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On the Road to Paris: How Can the EU Avoid Failure at the UN Climate Change Conference (COP 21)?

by Lisanne Groen

ABSTRACT

At the 15th UN Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP) meeting in Copenhagen in 2009, the European Union (EU) failed to achieve most of its objectives. In 2011, at the 17th COP meeting in Durban, the EU was crucial in bringing about a deal on a roadmap towards a new global climate change agreement, to be adopted in December 2015 at the 21st COP meeting in Paris. This paper examines the lessons the EU has learned and can learn from its experience in Copenhagen in the run-up to Paris. It considers, first, the EU's relative bargaining power; second, the relative position of its objectives/interests mapped against those of other negotiating parties; and third, how the EU can leverage its relative power through strategic action in pursuit of its objectives. The paper recommends that the EU focus on building a broad alliance with other progressive negotiating parties on mitigation in order to avoid a lowest common denominator outcome.

European Union | Climate change



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Introduction

The European Union (EU) has often been portrayed as a leader in the UN Framework Convention on Climate Change (UNFCCC). This was especially true in the period from 1997 to 2005, in which the details regarding the implementation of the Kyoto Protocol (KP) to the Convention, which binds developed countries to individual greenhouse gas (GHG) emission reduction targets, were negotiated and its entry into force was realised. The EU was of great importance in securing a successful outcome of this process: it played a protagonist role when the United States decided not to ratify the Protocol.¹ At the 15th Conference of the Parties (COP) meeting in Copenhagen in December 2009, however, the EU failed to achieve most of its ambitious objectives, such as a legally-binding agreement in which all negotiating parties would be bound by GHG emission reductions and limitations.² After the Copenhagen negotiations, the EU did not abandon the UNFCCC, though. Since then, its degree of goal achievement has improved at the Cancun and Durban COP meetings in 2010 and 2011, respectively (keeping in mind the fact that the EU's aims in Cancun and Durban were much more modest than in Copenhagen).³ In Durban, the EU was successful in bringing about a deal on a roadmap towards a new global climate change agreement to be adopted in 2015 by establishing a coalition of ambitious negotiating parties, including Brazil and South Africa. In comparison,

¹ John Vogler and Charlotte Bretherton, "The European Union as a Protagonist to the United States on Climate Change", in *International Studies Perspectives*, Vol. 7, No. 1 (February 2006), p. 1-22.

² Sebastian Oberthür, "The European Union's Performance in the International Climate Change Regime", in *Journal of European Integration*, Vol. 33, No. 6 (2011), p. 667-682.

³ Lisanne Groen, Arne Niemann and Sebastian Oberthür, "The EU as a Global Leader? The Copenhagen and Cancun UN Climate Change Negotiations", in *Journal of Contemporary European Research*, Vol. 8, No. 2 (2012), p. 173-191, <http://www.jcer.net/index.php/jcer/article/view/497>.

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in the UNFCCC meetings from 2012 until mid-2015, the EU was less successful in achieving its objectives. In December 2015 the crucial climate negotiations in Paris (COP 21) will take place, for which the EU's main objective is the adoption of a protocol in which all parties will be legally bound by GHG emission reduction and limitation targets (as in Copenhagen).

This paper explores the extent to which the EU has learned and can learn lessons from its relative failure in Copenhagen in the run-up to the negotiations in Paris. It analyses to what extent the EU's situation is different now compared to six years ago by considering, first, the EU's degree of relative bargaining power, and second, the relative position of its objectives in the spectrum of the objectives of all negotiating parties. Third, it will assess how the EU has dealt and can deal with this situation by means of its strategic activities. The paper concludes with recommendations for the EU to optimise its degree of goal achievement in Paris.

