agreement on the need to take proactive measures in multiple sectors, including the agriculture and energy sectors to ensure that progress was cognizant of the corresponding environmental impact. Therefore, early on the EAP decided that a "subsidiarity" principle be established which would ensure that all member countries would be equally responsible towards ensuring that their national policies would take into consideration the environmental impact in terms of pollution levels during their respective economic progress. Simultaneously, the EAP also facilitated the Union's compliance and coordination with global environmental initiatives, which is being done till date.<sup>402</sup>

After the initial realization, and a corresponding forceful drive towards addressing environmental concerns within the EU, the two oil crisis in the 1970s, which led a stock market crash, caused high inflation and unemployment<sup>403</sup>, somewhat slackened the pace in this regard. National governments seemed to loosen the stringent regulations, prioritizing on balancing their economies and ensuring progress even if it had adverse environmental effects. Consequently, the EU's

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<sup>402</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, pp.369-371.

<sup>403</sup> Terry Macalister, "Background: What caused the 1970s oil price shock?", *The Guardian*, 3 March 2011, Available at <http://www.theguardian.com/environment/2011/mar/03/1970s-oil-price-shock>, Accessed on 21.01.2015.

Second (1977-1982) and Third (1982-1987) EAPs did not introduce any major demonstrable policy shifts, instead focusing on consolidating the gains of the first EAP. However, in the late 80s, worldwide perceptions on such issues as acid rain, biodiversity loss, deforestation, ozone layer depletion, and climate change received renewed impetus and the UN's World Commission on Environment and Development managed to reignite interest towards ensuring that national economic development was achieved keeping in perspective the environmental cost. Thus, the 1987 edition of the Our Common Future report advocated the concept of "sustainable development", which encouraged that present day short-term progress should be cognizant of the effects such activity could have on the long term. According to report, the concept means that "Humanity has the ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs."<sup>404</sup> Correspondingly, European Green parties found considerable traction and resonance with the general populace in the early 1980s demonstrated by the 1989 EU elections seeing the Green parties doubling their parliamentary seats compared to the early 80s. 1992 polls suggested that around 85% of the EU electorate considered environmental issues of prime concern, and 91% supported a unified EU strategy in this regard.<sup>405</sup>

Nevertheless, overall EU policy still seemed to lack distinctive and clear focus till the introduction of the 1987 Single European Act which indicated a major initiative towards ensuring that environmental concerns were firmly addressed. The 1992 Maastricht Treaty encouraged national governments to consider the environmental costs and effects of their decisions, while the 1997 Amsterdam Treaty ensured that addressing environmental concerns was a basic principle in formulating EU

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<sup>404</sup> ---, "Report of the World Commission on Environment and Development: Our Common Future", Available at <http://www.un-documents.net/our-common-future.pdf>, Accessed on 14.03.2015.

<sup>405</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, pp.371-373.

strategy across all levels. Cognizant of these developments, the EU's Fourth (1987-1992) and Fifth (1992-2000) EAPs reflected these trends. The turn-of-the-century fifth EAP truly demonstrated that while ensuring economic progress of member states remained a primary goal of the EU, addressing environmental concerns was also now a major goal. The fifth EAP in particular emphasized on sustainable development, stating that economic progress and environmental integrity be dual goals to be achieved in parallel. The period saw the establishment of the European Climate Change Programs. The 2000 and the 2005 rollouts of the Programs involved significant multi-stakeholder consultative processes, with the Commission, national experts, industry and the NGO community all contributing their respective input. Such diverse feedback was very beneficial towards providing expertise from a broad spectrum of sources and drawing up an effective final document.<sup>406</sup> The sixth EAP for the period 2001-2010 consolidated the gains of the previous decades, encouraging the EU members to ensure that their partnership through multilateral cooperation, conventions and institutions provide for effective policies in protecting the global environment, leading to overall sustainable development.<sup>407</sup> On the conclusion of the sixth EAP in 2012, the on-going 7<sup>th</sup> EAP is valid till 2020 and provides guidelines on the relevant EU environmental objectives and goals for 2050.

The 2050 goals include the vision of society being optimally balanced, with every individual living in congruence to Earth's ecological capacity. Society's progress is dependent on a changing and progressive economy, where everything is utilized efficiently and the Earth's biodiversity is considered to ensure that the net value of the same is retained at all times. A low-carbon growth structure would provide a

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<sup>406</sup> ---, "The European Climate Change Programme, EU Action against Climate Change", European Commission, 2006, p.5.

<sup>407</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, pp.373-374.

corresponding utilization of available resources allowing for sustainable population levels in relation to resources. The objectives identified in this regard include:

- Protecting, conserving and increasing the value of the Union's natural capital.
- Ensuring that the Union provides output in a resource-efficient, green, and competitive low-carbon manner
- Safeguarding the citizens with the Union's borders from environment-related pressures, and all manners of risks to their individual health.

A set of four “enablers” are assumed to help the EU system achieve the above:

- The uniform implementation of relevant legislation at all levels.
- Enabling the free flow of information at all levels.
- Investing in the environment and formulating clear climate policies.
- Integrating environmental policies to be in synchronization with all other policies.

Two further aspects, deemed horizontal priority objectives supplement the above:

- Making the Union's urban areas more liveable in themselves.
- Helping the EU deal with global environmental challenges more efficiently.

The aforementioned program has been initiated since January 2014, and all stakeholders in the EU are working in close coordination to ensure the success of the priority objectives within 2020.<sup>408</sup>

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<sup>408</sup> ---, “Environment Action Programme to 2020” Access on 21.05.2014, Available At <http://ec.europa.eu/environment/newprg/>.



### **5.3.3. The European Union in International Environmental Policy-Making**

The spirit with which the EU was established, was also reflected in the way the organisation handled environmental issues too. Therefore, when such considerations were deemed to be within the preview of the body in 1987, it was also stated that such interventions by the EU would be conducted in consultation and cooperation with other multilateral agencies and national governments, even outside the EU if necessary. Considering the overall diversity of the EU, not all the countries in the organisation have the same level of expertise regarding different environmental issues. While aspects of fisheries is something regarding which the EU by itself is competent enough, it invariably has to seek assistance, support and advice from even outside the boundaries of the organisation, so that “mixed agreements” are negotiated and concluded with input from national governments. Hence, member countries always conclude agreements by consensus.<sup>409</sup> This is an aspect which makes it literally compulsory for the EU secretariat to seek input from member nations even when the EU is deemed competent enough in its own standing to conclude the issue. With the increasing number of member states constituting the organisation, the EU is now in the practice of seeking consensus on its decisions instead of unilaterally making decisions. This in turn goes to validate whatever is agreed upon, and also enables countries to have a sense of contribution to the decision making process. As a part of standard protocol, negotiations are now inclusive of input from Regional Economic Integration Organizations. This is something probably unique within the EU alone, since this allows for the organization to act as a truly inclusive member in the negotiations undertaken, casting the collective vote of the member states if it deems itself more competent regarding a particular issue. EU delegations to meetings have an assigned mandate from the Council of Ministers and if during the course of the discussions it becomes obvious that the EU has more expertise on the issue in comparison to the member

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<sup>409</sup> David Michel, “EU Enlargement and the Global Environment” in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, p. 378.

directly and most affected by the issue, then the EU is authorised to make necessary recommendations which are implemented under the “common platform” guidelines. While the DG Environment, which aims to protect, preserve and improve the environment for present and future generations<sup>410</sup>, is authorised to suggest recommendations, often the complexity of the issue necessitates third party input and guidance.<sup>411</sup>

To demonstrate the inclusive nature of the functioning of the EU, the way decisions are conveyed from the Bloc regarding the UN Framework Convention on Climate Change is a pertinent demonstration. Generally, majority voting determines the course of action, and hence the EU’s role is defined in this regard. However, in aspects where the EU delegation is deemed to have exclusive jurisdiction, they are authorized to negotiate with multilateral agencies and third party nations collectively, representing all the countries of the EU. However, if a member state has equal expertise regarding the issue, negotiations are conducted under a “dual representation” system, which entails the Commission representing the specific country and the nation having the rotating Council Presidency being representative of the Commission. Both complement each other in addressing the issue, depending on their respective competencies. In the course of negotiations, coordination meetings between national government representatives and the EU are periodically conducted to ensure that both are aware of each other’s strengths. On the conclusion of meetings, the summaries of all that has been agreed upon are put forth before the Council of Ministers for consensus and agreement on the same after which the European Parliament votes on the issue. Thereafter, the laws passed such as regulations, directives, decisions, become binding on all members.<sup>412</sup> To

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<sup>410</sup> ---, “Environment Directorate-General”, Available at [http://ec.europa.eu/dgs/environment/index\\_en.htm](http://ec.europa.eu/dgs/environment/index_en.htm), Accessed on 12.01.2015.

<sup>411</sup> David Michel, *op. cit.*, pp.378-380.

<sup>412</sup> ---, “Regulations, Directives and other acts”, Available at [http://europa.eu/eu-law/decision-making/legal-acts/index\\_en.htm](http://europa.eu/eu-law/decision-making/legal-acts/index_en.htm), Accessed on 11.10.2015.

ensure transparency, all member states need to individually approve the package of laws presented. Today, the EU as a whole is not just concerned with safeguarding the interests of the Bloc, but functions on a global scale, often contributing on a global scale towards ensuring that the interests of everyone is safeguarded through the best possible course of action. This is demonstrated by the EU's stated policy of ensuring that environmental policies of all stakeholders are aligned together for the greater good of society as a whole. Hence, increasing importance is provided to environmental concerns when policy decisions are negotiated within the EU, and relevant aid and assistance is offered when it is deemed necessary. This ensures sustainable development all-across-the-board, on a global scale.<sup>413</sup>

The EU wants to become a role model on formulating environmental policies. Considering how the individual actions of member states significantly impacts the global environment, the tremendous responsibility entailed in deciding upon such issues cannot be impressed upon to the extent required. Suffice it to say that a concerted global effort is perhaps the only way forward. The EU's repeated focus on ensuring that global resources are utilized in the most sustainable and optimum manner is aptly demonstrated by its recommendations on how global food, fish, fuel and raw material stocks should be utilized. Uncontrolled use of these finite resources are bound to increase global disparities and poverty which would fuel instability. Naturally, this is against the interests of all stakeholders including the EU. As already stated so aptly by British Prime Minister of that day Tony Blair, The World has never been more interdependent and interdependence is a defining characteristic of the modern day world<sup>414</sup> as well as we are in need of institutions capable of coordinating this across transnational boundaries to ensure optimum utilization of our resources. The EU holds an excellent format of global cooperation

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<sup>413</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, pp.378-380.

<sup>414</sup> ---, "Full Text: Tony Blair's Speech", The Guardian, 07.01.2013, Available at <http://www.theguardian.com/politics/2003/jan/07/foreignpolicy.speeches>, Accessed on 23.11.2014.

across different countries, which could be replicated across the globe. European Commission President Romano Prodi is also of the perspective that it is important that a common approach is synchronized, which would strengthen environmental law. In his perspective, this would be a major challenge but the EU has over 5 decades of experience in this regard to draw upon.<sup>415</sup>

Expanding the borders of the EU could perhaps be one way to standardize the response to the multiple challenges faced. The way the EU has conducted itself during climate negotiations and the Kyoto Protocols is an illustrative example of the cooperation made. Overall, the EU-15 pledged to bring down total greenhouse emissions by 8% during the period 1999 to 2008-2012. Therefore, the EU ‘bubble’ came from the Dutch Presidency in the first half of 1997 and was finalized as a draft in March 1997.<sup>416</sup> The EU ‘Bubble’ allocated for developed economies to cut down more on emissions, i.e. up to -21% in Denmark and Germany, -12.5% in the UK, while allowing under-developed Greece a +25% and Portugal a +27%. Beyond 2005, the focus of the protocol will now turn on negotiating new figures and in this regard the EU would be definitely tasked with devising methodologies to further reduce greenhouse emissions.<sup>417</sup>

Promoting international cooperation on global environmental issues is a stated EU objective, enlarging the organization is also helpful since working on the requirements for joining the Bloc would enhance cooperation amongst various countries. This would make the globe a more sustainable place, and could pre-empt the kind of challenges being currently faced in Western Europe since setting up

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<sup>415</sup> *Ibid.*, pp.396-397.

<sup>416</sup> Leonardo Massai, “The Kyoto Protocol in the EU: European Community and Member States under International and European Law”, Springer, Berlin, 2011, p.69.

<sup>417</sup> David Michel, “EU Enlargement and the Global Environment” in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005., pp. 397-398.

domestic issues in order would contribute to enhanced international cooperation. To ensure meeting EU goals on sustainable development, a concerted effort is required across transnational borders which is dependent on national sentiments. This is demonstrated in how climate policy goals are dependent on energy policies which are decided individually by each country. The 1998 Cardiff European Council therefore urged each sector in the economies to draw up environmental integration strategies since the EU Strategy for Sustainable Development is explicit in that sustainable development should be the basic aim of the organization as a whole.<sup>418</sup> Also, in the same document, it was stated that “The Community and the Member States now need to develop strategies to meet their commitments under the Kyoto Protocol. Meeting these demanding targets will be a practical test of the progress the Community and Member States are making towards integrating environmental concerns into their policies.”<sup>419</sup>

Since the first environmental initiatives taken by the EU over three decades back, the aspect has gained tremendous importance. The addition of Eastern European nations adds to the complications. To ensure the success of the initiatives, a concerted effort is required at the national level. Indeed, this is definitely a major issue since if the EU is to reconcile its subsidiarity with policy integration, the international community needs to reconcile national sovereignty with international interdependence. The EU proclaims on how it can be a global leader on economic, social and environmental aspects.<sup>420</sup> However, this would be significantly dependent on how the twenty-five nations of the Community reconcile their

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<sup>418</sup> *Ibid.*, p.402.

<sup>419</sup> ---, “Cardiff European Council 15 And 16 June 1998, Presidency Conclusions”, SN 150/1/98 REV 1, Available at [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/54315.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/54315.pdf), Accessed on 15.09.2014, p.13.

<sup>420</sup> ---, *A New Start for the Lisbon Strategy*, European Commission, p.3.

differences, so that they can be a truly inspiring role model for other nations in the international community.<sup>421</sup>

#### **5.4. Concluding Remarks**

The fifth chapter addressed how the actors determined the policies and positions that they followed in international climate change negotiations. First, the chapter emphasised on Putnam's 'two level game' approach that reveals functioning of international negotiations. Actually, 'two level game' approach reflects the behavioral style of the nation states. Unlike the two-stage decision making process of nation- states, the EU has a third level. This third level is related to the structure of the European Union, which is composed of supranational decision-making mechanism.

Next Chapter will discuss the influence of the EU on global environmental policy and actors' environmental policies. This influence occurs in three ways. These are 'the impact of the EU's normative structure,' 'economic and political conditionality, threats and incentives,' and ' the diffusion of the EU's high legislative standards'.

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<sup>421</sup> David Michel, "EU Enlargement and the Global Environment" in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005, p.403.

## **CHAPTER 6**

### **The Influence of the European Union on Global Environmental Policy and Actors' Environmental Policies**

#### **6.1. Introduction**

The chapter, in parallel with the argument of the dissertation, will focus on finding out how the European Union spread its standards on climate change as third distinctive factor. While looking for the answer to this question, the conditionality and normative perspective of the EU will be emphasized. The chapter will discuss the influence of the EU on global environmental policy and actors' environmental policies. This influence occurs in three ways. These are 'the impact of the EU's normative structure,' 'economic and political conditionality, threats and incentives,' and 'the diffusion of the EU's high legislative standards'. The discussion of how the EU influences environmental policy will be elaborated on with specific examples.

#### **6.2. The European Union as a Role Model**

The EU serves to be governing the regional environment on the global level. Though it is not a perfect model that could also be employed by other countries of the world, it can still serve to be a prototype. The rest of the world should not employ similar policies and approaches as the EU rather they may use its experiences and modify them as per the needs and demands of their respective regions. This would also help to fortify regional environmental cooperation. However, EU would still remain responsible for major environmental issues globally. Therefore, it is required to make changes and improvements in its policies and their implementation plans owing to its expansion to 28 countries, climatic changes and new threats emerging due to them.

However, the EU has undoubtedly developed a lot in the past few years;

- The quality of its environment has undergone significant improvement
- Air pollution has decreased remarkably
- Carbon emissions have been reduced
- The waste disposal procedures have been made stricter so that the citizens of EU may enjoy healthy and pollution-free environment.

These developments along with many others have led the EU to be a role model for the whole world regarding environmental governance. Moreover, it has demonstrated the world that nothing remains impossible if the substantial primary level strategies and plans are employed to achieve the goals. It validated that exchange of information and experiences can help in resolving mutual problems which would lead to strengthening friendly relationships among countries. The European environmental cooperation is one such extension which allows the EU to employ its strategies more widely. Initially when this environmental cooperation was originated, the EU already had a 15 year experience for being a community of countries which was founded under the Treaty of Rome.<sup>422</sup>

- From the very beginning of its foundation, the European Union is taken for a distinct international actor across the globe. EU usually opts to employ normative approach when it comes to deal with a state having relatively balanced power relations with the union. In such a case the association is kept discretely in accordance with the set agreements. However, such a power relation itself acts as a prompter for normative approach.<sup>423</sup> In international relations, this is referred to be as ‘civilian’, ‘soft’ or normative

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<sup>422</sup>Sangsoo Lee and Silvia Pastorelli, “Promoting Northeast Asian Environmental Cooperation: Reflections from the EU” ,Available at <http://www.e-ir.info/2013/06/30/promoting-northeast-asian-environmental-cooperation-reflections-from-the-eu/> ,Accessed on 11.02.2014, published date: June, 30<sup>th</sup> , 2013.

<sup>423</sup> Nathalie Tocci Withcases Studies by Hakim Darbouche, Michael Emerson, Sandra Fernandes, Ruth Hanau-Santini, Gergana Noutcheva and Clara Portela, “The European Union as a Normative Foreign Policy Actor”, CEPS Working Document No.281, January 2008, p.30.



power. The official statements made by EU also validate the similar role of the union in the world politics. In fact the foreign policy documentations of the union provided later to 1970 have been evidenced to be pervaded by certain norms and values.

- In the 14-15 December 1973 meeting of EU presidents in which a declaration on Europe's identity was made, it was discussed to lay down an objective foundation for international relations.
- The 1987 Single European Act summoned the union to follow upon the principles of democracy and abide by the regulation of law and human rights in terms of foreign relations.
- The 1988 Rhodes European Council demanded for an active role of the EU in maintaining world's peace, resolving regional conflicts, supporting democracy, upholding the Universal Declaration of Human Rights, backing the United Nations and helping the developing countries in bettering their socio-economic conditions.
- The Maastricht Treaty claimed to take steps for maintaining international peace, strengthening international cooperation, eliminating international crimes, ensuring the rule of law and adoption of democracy, fundamental human rights and making economic and social progress.
- The Reform Treaty provided that the EU would take up its international relations as per the Union's founding principles and values which include democracy, human rights, fundamental freedom and the rule of law.<sup>424</sup>

The era of 1990s signified the EU leadership as being pursuing a distinct approach in the international politics i.e. exercising normative power. This gave rise to the question that whether the European Union is a distinct international actor due to its unique organizational structure or also because of its different areas of interests? The query the relevant academics and professionals engaged for years into debate

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<sup>424</sup> Nathalie Tocci Withcases Studies by Hakim Darbouche, Michael Emerson, Sandra Fernandes, Ruth Hanau-Santini, Gergana Noutcheva and Clara Portela, "The European Union as a Normative Foreign Policy Actor", CEPS Working Document No.281, January 2008, p.1.

that whether the EU is a non-military power or the other way around and whether it is overlooking the national interests in order to regulate the world by pursuing normative approach instead of power. It is commonly believed that the EU is not like the typical power holders who use economy or military forces instead it is a ‘normative power’, which uses its ideas and norms to gain control.<sup>425</sup> Thus, the EU is different in both its nature and exercise of power as compared to other world powers. However, one of the major drawbacks of these convictions is that they completely ignore the significance of economic and military power in global relationships. Leonard has also failed to notice the rest of the actions the EU has been pursuing to alter the world order along with incentivizing the world with its charms. Similarly on the same note it would not be wrong to admit that the EU has several effective means to reach its foreign policy goals, for which it does not even require military powers.

The research has also provided that the different nature of EU i.e. pursuing normative power indicates for the unusual role of the Union in the international politics. The sudden emergence of the EU’s interest in global environmental issues undoubtedly appears to correspond well with the notion that global matters and problems are a major part of Europe’s foreign policy. Though the Union had to face various challenges and inadequacies in the field of environmental governance, but its deliberate involvement in accounting for climate changes and promoting relevant development in the field at the UN’s forum validated the claims for global environmental concerns of being integrated in EU’s foreign policy. As the United States has declined to pursue environmental leadership and has also rejected global initiatives for environmental development, the EU has left as one of the major policymaker regarding international environmental governance.<sup>426</sup>

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<sup>425</sup> Robert Falkner, “The European Union as a ‘Green Normative Power’? EU Leadership in International Biotechnology Regulation”, in Center for European Studies, working Paper Series 140, 2006, pp.1-2.

<sup>426</sup> *Ibid.*, p.2.

The EU has come out to be a pivotal, influential and leading actor in the international environmental relations. In the first UN environment conference the EU was not much competent in the field due to which other European countries intruded in with issues like ozone layer depletion and acid rain. The EU made its way towards attaining an internationally significant role in the late 1980s.

- In the 1992 Maastricht Treaty, the EU introduced the foundation principles regarding its take on environmental issues.
- It took an active part in the 1992 UN Conference on Environment and Development (UNCED) held in Rio de Janeiro. It played a significant role in promoting the adoption of the Kyoto Protocol on climate change and other environmental agreements which also include the 200 Cartagena Protocol on Biosafety.
- In the 2002 World Summit on Sustainable Development in Johannesburg, the EU was expected to be a key player.<sup>427</sup> The EU Environment Commissioner Margot Wallström also reverberated similar hopes that the ‘EU has to take the lead and make sure that the summit meeting results in setting out tangible plans to achieve developmental goals’.<sup>428</sup>

The international role of the EU in the field of environmental development progressed through a gradual process. The development of the EU sheer competency in the field of environment played a key role in raising the union’s status internationally. The 1987 Single European Act proved to be the foundation base in the process and then the Treaty of European Union (1993) further fortified the EU’s powers. The treaty declared environmental protection as one of the main

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<sup>427</sup> *Ibid.*, p.3.

<sup>428</sup> Simon Lightfoot, and Jon Burchell, “The European Union and the World Summit on Sustainable Development: Normative Power Europe in Action?”, in *Journal of Common Market Studies*, Vol. 43 No:1, 2005, p.80.

objectives of the union. Furthermore the Amsterdam Treaty of 1999 entrusted the EU for endorsing environmental development as a part of the community's primary policies including both the political and the foreign policies.<sup>429</sup> The progressive journey of the EU is also shown in the European Commission strategy paper; 2001 sustainable development strategy and 2002 global sustainability strategy. Now the EU has achieved the status that its leaders regularly exercise leading roles both regionally and internationally.<sup>430</sup>

The gradual development of the Europe's agenda regarding international environmental matters is not considered as merely a fortification of foreign policy by some factions. Instead, it is also taken as a sign of a complete transformation of EU's unique identity. It is seen as the EU is founded upon certain values and policies and it intends to implement them globally as well. This indicates that the EU deviates from the conventional political practices in terms of foreign policies and neglects the national interests for sake of global concerns. Therefore, the environmental diplomacy is employed as a part of global order policy, practiced as per the normative approach.<sup>431</sup>

In order to promote environmental development the EU employs the ENP i.e. The European Neighbourhood Policy to incentivize other countries to get in compliance with Kyoto protocol and other such regimens related to environmental issues. In doing so the EU provides its partner countries with illustrations and examples regarding the effective implementation of environmental development procedures. Moreover, the EU uses the ENP to strengthen the respective principles of

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<sup>429</sup> Susan Baker, "Environmental Values and Climate Change Policy: Contrasting the European Union and the United States," in S. Lucarelli and I. Manners (eds.), *Values and Principles in European Union Foreign Policy*, Routledge, London, 2006, p.83.

<sup>430</sup> Robert Falkner, "The European Union as a 'Green Normative Power'? EU Leadership in International Biotechnology Regulation", Center for European Studies, working Paper Series 140, 2006, pp.3-4.

<sup>431</sup> *Ibid.*, p.4.

environmental sustainability. It keeps sound record of the ENP states so that to keep trace of the progressive development of environmental sustenance in these countries after their alliance with the EU.<sup>432</sup>

Mark Leonard has referred the EU as the state which tries to urge its member states by endorsing sustainable development, as an alternative power, in his article “Why Europe Will Run the 21<sup>st</sup> Century”.<sup>433</sup> According to Leonard, the formation of this authority is the most significant progress in the international relations from the time when the nation state was created.<sup>434</sup> He debates that the requirement of hard as well as soft power is weakening due to the fact that these authority arrangements make an effort to influence a situation externally. Transformative influence is essential for continuous peace as it converts local institutes and customs, in this manner affecting the circumstances deeply. His shrewd expression of the EU as a dispersed “network rather than a state”<sup>435</sup> expresses to the incomparable capacity of a transformative power. Such power grants an opportunity or platform through which member states can consider and prepare mutual guidelines.<sup>436</sup>

The normative nature of the European Union suggests for its transformative structure. As Jean Monnet comments in this regard that the ‘basic objective behind European foreign policy is the relevant concern to bring global change, as intended by the European integration project. Manners provide that ‘post-national normative

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<sup>432</sup> Sandra Lavenex and Adam N. Stulberg, “Connecting the Neighborhood: Energy and Environment” in K. Weber, M. E. Smith and M. Baun (eds.), *Governing Europe's Neighborhood: Partners or Periphery?*, Manchester University Press, Manchester, 2007.

<sup>433</sup> Mark Leonard, “Why Europe will run the 21th century”, Public Affairs, New York, 2005, p.139.

<sup>434</sup> *Ibid.*, p. xiii.

<sup>435</sup> *Ibid.*, p.24.

<sup>436</sup> *Ibid.*, pp.49-50.

power<sup>437</sup> empowers the EU to promote its values through six methods. These methods are contagion, informational diffusion, procedural diffusion, transference, overt diffusion and cultural filter<sup>438</sup>

In all of these norm diffusion methods, the significant factor is the absence of physical force for implementing them. The absence of physical pressure and stress over cultural diffusion compels me to state that the modification in the international role of the EU is not because of its apparent actions or statements instead it is due to its substantial nature. After 2003, the major factor behind EU external actions is its norms of 'sustainable peace'. By this, Manners indicates for the idea of normative power Europe. According to this concept the political nature of the EU is different from that of conventional Westphalian approaches and this is why the EU employs the normative approach instead of using physical power.<sup>439</sup> This asserts that the European Union is a normative power, which uses economic and military means along with its appealing nature propagates the universal norms in international sphere.

The EU is a regularizing power offers an alternate support to this reasonable examination in that it gives a general arrangement of examination concentrated around an ideational or constructivist scrutinizing of the EU. At its heart is the claim that the EU, in view of its new and extraordinary political structure, is centered on "setting general principles and gauges at the center of its relations with its Member States (...) and the world ..."<sup>440</sup> Reasonable progression is yet one of the core norms that structure some bit of the EU's institutionalizing stance; however,

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<sup>437</sup> Ian Manners, "Normative Power Europe Reconsidered: Beyond the Crossroads", in *Journal of European Public Policy*, vol.13, No:2, 2006, p.182.

<sup>438</sup> *Ibid.*, pp.244-245.

<sup>439</sup> *Ibid.*, p.184

<sup>440</sup> *Ibid.*, p.241.

expect an obviously basic part in the EU's definition to oneself versus the outside world. As described by the Brundtland Commission in 1987<sup>441</sup> and further made by the EU, viable progression obliges “that present needs should be met without dealing the limit of future times to meet theirs”, and is routinely insinuated in EU reports as “a key standard managing all the Union's systems and activities” or as a “significant arranged estimation of the European Union.” Indeed, conservative change is ardently settled as a semi built standard in articles 2 and 6 of the Treaty of the European Union (Maastricht Treaty). In case, henceforth, due to its exceptional nature the EU is slanted “to act in a directing way in world legislative issues”<sup>442</sup>, we should suspect that it will expand a green identity to the outside as well.<sup>443</sup>

Sophie Meunier and Kalypso Nicolaidis use theory related to power concerning rules and debate that the European Union practices ‘trade as backbone of its normative power’. Furthermore, they claim that the EU owns supremacy when it comes to trade and uses its image to exhibit its power. In this reference, the EU is an important economic power that influences its financial supremacy so as to attain its objectives. On the other hand, they make it clear that the EU is currently a ‘conflicted’ trade power because various member state leaderships, affected by a host of local actors, keep entirely different opinions on how to have such influence because of trade.<sup>444</sup> The European Union has the financial superiority to be taken as trade power; however, different interests and agendas of member states make the execution of such power perplexing.

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<sup>441</sup> For details, <http://www.un-documents.net/our-common-future.pdf>

<sup>442</sup> Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, in *Journal of Common Market Studies*, Vol.40 No:2, 2002, p.252.

<sup>443</sup> Robert Falkner, “The European Union as a ‘Green Normative Power’?, *EU Leadership in International Biotechnology Regulation*”, Center for European Studies, working Paper Series 140, 2006, p.4.

<sup>444</sup> Sophie Meunier and Kalypso Nicolaidis, “The European Union as a Conflicted Trade Power”, in *Journal of European Public Policy*, Vol.13, No.6, 2006, p. 907.

According to environmental Politics (2004), European Union is the major motivating force behind the coordination of environmental standards, influencing twenty-five member states and has a perfect effect on bordering states. Moreover, the motivation for severer environmental standards is reinforced by well-ordered and efficient groups related to environmental sector and a community that places a relatively great importance on environmental safety, especially in the northern European member states. Management of international environmental issues is, however, is largely constant and stable with communal priorities in leading European states and structured politicization in Brussels.<sup>445</sup>

The intention to adopt universal values and having global concerns as per the normative power approach can be summed up as the ‘internationalization of European policies’. The environmental leadership of EU is based upon the motives to project European values and approaches across the globe as achieved in the fields of food and biosafety principles. In order to achieve this, the EU either employs planned policies or use implicit means to pursue policy diffusion. When deliberate policies are used, the EU attempts to bring the international regulations up to the level to match that of the Europe. This is achieved either by mutual consent and agreement of EU partner countries. Whereas if the indirect means are employed, the EU environmental policies are imposed over other countries through various subsidiary methods of projecting or trading norms including transnational green actors and multinational companies. In both of these situations, Europe’s political and economic power and its influential status in the transnational green networks empower the EU to alter the international environmental policies in this way. However, the advocates of the normative power approach reject this notion by pronouncing it as ‘relativist viewpoint’. The regulatory policy of internationalization must not be considered equivalent to normative approach as the EU does not have similar high environmental standards for all countries. However,

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<sup>445</sup> Robert Falkner, *op. cit.*, p.5



the interest of other countries in the projection of European standards is yet a query to be answered.<sup>446</sup>

### **6.3.Influence of EU on Global Environmental Policy**

The internal and external approaches of governance are quite different from one another. The internal governance is only concerned with the formulation and implementation of regulations that accord with the national political structures. However, the external governance is all about the projection of EU regulations which are expected to be embraced by the non-member countries.<sup>447</sup> There are three different ways through which the EU can influence and modify the global environmental policies:

#### **6.3.1.First Way: Influence of EU's Normative Structure**

It provides that formal dialogues made on international level result into international treaties and agreements. In this way a regularized and coherent agreement can be made among all the concerned states regarding the environmental standards. It involved the implementation of certain rules which come into effect on similar dates for all parties. The EU had been a part of many significant international conventions and summits and has signed over 30 major international environmental agreements. It is considered to be a major advocate of international environmental diplomacy and had played a leading role in several major matters e.g. climate change. Recently, the EU is an influential accomplice for holding

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<sup>446</sup> *Ibid.*, p.6.

<sup>447</sup> Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe", in *Journal of European Public Policy*, Vol.11, No.4, August 2004, pp.669-671.

negotiation platforms for post-Kyoto agreement and for setting new goals in this regard.<sup>448</sup> Moreover, on the same note the EU has the following policy options:

Firstly, the EU has the authority to be in charge of the discussions over global environmental agreements and also to terminate any of the agreements afterwards. Therefore, the EU is considered to be re-active in international discussion forums i.e. it holds back for other countries to present their suggestions regarding the matter of discussion. The EU may also initiate the negotiations which require involvement of the all the participant countries for a common matter. However, such a situation is quite exceptional. Due to these reasons it seems difficult to bring whole of the international community to agree upon certain environmental agreements. This suggests that the global leadership of the EU emerged out as a result of the competition between the internal and external politics. The continually increasing power of the EU which started developing in 1980s, when integrated with the EU's policy-making led the union to set substantial goals for environmental development. This consequently directed to force other powers to get in compliance with the EU environmental regulations as they held common interests in terms of international environmental agreements. Moreover, the endorsement treaties and agreements which advocate the EU's environmental norms on international levels helped in implementing the EU authority.<sup>449</sup>

Secondly, the EU can impose certain methods to regulate the exports from the EU i.e. only those products can be exported out of the region, which comply with the internal environmental standards of the EU. Currently, the international rule of law provides that the buyer would be responsible of any kind of environmental issues

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<sup>448</sup> Katja Biedenkopf, "The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?", Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014, pp.2-3.

<sup>449</sup> R. Daniel Kelemen, "Globalizing European Union Environmental Policy", Paper presented at the European Union Studies Association, 11<sup>th</sup> Biennial International conference, Marina Del Rey, California, April 23<sup>rd</sup>-25<sup>th</sup>, 2009, p.2.

caused by a product – the conventional ‘caveat emptor’ principle. There had been implied a system of prior informed consent (PIC) through international agreement for certain chemicals and products. According to PIC, the country, which is importing a certain product must be forehanded informed of the probable risks regarding the product by the country which is exporting it. In this case, the import would only be permitted if the importing country authorizes the import after the exchange of relevant information.

Thirdly, the EU can demand for the import of only those products into the region, which are up to the EU’s environmental standards. Even though the PIC-procedure is suitable for such importations, it is in practice for only the developing countries i.e. the PIC-procedure is employed only for the exports of the EU. This is so because these exports are mainly comprised of pesticides or chemicals; thus, are very rare in count.

Fourthly, the EU has the authority to terminate regional environmental agreements.<sup>450</sup>

Considering the mentioned strategies, Ian Manners asserts that the conceptual approach of the EU’s role in the international politics and its impact as a normative power must be evaluated. The presence of the EU demonstrates the underlying concept of productive power. The union’s strong relations with other countries are due to its abilities to articulate and manifest normative approach in international relations. Even though the normative power is also related to other power agencies such as internal power integrated with current political status of agreements of alliance among EU and third countries. This questions the normative foundational base of the EU with regard to projection of norms. The past 50 years history of EU

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<sup>450</sup> Ludwig Krämer, “Exporting EU Environmental Product Standards to Third Countries” in Wybe Th. Douma, Steffen Van der Velde (Eds.), *EU Environmental Norms and third Countries: The EU as a Global Role Model?*, Centre For The Law of EU External Relations, Cleer Working Paper 5, 2013, pp.21-22.

provides that there are five fundamental norms which act as the foundation base of the EU i.e. peace, liberty, democracy, rule of law and respect for human rights and fundamental freedoms.<sup>451</sup> This was attained through historical plans, policies and strategies of the EU. This is clearly validated in the Treaty Establishing the European Economic Community of 1957 (also known as the Treaty of Rome) and in the Treaty on European Union of 1993 (TEU), as well as in other declarations, treaties or policies. Moreover, there are four other norms, which are a part of legislations and practices of the EU. These are social solidarity, anti-discrimination, sustainable development and good governance<sup>452</sup>

These norms empower the EU to come into power against the other countries of the world. Moreover, the EU demonstrates to be a normative power, which makes it more authoritative than other countries.<sup>453</sup> The European foreign policy is based upon the grounds of normative approach.<sup>454</sup> However, despite of the competencies of the normative approach the European foreign policy is facing challenges of ‘capability expectations gap’. In the nutshell, the normative power is an ideological concept which provides the European foreign policy with the authority to play pivotal role in the international matters and replace the conventional Westphalian concepts of governance with post-modern ideas of external and internal governance.<sup>455</sup>

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<sup>451</sup> Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, in *Journal of Common Market Studies*, Vol. 40, No:2, 2002, pp.238-242.

<sup>452</sup> *Ibid.*, p.243.

<sup>453</sup> *Ibid.*, p.244.

<sup>454</sup> Ian Manners, “The European Union as a Normative Power: A Response to Thomas Diez”, in *Millennium: Journal of International Studies*, Vol.35, No.1, p.179.

<sup>455</sup> Pei-Chen Wang, “Normative Power Europe and Asia-Europe Relations”, in *Southeast Asian Studies*, Freiburg University, Occasional Paper No:10, May 2012, pp.4-5.

An argument rose in the 1970s regarding the European integration project questioning the status of non-state actors in the international politics. Considering this debate with the perspective of the role of European Union in the international politics, Manners introduced the concept of 'normative power' and thus replacing the conventional Westphalian concepts by the post-modern ideas. Five basic norms, which indicate towards the 'normative power' of the EU and also describe its status and purpose in the international political grounds are peace, liberty, democracy, rule of law, respect for human rights and fundamental freedoms. Being a 'normative power', the EU is subjected to project and promote these norms in its external affairs.<sup>456</sup>

The EU had not always been international environmental policy with the status of leadership. The past thirty five years proved to a progressive period as in this era the role reversal in leadership of international environmental policy occurred, in which the EU swapped its place with the US. In early 1970s, the US was being pursuing the leadership in the international arena while the EU was just an active participant. Until mid-1980s the US kept its leadership status while being an active source stressing upon the Vienna Convention and Montreal Protocol on Ozone Depleting Substances. The EU's conversion from follower to leader in international environmental policy occurred between the period of the late 1980s and early 1990s. Prior to 1990 the leadership role of the EU continued to strengthen. This role reversal resulted in a change in the domestic politics. The environmentalists made their way through influential positions in many countries and in the EU as well. They claimed for more effective and substantial policies at national, EU and international levels. Throughout the Western Europe the environmentalist gained quite a powerful position in the period of late 1970s and 1980s. Green parties came to rise up as powerful political forces in Germany and expanded to Sweden France and Belgium. Seeing the growing power of Green movement a large number of

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<sup>456</sup> Pei-Chen Wang, "Normative Power Europe and Asia-Europe Relations", in Southeast Asian Studies, Freiburg University, Occasional Paper No:10, May 2012, p.1.

countries opted to impose more strictness in their domestic regulations and strengthened their relation with the international environmental cooperation. This further gave rise to the Green movement at national level in the EU. Institutions like the European Commission and the European Parliament strongly supported for a greener EU. However, the expansion of national environmental regulations was supposedly a threat for achieving intended goals in the local markets. The EU opted to leave its Single European Market initiative with an intention to stabilize the environmental conditions in Europe to much protective levels. The environmental policy appeared as a result to the EU's attempt to incentivize the local masses of the region. The Green member states under the leadership of Germany pressurized the union to introduce more stable and substantial standards for environmental policies. Thus, since the late 1980s up till the present time the EU has proved itself as being the most competent leadership for regulating environmental matters across the world. The issues may be ranging from rules on air and water pollution, to waste management and recycling, to GMO regulation, to chemical safety regulation. The EU itself along with its alliances intended to see the EU standards of environmental policies to be spread all across the globe so that they could give competition to the foreign competitors. The developments made in the GMO regulations and the climate change strategies well describe these motives being in effect. Similarly, these factors have also prompted the EU to take viable steps in the field of climate change. The EU initiated a campaign spreading awareness regarding the effects of climate change led to bring significant improvements in the domestic politics and required measures were taken to control the greenhouse gases in the region. The European policymakers were quite accurate of their reservations that the local voters can demand for action regarding the climate change. Therefore, it would be more appropriate to spread the message across the globe so that the competitors of the EU may also opt for some costly measures. The initial plans devised to counter this problem were leading to increase in the energy prices. Since the energy prices were already high in Europe as compared to other OECD countries, therefore, the European member governments were concerned with the increase in competition as a consequence of adopting any such policy. After the Rio Earth Summit the

European Commission came up with the idea that the industrial nations may introduce to adopt for energy tax. So generally it illustrates that the governments were more concerned with the effect of the employed plan on other powers particularly the US. The observers provide that the idea of imposing energy tax was merely a tactic used to evaluate the EU's competency to handle the issue.<sup>457</sup>

The internal demands for 'green' policies and governance issues altogether have led the EU to contend itself as the global environmental leader. As soon as the EU initiated various environmental projects in 1990s, it also opted to project its regional regulations to the external powers.<sup>458</sup> Therefore, it is regarded to as a competent, reliable and efficient international actor who acknowledges the problems of present world and aims to resolve them in order to make this world a better place.<sup>459</sup> The EU is prone to the timely changes in the world order of every level and level and is able enough to make its own influence over the international environment as well.<sup>460</sup>

The EU has emerged as a key supporter, if not the chief demander, of every major international environmental treaty since 1989. In this list we might include: Keeping within the mentioned framework, the EU has influenced the global environmental structure through following two policies:

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<sup>457</sup> R. Daniel Kelemen, "Globalizing EU Environmental Regulation", Paper prepared for conference on Europe and the Management of Globalization, February 23, 2007, Princeton University.

<sup>458</sup> *Ibid.*

<sup>459</sup> European Security Strategy, 2003, p.1.

<sup>460</sup> Anastasia Chebakova, "Theorizing the EU as a global actor: a constructivist approach", ECSA-Canada Biennial Conference, The Maturing European Union, Edmonton, Alberta, 25-27 September 2008, p.7.

1. The EU has projected only those environmental standards which comply with international environmental agreements (also known as Multilateral Environmental agreements (MEAs)).
2. The EU advocates the ‘greening’ of international trade i.e. compelling the authorities for pursuing international trade rules (i.e. as those of WTO), to regulate the trade as per the environmental standards. MEA plays an important role in endorsing high standards of environmental control. The above discussion upon the Cartagena Protocol and the Kyoto Protocol also assert the importance of MEA. The most remarkable aspect of MEA is its constant support and alliance with the EU. Though the EU has not made itself to be called as chief demander, it has attained the status of being a strong supporter of every major international agreement made since 1989. the following agreements may also be added to the list of treaties signed by the EU:
  - the 1989 Basel Convention on Transboundary Movements of Hazardous Wastes and their Disposal
  - the 1991 Convention on Environmental Impact Assessment in a Transboundary Context
  - the 1992 Climate Change Convention and ensuing 1997 Kyoto Protocol
  - the 1992 Biodiversity and ensuing 2000 Cartagena Protocol on Biosafety
  - the 1998 Rotterdam Convention on Prior Informed Consent (for export of hazardous chemicals)
  - the 2001 Stockholm Convention on Persistent Organic Pollutants

The EU also initiated to call for international agreement for complying set targets for renewable energy at the 2002 Johannesburg summit on sustainable development. Being an environmental leader, the EU has promoted its standards and principles to other countries along with building credibility among masses which it can use to advocate criticism against its new strategies (e.g. the regulatory regimen for chemicals – REACH). It has also stressed to pursue ‘greening’ of international trade rules in such a way that the EU environmental regulations can



also be brought in compliance as per the multilateral environmental agreements (MEAs). The probable threat of conflict between free trade rules and environmental regulated trade measures was brought into public's attention during the 1991 tuna-dolphin disagreement between Mexico and the US. Moreover, the EU got itself in other disputes as well including the Hormone Treated Beef and GMO disputes as discussed earlier. The EU managed to defend itself in those clashes quite successfully but it had to get offensive while arguing for 'green' global trade rules.<sup>461</sup>

### **6.3.2. The Second Way: Economic and Political Conditionality**

Coercion by means of threats, economic and political conditions and incentives is the second method of influence. Often asymmetries of political and economic powers between the third parties and EU are used. Banning all imports from those countries that disrespect EU standards and making restrictions for giving aids in the development fields are used. Normally, only in severe cases coercion is adopted for some of the third countries that too for that period till the country changes its attitude and feeling for EU.<sup>462</sup> In order to make the enlargement program successful it is necessary for the European Union to resort to necessary reforms that will make the domestic policies and institutions more stable and forceful that will influence member states that aspire to work and become members. EU conditionality is the main tool of EU to make sure of that members comply with the conditions and encourage them. Also, political conditionality is the most crucial instrument of EU leverage and policy change in the third states, with some ways such as socialization

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<sup>461</sup> R. Daniel Kelemen, "Globalizing EU Environmental Regulation", Paper prepared for conference on Europe and the Management of Globalization, Princeton University, February 23, 2007.