1. The EU's relative bargaining power in the UNFCCC

In the negotiations leading to the Copenhagen Accord, the EU was in a weaker bargaining power position than its key negotiating partners China and the United States (US), measured in terms of the share of global GHG emissions in percentages.⁴ In 2009, China represented a share of 22.2 percent, the US 15.6 percent and the EU-28 11.1 percent. These three biggest emitters were followed at a considerable distance by India (5.7 percent), the Russian Federation (5.3 percent) and Japan (2.9 percent). Considering the trend of emissions over time, the EU's share declined continuously (it had decreased by one-fifth in 2011 in comparison with 2005 levels), while China's share increased steadily (by more than one-fourth between 2005 and 2011). The share of the US declined continuously as well (by almost one-sixth between 2005 and 2011), but less than the EU's share.⁵ Thus, the EU's degree of issue-specific bargaining power should be considered only moderate to low, and declining.⁶ This was not a favourable position for the EU to be in in order to achieve its objectives to a high degree, as it was not a crucial party to be included in the final agreement.

⁴ Relative bargaining power is measured in terms of the share of global greenhouse gas (GHG) emissions in percentages and the trend over time, as what is needed to tackle climate change (the problem under negotiation), first and foremost, is the reduction of global GHG emissions. The higher a party's share of global GHG emissions, the more other parties want it to become a party to a new international agreement to tackle climate change. This gives a party with a high share of GHG emissions leverage in the negotiations. Negotiating skills (e.g. the ability to forge alliances, employ issue linkage and use moral suasion, etc.) could also be considered a source of bargaining power but are not classified as such in this paper, as it is hard to make a ranking of the negotiating skills of parties, unlike for their share of GHG emissions. Instead, negotiating skills are considered elements of a party's strategic activities, which are analysed below in the section on the EU's strategic activities.

⁵ World Resources Institute, "Country GHG Emissions", in *CAIT Climate Data Explorer*, <http://cait2.wri.org/wri/Country%20GHG%20Emissions>.

⁶ *Ibid.*

In the run-up to the Paris negotiations, the EU's relative bargaining power is a little lower than in the period leading up to the Copenhagen conference. Again, this is not a favourable position for the EU to be in in order to achieve its ambitious objectives. Currently, China is still the biggest GHG emitter globally, while the US is the second-biggest emitter and the EU the third-biggest emitter. At the time of the entry into force of the new agreement, which is to be adopted in Paris at the end of 2015 and is scheduled for the year 2020, the EU's emissions are projected to be considerably lower than those of China (as the EU's emissions continue to decrease while those of China continue to grow) and also lower than those of the US. In addition, the (growing) emissions of India will be at about the same level as those of the EU by that time.⁷ This moderate-to-low relative bargaining power in the run-up to Paris presents a situation for the EU now that is as challenging as it was six years ago, if not more, when it comes to making its voice heard next to China and the US, as the two latter players could dominate the talks based on their higher degrees of bargaining power. In this context it should be highlighted that the US and China concluded a bilateral climate deal in November 2014, which was welcomed as a significant contribution to move the negotiation process towards Paris forward.⁸ The EU's reply to this US-China dynamic will be considered below.

2. The relative position of the EU's objectives

In what follows the paper will focus on the three most important agenda items of the negotiation process both in Copenhagen and Paris, deduced by scanning through official documents, summary reports and secondary literature, and by means of interviews. In the negotiation process towards both Copenhagen and Paris, the first two agenda items are mitigation and finance. The third key agenda item in the run-up to Copenhagen is the nature of the agreement, while adaptation is the third key item in the negotiations towards Paris.

On mitigation (meaning tackling climate change by reducing GHG emissions through human interventions), the EU's objectives in the negotiations towards Copenhagen were demanding in terms of their ambition, and thus not shared by the more conservative parties, including China and the US. For example, the EU requested that developed countries as a group reduce their GHG emissions below 1990 levels by 25 to 40 percent by 2020 and by 80 to 95 percent by 2050, while developing countries as a group should achieve a substantial deviation below their predicted emissions growth rate, in the order of 15-30 percent by 2020.⁹

⁷ World Resources Institute, "Emissions Projections" and "Historical Emissions", in *CAIT Climate Data Explorer*, <http://cait.wri.org/projections>; <http://cait.wri.org/historic>.

⁸ Mark Landler, "U.S. and China Reach Climate Deal After Months of Talks", in *The New York Times*, 11 November 2014, <http://nyti.ms/1pNUpNu>.