<sup>462</sup> Katja Biedenkopf, "The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?", Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014, pp.2-3.

and lesson-drawing having a much weaker and more variable impact.<sup>463</sup> There are three external governance models of EU regarding conditionality namely, the social learning, external incentives and lesson-drawing models. EU's rules on changes in climate explaining the spillover is the source of the two models social learning model and lesson drawing models.<sup>464</sup>

The players involved in the external incentives model are taken as those who are interested in maximizing the welfare of themselves and their powers and are directed towards maximum utility and is therefore of a rationalistic bargaining type of model. In this bargaining method, there is exchange of promises, threats as well as information; the result however is dependent on the bargaining power. The external governance of EU is based on conditionality strategy wherein the CEEs (Central and Eastern Europe) need to confirm to the set rules of EU to get the rewards. The rewards comprise of ties and aids in the institutions that are related to cooperation movements and trade by means of association agreements up to entire membership. By offering rewards it maintains a reinforcement strategy. According to this norm, if the government concerned adheres to the conditions, EU gives away the rewards and if it fails to do so, the reward is withheld. It therefore shows that this external incentives model and reward is given only if EU enjoys some benefits, which are more than the adoption expenses of the reward. However, the balance of cost-benefit rests on four factors like (i) the determination of the conditions, (ii) the speed and amount of rewards, (iii) the truth behind threats and promises and (iv) the size of costs for such adoption.<sup>465</sup>

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<sup>463</sup> Mark A. Pollack, "Rational Choice and EU Politics", in Jørgensen, Knud Erik; Pollack, Mark A.; Rosamond, Ben, *Handbook of European Union Politics*, SAGE Publications, 2010, p.42.

<sup>464</sup> Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe", in *Journal of European Public Policy*, Vol.11, No.4, August 2004, pp.669-671.

<sup>465</sup> *Ibid.*, pp.671-672.

The main ideals of social constructivism are followed by social learning model. In general, international socialization studies have been informed. It comprises of the best alternative methods of explaining rationalism and conditionality norms as well as Europeanization. Social learning model emphasizes more on the logic of appropriateness in contrast to rationalist conditionality model. This model explains that participants are driven by internal values, identities and rules. They go for the most appropriate courses among these alternative models. Here the methods of rule transfer and adoption depends on arguments regarding the appropriateness and righteousness of the rules, entreaties and complex learning as compared to the others strategies. In this light, the EU is an organization that belongs to an international European community that has its own specific identity and a set of ideals and values that are common to all. The adoption of the EU rules by a non-member state depends on its respect for EU norms and ideas and whether the adoption is right is judged according to the EUs identity, norms and values collectively. Social learning models rests of the facts that: a state accepts EU rules on persuasion of the feasibility of the EU rules. The factors that depend on the EU persuasive power are: resonance, legitimacy and identity. The standard of the EU rules, the process of framing rules and the system of transfer of such rules is what legitimacy refers to. Hence the legitimacy of the EU rules depends on the chances of the rules being adopted, the formality of the norms, whether member states come within it, the rule transfer methods are in accordance to standard deliberations and if these rules of EU are shared by organizations throughout the world. In case of identity, rules are accepted more if the target society and state is identified with EU community. Lastly, for resonance, the rules will be more accepted if there are less of conflicting domestic rules or are illegitimate and if the rules of EU tie up with the already present domestic rules.<sup>466</sup>

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<sup>466</sup> *Ibid.*, pp.675-676.

The lesson-drawing model addresses the question: Under what circumstances and to what extent can a program that is effective in one place transfer to another<sup>467</sup> and offers opportunities for non-member states to adopt the EU rules without any incentives or persuasion of EU. This is a sort of expression of domestic dissatisfaction in relation to status-quo. Those who frame the policies consider if the rules that being followed in other places can be effectively used or transferred in the domestic field. The most important aim of the lesson-drawing model is: If the rules can effectively solve domestic problems, the state adopts the EU rules. The state conditions on which the state draws lessons from rules of EU are: the state has to (i) search for the rules that are used abroad; (ii) the search has to be directed towards EU political system; (iii) ascertain whether the rules are appropriate for domestic implementation or not. The factors are however dependent on 4 other factors like rule transferability; veto players; dissatisfaction of the policies and epistemic communities that are EU-centered.<sup>468</sup>

A vast policy of European environment has been developed during the previous four decades. For the protection of Europe's environment and health of citizens of Europe the EU member states have offered numerous regulations and directives. Sometimes, the welfare of the third states is also taken into account. In the European treaties, there was neither any policy of protecting Europe's environment on a legal basis, nor of the third states. It was indeed necessary to take measures while balancing economic development and preventing negative effects harming the environment as well as health of humans, and also make sure that there is proper functioning through harmonization of the general market especially in those member states that are more progressive and are adopting measures to safeguard environment. On 1st July 1987, the Single European Act was enforced where an

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<sup>467</sup> Richard Rose, "What is Lesson-Drawing?", *Journal of Public Policy*, Vol.11, No.1, January 1991, p.1.

<sup>468</sup> Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe", in *Journal of European Public Policy*, Vol.11, No.4, August 2004, p.676.

environmental treaty was inserted in the European Economic Community Treaty. One of the rules stated that the community shall take note of the social and economic development of the community entirely and the total development of the regions before preparing any measures for the environment. However, there were no explicit features for environment care in the EEC for the non-member states. The Treaty however explained that the Community was allowed to work in cooperation with third countries and other organizations of international relevance and also make international agreements with the third parties.<sup>469</sup>

The Lisbon Treaty in its last amendment assigned EU institutions with a serious role of taking care and preserving and also improving the standard of the environment not only within the EU but also on a worldwide basis. According to the Article 3 (5) TEU explains that EU shall work for the sustainable development of the earth in relation to its connection to the wide world.<sup>470</sup> This provision has been clearly indicated the field of EU is not limited within Europe. Article 21 (2) (e) TEU has taken up these ideas and stipulates that the Union shall take care of the economic, social and environmental for sustainable development for developing countries in its actions in the external states. The main will be to do away with poverty. It shall also lend out its hands to bring along international changes to protect and enhance the environmental quality and manage the sustainable natural resources so that there is steady development (Art. 21(2) (f) TEU).<sup>471</sup> Article 208 of the Treaty on the Functioning of the Union has stated that the main aim of EU is removal of poverty. The three articles on EU regarding environmental policy, Articles 191 TFEU also is explicit on the EUs policy of promoting measures on

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<sup>469</sup> Wybe Th. Douma, Steffen Van der Velde, "Introduction: The European Union as A Global Sustainable Deveopment Role Model?", in Wybe Th. Douma, Steffen Van der Velde (eds.), *EU Environmental Norms and third Countries: The EU as a Global Role Model?*, Centre For The Law of EU External Relations, Cleer Working Paper 5, 2013, p.9.

<sup>470</sup> ---, "Consolidated Version of the Treaty on European Union", Official Journal of the European Union", 26.10.2012, p.17.

<sup>471</sup> *Ibid.*, p.29.

protection, preservation and other environmental problems as well as fighting climate changes at an international level and will not be restricted within EU.<sup>472</sup> The request for protection at a higher level is not also restricted to EU's own territory only as given in the Article 191(2) nor TFEU prevention and precaution, changes for rectification caused by damages and the "polluter-pays-principle which is limited within the boundaries of EU by application."<sup>473</sup>

The third countries willingly adhere to the regulations of the European Union and accept its leadership and introduce its own legislation that sets up environmental norms that are similar to the high standards of EU. This shows that globalization of the environmental policies does not lead to any competition. There are certain areas where some political organizations set up high standards that are followed by others too. It is not only the nation states play important roles in forming regulations but also the sub-national entities are fully involved. In the past years, there has been a record of high environmental regulations set up by European Union through Regulations and Directives that have found their way to other countries of the world. The 2002 Directive is one example of the restrictions imposed on hazardous substances in electronics and electrical gadgets (RoHS), which made other countries like South Korea, California, China and others to implement same policies. Australia and New Zealand, are currently considering the introduction of a similar policy. Another example is the 2002 Directive on waste electrical and electronic equipment (WEEE), which spread to countries such as Canada, the US, China and South Korea. The third example is the cooperation between the European Union and Australia on the emission trading system. The Australian Minister for Climate Change and Energy Efficiency, the Hon Greg Combet MP, and the

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<sup>472</sup> ---, "Consolidated Version of the Treaty on the Functioning of the European Union", Official Journal of the European Union, 09.05.2008, p.132.

<sup>473</sup> Ludwig Krämer, "Exporting EU environmental product standards to third countries" in Wybe Th. Douma, Steffen Van der Velde (eds.), *EU Environmental Norms and third Countries: The EU as a Global Role Model?*, Centre For The Law of EU External Relations, Cleer Working Paper 5, 2013, p.19.

European Commissioner for Climate Action, Ms Connie Hedegaard announced today that Australia and Europe would be linking their emissions trading systems. According to Greg Combet, linking the Australian and European Union systems reaffirms that carbon markets are the prime vehicle for tackling climate change and the most efficient means of achieving emissions reductions. To facilitate linking, the Australian Government will make two changes to the design of the Australian carbon price. The first change is that the price floor will not be implemented. The second one is that a new sub-limit will apply to the use of eligible Kyoto units. While liable entities in Australia will still be able to meet up to 50 per cent of their liabilities through purchasing eligible international units, only 12.5 per cent of their liabilities will be able to be met by Kyoto units. In recognition of these changes and while formal negotiations proceed towards a full two-way link, an interim link will be established, whereby Australian businesses will be able to use EU allowances to help meet liabilities under the Australian emissions trading scheme from 1 July 2015 until a full link is established, i.e. no later than 1 July 2018.<sup>474</sup> And also, Australia, released one of the most CO<sub>2</sub> emissions per capita in the world, placed carbon tax of 19.08 Euro per tonne. It applied the tax to 300 companies most responsible for pollution.<sup>475</sup>

There is the fourth deal in which China has decided to reduce carbon-dioxide emission by cooperating with the European Union through various projects and also in the development of emission trading plans of China as revealed by the European Commission. There have been random clashes between China and the European Union regarding climate policy in which Beijing acted against EU law and forced all the airlines that used European airports to make payments for emissions under

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<sup>474</sup> Media Release, “Australia and European Commission agree on pathway towards fully linking emissions trading systems”, Australian Government Department of the Environment, 28 August 2012, Available at <http://www.climatechange.gov.au/ministers/hon-greg-combet-am-mp/media-release/australia-and-european-commission-agree-pathway>, Accessed on 27.01.2015

<sup>475</sup> ---, “Avustralya AB'nin emisyon ticaret sistemine katılıyor”, Available at <http://www.euractiv.com.tr/cevre/article/avustralya-abnin-emisyon-ticaret-sistemine-katiliyor-025945>, Accessed on 07.02.2014.

the EU's Emission Trading Scheme (ETS). The two sides had arranged an EU-China summit in Brussels while maintaining bad behavior with each other. A Commission announced that Andris Piebalgs, EU Development Commissioner and Chinese commerce minister Chen Deming signed a financial deal to promote low-carbon economy and minimizing greenhouse gas emissions in China. The Commission also wishes to join other schemes of emissions in order to boost its ETS, and hence the carbon price has fallen down to induce green investments. By 2018, it will link its ETS with the scheme of Australia. Connie Hedegaard, EU Climate balb is of the opinion that the Chinese deal was one great step forward to build up a strong carbon market internationally through cooperation. She also that it is greater still when today China makes efforts to use carbon markets in order to lessen good amount of emission costs and emphasize low-carbon technologies. Piebag also said that the Union of Europe has great experience in dealing with climate change and is ready to share it with China. However, according to analysts this is a not a big step for globalization of carbon market and can lead to arguments that Europe is unable to deal with climate change unless the greatest markets take steps to go forward. Sam Van Den Plas, who is the policy officer at WWF, the environmental campaigning group opined that Europe must take steps to make other developers avoid mistakes like allowing many developers to pollute. Since it is an ongoing process, Europe has the greatest advantage as a first-mover. This system is very useful as it is shared with other countries and in future it can be linked to other schemes.

The amount that the European Union has decided to contribute is 25 million euros as well as technical aid to three projects for a term of four years to reduce carbon pollution. Besides assisting with the designing and introduction of the trading schemes of emission in China, the other projects will help the cities of China to be efficient in the resources and reduce heavy-metal and water pollution and enforce policies on sustainable waste treatment. However, the basics of China's trading schemes are far behind the aviation emissions inclusion stage. There has risen great criticisms in the international field and threats of trade war are also suspected due to



EUs measures of including aviation in the Emission Trading Scheme. The USA is trying to block legislation that would give shelter to its airlines from agreeing with EU law, in spite of its unwilling compliance so far. On the other hand, India and China have not submitted their data within the deadline. Everybody is expecting the UN's International Civil Aviation Organization (ICAO) to think about other measures to stop airline emission for the entire world which according to EU would help them to reduce their needs. The International Kyoto system that is framed to cut down greenhouse gas emissions has not included aviation in its system and it is for this reason the progress is slow. It is trying to increase the scope and lifespan of Kyoto Protocol. The European Union tried to come to a tentative decision in the climate change talks last year in Durban, and brought all emitters and included China also as an upcoming nation, that had been left out before.<sup>476</sup>

The participating countries however did follow the EU legislation word-to-word but implemented some of the main elements of the EU laws. These are some of the instances of the various incidents that took place where the other political entities voluntarily implemented regulations and set high standards of environmental norms that were previously implemented by EU. In such cases no formal negotiation or any sort of coercion was found. It is clear that the voluntary use of high standards of environment shows a clear and different way in which the EU influences and governs the global environment. The EU has come out as the important player in the policy of global environment. This policy has become an important example of the competence of the Union in 1990. The 1986 Single European Act began to play a vital role in the protection of the environment at the European level. EU competences and ability to regulate expanded all the more with the Maastricht (1992) and Amsterdam (1997) Treatises. The policy regarding environment became very important in the EU policy area with both internal and external implications. Due to its importance and increase in the capacity of regulating norms, EU became

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<sup>476</sup> Barbara Lewis, "China's Greenhouse Gas Emissions To Be Cut In Deal With EU", Available at [http://www.huffingtonpost.com/2012/09/20/china-greenhouse-gas-emissions\\_n\\_1899460.html?view=print&comm\\_ref=false](http://www.huffingtonpost.com/2012/09/20/china-greenhouse-gas-emissions_n_1899460.html?view=print&comm_ref=false), Accessed on 07.02.2014.

more involved in environmental affairs in the international level and occupied a good position. There are three important ways by which EU influences the global environmental policies: Use of conditionality and coercion; international negotiations and voluntary merging of the high environmental standards of EU.<sup>477</sup>

### **6.3.3.The Third Way: The diffusion of high legislative standards and policies of EU**

The diffusion of high legislative levels of EU is the third way. The EU has the ability to influence and change the environmental policies. Previously, EU took up various laws to introduce high environmental requirements which changed various policies and spread to countries beyond Europe. The three methods of changing and implementing the policies complemented and interacted with each other. Some of the links are however stronger than others. However, coercive methods can help in the international negotiation methods by offering either incentives or forcing countries to join in the international agreement. If there is absence of international regime, diffusion of EU policies of environment can be carried out in other countries and can play a major part in the run-up as well as combining complex and difficult negotiations of international level. Diffusion can take place faster than the processes of negotiations and can even create facts that would enable to find consensus. If the agreements are done on an international level, they can make them more legitimate especially in instances where the policies are diffused to more countries. If the international agreements are formally made, they can make the situations more acceptable and socialization of countries and information exchange methods can create a diffusion of policy. Coercive measures too can support policy diffusion in the environmental policy issues.<sup>478</sup>

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<sup>477</sup> Katja Biedenkopf, "The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?", Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014, pp.1-2.

<sup>478</sup> *Ibid.*, pp.2-3.

It appears that if EU is at the head of the regulatory policies, it can solve problems related to global environment. It has the strength to contribute a lot to this effect. Legislation diffusion as well as policy is not a normal process. The high standards of environment set by unilateral legislation do not make it obvious that other countries will accept it. If the mechanisms and the driving forces that help in the diffusion process help to change and enhance its contribution and make it stronger. If the policy diffusion, which is complex in nature is systematically explored then governing the policies globally is feasible to some extent. There is no use of the term “policy diffusion” as such. This concept can be defined that the idea that the policy choices made in a given place and time are influenced by the policy choices made elsewhere.<sup>479</sup> Some authors use the terms in a different way. According to them, it is a process that is decentralized and consists of certain independent policy implementations that has begun in established political entity and is therefore not a legal obligation but enforced on the basis of coercive pressure or international agreements. However, some authors use the terms to denote various methods of spreading the policies that brings about international harmony and coercion. But the diffusion can be designed according to the legislation. For example, it can use the policy in different way by making it voluntary, etc change the technical requirements accordingly and use them as desired. In many states however, the level of environment protection policy is raised to the standard of the pioneer country and the link can be clearly shown. However, the diffusion does not imply convergence in his assessments of the impact of regulations. It is possible for the pioneer country to implement even higher measures for environment protection. The third country can also work similarly for competition sake in its own industries. The source of policy diffusion is the EU. The Directives of 2002 and 2006 of banning the use of electronic and electrical hazardous equipments, waste products of the same and the 2000 Directives regarding End-of Life Vehicles and that of 2006

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<sup>479</sup> Fabrizio Gilardi, “What is policy diffusion and why should we care?”, 18 October 2010, Available at <https://poliscizurich.wordpress.com/2010/10/18/what-is-policy-diffusion-and-why-should-we-care/> , Accessed on 25.02.2015.

on waste batteries and their accumulators have been implemented in other countries. Authors show many types of methods and casual mechanisms that are employed when diffusing policies from one pioneer country to some other or a group of political entities in their analysis process. Some writers however lay stress on communication and learning and regulatory interdependence as a specific point of focus. While others discuss it on a larger context covering symbolic emulation to economic interdependence. In a compact way, it can be said that policy diffusion has two major categories: socialization at the international level and transnational communication; regulatory competition and interdependence economically. These broad categories can be sub-divided into sub-categories.<sup>480</sup> The first major category is divided into distinct divisions like learning and emulation that is a result of international level integration. The first sub-division is based on rationalist thinking that states will pursue all policies in the interest of their own states. The second sub-division is based on assumptions based on constructivist theory. It states that the state is covered by the international policies and regulations that influence the authorities on the domestic field. These two sub-divisions are parallel to the logic of actions. March and Olsen provide a distinct division of logics namely 'logic of appropriateness' and 'logic of consequences'.<sup>481</sup> Both the parties can work either independently or together in the implementation of the policies. Many states encounter same problems in matters of the environment. It is because there are differences in domestic and industrial development and lifestyle and trends of consumptions. Countries that face such problems can resort to the learning process from other states to solve their problems efficiently. They can also gather fruitful experiences from other states. It is easier to learn from past experiences of other countries than starting something new that has no solid evidence of success. Hence learning from efficient political countries that have limited sources is better option.

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<sup>480</sup> Katja Biedenkopf, "The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?", Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014, pp.4-5.

<sup>481</sup> James G. March and Johan P. Olsen, "The Logic of Appropriateness" ,Arena Center for European Studies, Working Paper, University of Oslo, 2004.

One can even gather proficient information and studies about the policies that are to be implemented. Delegates can also be sent to advanced countries to know clearly about certain policies. While searching for such solutions, countries can also gather knowledge about the second sub-category i.e policy emulation based on international socialization. It is taken for granted that due to increase in liberalization of trade and globalization, countries often participate in international meets and communicate with international communities. Through socialization, ideas and experiences can be exchanged and the international goals can be transmitted to a higher channel for maximum benefit of the countries in reducing pollution. If the countries come within the international community, the political entities can take measures to implement policies on an international level that will be feasible for all states. The states can be recognized as legitimate members of the international society. If a policy formulated by a pioneer country is accepted and implemented by other countries, the decision makers will then think about considering the trends and implement them in the policies. With the increase in the introduction of policies, the more will be the acceptance of those policies in the international and domestic level will be possible. A dynamic policy can be adopted that will make other countries also willingly adopt those policies and become a legitimate member of a global society that is responsible and cares for the environment and is not a laggard. Moreover, with the inception of the policies by many countries the possibilities of the policies being inefficient or uncertain is lesser. By emulating policies of another political entity, new domestic policies can be made legitimate. The decision-makers too can justify their measures if the other countries' activities are fruitful. Thus, the pioneer country will be responsible for implementing policy diffusion. It can advocate new approaches to other states and also other organizations. By introducing a policy for the first time, the pioneer country can enjoy certain advantages. It can implement its own policies and encourage other states to do so according to their requirements. Being the first, pioneers can also avoid political and economic disadvantages later and other adjustment expenses if other countries formulate policies that are not in tune to the pioneer countries' national pattern or traditions. Pioneers have the ability to steer

the direction of the policy development at an international level. The example of EU is the best that promotes its ideas and regulations through transfer of know-how and providing finances even for the third countries and keeping both a formal and an informal contact with many of the third countries and other international organizations.<sup>482</sup>

The second method that is very distinct and is a good for policy diffusion is interdependence through regulatory measures among the political entities. Thus, interdependence increases and state boundaries become less rigid. International trade and economic globalization thus link the markets to each other and connect to all national, sub-national and supra-national states and their policies to the other decisions of political entities. Decisions taken at one place can affect decisions at another place. Such regulatory competition gives more advantages to the state that moves first. Often, technological solutions like the use of new methods and efficient machines are linked with environmental policy. It is believed by the so-called Porter hypothesis which means that strict environmental regulations can induce efficiency and encourage innovations that help improve commercial competitiveness.<sup>483</sup> According to this hypothesis, the standard of environmental policies help to improve competitiveness of industries. By developing new technological solutions the companies enjoy great competitive advantage by competing with these high standards on the one side and when the new solutions are recognized internationally, they can be exported by the innovative companies. On the other side, new environmental policies will reduce waste and emissions and other efficient methods will be adopted for production. This can reduce expenses of the industries. Most national policy makers take care to retain the competitiveness of their domestic industry. They can strive to compete with the international industry as well. This will act as an incentive for domestic industry to maintain the

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<sup>482</sup> Katja Biedenkopf ,*op. cit.*, pp.7-8.

<sup>483</sup> ---, "Porter Hypothesis", Available at [http://www.go-green.ae/greenstory\\_view.php?storyid=314](http://www.go-green.ae/greenstory_view.php?storyid=314), Accessed on 12.01.2015.

regulations of standard set up by international policy makers. It is not necessary to make it a legislative measure but improving awareness and voluntarily complying with the norms work better. Business can also take other means like giving pressure on national governments to maintain the standards so that they do not fall out of the competition. In order to maintain a higher environmental standard the domestic producers would try their level best to maintain and if required to change the production to meet higher standard levels. In the global sectors, this method will be more relevant as they are linked to supply chain and more so as the pioneer has a good market for the service or product for which the standards are set. When the products are manufactured outside the political entity's market, the legislation will surely take measures to affect production in the third countries.<sup>484</sup>

#### **6.4.Concluding Remarks**

This chapter focused on the influence of the EU on global environmental policy and actors' environmental policies in three ways. These are 'the impact of the EU's normative structure,' 'economic and political conditionality, threats and incentives,' and ' the diffusion of the EU's high legislative standards'.

Next chapter will analyze that while the dissertation aims to explain the differences in behavior between the EU and other actors in the climate change negotiations through focusing on three concepts called 'logic of action', 'supranational decision-making mechanism' and 'the EU's concern of spreading its standards' in a theoretical basis, this chapter will enable the reader to better understand the reflections in practice of the theoretical difference in the positions of actors in international climate change negotiations. Another objective of this chapter is to show the EU's different position in the negotiation process, comparing it with the postures of great emitters such as China, USA, Russia, and India. In evaluating

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<sup>484</sup> Katja Biedenkopf, "The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?", Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014., pp.8-9.

policies, actions and practices during negotiations, the UNFCCC process will be considered as a framework of analysis. Within this context, this chapter will first focus on different groupings in the climate change negotiations.



## **CHAPTER 7**

### **Different Positions of Great Emitting Countries in International Climate Change Arrangements within the framework of UNFCCC Process**

#### **7.1. Introduction**

In climate change negotiations, countries act like a chess player who is trying to make moves that will bring the most profitable position. In Kyoto Protocol under UNFCCC, parties are comprised of about 40 developed countries in Annex I. States in Annex I pledged to reduce their greenhouse gas emissions between 2008-2012 based on 1990 data entries. Although the US signed the Kyoto Protocol in 1997, she has refused to ratify the Protocol. The reason for the US refusal is the lack of binding commitments in the Protocol for developing countries in general, and for China in particular. The US withdrawal from the Kyoto Protocol process has led the countries such as Russian Federation and Japan to suggest methods based on the principles of flexibility and voluntariness for the post-2012 period.

Yet, there is another group. Countries in this group either have not signed the protocol yet or do not have binding commitments. Countries separated from the Soviet Union and Croatia, ceased from Yugoslavia, are within in this group. These countries have also tried to impose regulations that will benefit them. For example, Kazakhstan has sought to impose the year 1992 as the starting year instead of 1990 when Kazakhstan was a part of the Soviet Union before its independence. On the contrary, Croatia defended that its share of CO<sub>2</sub> Emissions were very low, because of the fact that Croatia was a part of the Yugoslavia in the year 1990 as the starting year. Therefore, Croatia wants its own amount of CO<sub>2</sub> emission right to be increased. Apart from that, high emission rate of Belarus caused by dirty industry in Soviet period has decreased in post-communist era. In this case, priority of Belarus in negotiations is to sell the difference between the levels of emissions in carbon

market that are set in the Kyoto Protocol. Besides all these moves, in general, the main goals are to have the US involved in climate change negotiation process again and to reach a comprehensive agreement.<sup>485</sup>

Within this context, while the dissertation aims to explain differences of behavior between EU and other actors in the climate change negotiations through focusing on three elements called “logic of action”, “supranational decision-making mechanism” and “its concern of spreading the EU standards” in theoretical basis, this chapter of the dissertation will serve to understand the reflections of the theoretical difference in practice in the positions of actors in international climate change negotiations. In this sense, this chapter, first of all, will focus on different groupings in the negotiations. Then, positions and movements of the groups in the negotiations will be described in three sections. Finally, in concluding remarks part of the chapter, a brief analysis on positions of the actors in negotiations and the stance of the European Union climate moves will be carried out.

## **7.2. Groupings and Actors in International Climate Change Negotiations**

In accordance with the United Nations tradition, Parties are arranged in five regional groups. These region-based groups are African states, Asian States, Eastern European States, Latin America and the Caribbean States and Western European and Other states. However, beyond the regional groups, substantive interests of Parties and several other groupings are more important for climate change. The major groupings can be categorized as ‘Group of 77 and China’ (G-77 and China), ‘Alliance of Small Island States’ (AOSIS), ‘Least Developed Countries’ (LDC),

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<sup>485</sup> Cevat Tansuğ Ok, “İklim Değişikliği Müzakerelerinde İdealist Bir Yaklaşım mı Sergilenmektedir?”, Uluslararası Ekonomik Sorunlar Dergisi, Sayı XXIV, Available at [http://www.mfa.gov.tr/iklim-degisikligi-muzakerelerinde-idealist-bir-yaklasim-mi-sergilenmektedir\\_-tr.mfa](http://www.mfa.gov.tr/iklim-degisikligi-muzakerelerinde-idealist-bir-yaklasim-mi-sergilenmektedir_-tr.mfa) Accessed on 13.10.2014, Accessed on 25.02.2015.

‘the European Union’ (EU), ‘the Umbrella Group’, ‘Environmental Integrity Group’ (EIG), and other groups.<sup>486</sup>

In order to form common negotiating positions, **developing countries** mainly operate through the G-77 which was established in 1964 in the context of the UN Conference on Trade and Development (UNCTAD) and now operates within the UN system. G-77 is composed of 134 countries as of May 2014. The chairmanship of G-77, the headquarters of which is located in New York, is subject to annual rotation. The country which assumes the chairmanship of the G-77 generally represents G-77 and China as a whole. On the other hand, when the climate change issues are concerned, the G-77 and China have differing interests, and this causes individual developing countries as well as the groups within the G-77 (e.g. the African States, the Small Island Developing States and the group of Least Developed Countries) to take part in the debates. The group *generally* uses the historical responsibility and ethical perspective as an argument. **The Small Island Developing States (SIDS)** consists of some 40 low-lying islands located in The Caribbean Sea, and the Atlantic, Indian and Pacific Oceans, and most of these states are members of the G-77. Being exposed to sea-level rise, SIDS countries form a joint common front against the threat deriving from climate change endangering their survival. Therefore, they usually assume a common position in negotiations. It was the SIDS countries which were first to offer a draft text during the negotiations of Kyoto Protocol demanding 20% cut in carbon dioxide emissions from 1990 levels by 2005. The UN identifies 48 countries as the **Least Developed Countries (LDCs)** which frequently cooperate with the wider UN system. Having turned out to be more and more active in the process of climate change, LDCs are in close cooperation for ensuring the protection of their particular interests, such as the ones related to vulnerability and adaptation to climate change. LDCs Group used to contain 49, but when Samoa graduated from the LDCs in 2014, the number of the LDCs reduced to 48. In order to concur with common negotiating positions, the 28

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<sup>486</sup> ---, “Who’s who: Groupings and actors”, Available at [http://unfccc.int/essential\\_background/convention/items/6343.php](http://unfccc.int/essential_background/convention/items/6343.php), Accessed on 30.12.2014.

members of **the European Union (EU)** gather in confidential meetings. The country which assumes the EU Presidency - a position that changes in accordance with six months' rotation— represents the Union and its members. The EU, which is a regional economic integration organization, is a Party to the Convention. However, it should be noted that the EU does not have a separate vote from its members. After the adoption of the Kyoto Protocol, a new group called **The Umbrella Group** is created. It is composed of non-EU developed countries and can be considered as a loose coalition. Lacking formalization under a list, the Group usually contains Australia, Canada, Japan, New Zealand, Kazakhstan, Norway, the Russian Federation, Ukraine and the US. **The Environmental Integrity Group (EIG)** is established in 2000, and includes Mexico, Liechtenstein, Monaco, the Republic of Korea and Switzerland. There are **several other groups** which collaborate in the climate change process. An example of it can be the Organization of Petroleum Exporting Countries (OPEC), which work together with the purpose of slowing down the transition to clean energy in the Kyoto Protocol process since their economy is based on oil. A group of countries of Central Asia; Caucasus, Albania and Moldova (CACAM); the Cartagena Dialogue; and the Independent Alliance of Latin America and the Caribbean (AILAC) constitute other examples for the **other groups** in the climate change process.<sup>487</sup>

Within this context, one can ask the question how it could be possible to get a tangible result from a negotiation process which involves 180 countries. Actually, the answer lies in the fact that that these countries do not act individually, but operate in blocs. For instance, the developing countries work together in formulating a common position under the so-called 'Group of 77 and China' in every UN negotiation process. Therefore, since the group is made up of 134 countries, including China, their joint position regarding any issue is of great influence. However, the group is not capable of composing common positions on

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<sup>487</sup> ---, "Party Groupings", Available at [http://unfccc.int/parties\\_and\\_observers/parties/negotiating\\_groups/items/2714.php](http://unfccc.int/parties_and_observers/parties/negotiating_groups/items/2714.php), Accessed on 30.12.2014.

all issues for the reason that it is very large and comprises countries with interests largely differing. Owing to the collective articulation of a common stance in the international climate negotiations by the G-77 countries, China acts accordingly, rarely diverging from the group position. China's views on the international climate regime have lately been influenced by the financial incentives for emissions reductions offered by the Clean Development Mechanism (CDM) of the Kyoto Protocol.<sup>488</sup>

Regardless of the increasing economic distinctions and differing interests of climate policy within the developing world, since the beginning, the developing-country solidarity has been utilized as a strategy for affecting climate change negotiations. Developing countries are conscious of their limited influence if they acted individually. Hence, they tried to establish their common positions within the framework of the G-77, which can, without doubt, be regarded as the largest intergovernmental organization of the developing states in the UN. Under the UN system, the G-77 endows its members with the capacity to develop collective economic interests and improve their joint negotiating capacity regarding any issue. Unlike other developing states within the G-77, China did not have any problems in terms of acting alone within the UN system since it was exempt from having limited capability of exerting influence on the negotiation processes. However, China has chosen to act in concert and identify its stance with that of the G-77 so that it could protect itself from isolation. Actually, this is a rational consideration. China has so far taken the lead in the articulation of G-77 positions in the negotiations. In the development of a position, China guarantees that a large number of countries back Chinese position at the time it is introduced to the world. The position of the G-77 countries in terms of the climate change has been steady underlining the fact that the industrialized developed countries have to bear the responsibility of creating climate change problems and causing the great difference between per capita emissions, which still exists, between the developed and the

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<sup>488</sup> Joanna I. Lewis, "China's Strategic Priorities in International Climate Change Negotiations", in the *Washington Quarterly*, Vol.31, No.1, Winter 2007-08, pp.161-162.

developing world. Besides, they do refrain from taking the pledge of lowering their own greenhouse gas emissions<sup>489</sup> According to China and other developing countries, the commitments of the developed countries should be different from that of the developing countries, and such distinction should be made in line with the historical responsibility or per capita emissions. Furthermore, there is a need to assist developing countries in improving their capacities and capabilities to address the challenges originating from climate change by means of technology transfer or financial support from the developed world.<sup>490</sup> For the past few years, China's willingness to maintain its alliance with the G-77 has increased since its growing economic growth and increasing use of energy has fuelled its fears from being left alone. Xie Zhenhua, the vice minister of the National Development and Reform Commission (NDRC) today and the State Environmental Protection Administration (SEPA) director at that time- underlined in June 2005 that he hoped "that some countries would, according to the obligations which are provided for in the Kyoto Protocol, implement in a substantive way their obligations and take up their commitments" and then he went on by saying "on the Chinese side, the Chinese government would make its own decision after making some assessments of the implementation by other countries."<sup>491</sup> Xie's expression of views meant that China was waiting to see if the developed countries would fulfill their UNFCCC obligations to lead them in taking on mitigation commitments. By stating that developed countries should "continue to take the lead in reducing emissions after 2012"<sup>492</sup>, Chinese Foreign Minister of that time, Yang Jiechi seemed to have strengthened the position of China emphasized by Xie.

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<sup>489</sup> *Ibid.*, p.162.

<sup>490</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", in FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.33.

<sup>491</sup> Quoted in Joanna I. Lewis, "China's Strategic Priorities in International Climate Change Negotiations", in the Washington Quarterly, Vol.31, No.1, Winter 2007-08, p.162.

<sup>492</sup> Quoted in Joanna I. Lewis, "China's Strategic Priorities in International Climate Change Negotiations", in the Washington Quarterly, Vol.31, No.1, Winter 2007-08, p.162.

By this way, the so-called ‘regional groups’ turn out to be significant for the Climate Change Convention negotiations. They are Africa, (developing) Asia, Latin America (including Central America and the Caribbean), Eastern Europe, and the Western Europe and Other Countries Group (USA, Japan, Australia, New Zealand, and Western Europe). “These groups are proposing candidates for official functions in the Convention (on a rotational basis) and coordinate positions (except for the Eastern Europe and WEOG groups because they coordinate in different subgroups).”<sup>493</sup> Beyond these regional groups, when coordinating positions is concerned, there comes into play OPEC, the EU, the SIDS, the Umbrella Group, and the EIG. In fact, these latter groups together with the G-77/China and SIDS are the ones that take part in the negotiating process in practice. Therefore, the number of the actors is decreased to a reasonable number enabling the negotiation process to achieve results. Moreover, the most important players in the process are brought together for achieving a compromise with the help of the ‘friends of the chair’s groups’ on an important piece of negotiation. The in-group coordination and efficiency of the negotiation process for particular issues is regulated through the ‘lead countries’ in different groups. For the time being, most of the negotiations are realized via the ‘contact groups’ and open meetings in which the lead countries together with the other interested countries strive for compromise. Provided that there is a need for private discussions, ‘informal meetings’ (for negotiators only) are occasionally utilized for complementing aforementioned processes. The available means and tools are also be accompanied by bilateral and other *ad hoc* off line discussions, occasionally at the level of Ministers or Heads of State. This does not rule out the complexity of the negotiation process. Actually, many issues needs to be tackled with and a lot of discussions take place in parallel and thereafter examined are the cross-links. Things which have not been properly coordinated may appear, countries may turn out to oppose a previously coordinated and agreed

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<sup>493</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, pp.323-324.

position, and NGOs may attempt to exert pressure on the negotiations via lobbying and issuing speculations.<sup>494</sup>

Apart from the position of G-77/ China, BASICs, as one of the main groups in negotiation process, have increasingly been pressed to accept mitigation commitments on the same basis as developed country mitigation commitments by the US and other developed countries. US climate envoy Todd Stern, after the Durban Summit, emphasized that the “key element” of a new deal would be “to include all the major players in the same legal system kind of together”.<sup>495</sup>

The BASIC diplomacy has, thus, aimed at maintaining the long-standing UNFCCC distinction between the developing (encompassing major emerging economies) and developed countries. The essential part of this effort has been the BASICs’ firm stance on a second Kyoto Protocol commitment period. The developed countries have concurred with the idea of being restricted by the second Kyoto period comprising some fifteen percent of global emissions whereas Kyoto “tangibly implements the [BASIC] group’s interpretation of the principle of differentiated responsibilities”<sup>496</sup>.

In general, the BASICs have placed themselves in a position of sustaining the principles and intent of the Convention. Their primary intention is to ensure that making a proportionately larger contribution in coping with climate change remains the responsibility of the developed countries. For instance, Brazilian climate envoy Andre Correa do Lago expressed before the Doha conference:

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<sup>494</sup> *Ibid.*, pp.323-324.

<sup>495</sup> Quoted in Alex Morales, ‘China rules out new climate “regime”, setting up U.S. conflict’, 21 November 2012, Available at <http://www.bloomberg.com/news/2012-11-20/china-sets-up-u-s-conflict-by-ruling-out-new-climate-regime-.html>, Accessed on 18.10.2014.

<sup>496</sup> Quoted in Karl Hallding, et al, ‘Together alone: BASIC countries and the climate change conundrum’, Nordic Council of Ministers, Stockholm Environment Institute, 2011, p.96.



Prior to the Doha conference, for example, Brazilian climate envoy Andre Correa do Lago stated: “The original idea when negotiating the climate change convention is developed nations will take the lead in reducing their emissions and in providing the resources for developing nations to change their economy that will be necessary for their efforts. This is not happening.”<sup>497</sup> When BASIC ministers were gathered in Beijing before the Doha Conference, the ministers “noted with consternation that the mitigation contribution by developing country parties is much greater than that by developed country parties who should take the lead in combating climate change. [The ministers] object to any attempt to transfer to developing countries the commitments and obligations of developed countries”<sup>498</sup>.

Within this framework, the disagreements over the developed/developing country ‘firewall’ have led to a continuing dispute in the identification of the parameters of the negotiation and the importance of the conference end results. For this reason, US envoy Todd Stern has mentioned Convention’s ‘equity’ principle as “a distraction that would tend to drive people back into the old paradigm and we didn’t want to go there”<sup>499</sup>. In a similar vein, EU climate commissioner Connie Hedegaard portrayed the post-Durban negotiations as “crossing the bridge from the old climate system to the new system”<sup>500</sup>. Yet, a joint statement of BASIC ministers recently announced:

The Durban Platform is by no means a process to negotiate a new regime, nor to renegotiate, rewrite or reinterpret the Convention and its principles and provisions. As agreed by all Parties, both the process and

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<sup>497</sup>Quoted in Alex Morales, ‘China rules out new climate “regime”, setting up U.S. conflict’, 21 November 2012, Available at <http://www.bloomberg.com/news/2012-11-20/china-sets-up-u-s-conflict-by-ruling-out-new-climate-regime-.html>, Accessed on 18.10.2014.

<sup>498</sup> Stephen Minas, “BASIC positions-Major emerging economies in the UN Climate change negotiations”, FPC Briefing, The Foreign Policy Center, June 2013, p.4.

<sup>499</sup> Quoted in Alex Morales, ‘China rules out new climate “regime”, setting up U.S. conflict’, 21 November 2012, Available at <http://www.bloomberg.com/news/2012-11-20/china-sets-up-u-s-conflict-by-ruling-out-new-climate-regime-.html>, Accessed on 18.10.2014.

<sup>500</sup> Earth Negotiations Bulletin, Vol. 12, No. 567, 11 December 2012, p 28.

the outcome of the Durban Platform are under the Convention, in accordance with all its principles and provisions, in particular the principles of equity and common but differentiated responsibilities and respective capabilities.<sup>501</sup>

Apparently, the BASICs have undertaken significant voluntary mitigation commitments. According to Hurrell and Sengupta, these commitments are indicator of “greater implicit acceptance on [the BASICs’] part that their ‘emergence’ as key powers in the international system, their growing emissions, and their growing ‘respective capabilities’ have also given them a commensurately greater responsibility”<sup>502</sup>. Nonetheless, these commitments’ being are voluntary is itself a demonstration of the CBDR (common but differentiated responsibilities) principle.

Considering the above-mentioned groupings in international climate change negotiations, the following part of the chapter aims to discuss the positions of groups and actors in the negotiations. The discussion will be analyzed in three periods. These stages are ‘The First Stage (1991-1994): UNFCCC period’, ‘The Second Stage (1997-2005): Kyoto Protocol Period’, and ‘The Third stage (1996-Present ): Post-Kyoto Period’.

### **7.3. Positions of Groupings and Actors in International Climate Change Negotiations**

#### **7.3.1. The First Stage (1991-1994): UNFCCC Period:**

The main developments in this period can be underlined as Earth Summit (UNCED) and The United Nations Framework Convention on Climate Change (UNFCCC). United Nations Conference on Environment and Development

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<sup>501</sup> Quoted in Stephen Minas, “BASIC positions-Major emerging economies in the UN Climate change negotiations”, FPC Briefing, The Foreign Policy Center, June 2013, p.4.

<sup>502</sup> Quoted in Stephen Minas, “BASIC positions-Major emerging economies in the UN Climate change negotiations”, FPC Briefing, The Foreign Policy Center, June 2013, p.4.