⁹ Council of the European Union, *EU position for the Copenhagen Climate Conference (7-18 December 2009) – Council conclusions (14790/09)*, 21 October 2009, par. 8, <http://data.consilium.europa.eu/doc/document/ST-14790-2009-INIT/en/pdf>.

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Such concrete targets were not included in the agreement: the EU's degree of goal achievement was low. Closely related, the EU's objectives on the nature of the agreement to be concluded in Copenhagen can be considered very reformist, as these would completely change the status quo: the adoption of a comprehensive, legally-binding agreement with universal participation that keeps temperature rise below 2°C above pre-industrial levels, and the inclusion of the key elements of the Kyoto Protocol (KP) in a single new agreement. Not many parties shared these strong demands, except for the Alliance of Small (and low-lying) Island States (AOSIS), so the EU was rather isolated and did not achieve these objectives.

In the negotiation process towards Paris, the EU's objectives are similar. Again, the EU aims for a protocol under which all parties commit to legally-binding mitigation objectives that ensure the highest possible mitigation efforts to keep the global temperature increase below 2°C from pre-industrial levels. This time the EU's objectives are more widely shared: parties already agreed in 2013 that mitigation obligations, to be submitted by all parties in the form of Intended Nationally Determined Contributions (INDCs), should become part of the Paris agreement.¹⁰ However, parties still disagree about the legal form of the agreement and its respective elements. The conservative group of Like-Minded Developing Countries (LMDCs) does not support a protocol and advocates for the submission of INDCs of various natures, indicating that not all of them should be legally binding. China and India are part of this group, which is comprised of about 25 members and was officially established at the end of 2012, when the negotiations on a new climate agreement to be adopted in the year 2015 had just started. In addition, the INDCs that parties including China, the US and the EU have already submitted do not represent the parties' highest possible efforts and are not going to be sufficient to keep global temperature rise below 2°C.¹¹

On finance, the EU had moderately conservative objectives in the negotiations towards Copenhagen. It was not eager to provide financial resources to developing countries and proposed that all countries, except for the least developed, should contribute to international public financing. This position was not shared by developing countries, and it may have frustrated the build-up of a strong relationship with the most progressive ones among them. In addition, developing countries managed to get more out of the negotiations on this item than the EU preferred (such as concrete targets for developed countries for the provision of fast-start and long-term climate finance), so the EU's goal achievement was again low.

¹⁰ UNFCCC, "Decision 1/CP.19: Further advancing the Durban Platform", in *Report of the Conference of the Parties on its nineteenth session, held in Warsaw from 11 to 23 November 2013. Addendum. Part two: Action taken by the Conference of the Parties at its nineteenth session (FCCC/CP/2013/10/Add.1)*, 31 January 2014, p. 3, <http://unfccc.int/resource/docs/2013/cop19/eng/10a01.pdf>.

¹¹ Rodney Boyd, Joe Cranston Turner and Bob Ward, *Tracking intended nationally determined contributions: what are the implications for greenhouse gas emissions in 2030?*, London, ESRC Centre for Climate Change Economics and Policy and Grantham Research Institute on Climate Change and the Environment, August 2015, <http://www.lse.ac.uk/GranthamInstitute/?p=15857>.

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In the negotiations towards Paris, the EU has again adopted a moderately conservative position. It has stated that climate finance should be derived from a wide variety of sources, that the private sector is a key source for climate finance and that all parties should contribute to climate finance in line with their evolving responsibilities and capabilities. It proposed these elements in opposition to the statement of developing countries that public finance from developed countries should be the main source of climate finance. In the course of the negotiations towards Paris, developing countries have already expressed their disappointment with the lack of a roadmap towards the provision of 100 billion dollars per year by 2020 from developed to developing countries (a target agreed upon in Copenhagen), as well as a roadmap on scaling up financial support after 2020. Their calls for concrete commitments from developed countries on climate finance after 2015 are getting louder as Paris gets closer, and no such commitments have been put on the table yet. Commitments from the EU and most other developed countries to provide scaled-up financial contributions to developing countries are crucial to gain their support for an agreement in Paris that will incorporate stronger commitments from their side. The G7 meeting in June 2015 showed that the EU is able to motivate other developed countries to adopt a more ambitious stance on climate change. During that meeting the EU's G7 member countries, with Germany in the lead as the G7 Presidency, succeeded in convincing Canada and Japan – two parties with conservative positions on climate change – to agree on a final declaration in which they confirmed their commitment to provide 100 billion dollars per year by 2020 and underlined the need to decarbonise the global economy in the course of the 21st century.¹²

On adaptation to climate change, finally, the EU has adopted a moderately conservative position and a rather cautious attitude in the run-up to Paris. It has argued that the 2015 agreement should build on the ongoing work on adaptation within the Convention, and that the Executive Committee of the Warsaw mechanism on loss and damage (caused by the adverse effects of climate change), agreed upon in 2013, should implement a work plan to address the issue. The EU is not very eager to advance the status quo on this agenda item, as this would mean that it would have to contribute more to developing countries in terms of financial resources and other means of implementation to help them adapt to climate change, as well as move in the direction of compensating developing countries for loss and damage caused by climate change. However, the EU sees the necessity to be more flexible on this agenda item in order to receive support from developing countries (such as AOSIS and the least developed countries – LDCs) for other progressive elements that it would like to see included in the Paris agreement, such as GHG emission reduction objectives from each negotiating party that will be increased every five years. If it shows willingness to advance the status quo on this issue, and even better, if it manages to convince other more conservative developed-country parties to adopt a more progressive attitude (by accepting the implementation of a

¹² Sara Stefanini, "Merkel convinces Canada and Japan on CO2", in *Politico*, 8 June 2015, <http://www.politico.eu/article/?p=211255>.

work plan on loss and damage that leads to concrete measures to assist developing countries), this will help to advance the negotiations towards a Paris agreement.

3. The EU's strategic activities¹³

In the negotiation process towards Copenhagen, the EU found itself in a difficult relative position in terms of its bargaining power and its interests for achieving its objectives, as discussed above. The EU had only a moderate-to-low degree of relative bargaining power, and none of its objectives (an extremely reformist one on the nature of the agreement, a moderately reformist one on mitigation and a moderately conservative one on finance) were supported by a majority of the negotiating parties. Thus, in order to maximise its degree of goal achievement, the EU had to engage very actively in the negotiations and invest as much time and resources as possible in building coalitions with like-minded progressive parties regarding mitigation and the nature of the agreement, in order to provide a counterweight against the more conservative objectives of the US and China, the two biggest players in terms of their share of global GHG emissions.

The EU did engage in outreach towards third parties during the negotiation process in order to exchange information on positions with them, both bilaterally and within multilateral fora, but it did not engage as much as it could have in coalition building with like-minded progressive (mostly developing-country) negotiating groups such as AOSIS, the LDCs and the African Group. The EU seems to have been oriented more towards the US and other developed countries than towards progressive developing countries. Moreover, the EU's attempts to get closer to ambitious developing countries were negatively influenced by its statement that it aimed for a single agreement in Copenhagen, which made it look like it wanted to give up on the KP.¹⁴ This turned many developing countries against the EU. Also, the fact that several developing country parties saw the Danish¹⁵ compromise text – which mainly reflected the positions of developed countries – as an EU text and that the EU did not clearly distance itself from this text had a negative impact on its ability to build coalitions with progressive developing countries.

In addition, the EU offered fast-start climate finance to developing countries in order to get closer to them, but they perceived the offer as too little, too late and too vague.¹⁶ Besides, other developed countries did not offer much climate finance,

¹³ The information in this section is based in part on interviews with negotiators (from the EU and from non-EU parties) carried out in 2013 and 2014 and on news articles.

¹⁴ The Kyoto Protocol obliges developed country parties (not developing countries) to reduce their GHG emissions with specific percentages. Developing countries wanted to keep this Protocol in place. Consequently, they were not happy when the EU gave the impression that it wanted to do away with the Protocol and replace it with one universal new agreement.

¹⁵ Denmark held the UNFCCC COP Presidency in 2009; COP 15 was held in Copenhagen, the capital of Denmark.