(UNCED), which is widely known as the "Earth Summit", was held in Rio de Janeiro, Brazil in 1992. The Earth Summit coincided with the twentieth anniversary of the United Nations Conference on the Human Environment, which convened in Stockholm, Sweden in 1972. Actually, it is fair to say that the Stockholm Conference was an indication of the beginning of environmental awareness in the international community, because at the time the conference was held, the environmental movement was quite new. It was predominantly the industrialized states that acknowledged environmental problems, which were recognized as the by-products of industrialization encompassing air and water pollution. At that time, the United States was the leading country in environmental affairs, but even in the United States the institutionalization of the environmental concerns did not take place before 1970 when the Environmental Protection Agency (EPA) was established. By the 1970s, there were no formal platforms to discuss environmental issues at the international arena, and the attempts in terms of developing tools were limited to the treaties which tackled with the shared natural resources (e.g. Antarctica or high seas). In this respect, the role Stockholm Conference played in elevating the environmental concerns to the global level is of immense significance. It is via the Stockholm Conference that environmental problems brought into the international agenda and the range of actions that could be taken by the international community was started being discussed. Additionally, the Stockholm Declaration, itself was the most important outcome of the conference, particularly from the international legal point of view.<sup>503</sup> In this context, UN Resolution 44/228 in December 1989 paved the way for Rio, but the Preparatory Committee (Prep-Com) first met in August 1990. After three Prep-Com meetings, delegates eventually gathered together to finalize the technical portions of Agenda 21 and other political tools at the fourth Prep-Com meeting in New York, because they were anticipated to be signed in Rio de Janeiro. The Rio Conference was composed of two main parts: the Plenary and its subsidiary body, the Main Committee, which

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<sup>503</sup> Shanna L. Halpern, "The United Nations Conference on Environment and Development: Process and Documentation", Providence, RI: Academic Council for United Nations Systems, 1992, Available at <http://www.ciesin.org/docs/008-585/unced-intro.html>, Accessed on 05.01.2015.

was authorized to complete the products of the UNCED including Agenda 21, the Statement on Forest Principles and the Rio Declaration on Environment and Development.<sup>504</sup> Though the negotiated positions of the 154 participating governments at UNCED are well documented in the five major agreements, the positions of individual governments are not. “The five most influential countries at UNCED might summarize their attitudes as follows: Canada, ‘do it’; United States, ‘delay it’; Germany, ‘regulate it’; Japan, ‘solve it’; and India, ‘sell it’.”<sup>505</sup> Canada’s endeavor to turn the Earth Summit into a success is worth mentioning. It was not only involved in all the discussions, but also pledged to ratify the conventions as soon as possible. As an indication of its commitment to the environment, Canada has so far implemented several initiatives. When it comes to the US position at the conference, it would not be an exaggeration to regard it as paradoxical, because the President and his delegation were frequently in conflict. By this way, they reduced the effectiveness of the Climate Change Convention and they were late in signing the Biodiversity Convention. However, at that time, the US was the leading country in environmental issues in the world for two decades. It was constantly reducing its emissions of carbon monoxide, sulphur dioxide and suspended solids. Initiatives like the *Clean Air Act Amendments* of 1990 displayed the ongoing progress of the US. Moreover, US investments in global climate change research as well as tougher pollution regulations and their imposition totaled to \$2.6 billion. Germany had its own environmental problems, the predominant of which was the pollution in the former German Democratic Republic of East Germany (GDR), the resultant of high industrialization. Germany has adopted a leading role in the development of environmental regulations founded on precautionary action and polluter-pay programs. Japan was going to be prominent in environmental technologies and the

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<sup>504</sup> ---, “A Summary of the Proceedings of the United Nations Conference on Environment and Development 3-14 June 1992”, *Earth Summit Bulletin*, Vol.2 No:13, Published by Island Press and the International Institute for Sustainable Development”, 16 June 1992.

<sup>505</sup> Stephanie Meakin, “The Rio Earth Summit: Summary of the United Nations Conference on Environment and Development”, November 1992, Available at <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp317-e.htm#B.%20Countries%28txt%29>, Accessed on 05.01.2015.

transfer of these technologies. Representing the developing nations, India convinced the conference that they are committed to gain funding for environmental protection.<sup>506</sup> The United States differed from the other industrialized countries in its approach to bold initiatives regarding environmental protection since it was worried that the environmental protection measures might hinder free market mechanisms or lead to sluggish economic growth. On the other hand, other industrialized countries were ready to make some sacrifices in terms of changing their ways of doing business in addition to supplying developing countries with funds to facilitate their execution of the agreed UNCED proposals. Among the other industrialized countries, the European Community (EC) adopted a more firm stance in comparison to Japan. During the negotiations, being unified under G-77, the developing countries underlined that the over-consumption of the industrialized countries and the worldwide poverty constituted the two most important impediments to sustainable development. Additionally, developing countries stressed the importance of increasing global inequality in reference to the debt payments of the developing countries and unjust terms of trade for their commodities. Lacking uniformity, the stance of NGOs was similar to that of the G-77, but they demanded substantial economic and social structural changes in the developing and the developed countries.<sup>507</sup>

Three inherently linked conventions came out of the “Rio Earth Summit” in 1992. They were the United Nations Framework Convention on Climate Change (UNFCCC), the UN Convention on Biological Diversity, and the Convention to Combat Desertification.<sup>508</sup> Being an international environment treaty, UNFCCC

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<sup>506</sup> *Ibid.*

<sup>507</sup> Robert Weissman, “Summit Games: Bush Busts UNCED”, Available at [http://www.multinationalmonitor.org/hyper/issues/1992/07/mm0792\\_06.html](http://www.multinationalmonitor.org/hyper/issues/1992/07/mm0792_06.html), Accessed on 05.01.2015.

<sup>508</sup> ---, “First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change” Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 06.01.2015.

was negotiated at UNCED.<sup>509</sup> However, the negotiation phases of UNFCCC dates back to the first meeting of the Intergovernmental Negotiation Committee (INC) for a Framework Convention on Climate Change, which took place in February 1991. The INC gathered five times during the period preceding the Rio Earth Summit with the purpose of completing the UNFCCC text. The issue of binding commitments to limit greenhouse gas emissions was not resolved during the negotiations owing to the opposition by the United States. Eventually, 154 countries including the US signed the UNFCCC in Rio in June 1992.<sup>510</sup>

The treaty intends to "stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system"<sup>511</sup>. The treaty is deemed to be legally non-binding since it does not specify any binding limits on greenhouse gas emissions for individual countries and lack enforcement mechanisms. "Instead, the treaty provides a framework for negotiating specific international treaties (called "protocols") that may set binding limits on greenhouse gases."<sup>512</sup> As a result of the meeting of the Intergovernmental Negotiating Committee in New York on 30 April- 9 May 1992, the text of the Framework Convention was created as a report. Then, on 9 May 1992, The UNFCCC was opened for signature.<sup>513</sup> Following the Earth Summit in Rio, six more INC meetings took place leading up to the first Conference of the Parties (COP-1) with the purpose of making the Convention ready to come into effect. In

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<sup>509</sup> ---, "UNFCCC", Available at <http://www.cop19.gov.pl/unfccc>, Accessed on 06.01.2015.

<sup>510</sup>Christian Downie, "The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations", New Horizons in Environmental Politics Series, Edward Elgar Cheltenham, UK, Northampton, MA, USA, 2014, p.8.

<sup>511</sup> ---, "First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change" Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 06.01.2015.

<sup>512</sup>---, "The UNFCCC and the Kyoto Protocol", Rough Guide, Network of Regional Governments for Sustainable Development, April 2011, p.5.

<sup>513</sup> *Ibid.*, p.5.

addition to the already present coalitions of countries, new coalitions of countries have also taken part in the negotiations of the UNFCCC. Each of these coalitions displayed coordinated positions. For negotiating their differing priorities, developing countries created different coalitions. Whilst the G-77 and China, which is composed of 134 countries, is a broad coalition, there are other coalitions of sub-groups such as the African Group, the Least Developed Countries, and the Arab Group; the Alliance of Independent Latin American and Caribbean states and 'like-minded developing country' group which included China, India, and Saudi Arabia. Additionally, the Alliance of Small Island States (AOSIS) can be counted among the other coalitions formed for affecting UNFCCC negotiations. Beginning with the early 1990s, AOSIS has been an important player in the UNFCCC negotiations. There are also different coalitions of industrialized countries such as the Umbrella Group. The Environmental Integrity Group (EIG) should be noted as the first coalition which is made up of the developed and developing countries at the same time. Along with the BASIC countries (Brazil, South Africa, India and China), there are active coalitions limited only to the climate context as the Coalition of Rainforest Nations, and coalitions which operate beyond the climate context such as *Comision Centroamericana de Ambiente y Desarrollo* and the Bolivarian Alliance for the Americas.<sup>514</sup>

After the incorporation of the issue of environmental protection into the legal competence of the European Community with the 1987 Single European Act, it can be noted that the EU has constantly proceeded to an integrated and wide-ranging approach to the management of the environment, and probably establishing the

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<sup>514</sup> Stavins R., J. Zou, T. Brewer, M. Conte Grand, M. den Elzen, M. Finus, J. Gupta, N. Höhne, M.-K. Lee, A. Michaelowa, M. Paterson, K. Ramakrishna, G. Wen, J. Wiener, and H. Winkler, 2014: International Cooperation: Agreements and Instruments. In: *Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Edenhofer, O., R. Pichs-Madruga, Y. Sokona, E. Farahani, S. Kadner, K. Seyboth, A. Adler, I. Baum, S. Brunner, P. Eickemeier, B. Kriemann, J. Savolainen, S. Schlömer, C. von Stechow, T. Zwickel and J.C. Minx (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, p.1025.

basis for a common environmental policy.<sup>515</sup> Within this context, the EU is identified as a primary advocate of international action on environment and also dedicated to encourage sustainable development all around the world. As a matter of fact, according to the EC Treaty, encouraging the formulation of international measures to cope with regional or worldwide environmental problems is a necessity. EU has been actively involved in developing and executing multilateral agreements on environment as well as other environmental negotiations and processes within the UN framework. Thus, the constructive position of the EU turned out to be pivotal for achieving progress. With its commitment to decreasing its joint carbon dioxide emissions to 1990 levels by the year 2000, the EU has become a prominent actor in UNFCCC negotiations. In response to the EU proposal, Germany, Denmark, Austria, Australia, the Netherlands, and New Zealand dedicated to reducing their emissions by 2000 or 2005. US President George Bush resisted commitments like that. In this regard, the US stance significantly differed from that of the EU in terms of binding commitments. Other than the US and the EU, industrializing countries like China, India and Brazil played an important role in the negotiations when they formed a potential veto coalition. The reason for creating such a coalition stemmed from the fact that these countries were responsible for the 21 percent of global emissions in the world. Let alone reducing, these proportion of emissions was high likely to accelerate due to the widespread use of fossil fuels in their industrialization processes, on which their economies were based.<sup>516</sup> Cooperation of such kind among the developing countries during the UNFCCC negotiations is not a rare phenomenon. The responsibilities of the developed countries are delineated from that of the developing countries even before the formal UNFCCC process. What is more, China was an active participant in the international climate negotiations since the

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<sup>515</sup> John McCormick, *Environment Policy in the European Union*, Palgrave Macmillan, New York, 2001, p.68

<sup>516</sup> Sebastian Oberthür, and Hermann E. Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999, pp.21-29.



very beginning. On the way to formulate a convention, two issues appeared to be of significance as the INC started working on the preparation of the draft of a climate change convention in 1991. The first issue was about setting specific targets and timetables for lowering emissions. The second issue was related to identifying the degree and the extent of the participation of the developing countries. In the course of the INC negotiations, China firmly resisted the proposition of target and timetable specification and instead, advocated the idea of a general framework, in which Parties are exempt from specific responsibilities. That's why China came to be known as a 'hard-liner'.<sup>517</sup> In a similar vein, developing countries accepted participating in the climate conditions provided that they would not have to make any commitments, because for them, from a historical point of view, who is responsible for the climate change was the developed countries.<sup>518</sup> That was stated in the Beijing Declaration, which came out of the Ministerial Conference of Developing Countries on Environment and Development held in China in 1991 prior to the adoption of the Framework Convention on Climate Change, as: "the developed countries bear the main responsibility for the degradation of the global environment"<sup>519</sup>. The influence of China and the developing countries on the Convention can be seen in Article 3, which sets the general principles in order to show the parties how to implement the provisions of the Convention so that its objectives can be attained. The first paragraph of Article 3 states:

The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties

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<sup>517</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.27.

<sup>518</sup> Harris, Paul G. (ed.), *Global Warming and East Asia: the Domestic and International Politics of Climate Change*, Routledge, London and New York, 2003, p.27.

<sup>519</sup> Stephen Minas, "BASIC Positions-Major Emerging Economies in the UN Climate Change Negotiations", FPC Briefing, The Foreign Policy Center, June 2013, p.1.

should take the lead in combating climate change and the adverse effects thereof.<sup>520</sup>

In addition to the leading role attributed to the developing countries in fighting against the climate change, it is important to note that China has enthusiastically adopted ‘common but differentiated responsibilities’ principle not only during the INC discussions, but also made it a fundamental of its climate change policy.<sup>521</sup> China and G-77 have defended that the obligations of the developed and the developing countries should be different. On the other hand, they firmly resisted the idea of making any differentiation among the developing country in accordance with their level of development. Without doubt, this position very well suited Chinese interests since China would end up as a loser with its fast growing economy if such a differentiation was made between the developing countries.<sup>522</sup>

It took less than two years for the Convention to be signed and come into effect in March 1994 following the ratification by the states. Fifty states were required to ratify the Convention to fulfill the minimum limit. By this way, the first phase of the international climate negotiations proved to be completed. The most important thing to underline about the UNFCCC is that it is an international environmental treaty, which is not legally binding due to the two reasons. The first reason is that it does not set specific limits on greenhouse gas emissions for the individual countries. The second reason is that it does not have an enforcement mechanism.<sup>523</sup> When the principles of ‘equity’ and ‘common but differentiated responsibilities’ (CBDR) mentioned in Article 3 are concerned, it should be stressed that they are

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<sup>520</sup> ---, “United Nations Framework Convention on Climate Change” Available at <http://unfccc.int/resource/docs/convkp/conveng.pdf>, Accessed on 01.01.2015, p.4.

<sup>521</sup> Ida Bjørkum, “China in the International Politics of Climate Change: A Foreign Policy Analysis”, FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.27.

<sup>522</sup> Ida Bjørkum, “China in the International Politics of Climate Change: A Foreign Policy Analysis”, FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.27.

<sup>523</sup> ---, “United Nations Framework Convention on Climate Change”, Available at [http://www.wmo.int/pages/themes/climate/international\\_unfccc.php](http://www.wmo.int/pages/themes/climate/international_unfccc.php), Accessed on 11.01.2015.

too broad, paving the way for different interpretations. Lately, Like-Minded Developing Countries group (containing China and India) has conveyed a submission which reflects the approach of the developing countries. It expresses that CDBR is “a concrete treaty application of the scientific and environmental fact that the historical contributions of Parties to climate change – i.e. their historical responsibility – are differentiated”<sup>524</sup>. In this respect;

Historical responsibility continues to be a ‘valid’ consideration because ‘developed countries continue, by and large, to be the largest per capita historical emitters of anthropogenic greenhouse gases, to have the largest share of global income in both aggregate and per capita terms, and to reap the benefits of the contribution of their historical emissions to their current development status and high standards of living’. The submission argues that ‘the [climate change] mitigation regime needs to ensure equitable access to atmospheric space and sustainable development for developing countries’.<sup>525</sup>

### **7.3.2. The Second Stage (1997-2005): Kyoto Protocol Period**

Following the success of UNFCCC, Kyoto negotiations marking a new phase in the climate change negotiations began in March 1995 when the first Conference of the Parties (COP) to the UNFCCC convened. This second phase witnessed intensive rounds of negotiations when the Kyoto Protocol was negotiated.<sup>526</sup>

The opening of the first Conference of the Parties (COP) to the UNFCCC took place on 28 March 1995. With reference to the success of the 1992 Rio Earth Summit, Angela Merkel asked the delegates to deal with the political challenges originating from climate change. The first challenge to encounter at COP 1, was the resolution of the question if the commitments of the developed countries were

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<sup>524</sup> Stephen Minas, “BASIC positions-Major emerging economies in the UN Climate change negotiations”, FPC Briefing, The Foreign Policy Center, June 2013, p.1.

<sup>525</sup> *Ibid.*, p.1.

<sup>526</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, New Horizons in Environmental Politics Series, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.8.

satisfactory in attaining the main objective of the UNFCCC to preclude the dangers of climate change. In addition, parties had to deal with other issues, which were the commitments that the developing states ought to have, “the means by which countries could reduce emissions; and financial and technology transfers to developing countries”<sup>527</sup>. Regarding the commitments, the EU firmly decided to proceed and reinforce the responsibilities of the developed countries. The EU asserted that specific emission targets and timetables should be set for the developed countries, and this should be the achievement of an agreement in Berlin. As mentioned before, the US opposed that approach and refrained from making commitments before the developing countries undertake obligations. The chief US negotiator underlined the US position as: “We are not going to commit ourselves to things we cannot do. We will be fortunate if we can keep this treaty alive”<sup>528</sup>. In opposition to the US position, the EU pointed out that it could adapt to the demands by the developing countries, which are against quantitative commitments. Eventually, the US had to yield to the international pressures and ended up backing the EU position of not giving new commitments to the developing countries. Nonetheless, the US could not withstand EU’s insistence on specifying targets and setting timetables for emission reductions for the developed countries and could not prevent their involvement in the text.<sup>529</sup> G-77 and China claimed that the main issue that COP should deal with was the execution of the present commitments. Besides that, Chinese delegation had doubts in terms of negotiating a protocol which was to follow up the Convention. Hence, for the Chinese delegation, first to be achieved was ensuring the implementation of all the commitments of Annex I Parties as stated in the Convention.<sup>530</sup> A group of prominent developing countries,

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<sup>527</sup> *Ibid.*, p.37.

<sup>528</sup> *Ibid.*, p.37.

<sup>529</sup> *Ibid.*, pp.37-38.

<sup>530</sup> ---, “Summary of the First Conference of the Parties to the UN Framework Convention on Climate Change”, *Earth Negotiations Bulletin*, Vol. 12, No. 21, 1995, p.4.

including China and led by India, gave support to a statement that the Alliance of Small Island States (AOSIS) regarded current commitments inadequate and demanded from the developed countries to tackle with that problem. That proved to be a leap forward in the negotiations addressing the adequacy of the commitments.<sup>531</sup> “By doing this the ‘G77 and China’ indicated a general recognition of the need to address climate change.”<sup>532</sup>

Joint implementation is a market-based mechanism that focuses on minimization of emissions. To be precise, it means that one country can help the other country in reducing emissions of greenhouse gas, thus also fulfilling its commitment. Investment in a developed country is the concept behind this mechanism, for instance, sponsoring a project which focuses on reducing emission, technology-sharing or transfer and knowledge sharing with the host developing country. Most developed countries supported the initiative, irrespective of the EU being doubtful. In contrast, this concept was opposed by the developing nation, because they feared that this would make the developed nations shed their responsibilities and the developing countries will be burdened for responding to climate change. In fact it was seen as a new form of neo-colonialism by some delegates of developing country.<sup>533</sup> In the second phase, China focused on other important topic along with the sufficiency of commitments, and that was Joint Implementation (JI) or Activities Implemented Jointly (AIJ). According to Articles 4.2 of the Convention, policies can be implemented and measures for limiting emissions can be designed jointly by the nations of Annex I. In 1992 at the seventh INC session, the concept of JI was introduced and at that time China had doubts about it. Discussions were conducted for the expansion of JI and to involve developing nations on a voluntary basis, at INC-8. JI was believed to be a tool by the Chinese negotiators that helped

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<sup>531</sup> ---, “Report of the third conference of the parties to the UN framework convention on climate change: 1–11 December 1997”, Earth Negotiations Bulletin 1997, Vol.12, No:76, p.15

<sup>532</sup> *Ibid.*, p.15

<sup>533</sup> Ian Rowlands, “The Climate Change Negotiations: Berlin and Beyond”, in *Journal of Environment and Development*, No.4, 1995, p.148.

the developed countries to shed off their responsibilities. Furthermore, JI was believed to introduce commitments for developing countries, and responsibility transfer from Annex I to non-Annex I Parties. At COP-1 and COP-2 and China, along with the G77 JI expressed their doubts regarding the introduction of JI projects that involved developing countries, at the cost of financing and technology transfers predetermined in the UNFCCC.<sup>534</sup>

Finally, 'Berlin Mandate' was the result of two weeks negotiations between the parties. And to initiate this work, the Ad Hoc Group on the Berlin Mandate (AGBM) was established by COP-1.<sup>535</sup> Soon, the mandate clearly recognized the inadequacy of the commitments under the UNFCCC and to complete the work towards a protocol or other legal instrument in 1997. Setting up quantified limitation and reducing goals beyond 2000, and confirming the code of common but differentiated responsibilities that implies developing countries to be exempted from any new commitments were among the priority list. The parameters for the international climate negotiations up to Kyoto and beyond were set in the Berlin Mandate and hence proved to be a defining document.<sup>536</sup> To support the AOSIS proposal few conditions were laid and agreeing the need for a Protocol, were a very definite refusal. Even acceptance of any new commitments for developing countries in the next round of negotiations, i.e., the AGBM' was refused.<sup>537</sup> An agreement was made by the US and Australia in this deal to drop their assertion

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<sup>534</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.28.

<sup>535</sup> Abram Chayes and Charlotte Kim, "China and the United Nations Framework Convention on Climate Change", in M.B. McElroy, C.P. Nielsem, and P. Lydon (eds), *Energizing China: Reconciling Environmental Protection and Economic Growth*, Harvard University Press, Cambridge, 1998, p.506.

<sup>536</sup> Christian Downie, "The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations", *New Horizons in Environmental Politics Series*, Edward Elgar Cheltenham, UK, Northampton, MA, USA, 2014, p.36.

<sup>537</sup> ---, "Report of the Meetings of the FCCC Subsidiary Bodies", *Earth Negotiations Bulletin*, Vol. 12, No. 66, 1997, p.15.

regarding new commitments by developing countries. Some developed nations and specifically the US continued to seek commitments for developing countries, irrespective of the promises made in the Berlin Mandate. The US president Bill Clinton called for 'meaningful participation' from developing countries during the eighth and final session of the AGBM in Bonn, October 1997. 'G77 and China' in response applied every prospect for opposing attempts about including developing countries into something that could be reduction commitments.<sup>538</sup>

In the three years to Kyoto, there were some developments in the regular negotiations, after the decision in Berlin in April 1995. At COP 2 in July 1996, the most important development 'Geneva Declaration', took place. It promoted the Intergovernmental Panel on Climate Change (IPCC) conclusions and determined legally binding goals as well as important reductions in GHG emissions.<sup>539</sup> For the first time, a legally binding commitment was accepted and agreed by the US. Various environmental NGOs were pleased by the change in the position of US supporting a legally binding agreement, and some also predicted that various delegations who were hidden behind US would be forced by this move of US.<sup>540</sup> However, a long list of substantive issues waiting for solution was observed when the Kyoto negotiations began. The first set was about the objectives to be achieved and the countries involved. On the level and design of the greenhouse gas commitment, this set was determined for developed countries. The level of emission objectives were not agreed upon by the developed nations that included the US and the EU. Neither the cuts of emission nor the design of a target was been agreed. Particularly, the gases to be included and the baseline from which to measure the target were not agreed. In contrast, irrespective of US attempts to

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<sup>538</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.28.

<sup>539</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1 – 11 December 1997", Earth Negotiations Bulletin, Vol.12, No.76, p.1.

<sup>540</sup> ---, "Summary of the Second Conference of the Parties to the Framework Convention on Climate Change: 8-19 July 1996", Earth Negotiations Bulletin, Vol.12, No.38, p.13.

revisit the issue, developing countries were obstinate that in reference to the Berlin Mandate they would not agree to any kind of emissions objective. The ways used to achieve any greenhouse gas commitments were included in the second set of issues. The flexibility mechanisms usage, basically emissions trading and ‘sinks’ that helps a state to accomplish their target was strongly supported by the JUSCCANZ<sup>541</sup> grouping of developed countries, including Japan and the US. While the EU was concerned about the wide usage of flexibility mechanisms at the cost of domestic actions, developing countries led by China and India strongly opposed this. The EU proposed an ‘EU-bubble’, which was its own kind of flexibility mechanism. Some member states could increase their emissions whereas others could reduce theirs with the help of this bubble that allowed the EU to undertake a collective commitment. Given the EU’s stance on emissions trading, this was opposed by several states as they saw it as hypocritical. Also the EU argued for binding policies and measures, continuously. This means that for reducing emissions such as the phasing out of fossil fuel subsidies and energy efficiency programs, a set of policies would be mandatory to be adapted by the developed countries. Yet again, this issue was opposed by the parties, particularly because the policies were found to be binding.<sup>542</sup>

The work must initiate toward a protocol and other legal instrument to be completed in 1997, according to the above-mentioned negotiations. In Kyoto, Japan, 1 to 11 December 1997 marked the Third Conference of the Parties (COP-3) to the United Nations Framework Convention on Climate Change (FCCC), which was held after the eight Ad Hoc Group Berlin Mandate (AGBM) meetings. The Conference witnessed more than 10,000 participants, including representatives from governments, intergovernmental organizations, NGOs and the press. A section

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<sup>541</sup> JUSCCANZ refers to a bloc of developed countries that are not part of the EU. The members are: Japan, the US, Switzerland, Canada, Australia, Norway and New Zealand.

<sup>542</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, *New Horizons in Environmental Politics Series*, Edward Elgar Cheltenham, UK, Northampton, MA, USA, 2014., pp.72-73.



of high-level statements from over 125 ministers were among the participants. Next were intense formal and informal negotiations for one week and a half, which included a session on the final evening that lasted into the next day. On 11 December, the Parties to the FCCC adopted the Kyoto Protocol.<sup>543</sup> A very significant agreement that was finalized at COP-3 on December 1997 was this Kyoto Protocol. Binding emission targets for all developed countries (that the US had been obstinately opposing) and a chain of flexibility mechanisms for assisting countries to achieve their targets (that the EU saw as a loophole for the US and others) was introduced by it.<sup>544</sup> Differentiation that makes targets weaker was being rejected by Dr. Johny Lahure on behalf of EU from Luxembourg. It was unacceptable to carry on the flexibility that resulted into environmentally unfavorable loopholes. The gas proposal called "three plus three"; trading along with strong targets and domestic action, monitoring, sanctions and market safeguards; and JI with rules and safeguards were supported by him. According to him mandatory, inter-nationally organized P&Ms are very essential. For the negotiations, recommendation stating developing countries are required to undertake new promises because old commitments are not helpful and are also opposite to the Mandate of Berlin. Voluntary limitation of developing country GHG emissions would be promoted by mobilizing new and additional resources via the financial mechanism. Bakari Mbonde (Tanzania), on behalf of the G-77 and China, said that for making the obligations of developed country strong some decisive action would be required. He stated that for achieving QELROs and modern implementation of commitments under Article 4.1 without new commitments for developing country Parties, the Berlin Mandate is very important. Own measures were taken by the developing countries, and Annex I stated the predictions of these success. The offshore extra-territorial implementation of targets was rejected by

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<sup>543</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1 – 11 December 1997", *Earth Negotiations Bulletin*, Vol.12, No.76, p.1.

<sup>544</sup> Sebastian Oberthur and Herman Ott, *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999.

him whereas the Clean Development Fund initiative was welcomed.<sup>545</sup> By the year 2000, China's initial position was that of developed countries and must have reduced their emissions of CO<sub>2</sub>, CH<sub>4</sub> and N<sub>2</sub>O to 1990 levels, when the parties gathered in Kyoto for the third Conference of the Parties (COP-3). Further it was reduced by 7.5% by 2005, in 2010 by 15% and by 2020 reduced to 20%, summing up to a 35% total reduction by 2020. In comparison to the US, the position of China position was far more ambitious, suggesting stabilization by 2010, but in proportion to that of the EU, proposing a 15% reduction by 2015.<sup>546</sup> By supporting the EU's emission reduction position, the 'G77 and China' contributed to set higher targets, at COP-3. Generally, in Kyoto quite an influential mark was left by the developing nations. An article on voluntary commitments for developing countries was successfully deleted by the 'G77 and China'.<sup>547</sup> The emissions output was linked with development and progress, and was called as highest priority by the developing nations who rejected the idea of voluntary commitments. According to them the Berlin Mandate did no call for developing countries to take responsibility for what was essentially the result of industrialized countries' action. They stated that the lead and the principle of "common but differentiated responsibilities" must be taken and followed by developed countries.<sup>548</sup> In response to the voluntary commitments thesis by developing countries, various different approaches were expressed by developed countries. Position of the group and individual commitments and efforts were focused by the EU members. This was partially agreed upon by others, on the terms of voluntary commitments and beginning the "sequencing of obligations" by developing countries. Also a process via which

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<sup>545</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1 – 11 December 1997", Earth Negotiations Bulletin, Vol.12, No.76, p.1.

<sup>546</sup> Tangen, Heggelund and Buen, 'China's Climate Change Positions: At a Turning Point?', in Energy & Environment, Vol. 12, No. 2&3, 2001, p.241

<sup>547</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, pp.28-29

<sup>548</sup> ---, "Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1 – 11 December 1997", Earth Negotiations Bulletin Vol.12, No.76, p.6.

commitments by all Parties can be reviewed was demanded. As a result from both developed and developing countries agreed upon binding and realistic targets. Also, agreement was made upon the requirement for funds to help technology transfer and the addition of sustainable development.<sup>549</sup>

In the Kyoto Protocol, the Clean Development Mechanism (Article 12), Joint Implementation between Annex I Parties (Article 6) and emission trading (Article 17) were the ‘three flexible mechanisms’ along with the discussion on emission reduction ratios and voluntary commitments issue. The use of flexibility mechanisms, particularly emissions trading, Joint Implementation and ‘sinks’, for assisting a state in meeting their target were strongly supported by the JUSCCANZ grouping of developed countries, that included Japan and the US. Still, the wide usage of flexibility mechanisms at the cost of domestic actions was the matter of concern for the EU. The US used this for avoiding domestic action, irrespective of doubts among several member states of EU. The US was committed due to its inclusion.<sup>550</sup> As developing countries feared that developed countries will avoid their responsibilities and shift the burden of responding to climate change onto developing nations, hence they opposed this concept. In fact it was seen as new form of neo-colonialism by delegates of some developing country.<sup>551</sup> Kyoto mechanisms introduction was a matter of concern and doubts for China, in particular. Article 17 on emission trading was opposed by China and other developing countries. They said that its emissions would not be reduced by this; hence it should be deleted from the Protocol. This trapped JUSCANZ countries and China (and India) successfully delayed the speed of trading. In Kyoto, New Zealand

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<sup>549</sup> *Ibid.*, p.6.

<sup>550</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, *New Horizons in Environmental Politics Series*, Edward Elgar Cheltenham, UK, Northampton, MA, USA, 2014., p.38.

<sup>551</sup> Ian Rowlands, ‘The Climate Change Negotiations: Berlin and Beyond’, in *Journal of Environment and Development*, No.4, 1995, p.148.

made a proposal in Kyoto and stated that in case the Annex I Parties successfully fulfilled their commitments then developing country Parties must promise that they will be taking up binding commitments after the first period of commitment. This idea was refused by ‘G77 and China’. According to them, the focus must be on strengthening developed country commitments rather than on developing country commitments. ‘G77 and China’ considered that common, but differentiated responsibilities were the key to success. Developing countries must make economic and social development as their priority because they have low capita emissions. Thus, by a ‘no’ the New Zealand proposal was finally refused. The moment the issue of developing country commitment crops up, distrust and hostility is seen between the relationship of developed and developing countries.<sup>552</sup>

The adoption of the Kyoto Protocol led to an agreement, which stated the important features of cooperation required for fighting the change in climate. The ways to make the Protocol ready for entering into force and the rules of the process were developed during the negotiations in the post-Kyoto period. Basically, the concern was to seek approval from some developed countries by making the agreement acceptable.<sup>553</sup> For climate negotiations, this discussion had a course changing development. With a 95–0 vote, Byrd-Hagel resolution was adopted by the US Senate in July 1997. Here it was stated that if the economy of US is not harmed then the US must only be part of a new Protocol, more importantly emissions reduction commitments must be accepted by the developing countries. However, this was directly contradictory to the negotiating mandate, which was agreed with US support in Berlin in 1995.<sup>554</sup>

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<sup>552</sup> Ida Bjørkum, “China in the International Politics of Climate Change: A Foreign Policy Analysis”, FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.29.

<sup>553</sup> *Ibid.*, p.29.

<sup>554</sup> ---, “Byrd-Hagel Resolution”, 105th Congress, 1st Session, S.Res. 98, July 1997, Available at <http://www.nationalcenter.org/KyotoSenate.html>, Accessed on 14.01.2015.

From the Protocol the suggested article regarding voluntary commitments related to non-Annex I countries was successfully removed by the efforts of developing countries'; however at COP-4 in Buenos Aires the US again raised this. At COP-4 while considering the agenda, voluntary commitments by non-Annex I parties was discussed by the delegates. According to China and India (and other developing countries), as voluntary commitments did not imply principle of 'common but differentiated responsibilities' it was rejected at Kyoto by the debate.<sup>555</sup> The Chinese delegation stated that the UNFCCC was not supported by the voluntary commitments and merely was a mean for some Parties to avoid the existing commitments. Further, a possibility of a new category of Parties under the UNFCCC by the voluntary commitments was raised by China; it also stated that the unity of 'G77 and China' would be destroyed because of it. In addition, the Chinese negotiators stated that in year 2000 a 5% hike will be seen in the levels of developed country emissions in comparison to levels of 1990, which in 2010 would go above 13%.<sup>556</sup> As a result, instead of removing food from the table of developing countries population 'survival emissions' must be eminent from developed countries 'luxury emissions'.<sup>557</sup> There should be a change in production and consumption patterns of developed countries. An on options could clarify various questions such as the ways Parties could join Annex B, determination of base years, methods of developing targets by the Parties and whether Parties would still be able to host CDM projects, could be clarified if an open and full discussion was held. The delegates were told by the Russian Federation that in comparison to emissions of Annex I countries the emissions from non-Annex I countries would exceed in 15 years. On behalf of the EU, Austria stated in the long term the

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<sup>555</sup> ---, "Report of the Fourth Conference of the Parties to the UN Framework Convention on Climate Change: 2-13 November 1998", Earth Negotiations Bulletin, Vol.12 No.97, p.3.

<sup>556</sup> ---, 'Summary of the Fourth Conference of the Parties to the UN Framework Convention on Climate Change', Earth Negotiations Bulletin, Vol. 12, No. 97, 1998 p.3.

<sup>557</sup> Gørild Heggelund, "What are the Domestic and International Developments in China's Climate Change Policymaking?", Paper presented at the 46th ISA Conference, Hawaii, 2-5 March 2005.

question of widening commitments will become essential and inescapable. The achievements of several non-Annex I countries was identified. According to him the COP President must take a decision on for ways to precede, as resolving this issue in plenary might not be possible.<sup>558</sup>

The negotiations at COP-4 resulted into a two-week meeting of 170 governments. Here a two-year Plan of Action (Buenos Aires Plan of Action) was adopted for reducing the global climate change threat, which finally wrapped the meeting in the early hours of Saturday morning. Based on the 1992 United Nations Framework Convention on Climate Change, the action plan will function and ways to take future action under the 1997 Kyoto Protocol by the industrialized nations will be prepared. To achieve 5% emissions-reduction target, first to arrest and then to turn around the historical upward trend in greenhouse gas emissions from these countries is the objective of the Protocol.<sup>559</sup> Beside this, achieving a more environmentally sustainable path for world economy is also the aim. Empowerment of the United Nations Framework Convention on Climate Change implementation and preparation for the future entry into force of the Kyoto Protocol to the Convention were the two objectives determined by the Conference of the Parties, at the Buenos Aires Plan of Action.<sup>560</sup>

From October 25th to November 5<sup>th</sup> 1999, in Bonn, Germany the Fifth Meeting of the Conference of the Parties (COP-5) to the United Nations Framework Convention on Climate Change (UNFCCC) was held. More than 3000 participants and 165 Parties represented this meet. In November 1998, at the Fourth Conference

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<sup>558</sup> ---, "Report of the Fourth Conference of the Parties to the UN Framework Convention on Climate Change: 2-13 November 1998", Earth Negotiations Bulletin, Vol.12 No.97, p.3.

<sup>559</sup> ---, "Climate change meeting adopts Buenos Aires Plan of Action" Press Release, Available at <http://unfccc.int/cop4/infomed/p111498.html>, Accessed on 14.01.2015.

<sup>560</sup> ---, "Report of the Conference of the Parties on its Fourth Session, Held at Buenos Aires from 2 to 14 November 1998", FCCC/CP/1998/16/Add.1, 25 January 1999, Available at <http://unfccc.int/resource/docs/cop4/16a01.pdf>, Accessed on 14.01.2015.

of the Parties (COP-4), the Buenos Aires Plan of Action (BAPA) was adopted and in this Fifth Conference the delegates continued their work toward accomplishing those goals.<sup>561</sup> To make the implementation of UNFCCC strong and to enter into force of the Kyoto Protocol, the Parties established a deadline of two years, under the BAPA. Issues associated with the Protocol mechanisms were also discussed by the delegates. Based on principles, modalities, rules and guidelines of the protocol mechanisms, the focus of the discussions was laid on revising the synthesis of proposals by Parties. Considering this, the G-77/CHINA stated that prior to decisions related to other mechanisms, a CDM decision must be taken, whereas the Russian Federation looked for clear definitions of core concepts. The head of the Chinese delegation, Liu Jiang stated that for reducing the growth of greenhouse gas emissions along the lines of own sustainable development strategy, efforts will be constantly made by China. It would also actively promote and participate in international cooperation.<sup>562</sup> Parallel development on the mechanisms, giving priority to the CDM was supported by the US. As the Protocol did not support this, by taking a single decision on all mechanisms China refused this. Three distinct decisions were suggested by him. According to Saudi Arabia, the development of other equally important issues would decide the development of this issue. As per the EU, there has to be a well-defined upper limit on the usage of mechanisms. Refining the synthesis into a draft negotiating text was the idea given by the EU along with Norway and Switzerland. The job to revise and consolidate views of Parties' into a draft negotiating text was given to the contact group by the joint SBI-SBSTA session.<sup>563</sup>

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<sup>561</sup> ---, "Summary of the Fifth Conference of the Parties to the Framework Convention on Climate Change 25 October- 5 November 1999", Earth Negotiations Bulletin, Vol.12, No.123, p.1.

<sup>562</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005, p.30.

<sup>563</sup> ---, "Summary of the Fifth Conference of the Parties to the Framework Convention on Climate Change 25 October- 5 November 1999", Earth Negotiations Bulletin, Vol.12, No.123, p.8

November 13, 2000 marked the beginning of COP 6, in The Hague.<sup>564</sup> According to many the Kyoto Protocol in preparation for approval would be given finishing touches by this. However, the absolute difficulty of this task became clear in the months prior to the summit. There were three sets of controversial issues. Growth of the country commitments was the first one. The US again tried to include them, as at Kyoto the developing nations had successfully opposed the addition of voluntary commitments (Article 10). Recommendations for establishing mechanisms by the parties that would help developing countries to voluntarily reduce their emissions, was made the lead US negotiator, Frank Loy, just two months before The Hague. Developing countries remained determined in their opposition to any commitments, on the other hand the EU did not strictly oppose it. A “key Annex I country” binding the terms of financial assistance to new emissions reduction commitment by developing countries was rejected by G-77/China.<sup>565</sup> Flexibility mechanisms were the second set of issues. According to Article 6.1 of the Kyoto Protocol, for fulfilling commitments of Kyoto, the use of flexibility mechanisms shall be supplemental to domestic actions.<sup>566</sup> With the upper limit as 50 per cent, the usage of flexibility mechanisms during the first commitment period was set by the EU for preparing at The Hague. Regarding the usage of flexibility mechanisms, the US strongly opposed to any specific cap and other developed countries like Australia and Canada also supported it. Two camps were the result of debate polarization. One stated that the Kyoto Protocol would be compromised due to the broad use of flexibility mechanisms, as developed countries by opening large loopholes possibly could exploit in avoiding taking domestic action for accomplishing their targets. On the other hand, the second camp stated that for realizing emissions targets a cost-effective path for developed countries would be

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<sup>564</sup> ---, “Summary of the Sixth Conference of the Parties to the Framework Convention on Climate Change 13-25 November 2000”, Earth Negotiations Bulletin, Vol.12 No.163, p.1.

<sup>565</sup> *Ibid.*, p.3.

<sup>566</sup> “Kyoto Protocol to the United Nations Framework Convention on Climate Change, Article 6”, Available at <http://unfccc.int/resource/docs/convkp/kpeng.html>, Accessed on 15.01.2015.



provided by the use of flexibility mechanisms.<sup>567</sup> The establishment of an adaptation fund based on a levy applied to all three mechanisms was recommended at COP-6, the G-77/China, the Africa Group and Samoa, opposed by the US, Canada, Japan, Russian Federation, Hungary and Australia. Application of ODA funding for the CDM was supported by Japan, and opposed by China and Indonesia. The G-77/China suggested preference for combining the “commitment period reserve” and “surplus units” options, regarding emissions trading and liability.<sup>568</sup> Carbon sinks issues, or technically speaking land use, land use change and forestry (LULUCF) were the third set of contested issues. According to Article 3.3 of the Kyoto Protocol, for meeting commitments under the Protocol the developed countries could use the activities from sinks. To underline the activities that could be counted towards a country’s commitment was the question for COP 6. While the US was trying to include all managed lands for a broader definition of sink activities, to establish tighter limits on sink activities was the objective of the EU.<sup>569</sup> Necessity for prohibiting credits for natural uptake was also focused by the G-77/China. As per the US and Japan, it was not possible to factor out the natural effects in an acceptable way.<sup>570</sup>

In March 2001, after few months of COP6 in Hague, President George Bush while his campaign about climate changes announced that the Protocol would not be approved by the USA. Serious threat to the US economy and exemption of developing countries from emission reductions were the given reasons. According to the IPCC’s Third Assessment Report the expense of implementing the Kyoto

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<sup>567</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, New Horizons in Environmental Politics Series, Edward Elgar Cheltenham, UK, Northampton, MA, USA, 2014, pp.109-110.

<sup>568</sup> ---, “Summary of the Sixth Conference of the Parties to the Framework Convention on Climate Change 13-25 November 2000”, Earth Negotiations Bulletin, Vol.12 No.163, p.12.

<sup>569</sup> Christian Downie, *op. cit.*, 2014, p.110.

<sup>570</sup> ---, “Summary of the Sixth Conference of the Parties to the Framework Convention on Climate Change 13-25 November 2000”, Earth Negotiations Bulletin, Vol.12 No.163, p.11.

Protocol was very meek, hence the economic argument was quite startling. The coal and oil industry clearly had a lot of influence behind this decision. A direct result of the negotiating mandate of 1995 was the other argument, i.e. exemption of developing countries from emissions reductions. Even, Australia disapproved the Kyoto Protocol; however it was implementing climate policy for meeting its agreed target. The international community was shocked by these withdrawals, which resulted into disruption of the continuing negotiations. At that meeting, the victory of multilateral approaches to solve global complexities was frequently mentioned through speeches. The USA stated that for solving the problem, it would follow its own policies; however everybody was aware of the fact that no credible US federal policy for reducing greenhouse gas emissions was available. Even during the presidency of Bush, this situation existed.<sup>571</sup>

From 29 October-10 November 2001, in Marrakesh, Morocco, the Seventh Conference of the Parties (COP-7) to the United Nations Framework Convention on Climate Change (UNFCCC) was held. October 29 2001 marked the beginning of the Seventh Conference of the Parties (COP-7) to the UNFCCC. COP-7 was inaugurated by COP-6 President Jan Pronk, and suggested that the international agreements had been casted in a new light after the events of 11 September, and also observing the Bonn Agreements that displayed effectiveness of multilateralism and international cooperation in order to solve global problems within the framework of the United Nations.<sup>572</sup> The meeting was all about the agreement regarding the operational details for commitments, which worked regarding emissions reduction of greenhouse gases coming under the Kyoto Protocol 1997. These goals were mentioned in the 1998 Buenos Aires Plan of Action (BAPA). Three years of negotiations, and complete tasks left unfinished at COP-6 Parts I and II held in The Hague and Bonn, respectively were determined by COP-7 for

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<sup>571</sup> Bert Metz, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010, pp.324-325.