¹⁶ "Europe's political miscalculation", in *ENDS Europe*, 21 December 2009, <http://www.endseurope>.

which added to the disappointment of developing country parties. Another activity that the EU undertook was offering to scale up its GHG emission reduction target, in comparison with 1990 levels, from 20 percent (which it had already implemented before Copenhagen) to 30 percent by 2020, if other parties would move to similarly ambitious targets (to be included in the Copenhagen agreement). However, this offer did not have the result that the EU had hoped for: other parties did not move to similarly ambitious targets. The EU's offer was based on its normative aspirations (to have an agreement that would be as ambitious as possible) and was not adapted to the short-term interests that were driving most other negotiating parties, in particular the US and China as key players.¹⁷

Finally, the EU held on to a legally-binding agreement as the outcome of the negotiations in Copenhagen, including internationally-legally-binding emission targets for all parties (except for the least developed countries), while important players like China, India and the US could not accept this. The EU did not make concessions (for example by bringing forward a less ambitious compromise text proposal) on this item to stay in the game at the very end of the negotiations, when the heads of state of the US, China, Brazil, India and South Africa got together to discuss the contours of the agreement. The fact that the EU did not adapt its activities optimally to the situation in which it found itself (in terms of its relative bargaining power and the relative position of its objectives) contributed to its low degree of goal achievement.

In the run-up to Paris, therefore, it is important that the EU adapts its activities to the situation in order to maximise its goal achievement. The EU's relative bargaining power in the negotiation process towards Paris is only moderate to low, which is a difficult position to start from, at least as difficult as it was in the run-up to Copenhagen. The relative position of the EU's objectives in the spectrum of interests of all parties can be considered a little more favourable than in the negotiation process towards Copenhagen. The EU's moderately reformist objective on mitigation and its moderately conservative objectives on both adaptation and finance are shared by a considerable number of parties. Its objectives on mitigation have become a little less ambitious, while the objectives of some other players have become a little less conservative (e.g. the US).¹⁸ Thus, the EU's objectives have moved towards the middle of the spectrum of positions of all negotiating parties, away from the very ambitious extreme (in response to Copenhagen and given the fact that some EU member states, led by Poland, are

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¹⁷ Louise Van Schaik and Simon Schunz, "Explaining EU Activism and Impact in Global Climate Politics: Is the EU a Norm- or Interest-Driven Actor?", in *Journal of Common Market Studies*, Vol. 50, No. 1 (January 2012), p. 169-186. Interview with US negotiator, 29 October 2013.

¹⁸ The level of ambition of the United States' GHG emission reduction target for 2025 (a 26-28 percent reduction below its 2005 level) can be considered comparable to the ambition level of the EU's target for 2030. The US has also promised to reduce its power plant emissions by 32 percent below 2005 levels by 2030. See The White House, *Fact Sheet: President Obama to Announce Historic Carbon Pollution Standards for Power Plants*, 3 August 2015, <http://ow.ly/QrDf9>.

blocking a more ambitious EU stance). Still, its objectives on all three key agenda items are opposed by a vocal group of developing countries, the LMDCs, which have adopted a conservative position on the issue of mitigation (e.g. to maintain the differentiation of responsibilities between Annex I and non-Annex I parties in the Convention as agreed in 1992¹⁹) and reformist positions on adaptation and finance. Strategically speaking, the EU has to make a considerable effort to establish a broad coalition of ambitious parties that is strong enough to act as a counterforce against the conservative demands of the LMDCs on mitigation. On finance and adaptation the EU's objectives are conservative. To receive support from ambitious developing countries on mitigation, the EU will have to offer them more on finance and adaptation in return, which will be specified below.

In this context, it should be highlighted that the US and China, the two UNFCCC parties with the highest degrees of bargaining power, have recently struck a bilateral climate deal in which China promised to peak its CO₂ emissions in the year 2030, which was an unexpected commitment that the US helped to bring about. The US announced a 26-28 percent reduction of its GHG emissions in 2025 below 2005 levels. The EU was not aware of the preparations for this deal and thus could not influence the result. Both the US and China have become more ambitious in the fight against climate change than a few years ago. In the technical negotiations in the UNFCCC towards Paris, however, China still strongly defends developing-country interests, operating as one of the most influential players within both the LMDC group and the Group of 77 and China (the biggest developing-country group). It is important that the EU keeps track of the US-China dynamic in order to influence the preparation of compromise proposals between them in the final stages of the negotiations by putting alternative proposals on the table.