<sup>572</sup> ---, "Summary of the Seventh Conference of the Parties to the Framework Convention on Climate Change 29 October-10 November 2001", *Earth Negotiations Bulletin*, Vol.12, No.189,p.3.

accomplishing these objectives. The Bonn Agreements – a political statement on the extraordinary issues adopted during July 2001, on COP-6 Part II.<sup>573</sup> It played the role of a platform for the delegates who wanted to complete their task. Number of parties mentioned the general statements to the delegates. Cutajar, the UNFCCC Executive Secretary, Secretariat, and COP-6 President Pronk were thanked by many speakers for their wonderful contributions in favor of the progress made mutually after negotiations. Many speakers including Central Group 11 (it's a group consists of 11 eastern European and central European countries), G-77/China, and EU provided their entry support on time for the sake of World Summit on Sustainable Development (WSSD). Even, on behalf of the G-77/China, Iran supported the completion of work forwarded from COP-6 Part II, additionally it was stated that for raising the question of new or additional commitments by developing countries, this may not be the right forum. On behalf of the European Union, Belgium stated that at COP-7 or the WSSD the review of commitments should not be debated, however at COP-8 debate can be conducted as the Protocol enters into force.<sup>574</sup> Successful and timely submission was observed by Russia during First and Second National Communications delivery, and at COP-7 it plans to deliver its Third National Communication. In the field of climate, several earlier negotiating successes had been tasted by Russia. The original impetus for the Umbrella Group that is now led by the United States was initially provided by Russia, which is one of the most significant negotiations and is a negotiating Block. Under the Kyoto Protocol, a high binding target (100% of 1990 emissions) is also enjoyed by Russia.<sup>575</sup> Part of Russia's success in international negotiations comes from its ability to make use of negotiators whose experience in environmental

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<sup>573</sup> *Ibid.*, p.1.

<sup>574</sup> *Ibid.*, p.3.

<sup>575</sup> Theresa Sabonis-Helf, *Climate Change Policy in Russia, Ukraine and Kazakhstan*, NCEEER, Washington, 2006, p.3.

treaties dates back to the 1970s, to early agreements with Europe about long-range transboundary air pollutants.<sup>576</sup>

In the course of the talks of COP- 7, parties could not succeed in having a consensus on many issues as to the commitment period reserve. In consideration with the assigned amount and the deadlines of commitments of the additional protocol, the Umbrella Group stated that the parties “should” not sacrifice from the required commitment period reserve level. The EU, Switzerland, G-77/China and AOSIS proposed the use of “shall” instead. Switzerland also noted the requirement for mandatory rules in order to sustain the integrity of Bonn Agreements. The issue in question was settled during the negotiation of 07-10 November by the Ministers involved.<sup>577</sup>

As a result, at COP-7 in Marrakesh, along with ‘G77 and China’ were keen on negotiating about an agreement guaranteeing the entry into force of the Kyoto Protocol, willingly prior to the the Johannesburg Summit in September 2002. This effort resulted in articulating the Marrakesh Accords to the Bonn Agreements which finalized the operational details of the Kyoto Protocol being negotiated for three years.<sup>578</sup> It was finally in November, the Seventh Conference of the Parties (COP 7) to the UN Framework Convention on Climate Change (FCCC) could lead the way for putting the Kyoto Protocol into effect, during which the aforesaid “Marrakesh Accords” were adopted.<sup>579</sup>

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<sup>576</sup> *Ibid.*, p.3.

<sup>577</sup> ---, “Summary of the Seventh Conference of the Parties to the Framework Convention on Climate Change 29October-10 November 2001”, *Earth Negotiations Bulletin*, Vol.12, No.189, p.6.

<sup>578</sup> ---, “Summary of the Seventh Conference of the Parties to the UN Framework Convention on Climate Change”, *Earth Negotiations Bulletin*, Vol. 12, No. 189, 2001, p.15.

<sup>579</sup> Hermann E. Ott, “Global Climate”, in *Yearbook of International Environmental Law*, Vol.12, 2001, Oxford University Press, 2002, p.1.

At the outset of the COP-8 Meeting in New Delhi, 'G77 and China' clearly expressed their disappointment about the low amount of financial resources provided by Annex1 Parties and noted that the actions taken until that time had remained symbolic for the matter involved.<sup>580</sup> In spite of being not an explicit matter for negotiation, the looming issue of future commitments has crucially affected the process of COP-8 dialogues.<sup>581</sup> China, attaching a great importance to the need for a continuous economic development, heavily insisted on the fact that the climate regime should consider the increasing energy demands of developing countries, which is also a reflection of the development of the quality of lives in those countries.<sup>582</sup> As an eventual effect of the hosting Country- India, the Delhi Ministerial Declaration on Climate Change and Sustainable Development adopted at COP-8 reserved considerable aspects for developing countries, highlighting such issues as sustainable development, poverty eradication, adaptation. It also concentrates on the implementations of the commitments of the developed countries under the Convention. The issues of enlarging the participation and the Commitments of post 2012 period were not mentioned in line with the strong opposition of the EU.<sup>583</sup> Additionally, a statement of concern emerged on part of the EU as well as to the Declaration regarding the calling of all countries to involve in a common dialogue with a new further action in parallel with the UNFCCC's ultimate objective and the IPCC Third Assessment Report (TAR). Through an analysis of the new commitments raised for developing countries, EU underlined the fact that world is not "divided into two". On the one hand, the G77/China with the US and China, were giving full support for the Delhi Declaration, on the other hand Canada, with Tuvalu and Japan were opposing the Declaration especially for

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<sup>580</sup> ---, "Summary of the Eighth Conference of the Parties to the UN Framework Convention on Climate Change", Earth Negotiations Bulletin, Vol. 12, No. 209, 2002, p.3.

<sup>581</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtj of Nansen Institute, December 2005, p.31.

<sup>582</sup> Earth Negotiations Bulletin, *op. cit.* p.4.

<sup>583</sup> Ida Bjørkum, *op. cit.*, p.31.

not meeting the TAR and for not envisaging a long-term collective plan. The G-77/China noted that it seems not possible to adapt in time without an essential increase in global mitigation. Japan believed that COP-8 became a small step for creating the opportunity of informal dialogues for future mitigation action.<sup>584</sup> In the frame of calling more action repeatedly from developing countries earlier, the views of the developing countries gained support from the US unexpectedly. Rather than seeking a dialogue for the mitigation commitments for developing countries, some of the more powerful developing countries tended to focus on adaptation. In consideration with the fact that the technology transfer to the developing countries has not been effective, policy for an additional assistance for mitigation and adaptation were put into fore by the ‘G77 and China’.<sup>585</sup>

On 1-12 December 2003, the Fiera Milan Congress Center in Milan hosted the ninth Conference of the Parties (COP-9) to the United Nations Framework Convention on Climate Change (UNFCCC) and the nineteenth sessions of the COP’s Subsidiary Body for Scientific and Technological Advice (SBSTA) and Subsidiary Body for Implementation (SBI). On 10-11 December, three high level ministerial discussions were carried out in roundtables sessions. Two faces of the UNFCCC occurred during the talks of the COP-9: the negotiators and the constituency faces.<sup>586</sup> At COP-9 in Milan several issues seemed to engage in deadlocks such as how to further the efforts to prevent the climate change. Proper flux of the negotiations progress was sometimes undermined by some technical issues such as rules for sink projects in the CDM. The uncertain future of the Kyoto Protocol depending on Russian ratification dominated the COP talks. The ‘G77

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<sup>584</sup> ---, “Summary of the Eighth Conference of the Parties to the UN Framework Convention on Climate Change”, Earth Negotiations Bulletin Vol. 12, No. 209, 2002, p.13.

<sup>585</sup> *Ibid.*,p.5.

<sup>586</sup> ---, “Summary of the Ninth Conference of the Parties to the UN Framework Convention on Climate Change”, Earth Negotiations Bulletin, Vol. 12; No. 231, p.1.

and China' called on the US to re-engage in the Kyoto Protocol process and on the Russian Federation to ratify the Protocol. The EU urged the US step forward in line with the actions to be taken under the Protocol.<sup>587</sup> The Parties tried to avoid from intractable debates of the COP- 8, such as the steps beyond the first commitment period raised by the EU and other developed countries.<sup>588</sup> Similar to prior meetings, developing countries complained about the unsuccess of Annex1 Parties to fulfill their own commitments and about their insufficient transfer of technology and financial support. Consequently, developing countries "held firmly to preventing negotiations turning towards mitigation activities by non-Annex I countries in the future".<sup>589</sup> After all, in a session on technology transfer, China clarified the objective of the discussions as creating the environment for developing countries to "be more able and willing to participate in mitigation actions in the future". Several observers noted this statement as a possible sign for the tendency of some developing countries to involve in discussions as to the future prospects. Similarly, Chinese delegation expressed that the developing countries would make contributions if the developed countries take the lead of mitigating emissions.<sup>590</sup>

COP-10 to UNFCCC convened in Buenos Aires, Argentina on December 6<sup>th</sup>-18<sup>th</sup>, 2004. During the conference, parties addressed and adopted numerous decisions and conclusions on various issues, including: technology transfer; issues relating to land use, land-use change and forestry; the UNFCCC's financial mechanism; Annex I national communications; capacity building; adverse effects and

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<sup>587</sup> ---, "Summary of the Ninth Conference of the Parties to the UN Framework Convention on Climate Change", Earth Negotiations Bulletin, Vol. 12; No. 231, p.3.

<sup>588</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtj of Nansen Institute, December 2005, pp.31-32.

<sup>589</sup> *Ibid.*, p.32.

<sup>590</sup> ---, "Summary of the Ninth Conference of the Parties to the UN Framework Convention on Climate Change", Earth Negotiations Bulletin, Vol. 12; No. 231, p.14.

adaptation; and UNFCCC Article 6 (education, training and public awareness). Delegates from the parties met in Buenos Aires to finish uncompleted jobs from Marrakech Accord. Moreover, parties have found a new opportunity to discuss on the creation a new dialogue concerning the future of the climate change negotiations.<sup>591</sup> Also, in this period, Uncertainty caused by the US withdrawal from the process in 2001, began to change as a result of Russia's ratification. This uncertainty has left its place to some optimism. However, this optimism was short-lived period because of the fact that parties started to discuss on post-Kyoto period.

The main discussion was in Buenos Aires that “whether countries were prepared to create a space within the formal process to even begin considering the question of next steps”.<sup>592</sup> G-77 and China, as a group, were apt to refuse discussing the any issue concerning new commitments. In the post-2012 negotiations, the issue of commitment of developing states is expected to be the main subject. During this period, the pressure on China is likely to be increased for next commitment period. However, policies of developing countries on this issue seem to not change.<sup>593</sup>

In the light of aforementioned negotiations, at COP-10, many delegates were pleased because of Russia's approval and stated to hope that the United States would ratify the protocol. Qatar, on behalf of the G-77/China, expressed the influence of recent climate-induced catastrophes on developing countries and highlighted Annex I Countries’s responsibility for financial resource mobilization.

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<sup>591</sup> ---, “Summary of the Tenth Conference of the Parties to the UN Framework Convention on Climate Change: 6-18 December 2004”, Earth Negotiations Bulletin, Vol.12 No.260, p.1.

<sup>592</sup> --- “COP-10 Summary- Tenth Session of the Conference of the Parties (COP) to the U.N. Framework Convention on Climate Change”, Available at <http://www.c2es.org/international/negotiations/cop-10/summary> , Accessed on 25.02.2015.

<sup>593</sup> Ida Bjørkum, “China in the International Politics of Climate Change: A Foreign Policy Analysis”, FNI Reports 12/2005, The Fridtj of Nansen Institute, December 2005, p.32.



Also, they emphasized the principle of ‘common but differentiated responsibilities’. The Netherlands, on behalf of the EU, Bulgaria, Romania and Turkey, stated that parties should continue to give commitments in order to fight against climate change and emphasized the launch of the EU emissions trading scheme in January 2005.<sup>594</sup>

Apart from the negotiations within the framework of Conferences of Parties-UNFCCC, in this period, the latest change in China’s policy on climate change is its accession to a new climate pact with the US, Australia, Japan, South Korea and India known as the ‘Asia Pacific Partnership for clean development and climate change’.<sup>595</sup> The pact founded in 2005 has been criticized for being inefficient and non-binding pact. The member countries themselves assure that this will be complementary to the Kyoto Protocol, not replace it.<sup>596</sup>

### **7.3.3. ‘The Third stage (1996-Present ): Post-Kyoto Period’**

The final negotiated stage, the post-Kyoto phase, has tried to co-operate on the replacement of the Protocol, after its invalidation in 2012. The dynamics have shifted from US negotiations to Europe and to the developing nations. The BRIC countries, including South Africa, China, India, Brazil now play a very significant international role with the last shift. The ‘Bali Road Map’ in December 2007, by COP 13, formulated a plan of legal bond agreement by COP 17 in 2009, at Copenhagen. The expectation of 100 heads of state assembly, providing a new legal tool, was met with a stumbling block. A number of key states managed to put the Copenhagen Accord in perspective, getting a more political character than a legal one. The negotiations that have spread in Cancun, Warsaw, Doha and Durban, have till now been unable to replace it with the Kyoto Protocol. Hence the post Kyoto

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<sup>594</sup> ---, “Summary of the Tenth Conference of the Parties to the UN Framework Convention on Climate Change: 6-18 December 2004”, Earth Negotiations Bulletin, Vol.12 No.260, p.3.

<sup>595</sup> ---, ‘US Agrees Climate Deal with Asia’ Available at: <http://news.bbc.co.uk/1/hi/sci/tech/4723305.stm> , 2005.

<sup>596</sup> *Ibid.*

phase has become another set of strained international negotiations stretching onto the future.<sup>597</sup> The Bali road map was the pioneer in bringing in countries for discussion on climatic issues on a global platform. This was perhaps the first time countries, started thinking on common issues and taking a functional integrative approach. It was no cake walk however. Meetings after meetings followed , in different venues. Obstacles and differences kept up cropping, and each stage was an awareness of these, and working with them, and achieving a common path seemed quite a far cry. However, each stage was a path or channel towards some resolution or another, however minute. Hence, following the Bali road map, there were many protocols and conventions. Each had its phases, with different targets and obligations, hosting different summit meetings, in varied places, with United Nations being the main convener. Of these the Kyoto Protocol was perhaps the most dynamic. It had different negotiating stages, with commitments, thus meetings in a lot of subsequent years, in a whole lot of countries. The developing and developed nations, came on a gigantic platform, to analyse their differences and work through them, with endless mediations. It was a test of time and patience, but gigantic leaps were made by friendly exchanges, and discovering a greater human consciousness, and an international and global soul, or at least laying the ground for it. Traditions and differences could not be resolved easily, and, in fact, elimination did not solve problems. Each had its place-to fit in harmoniously in the big picture was the answer. This included discovery of universal principles which are ingrained in our consciousness, genetically or biologically, but going much beyond that, beyond, space and time, but working with controls by boundary settings, to prevent chaos. The detailed pattern is shown below how global negotiations started to take shape, and its existence till this current period.

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<sup>597</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, New Horizons in Environmental Politics Series, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.10.

COP 11 (11<sup>th</sup> Conference of Parties) to the UN Framework Convention on Climate Change (UNFCCC), and COP 1 serving as Meeting of Parties to Kyoto Protocol (COP/MOP 1) was held in Montreal, Canada, from 28 November to 10 December 2005. At COP/MOP 1, the factions discussed and made decisions on the Kyoto Protocol, one of the decision packages being called the “Marrakesh Accords.” These provide guidelines to the protocol functioning, in terms of ‘flexible mechanisms’, which target at cost-effective or economical style of reaching goals or targets, with an amiable approach to each other.<sup>598</sup> At COP 11 interactions, many countries talked about technology transfer as a major issue, and 5 year plan of work adaptability. Jamaica, on behalf of the Group of 77 and China (G-77/China), showed anxiety regarding the Resource Allocation Framework (RAF) of the Global Environment Facility (GEF). The United Kingdom(UK), as a spokes person of European Union(EU), emphasized on a liberal approach and an innovative style, to deal with climate alterations after 2012. EU was eager to adopt the Marrakesh Accords’, accepted the flexible mechanism, willing to do more work on CDM, and guide the Adaptation Fund. UK on behalf of EU, stated clearly that detailed examination was to be done now, under Article 3.9 (responsibilities in future). Jamaica, as representative of G-77/China, displayed involvement at the GEF framework of resource allocation. To summarise, innovation was the key in this situation. Innovation means introduction of novelty, and thus old patterns were made to transform, or at least, that was the goal. Changes were sought mainly in the technological and financial arenas, although with slow and steady steps. Optimisation was the idea, that is best results by cost-effective, economical mechanisms and tools.<sup>599</sup>

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<sup>598</sup> ---, “Summary of the Eleventh Conference of the Parties to the UN Framework Convention on Climate Change and First Conference of the Parties Serving as the Meeting of the Parties to the Kyoto Protocol: 28 November – 10 December 2005”, Earth Negotiations Bulletin, Vol.12, No.291, p.1

<sup>599</sup> *Ibid.*, pp.9-10.

Discussions at COP 11, regarding future climate change negotiations, pointed to an uncertain future, although results of COP 11 and COP/MOP 1, surpassed targets planned. Russian Federation's final initiative, had led some countries to inspire unwilling nations, who may not want to be a part of these climate change plans, on a large-scale and long term basis. United States, Australia, China and India have started to focus on technology development, and dissemination by the Asia-Pacific Partnership, and this is related to make discussions on climatic changes in future, under the Convention. But it still remains to be seen whether this and other related issues can be pigeon-holed into with UNFCCC process. Although the future is veiled, the Kyoto protocol and multiple pathways in UN, have started making moves and progress in this area, with some solid grounds. Montreal, in spite of being so precarious, showed real success with that COP 11/COP/MOP 1.<sup>600</sup> The Kyoto protocol showed an immense potential for a developmental path, although it had its situational limitations. A lot of ignorant nations came together with the developed nations, making them aware of the natural problems on a big scale. But it was just the beginning. The developed countries needed to reassure that no slavish mentality was involved, but rather all were interdependent to reach global goals. However, the point then was, that dependence on First world nations by Third world was a necessary tool, that was to be acknowledged for progress as a whole, but not being trapped by each other. This mutual co-operation was the first step to be realized, and this meeting aimed at this interrelationship or international exchange.

From 6-17 November 2006, there were subsequent climate change meetings at the UN Office at Nairobi, Kenya. This included COP 12 to the UNFCCC and COP/MOP 2. At COP/MOP 2, the Protocol's flexible mechanism issues were given major attention, specifically the mechanism on Clean Development and Implementation on a Joint basis. Representatives also made enquiries about agreement with the Protocol, an amendment proposal to Protocol, as well as

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<sup>600</sup> *Ibid.*, p.20.

increasing capacity, and other matters pertaining to economic, managerial and so forth. The first amendment enabled Belarus to take on emissions amelioration commitments under Annex B of the Protocol.<sup>601</sup> At COP-12 two missing components or issues were detected being labeled as absent elephants. These animals were equivalent to obligations, travelling from Kenya to Nigeria, and they were commitments made by USA to the major advancing nations. Many negotiators were looking upto USA in 2009 for further progress. Behavioral opinions ranged far and wide, from being criminally callous to plain stubbornness, of developing countries thinking the developed nations have trapped them deliberately in making them follow their lead. This meeting gave attention to more technical details on emission reduction targets as well as obligations of developed nations to developing ones, in taking the lead or providing resources as per needs arising.<sup>602</sup>

Climate change conference of UN took place from 3-15 December 2007 in Bali. This included COP 13 to UNFCCC, and COP/MOP 3 to Kyoto Protocol. This was for the post 2012 co-operation when Kyoto Protocol first commitment phase expires. Negotiators sought to comply with a two-year process – or a kind of Bali plan – to finalize a post-2012 stricture by December 2009. Negotiations operated in groups under the protection of both the Convention and the Protocol.<sup>603</sup> Since it was a sequel to the first commitment phase, the contours were already there, from where onwards more solid character was possible to induce. Groups were more clearly demarcated, with each having their specific style and area to work upon. The conscious level of meeting duties and obligations and commitments became clearer at this stage. Steps were more clear cut for progress, advancement and

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<sup>601</sup>---, “Summary of the Twelfth Conference of the Parties to the UN Framework Convention on Climate Change And Second Meeting of the Parties to the Kyoto Protocol: 6-17 November 2006”, Earth Negotiations Bulletin, Vol.12, No.318, p.1.

<sup>602</sup> *Ibid.*, pp.19-20.

<sup>603</sup> ---, “Summary of the Thirteenth Conference of Parties to the UN Framework Convention on Climate Change and Third Meeting of Parties to the Kyoto Protocol: 3-15 December 2007”, Earth Negotiations Bulletin, Vol.12, No.354, p.1.

development, for countries at whichever developmental stage they were in. This was perhaps the first stage of not only understanding, but functioning positively with differences. The micro level was the area of operation, but the huge background of macrocosm acted as the pillar or support. The gap between micro and the macro gradually started shrinking, and globalization became evident.

Rachmat Witoelar, Minister of Environment of Indonesia, was elected as COP 13 President. He urged negotiations for future climatic plans, promising support for plans in Bali, and round up of 2009. Dewa Made Bertha, who was the Governor of Bali, made clear about the fatal impacts of the climate change in Bali. Besides, Yvo de Boer, Executive Secretary of UNFCCC, stated the Bali conference needed to make huge concrete contributions in this arena. He advised on the right instruments, focus on each individual type and lastly its legal nature. Australia called for an integrated approach by all nations on a long term basis, as spokesperson for Umbrella group (non-European Union Nations). He counseled beginning on a novel development on the Convention Dialogue, and expected to carry on discussions under the Ad Hoc Working Group (AWG) and the examination under Protocol Article 9. Pakistan, for the Group of 77 and China (G-77/China), compelled a style centered on crucial rules stated in the Convention and Protocol and said developing projects under the AWG was mandatory. Portugal, for the EU, said increases in global sprouts must be stopped in the coming 10-15 years and urged a compact global understanding by 2009.<sup>604</sup> The pattern clearly pointed in the importance of participation of Asian countries, in the Third World, and the actuality was realized to a large extent. China as the biggest population had the strongest voice and energy for this zone. But again this was intermediary, the more developed nations such as Australia, stood in the background with more power resources.

Under the Convention, the enquiries centered on how to keep track of the Long term dialectic friendly exchanges to orient at climate alterations by magnifying

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<sup>604</sup> *Ibid.*, p.3.

application of the Convention. Under the Protocol, the Ad Hoc Working Group on more Commitments for Protocol Annex I Parties (AWG) discussed its functional plans and schedule for finishing its work. Protocol parties also thought about arrangements for the second checkup of the Protocol under Article 9 at COP/MOP 4.<sup>605</sup> Russian advice on long term commitments were also taken up. Long term issues proved arduous in finding out solutions. India and other developing nations, finally decided on a mitigating policy, in areas of sustainable development, with supporting technology, financial provisions, and enhancing building capacity in a concrete and logical manner. US followed in accepting this after EU, and long term decision making packages were adopted. The AWG and COP/MOP resolved on other matters on the Bali Road map, with the meeting lasting for 24 hours past its scheduled time for drawing a close. Process, guidance and direction were established for the next two years meetings both under Convention and Protocol, with the purpose of producing an integrated result on post-2012 issues at COP 15 and COP/MOP 5 in Copenhagen, Denmark, in 2009.<sup>606</sup>

The UN climatic change conference in Poznań, Poland, took place from 1-12 December 2008. COP 14 ON UNFCCC was included here. So was COP/MOP 4. Long term cooperation in post 2012 period after Kyoto Protocol expiry was the focal point here. In December 2007, negotiators meeting in Bali had supported the Bali Action Plan and Roadmap setting COP 15 in December 2009 as the end period

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<sup>605</sup> The Russian proposal, which is to amend the Kyoto Protocol to include voluntary commitments by non-Annex I parties to the Convention, had been first submitted in 2006. It is opposed by many developing countries, but supported by many of the developed countries which see it as a vehicle to get developing countries to increase their commitments for mitigating climate change. "Debate on Russian Proposal and voluntary commitments of developing countries", TWN Bali News Updates 6, Third World Network, 8 December 2007, p.1.

<sup>606</sup> ---, "Summary of the Thirteenth Conference of Parties to the UN Framework Convention on Climate Change and Third Meeting of Parties to the Kyoto Protocol: 3-15 December 2007", Earth Negotiations Bulletin, Vol.12, No.354, p.15.

for a common platform of action after 2012. Poznań therefore demarcated the median point of the December 2009 deadline.<sup>607</sup>

Poznan conference was of a different nature than the Bali one in 2007. Bali had received strong international attention to the assessment report of fourth order of the intergovernmental body related to the climate change. In Poznan, the negotiations were done in dire economic context of a global character. The most hopeful was also skeptical, of the ineffectiveness of this climate plans failure, due to the lack of material resources. Antigua and Barbuda for G77, and China complained about the lack of urgency for the climate issues in this conference, and called for progress by the commitments made by AWG-KP. France, on behalf of EU, said now the economic recession has to be given the first priority, although there is an internal parliamentary debate for a reduced effect by 20 % in 2020.<sup>608</sup> EU and others went against the climate change plans, saying carbon lowering needed costs to be incurred, which may not be feasible with the existing financial problems. But the conference did plan on that target of 2020 reduction, which raised the question of EU leadership being adequately focused on this issue or not. On the last day, the documentation reached Brussels, although receiving criticism from NGOs. The plans are valid for 2013-2020 period, and puts forward the issues of the third stage of trading scheme on emissions of the EU. Individual goals of emission by individual states were demarcated in areas not included by the EU trading policy. This in turn, comprised, 20 % lowering of renewable energy, 10% for biofuels, 20 % for larger energy competency, by 2020. Obama becoming the president of USA was a cause for jubilation, because he had supported environmental causes, as a cure for the continuing economic crisis. The Bush administration was still representing Poznan, and was comparatively reticent about

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<sup>607</sup>---, “Summary of the Fourteenth Conference of Parties to the UN Framework Convention on Climate Change and Fourth Meeting of Parties to the Kyoto Protocol: 1-12 December 2008”, Earth Negotiations Bulletin, Vol.12, No.395, p.1.

<sup>608</sup>*Ibid.*, p.2.



these issues. Some felt US victory lowered the voice of other developed nations, and developing countries took even more of a backseat. All in all, the political climate did not permit major transformations or implementations to take place.<sup>609</sup>

Copenhagen, Denmark hosted a climatic change meeting from December 9-17 2009. 15<sup>th</sup> conference and 5<sup>th</sup> conference of parties to the UN framework were included. The latter served as a meeting party to the Kyoto Protocol. This meeting was a peak point of the two year negotiation on climate policy implementation, for friendly relations under the Bali plan, put forward by COP 13 in December 2007.<sup>610</sup>

In Copenhagen, China and India, vowed to lower emission levels by 2020, of their own will. Brazil promised to lower by 36 % in 2020, compared to the common business projections. South Africa's target was 34 % by 2020, and would reach its peak by 2025. Hurrell and Sengupta considered these targets highly remarkable of these groups of nations, abbreviated as BASICS.<sup>611</sup> The goals of these nations were enclosed in Copenhagen meetings mitigating actions section, allocation done as apt for a nation.<sup>612</sup>

Copenhagen summit has received massive public attention. When state heads appeared for a meeting, it was a situation of impasse. 16-17<sup>th</sup> December was a period of intense hearing of high level talks. Nafie Ali Nafie, Sudanese Assistant President, for the 77 group/China, emphasized on a two track path for the result of AWG-KP and AWG-LCA, a second commitment phase for the Kyoto Protocol, on

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<sup>609</sup>*Ibid.*, pp.17-18.

<sup>610</sup> ---, "Summary of the Copenhagen Climate Change Conference: 7-19 December 2009", Earth Negotiations Bulletin, Vol.12, No.459, p.1

<sup>611</sup> Andrew Hurrell and Sandeep Sengupta, "Emerging powers, North-South relations and global climate politics", in *International Affairs*, Vol. 88(3) 463, 2012, p 471.

<sup>612</sup> Stephen Minas, "BASIC positions-Major emerging economies in th UN Climate change negotiations", FPC Briefing, The Foreign Policy Center, June 2013, p.2.

the grounds of competitive emission lowering rates, and have regards for both the equality and convergent status as well as uniqueness of responsibilities of each nation, under the Convention. Andreas Calgren, Swedish environment Minister, for the EU, instigated a legal comprehensive network for developed and developing economies. He urged USA and China to optimize their strengths in this matter, setting a target of global temperature lessened to below 2 degrees C. Penny Wong, Australian Climate and water Minister, as representative of Umbrella Group, summoned for an assenting voice, for environmental achievements under authentic legal stipulations, for 50% reduction in global emissions by 2050. She illuminated the core area of channelizing US\$120 billion, private or otherwise, inclusive of carbon industry, directed at fragile less developed countries.<sup>613</sup>

Through a leakage, Michael Froman (American deputy national security counselor) stated about the close co-operation between BASIC nations and US and EU group, highlighting the relationship between advanced and developing economies, to apply a common integrated environmental philosophy, in spite of opinion differences in short term targets achievement.<sup>614</sup> Hallding, et al, cited a logical framework for this. This was mainly the huge challenge faced by the emergent economies in the global scenario for mitigating atmospheric contribution, and comprehending the Danish texts. These texts are the leaked plans to the Guardian, revealing US plans for target reach by coercion.<sup>615</sup> G77 was disunited, and this coercion seemed, according to Sudan, who was the voice of this group, that the Copenhagen Accord was a tool, to make perform weaker economies as experimental guinea pigs on the burning furnace of Europe and USA. Thus it can be seen, the fundamental co-operation in

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<sup>613</sup> ---, "Summary of the Copenhagen Climate Change Conference: 7-19 December 2009", Earth Negotiations Bulletin, Vol.12, No.459, pp.26-27.

<sup>614</sup> ---, "US embassy cables: EU mutes criticism of US climate stance", Available at <http://www.theguardian.com/world/us-embassy-cables-documents/249182>, 3 December 2010, Accessed on 17 October 2014.

<sup>615</sup> Karl Hallding, et al, "Together alone: BASIC Countries and the Climate Change Conundrum", Nordic Council of Ministers, Stockholm Environment Institute , 2011, pp 20-30.

different world zones was itself a target to be built up, to achieve the environmental goals.<sup>616</sup>

The Copenhagen Accord was the result of a series of informal meetings, which included meetings of BASIC leaders and US president Barrack Obama. Jairam Ramesh, India's prime negotiator, said here a global platform was created for seemingly different nations to co-operate, without rigid legal bondages.<sup>617</sup> Obama said here that US has a target of 17 % below lessening from 2005 level to 2020. The Waxman-Markey legislations had the same plans, with extra 3% from forestry undertakings.<sup>618</sup> The bill approach aimed at 33 % reduction. But these being outside the structured sector, were taken to be offsets.<sup>619</sup>

The Copenhagen Accord was made aware of, but not put into practice, due to a lot of unwilling nations. The global thermal condition was expected to be raised to 2 degrees C, if developed countries gave monetary aid for mitigation and adaptation, a common language was meant to resolve the verbal and non verbal gaps among nations, and discriminated between specific economic emission targets and mitigations suitable for nations as a whole.<sup>620</sup> The Accord was strongly chastised in terms of its matter. Some acknowledged its provisions, while others felt it gave only a broad contour of the whole plan. It was considered quite fallible when placed

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<sup>616</sup> Stephen Minas, "BASIC positions-Major Emerging Economies in the UN Climate Change Negotiations", FPC Briefing, The Foreign Policy Center, June 2013, p.3.

<sup>617</sup> ---, "Jairam Ramesh statement on Copenhagen Accord in Rajya Sabha", Available at <http://www.thehindu.com/news/national/jairam-ramesh-statement-on-copenhagen-accord-in-rajya-sabha/article69893.ece> , 22 December 2010, Accessed on 17 October 2014.

<sup>618</sup> Dallas Burtraw, "US Climate Change Policy Efforts", CEPS Policy Brief, No.255, September 2011, p.5.

<sup>619</sup> *Ibid.*, p.5.

<sup>620</sup> ---, "Jairam Ramesh statement on Copenhagen Accord in Rajya Sabha", Available at <http://www.thehindu.com/news/national/jairam-ramesh-statement-on-copenhagen-accord-in-rajya-sabha/article69893.ece> , 22 December 2010, Accessed on 17 October 2014.

besides the Kyoto Protocol. It does not have specific emission terms for developing economies. It just gives details on metrics, reports and testing, and was quite a hurdle in the negotiation process. These actions are best fulfilled domestically. But there are provisions for alliances between USA and China by international exchanges and scrutiny, of which the conceptual framework is not quite clearly discerned. Short and long term financial aid, was perhaps the most commendable part, as thought by some. Developed countries met in Copenhagen to fund mitigating actions and adaptations. Allocations included US \$ of 30 billion for 2010-2012, and US 100 billion \$ by 2020. Four new bodies were set up: REDD-plus tool, a high level panel under COP to analyse the monetary provisions, the funding body of Copenhagen Green Climate and a technology logistics. A reduction of temperature increase to below 1.5 degrees c was also stated.<sup>621</sup>

In conclusion, in May 2005, Bali road map and the Convention to the Copenhagen have resulted in long term enquiries through single informal seminars, where global issues had just started to get an intellectual shape and friendly political co-operation, on dangerous climatic issues. The meeting in Copenhagen has saved the political leaders from being too complacent, by reflection on the past work and the actions still need to be taken, to fill in the gaps from the thinker to doer. But it still remains to be seen whether this accord can get the status of a legally binding framework.<sup>622</sup>

Mexico also hosted a meeting on climate change, in Cancun, through UN, from November 29<sup>th</sup> to 11<sup>th</sup> December 2010. This included COP 16 to UNFCCC and COP/MOP 6. COP 16 mediations confirmed the Cancun agreements. These agreements include both Convention and Protocol mediating decisions, and

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<sup>621</sup> ---, "Summary of the Copenhagen Climate Change Conference: 7-19 December 2009", Earth Negotiations Bulletin, Vol.12, No.459, p.29.

<sup>622</sup> *Ibid.*, p.29.

provisions on adaptations, emission decreases from forest clearance, and abuse of forests (REDD+), monetary aid, technology and mitigation.<sup>623</sup>

BASIC group was active in Cancun meeting 2010, in advice and analysis on international mitigation, with China taking the lead position, among these developing nations. China's delegate head, Xie Zhen hua said an agreement has been reached with India.<sup>624</sup> COP 16 made adjustments with opening statements. Yemen on G77 group behalf and China had wanted negotiations to be made dynamic by parties, lucid and comprehensive. A balance was necessary between AWG-LCA and AWG-KP negotiating methods. EU stressed on this, with targets to be met by taking small steps on the issues of adaptation, competency of resources, mitigation, technology and business, and a full effort towards a legally sound system. Belgium was the spokesperson for EU. He said "a Cancun outcome must: capture progress to the maximum extent; contain the framework and basis of a future climate change regime; achieve incremental steps on MRV, mitigation, adaptation, capacity building, finance and technology; and make as much progress as possible towards a legally-binding outcome."<sup>625</sup> Japan, at Cancun meeting said it was not interested in a contract with Kyoto Protocol in its second commitment agreement. That main developed nations would always be part of a legal contract, does not indicate that other major emitter to be backward in the Kyoto Protocol.<sup>626</sup>

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<sup>623</sup> ---, "Summary of the Cancun Climate Change Conference: 29 November-11 December 2010", Earth Negotiations Bulletin, Vol.12, No.498, p.1.

<sup>624</sup> Stephen Minas, "BASIC positions-Major emerging economies in th UN Climate change negotiations", FPC Briefing, The Foreign Policy Center, June 2013, p.3.

<sup>625</sup> ---, "Cancun Highlights", Earth Negotiations Bulletin ,Vol 12, No.488, 30 November 2010, Available at <http://www.iisd.ca/vol12/enb12488e.html>, Accessed on 18.01.2015.

<sup>626</sup> Sarah O. Ladislaw, "Cancun Climate Negotiation", Center for Strategic and International Studies, 15 December 2010, Available at <http://csis.org/publication/cancun-climate-negotiation>, Accessed on 18.01.2015.

UNFCCC made crucial points on greenhouse gas emissions and help developing nations in sustainable development, at Cancun, Mexico, on December 11<sup>th</sup>, 2010, by COP 16 negotiations. The Cancun Agreements are for global long term developments integratively, and meeting relevant challenges on the way, by concrete results. They had a non-intervention and non-penalty giving character, and was conscious of individual national sovereignty.<sup>627</sup> Hallding, et al, vouch for China to be a leader for mitigating action.<sup>628</sup> New institutions came up like: a framework for Cancun Adaptation, Technology Mechanism committee, which includes its executive branch and the technical network for climate, and the finances were handled through the green climate fund.<sup>629</sup>

South Africa also hosted a meeting on 28 November - 11 December 2011, in Durban. COP 17 was included at UNFCCC. The seventh session of Kyoto protocol party meeting was also here. The failure of Copenhagen meet was the reaction to this summit for a 21<sup>st</sup> century suitable climate plan. The whole history of climate issue discussion globally, going back to the Bali road map was expected to take a novel shape at Durban. The traditional gaps would be considered between developed and developing nations, individual cultural patterns on ethnic and national lines, yet working towards common globalised goals.<sup>630</sup>

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<sup>627</sup> ---, "The Cancun Agreements", Available at <http://cancun.unfccc.int/cancun-agreements/main-objectives-of-the-agreements/#c33>, Accessed on 18.01.2015.

<sup>628</sup> Karl Hallding, et al, 'Together alone: BASIC countries and the climate change conundrum', Nordic Council of Ministers, Stockholm Environment Institute, 2011, p.75.

<sup>629</sup> ---, "Summary of the Lima Climate Conference: 1-14 December 2014", published by International Institute for Sustainable Development, Earth Negotiations Bulletin, Vol.12, No.619,16 December 2014, p.2.

<sup>630</sup> ---, "Summary of the Durban Climate Change Conference: 28 November-11 December 2011", Earth Negotiations Bulletin, Vol.12, No.534, p.1.

China was a spokesperson for the BASIC group of nations at the 2011 Durban conference, in the COP 17 negotiations. Although China was not in the developed category, it had the potential, and was considered by all, that every right should be given to it for its advancement. It was a voice for the 77 countries, with regards to emissions in the second phase of Kyoto Protocol. China's mediator emphasized that for past two decades the meetings have contributed to a lot of integrated capacity building, for developing nations, in climate issues, and thus more promotion should be encouraged under the Convention and the Protocol.<sup>631</sup> EU, the voice for European nations, including UK, agreed in the Durban UN Summit that it is quite willing to clinch the deal with second commitment phase of Kyoto Protocol, to provide a legally solid foundation for the developing nations. Artur Runge-Metzger, main mediator of EU, said he desired, USA, China, as the largest net polluter, and other developing nations to sign climate treaties for common agreement grounds by 2015. It's like an engagement which may or may not culminate in a marriage. But an engagement ensures progress in some defined direction, under a lawful or socially accepted framework.<sup>632</sup> At COP-17, EU pointed towards a road map and second commitment of the Kyoto Protocol. The roadmap would be the foundation stone for building up a globally compact network on the climatic program. It would be based on past achievements, inclusive of the Bali, Cancun, Kyoto Protocol, and the novel principle of common and unique duties of nations. It was also open to ratification possibilities with the second commitment phase of Kyoto Protocol, for longer and more flexible functioning.<sup>633</sup> The US in Durban, stated that, although China and other developing nations agreed in contractual agreements on climate, environmental and emission issues, there is no guarantee of their total dedication to that. The willing agreements made at Copenhagen and Cancun summit were enough to go by at present. Jonathan Pershing, deputy special envoy

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<sup>631</sup> ---, "Statement of Minister Xie Zhenhua of China", Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111207\\_cop17\\_hls\\_china.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111207_cop17_hls_china.pdf), Accessed on 18.01.2015.

<sup>632</sup> Aislinn Laing, "Negotiating positions of major economies at Durban talks", Available at <http://www.telegraph.co.uk/earth/environment/climatechange/8921413/Negotiating-positions-of-major-economies-at-UN-talks.html>, Accessed on 18.10.2014.

<sup>633</sup> ---, "Statement at the opening of the high-level segment of COP17 by Connie Hedegaard, European Commissioner for Climate Action", Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111206\\_cop17\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111206_cop17_hls_european_union.pdf), Accessed on 18.01.2015.

of US, for climate change, said that there are sufficient agreements which can be carried forward to 2020. Russian federation need to complete its agreements, at Durban, and the agreements on annexes A and B should be commensurate with articles 20 and 21 under Kyoto protocol. A legally harmonious framework amongst nations is very essential for the first period of commitments fulfilment of Kyoto Protocol.<sup>634</sup> At COP-17, India's mediator, stated that, although India as a developing nation, faced many challenges, it has worked very industriously to achieve its goals according to contractual agreements on the global platform. Developed nations should play their part too, in meeting obligations under the protocol and other treaties signed on global climatic emission issues. Durban should make provisions for second commitment of Kyoto protocol, in such a way, that withdrawal of any party, will not harm its, smoothness, solidarity and strength. India is very keen for the establishment of Green Climate fund. Developed nations need to fill in with the funds, determine its legal status and have a long term plan to utilize these funds. The climate change negotiations have come a long way, with lots of ups and downs. It has a chequered history, has made much headway, but is still uneven, and much needs to be done.<sup>635</sup>

Doha Conference under UNFCCC held in Qatar from 26 November to 8 December 2012. This conference included the eighteenth session of the Conference of the Parties (COP 18) to the United Nations Framework Convention on Climate Change (UNFCCC) and the eighth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 8). Parties concentrated on the subject of implementation of previous agreements reached in COP process. Moreover, as a result of the negotiations, parties agreed on a set of decisions, entitled 'Doha Climate gateway'. This Doha package consisted of some

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<sup>634</sup> ---, "Russian Federation Statement of the Advisor to the President of the Russian Federation, Special Representative of the President of the Russian Federation on Climate Change, Mr. Alexander Bedritskiy, to the 17th Conference of Parties to the UNFCCC/7th Meeting of the Parties to the Kyoto Protocol", 08 December 2011, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111208\\_cop17\\_hls\\_rus\\_sia.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111208_cop17_hls_rus_sia.pdf), Accessed on 18.01.2015, pp.1-2.

<sup>635</sup> ---, "Statement by Ms Jayanthi Natarajan, Minister of Environment and Forest Government of India", High Level Segment 17<sup>th</sup> Conference of Parties, Durban, December 7, 2011, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111207\\_cop17\\_hls\\_ind\\_ia.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111207_cop17_hls_ind_ia.pdf), Accessed on 18.01.2015.



amendments to the Kyoto Protocol. The main of these amendments were related to establish the second commitment period. According to this,

Having been launched at CMP 1 in 2005, the AWG-KP (Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol) terminated its work in Doha. The parties also agreed to terminate the AWGLCA (Ad hoc Working Group on Long-term Cooperative Action under the Convention) and negotiations under the Bali Action Plan. Key elements of the outcome also included agreement to consider loss and damage, “such as” institutional mechanism to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change. While developing countries and observers expressed disappointment with the lack of ambition in outcomes on Annex I countries’ mitigation and finance, most agreed that the conference had paved the way for a new phase, focusing on the implementation of the outcomes from negotiations under the AWG-KP and AWG-LCA, and advancing negotiations under the ADP (Ad Hoc Working Group on the Durban Platform for Enhanced Action).<sup>636</sup>

Within the framework of COP-18 Doha negotiations, at High-Level Segment, parties have delivered their views that shed light on their positions. In this sense, the EU stated that

Europe wants a new regime to be inclusive and equitable. For us, this means shouldering climate action in line with responsibilities and capabilities; it means promoting opportunity and choice; it means supporting action. And it means solidarity with the vulnerable who will be affected by loss and damage...In Europe we have always believed that ambition begin at home. Recently, we passed the 100 GW milestone for wind deployment and 70% of new installed power capacity in Europe in 2011 was zero-carbon...And in addition to the 20% reduction on emissions that will bind us under national, regional and international law, Europe will continue to prepare, implement and press for bold, new steps toward a low carbon economy...Recently agreed measures promise to accelerate reductions beyond our current targets through energy efficiency, new rules to reduce indirect land-use change from biofuels, ambitious standards for cars and vans and a new proposal to dramatically cut HFCs and other F-gases.<sup>637</sup>

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<sup>636</sup> ---, “Summary of the Doha Climate Change Conference: 26 November- 8 December 2012, Earth Negotiations Bulletin, Vol.12, No.567, p.1.

<sup>637</sup> ---, “Statement by Connie Hedegaard and Sofoclis Aletraris on Behalf of the EU, its 27 member States and Croatia At COP-18, Doha, Moving forward together”, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20on%20behalf%20of%20the%20EU%2C%20its%2027%20Member%20States%20and%20Croatia.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20on%20behalf%20of%20the%20EU%2C%20its%2027%20Member%20States%20and%20Croatia.pdf), accessed on 21.01.2015

US negotiator expressed in high-level segment that

Climate change challenges us as few issues do. We need, all of us, to build resilience against the impacts of climate change and extreme weather- impacts we have felt keenly this year in the United States. We need, all of us, to hasten the transition to low-carbon economies so that we can avoid much more serious risks in the future. And, we need, all of us, to recognize that containing climate change is not only consistent with sustainable growth and development- it is necessary condition...Unless we can find common ground on that principle (the principle of equity and common but differentiated responsibilities and respective capabilities) and the way in which it should apply in the world of 2020s, we won't succeed in producing a new Durban Platform agreement.<sup>638</sup>

In the same session, Australian representative, on behalf of the Umbrella Group (Canada, Japan, Kazakhstan, New Zealand, Norway, the Russian Federation, the United States and Australia) made a speech. In this sense, the speech maker highlighted that

we agreed that between now and 2015 we would negotiate a new legal international agreement to apply to all parties, a new agreement that needs to be both effective and fair. We note the good work of the ADP Co-Chairs and the constructive spirit of the ADP discussions so far...while we look beyond 2020, we all need to raise the ambition of our efforts in the years before 2020 as mandated in Durban. That means working together, both inside and outside the UNFCCC, to amplify the impact of our actions. Ambition is based in domestic action and we need to nurture and enhance the action. Markets could play an important and positive role for many countries...Mitigation is critical because it will reduce the trajectory of our emissions. But Umbrella Group countries recognize that adaptation is critical too, particularly for those countries most vulnerable to the impacts of climate change. Umbrella Group Ministers also recognize the importance of finance to enable climate action.<sup>639</sup>

G77 and China at the Opening Plenary delivered their opinions. The group representative emphasized that

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<sup>638</sup> --- "TDS Remarks for High Level Segment", Doha 05.12.2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20by%20USA.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20by%20USA.pdf), accessed on 21.01.2015.

<sup>639</sup> "Umbrella Group Statement", High-Level Segment, 3.12.2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20on%20behalf%20of%20the%20Umbrella%20Group.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20on%20behalf%20of%20the%20Umbrella%20Group.pdf), Accessed on 21.01.2015.

we stress the need of the full implementation of the delicate package endorsed in Durban in all its aspects, including addressing in a balanced and effective manner the issues of adaptation, mitigation, finance, technology and capacity building...(Also), the Kyoto Protocol is the cornerstone of the climate change regime. The second commitment period must therefore start on January, 1<sup>st</sup>, 2013 and the modalities of its implementation must ensure an effective transition to an ambitious and legally binding second commitment periods...(According to G77/China group), at Doha we must ensure that the package is fully implemented to ensure the following: -Strengthen the principles and provisions of the Convention and Kyoto Protocol, in particular the principles of equity and common but differentiated responsibilities; - Safeguard trust in the multilateral process through an inclusive, transparent and a party driven process; - Ensure a successful and meaningful conclusion of the two pillars of the Bali Road Map, through formal adoption and operationalization of a legally binding second commitment period of the Kyoto Protocol and an agreed outcome pursuant to Bali Action Plan.<sup>640</sup>

To sum up, within the context of aforementioned negotiations and statements, the “transitional” Doha Climate Change Conference was a case in point. Doha conference is seen as an important step in order to reach the new climate agreement in 2015. In this sense, parties in Doha discussed on the aim of determining the principles of a second commitment period under the Kyoto Protocol. In addition, in COP-18, delegates addressed the cost of combating climate change and focused on creating a long-term funding in order to underpin the actions and project of developing countries. According to this, as agreed in Copenhagen conference in 2009, this founding is supposed to reach a level of US\$100 billion a year by 2020.<sup>641</sup>

COP-19 to the UNFCCC and CMP 9 to the Kyoto Protocol held in Warsaw, Poland in November 2013. Parties in Warsaw concentrated on the subject of implementation of agreements reached at previous conferences. Moreover, Delegates continued the work of the Ad Hoc Working Group on the Durban

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<sup>640</sup> “Statement on behalf of the G-77 and China at the Opening Plenary of the 18th Conference of the Parties to the UNFCCC”, Doha, Qatar, 26 November 2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/STATEMENT%20ON%20BEHALF%20OF%20G77.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/STATEMENT%20ON%20BEHALF%20OF%20G77.pdf), Accessed on 21.01.2015.

<sup>641</sup> ---, “Summary of the Doha Climate Change Conference: 26 November- 8 December 2012, Earth Negotiations Bulletin, Vol.12, No.567, p.26.

Platform for Enhanced Action.<sup>642</sup> Within the framework of COP-19 Warsaw Conference, Parties discussed some critical issues on future path of the process under both ADP workstreams. The workstream I focused on adaptation, mitigation, technology development, technology transfer, finance capacity building and transparency issues.<sup>643</sup> Following the ADP workstream-I discussions, parties discussed “the way forward” in workstream 2. During the open-ended negotiations, delegates concentrated on works and results of workstream 2 and they focused on the tangible actions in order to increase will.<sup>644</sup> In this sense, during the negotiations, parties expressed their own views and thoughts of the groups they represented. According to this,

Malaysia, for the G-77/China, said “enhanced Annex I commitments should be the first step and called for, inter alia, ratifying the Doha Amendment, and establishing a mechanism matching mitigation and adaptation proposals with finance and technology. China called for: an outcome that recognizes elements beyond mitigation; and work programs on the adequacy of financial support and IPRs. The EU suggested: further technical work to draw on the experience of other bodies and further workshops; opportunities for ministers to show leadership; and promoting the UNFCCC’s catalytic role. On hydrofluorocarbons (HFCs), India and Saudi Arabia underlined they “belong” under the UNFCCC. The EU emphasized shared responsibility with the Montreal Protocol. China said the UNFCCC principles should apply to the phaseout of HFCs. Mexico underscored the health co-benefits of addressing short-lived climate pollutants. The US, supported by Canada and Australia, called for harnessing the mitigation potential of sub-national actors. China said these local efforts fall under national action.<sup>645</sup>

Apart from the above mentioned discussions, parties made their statements in High-level segment of COP 19 and CMP 9. In this sense, Connie Hedegaard and Valentines Mazuronis, on behalf of the EU and its 28 member states, underlines that

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<sup>642</sup>---, “Summary of the Warsaw Climate Change Conference, 11-23 November 2013”, Earth Negotiations Bulletin, Vol.12, No.594, p.1.

<sup>643</sup> *Ibid.*, p.10.

<sup>644</sup> *Ibid.*, pp.12-13.

<sup>645</sup>---, “Summary of the Warsaw Climate Change Conference, 11-23 November 2013”, Earth Negotiations Bulletin, Vol.12, No.594, pp.12-13.

if we want to move faster we need to mainstream climate action into the economy, into our key political choice and into our development strategies. We need a paradigm shift...(the 2015 deadline) is not a tentative deadline. It is not just something nice to aspire to. It is a “must have” because global action is already running late. And obviously it cannot be an empty agreement that is only fine architecture without a concrete ambition and commitments...In 2015 no country will have a legitimate excuse for not having done its homework, for not having prepared its pledge and its fair share of the contribution. That is why the EU is proposing a step-wise approach to encourage ambitious commitments under the 2015 agreement. The commitments must be transparent, quantifiable, comparable, verifiable and ambitious...the EU has started its internal preparations for a 2030 framework for climate and energy policies...The European Union stands ready to work with other Parties in a constructive manner, to secure balanced, future-looking outcomes to be adopted in Warsaw.<sup>646</sup>

## US representative mentioned that

we are fully engaged in crafting a new international climate agreement for the post-2020 period that is ambitious, effective and durable. We have advocated a structure for the new agreement that is designed to attract the participation of all countries...This kind of structure, based on spectrum of mitigation commitments, self-differentiated across the broad range of evolving national circumstances and capabilities and in this way consistent with the principle of common and differentiated responsibilities and respective capabilities, is the only kind that we can see producing the ambitious, inclusive agreement we need...by contrast, an agreement based on 1992 categories that are unchanging will not work. There are options here. If those categories are to be operational in character- in other words, determine who has what kind of obligations and responsibilities- they must evolve to reflect changing circumstances. Alternatively, they can remain unchanged if they are not operational. But they cannot be both operational and unchanging...Our meeting here in Warsaw can help build momentum towards Lima and Paris, especially if we are willing to leave ideology at the door and remain committed to the Durban mandate. And as we work overtime in the UNFCCC, we must also expand the field of international cooperation to include complementary initiatives that can make tangible progress right now to address the key drivers of the greenhouse gas emissions.<sup>647</sup>

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<sup>646</sup> ---, “Statement for Joint High-level segment of Cop-19 and CMP 9”, Warsaw, 19 November 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_european_union.pdf), Accessed on 22.01.2015.

<sup>647</sup> --- “High Level Segment Opening Statement”, 21.11.2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_usa.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_usa.pdf), Accessed on 22.01.2015.

H.E. Xie Zhenhua, head of delegation of People's Republic of China, emphasized that

On the way to 2020, China will continue to step up its effort to tackle climate change, and make sure that the commitment of reducing CO<sub>2</sub> emission per GDP unit by 40-45% from 2005 level will be fulfilled in 2020. We are now carrying out internal consultations and analysis for further enhanced actions, and will continue to work tirelessly in order to contribute to the post 2020 global efforts in addressing climate change...Following the principles of transparency, inclusiveness, party-driven process and consensus through consultation, china will continue to play a positive and constructive role together with all other Parties to support the Government of Poland in order to achieve a successful outcome in Warsaw.<sup>648</sup>

Also, Fiji on the behalf of the Group of 77 and China, made a speech. In this statement, Dr. Jiko Luveni, Fiji representative, underlined that

we have agreed that the 2015 Outcome for the post-2020 period should be guided by the Principles and Provisions of the Convention, on the basis of Equity and in accordance with Common and Differentiated Responsibilities, since we have agreed that the post-2020 outcome should be “under the Convention”...we can move to set ourselves ambitious goals for the post-2020 period only if we meet our commitments in the pre-2020 period. If not, the post-2020 agreement will not yield the result we desire by the way of enhanced actions and ambition...It is equally important to remember that the 2015 outcome could not result in shifting the responsibility of the developed countries to the developing countries. This cannot be the ultimate objection of the principles and provisions of the Convention so that can work toward the same goal with a spirit of purpose.<sup>649</sup>

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<sup>648</sup> --- “Speech on the High Level Segment of Warsaw Climate Change Conference, by H.E. Xie Zhenhua, Head of Delegation, Vice Chairman of the National Development and Reform Commission, People's Republic of China”, 20 November, 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_peoples\\_republic\\_of\\_china.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_peoples_republic_of_china.pdf), Accessed on 22.01.2015.

<sup>649</sup> ---, “Statement on behalf of the Group of 77 and China by Minister for Women, Social Welfare and Poverty Alleviation, Dr. Jiko Luveni”, UNFCCC High-Level Segment of the 19th Conference of the Parties and 9th session of Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, Poland Warsaw, 19 November 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_fiji\\_g77\\_china.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_fiji_g77_china.pdf), Accessed on 22.01.2015.

And finally, Alexander Bedritsky who is advisor to the president, special envoy for climate, presented the views of Russian Federation. He expressed that

we favor the bottom-up approach to country commitments. The alternative (top-down approach) has not proven successful in the multilateral process. The most preferable format for a new agreement is, in our view, a protocol to the Convention, which would have a commitment period of less than 10 years...The accession instrument for the agreement should promote universality and should not prefabricate needless constraints. We must learn from the lessons of Kyoto and improve the commitment-making mechanism such that it simplifies the type of issues...Countries must meet their commitments, including in the interim before the entry into force of a new agreement. According to UNDP's Emissions Gap Report 2013, many countries still require additional incentives to meet their emissions reductions targets by 2020. We have repeatedly stated that, in the current absence of an agreement covering the period up to 2020, we believe it is necessary to recognize national 2020 pledges made under the Convention by a special decision of the Conference of the Parties. It could bolster faith in the negotiation process and lighten countries' sense of responsibility...<sup>650</sup>

‘The 20th session of the Conference of the Parties (COP 20) to the UN Framework Convention on Climate Change (UNFCCC)’ and ‘the 10th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 10)’ meetings, known as Lima Climate Change Conference were realized in Paris, 2015. Parties concentrated on the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) process and its results in order to reach an agreement in Paris (COP-21) in 2015. For this purpose, delegates in Lima were interested in elements of a draft negotiating text. Following lengthy negotiations, in COP-20, parties agreed on a document, namely ‘Lima Call for Climate Action’. It sets in motion negotiations concerning a new agreement in 2015 and enhancing pre-2020 ambition.<sup>651</sup> In this sense, delegates stated that COP 20 is

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<sup>650</sup> --- “Statement made by Alexander Bedritsky, Advisor to the President, special envoy for climate”, 20.11.2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_russia.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_russia.pdf), Accessed on 22.01.2015.

<sup>651</sup> ---, “Summary of the Lima Climate Conference: 1-14 December 2014”, published by International Institute for Sustainable Development, Earth Negotiations Bulletin, Vol.12, No.619,16 December 2014, p.1

expected to provide a solid foundation for a new global climate agreement, noting that “this will signal to the world a successful outcome in Paris.”<sup>652</sup>

In Lima Conference, parties made statements on the 2015 agreement. Within this context, the EU representative stated that

During the past days we have heard strong and compelling calls for urgent action. There is no time...we must ensure that the 2015 Agreement is capable of responding to the latest science and keeping us collectively on track to achieve the below 2 °C objective. To achieve that the 2015 Agreements need to do 4 things: (1) set out a clear direction of travel to a low carbon global economy; (2) contain ambitious and binding mitigation commitments; (3) have a strong rules base and compliance regime in order to demonstrate and ensure progress towards achieving our commitments; (4) set out a mechanism to regularly review the level of mitigation ambition in the light of the latest science...The 2015 Agreement must also be balanced. In that context it should set out a global goal of climate resilience, so that we all take the action necessary to prepare for the inevitable impacts of climate change...the 2015 Agreement must also ensure that those countries that need it the most continue to have the support they need... We all agree we are at crossroads of history – and a lot can be achieved if we work together. We believe action needs to be taken collectively and that it has to be inclusive. We should not leave anyone behind and we should all participate...<sup>653</sup>

China's chief climate negotiator Su Wei stated that the main aim of Lima conference was to determine the elements of a new agreement. Wie also declared that “he hopes to discuss enhanced efforts to cut emissions before 2020 and the fulfillment of rich countries' capital and technological pledges”.<sup>654</sup> Ambassador

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<sup>652</sup> *Ibid.*, p.25.

<sup>653</sup> Gian Luca Galletti (Italian Minister) “Statement on behalf of the European Union and its Member States”, Lima, 10 December 2014, Avaibale at [http://unfccc.int/files/meetings/lima\\_dec\\_2014/statements/application/pdf/eu\\_statement\\_durban\\_plat\\_form.pdf](http://unfccc.int/files/meetings/lima_dec_2014/statements/application/pdf/eu_statement_durban_plat_form.pdf), Accessed on 22.01.2015.

<sup>654</sup> He Shan, “China’s chief climate negotiator in Lima”, China.org.cn, 5 December 2014, Available at [http://www.china.org.cn/environment/2014-12/05/content\\_34236273\\_2.htm](http://www.china.org.cn/environment/2014-12/05/content_34236273_2.htm), Accessed on 22.01.2015.



Rene Orellana, on behalf of the Group of 77 and China, made a speech. He focused that

the group underlines the importance of making substantial progress on elaboration of the elements for drafting negotiating text, essential to the adoption of the 2015 agreement in Paris. The Group reiterates that the 2015 agreement must be under the Convention and based on its principles and provisions related to commitments and responsibilities with regard to mitigation, adaptation and means of implementation, in particular the principles of equity and common but differentiated responsibilities and respective capabilities. The Provisions of the 2015 agreement should focus on enhanced action related to the six core elements...In this regard, the group believes that the most promising way forward lies in ensuring that the 2015 agreement treats the elements of 'mitigation', 'adaptation', 'finance', 'technology development and transfer', 'capacity building' and 'transparency of action' and support in a balanced manner...The G77 and China envisions a mode of work that builds on areas of commonality, that has a high probability of achieving a meaningful outcome, and that reflects the consensus and ownership by all Parties. The Group stands ready to work with you and with our negotiating partners to secure this desired outcome here in Lima as a prelude to the successful completion of our work in Paris next year.<sup>655</sup>

Alexander Bedritskiy, advisor to the President of the Russian Federation, has given Russian opinions on new 2015 climate agreement at UN Climate Summit, National Action and Ambition Announcements. He underlined that

In our view, the new climate agreement should be based on the principles established by the UNFCCC including the principle of common but differentiated responsibilities and respective capabilities. Commitments of developed and developing countries may be different but at the same time they should have equal status and be a subject to accountability. Regarding possible commitments for the post-2020 period, we favor the "bottom-up" approach, which means that countries should determine their commitments themselves. This requires defining a period covered by the new agreement... 19% of the world's boreal forests are in Russia. Boreal forests store twice as much carbon as any other terrestrial ecosystem. This fact has key importance for reducing anthropogenic impact on climate and should be given appropriate consideration in the new agreement. We expect that the negotiations on a new global agreement will be constructive and based on respect of

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<sup>655</sup> --- "Statement on behalf of the Group of 77 and China by Ambassador Rene Orellana, Chair of the Group of 77 and China at the Opening plenary of the Ad Hoc Working Group on the Durban Platform", Lima Peru, 2 December, 2014, Available at [http://unfccc.int/files/bodies/awg/application/pdf/adp2-7\\_opening\\_statement\\_by\\_g77\\_and\\_cS](http://unfccc.int/files/bodies/awg/application/pdf/adp2-7_opening_statement_by_g77_and_cS), Accessed on 22.01.2015.

international law, and we are determined to contribute to their successful conclusion by the COP in Paris.<sup>656</sup>

As it has been indicated by US Department of State,

the UN climate conference in Lima in December 2014, in late 2014, is an important step in setting the tone for the Paris conference in the following year. The United States is working with international partners to address the three main pillars of a global climate agreement — mitigation, adaptation and financial assistance — to achieve an agreement that is ambitious, inclusive and applicable to all, durable and fair. The administration's commitment and leadership to put forward a robust post-2020 agreement has helped spur international action to address climate impacts, and the U.S. government is working to carry that momentum to Paris.<sup>657</sup>

Within the framework of the negotiations and statements, Parties at COP-20 have discussed on 'the elements for a draft negotiating text'. These elements can be categorized as 'mitigation', 'adaptation', 'finance', 'technology development and transfer', 'capacity building' and 'transparency of action'.<sup>658</sup> Following the all negotiations and statements at COP-20, actors in the Lima climate change conference have agreed on a plan to combat global warming. The main characteristic of this plan was that for the first time, all countries would commit to cut their greenhouse gas emissions. The plan was hailed as an important first step towards a climate change deal due to be finalized in Paris next year. The proposals

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<sup>656</sup> ---, "Statement by Mr. Alexander Bedritskiy, Advisor to the President of the Russian Federation, Special Presidential Representative on Climate Issues at UN Climate Summit, National Action and Ambition Announcements", New York, 23 September 2014, Available at <http://www.un.org/climatechange/summit/wp-content/uploads/sites/2/2014/09/Russian-national-announcement-at-the-Climate-Summit-ENG.pdf>, Accessed on 23.01.2015.

<sup>657</sup> US Department of State, "Global Climate Change", Available at <http://www.state.gov/e/oes/climate/>, Accessed on 23.01.2015.

<sup>658</sup> ---, "Summary of the Lima Climate Change Conference: 1-14 December 2014", Earth Negotiations Bulletin, Vol.12, No.619, 16 December 2014, Available at <http://www.iisd.ca/download/pdf/enb12619e.pdf>, Accessed on 23.01.2015.

call on countries to reveal how they will cut carbon pollution, ideally by March next year.<sup>659</sup>

#### **7.4. Concluding Remarks**

This chapter aimed to show the differences of the EU's behavior in the practice of international climate change negotiations. While doing so, this chapter, first of all, focused on different groupings in the negotiations. Then, the positions and movements of the actors in general, actors that constitute the main interest of the dissertation such as the EU, the US, China, India and Russia in particular was described. In evaluating policies, actions and practices in negotiations, UNFCCC process was considered as a framework of analysis. The Conferences of the Parties (COPs) in UNFCCC process were taken into account. Apart from this, Conferences and meeting in UNFCCC process that become turning points, such as Kyoto Protocol, Lima, Copenhagen, Berlin, Bali conferences, were detailed. The discussion was analyzed in three periods. These stages were 'The First Stage (1991-1994): UNFCCC period', 'The Second Stage (1997-2005): Kyoto Protocol Period', and 'The Third stage (1996-Present ): Post-Kyoto Period'.

In this sense, the main developments in the first period (1991-1994) can be shown as Earth Summit (UNCED) and UNFCCC. In this stages, the EU is recognized as a leading proponent of international action on environment and is committed to promoting sustainable development worldwide. Indeed, the EC Treaty requires that Community policy on the environment promote, inter alia, measures at international level to deal with regional or worldwide environmental problems. As an active participant in the elaboration and implementation of multilateral environmental agreements and other environmental negotiations and processes, notably in the United Nations framework, the EU's constructive position has on several occasions

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<sup>659</sup> --- "Lima climate change talks reach global warming agreement", Available at <http://www.theguardian.com/environment/2014/dec/14/lima-climate-change-talks-reach-agreement>, Accessed on 23.01.2015.

proved crucial to ensuring progress. In UNFCCC negotiations, the EU became a leader of this process in terms of its commitment to decreasing its joint carbon dioxide emissions to 1990 levels by the year 2000.

In UNFCCC phase, while the European Union has set own position on the basis of the necessity of giving binding commitments and reaching a comprehensive agreement, Bush administration intended to avoid binding commitments and a binding agreement. Apart from that, there are industrializing countries such as China, India and Brazil. These countries have released the 21 percent of global emissions from all resources. In addition to this, proportion of their emissions will doubtlessly increase because of widely using fossil fuels as a main component of their economy. In this sense, cooperation among developing countries has long been a key feature of the international negotiations under the United Nations Framework Convention on Climate Change (UNFCCC). The distinction drawn between the responsibilities of developed and developing countries predate the formal UNFCCC process. The developing countries (G-77 and China) emphasized the historical responsibility of developed countries for climate change, and agreed to participate in the climate negotiations only on the condition that they should not be required to take any substantial commitments of their own. Although the developing countries ('G77 and China') repeatedly advocated differentiated obligations for industrialized and developing countries, they strongly opposed any differentiation among developing countries based on their different levels of development. The strong resistance of creating a category of more advanced developing countries matched very well with Chinese interests. China with its rapidly expanding economy, large present emissions and even higher projected emission levels could easily be singled out in such a category.<sup>660</sup>

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<sup>660</sup> Ida Bjørkum, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtj of Nansen Institute, December 2005, p.27.

In the second stage (1995-2005:Kyoto Protocol Period), the main discussion took place on the progress of the protocol's entry into the force. Two sets of issues were under contention. The first was the issue of commitments. Since developing countries had successfully opposed the inclusion of voluntary commitments at Kyoto, the US had renewed its efforts to have them included. Two months before the Hague, Frank Loy, the lead US negotiator, urged parties to establish mechanisms that enable developing countries to limit voluntarily their emissions. While the EU was not strictly opposed, developing countries remained vociferous in their opposition to any commitments. G-77/China rejected the proposal by a "key Annex I country" tying the provision of financial assistance to some form of new emissions reduction commitment by developing countries. The EU had been determined to push ahead and strengthen the obligations of developed countries. The EU argued that an agreement in Berlin should mention specific emission targets and timetables for developed countries. Yet the US delegation was reluctant to follow this path, especially if developing countries did not take on obligations. As the chief, US negotiator stated: 'We are not going to commit ourselves to things we cannot do. We will be fortunate if we can keep this treaty alive'.<sup>661</sup> In contrast, the EU indicated it could accommodate developing country demands for no quantitative commitments. China together with G77 stressed that implementation of the existing commitments should be the main concern. The Chinese delegation was skeptical of the proposal of a protocol to follow up the Convention, and expressed that it was not interested in negotiating a protocol before the Annex I Parties had implemented all their commitments in accordance with the Convention. Also, emphasizing the need for continued economic development, China said that the climate regime should take into account the rising energy demands that will occur as the quality of life in developing countries improves. In the end, the US succumbed to international pressure and supported the EU position that developing countries would not take on new commitments.

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<sup>661</sup> Christian Downie, "The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations", *New Horizons in Environmental Politics Series*, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.37.

A second set of issue was related to “flexible mechanism”. The US strongly supported the use of flexibility mechanisms, namely emissions trading, Joint Implementation and ‘sinks’, to help a state meet their target. The EU concerned about the widespread use of flexibility mechanisms at the expense of domestic actions. Despite skepticism among many EU member states that this would be used by the US to avoid domestic action, its inclusion helped to bring the US on board. Developing countries opposed it, fearing that it would enable developed countries to avoid their responsibilities and shift the burden of responding to climate change onto developing countries. Indeed some developing country delegates saw it as a new form of neo-colonialism. China, in particular, was skeptical to the introduction of the Kyoto mechanisms. China and other developing countries objected to Article 17 on emission trading, stating that it would not reduce emissions, and proposed to delete it from the Protocol.

Apart from the discussion on voluntary commitments issue and flexible mechanisms in the Kyoto Protocol, the development marked in the stage is that following a few months after COP6 in Hague, in March 2001 President George Bush, materializing his campaign stance about climate change, announced the USA would not ratify the Protocol. The reasons given were: it would seriously harm the US economy and developing countries were exempt from emission reductions.

The third stage (1996-Present: Post-Kyoto Period) focused on the issue of reaching an agreement on what should replace the Protocol, which expired in 2012. The negotiations that have followed in Cancun, Durban, Doha and Warsaw have so far failed to agree on what should replace the Kyoto Protocol. As a result, the post-Kyoto phase of negotiations has quickly become another round of prolonged international negotiations that look set to continue for the foreseeable future.<sup>662</sup>

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<sup>662</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, New Horizons in Environmental Politics Series, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.10.

In the period up to the Copenhagen conference, discussion focused on the post-2012 agreement, developed and developing countries' commitments and the worsening global financial situation. The European Union (EU) called for an “open mind” and “creative and innovative ways” to address climate change after 2012. The EU also stressed that the EU is ready to start discussions under Article 3.9 (future commitments). The EU stated growth in global emissions must be halted in the next 10-15 years and urged a comprehensive global agreement by 2009. On the global financial situation, the EU said the fight against climate change could not wait for a recovery from the economic recession and stressed that the EU’s goals are clear even if internal debate is taking place on legislation to implement the target of a 20% reduction by 2020.<sup>663</sup> On the subject of commitments, the Russian Federation stated that they have joined the group of countries that may not be willing to take on commitments unless large developing countries are part of a future deal. G77 and China, in this period, lamented that the negotiations have not reflected a sense of urgency about climate change and developed country commitments. After the Barack Obama’s victory in the US Presidential elections, in Poznań, Obama has promised to make climate change a high priority and highlighted a green energy economy as a remedy for the ongoing economic crisis. In Poznań, the US was still represented by the Bush administration and remained relatively subdued during the official negotiations. Some felt that uncertainty about the US position in 2009 caused other countries to refrain from making significant political advances in Poznań, and few expect developing countries to make significant moves before developed countries have clarified their positions on emission reductions and financing. Likewise, the United States argues that developing countries in general, China in particular, should make binding commitments on emission reductions.

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<sup>663</sup> Interview with Pelin Zorlu, from E3G (Third Generation Environmentalism), London, England, September 2010.

In the Copenhagen Conference, parties' discourses seem to begin to change. Within this framework, China and India announced voluntary targets to reduce emissions intensity by 2020. However, the G-77/China, stressed the need to establish a second commitment period under the Kyoto Protocol on the basis of comparable and ambitious emission reductions, and respect the Convention's principles of equity and common but differentiated responsibilities. Also, Brazil announced actions to achieve a level of emissions in 2020 that would be at least 36% lower than business-as-usual projections. Hurrell and Sengupta identify these voluntary commitments as a 'significant shift' in the negotiating stance of the BASICs: 'For the first time in the history of the climate negotiations, these countries were willing to put hard numbers for climate change mitigation on the table'.<sup>664</sup> The BASICs' 2020 targets were subsequently included in the Copenhagen Accord's appendix on 'nationally appropriate mitigation actions'.<sup>665</sup> At the Copenhagen climate meetings in December 2009, President Obama pledged the United States to emissions reductions "in the range of 17% below 2005 levels by 2020. It can be said the main reason for the change in discourses is that the Copenhagen Accord is not a binding agreement. In this regard, the Copenhagen Accord emerged from a series of informal consultations, including a meeting of BASIC leaders and US president Barack Obama. India's lead negotiator, then-environment minister Jairam Ramesh, credits the meeting between the BASIC leaders and Obama with 'clinch[ing]' the Copenhagen Accord: 'It was at this crucial meeting that the BASIC group was able to get agreement on its proposals on global goals and on monitoring and verification. It was also able to ensure that the Copenhagen Accord was not legally

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<sup>664</sup> Andrew Hurrell and Sandeep Sengupta, 'Emerging Powers, North-South Relations and Global Climate Politics', in *International Affairs* Vol. 88(3) 463, 2012, p 471.

<sup>665</sup> Stephen Minas, "BASIC Positions-Major Emerging Economies in the UN Climate Change Negotiations", FPC Briefing, The Foreign Policy Center, June 2013, p.2.



binding and that there was no mention of a new legally binding instrument in the Accord.’<sup>666</sup>

On the contrary, the EU, urged parties not to leave Copenhagen without a legally-binding, ambitious, global and comprehensive agreement for all countries, including actions from developed countries and emerging economies. He called on the US to adopt legally-binding, economy-wide emission reduction commitments and on China to adopt binding actions, urging these countries to “unleash their full potential” to enable the world to achieve the objective of limiting the global temperature increase to below 2°C. It can be said that Copenhagen Accord without a legally-binding in the end of the Copenhagen Conference was distressing for the EU.<sup>667</sup>

The focus in the post-Copenhagen period was on a two-track negotiating process aiming to enhance long-term cooperation under the Convention and the Protocol. The EU focuses on a roadmap and the second commitment period of the Kyoto Protocol. For the EU, “we need a roadmap. A roadmap, reassuring us that work towards a global, comprehensive and legally binding framework for all will start now...this roadmap is not meant to change the Convention. We need to build on what we have achieved thus far: the Kyoto Protocol, Bali, Cancun and the dynamic principle of Common but Differentiated Responsibilities and Respective Capabilities”. Also, the EU said “the EU is open to a ratifiable second commitment period of the Kyoto Protocol as part of a transition to a wider regime...Moreover a second commitment period with only a very limited number of Parties cannot be

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<sup>666</sup> ---, “Jairam Ramesh statement on Copenhagen Accord in Rajya Sabha”, Available at <http://www.thehindu.com/news/national/jairam-ramesh-statement-on-copenhagen-accord-in-rajya-sabha/article69893.ece> , 22 December 2010, Accessed on 17 October 2014.

<sup>667</sup> Interview with Stephen Tindale, Climate Change Research Fellow at the Center for European Reform, London, England, September 2010.

excuse for inaction for a long period of time.”<sup>668</sup> The EU wanted to see the USA and developing countries including China, now the world's biggest net polluter, agree they will sign up to a deal by 2015. While the EU said these views, China has said that as a still-developing country, whose emissions per capita are still well below those of developed countries, it has a right to continue to develop further. It has pledged to cut emissions from industrial growth, but has said that while the US continues to act of its own accord, it will do the same. The US said that even if China and other key polluters agreed to sign up to a new deal in the years to come, it could not guarantee its involvement. Instead, it suggested that voluntary agreements to cut emissions agreed at previous summits in Copenhagen and Cancun were enough. For Russian Federation, It is critical for the success of a future global climate regime to guarantee compliance with all legal procedures established to assess due fulfillment of commitments made under the first period of the Kyoto Protocol. India stated that we are conscious of our responsibilities and have, in that spirit, taken new and additional mitigation actions in a regime of international transparency. We are fulfilling these obligations. It is time the developed countries stepped up to fulfill their part of the commitment under UNFCCC and its Kyoto Protocol.

At the time of LIMA Conference, the parties began to negotiate the foundations for a new agreement after Kyoto. Indeed, the actors have accepted to make a new agreement that involves binding commitments. But, they still have inclinations to continue with their general attitudes. For instance, China stated that the primary point of the Lima conference is to provide elements for a new deal. He also stated that he hopes to discuss enhanced efforts to cut emissions before 2020 and the fulfillment of rich countries' capital and technological pledges. G77 and China reiterates that the 2015 agreement must be under the Convention and based on it

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<sup>668</sup> ---, “Statement at the opening of the high-level segment of COP17 by Connie Hedegaard, European Commissioner for Climate Action”, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111206\\_cop17\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111206_cop17_hls_european_union.pdf), Accessed on 18.01.2015.

principles and provisions related to commitments and responsibilities with regard to mitigation, adaptation and means of implementation, in particular the principles of equity and common but differentiated responsibilities and respective capabilities. In return, the United States is working with international partners to address the three main pillars of a global climate agreement — mitigation, adaptation and financial assistance — to achieve an agreement that is ambitious, inclusive and applicable to all, durable and fair. With the emphasis on “applicable to all”, the US mentions that the binding commitments will also be applied to the developing countries. In the same vein, China’s emphasis on UNFCCC Principles and Kyoto Protocol can be interpreted as its continuation with the view that a differentiation should be made between developed countries and developing countries. Following the all negotiations and statements, international negotiators at the Lima climate change talks have agreed on a plan to fight global warming that would for the first time commit all countries to cutting their greenhouse gas emissions. The plan was hailed as an important first step towards a climate change deal due to be finalized in Paris next year.

In conclusion, it should be stated that the positions and policies of all actors have changed within the process. However, this change is generally remained in discursive level. The interest of actors in renewable energies has increased and they raised their domestic investments. Nevertheless, when it comes to international negotiations, the countries could not expose the same momentum. Policies have been continued to be shaped not according to global priorities but according to the national interests. Thus, they try not to engage in binding commitments in international negotiations as far as possible and to postpone a comprehensive/legally binding agreement. When all the negotiation process has been examined, actors in general and China and the US in particular have been trying to determine their positions according to the steps taken by respective parties and to postpone the process. However, the EU follows a regulatory, rule-setting and institutionalist policy in accordance with its own structure. While “the joint announcement” made between the US and China in the year 2014 is a very crucial

step for the advancement of the process and reaching a binding agreement, it also shows the key importance of these two economically competing great emitters in the global climate change negotiations and in the struggle with global climate change.<sup>669</sup>

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<sup>669</sup> --- “US-China Joint Announcement on Climate Change”, the White House, Office of the Press Secretary, 11 November 2014, Available at <http://www.whitehouse.gov/the-press-office/2014/11/11/us-china-joint-announcement-climate-change>, Accessed on 11.02.2015.

## **CHAPTER 8**

### **CONCLUSION**

This dissertation has sought to address the question of why and how the EU follows a different policy regarding the global climate change issue, notwithstanding its great emissions, and while other emitting countries such as US, Russia, China, India and Brazil take status-quo-favoring stances. In parallel with this research question, the argument of this dissertation was that whereas nation-states in general, great emitter states in particular, emphasize their national interests regarding climate change issues, the EU behaves in different way. This different behavior stems from the factors of ‘logic of action,’ ‘supranational decision-making mechanism’ and ‘its concern of spreading the EU standards.’ Despite the fact that there are different views on climate change policy among the EU members and the EU (because it is itself a great emitting body), these factors enable the EU to behave differently than other actors in the international climate change process.

Within this framework, while chapter 2 focused on the milestones of international climate change policy, focusing on the historical background is to show how this process evolves, the chapter 3 elaborated on the framework documents on climate change negotiations. In this sense, these documents, which formed the basis of international negotiations, are UNFCCC and Kyoto Protocol. In the second part of the third chapter, the European Union legal framework on climate change has been focused to better understand its position in international negotiations because of the belief that EU's internal decision making process reflects its decision making in foreign policy.

Chapter 4 discussed the influence of the ‘logic of action’ concept in determining foreign policy because of the fact that this concept led to the difference in the climate change policies between nation states and the European Union. While doing

so, two pieces of logic called ‘logic of appropriateness’ and ‘logic of consequences’” have been discussed. Then, in this chapter, to have a clear understanding in how the EU has reacted in relation to the aspect of climate issues, it was important to analyze and understand the extent to which norms and EU interests are focused upon in the decision making process. It was also important to have clarity regarding whether there is logic of appropriateness or consequence in the EU’s formulation of its climate policies.

As a result, It can be argued due to its structure and founding philosophy, the European Union prefer to follow the approaches of the logic of appropriateness in not just its international climate change policy in particular, but also foreign policy of the European Union in general.

The fifth chapter addressed how the actors determined the policies and positions that they followed in international climate change negotiations. First, the chapter emphasised on Putnam’s ‘two level game’ approach that reveals functioning of international negotiations. Actually, ‘two level game’ approach reflects the behavioral style of the nation states. Unlike the two-stage decision making process of nation- states, the EU has a third level. This third level is related to the structure of the European Union , which is composed of supranational decision-making mechanism. The strengthening of supranational structure of the Union after the Lisbon Treaty and the increasing the powers of the European Parliament led the Union to behave more environmentally friendly. In this chapter, this framework has been detailed.

The sixth chapter of the dissertation centered upon the EU’s normative structure and how the European Union spread its standards on climate change. This chapter explained the influence of the EU on global environmental policy and actors' environmental policies in three ways. These are 'the impact of the EU's normative structure,' 'economic and political conditionality, threats and incentives,' and ' the diffusion of the EU’s high legislative standards'.

The seventh chapter analyzed the different discourses and positions of the actors in international climate change negotiations. This chapter mainly aimed the reader to better understand the reflections in practice of the theoretical difference in the positions of actors in international climate change negotiations. In evaluating policies, actions and practices during negotiations, the UNFCCC process has been considered as a framework of analysis. The Conference of the Parties (COPs) in the UNFCCC process that have become turning points, such as the Kyoto Protocol and the Lima, Copenhagen, Berlin, Bali conferences, have been taken into account, as well. The positions and movements of the groups in the negotiations have been described in three stages called 'The First Stage (1991-1994): the UNFCCC period,' 'The Second Stage (1997-2005): the Kyoto Protocol Period,' and 'The Third stage (1996-Present): the Post-Kyoto Period'.

Within this context, the main findings derived from the dissertation will be summarized and discussed. First, in climate change negotiations, while the European Union's climate policy is considered to be more stable and linear since 1992 to present, other actors act like a chess player who is trying to make moves that will bring the most profitable position. When all the negotiation process has been examined, actors in general and China and the US in particular have been trying to determine their positions according to the steps taken by respective parties and to postpone the process. However, the EU follows a regulatory, rule-setting and institutionalist policy in accordance with its own structure.

Second, the European Union is a norm setter actor in accord with its founding philosophy. The EU focuses on the concepts such as rules, common values, identity construction, collective responsibility, and common institutions. These concepts have found their reflections in the 'logic of appropriateness'. Actually, this does not mean that the EU acts on the basis of logic of appropriateness. The EU follows both logic of appropriateness and logic of consequences in determining its foreign policy. However, Union acts in conformity with 'logic of appropriateness' on the

issues such as environment, social policy, energy, consumer protection, transport that are included in the supranational structure. On the contrary, nation-states in general, great emitters such as the US, China, India in particular, basically determine their own policies by calculating the expectations. Therefore, nation states, in the decision-making process, prefer to give particular importance to national priorities rather than to common values, identity, norms and global priorities. This type of behavior finds its reflections in the 'logic of consequences'. This situation can be observed in international climate change negotiations. For instance, in UNFCCC phase, while the European Union has set own position on the basis of the necessity of giving binding commitments and reaching a comprehensive agreement, Bush administration intended to avoid binding commitments and a binding agreement. The developing countries (G-77 and China) emphasized the historical responsibility of developed countries for climate change, and agreed to participate in the climate negotiations only on the condition that they should not be required to take any substantial commitments of their own.

Third, The European Union has a third level in determining its behavior pattern on international negotiations. This third level stems from supranational institution building within the European Union itself. The European Union's decision-making mechanism is both supranational and intergovernmental. The EU created a three-pillars system with the advent of the 1992 Maastricht Treaty to establish a balance between intergovernmental and supranational decision-making mechanisms. The three-pillars system was abolished by the Lisbon Treaty, and the three pillars were subsequently merged into a single European Union. In both systems, the three pillars system and the system after the 2009 Lisbon Treaty, the environment had a place in both the 'European Community pillar' of the three-pillar system and in the 'shared competence' list of the post-2009 Lisbon process system. The fact that the climate change issue remained in supranational logic implies that it is subjected to the 'ordinary legislative procedure' of the EU, which was referred to as a 'co-decision procedure' before the Lisbon Treaty. On the contrary, when nation-states' behavior patterns on international negotiations are examined, the analysis that best



describes this process is Putnam's "Two level game" theory. Based on that, there are two levels in the process of how an agreement can be reached at the end of the international negotiations. The first level, referred as international level, signifies the bargaining process among negotiators. The second level represents the domestic ratification procedure of the agreement which has been reached as a result of negotiations. From this point of view, the basic motivation of a nation-state is to maximize the gains in international level to satisfy its own domestic pressures. In both international and national level, nation-states and domestic groups determine policies in accordance with their own interests. US's refusal to ratify the Kyoto Protocol can be given as example for domestic constraints in international negotiations. Although the USA has participated in the negotiation process of the Kyoto Protocol, in the last instance it has not signed and ratified the Protocol. Even before the final draft of the protocol was agreed to in July 1997, the U.S. Senate unanimously passed the Byrd-Hagel Resolution stating that the United States should not be a signatory to any agreement that did not include binding targets and timetables for developing nations or that "would result in serious harm to the economy of the United States."<sup>670</sup> Shortly after the breakdown in negotiations at the meeting in The Hague and just a few months after taking office in 2001, the Bush Administration announced it was withdrawing from the Kyoto Protocol process. Underlying reason was the competition between the US and China. That is because China, as the biggest competitor of the US in international economy, has no binding commitments under the Kyoto Protocol. In this case, China will bring an advantageous position against the US in international competition. Hence, the US is involved in the negotiations in order to reach an agreement at the international level (Level II). However, at domestic level (Level I), the US has not approved the agreement on the ground that it is contrary to its national interest.

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<sup>670</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), "Climate Change in Context", Vol.182, Gale, London, 2008, p.606-607.