The EU is actively reaching out to many negotiating parties in the run-up to Paris, especially in the final year 2015. Since the start of 2015, the EU has developed and is carrying out a climate diplomacy action plan, in which the European External Action Service (EEAS), the EU's diplomatic service, is heavily involved. As part of this action plan, démarches are undertaken to collect information on third-party negotiating positions, for example regarding their INDCs. The plan is divided in clusters: political action (e.g. by Commissioners and ministers at bilateral and multilateral meetings); climate diplomacy (towards all UNFCCC parties: first major economies [focus on INDCs], then developing countries [focus on finance]); supportive actions to strengthen our "network of climate exchange" (in third countries through EU delegations); and advocacy (e.g. an EU-wide Climate Action Day).²⁰

¹⁹ Annex I Parties are the industrialised countries that were members of the Organisation for Economic Co-operation and Development in 1992 and countries with economies in transition. Non-Annex I Parties are mostly developing countries, according to 1992 income levels.

²⁰ European Commission, *The Paris Protocol – A blueprint for tackling global climate change beyond 2020* (COM/2015/81), 25 February 2015, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52015DC0081>. Follow this link to read the *Climate Diplomacy Action Plan* from 19 January 2015: <http://markjohnston.org/2015/02/09/eu-climate-diplomacy-plan>.

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At the negotiations in Durban at the end of 2011, the EU was successful in building a coalition with AOSIS and the LDCs, which was crucial to generating sufficient support – bringing Brazil and South Africa, two important major economies, on board too – for the adoption of a roadmap towards a new global climate agreement to be agreed upon in 2015 in Paris. Since Durban, however, the EU has not been very successful in mobilising this progressive coalition to increase support for its own ambitious objectives on mitigation. As a result, the degree of EU goal achievement in the period from 2012 until mid-2015 on this agenda item, a priority for the EU, was rather low. Moreover, in Durban the EU could employ its intention to implement the second commitment period of the KP²¹ as a bargaining chip to satisfy the more conservative key developing-country parties China and India, which consequently agreed on the adoption of the roadmap, while it did not have a similar bargaining chip at its disposal in subsequent years.²²

What the EU can do to bring ambitious developing countries on board of a broad coalition in the little time that is left before Paris, is to be more generous towards them on the issues of adaptation (and the related issue of loss and damage) and finance, as highlighted above.²³ It can do so outside of the UNFCCC negotiations, making bilateral offers (e.g. promising aid), or within the negotiations. Regarding the latter option, the EU can support the development of a work plan with concrete actions that support developing countries on loss and damage (but which do not go as far as liability and compensation), the strengthening of the existing institutions on adaptation or a global adaptation goal. On finance, the EU should cooperate on (the adoption of) a roadmap towards the provision of 100 billion dollars a year by 2020. In addition, it could increase its pre-2020 mitigation commitments and actions, which is another issue on which developing countries request that developed countries take the lead. The EU should ratify the second commitment period of the KP as soon as possible, and it could politically commit itself to an overachievement of its 20 percent GHG emission reduction target for 2020.

However, EU ambition concerning mitigation has been relatively limited in the period after Durban, mainly as a result of the rather conservative group of Central and Eastern European EU member states led by Poland, the Visegrad Group.²⁴ Poland may adopt an even more hardline position now that its new president Andrzej Duda, whose party rejects decarbonisation and wants to keep coal in place as the country's main fuel for electricity generation, was just sworn in. Duda's party is leading the polls for the parliamentary elections in October.²⁵ At the COP meeting

²¹ The Kyoto Protocol's first commitment period – the period in which 37 developed countries and the EU were bound by specific GHG emission reduction objectives against 1990 levels – lasted from 2008 to 2012. The second commitment period runs from 2013 to 2020.

²² Karin Bäckstrand and Ole Elgström, "The EU's role in climate change negotiations: from leader to 'mediator'", in *Journal of European Public Policy*, Vol. 20, No. 10 (2013), p. 1369-1386.