Fourth, the EU is a norm-setter actor that spreads its standards and norms. The EU serves to be governing the regional environment on the global level. Though it is not a perfect model that could also be employed by other countries of the world, it can still serve to be a prototype. The rest of the world should not employ similar policies and approaches as the EU rather they may use its experiences and modify them as per the needs and demands of their respective regions. The EU can influence and shape global environmental policy in three different ways. The first one is related to the impact of the EU's normative structure. The second path of influence is coercion through economic and political conditionality, threats and incentives. The third way is the diffusion of the EU's high legislative standards. Example is the cooperation between the European Union and Australia on the emission trading system. The Australian Minister for Climate Change and Energy Efficiency, the Hon Greg Combet MP, and the European Commissioner for Climate Action, Ms Connie Hedegaard announced that Australia and Europe would be linking their emissions trading systems. According to Greg Combet, Linking the Australian and European Union systems reaffirms that carbon markets are the prime vehicle for tackling climate change and the most efficient means of achieving emissions reductions. To facilitate linking, the Australian Government will make two changes to the design of the Australian carbon price. The first change is that the price floor will not be implemented. The second one is that a new sub-limit will apply to the use of eligible Kyoto units. While liable entities in Australia will still be able to meet up to 50 per cent of their liabilities through purchasing eligible international units, only 12.5 per cent of their liabilities will be able to be met by Kyoto units. In recognition of these changes and while formal negotiations proceed towards a full two-way link, an interim link will be established, whereby Australian businesses will be able to use EU allowances to help meet liabilities under the Australian emissions trading scheme from 1 July 2015 until a full link is established, i.e. no later than 1 July 2018.<sup>671</sup> And also, Australia, released one of the

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<sup>671</sup> Media Release, "Australia and European Commission agree on pathway towards fully linking emission trading systems", Australian Government Department of the Environment, 28 August 2012, Available at

most CO2 emissions per capita in the world, placed carbon tax of 19.08 Euro per tonne. It applied the tax to 300 companies most responsible for pollution.<sup>672</sup>

All in all, this dissertation believes that the European Union (EU) has a unique institutional nature as it plays a different ball game in the international arena. The organisation is predisposed as an international actor to go after different types of interests. The EU, for example, is more of a civilian organization than a military force, for it pursues interests that are either post-national or ethical as it would rather prefer utilising normative changes rather than the force of arms in attempting to effect changes in the world order. Such mindset is already gaining grounds regarding the premise that the EU has no ambition of becoming a great power in waiting. It is rather a “normative power” which primarily pursues its basic goals by way of ideas and initiatives but never resorting to military or economic force to attain such. That idea of the EU being a different standard power in appearance has peaked interest in recent research studies on the EU’s role and interests in the international political environment. In fact, the rise in popularity of the European leadership in the global scene in terms of environmental matters appears to be in line with the popular view that the heart and interest of Europe policy is focused on global interests and universal values. As a matter of fact, the EU has not escaped the disparaging remarks and criticism leveled against it with regards to its flaws in the environmental field. However, the pivotal role it is playing in developing the climate change leadership and promoting sustainable development and its central role in the United Nations lend credibility to the claim that Europe is committing to the global environmental norms as part of EU’s unique foreign policy identity. The blunt refusal of the United States to provide strong leadership in matters concerning the environment and its constant blocking of new international environmental

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<http://www.climatechange.gov.au/ministers/hon-greg-combet-am-mp/media-release/australia-and-european-commission-agree-pathway>, Accessed on 27.01.2015

<sup>672</sup> ---, “Avustralya AB'nin emisyon ticaret sistemine katılıyor”, Available at <http://www.euractiv.com.tr/cevre/article/avustralya-abnin-emisyon-ticaret-sistemine-katiliyor-025945>, Accessed on 07.02.2014.

initiatives has left Europe to stand alone as the main actor in matters concerning global environmental policymaking.

### **Reverse Side of the Subject**

- This dissertation does not claim that The EU is an idealistic player, thus, the appropriateness logic in the process of decision making is followed. Indeed, the Union utilises the 'the logic of consequences' and 'the logic of appropriateness' for its decisions. Moreover, the EU, like other actors is a global player that acts according to the interests. However, the EU has a different definition for interest. The EU gives much preference in following the techniques of the 'logic of appropriateness' not only in its global climate change policy, but in the problems that include transport, consumer protection, energy and social policy as well; which are integrated into the supranational structure of the EU in general. This is caused by the notion that the EU is not a military power rather a civilian one, thus it lobbying for post-national and ethical interests with an effort of shaping world order using normative change instead of force.

- There is no cohesion among the members of the EU and the EU composed of nation states. The economic and social cohesion of the EU has been an objective established in the Treaties since the creation of the EU. Article 2 of the Treaty sets out that one of the objectives of the EU is to achieve "a harmonious, balanced and sustainable development of economic activities" throughout the Community. Despite this objective, if the current situation is one of persisting and even increasing disparities between regions in the EU, these disparities will experience a critical increase with EU enlargement. In fact, this will constitute a real challenge to the internal cohesion of the EU. Several factors have to be considered. These are;

- The economic inequalities in the EU would increase significantly.
- There would be a geographical alteration within the disparity trends.

- Unemployment will increase significantly.<sup>673</sup>

Similarly, the EU's cohesion policy encounters several limitations in future, the common one being the dramatic rise in social as well as economic inequalities between member states and the regions after expansion. Inequalities amongst member states trace their reflections to the subject of climate change. For example, during the discussions in the Copenhagen Conference, the EU has increased the levels of commitment on reducing emissions from 20 percent –to 30 percent. This led to some discussions among the members. Some countries, which are trying to develop like Poland, claimed that if this amount of emission reductions occurs, there's no way to develop. Likewise, developed countries in the European Union, such as Germany, stated that this amount makes it difficult to maintain the states' level of development.<sup>674</sup> The lack of cohesion between members of the European Union leads to 'implementation gap'.

- One major problem affecting the EU revolves around the implementation gap. It refers to the difference involving the actual implementation and full implementation. The term "implementation gap" has been utilised for describing the disparity that exists between legislative objectives and policy outcomes. When criticising the limitations of environment policy implementation in the EU's development initiatives, the EU's initial role in discussions on global as well as regional environmental regimes –particularly within the field of climate conservation – should not be ignored. In addition, beyond the impact of member states on the environment decision-making process alongside the discussions pertaining to the implementation deficit, the current study places much emphasis on EU's conduct during global climate change discussions. In view of this, the current

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<sup>673</sup> Gerhard Stahl and Damian Lluna, "A Cohesion Policy for the Future", *Forum Intereconomics*, November/December 2003, p.298.

<sup>674</sup> Interview with Pelin Zorlu, from E3G (Third Generation Environmentalism), London, England, September 2010.

study that is dependent on the EU's supranational structure along with the environmental falling within the normal legislative process instead of its domestic structure.

Because of this focus, this study is based on the supranational structure of the Union and environmental issue's being within ordinary legislative procedure rather than its domestic structure.

- Emission Gap: Indeed, criticism concerning emission disparity is valid not only for the EU but as well as other players involved in global climate change discussions. The emission gap may be defined as the difference involving reduction pledges and the required emission cuts for the case of 2 degrees Celsius.

Recent research conducted by James Hansen-a renowned climatologist-cautions that policies designed for meeting the 2 degrees Celsius standard are, indeed, likely to result in extreme temperature increments of 3 to 4 degrees Celsius. This is because of the past underestimated inertia for the earths' oceans, which implies that after warming attains a particular level, the heating up of the planet by oceans continue even when the emissions are reduced. The outcome would be dramatic climatic change coupled with conflicts among people on the globe.<sup>675</sup>

Another assessment of the IPCC AR5 on emissions database examined the required threshold for global as well as regional action for 2020, 2025 and 2030 to reduce warming to less than 2°C or 1.5°C with a likely 66 percent and high probability of 85 percent. Moreover, Working Group III of the IPCC AR5 showed that a few studies have established effective total greenhouse gas emission passageways, which are consistent in remaining less than 1.5 degrees Celsius limit up to 2100

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<sup>675</sup> ---, "Europe's Climate Gap: The unspoken disconnect between climate science and the EU action", Friends of the Earth Europe, Available at [http://www.foeeurope.org/sites/default/files/publications/foee\\_europe\\_climate\\_gap\\_briefing\\_june13.pdf](http://www.foeeurope.org/sites/default/files/publications/foee_europe_climate_gap_briefing_june13.pdf), accessed on 23.02.2015.

with a chance of about 50%. A likely pathway for reducing warming below 2 degrees Celsius contains a 1 in 3 chance of surpassing this threshold, and probably higher if uncertainties in climate sensitivity alongside carbon cycle are not incorporated into the climate approaches are taken into consideration. An emission set containing a higher probability then offers a higher security compared to investments in reducing warming below 2 degrees Celsius would be successful. The high probability 2 degrees Celsius passageways generally reduce warming to 1.5°C or below by 2100.<sup>676</sup>

When the average global temperatures increase for over 2 degrees Celsius, the climate change effects would be devastating. The EU has reaffirmed its commitment of maintaining the ‘safe’ 2degrees Celsius threshold. However, what is not widely understood EU leaders are using an assumption of 50/50 chance for surpassing the 2 degrees Celsius limit. The EU’s climate and energy policies cannot measure up with the problem’s magnitude. Science clarifies that activities aimed at stopping climate change should rely on the evaluation of the quantity from the greenhouse gas emissions that may be emitted without surpassing the level of dangerous temperature increases. However, the EU’s emission reduction passageway to 2050 does not mention the critical ‘carbon budget’ concept.<sup>677</sup>

A serious disconnect involving the science for climate change and the measures that EU has put in place to tackle it. EU leaders have decided to work by focusing on high risks that exceed 2 degrees Celsius- in spite of understanding fully the negative implications of climate change for humans and the earth. This occurs

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<sup>676</sup> Bill Hare, Michiel Schaeffer, Marie Lindner, Niklas Höhne, Hanna Fekete, Louise Jeffery, Johannes Gütschow, Fabio Sferra, Marcia Rocha, “Climate Action Tracker: Below 2 °C or 1.5 °C depends on rapid action from both Annex I and Non-Annex I countries”, Policy Brief, 4 June 2014 (revised 07 June 2014)

<sup>677</sup> ---, “Europe’s Climate Gap: The unspoken disconnect between climate science and the EU action”, Friends of the Earth Europe, Available at [http://www.foeeurope.org/sites/default/files/publications/foee\\_europe\\_climate\\_gap\\_briefing\\_june13.pdf](http://www.foeeurope.org/sites/default/files/publications/foee_europe_climate_gap_briefing_june13.pdf), accessed on 23.02.2015.

when scientific evaluations of the effects for climate change underpin rising pressure for attainment of higher temperature target of 1.5 degrees Celsius or below. Because of this, a dramatic shift in evaluation of risks and making of policies is necessary.

According to “Friends of the Earth Europe”:

- A rise in the EU’s 2020 greenhouse gas emissions targets to about 40 percent as well as corresponding increments in the EU’s energy savings and renewable objectives.
  - Three binding goals of 2030 to reduce the EU’s greenhouse gas emissions by about 80 percent decrease the consumption of energy by 50 percent and significantly escalate renewable energies.
  - Policies which promote the technological winners, which include energy savings and renewables, not unreliable solutions such as unsustainable biomass, shale gas and nuclear.
  - The encouragement for investments in mechanisms that will reduce disparities, increase energy security and cut down costs for consumers as well as businesses.<sup>678</sup>
- Emission Trading: Emission Trading mechanism entails the unutilised greenhouse gas emissions trading from countries, which remain below their required emissions, with those ones that fail to meet the obligations. Simply put, emission trading enhances buying and selling of emission allowances among Annex I countries.

Developed countries such as Japan and the US, supported strongly the application of flexible mechanisms, which include emissions trading, Joint Implementation and

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<sup>678</sup> ---, “Europe’s Climate Gap: The unspoken disconnect between climate science and the EU action”, Friends of the Earth Europe, Available at [http://www.foeeurope.org/sites/default/files/publications/foee\\_europe\\_climate\\_gap\\_briefing\\_june13.pdf](http://www.foeeurope.org/sites/default/files/publications/foee_europe_climate_gap_briefing_june13.pdf), accessed on 23.02.2015.



‘sinks’, to enable a country achieve their target. In the 1990s, European negotiators opposed and criticized US proposals of greenhouse gas emissions trading.<sup>679</sup> The EU was worried about the extensive use of flexible measures without domestic actions. Skepticism among many EU member states indicates that this would be used by the US to avoid domestic action.<sup>680</sup> However, nowadays, even the criticism of the US for its slow pace of joining the Kyoto Protocol, Europe has used the same policy proposal, which the US has been urging other countries to embrace as suitable instrument of achieving reductions in greenhouse gas emissions. The main reason for this being cost-effectiveness. When Europe signed the Kyoto protocol and started the implementation of the targets, it became apparent that emissions trading would be cheap and highly efficient technique of decreasing emissions.<sup>681</sup>

“Friends of the Earth” have developed a critique for carbon trading, called "A dangerous obsession"

The key objections towards carbon trading within the report include:

- It is not effective in enhancing emissions reductions and it cannot enhance technological innovation.
- Carbon trading depends upon offsetting, alongside its numerous problems
- Carbon trading can change into a speculative entity similar to the one that caused the sub-prime mortgage crisis.

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<sup>679</sup> Jonathan B. Wiener, “Better Regulation in Europe” in Jane Holder and Donald McGillivray (Eds.) *Taking Stock of Environmental Assessment*”, Routledge-Cavendish, New York, 2008, p.74

<sup>680</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, *New Horizons in Environmental Politics*, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.38.

<sup>681</sup> Jonathan B. Wiener, “Better Regulation in Europe” in Jane Holder and Donald McGillivray (Eds.) *Taking Stock of Environmental Assessment*”, Routledge-Cavendish, New York, 2008, pp.74-75.

- It offers smokescreen because it lacks action upon finance by the developing world.<sup>682</sup>

In ‘Carbon Tax& 100% Dividend vs. Tax and Trade’, James Hansen's main objections to cap-and-trade systems include:

- The cap increases fossil carbon prices until it becomes tax. Because of that, he recommends the system to be called "Tax & Trade". He notes that, without the offsetting dividends, consumers will resist this 'tax'.
- Price volatility is unpredictable.
- The scheme "makes millionaires on Wall Street and other trading floors at public expense".
- It is prone to blackmailing by utilities, which threaten “blackout coming” for acquisition of higher emission permits.
- It has additional costs alongside complexities, inviting activists alongside delaying implementation.<sup>683</sup>

Apart from such criticisms, carbon trading has been considered as colonialism, whereby rich nations retain their consumption levels while acquiring credit from carbon savings within ineffective industrial projects. Countries, which have scarce financial resources, may not be able to acquire the permits essential for development of industrial infrastructures, thus preventing such nations from attaining economic growth. China in particular, was not sure on introduction of Kyoto measures. China alongside other nations opposed to Article 17 on emission trading, claiming that it may not decrease emissions, thus recommended its deletion from the protocol.<sup>684</sup>

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<sup>682</sup> Sarah-Jayne Clifton, “A Dangerous Obsession”, A Research Report, Friends of the Earth, Available at [http://www.foe.co.uk/sites/default/files/downloads/dangerous\\_obsession.pdf](http://www.foe.co.uk/sites/default/files/downloads/dangerous_obsession.pdf), Accessed on 23.02.2015.

<sup>683</sup> ---, “Objections to carbon trading” ,The Kyoto2 Support Gropu (K2S), Available at <http://www.k2support.org/carbon-trading>, Accessed on 23.02.2015.

<sup>684</sup> Ida Bjorkum, “China in the international Politics of Climate Change”, FNI Report, December 2005, p.29.

Additionally, there was alleged possibility for non-existing emission reductions being put under the Kyoto treaty because of the extra allowances, which some nations have. Local emission reductions are averted by exchange of ‘hot air’ instead of meeting Kyoto objectives directly.<sup>685</sup> For instance, due to the decline of USSR, (Soviet Union), the emissions from former Soviet Union countries have decreased, however under through the Kyoto treaty, they might emit the same amounts as in 1990s.<sup>686</sup> Therefore, Russia had enough allowances. Other nations could have purchased such allowances from Moscow; however, this may not have decreased emissions. Instead, it might have resulted into redistribution for emission allowances.

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<sup>685</sup> Dianna M. Liverman, “Conventions of climate change: constructions of danger and the dispossession of the atmosphere”, *Journal of Historical Geography* 35, 2009, p.295.

<sup>686</sup> Anup Shah, “Climate Change Flexibility Mechanisms”, *Global Issues*, 02 April 2012, Available at <http://www.globalissues.org/article/232/flexibility-mechanisms>, Accessed on 23.02.2015.

## **BIBLIOGRAPHY**

### **Primary Sources**

---, “2030 Framework for Climate and Energy Policies”, Available at [http://ec.europa.eu/clima/policies/2030/index\\_en.htm](http://ec.europa.eu/clima/policies/2030/index_en.htm), Accessed on 25.02.2015.

---, “A Summary of the Proceedings of the United Nations Conference on Environment and Development 3-14 June 1992”, Earth Summit Bulletin, Vol.2 No:13, Published by Island Press and the International Institute for Sustainable Development”, 16 June 1992.

---, “Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP)”, UNFCCC website, Available at <http://unfccc.int/bodies/body/6645.php>, Accessed on 10.02.2015.

---, “Background on the UNFCCC: The international response to climate change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/items/6031.php](http://unfccc.int/essential_background/items/6031.php), Accessed on 10.02.2015

---, “Briefcase for the World Summit on Sustainable Development”, International Institute for Sustainable development, Available at [http://www.iisd.org/briefcase/ten+ten\\_success8.asp](http://www.iisd.org/briefcase/ten+ten_success8.asp), Accessed on 10.02.2015.

---, “Byrd-Hagel Resolution”, 105th Congress, 1st Session, S.Res. 98, July 1997, Available at <http://www.nationalcenter.org/KyotoSenate.html>, Accessed on 14.01.2015.

---, “Cancun Highlights”, Earth Negotiations Bulletin, Vol 12, No.488, 30 November 2010, Available at <http://www.iisd.ca/vol12/enb12488e.html>, Accessed on 18.01.2015.

---, “Carbon Dioxide and Climate: A Scientific Assessment: Report of an Ad Hoc Study Group on Carbon Dioxide and Climate”, National Research Council (U.S.), Massachusetts, 1979.

---, “Cardiff European Council 15 And 16 June 1998, Presidency Conclusions”, SN 150/1/98 REV 1, Available at [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/54315.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/54315.pdf), Accessed on 15.09.2014, p.13.

---, “Climate Change 2001: Synthesis Report, Summary for Policymakers”, IPCC, Available at <http://www.ipcc.ch/ipccreports/tar/vol4/pdf/spm.pdf>, Accessed on 10.02.2015.

---, “Climate Change and International Security”, Paper from the High Representative and the European Commission to the European Council, S113/8, 14 March 2008.

---, “Climate Change 2007: Synthesis Report”, IPCC Fourth Assessment Report: Climate Change 2007, Available at [http://www.ipcc.ch/publications\\_and\\_data/ar4/syr/en/mains1.html](http://www.ipcc.ch/publications_and_data/ar4/syr/en/mains1.html), Accessed on 10.02.2015.

---, “Climate Change 2007: Synthesis Report”, IPCC, Available at [http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4\\_syr.pdf](http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr.pdf), Accessed on 10.02.2015, p.39.

---, “Climate change meeting adopts Buenos Aires Plan of Action” Press Release, Available at <http://unfccc.int/cop4/infomed/p111498.html>, Accessed on 14.01.2015.

---, “Climate Change”, available at [http://ec.europa.eu/environment/climat/home\\_en.htm](http://ec.europa.eu/environment/climat/home_en.htm), Accessed on 9 December 2009.

---, “Climate Change: The IPCC Response Strategies”, Available at [http://www.ipcc.ch/ipccreports/far/wg\\_III/ipcc\\_far\\_wg\\_III\\_chapter\\_01.pdf](http://www.ipcc.ch/ipccreports/far/wg_III/ipcc_far_wg_III_chapter_01.pdf), Accessed on 28.03.2013, 1990.

---, “Climate Change”, available at <http://www.un.org/en/globalissues/climatechange/index.shtml>, Accessed on 04.10.2014.

---, “Co-Decision on the "ordinary legislative procedure" ” Available at [http://ec.europa.eu/codecision/index\\_en.htm](http://ec.europa.eu/codecision/index_en.htm), Accessed on 09.02.2015.

---, “Consolidated Version of the Treaty on European Union”, Official Journal of the European Union, 26.10.2012

---, “Consolidated Version of the Treaty Establishing the European Community”, Official Journal of the European Communities, 24.12.2002.

---, “Consolidated Version of the Treaty on the Functioning of the European Union”, Official Journal of the European Union, 09.05.2008, p.132.

---, “Council conclusions on climate change”, Council of the European Union, 3021<sup>st</sup> Environment Council meeting, Luxembourg, 11 June 2010.

---, “Council conclusions on climate change”, Council of the European Union, 3021<sup>st</sup> Environment Council meeting, Luxembourg, 11 June 2010.

---, “Council conclusions on climate change”, Council of the European Union, 3118<sup>st</sup> Environment Council meeting, Luxembourg, 10 October 2011.

---, “Council conclusions on economic aspects of EU energy and climate change issues”, Council of the European Union, 3088<sup>th</sup> Economic and Financial Affairs Council meeting, Brussels, 17 May 2011.

---, “Council conclusions on preparing forests for climate change: Forest protection and information in the EU”, Council of the European Union, 3021<sup>st</sup> Environment Council Meeting, Luxemburg, 11 June 2010.

---, “Cover Note”, Council of the European Union, 7224/1/07, Brussels, 2 May 2007.

---, “Doha Climate Change Conference-November 2012”, UNFCCC website, Available at [http://unfccc.int/meetings/doha\\_nov\\_2012/meeting/6815.php](http://unfccc.int/meetings/doha_nov_2012/meeting/6815.php), Accessed on 10.02.2015.

---, “Environment Action Programme to 2020” Access on 21.05.2014, Available At <http://ec.europa.eu/environment/newprg/>.

---, “EU climate change adaptation policy”, available at <http://www.euractiv.com/en/climate-change/eu-climate-change-adaptation-policy/article-167826>, Accessed on 10.12.2009.

---, Fifth Environmental Action Program, Towards Sustainability.

---, “First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 10.01.2015.

---, “First steps to a safer future: Introducing The United Nations Framework Convention on Climate Change” Available at

[http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 06.01.2015.

---, “Five Steps to a safer future: Introducing the United Nations Framework Convention on Climate Change”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/convention/items/6036.php](http://unfccc.int/essential_background/convention/items/6036.php), Accessed on 10.02.2015.

---, “Human Development Report 1994”, the United Nations Development Programme, Oxford University Press, New York, 1994, pp.24-25.

---, “High Level Segment Opening Statement”, 21.11.2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_usa.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_usa.pdf), Accessed on 22.01.2015.

---, “Information Note”, Council of the European Union, 7242/05, 11 March 2005 Brussels, pp.1-5.

---, “IPCC Second Assessment Climate Change 1995”, Intergovernmental Panel on Climate Change”, 1995, p.22.

---, “Joint ACP-EU Declaration on Climate Change and Development”, Council of the European Union, Brussels, 28-29 May 2009.

---, “Joint Declaration on Climate Change between China and the European Union”, Council of the European Union, 12009/05 (Presse 226), Brussels, 7 September 2005.

---, “Kyoto Protocol to the United Nations Framework Convention on Climate Change, Article 6”, Available at <http://unfccc.int/resource/docs/convkp/kpeng.html>, Accessed on 15.01.2015.



---, “Ktoyo Protocol”, available at <http://unfccc.int/cop3/>, Accessed on 6 December 2009.

---, “Kyoto Protocol to the United Nations Framework Convention on Climate Change”, United Nations, 1998.

---, “Kyoto Protocol”, available at [http://unfccc.int/kyoto\\_protocol/items/2830.php](http://unfccc.int/kyoto_protocol/items/2830.php), Accessed on 6 December 2009.

---, “Lima Climate Change Conference- December 2014”, UNFCCC website, Available at [http://unfccc.int/meetings/lima\\_dec\\_2014/meeting/8141.php](http://unfccc.int/meetings/lima_dec_2014/meeting/8141.php), Accessed on 10.02.2015.

---, “Making those first steps count: An Introduction to the Kyoto Protocol”, UNFCCC website, Available at [http://unfccc.int/essential\\_background/kyoto\\_protocol/items/6034.php](http://unfccc.int/essential_background/kyoto_protocol/items/6034.php), Accessed on 25.11.2014.

---, “Party Groupings”, Available at [http://unfccc.int/parties\\_and\\_observers/parties/negotiating\\_groups/items/2714.php](http://unfccc.int/parties_and_observers/parties/negotiating_groups/items/2714.php), Accessed on 30.12.2014.

---, “Report of the Conference of the Parties on its First Session, Held at Berlin from 28 March to 7 April 1995”, FCCC/CP/1995/7/Add.1, 6 June 1995, Available at <http://unfccc.int/resource/docs/cop1/07a01.pdf>, Accessed on 10.02.2015.

---, “Report of the Conference of the Parties on its Fourth Session, Held at Buenos Aires from 2 to 14 November 1998”, FCCC/CP/1998/16/Add.1, 25 January 1999, Available at <http://unfccc.int/resource/docs/cop4/16a01.pdf>, Accessed on 14.01.2015.

---, “Report of the Conference of the Parties on its sixteenth session, held in Cancun from 29 November to 10 December 2010”, FCCC/CP/2010/7/Add.1, Available at <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=2>, Accessed on 25.02.2015.

---, “Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1-11 December 1997”, Earth Negotiations Bulletin, Vol.12 No.76.

---, “Report of the World Commission on Environment and Development: Our Common Future”, Available at <http://www.un-documents.net/our-common-future.pdf>, Accessed on 14.03.2015.

---, “Russian Federation Statement of the Advisor to the President of the Russian Federation, Special Representative of the President of the Russian Federation on Climate Change, Mr. Alexander Bedritskiy, to the 17th Conference of Parties to the UNFCCC/7th Meeting of the Parties to the Kyoto Protocol”, 08 December 2011, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111208\\_cop17\\_hls\\_russia.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111208_cop17_hls_russia.pdf), Accessed on 18.01.2015.

--- “Speech on the High Level Segment of warsaw Climate Change Conference, by H.E.Xie Zhenhua, Head of Delegation ,Vice Chairman of the National Development and Refor Commission, People’s Republic of China”, 20 November, 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_peoples\\_republic\\_of\\_china.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_peoples_republic_of_china.pdf), Accessed on 22.01.2015.

--- “Statement by Connie Hedegaard and Sofoclis Aletraris on Behalf of the EU, its 27 member States and Croatia At COP-18, Doha, Moving forward together”, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20on%20behalf%20of%20the%20EU%2C%20its%2027%20Member%20States%20%2C%20and%20Croatia.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20on%20behalf%20of%20the%20EU%2C%20its%2027%20Member%20States%20%2C%20and%20Croatia.pdf), accessed on 21.01.2015

--- “Statement by Mr. Alexander Bedritskiy, Advisor to the President of the Russian Federation, Special Presidential Representative on Climate Issues at UN Climate Summit, National Action and Ambition Announcements”, New York, 23 September 2014, Available at <http://www.un.org/climatechange/summit/wp-content/uploads/sites/2/2014/09/Russian-national-announcement-at-the-Climate-Summit-ENG.pdf>, Accessed on 23.01.2015.

--- “Statement for Joint High-level segment of Cop-19 and CMP 9”, Warsaw, 19 November 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_european_union.pdf), Accessed on 22.01.2015.

--- “Statement made by Alexander Bedritsky, Advisor to the President, special envoy for climate”, 20.11.2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_russia.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_russia.pdf), Accessed on 22.01.2015.

--- “Statement on behalf of the G-77 and China at the Opening Plenary of the 18th Conference of the Parties to the UNFCCC”, Doha, Qatar, 26 November 2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/STATEMENT%20ON%20BEHALF%20OF%20G77.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/STATEMENT%20ON%20BEHALF%20OF%20G77.pdf), Accessed on 21.01.2015.

---, “Statement at the opening of the high-level segment of COP17 by Connie Hedegaard, European Commissioner for Climate Action”, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111206\\_cop17\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111206_cop17_hls_european_union.pdf), Accessed on 18.01.2015.

---, “Statement at the opening of the high-level segment of COP17 by Connie Hedegaard, European Commissioner for Climate Action”, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111206\\_cop17\\_hls\\_european\\_union.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111206_cop17_hls_european_union.pdf), Accessed on 18.01.2015.

---, “Statement by Ms Jayanthi Natarajan, Minister of Environment and Forest Government of India”, High Level Segment 17<sup>th</sup> Conference of Parties, Durban, December 7, 2011, Available at

[http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111207\\_cop17\\_hls\\_india.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111207_cop17_hls_india.pdf), Accessed on 18.01.2015.

---, “Statement on behalf of the Group of 77 and China by Ambassador Rene Orellana, Chair of the Group of 77 and China at the Opening plenary of the Ad Hoc Working Group on the Durban Platform”, Lima Peru, 2 December, 2014, Available at [http://unfccc.int/files/bodies/awg/application/pdf/adp2-7\\_opening\\_statement\\_by\\_g77\\_and\\_cS](http://unfccc.int/files/bodies/awg/application/pdf/adp2-7_opening_statement_by_g77_and_cS), Accessed on 22.01.2015.

---, “Statement on behalf of the Group of 77 and China by Minister for Women, Social welfare ad Poverty Alleviation, Dr. Jiki Kuveni”, UNFCCC High-Level Segment of the 19th Conference of the Parties and 9th session of Conference of the Parties serving as the Meeting of the Parties to the the Kyoto Protocol, Poland Warsaw, 19 November 2013, Available at [http://unfccc.int/files/meetings/warsaw\\_nov\\_2013/statements/application/pdf/cop19\\_hls\\_fiji\\_g77china.pdf](http://unfccc.int/files/meetings/warsaw_nov_2013/statements/application/pdf/cop19_hls_fiji_g77china.pdf), Accessed on 22.01.2015.

---, “Statement of Minister Xie Zhenhua of China”, Available at [http://unfccc.int/files/meetings/durban\\_nov\\_2011/statements/application/pdf/111207\\_cop17\\_hls\\_china.pdf](http://unfccc.int/files/meetings/durban_nov_2011/statements/application/pdf/111207_cop17_hls_china.pdf), Accessed on 18.01.2015.

---, “Status of ratification of the Kyoto Protocol”, Available at [http://unfccc.int/kyoto\\_protocol/status\\_of\\_ratification/items/2613.php](http://unfccc.int/kyoto_protocol/status_of_ratification/items/2613.php), Accessed on 09.11.2014.

---, “Summary of Policymakers”, A Report of Working Group I of the Intergovernmental Panel on Climate Change, 2007.

---, “Summary of the Cancun Climate Change Conference: 29 November-11 December”, Earth Negotiations Bulletin, Vol.12, No. 498.

---, “Summary of the Copenhagen Climate Change Conference: 7-19 December 2009”, Earth Negotiations BULLETIN, Vol.12, No.459.

---, “Summary of the Eleventh Session of the INC for a Framework Convention on Climate Change: 6-17 February 1995”, Earth Negotiations Bulletin, Vol.12, No.11.

---, “Summary of the First Conference of the Parties for the Framework Convention on Climate Change: 28 March-7 April 1995”, Earth Negotiations Bulletin.

---, “Summary of the Seventh Conference of the Parties to the UN Framework Convention on Climate Change: 29 October- 10 November 2001”, Earth Negotiations Bulletin, Vol.12 No.189, Available at <http://www.iisd.ca/download/pdf/enb12189e.pdf>, Accessed on 10.02.2015.

--- “TDS Remarks for High Level Segment”, Doha 05.12.2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20by%20USA.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20by%20USA.pdf), accessed on 21.01.2015.

---, “The 2020 Climate and Energy Package”, Available at [http://ec.europa.eu/clima/policies/package/index\\_en.htm](http://ec.europa.eu/clima/policies/package/index_en.htm), Accessed on 25.02.2015.

---, “The Cancun Agreements”, Available at <http://cancun.unfccc.int/cancun-agreements/main-objectives-of-the-agreements/#c33>, Accessed on 18.01.2015.

---, “The costs of not implementing the environmental acquis”, Available at [http://ec.europa.eu/environment/enveco/economics\\_policy/pdf/report\\_sept2011.pdf](http://ec.europa.eu/environment/enveco/economics_policy/pdf/report_sept2011.pdf), Accessed on 08.02.2015.

---, “The European Climate Change Programme, EU Action against Climate Change”, European Commission, 2006.

---, “The Montreal Protocol on Substances that Deplete the Ozone Layer”, Available at [http://ozone.unep.org/new\\_site/en/Treaties/treaties\\_decisions-hb.php?art\\_id=29](http://ozone.unep.org/new_site/en/Treaties/treaties_decisions-hb.php?art_id=29), Accessed on 10.02.2015.

---, “The UNFCCC and the Kyoto Protocol”, Rough Guide, Network of Regional Governments for Sustainable Development, April 2011.

---, “Treaty of Maastricht on European Union”, Available at [http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/treaties\\_maastricht\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_maastricht_en.htm), Accessed on 10.10.2014.

---, “UNFCCC”, Available at <http://www.cop19.gov.pl/unfccc>, Accessed on 06.01.2015.

---, “United Nations Framework Convention on Climate Change” Available at <http://unfccc.int/resource/docs/convkp/conveng.pdf>, Accessed on 01.01.2015.

---, “United Nations Framework Convention on Climate Change”, Available at [http://www.wmo.int/pages/themes/climate/international\\_unfccc.php](http://www.wmo.int/pages/themes/climate/international_unfccc.php), Accessed on 11.01.2015.

--- “Umbrella Group Statement”, High-Level Segment, 3.12.2012, Available at [http://unfccc.int/resource/docs/cop18\\_cmp8\\_hl\\_statements/Statement%20on%20behalf%20of%20the%20Umbrella%20Group.pdf](http://unfccc.int/resource/docs/cop18_cmp8_hl_statements/Statement%20on%20behalf%20of%20the%20Umbrella%20Group.pdf), Accessed on 21.01.2015.

---, “United Nations Framework Convention on Climate Change”, United Nations, 1992.

---, “United Nations Framework Convention on Climate Change”, ‘About CDM’, UNFCCC website, available at <http://cdm.unfccc.int/about/index.html>, Accessed on 6 December 2009.

---, “US embassy cables: EU mutes criticism of US climate stance”, Available at <http://www.theguardian.com/world/us-embassy-cables-documents/249182>, 3 December 2010, Accessed on 17 October 2014.

--- “US-China Joint Announcement on Climate Change”, the White House, Office of the Press Secretary, 11 November 2014, Available at <http://www.whitehouse.gov/the-press-office/2014/11/11/us-china-joint-announcement-climate-change>, Accessed on 10.02.2015.

---, “Warsaw Climate Change Conference- November 2013”, UNFCCC website, Available at [http://unfccc.int/meetings/warsaw\\_nov\\_2013/meeting/7649/php/view/decisions.php](http://unfccc.int/meetings/warsaw_nov_2013/meeting/7649/php/view/decisions.php), Accessed on 10.11.2014.

---, “Who’s who: Groupings and actors”, available at [http://unfccc.int/essential\\_background/convention/items/6343.php](http://unfccc.int/essential_background/convention/items/6343.php), Accessed on 30.12.2014.

Bonde, Jean Peter (Ed.), “Consolidated Reader-Friendly Edition of the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) as amended by the Treaty of Lisbon (2007), Foundation for EU Democracy, 2008.

Earth Negotiations Bulletin (1998): “Summary of the Fourth Conference of the Parties to the UN Framework Convention on Climate Change”, Vol. 12, No. 97.

Earth Negotiations Bulletin (2001): “Summary of the Seventh Conference of the Parties to the UN Framework Convention on Climate Change”, Vol. 12, No. 189.

Earth Negotiations Bulletin (2002): “Summary of the Eighth Conference of the Parties to the UN Framework Convention on Climate Change”, Vol. 12, No. 209.

Earth Negotiations Bulletin , “Summary of the Lima Climate Change Conference: 1-14 December 2014”, Vol.12, No.619, 16 December 2014, Available at <http://www.iisd.ca/download/pdf/enb12619e.pdf>, Accessed on 23.01.2015.

Earth Negotiations Bulletin 1997, “Report of the third conference of the parties to the UN framework convention on climate change: 1–11 December 1997”, Vol.12, No:76.

Earth Negotiations Bulletin, “Report of the Fourth Conference of the Parties to the UN Framework Convention on Climate Change: 2-13 November 1998”, Vol.12 No.97.

Earth Negotiations Bulletin, “Report of the Meetings of the FCCC Subsidiary Bodies”, Vol. 12, No. 66, 1997.

Earth Negotiations Bulletin, “Report of the Third Conference of the Parties to the United Nations Framework Convention on Climate Change: 1 – 11 December 1997”, Vol.12, No.76.

Earth Negotiations Bulletin, “Summary of the Cancun Climate Change Conference: 29 November-11 December 2010”, Vol.12, No.498.

Earth Negotiations Bulletin, “Summary of the Copenhagen Climate Change Conference: 7-19 December 2009”, Vol.12, No.459.

Earth Negotiations Bulletin, “Summary of the Copenhagen Climate Change Conference: 7-19 December 2009”, Vol.12, No.459.

Earth Negotiations Bulletin, “Summary of the Doha Climate Change Conference: 26 November- 8 December 2012, Vol.12, No.567.

Earth Negotiations Bulletin, “Summary of the Durban Climate Change Conference: 28 November-11 December 2011”, Vol.12, No.534.



Earth Negotiations Bulletin, “Summary of the Eleventh Conference of the Parties to the UN Framework Convention on Climate Change and First Conference of the Parties Serving as the Meeting of the Parties to the Kyoto Protocol: 28 November – 10 December 2005”, Vol.12, No.291.

Earth Negotiations Bulletin, “Summary of the Fifth Conference of the Parties to the Framework Convention on Climate Change 25 October- 5 November 1999”, Vol.12, No.123.

Earth Negotiations Bulletin, “Summary of the First Conference of the Parties to the UN Framework Convention on Climate Change”, Vol. 12, No. 21, 1995.

Earth Negotiations Bulletin, “Summary of the Fourteenth Conference of Parties to the UN Framework Convention on Climate Change and Fourth Meeting of Parties to the Kyoto Protocol: 1-12 December 2008”, Vol.12, No.395.

Earth Negotiations Bulletin, “Summary of the Lima Climate Conference: 1-14 December 2014”, published by International Institute for Sustainable Development, Vol.12, No.619,16 December 2014.

Earth Negotiations Bulletin, “Summary of the Ninth Conference of the Parties to the UN Framework Convention on Climate Change”, Vol. 12; No. 231, p.1.

Earth Negotiations Bulletin, “Summary of the Second Conference of the Parties to the Framework Convention on Climate Change: 8-19 July 1996”, Vol.12, No.38.

Earth Negotiations Bulletin, “Summary of the Seventh Conference of the Parties to the Framework Convention on Climate Change 29October-10 November 2001” Vol.12, No.189.

Earth Negotiations Bulletin, “Summary of the Sixth Conference of the Parties to the Framework Convention on Climate Change 13-25 November 2000”, Vol.12 No.163.

Earth Negotiations Bulletin, “Summary of the Tenth Conference of the Parties to the UN Framework Convention on Climate Change: 6-18 December 2004”, Vol.12 No.260.

Earth Negotiations Bulletin, “Summary of the Thirteenth Conference of Parties to the UN Framework Convention on Climate Change and Third Meeting of Parties to the Kyoto Protocol: 3-15 December 2007”, Vol.12, No.354.

Earth Negotiations Bulletin, “Summary of the Twelfth Conference of the Parties to the UN Framework Convention on Climate Change And Second Meeting of the Parties to the Kyoto Protocol: 6-17 November 2006”, Vol.12, No.318.

Earth Negotiations Bulletin, “Summary of the Warsaw Climate Change Conference, 11-23 November 2013”, Vol.12, No.594.

Earth Negotiations Bulletin, Vol. 12, No. 567, 11 December 2012.

European Commission, *A New Start for the Lisbon Strategy*.

European Security Strategy, 2003.

Galletti, Gian Luca (Italian Minister), “Statement on behalf of the European Union and its Member States”, Lima, 10 December 2014, Available at [http://unfccc.int/files/meetings/lima\\_dec\\_2014/statements/application/pdf/eu\\_statement\\_durban\\_platform.pdf](http://unfccc.int/files/meetings/lima_dec_2014/statements/application/pdf/eu_statement_durban_platform.pdf), Accessed on 22.01.2015.

Shan, He, "China's chief climate negotiator in Lima", China.org.cn, 5 December 2014, Available at [http://www.china.org.cn/environment/2014-12/05/content\\_34236273\\_2.htm](http://www.china.org.cn/environment/2014-12/05/content_34236273_2.htm), Accessed on 22.01.2015.

### **Books and Articles**

Arob, Joan B., *Licensed to Kill?: The Nuclear regulatory Commission and the Shoreham Power Plant*, University of Pittsburg Press, United States, 1997.

Asgeirsdottir, Aslaug, *Who gets what?, Domestic Influences on International Negotiations Allocating Shared Resources*, State University of New York Press, New York, 2008.

Baker, S. "Environmental Values and Climate Change Policy: Contrasting the European Union and the United States," in S. Lucarelli and I. Manners, (eds.), *Values and Principles in European Union Foreign Policy*" Routledge, London, 2006.

Berkner, Lloyd Viel, "The International Geophysical year, 1957-1958: A Pattern for International Cooperation in Research", *Proceedings of the American Philosophical Society*, Vol.101, No.2, April, 1957.

Bjørkum, Ida, "China in the International Politics of Climate Change: A Foreign Policy Analysis", FNI Reports 12/2005, The Fridtjof Nansen Institute, December 2005.

Bodansky, Daniel, "The History of the Global Climate Change Regime", in Urs Luterbacher and Detlef F. Sprinz (Eds.), *International Relations and Global Climate Change*, the MIT Press, London, 2001.

Bodansky, Daniel, "The United Nations Framework Convention on Climate Change: A Commentary", in *Yale Journal of International Law*, Vol. 18, No:2, Summer 1993.

Böhringer, Christoph, Rutherford Thomas F., and Tol, Richard S. J., “The EU 20/20/2020 Targets: An overview of the EMF 22 Assessment”, ESRI Working Paper No:325, October 2009.

Bolin B., Jäger J. and Döös, B. R. Döös, *The Greenhouse Effect, Climatic Change, and Ecosystems*, SCOPE 29, 1986.

Brennan, G. and J.M. Buchanan, *The Reason of Rules. Constitutional Political Economy*, Cambridge University Press, Cambridge, 1985.

Broecker, Wallace S., “Climatic Change: Are We on the Brink of a Pronounced Global Warming?”, in *Science, New Series*, Volume 189, No. 4201, 1975.

Buchanan, David A., “The Logic of Political Action: an Experiment with the Epistemology of the Particular”, in *British Journal of Management*, Vol.10, 1999.

Burtraw, Dallas, “US Climate Change Policy Efforts”, CEPS Policy Brief, No.255, September 2011.

Chasek, Pamela S., Brown, Janet Welsh and Downie, David L., *Global Environmental Politics* (4th Edition), Westview Press, January 2006.

Chasek, Pamela S., Downie, David L. and Brown, Janet Welsh, *Global Environmental Politics*, (6th Edition), Westview Press, Boulder, 2014.

Chayes, Abram and Kim, Charlotte “China and the United Nations Framework Convention on Climate Change”, in M.B. McElroy, C.P. Nielsem, and P. Lydon (eds) *Energizing China: Reconciling Environmental Protection and Economic Growth*, Harvard University Press, Cambridge, 1998.

Chebakova, Anastasia, “Theorizing the EU as a Global Actor: a Constructivist Approach”, The Maturing European Union- ESCA- Canada Biennial Conference Paper.

Chebakova, Anastasia, “Theorizing the EU as a Global Actor: a Constructivist Approach”, ECSA-Canada Biennial Conference: The Maturing European Union, Edmonton, Alberta, 25-27 September 2008.

Checkel, Jeffrey T., “Norms, Institutions and National Identity in Contemporary Europe”, in *International Studies Quarterly*, No:43, 1999.

Checkel, Jeffrey T., “Why Comply? Social Learning and European Identity Change?,” in *International Organization*, the MIT Press, Vol.55, No.3, Summer 2001.

Checkel, Jeffrey, “International Institutions and Socialisation in Europe: Introduction and Framework”, in *International Organization*, Vol:59, No:4, 2005.

Christiansen, T., Jorgenson, K., Wiener, A. “The Social Construction of Europe”, in *Journal of European Public Policy*, vol.6 No.4, 1999, pp.528-544.

Cicioğlu , Filiz, “Sivil Toplum ve Dış Politika İlişkisi Çerçevesinde Sivil Toplum Kuruluşlarının Türkiye’nin Avrupa Birliği Politikasına Yaklaşımı”, Doktora Tezi, Sakarya Üniversitesi Sosyal Bilimler Enstitüsü”, 2013.

Dequech, David, “Bounded Rationality, Institutions and Uncertainty”, in *Journal of Economic Issues*, Vol.35, No: 4, 2001.

Dequech, David, “Logics of Action, Provisioning Domains, and Institutions: Provisioning Institutional Logics”, in *Journal of Economic Issues*, Vol. XLVII No: 1 March 2013.

Dessler, Andrew E., *Introduction to Modern Climate Change*, Cambridge University Press, Cambridge, 2012.

Douglas-Scott, Sionaidh, *Constitutional Law of the EU*, Longman, 2002.

Douma Wybe Th., Van der Velde, Steffen, "Introduction: The European Union as A Global Sustainable Development Role Model?", in Wybe Th. Douma, Steffen Van der Velde (eds.), *EU Environmental Norms and third Countries: The EU as a Global Role Model?*, Centre For The Law of EU External Relations, Clear Working Paper 5, 2013.

Downie, Christian, "The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations", in *New Horizons in Environmental Politics*, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014.

Entwistle Tom, "For Appropriateness or Consequences? Explaining Organizational Change in English Local Government", in *Public Administration* Vol.89 No.2 2011.

Evans, Peter B., Harold Karan Jacobson, and Robert D. Putnam *Double-Edged Diplomacy: International Bargaining and Domestic Politics*, Studies in International political economy, 25, University of California Press, Berkeley, 1993.

Falkner, Robert, "The European Union as a 'Green Normative Power'? EU Leadership in International Biotechnology Regulation", Center for European Studies, working Paper Series 140, 2006.

German Advisory Council On Global Change (Wbgu), *World in Transition: Fighting Poverty through Environmental Policy*, Earthscan from Routledge, 2013.

Germond, Carine, “The End of the Cold War and the Unification of the European Continent”, in Klaus Larres (ed.), *A Companion to Europe since 1945*, , Wiley-Blackwell, United Kingdom, 2009.

Goldmann, Kjell, “Appropriateness and Consequences: The Logic of Neo-Institutionalism”, in *An International Journal of Policy, Administration and Institutions*, Vol.18, No.1, January 2005.

Gornitzka, Ase and Langfeldt, Liv, “Borderless Knowledge”, Springer, Berlin, 2008

Greenwood,R.and Hinings, C.R., “Organizational Design Types,Tracks and the Dynamics of Strategic Change”, in *Organization Studies*, Vol. 9, No:3, 1988.

Hallding, Karl, et al, ‘Together alone: BASIC countries and the climate change conundrum’, Nordic Council of Ministers, Stockholm Environment Institute , 2011.

Harris, Paul G. (ed.), *Global Warming and East Asia: the Domestic and International Politics of Climate Change*, London and New York: Routledge. 2003.

Harrison, Geoffrey W., in John C. Campbell, (ed.), *Successful Negotiation: Trieste 1954*, Princeton University Press, Princeton, 1976, p. 62, quoted by Robert Putnam, “Diplomacy and Domestic Politics: the Logic of Two-Level Games”, in *International Organizations*, Vol.42, No:3, Summer 1988.

Heggelund, Gørild, “What are the Domestic and International Developments in China's Climate Change Policymaking?”, Paper presented at the 46th ISA Conference, Hawaii, 2-5 March 2005.

Hug, Adam, “Europe in the World, Can EU Foreign Policy make an Impact?”, in Adam Hug (Ed), *Europe in the World, Can EU Foreign Policy make an Impact?*, The Foreign Policy Center, London, 2013.

Hurrell, Andrew and Sengupta, Sandeep, “Emerging powers, North-South relations and global climate politics” in *International Affairs* Vol. 88(3) 463, 2012.

Hyde-Price, Adrian, *Germany and European Order: Enlarging NATO and the EU*, Manchester University Press, Manchester, 2000.

Immergut, Ellen M., “The Theoretical Core of the New Institutionalism” in *Politics and Society*, vol.26, No.1, 1998.

Kelemen, R. Daniel, “Globalizing EU Environmental Regulation”, Paper prepared for conference on Europe and the Management of Globalization, February 23, 2007, Princeton University.

Kelemen, R. Daniel, “Globalizing European Union Environmental Policy”, Paper presented at the European Union Studies Association, 11<sup>th</sup> Biennial International conference, Marina Del Rey, California, April 23<sup>rd</sup>-25<sup>th</sup>, 2009.

Keleş, Ruşen; Hamamcı, Can and Çoban, Aykut, *Çevre Politikası*, İmge Yayınevi, Ankara, Nisan 2012.

Krämer, Ludwig, “Exporting EU environmental product standards to third countries” in Wybe Th. Douma, Steffen Van der Velde (eds.), *EU Environmental Norms and third Countries: The EU as a Global Role Model?*, Centre For The Law of EU External Relations, Cleer Working Paper 5, 2013.

Kristian, Tangen; Gørild, Heggelund and Jørund, Buen, “China’s Climate Change Positions: At a Turning Point?”, in *Energy & Environment*, Vol. 12, No. 2&3, 2001

Lake, David A., “The State as Conduit: The International Sources of National Political Action”, presented at the 1984 annual meeting of the American Political Science Association.



Lavenex, S. and Stulberg, A. N., "Connecting the Neighborhood: Energy and Environment", in K. Weber, M. E. Smith and M. Baun (eds.), *Governing Europe's Neighborhood: Partners or Periphery?*, Manchester University Press, Manchester, 2007.

Leggett, Jane A., "A U.S.-centric Chronology of the International Climate Change Negotiations", Congressional Research Service, 23 December 2008.

Leonard, M. "Why Europe Will Run the 21st Century", in Public Affairs, New York 2005.

Leonard, Mark, "Why Europe will run the 21th century", in Public Affairs, New York, 2005

Lerner, Brenda Wilmoth and Lerner, K. Lee (Eds), *Climate Change in Context*, Vol.182, Gale, London, 2008.

Lewis, Joanna I., "China's Strategic Priorities in International Climate Change Negotiations", in the Washington Quarterly, Vol.31, No.1, Winter 2007-08.

Lightfoot, S., and Burchell, J. "The European Union and the World Summit on Sustainable Development: Normative Power Europe in Action?" in Journal of Common Market Studies Vol. 43 No:1, 2005.

Lijphart, Arend, "Comparative Politics and the Comparative Method", in the American Political Science Review, Vol.65, No.3, Sep. 1971.

Lowe, Philip and Ward, Stephen, "British Environmental Policy and Europe: Politics and Policy in Transition", Routledge, London and New York, 2005

Manners, Ian, "Normative Power Europe Reconsidered: Beyond the Crossroads", in *Journal of European Public Policy*, Vol.13, No:2, 2006.

Manners, Ian, "Normative Power Europe: A Contradiction in Terms?", in *Journal of Common Market Studies*, Vol. 40, No:2, 2002.

Manners, Ian, "The European Union as a Normative Power: A Response to Thomas Diez", in *Millennium: Journal of International Studies*, Vol.35, No.1.

March J.G. and Olsen, J.P., *Democratic Governance*, Free Press, New York, 1995.

March, James and Johan, Olsen, "The Logic of Appropriateness", in Michael Moran, Martin Rein and Robert Goodin (eds.), *The Oxford Handbook of Public Policy*, 2006.

March, James G. and Olsen, Johan P., "The Logic of Appropriateness", in Arena Center For European Studies, Working Paper, University of Oslo, 2004.

March, James G. and Olsen, Johan P., *Democratic Governance*, Free Press, New York, 1995

March, James G. and Olsen, Johan P., *Rediscovering Institutions*, The Free Press, New York, 1989.

Massai, Leonardo, "The Kyoto Protocol in the EU: European Community and Member States under International and European Law", Springer, Berlin, 2011.

McCormick, John, *Environment Policy in the European Union*, Palgrave Macmillan, New York, 2001, p.68.

Metz, Bert, *Controlling Climate Change*, Cambridge University Press, Cambridge, United Kingdom, 2010.

Meunier, S. and Nicolaïdis, K., “The European Union as a Conflicted Trade Power”, in *Journal of European Public Policy*, 13 (6): 907, 2006.

Michel, David, “EU Enlargement and the Global Environment” in Esther Brimmer and Stefan Fröhlich (Eds), *The Strategic Implications of European Union Enlargement*, Center for Transatlantic Relations, John Hopkins University, Washington, 2005.

Minas, Stephen, “BASIC positions-Major emerging economies in th UN Climate change negotiations”, FPC Briefing, The Foreign Policy Center, June 2013.

Mitchell, Ronald B., “Regime Design Matters: Intentional Oil Pollution and Treaty Compliance”, in *International Organization* 48, No:3, Summer 1994.

Mitchell, Ronald Bruce; Clark, William C.; Cash, David W. and Dickson, Nancy M., *Global Environmental Assessments: Information and Influences*, MIT Press, 2006.

Oberthür, Sebastian and Ott, Hermann E., *The Kyoto Protocol: International Climate Policy for the 21st Century*, Springer, Berlin, 1999.

Ott, Hermann E., “Global Climate”, in *Yearbook of International Environmental Law*, Vol.12, 2001, Oxford University Press, 2002.

Pallemaerts, Marc and Williams, Rhiannon, “Climate Change: the International and European Policy Framework”, in Marjan Peeters and Kurt Deketelaere (eds.), *EU Climate Change Policy: the Challenge of new Regulatory Initiatives*, Edward Elgar Publishing, Northampton, 2006.

Parker, Larry, "Climate Change: The European Union's Emissions Trading System (EU-ETS)", CRS Report for Congress, 2006.

Patterson, Lee Ann, "Agricultural Policy Reform in the European Community: A Three- Level Game Analysis", in *International Organization*. 1997.

Peters, B. Guy, *Strategies for Comparative research in Political Science*, Palgrave Macmillan, New York, 2013.

Pittock, A. Barrie, *Climate Change Turning up the Heat*, Earthscan, London, 2005.

Pittock, A. Barrie, *Climate Change: The Science, Impacts and Solutions*, Second Edition, Earthscan, London, 2009.

Polat, Celal, "The Immigration Policy and Process of European Integration: Supranationalism versus Intergovernmentalism", in *Ankara Review of European Studies*, Vol.6, No.1, Fall 2006.

Porter, Gareth and Brown, Janet Welsh, *Global Environmental Politics*, Westview Publishing, Oxford, 1996.

Putnam, Robert, "Diplomacy and Domestic Politics: the Logic of Two-Level Games", in *International Organizations*, Vol.42, No:3, Summer 1988.

Roach, Steven C., *Critical Theory of International Politics: Complementarity, Justice and Governance*, Routledge, London and New York, 2010.

Rosenau, James, "Theorizing Across Systems: Linkage Politics Revisited", in Jonathan Wilkenfeld,(ed.), *Conflict Behavior and Linkage Politics*, David McKay, New York, 1973.

Rose, Richard, "What is Lesson-Drawing?", in *Journal of Public Policy*, Vol.11, No.1, January 1991.

Roth, Guenther and Wittich, Claus (Eds), *Weber, Max, Economy and Society: An outline of Interpretive Sociology*, University of California Press, Berkley, Los Angeles, London, 1978.

Rowland, Ian, "The Climate Change Negotiations: Berlin and Beyond", in *Journal of Environment and Development*, 4, 1995.

Sabonis-Helf, Theresa, *Climate Change Policy in Russia, Ukraine and Kazakhstan*, NCEEER, Washington, 2006.

Schaik, Louise Van and Schunz, Simon, "Explaining EU Activism and Impact in Global Climate Change Politics: Is the Union a Norm- or Interest-Driven Actor?", in *JCMS*, Vol.50, No:1, 2012.

Schelling Thomas C., *The Strategy of Conflict*, Harward University, Cambridge, Massachusetts, London, England, 1980.

Schimmelfennig, Frank and Sedelmeier, Ulrich, "Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe", in *Journal of European Public Policy*, Vol.11, No.4, August 2004.

Sedelmeier , Ulrich, "EU Enlargement, Identity, and the Analysis of European Foreign Policy: Identity Formation Through Policy Practice", Robert Schuman Center for Advanced Studies, European University Institute, European Forum Series, RSC No. 2003/13, 2003.

Smith, A. D., *Nationalism and Modernism*, Routledge, London, 1998.

Snyder and Diesing, *Conflict among Nations*, Columbia University Press, New York.

Stake, Robert E., "Case Studies" in Norman Denzin and Yvonna Lincoln (eds), *Strategies of Qualitative Inquiry*", Sage, New Delhi, 1998.

Stavins R., J. Zou, T. Brewer, M. Conte Grand, M. den Elzen, M. Finus, J. Gupta, N. Höhne, M.-K. Lee, A. Michaelowa, M. Paterson, K. Ramakrishna, G. Wen, J. Wiener, and H. Winkler, 2014: International Cooperation: Agreements and Instruments. In: Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Edenhofer, O., R. Pichs-Madruga, Y. Sokona, E. Farahani, S. Kadner, K. Seyboth, A. Adler, I. Baum, S. Brunner, P. Eickemeier, B. Kriemann, J. Savolainen, S. Schlömer, C. von Stechow, T. Zwickel and J.C. Minx (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, p.1025.

Sümer, Vakur, "The European Union water Framework Directive and Turkey's Water Management Policy: An Analysis", A Thesis Submitted to the Graduate School of Social Science of Middle East Technical University, September 2011.

Swedberg, Richard and Agevall, Ola, *The Max weber Dictionary: Key Words and Central Concepts*, Stanford University Press, Stanford, California, 28 Feb 2005.

Terzi, Özlem, *The Influence of the European Union on Turkish Foreign Policy*, Ashgate, Farnham, 2010.

Tocci, Nathalie; Withcases Studies by Darbouche Hakim; Emerson Michael; Fernandes, Sandra; Hanau-Santini, Ruth; Noutcheva, Gergana and Portela, Clara, "The European Union as a Normative Foreign Policy Actor", CEPS Working Document No.281, January 2008.

Tosiek, Piotr, "The European Union after the Treaty of Lisbon- Still an Intergovernmental System", Available at <http://www.jhubc.it/ecpr-riga/virtualpaperroom/072.pdf>, Accessed on 27.01.2015.

Tussman, J., *Obligation and the Body Politics*, Oxford University Press, London, 1960.

Tyndall, John, "The Bakerian Lecture: On the Absorption and Radiation of Heat by Gases and Vapours, and on the Physical Connexion of Radiation, Absorption and Conduction", in *Philosophical Transactions of the Royal Society of London*, Vol.151, 1861.

Uprety, Batu Krishna, "Climate Change Negotiation: Understanding the Process", in *Climate Change and UNFCCC Negotiation Process*, A Resource Book for Climate Change Negotiators, Government of Nepal, Ministry of Environment, Science and Technology, Singhadurbar, Kathmandu, Nepal, November 2012.

Vogler, John, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens(Eds) *The Globalization of World Politics*, Fifth Edition, Oxford University Press, New York, 2011.

Vogler, John, "Climate Change and the EU foreign policy: The Negotiation of burden sharing", in *International Politics*, Vol.46, No. 4, July 2009.

Wagner, W., "Why the EU's Common Foreign and Security Policy will remain Intergovernmental: A Rationalist Institutional Choice Analysis of European Crisis Management Policy", in *Journal of European Public Policy*, Vol.10, No:4.

Wang, Pei-Chen, "Normative Power Europe and Asia-Europe Relations", in *Southeast Asian Studies*, Freiburg University, Occasional Paper No:10, May 2012, pp.4-5.

Weale, Albert, "Environmental Rules and rule-making in the European Union", in *Journal of European Public Policy*, Vol. 3, No. 4, 1996.

Weenink, J.B., "Environmental Policy and the Greenhouse Effect", *Vegetation* 104/105, 1993.

Wilson, Ann Conner, "Putnam's Two Level Game: case Studies of Serbian and Russian reactions to the Kosovar and Chechen Independence Movements", A Master Thesis, Submitted to The Ohio State University, 2010.

### **Interviews**

Interview with Tom How, Climate Security Desk Officer in Climate Change and Energy Group, Foreign and Commonwealth Office, London, England, September 2010.

Interview with Pelin Zorlu, E3G (Third Generation Environmentalism), London, England, September 2010.

Interview with Nick Mabey, E3G (Third Generation Environmentalism), London, England, September 2010.

Interview with Stephen Tindale, Climate Change Research Fellow at the Center for European Reform, London, England, September 2010.

Interview with Satoshi Hoshino from Chuo University, Tokyo, Japan, October 2010.

Interview with Hiro Fujimaki, Tokai University, Tokyo Japan, October 2010.

Interview with Josef Janning, Director of studies, European Policy Center, Brussels, Belgium, November 2011.



Interview with Lars Muller, International and Inter-institutional Relations, Directorate General for Climate Action for the European Commission, Brussels, Belgium, November 2011.

Interview with Prof. Dr. Ludger Kühnhardt, Director of ZEI, Bonn, Germany, September 2012.

### **Internet Sources**

--- “Lima climate change talks reach global warming agreement”, Available at <http://www.theguardian.com/environment/2014/dec/14/lima-climate-change-talks-reach-agreement>, Accessed on 23.01.2015.

---, ‘US Agrees Climate Deal with Asia’ Available at: <http://news.bbc.co.uk/1/hi/sci/tech/4723305.stm> , 2005.

---, “Full Text: Tony Blair’s Speech”, The Guardian, 07.01.2013, Available at <http://www.theguardian.com/politics/2003/jan/07/foreignpolicy.speeches>, Accessed on 23.11.2014.

---, “Avustralya AB'nin emisyon ticaret sistemine katılıyor”, Available at <http://www.euractiv.com.tr/cevre/article/avustralya-abnin-emisyon-ticaret-sistemine-katiliyor-025945>, Accessed on 07.02.2014.

--- “COP-10 Summary- Tenth Session of the Conference of the Parties (COP) to the U.N. Framework Convention on Climate Change”, Available at <http://www.c2es.org/international/negotiations/cop-10/summary> , Accessed on 25.02.2015.

---, “Climate Change”, Available at <http://www.torontoenvironment.org/campaigns/climate/climatechange>, Accessed on 28.03.2013.

---, “Porter Hypothesis”, Available at [http://www.go-green.ae/greenstory\\_view.php?storyid=314](http://www.go-green.ae/greenstory_view.php?storyid=314), Accessed on 12.01.2015.

---, “Jairam Ramesh statement on Copenhagen Accord in Rajya Sabha”, Available at <http://www.thehindu.com/news/national/jairam-ramesh-statement-on-copenhagen-accord-in-rajya-sabha/article69893.ece> , 22 December 2010, Accessed on 17 October 2014.

---, “Regulations, Directives and other acts”, Available at [http://europa.eu/eu-law/decision-making/legal-acts/index\\_en.htm](http://europa.eu/eu-law/decision-making/legal-acts/index_en.htm), Accessed on 11.10.2015.

---, “Social Constructivism and the EU”, Available at <http://hum.port.ac.uk/europeanstudieshub/wp-content/uploads/2013/05/Module-4-extract-9-Social-Constructivism-and-the-EU.pdf> , Accessed on 25 October 2014.

Biedenkopf, Katja, “The Diffusion of the EU Environmental Legislation- Why do third Countries voluntarily follow EU regulatory Leadership?”, Available at <http://www.glogov.org/images/doc/Biedenkopf.pdf>, Accessed on 16.07.2014.

Cutcher-Gershenfeld, Joel; McKersie Robert B.; Walton Richard, “Negotiating Transformation: Bargaining Lessons Learned from the Transformation of Employment Relations”, W.E. Upjohn foundation for Employment Relations, August 1989, Available at <http://dspace.mit.edu/bitstream/handle/1721.1/2262/SWP-3057-20314885.pdf>, Accessed on 25.11.2014.

Gilardi, Fabrizio, “What is policy diffusion and why should we care?”, 18 October 2010, Available at <https://poliscizurich.wordpress.com/2010/10/18/what-is-policy-diffusion-and-why-should-we-care/> , Accessed on 25.02.2015.

Goldenberg, Suzanne; Taylor, Lenore and Branigan, Tania, “US-China climate deal boosts global talks but Republicans vow to resist”, The Guardian, 12 November 2014, Available at <http://www.theguardian.com/environment/2014/nov/12/us-china->

climate-deal-boosts-global-talks-but-republicans-vow-to-resist, Accessed on 10.02.2015.

Halpern, Shanna L., “The United Nations Conference on Environment and Development: Process and Documentation”, Providence, RI: Academic Council for United Nations Systems, 1992, Available at <http://www.ciesin.org/docs/008-585/unced-intro.html>, Accessed on 05.01.2015.

Johansson, Rolf, “Case Study Methodology”, Available at [http://www.psyking.net/htmlobj-3839/case\\_study\\_methodology-rolf\\_johansson\\_ver\\_2.pdf](http://www.psyking.net/htmlobj-3839/case_study_methodology-rolf_johansson_ver_2.pdf), Accessed on 31.01.2015.

Ladislaw, Sarah O., “Cancun Climate Negotiation”, Center for Strategic and International Studies, 15 December 2010, Available at <http://csis.org/publication/cancun-climate-negotiation>, Accessed on 18.01.2015.

Laing Aislinn, “Negotiating positions of major economies at Durban talks”, Available at <http://www.telegraph.co.uk/earth/environment/climatechange/8921413/Negotiating-positions-of-major-economies-at-UN-talks.html> , Accessed on 18.10.2014.

Lee, Sangsoo and Pastorelli, Silvia, “Promoting Northeast Asian Environmental Cooperation: Reflections from the EU”, Available at <http://www.e-ir.info/2013/06/30/promoting-northeast-asian-environmental-cooperation-reflections-from-the-eu/> ,Accessed on 11.02.2014, published date: June, 30<sup>th</sup> , 2013.

Lenin, Janaki, “US-China climate deal's ambition fails to impress India”, The Guardian, 18 November 2014, Available at <http://www.theguardian.com/environment/india-untamed/2014/nov/18/indians-not-impressed-with-us-china-climate-deal>, Accessed on 10.02.2015.

Lewis Barbara, “China's Greenhouse Gas Emissions To Be Cut In Deal With EU”, Available at <http://www.huffingtonpost.com/2012/09/20/china-greenhouse-gas->

[emissions\\_n\\_1899460.html?view=print&comm\\_ref=false](#), Accessed on 07.02.2014.

Macalister, Terry, “Background: What caused the 1970s oil price shock?”, The Guardian, 3 March 2011, Available at <http://www.theguardian.com/environment/2011/mar/03/1970s-oil-price-shock>, Accessed on 21.01.2015.

Meakin, Stephanie, “The Rio Earth Summit: Summary of the United Nations Conference on Environment and Development”, November 1992, Available at <http://publications.gc.ca/Collection-R/LoPBdP/BP/bp317-e.htm#B.%20Countries%28txt%29>, Accessed on 05.01.2015.

Media Release, “Australia and European Commission agree on pathway towards fully linking emissions trading systems”, Australian Government Department of the Environment, 28 August 2012, Available at <http://www.climatechange.gov.au/ministers/hon-greg-combet-am-mp/media-release/australia-and-european-commission-agree-pathway>, , Accessed on 27.01.2015.

Morales Alex, ‘China rules out new climate “regime”, setting up U.S. conflict’, 21 November 2012, Available at <http://www.bloomberg.com/news/2012-11-20/china-sets-up-u-s-conflict-by-ruling-out-new-climate-regime-.html>, Accessed on 18.10.2014.

Ok, Cevat Tansuğ, “İklim Değişikliği Müzakerelerinde İdealist Bir Yaklaşım mı Sergilenmektedir?” Available at <http://www.mfa.gov.tr/iklim-degisikligi-muzakerelerinde-idealist-bir-yaklasim-mi-sergilenmektedir-.tr.mfa> Accessed on 13.10.2014, Uluslararası Ekonomik Sorunlar Dergisi, Sayı XXIV.

US Department of State, “Global Climate Change”, Available at <http://www.state.gov/e/oes/climate/>, Accessed on 23.01.2015.

Weissman, Robert, “Summit Gaimes: Bush Busts UNCED”, Available at [http://www.multinationalmonitor.org/hyper/issues/1992/07/mm0792\\_06.html](http://www.multinationalmonitor.org/hyper/issues/1992/07/mm0792_06.html), Accessed on 05.01.2015.

## **APPENDICES**

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#### **EDUCATION**

- 2006-2015 Middle East Technical University, Ankara  
Department of International Relations,  
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Supervisor : Prof. Dr. Hüseyin Bağcı  
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- 2003-2006 Middle East Technical University, Ankara  
Department of International Relations,  
Student of Master in Science  
Supervisor: Assoc. Prof. Ayşegül Kibaroğlu
- 1997-2001 Gazi University, Ankara  
Department of International Relations,  
Undergraduate Student

#### **RESEARCH INTERESTS**

Climate Change, Security, Water Issues (Especially in the Euphrates-Tigris River Basin), European Union (Especially Environment Policy, Climate Change Policy, Foreign and Security Policy).

#### **DISSERTATIONS**

Master Thesis:

September 2006 Thesis submitted for the fulfillment of Master of Science

with the title “The Issue of Management of the Waters of the Euphrates and Tigris Basin in International Context”. Middle East Technical University, Ankara.

PhD Dissertations:  
2009- 2015

“The European Union as the Distinctive Actor in Global Climate Change Policy”, Middle East Technical University, Ankara.

## **EXPERIENCE**

15 September 2012-  
15 July 2013

Research Fellow at the Center For European Integration Studies (Zentrum für Europäische Integrationsforschung), Bonn, Germany

23-25 May 2012

Paper Presentation, titled “European Union as a distinctive actor in Global Climate Change Policy” in PhD Students Workshop organized by Graduate School of Social Science, METU, Turkey.

3-10 December 2011

“The Training Programme in Regional Development in the ET Region 2011” Stockholm, Sweden, Organized by Ramboll Natura AB, SIWI and ITU, Participant

Paper Presentation in Sweden track, titled “Applicability of Benefit Sharing Framework to the Euphrates-Tigris River Basin”, Stockholm, Sweden

25 September-  
7 October 2011

“The Training Programme in Regional Development in the ET Region 2011” İstanbul, Organized by Ramboll Natura AB, SIWI and ITU, Participant.

4-5 November 2010

Paper Presentation at the international conference “Decision-Making in a time of Crisis: Private and Public Perspectives”, Hosted by: United Nations University, Tokyo, Japan

26 Sept.-03 Oct.2010 “The Security Dimension of the Climate Change within the Context of European Union Foreign and Security Policy”, METU Project, Project Researcher, Ankara

November 2009

Paper Presentation at the international conference “International Journal of Arts and Science Conference”,

Germany, organized by Central Connecticut State University.

- July 2007 “Almanya’nın 1999 Helsinki Zirvesi Sonrası Türkiye’nin Avrupa Birliği Üyeliğine Yönelik Değişen Algılamaları” (Germany’s changing perceptions to Turkey’s accession to the EU membership), METU project, project researcher, Ankara.
- 19-24 February 2007 Paper presentation at the international conference "Environment: Survival and Sustainability" organized by The Near East University, Nicosia, Cyprus.
- 20-26 August 2006, Ayşegül Kibaroğlu, Olcay Ünver and İlhan Sağsen, “*Cooperation for Development: Emerging Frameworks for Sharing Benefits in the Euphrates-Tigris River Basin,*” Paper presented at the Stockholm International Water Institute (SIWI) The 16th Stockholm Water Symposium: Beyond the River-Sharing Benefits and Responsibilities, The 16th Stockholm Water Symposium, August 20-26, pp. 37-38, 2006.
- 15-17 June 2006 Paper Presentation at the International Conference organized by “the Middle East Technical University, Department of International Relations” with the title “International Security: Old Issues and New Challenges”, Ankara.
- 21-23 March 2006 Paper Presentation at the Conference organized by “Türkiye Mimarlar ve Mühendisler Odaları Birliği”(Turkish Union of Architects and Engineers) with the title “Su Politikaları Kongresi” (Congress on Water Policies),Ankara.
- 30 June-2 July 2005 Paper Presentation at the International Conference organized by “the Middle East Technical University, Department of International Relations” with the title “Neighbourhood: Past, Present, Future”, Ankara.
- 2005 “Türkiye’nin Su Kaynakları Politikasına Kapsamlı Bir Bakış: Avrupa Birliği Su Çerçeve Direktifi ve Ötesi” (A

Comprehensive Look at Turkey's Water Resources Policies: EU Water Framework Directive and Beyond), METU Project, project researcher, Ankara.

- 2005 “Avrupa Parlamentosu'nun Türkiye-Avrupa Birliği İlişkilerindeki Rolünün Analizi”(Analysis of the Role of the European Parliament in EU-Turkey Relations), METU Project, project researcher, Ankara.
- 20-28 November 2004 Participant at and Organizer of the International Workshop with the title “Regional Cooperation for Water Management”, Ankara.
- September 2006 Thesis submitted for the fulfillment of Master of Science With the title “The Issue of Management of the Waters of the Euphrates and Tigris Basin in International Context”.
- 2004-2005 “GAP’ın yerel, ulusal ve uluslararası etkileşimleri” (Local, National and International Interactions of the Southeastern Anatolia Project), scientific project funded by the state Planning Organization, project researcher, Ankara.
- August 2002- ..... Research Assistant, Department of International Relations, METU, Ankara.
- December 2001- August 2002 Research Assistant, Department of International Relations, Abant İzzet Baysal University, Bolu

## MAJOR PUBLICATIONS

“Orta ve Doğu Avrupa” (Central and Eastern Europe), Book Chapter, (In Progress)

“İklim Değişikliği Fırat-Dicle Havzası’nda savaş Sebebi Olabilir mi?” (Climate Change: A cause of war on Euphrates-Tigris River Basin?), Article, (In Progress)



- May 2013 “Nil Nehri Havzası ve Su Hegemonyası” (The Nile River Basin and Water Hegemony), Ortadoğu Analiz, Mayıs 2013, CİLT 5, SAYI 53, Article
- March 2012 The Concept of “Benefit-Sharing”, Its Theoretical Background and Practical Reflections”, Report, ORSAM, Ankara
- December 2011 “Sektörler Bazında Türkiye-İrak İlişkileri ve Su”, (Turkey-Iraq Relations and Water on Sectoral Basis), Article, Ortadoğu Analiz, ORSAM, Ankara
- July-August 2011 “Arap Baharı, Türk Dış Politikası ve Dış Algılamaları”, (The Arap Spring, Turkish Foreign Policy and Foreign Perception), Article, Ortadoğu Analiz, ORSAM, Ankara
- May 2011 Book Review: Michalis Stavrou Michael, “Resolving the Cyprus Conflict: Negotiating History”, (New York: Palgrave Macmillan, 2009), Spectrum Journal of Global Studies, Ankara
- 24 March 2011 Orsam Su Araştırma Programı Rapor 2: “İklim Değişiminin Güvenlik Boyutu ve Orta Doğu’ya Etkileri”
- February 2011 “İklim Değişiminin Güvenlik Boyutu ve Orta Doğu’ya Etkileri”, (The Security Dimension of the Climate Change and Its effects on the Middle East) Article, Ortadoğu Analiz, Orsam, Ankara
- January 2011 “A Study Case of Turkey’s Trans-boundary Rivers: The Orontes River” Book Chapter, Springer

15 July 2010

“Benefit Sharing: Management of the Euphrates-Tigris RiverBasin in International Context”, Book, Publisher: VDM Verlag, Dr. Müller, Germany

## **B- TURKISH SUMMARY**

19 yüzyılın sonları ve 20. yüzyılın başlarında, Uluslararası çevre politikalarının çok sınırlı kaldığı görülmektedir. Ancak, 1960lardan sonraki süreçte, konu çevre sorunları olarak genişleyerek önce ulusal sonra küresel nitelik kazanmıştır.<sup>687</sup> Çevre konuları özellikle son otuz yılda uluslararası gündemde daha sık görünmüştür. Geneli batıda olmak üzere artan sayıda insan insanoğlunun ekonomik ve sosyal eylemlerinin çevreyi tehdit ettiğine inanmaktadırlar. Günümüzde artan dünya nüfusu, endüstrileşme, yüksek yaşam standartlarına ulaşma ve mevcut standartları koruma çabası, atan insan ihtiyaçları, doğal kaynakların kıtlığı ve bu kaynakların dengesiz dağılımı çevreyi olumsuz etkileyen temel faktörler olarak görülmektedir. Hava kirlenmesi, asit yağmurları, ozon tabakasının delinmesi, biyolojik çeşitliliğin kaybolması ve iklim değişikliği ana bölgesel ve küresel problemler olarak karşımıza çıkmaktadır.<sup>688</sup> Bu bölgesel ve küresel problemler, çevrenin bozulmasını ve kaynakların aşırı tüketiminin yoğunluk ve ölçeğini arttırmıştır. Bu çerçevede, özellikle son 30 yılda, eğer uluslararası güvenlik ve küresel ekonomi dünya politikasının temel iki konusunu oluşturuyorsa, çevre de üçüncü ana konu olarak ortaya çıkmıştır.<sup>689</sup>

20. yüzyılın son çeyreğinden beri, iklim değişikliği çevre sorunları içindeki en önemli konu olmuştur. İklim değişikliği genel olarak belli zaman periyotlarında hava durumunun istatistiksel dağılımındaki değişim olarak tanımlanmaktadır. Ayrıca, özellikle çevre politikaları bağlamında iklim değişikliği ile küresel ısınma sık sık birbiri yerine kullanılmaktadır. Aslında, küresel ısınma Dünya yüzeyindeki

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<sup>687</sup> John Vogler, "Environmental Issues" in John Baylis, Steve Smith and Patricia Owens (Eds) "The Globalization of World Politics", Fifth Edition, Oxford University Press, New York, 2011,p.356.

<sup>688</sup> Interview with Satoshi Hoshino, "Chuo University, Tokyo, Japan, October 2010.

<sup>689</sup> Gareth Porter and Janet Welsh Brown, "Global Environmental Politics", Westview Publishing, Oxford, 1996.

ve okyanuslardaki ortalama sıcaklığın artışı ifade etmektedir.<sup>690</sup> İklim değişikliğinin ve küresel ısınmanın temel nedeni ise atmosfere CO2 salınımından ve fosil yakıtların yakılmasından kaynaklı sera etkisidir.<sup>691</sup> Bu sera etkisinin ortaya çıkmasının temel sebebi de atmosferde bulunan su buharı, karbondioksit, metan, azot oksit ve ozon olarak isimlendirilen sera gazlarıdır. Özellikle son 20 yıldır, iklim üzerine insan etkisi görüşün büyük oranda arttığına inanılmaktadır ve bu durum IPCC raporlarında açık şekilde belirtilmektedir. İnsanoğlunun fosil yakıtları tüketmesinin iklimi ısıtabileceğini 19. yüzyılın sonlarına ortaya atan Svante Arrhenius insan etkisiyle küresel ısınma öngörüsünü ilk ortaya atan bilim adamıdır. 1930ların sonlarında, Guy Stewart Callendar ilk defa küresel ısınmanın insan etkisiyle gerçekleştiğini iddia etmiştir. 1950lerde, insanoğlunun çevreyi büyük ölçüde değiştirebilecek gücü olduğu fikri kabul gördü. 1970ler ve 1980lerdeki asit yağmuru ve ozon tabakasındaki bozulma hakkındaki tartışmalar iklim tartışmalarının başlangıcı oldu.<sup>692</sup>

Bu tartışmalar çerçevesinde, iklim değişikliği, tek bir iklim sistemine sahip olduğu için tüm dünya için geçerli ve tüm ulusları etkileyecek bir mesele olarak değerlendirilmeye başlanmıştır. 21. yüzyılın başından beri, dünyanın çeşitli bölgelerinde yangınlar, kaynakların kıtlığı, sel, kuraklık gibi çeşitli problemler sıkça yaşanmaktadır. Küresel ısınmanın etkisiyle şiddetlenen bu doğa felaketleri uluslararası güvenliğin pratikleri ve algılamalarını da etkilemiştir. Buna paralel olarak, devletler güvenlik ve iklim değişikliği arasında bir köprü kurmaya başlamışlardır. Çeşitli seviyelerde (birey, devlet ve uluslararası sistem) birbiriyle ilişki içinde olan güvenlik kavramı özellikle Soğuk Savaş bitimiyle beraber sadece

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<sup>690</sup> ---, "Summary of Policymakers", A Report of Working Group I of the Intergovernmental Panel on Climate Change, 2007, p.2.

<sup>691</sup> Sebastian Oberthür and Hermann E. Ott, "The Kyoto Protocol: International Climate Policy for the 21st Century", Springer, Berlin, 1999, p.3

<sup>692</sup> Andrew E. Dessler, "Introduction to Modern Climate Change", Cambridge University Press, Cambridge, 2012, p.213.

politik ve askeri nitelikte bir kavram değil aynı zamanda ekonomik, sosyal ve çevresel unsurları içinde barındıran bir kavram olarak değerlendirildi. Bu kavram üzerindeki algının değişmesi iklim değişikliği ve çevre sorunlarının bir güvenlik meselesi olarak uluslararası gündeme gelmesine ve bir işbirliği alanına ihtiyaç duyulmasına sebep olmuştur. Bunun ile alakalı genel kanı, iklim değişikliği ve küresel ısınmanın etkilerini ve tehdidini azaltmak için devletler, uluslararası örgütler ve Amerika Birleşik Devletleri, Avrupa Birliği ve Rusya gibi büyük güçlerin dâhil olduğu geniş bir işbirliği ihtiyacının vurgulanmasıdır.<sup>693</sup>

Bu bağlamda, iklim değişikliğinin doğal kaynaklar ve dünya üzerindeki kaçınılmaz etkileri ile mücadele etmekte dayanışma ve siyasi niyet gereklidir. Bunu da ancak uluslararası bağlayıcı antlaşmalar ve uluslararası müzakereler gerçekleştirebilir. Bu şekilde bugün iklim değişikliği ile alakalı bir takım uluslararası anlaşmalar imzalanmıştır. Bunlardan en önemlileri ve çerçeve niteliğinde olanlar Birleşmiş Milletler İklim Değişikliği Çerçeve Sözleşmesi (BMİDÇS) ve buna bağlı olan Kyoto Protokolüdür. Bu belgeler dışında devletler ya da başka birimler arasında farklı uluslararası antlaşmalar da vardır. Bunlara Uluslararası Enerji Ajansı kapsamındaki araştırma geliştirme antlaşmaları; emisyon azaltma projelerine destek için çok taraflı kalkınma bankalarının finansal düzenlemeleri; enerji verimliliğini arttırmak, yenilenebilir enerji kullanımını arttırmak, karbondioksit yakalama ve depolamayı sağlamak ve diğer iklim değişikliği etkilerini hafifletme teknolojilerini geliştirmek için hazırlanan programlar gösterilebilir.<sup>694</sup>

Çevre ve çevre politikaları ile alakalı meseleler aynı uluslararası gündeme geldiği gibi Avrupa Birliği'nin de dikkatini çekmiştir. Avrupa Birliği (AB) iklim değişikliğinin etkilerini azaltmak ya da kontrol etmek için bir küresel iklim rejimi

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<sup>693</sup> Pamela S. Chasek, Janet Welsh Brown and David L. Downie, "Global Environmental Politics" (4th Edition), Westview Press, January 2006, p.115.

<sup>694</sup> Bert Metz, "Controlling Climate Change", Cambridge University Press, Cambridge, United Kingdom, 2010, p.319.

oluşturulması konusunda çaba harcamaktadır ve ısrarcıdır.<sup>695</sup> AB, 1992 Birleşmiş Milletler İklim Değişikliği Çerçeve Sözleşmesi, Kyoto Protokolü ve Kyoto sonrası iklim değişikliği müzakereleri sürecinde kilit rol oynamıştır. Aynı zamanda Birlik uluslararası arenada ve birlik içinde kendi emisyonlarını azaltmak için çeşitli önemli kararlar almıştır. Bu bağlamda, özetle, Avrupa Birliği iklim değişikliğini var olan trendleri, sorunları, gerginlikleri ve istikrarsızları arttıran bir tehdit çarpanı olarak görmekte ve bu bilinçle davranmaktadır.<sup>696</sup> Buna ek olarak, AB için iklim değişikliği ortak savunma ve güvenlik politikasının bir parçasıdır. Bu anlamda, Avrupa Birliği Yüksek Temsilcisinin ve Avrupa Komisyonu'nun 2008 yılında Avrupa Konseyine sundukları rapor, iklim değişikliğinin uluslararası güvenliğine etkisi ve iklim değişikliğinin uluslararası güvenliğe etkisinin Avrupa'nın kendi güvenliğine etkisi ve AB'nin buna nasıl reaksiyon vermesi gerektiği üzerinde durulmuştur. Ayrıca bu rapor, Avrupa Birliği'nin güvenlik riskleri ile mücadele etmek için azaltma ve uyarılma politikalarını nasıl uygulayacağına ve üçüncü dünya ülkeleriyle politik diyalogun kuvvetlendirilmesi gerekliliğine odaklanmıştır.<sup>697</sup>

Bu konu Avrupa Birliği'nin gündemine girdiği gibi uluslararası toplumunda ajandasında yer almıştır. Aslında, belirtmek gerekir ki bu mesele, uluslararası aktörlerin müzakerelerde devam eden ve uzun süreli tartışmalarına sahne olan bir konudur. Bu tez de aktörlerin uluslararası iklim değişikliği müzakerelerindeki davranışlarına ve pozisyonlarına odaklanmaktadır.

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<sup>695</sup> John Vogler, "Climate Change and the EU foreign policy: The Negotiation of burden sharing", *International Politics*, Vol.46, Number 4, July 2009, p.469.

<sup>696</sup> Interview with Tom How, Climate Security Desk Officer in Climate Change and Energy Group, Foreign and Commonwealth Office, London, England, September 2010.

<sup>697</sup> ---, "Climate Change and International Security", Paper from the High Representative and the European Commission to the European Council, 14 March 2008, pp.1-6.

Bu bağlamda, bu tezin ana amacı Avrupa Birliği'nin uluslararası iklim değişikliği müzakerelerinde diğer uluslararası aktörlerden farklı bir pozisyon aldığını göstermektir. Bu farklılık Avrupa Birliği'nin kuruluş felsefesi ve çevreci geleneğinden kaynaklanmaktadır. Bu felsefe üç mekanizma ya da kavram çerçevesinde değerlendirilebilir. Bu unsurları 'davranış mantığı' 'ulusüstü karar-alma mekanizması' ve 'AB'nin standartlarını yayma isteği'. Bu amaca ulaşırken sorulan ana soru Avrupa Birliği de ulus devletlerden oluşmuşken ve kendisi de bir büyük emisyon yapan aktörken ve ABD, Rusya, Çin ve Hindistan gibi diğer büyük emisyon sahibi ülkelerin statükoyu devam ettirme çabalarına rağmen, Avrupa Birliği neden eve nasıl farklı bir politika takip etmektedir?