²³ See also Alex Pashley, "Brazil, China urge rich nations to take lead in Paris", in *RTCC News*, 20 May 2015, <http://www.rtcc.org/?p=22456>.

²⁴ The Visegrad Group consists of the Czech Republic, Hungary, Poland and Slovakia.

²⁵ Alex Pashley, "Poland's resurging right bids to stem coal decline", in *RTCC News*, 6 August 2015,

in Doha in 2012, the use of excess Assigned Amount Units (AAUs; used for emissions trading) and whether these could be carried over to the second commitment period of the KP (which concerned many Central and Eastern European member states) was a problematic issue. The EU could not reach internal agreement on how to solve this issue before Doha in order to secure the environmental integrity of the KP, as Poland blocked it. Many parties noted that the excess AAUs put the KP's environmental integrity at risk. This affected the EU's image as an ambitious UNFCCC party. Furthermore, the EU's GHG emission reduction target for 2030 (40 percent) that constitutes the basis of its INDC, and was agreed upon in October 2014 after much internal struggle (again due to opposition from the Visegrad Group against more ambitious targets), is not ambitious enough to keep the world on a pathway below a 2°C temperature increase. This hampers coalition-building with ambitious developing countries.

Besides, it is important that other developed countries show ambitious actions and commitments, as this may contribute to coalition-building with developing countries. When Japan, Canada, New Zealand and Russia decided not to participate in the second commitment period of the KP, and Japan and Australia scaled down the ambition of their mitigation pledges for 2020, developing countries were very disappointed. Therefore, the EU is trying to push other developed countries to bring forward ambitious mitigation commitments (INDCs) for the new agreement.²⁶

Conclusion and recommendations

The analysis presented above makes clear that the EU's relative position in terms of its bargaining power and objectives in the run-up to the Paris conference does not differ much from its relative position in the negotiations towards Copenhagen, but could be considered slightly more favourable now than six years ago. Its relative bargaining power can be considered slightly lower than at the time of Copenhagen, but its objectives are less extreme and shared by more negotiating parties than in the run-up to Copenhagen. What the EU can learn from the negotiation process towards and at Copenhagen is that it should become more flexible, adapting its positions and tactics to the evolving negotiation dynamic. This means that for Paris, the EU has to focus on building a broad alliance with other progressive negotiating parties (both developed and developing countries, including the major economies of Brazil and South Africa) in order to counterbalance the conservative position of the LMDCs and developed countries like Australia, Canada and Japan on mitigation (the agenda item that is of the highest priority to the EU) in order to reach a middle-ground solution rather than the lowest common denominator.

<http://www.rtcc.org/?p=23727>.

²⁶ Ed King, "EU climate chief outlines criteria for Paris success", in *RTCC News*, 20 August 2015, <http://www.rtcc.org/?p=23924>.

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This can be achieved by creating a package deal that connects the different key agenda items: mitigation, adaptation and finance (and other means of implementation). The EU should start to build momentum for such a package deal sooner rather than later and try to generate goodwill by making limited concessions on some agenda items in order to receive concessions from other parties on other agenda items in return. The EU could make such limited concessions on two items that are of crucial importance for developing country parties: adaptation (and loss and damage) and finance. In terms of these two items, it could support the strengthening of existing institutions on adaptation, the adoption of a global adaptation goal, the development of a work plan with concrete actions on loss and damage, and the creation and adoption of a roadmap towards the provision of 100 billion dollars a year by 2020. In addition, it could offer to increase its pre-2020 mitigation ambition. Outside of the UNFCCC, the EU could also make bilateral offers such as aid to developing countries.

However, this implies that the EU has to find a way to convince the Visegrad Group member states to agree with these offers. Moreover, the EU has to convince other developed countries to show ambitious commitments and make concessions too, which is easier said than done.

Finally, it is important that the EU keeps track of the US-China dynamic in order to influence the preparation of compromise proposals between them in the final stages of the negotiations, by putting alternative proposals on the table rather than being sidelined.

All in all, the activities that the EU has to carry out in order to maximise its degree of goal achievement in Paris present a rather hefty task. It remains to be seen to what extent the EU will be able to fulfil it.

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