Bu tez kapsamında kullanılan ana metod olarak tek olay/vaka çalışması kullanılmaktadır. Çalışmanın temel odağında AB'nin davranış farklılığı olduğu için öncelikli konu Avrupa Birliği'dir. Ancak, AB'nin iklim değişikliği müzakerelerinde ulus-devletlerden ve büyük emisyon yayıcı devletlerden farklılığını gösterebilmek için özellikle ABD, Rusya, Çin ve Hindistan 'gölge vakalar' olarak değerlendirilmiştir. Bunun dışında, Birleşmiş Milletler İklim Değişikliği Çerçeve Sözleşmesi ve Protokolü gibi uluslararası anlaşmalar ve Birleşmiş Milletler Kalkınma Programı (UNEP), Dünya Meteoroloji Örgütü (WMO), Hükümetlerarası İklim Değişikliği Paneli (IPCC) raporları, müzakere bültenleri gibi geniş ölçekli bir birincil kaynaktan yararlanılmıştır. Aynı zamanda İngiltere, Almanya, Belçika, Japonya gibi ülkelerde uzmanlarla mülakatlar yapılmış ve bu mülakatlarda tez çalışmasının önemli bir parçasını oluşturmuştur. Bunun dışında, iklim değişikliği ile alakalı Türkçe ve İngilizce dillerinde basılmış çok çeşitli makaleden ve kitaptan tez yazımı esnasında faydalanılmıştır.

Tezin literatüre katkısı değerlendirildiğinde, söylenebilir ki bu tez Avrupa Birliği'nin iklim değişikliği politikası çerçevesinde alan çalışması ve birincil kaynaklarla AB'nin farklı karakterinin kapsamlı bir analizi yapılarak literatüre katkıda bulunmayı amaçlamaktadır. Bu farklılık, 'davranış mantığı' 'ulusüstü karar-alma mekanizması' ve 'AB'nin standartlarını yayma isteği' olarak isimlendirilen üç

unsura odaklanılarak ortaya konulmaktadır. Bu teorik tartışmaya ek olarak, uluslararası iklim değişikliği müzakerelerinde aktörlerin pozisyonlarındaki teorik farklılığın pratikteki yansımalarını ortaya koyabilmek için BMİDÇS-COP müzakere süreci üzerinde durulmuştur.

Tüm bunlar çerçevesinde, bu tez sekiz bölümden oluşmaktadır. Giriş niteliğindeki ilk bölümü takiben ikinci bölüm uluslararası iklim değişikliği politikasının gelişimine odaklanmaktadır. Tarihsel arka plana odaklanmanın ana amacı bu sürecin nasıl evrildiğini göstermektir. Bu sürece odaklanmak uluslararası iklim değişikliği müzakerelerinde aktörlerin politikalarındaki farklılıkları ortaya koymaktır. Bu bağlamda, bu bölüm küresel iklim değişikliği politikasını 5 dönemde analiz etmektedir. Bunlar, 'Bilimsel Fikir Birliğinin ortaya çıkması', 'Uluslararası Gelişmeler 1985-1990' , 'Rio Konferansı ve BMİDÇS ve Kyoto Protokolü'nün Müzakereleri', 'Kyoto Protokolü'nden 2012'ye kadar olan dönem' ve '2012 sonrası'. Bu bölüm, konuyla alakalı bilimsel gelişmelerden Lima Konferansı'na kadar gelen tüm uluslararası müzakerelere, tüm süreci belirtilen 5 dönem içinde incelemektedir.

Üçüncü bölüm iklim değişikliği rejiminin ana uluslararası belgelerine odaklanmaktadır. Bunlar Birleşmiş Milletler İklim Değişikliği Çerçeve Sözleşmesi (BMİDÇS), buna bağlı olan Kyoto Protokolü ve Avrupa Birliği'nin yasal iklim değişikliği çerçevesidir. Bu bölümün ana amacı müzakerelerin kaynağını oluşturan belgeleri detaylandırmaktır. Belirtilen belgeler aktörlerin mantalitelerini ortaya koymak açısından önemlidir. Bu anlamda, adı geçen bölüm iki kısımdan oluşmaktadır. Birinci kısımda, BMİDÇS ve Kyoto Protokolü üzerinde durulacaktır. Bu belgelerin önemi, müzakere sürecinin temelini oluşturan belgeler olmasından kaynaklanmaktadır. Tezin üçüncü bölümünün ikinci kısmında, Avrupa Birliği'nin uluslararası müzakerelerde nasıl bir pozisyon aldığını anlayabilmek için birliğin iklim değişikliği ile alakalı yasal çerçevesine odaklanılmıştır. Çünkü Avrupa Birliği'nin iç karar alma sürecinin, dış politikasının belirlenmesine yansıdığına inanılmaktadır.



Avrupa Birliđi'nin uluslararası iklim deđişikliđi müzakerelerinde diđer aktörlerden farklı davrandıđı şeklindeki tezin temel argümanına uyumlu olarak, aktörlerin müzakerelerde aldıkları pozisyonları etkileyen unsurlar üzerinde de durulmalıdır. Bu çerçevede, çalışmanın bundan sonraki üç bölümü AB'nin farklılığına yol açan üç kavram üzerinde durulacaktır. Bunlar “sonuçsal mantık (logic of consequence) ve uygunluk mantıđı (logic of appropriateness) arasındaki fark”, “Avrupa Birliđi'nin ulusüstü yapısı” ve “Avrupa Birliđi'nin kural ve standartlarını yayma isteđi”. Tезin bundan sonraki üç bölümü adı geçen unsular bağlamında farklılaşma üzerinde duracaktır.

Bu itibarla, dördüncü bölüm iklim deđişikliđi temelinde Avrupa Birliđi ve ulus devletlerin arasındaki davranış mantıđındaki farklılaşmayı tartışmaktadır. Bunu yaparken, ilk olarak, iki tip mantık bir kavramsal çerçeve içinde analiz edilmektedir. Bu iki tip mantıđın birincisi ulus-devletler tarafından takip edilen ‘sonuçsal mantık’ diđeri ise AB'nin karar-alma mekanizmasında yansımaları bulan ‘uygunluk mantıđı’dır. Bu iki tip davranış mantıđı üzerine yapılacak kavramsal tartışma ardından, bu bölüm Avrupa Birliđi'nin uluslararası arenadaki davranış mantıđına ve AB'nin iklim politikası arkasında yatan unsurlara odaklanmaktadır. Bu bağlamda, davranış mantıđı meselesi biraz detaylandırılırsa görülecektir ki davranış mantıđı, Avrupa Birliđi ve veto koalisyonu olarak adlandırılan ABD ve BRIC ülkelerinin karar alma sürecinde ön planda tuttukları unsurları ifade etmektedir. Aynı zamanda, davranış mantıđı AB'nin ulus devletlerden iklim deđişimi konusunda farklı davrandıđı ortaya koyan faktörlerden bir tanesidir. Avrupa Birliđi'nin uluslararası iklim politikasındaki farklılığını ortaya koyan davranış mantıđını iki kavram ile açıklanmaya çalışılacaktır. Bu iki kavram, uygunluk mantıđı (logic of appropriateness) ve sonuçsal mantık (logic of consequence)dir. Avrupa Birliđi ve ulus devletlerin davranış mantıklarındaki farklılaşmayı açıklamak için bahsedilen bu iki kavram üzerinde kısaca durmakta fayda vardır.

Karar almadaki etkili bu iki mantık üç açıdan önem arz etmektedir. Bunlardan ilki bu kavramlar politikalarda görülen konular hakkında farklı bakış açıları sağlayan perspektifleri şekillendirir. ikinci olarak, politikalar hakkındaki teorileri temsil eder. Üçüncü ve son olarak da, bu iki tarz mantık, gerçekte varolan politikalarla karşılaştırılabilecek ideal tipleri tanımlamaktadır.

Sonuçsal Mantık kavramı açıklanırken insanların bireysel olarak karar alma süreçlerinden faydalanılmaktadır. Bu görüşe göre insan nasıl kişisel ya da ortak amaçları için muhtemel sonuçları yorumlayarak alternatifler arayıp da seçimler yaparsa politikalar belirlenirken de aynı şekilde rasyonel davranılır. Bu mantık yoluna göre, politika çıkar ve rasyonalite meselesi olarak görülür. Aktörler, çıkarlarını takip ederek, 'bireysel amaçlar', 'kişisel hedefler' ve 'bir aktörün kendi değerleri' gibi terimleri sık sık kullanırlar ve bu çerçevede rasyonel olarak politikalarını belirlerler. Bunu yaparken ise, umulan sonuçlara ulaşılmaya çalışılırken sonuçsal mantık kavramı kuralları ve kimlikleri yoksayar. Bu kavram uluslararası ilişkilere uygulandığı zaman görülmektedir ki temelde devletler kendi ulusal çıkarlarını gerçekleştirmek için konu ile ilgili beklentileri doğrultusunda hesap yaparak politikalarını belirlemektedirler. Bu politikaları belirlerken küresel öncelikleri, kimlik ve normları değil de ulusal önceliklerini ön plana almayı tercih etmektedir.

Aktörlerin politikalarını belirlemede bir diğer yöntem de Uygunluk Mantığı kavramı ile açıklanabilir. Uygunluk Mantığı'na göre bireyler ortak bir yaşamı ve kimliği paylaşabilen, diğerleri için kaygı duyabilen kişiler olarak ve politikalar da bir kimlik ve duygusal bağ meselesi olarak görülmektedir. Kurallar, yapılar, kurumlar, pratikler, prosedürler ve sosyal olarak oluşturulmuş kimlik logic of appropriateness (uygunluk mantığı) kavramının temel temalarıdır. Bu davranış belirleme aracında çıkarıcı bir bireysellik yerine toplulukçu bir sorumluluk, bireysel çıkarın takibi yerine ortak kurumlar ve kimliklerin inşası yer almaktadır. Bu çerçevede, uygunluk mantığı kavramına göre, aktörler, ulusal çıkarlarının ve

önceliklerinin ötesinde, resmen ve halk tarafından kabul edilmiş, bilinen ve en önemlisi sosyal olarak inşa edilmiş kural ve pratiklere uygun olarak politika gütmek zorundadır.

Bu bağlamda, tezin ana konusu olan Avrupa Birliği'nin uluslararası iklim değişimi konusunda farklı davrandığı argümanı çerçevesinde yukarıda bahsedilen davranış mantıkları ele alındığı zaman görülmektedir ki büyük emisyon yayıcı devletler olarak tanımlanan Amerika Birleşik Devletleri, Çin, Hindistan gibi ülkeler sonuçsal mantık'ı (logic of consequence) takip ederken, Avrupa Birliği politika üretirken, uygunluk mantığı ilkeleri çerçevesinde davranış göstermektedir. Burada veto koalisyonu devletlerinin sonuçsal mantık kavramı çerçevesinde davranmasının ulus devlet yapılarından ve çevre geleneklerinin zayıflığından kaynaklandığını söylemek mümkündür. Avrupa Birliği'nin ise uluslar üstü yapısı ve diğer aktörlerle karşılaştırıldığı zaman daha köklü çevreselciliği ve kuruluşundan itibaren takip ettiği kurumsalcı politikalarının (neo-liberal institutionalist) sonucunda davranış biçiminin uygunluk mantığı'na yatkın görünmesi doğaldır. Ancak bu konuda belirtilmelidir ki Avrupa Birliği her ne kadar da uluslararası bir yapıya sahip olsa da ulus devletlerden oluşmaktadır. Bu durum da birliğin karar alma sürecinde sıkıntılara neden olmaktadır. Birlik uluslararası platformda, bağlayıcı uluslararası normlar, kimlik, uluslararası kurumlar ve ortak çözüm anlayışı içinde davranırsa da, politika üretirken birlik üyelerinin ulusal çıkarlarına uygun hareket etme güdülleri ile de mücadele etmek zorunda kalmaktadır.

Tezin beşinci bölümü, tezin genel savına uygun olarak, ikinci belirleyici unsur olarak Avrupa Birliği'nin ulus-üstü yapısı ile ilgilenmektedir. Bu bağlamda, bu bölüm, ulus devletlerin müzakerelerdeki davranış stilini ortaya koymak için Putnam'ın 'İki seviyeli oyun' (Two level game) yaklaşımını ele almaktadır. Ardından, AB'nin farklılığının daha iyi anlaşılabilmesi için uluslararası karar alma mekanizmasından oluşan birliğin yapısı değerlendirilmektedir. Başka bir deyişle, ulus devletlerin iki aşamalı karar alma mekanizmasından farklı olarak Avrupa Birliği ulusüstü yapı olarak adlandırılan bir üçüncü seviyeye sahiptir. Lizbon

Antlaşmasından sonra Birliğin ulusüstü yapısının güçlenmesi ve Avrupa Parlamentosu'nun gücünün artması birliğin daha çevreci politikalar takip etmesine yol açmaktadır. Bu bölümde, bahsedilen çerçeve detaylandırılacaktır. Dolayısıyla özetlenirse, Avrupa Birliği'nin ulus devletlerden farkını, birliğin ulusüstü (supranational) yapısı ortaya koymaktadır. Bu nedenle önce ulusüstücülük ve sonra birliğin supranasyonel karar alma mekanizması üzerinde durmakta fayda var.

Bu bağlamda, uluslarüstü yapı kısaca, çok uluslu bir politik topluluktaki karar alma yöntemi olarak özetlenebilir. Ulusüstü bir yapılanmada en önemli unsur, üye devletlerin hükümetlerinin yetkilerini görevlendirme ya da transfer yoluyla üst bir yapıya devretmesidir. Ulusüstü yapıya gösterilen en önemli örnek Avrupa Birliği'dir. Bu noktada, Avrupa Birliği'nin kendisini iklim değişimi konusunda diğer ulus devlet aktörlerden ayıran ulusüstü karar alma sürecini incelemek faydalı olacaktır.

Avrupa Birliği'nin karar alma sürecinde etkisi olan üç tanesi resmi organ olmak üzere olan dört temel unsur sayabiliriz. Bunlar, Komisyon, Parlamento, Konsey ve sivil toplum kuruluşları şeklinde sayılabilir. Bu organlardan Komisyon, genel olarak supranasyoneldir, ulusal çıkar ile çevre arasında kaldığı zaman çevreden yana tutum takınmıştır. Çünkü politik olmaktan ziyade teknik bir yapılanmadır. Dolayısıyla, işlere ulusal çıkarlar çerçevesinde değil bilimsel açıdan bakarak görüşlerini sunmaktadır. Aynı zamanda, teknik bir organ olması sivil toplum kuruluşlarının çevre konusunda Komisyon'a baskı kurmaya çalışmasına da sebep olmaktadır. Parlamantonun yapısına bakıldığı zaman geleneksel olarak pro-environmentalisttir. Halkın temsilcisidir. Halk görüşünü (Public opinion) yansıtır. Bu da çevreselliğe katkı sağlar. Diğer bir durumda parlamantonun Sivil Toplum Kuruluşlarının penetrasyonlarına açık olmasıdır. Bu durum da, NGO'ların Parlamantonun alacağı kararları etkileyebileceği anlamına gelmektedir. Konsey ise hükümetlerarası bir yapıya sahiptir. Bu da gösteriyor ki karar alma sürecinde ulusal çıkarları ön plana alarak hareket etmektedir. Bu noktada belirtilmesi gereken konu, özellikle Tek Avrupa Senedi ve Maastricht Anlaşmalarıyla Parlamantonun rolü

Konsey ile eş pozisyona gelmiş ve Parlamenteoya mutlak çoğunluk ile karar alma şartıyla veto yetkisi tanınmıştır. Böylece çevreyi önceleyen parlamentonun Avrupa Birliği karar alma sürecindeki rolü ve etkisi artmıştır. Sivil toplum örgütleri ise Birliğin karar alma mekanizmasında resmi olmasa da ulusüstü yapılanmadan faydalanarak bir etki alanı oluşturmaya çalışmaktadırlar.

Bu bağlamda bakıldığı zaman, Avrupa Birliği, bünyesinde ulusal çıkarları doğrultusunda hareket etmek isteyen ulus devletleri barındırmasına rağmen, ulusüstü yapısından kaynaklı farklı karar alma mekanizmasıyla, uluslararası iklim değişimi politikasında etkin ve farklı bir rol oynama imkanı bulmaktadır.

Tezin altıncı bölümü Avrupa Birliği'nin uluslararası iklim değişikliği müzakerelerinde farklılığına katkıda bulunan bir başka unsur olan 'birliğin standartlarını yayma isteği'ni nasıl gerçekleştirdiği sorusuna odaklanmaktadır. Bu soruya cevap ararken, Avrupa Birliği'nin şartlılık (conditionality) ve normatif perspektifleri değerlendirilmektedir. Bu bölüm, Avrupa Birliği'nin küresel çevre politikası ve aktörlerin çevre politikaları üzerindeki etkisini tartışmaktadır. Bu etki üç şekilde gerçekleşmektedir. Bu üç yol 'AB'nin normatif yapısının etkisi', 'ekonomik ve siyasi şartlılık', ve 'Avrupa Birliği'nin standartlarının yayılması' şeklinde özetlenebilir. Avrupa Birliği'nin çevre politikasını nasıl etkilediği tartışması örneklerle değerlendirilmektedir. Bu bölümün değindiği konu ile alakalı bir miktar detay vermek gerekirse, söylenebilir ki Avrupa Birliği'ni genel olarak ulus devletlerden özelden de tezin konusunu oluşturan büyük emisyon yayıcı devletlerden iklim değişimi politikası açısından ayıran bir diğer unsur da AB'nin standart oluşturan ve küresel olarak çeşitli şekillerde bu standartları yaymaya çalışan bir aktör olmasıdır. Normatif bir yapılanma olan Avrupa Birliği, sadece çevre konusundaki standartlarını değil aynı zamanda insan hakları, demokrasi konularındaki normlarını da yaymak için ekonomik ve diplomatik enstrümanları kullanmaktadır. Özellikle soğuk savaş sonrasında birlik içindeki artan konsensus ile üçüncü ülkelere politik şartlılık (political conditionality) uygulamaya başlamıştır. Üçüncü ülkelerle yapılacak olan ticaret anlaşmaları, insanı yardım, birliğe üyelik,

işbirliği anlaşmaları ve hatta diplomatik tanımaya kadar tüm alanlar Avrupa Birliği'nin değerleri, standartları ve normları gibi konuları kapsayan politik şartlılığa bağlanmıştır. Avrupa Birliği'nin, kendi normlarını, değerlerini ve standartlarını yaymak isteme çabasını, kendisini çevre ve iklim değişimi konularında küresel bir lider pozisyonuna getirmek istemesi çabası olarak yorumlamak mümkündür. Bu çabayı, Avustralya'nın AB Euro emisyon normlarını kendiliğinden kabul etmesi ve birlik dışındaki bazı ülkelerin AB su çerçeve direktifinin normlarını benimsemesi gibi örnekler daha da kolaylaştırmaktadır.

Yedinci bölüm uluslararası iklim değişikliği müzakerelerindeki aktörlerin farklı söylem ve pozisyonlarını analiz etmeyi amaçlamaktadır. Bundan önceki üç bölüm, tezin ana argümanı olan iklim müzakerelerinde Avrupa Birliği'nin diğer aktörlerden üç açıdan farklılaştığı incelemeyi amaçlarken, bu bölüm yukarıda ifade edilen teorik farklılaşmanın pratikte nasıl tezahür ettiğini ortaya koymayı amaçlamaktadır. Bu bölümün bir diğer amacı da, Çin, Rusya, Amerika Birleşik Devletleri ve Hindistan gibi büyük emisyon yapan devletlerin duruşlarıyla karşılaştırarak, Avrupa Birliği'nin müzakerelerdeki farklı pozisyonunu göstermektir. Müzakereler sırasındaki pratikler, eylemler ve politikalar değerlendirilerek, BMİDÇS süreci bir analiz çerçevesi olarak incelenmektedir. Kyoto Protokolü, Bali, Berlin, Kopenhag ve Lima gibi dönüm noktası niteliğindeki, BMİDÇS süreci içerisindeki Taraflar Konferansları (Conference of Parties) aktörleri pozisyon ve politika farklılıklarının ortaya konulacağı birimler olarak değerlendirilmektedir. Bu bağlamda, tezin bu bölümü iklim değişikliği müzakerelerindeki farklı gruplaşmalara da odaklanılmaktadır. Sonrasında, müzakerelerdeki bu grupların hamle ve kendilerine belirledikleri pozisyonları incelemektedir. Bu inceleme üç zaman diliminde yapılmaktadır. Bu zaman dilimlerini 'Birinci Evre (1991-1994): BMİDÇS Dönemi', 'İkinci Evre (1997-2005): Kyoto Protokolü Dönemi' ve 'Üçüncü Evre (1996-Present): The Post-Kyoto Dönemi' özetlemek mümkündür. Son olarak, bölümün sonuç kısmında müzakerelerdeki aktörlerin politikaları ve Avrupa Birliği'nin duruşu üzerine kısa bir analiz sunulmaktadır.

Tezin sonuç kısmında, çalışma konusu ve tezin savı ile alakalı genel bir değerlendirme yapılmasının ardından, çalışma sonunda varılan sonuçlar özetlenmiştir. Bunları takiben, konunun diğer yönü olarak eleştirilerden oluşan bir değerlendirme bölümü de yer almaktadır.

Yukarıda detayları verilen, Avrupa Birliği'nin kendisi de ulus devletlerden oluşmasına ve büyük emisyon yayıcı aktörlerden bir tanesi olmasına rağmen ve aynı zamanda da müzakerelerdeki diğer ulus devletler statükoyu savunurken neden/nasıl Avrupa Birliği küresel iklim değişikliği meselesinde farklı bir politika takip etmektedir sorusuyla yola çıkan bu tez çalışmasının ulaştığı sonuçlar ve bulgular aşağıdaki gibi özetlenebilir:

İlk olarak, iklim değişikliği müzakerelerinde, Avrupa Birliği'nin iklim politikası 1992 yılından günümüze kadar doğrusal ve stabil olarak tanımlanabilecekken, diğer aktörlerin kendi adlarına en kazançlı pozisyonu sağlayacak hamleleri yapmaya çalışan birer satranç oyuncusu gibi davrandıkları söylenebilir. Tüm müzakere süreci incelendiği zaman, genelde tüm aktörler, özelde de Çin ve ABD pozisyonlarını birbirlerinin attığı adımlara göre belirleme eğilimindedirler. Bunun yanında da, müzakerelerdeki aktörler süreci erteleme ya da ağırdan alma yönünde irade sergilemektedirler. Buna karşın, Avrupa Birliği, kendi yapısına da uygun olarak, düzenleyici, kural koyucu ve kurumsalcı politikalar takip etmektedir.

İkinci olarak, Avrupa Birliği kuruluş felsefesine uygun olarak norm oluşturucu bir aktördür. Avrupa Birliği kurallar, ortak değerler, kimlik inşası, ortak sorumluluk ve ortak kurumlar gibi kavramlara odaklanmaktadır. Bu kavramlar yansımasını 'uygunluk mantığı' kavramında bulmaktadır. Aslında bu durum, Avrupa Birliği'nin sadece 'uygunluk mantığı' çerçevesinde davrandığı anlamına gelmez. Aslında, Avrupa Birliği de hem 'uygunluk mantığından' hem de 'sonuçsal mantığından' karar alma sürecinde ve dış politikasında faydalanmaktadır. Bununla beraber, Birlik ulusüstü yapısına dahil olan çerçe, sosyal politika, enerji, tüketiciyi koruma,

ulaştırma gibi alanlarda uygunluk mantığı ilkeleri çerçevesinde hareket etmektedir. Tersine, genelde ulus devletler, özeld de Amerika Birleşik Devletler, Çin, Hindistan gibi büyük emisyon yayıcı devletler temel olarak politikalarını beklenti hesabı yaparak belirlerler. Böylece, karar alma mekanizmalarında, ulus devletler ortak değerler, kimlik, normlar ve küresel önceliklerden ziyade ulusal önceliklere önem vermeyi tercih ederler. Bu davranış biçimi de yansımaları ‘sonuçsal mantık’ içinde bulur. Bu durum uluslararası iklim değişikliği müzakerelerinde de gözlemlenebilmektedir. Örneğin, müzakerelerin BMİDÇS evresinde, Avrupa Birliği politikasını bağlayıcı taahhütler verme ve kapsamlı bir antlaşmaya ulaşma gerekliliği temelinde şekillendirirken, Bush yönetimi bağlayıcı bir antlaşma ve yine bağlayıcı taahhütlerden kaçınma eğiliminde olmuştur. Gelişmekte olan ülkeler de (Çin ve G-77) gelişmiş ülkelerin iklim değişikliği konusundaki tarihi sorumluluklarını (Historical Responsibility) vurgulamış ve ancak müzakerelere taahhüt vermelerinin gerekmemesi durumunda katılacakları konusunda anlaşmışlardır.

Üçüncü sonuç, Avrupa Birliği, uluslararası müzakereler üzerindeki davranış paterni belirlenmesinde üçüncü seviyesine sahiptir. Bu üçüncü düzey, Avrupa Birliği kendi içindeki uluslararası kurumsal yapıdan kaynaklanıyor. Avrupa Birliği'nin karar alma mekanizması uluslararası ve hem de hükümetlerarasıdır. AB hükümetler arası ve uluslararası karar verme mekanizmaları arasında bir denge kurmak için 1992 Maastricht Antlaşması ile üç sütun sistemini oluşturdu. Üç sütun sistem Lizbon Antlaşması ile kaldırıldı ve üç sütun sonradan Avrupa Birliği içinde birleştirilmiştir. Her iki sistemde de, gerek üç sütun sistemi, gerekse 2009 Lizbon Antlaşması sonrası sistem, çevre konusu hem üç sütun sistemi içindeki ‘Avrupa Topluluğu Sütunu’nda hem de 2009 Lizbon süreci sonrasındaki sistemdeki ‘paylaşılan yetki’ içerisinde yer almıştır. Bunun anlamı iklim değişikliği mesele uluslararası mantığı içerisinde kalmıştır. Karar verme mekanizması olarak da Lizbon sonrası dönemdeki “olağan yasama usulü’nün bir konusu olmuştur. Bu yasama usulünün Lizbon Antlaşması öncesindeki karşılığı da ‘ortak karar usulü’ydü. Diğer taraftan, ulus devletlerin uluslararası müzakerelerdeki davranış modeli değerlendirildiğinde, bu



süreci en iyi açıklayan unsurun Putnam'ın 'İki seviyeli oyun' teorisi olduğu görünmektedir. Buna göre, uluslararası müzakereler sonucunda bir anlaşmaya nasıl ulaşılabileceği sürecinde iki seviye vardır. Uluslararası seviye olarak adlandırılan ilk seviye müzakereciler arasındaki pazarlık sürecini ifade eder. İkinci seviye ise müzakereler sonucunda ulaşılan antlaşmanın iç onay sürecini temsil eder. Bu bakış açısından, ulus-devletin temel motivasyonu kendi iç yapısını memnun edebilmek için uluslararası seviyede kazançlarını maksimize etmektir. Gerek uluslararası gerekse ulusal seviyelerde ulus devletler ve iç gruplar kendi çıkarlarına uygun politikaları belirlerler. Amerika Birleşik Devletleri Kyoto Protokolü müzakereleri sürecine katılmasına rağmen protokolü ne imzaladı ne de onayladı. 1997 Temmuzunda üzerinde anlaşılan protokolün final taslağından hemen önce, ABD Senatosu oy birliği ile Byrd-Hagel Kararını aldılar. Buna göre, Birleşik Devletler ekonomisine zarar verecek ya da gelişmekte olan ülkeler için bağlayıcı hedefler ve bir zaman hedefi içermeyen hiçbir anlaşma imzalanmamalıdır.<sup>698</sup> Bu çerçevede, 2001 yılında Bush yönetimi Kyoto Protokolü sürecinden çekildiğini duyurdu. Aslında bu hamlenin temel nedenin ABD ve Çin arasındaki rekabet olduğunu söylemek yanlış olmaz. Çünkü ABD'nin uluslararası ekonomideki en büyük rakibi olarak Çin'i Kyoto Protokolü çerçevesinde bağlayan bir taahhüt yok. Bu durumda, Çin uluslararası rekabette, ABD'ye karşı avantajlı bir konum kazanmaktadır. Bundan dolayı da Amerika Birleşik Devletleri uluslararası seviyede (seviye II) bir anlaşmaya ulaşabilmek için müzakerelerde bulunmasına rağmen, iç (domestic) seviyede (seviye I) ulusal çıkarlara aykırı olduğu gerekçesiyle antlaşma onaylanmamıştır.

Tez çalışmasındaki dördüncü bulgu da Avrupa Birliği'nin standartlarını ve normlarını yayan bir kural koyucu aktör olduğudur. Avrupa Birliği Dünyadaki tüm diğer aktörlere uyan mükemmel bir sistem değildir belki ama hala bir ilk örnektir (prototype). Avrupa Birliği, küresel çevre politikasını üç farklı yolla

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<sup>698</sup> Brenda Wilmoth Lerner and K. Lee Lerner (Eds), "Climate Change in Context", Vol.182, Gale, London, 2008, p.606-607.

şekillendirebilir ve etkileyebilir. Bunlardan birincisi AB'nin normatif yapısının etkisidir. İkincisi ise ekonomik ve siyasi şartlılıktır (conditionality). Son yol ise AB'nin standartlarını yaymasıdır. Buna örnek olarak Avustralya ve Avrupa Birliği arasındaki emisyon ticaret sistemi konusundaki işbirliğidir. Avustralya İklim Değişikliği ve Enerji Verimliliği Bakanı Hon Gren Combet ve Avrupa İklim Eylemi Komisyoneri Bayan Connie Hedegaard iki aktörün emisyon ticaret sistemlerini birbirlerine bağlayacaklarını duyurdular. Greg Combet'e göre, karbon marketleri iklim değişikliği ile mücadele ve emisyonları düşürme için birincil araçtır. Avustralya ve Avrupa Birliği'nin emisyon ticaret sistemlerini birbirine bağlaması bu düşüncüyü teyit niteliğindedir. Tam bir birliktelik kurulana kadar ki bu 1 Temmuz 2018 tarihinden daha geç olmamalı, Avustralya'nın emisyon ticaret planı dahilindeki yükümlülüklerini karşılamaya yardımcı olması için AB'nin izinlerini kullanabilecektir.<sup>699</sup> Ayrıca, dünyadaki en çok karbondioksit emisyonu üreten ülkelerden bir tanesi olan Avustralya ton başına 19.08 Avroluk bir karbon vergisi koydu. Bu vergi kirlenmeden en sorumlu olduğu düşünülen 300 şirkete uygulandı.<sup>700</sup>

Sonuç olarak, bu tez Avrupa Birliği'nin farklı tip bir uluslararası aktör olduğuna iddia etmektedir. Bu farklılık sadece Avrupa Birliği'nin benzersiz kurumsal yapısından kaynaklanmıyor, aynı zamanda farklı tip çıkarları takip eder. Çünkü, Avrupa Birliği askeri bir güç olmaktan ziyade sivil bir güçtür ve güç kullanmaktan ziyade normatif yapısı vasıtasıyla küresel düzeni şekillendirmek için ulusları aşan ve etik temelli çıkarları takip eder. Avrupa Birliği klasik bir aktör değildir ve fikirler, değerler ve askeri yerine ekonomik güç kullanarak davranan bir normatif

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<sup>699</sup> Media Release, "Australia and European Commission agree on pathway towards fully linking emission trading systems", Australian Government Department of the Environment, 28 August 2012, Available at <http://www.climatechange.gov.au/ministers/hon-greg-combet-am-mp/media-release/australia-and-european-commission-agree-pathway>, Accessed on 27.01.2015

<sup>700</sup> ---, "Avustralya AB'nin emisyon ticaret sistemine katılıyor", Available at <http://www.euractiv.com.tr/cevre/article/avustralya-abnin-emisyon-ticaret-sistemine-katiliyor-025945>, Accessed on 07.02.2014.

güçtür. Avrupa Birliği'nin bu karakteri kendisini birliğin uluslararası çevre politikasında da yansımaları gösterir. Avrupa Birliği'nin küresel çevre meselelerinde liderliğinin artması, küresel çıkarlar ve evrensel değerlerin birliğin dış politikasının merkezinde yer aldığı tezi ile uyumlu gibi görünmektedir.

Tez kapsamında yapılan tüm tartışmalar ve elde edilen sonuçlar dışında konunun diğer yüzünü değerlendirdiğimizde, bazı tespitlerde bulunulabilir. Bu tespitler bazıları Avrupa Birliği ile alakalı diğerleri ise genel olarak iklimle alakalı tespitlerdir. Avrupa Birliği ile ilgili bu minvaldeki ilk tespit bu tezin Avrupa Birliği'nin de ideal bir aktör olmadığı saptamasıdır. Aslında Avrupa Birliği karar alma sürecinde sadece 'uygunluk mantığı' (logic of appropriateness) değil aynı zamanda da 'sonuçsal mantık' (logic of consequences) da kullanmaktadır. Ek olarak, Avrupa Birliği de tıpkı diğer aktörler gibi kendi çıkarlarına uygun olarak davranan küresel bir güçtür. Ancak Avrupa Birliği çıkarlarını farklı tanımlamaktadır.

Avrupa Birliği ile alakalı ikinci saptama ise Avrupa Birliği'nin üyeleri arasında ve üyeler ile birlik görüşleri arasında bir uyum (cohesion) yoktur. Avrupa Birliği'nin ekonomik ve sosyal uyum Birliğin kuruluşundan beri tüm antlaşmalarda oluşturulan bir amaçtır. Bu amaca rağmen, birlik içindeki bölgeler arasındaki artan dengesizlik durumu devam ederse, genişleme ile beraber bu dengesizlik kritik düzeyde bir artış gösterecektir. Üyeler arasındaki dengesizlikler ve eşitsizlikler iklim değişikliği konusunda da izlerini göstermektedir. Örneğin, Kopenhag Konferansındaki görüşmeler sırasında, Avrupa Birliği %20 olan emisyon düşürme vaadini, şarta bağlı olsa da %30'a çıkartacağını taahhüt etmiştir. Bu durum da üyeler arasında tartışmalara ve hoşnutsuzluklara yol açmıştır. Polonya gibi gelişmeye çalışan bazı ülkeler bu miktarda bir azaltımın gerçekleşmesi durumunda kendilerinin gelişmesinin imkanı olmadığını vurguladılar. Aynı şekilde, Almanya gibi Avrupa Birliği'nin gelişmiş ülkeleri de böyle bir oranda emisyon düşürmenin kendilerinin gelişmişlik seviyelerini koruyamayacaklarını savundular. Bu

uyumsuzluk Birlikle alakalı başka bir saptamayı ortaya çıkartıyor. Bu da ‘uygulama farkı’dır (implementation gap).

Bu anlamda, Avrupa Birliği’ni etkileyen temel problemlerden biri de ‘uygulama farkı’ kavramı etrafında dönmemektedir. Bu kavram, olması gereken uygulama seviyesiyle olan uygulama seviyesi arasındaki farkı ifade eder. ‘Uygulama farkı’ kavramı yasama aşamasındaki amaçlarla, politika sonuçları arasındaki var olan uyumsuzluğu tanımlamakta kullanılır. Ancak, Avrupa Birliği’nin kalkınma girişimleri içinde çevresel politika uygulamalarının sınırlı kaldığı eleştirilirken, Birliğin küresel çevre konularında bilsahha da iklim değişikliği konusunda öncü rolü de unutulmamalıdır. Yani, uygulama açıkları/farkları konusunda ki tartışmalar çerçevesinde devam eden çevre konusundaki karar alma sürecine üye devletlerin etkisinin ötesinde, artık yeni çalışmalar Avrupa Birliği’nin birlik seviyesinde yürüttüğü küresel iklim değişikliği tartışmalarına odaklanmaktadır. Buradaki ana fikir ise birliğin iç yapısından ziyade çevre ve iklim değişikliği konularında uluslararası yapısının öp plana çıkmasıdır. Bu anlamda, bu tez çalışması da birliğin iç yapısından ziyade olağan yasama prosedürünün kullanıldığı AB’nin uluslararası yapısına ve çevre politikasına odaklanmaktadır.

Avrupa Birliği ile alakalı yapılan saptamalardan sonra iklim değişikliği müzakereleri ile alakalı iki önemli husus üzerinde durulmalıdır. Bu konular aslında uluslararası iklim müzakerelerinin yeterli olmadığı ve aslında kısacası ‘siyasi niyet’ (political will) eksikliği olduğu fikirlerine dayanmaktadır. Bu anlamda, iki husus üzerinde durulacaktır. Bunlar ‘emiyon boşluğu’ (emission gap) ve ‘Emiyon ticareti’ (emission trading) meseleleridir.

Emiyon boşluğu meselesine baktığımız zaman, görmekteyiz ki bu mesele sadece Avrupa Birliği ya da özel olarak bir aktörle alakalı değil aynı zamanda küresel iklim değişikliği tartışmalarına katılan tüm aktörleri ilgilendiren bir husustur.

Emisyon boşluğu terimi, 2010 yılında ısınma miktarını 2 derece sınırında tutma hedefine ulaşmak için gerekli emisyon azaltım miktarı ile emisyon azaltma taahhüt miktarları arasındaki farkı ifade etmektedir. Tanınmış iklim bilimci James Hansen, son çalışmasında, 2 santigrat derecelik hedefi karşılamak için oluşturulan politikaların 3-4 derecelik bir sıcaklık artışı meydana getirmesinin muhtemel olduğunu iddia etmiştir. Bunun nedeni olarak da geçmişte okyanusların durumu ciddiye alınmadığı için, sıcaklığı 2 derece sınırları içinde tutma hedefi gerçekleşse bile okyanuslar dünyayı ısıtmaya devam edeceğini göstermektedir. Bu durum da dünya üzerinde insanlar arasında çatışmalar ile birleştiğinde dramatik iklim değişikliği olaylarının yaşanması sonucunu doğuracaktır.<sup>701</sup>

James Hansen'den başka bu konudaki diğer değerlendirmeden IPCC 5. Değerlendirme Raporunda yer almıştır. Rapora ısınmanın 2 dereceden daha az seviyeye düşürülmesi için 2020, 2025 ve 2030 yılları için hem bölgesel hem de küresel anlamda gerekli olan eşiği değerlendirmiştir.<sup>702</sup> Konu hakkındaki genel görüş, 2100 yılı için sıcaklığın 2 derecede tutulma hedefinin gerçekleştirilmesi için müzakerelerde verilen taahhüt miktarlarından çok daha fazla miktarlarda indirim yapılması gerekmektedir. Bu tartışmalardan çıkan sonuç, eğer sıcaklık hedeflenen 2 derece üzerinde kalırsa iklim değişikliğinin yıkıcı etkileri yaşanacaktır. Bu anlamda, Avrupa Birliği 2 derecelik eşiği sağlayabilmek için gerekli tüm eylemleri yapmayı taahhüt ettiğini tekrarlamaktadır. Ancak, söylemek gerekir ki Avrupa Birliği liderleri 2°C sınırın aşılma ihtimalinin yüzde 50-50 olduğunu da belirtmektedirler.<sup>703</sup>

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<sup>701</sup> ---, "Europe's Climate Gap: The unspoken disconnect between climate science and the EU action", Friends of the Earth Europe, Available at [http://www.foeeurope.org/sites/default/files/publications/foee\\_europe\\_climate\\_gap\\_briefing\\_june13.pdf](http://www.foeeurope.org/sites/default/files/publications/foee_europe_climate_gap_briefing_june13.pdf), accessed on 23.02.2015.

<sup>702</sup> Bill Hare, Michiel Schaeffer, Marie Lindner, Niklas Höhne, Hanna Fekete, Louise Jeffery, Johannes Gütschow, Fabio Sferra, Marcia Rocha, "Climate Action Tracker: Below 2 °C or 1.5 °C depends on rapid action from both Annex I and Non-Annex I countries", Policy Brief, 4 June 2014 (revised 07 June 2014)

<sup>703</sup> ---, "Europe's Climate Gap: The unspoken disconnect between climate science and the EU action", Friends of the Earth Europe, Available at

İklim ve iklim değışikliđi müzakereleri ile alakalı bir diđer eleřtiri ise ‘emisyon ticareti’ ile alakalıdır. Emisyon ticareti mekanizması gerekliliklerini yerine getiremeyen ÷lke ile emisyon hakkı altında kalan ÷lke arasında kaydi emisyon ticarettir. Kısacası, emisyon ticareti Ek-I ÷lkeleri arasındaki emisyon izinlerinin alım satımını genişletir. Japonya ve Amerika Birleşik Devletleri gibi gelişmiş ÷lkeler taahhüt ettikleri hedeflerini gerçekleřtirmek için emisyon ticaretinin de içinde yer aldığı esneklik mekanizmalarını güçlü bir şekilde desteklemişlerdir. Buna karşılık, 1990lı yıllarda, Avrupalı müzakereciler buna karşı çıktılar ve ABD’nin sera gazı emisyon ticareti teklifini eleřtirmiştir.<sup>704</sup> Avrupa Birliđi üyeleri arasındaki şüpheli grup, esneklik mekanizmalarının kullanımının devletlerin içerde almaları gereken önlemleri gerçekleřtirmeden emisyon azaltımı taahhütlerini yerine getirmek için bu mekanizmalara sığınacaklarını düşünmektedirler.<sup>705</sup> Ancak, belirtmek gerekir ki daha sonraki dönemlerde Avrupa Birliđi ÷lkeleri de kalkınma ile verilen taahhütleri yerine getirme uğraşı arasında kaldıkları için emisyon ticaretini yoğun bir şekilde kullanmaya başlamıştır.

Ayrıca, karbon ticaretine bir başka eleřtiri de bu mekanizmanın bazı devletler tarafından sömürgecilik olarak algılanmasıdır. Bu yolla büyük emisyon yayan ÷lkeler etkisiz endüstriyel projelerle karbon tasarrufundan kredi kazanırlarken, aynı zamanda da tüketim seviyelerini korumaktadırlar. Bir başka endişe ise bu mekanizmanın kaydi bir işlem olması ve bu mekanizmayı çalıştıran ÷lkenin gerçekte kendi emisyonlarında bir azalma olmazken bu ticareti gerçekleřtirdikten sonra emisyon azalmış gibi muhasebe olarak bir düşüş gerçekleřmesidir.

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[http://www.foeeurope.org/sites/default/files/publications/foee\\_europe\\_climate\\_gap\\_briefing\\_june13.pdf](http://www.foeeurope.org/sites/default/files/publications/foee_europe_climate_gap_briefing_june13.pdf), accessed on 23.02.2015.

<sup>704</sup> Jonathan B. Wiener, “Better Regulation in Europe” in Jane Holder and Donald McGillivray (Eds.) *Taking Stock of Environmental Assessment*, Routledge-Cavendish, New York, 2008, p.74

<sup>705</sup> Christian Downie, “The Politics of Climate Change Negotiations: Strategies and Variables in Prolonged International Negotiations”, *New Horizons in Environmental Politics*, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 2014, p.38.

## C- TEZ FOTOKOPİSİ İZİN FORMU

### ENSTİTÜ

Fen Bilimleri Enstitüsü	<input type="checkbox"/>
Sosyal Bilimler Enstitüsü	<input checked="" type="checkbox"/>
Uygulamalı Matematik Enstitüsü	<input type="checkbox"/>
Enformatik Enstitüsü	<input type="checkbox"/>
Deniz Bilimleri Enstitüsü	<input type="checkbox"/>

### YAZARIN

Soyadı : SAĞSEN

Adı : İlhan

Bölümü : Uluslararası İlişkiler

TEZİN ADI (İngilizce): “The European Union as a Distinctive Actor in Global Climate Change Policy”

TEZİN TÜRÜ : Yüksek Lisans  Doktora

1. Tezimin tamamından kaynak gösterilmek şartıyla fotokopi alınabilir.
2. Tezimin içindekiler sayfası, özet, indeks sayfalarından ve/veya bir bölümünden kaynak gösterilmek şartıyla fotokopi alınabilir.
3. Tezimden bir (1) yıl süreyle fotokopi alınamaz.

TEZİN KÜTÜPHANEYE TESLİM TARİHİ: