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Handing Over Leadership: Transatlantic Environmental Governance as a Functional Relationship

Eugenio Cusumano

Global environmental governance has experienced a remarkable evolution over the last two decades, seeing the United States handing over its leadership role to the European Union. This paper analyses the transformation of transatlantic environmental governance through the lens of three scenarios, namely enduring partnership, structural drift and functional relationship. While the emergence of major disagreements over key issues such as climate change and biodiversity precludes the possibility of considering transatlantic environmental relations as an enduring partnership, these tensions have not degenerated into a structural drift, and various forms of cooperation have endured at different levels and in different environmental issue-areas. Due to the coexistence of cooperation and disagreement and the key role played by domestic political factors in shaping EU and US environmental postures, the present and future evolution of the transatlantic environmental partnership can be best conceptualised as a functional relationship.

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Eugenio Cusumano*

EU US Environment Climate change Biodiversity

Introduction

When resource depletion, the erosion of the ozone layer and the protection of biodiversity first emerged on the international agenda, the United States (US) was the staunchest supporter of multilateral environmental cooperation. US administrations were consistently at the forefront in promoting agreements such as the 1972 Stockholm Declaration on the Human Environment, the 1973 Convention on International Trade in Endangered Species and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer. By contrast, the European Economic Community (EEC) had not yet developed any explicit competences in the environmental policy domain, and many of its member states were often recalcitrant participants in multilateral environmental negotiations. By the end of the Cold War, however, the situation started to reverse. In the wake of the 1992 Rio Earth Summit, the US began to display an increasing reluctance to commit to binding environmental agreements. The newly established European Union (EU), on the other hand, started to forcefully champion the development of global environmental governance, playing a leading role in securing the entry into force of the Kyoto Protocol on the reduction of greenhouse gas (GHG) emissions after the US said it would not ratify the treaty and developing the most ambitious GHG emission-trading scheme worldwide.

The emergence of major disagreements over the architecture of global environmental governance, epitomised by EU participation in key international agreement from which the US has remained aloof, casts doubts upon the possibility of considering transatlantic environmental relations as an authentic enduring partnership. However, while the shift in the locus of global environmental leadership from America to Europe has at times produced tensions in the Atlantic community, such strains have not degenerated into a structural drift, and various forms of transatlantic cooperation have endured at different levels and in different environmental issue-areas. As illustrated by the results of the *Transatlantic Elite Survey* carried out by the Transworld project, US and EU decision-makers still share a substantial agreement over the need for environmental protection, but disagree over the means of, and the actors to be involved in, global environmental governance. Most notably, significant disagreement can be found on whether environmental protection efforts such as GHG abatement should be conducted unilaterally by advanced economies, as maintained by the majority of European elites, or whether

**** Eugenio Cusumano is Lecturer of International Relations at Baltic Defence College, Tartu (Estonia).***

developing economies should also be expected to contribute to the same degree, as advocated by a large part of US political and business elites. The role of international organisations is another element of divergence. While EU elites are more supportive of giving international organisations a greater role in environmental matters, US elites display greater reluctance to provide international bodies with substantial powers (Isernia and Basile 2014). Due to the existence of elements of both cooperation and disagreement and the key role played by domestic political factors in shaping EU and US environmental postures, the present and future evolution of the transatlantic environmental partnership can be best conceptualised as a functional relationship.

This paper analyses transatlantic environmental governance by focusing on the following elements. The first section provides an overview of EU and US environmental policy initiatives at both the domestic and the international level. The second section reviews the main elements of divergence and convergence between the EU and the US, briefly examining the evidence provided in the previous section and the results of the Transworld Elite Survey. The final section and the ensuing conclusions examines the evolution of the transatlantic environmental partnership through the lens of the three scenarios proposed by Tocci and Alcaro (2014), explaining why the functional relationship scenario offers the most fine-grained account of both the current state of the transatlantic partnership and its future trajectory.

1. The Evolution of Environmental Governance in the US and the EU

In both the US and the EU, environmental policies have experienced a remarkable evolution over the last three decades. This section provides a brief overview of this transformation by focusing on four key policy areas where elements of convergence and opportunities for cooperation coexist and overlap with sharp disagreements, namely climate change, biodiversity, renewable energies and sustainable development.

1.1. Environmental Governance in the US

For decades, the United States was a trailblazer in the adoption of domestic environmental protection standards and played a key role in the inception of multilateral negotiations on the countering of atmospheric pollution and the protection of biodiversity. Over the last twenty years, however, US international leadership in environmental matters has waned, eroded by the unwillingness to tighten domestic regulations and the subsequent failure to commit to binding international environmental commitments, epitomised by the failure to ratify the Kyoto Protocol, first blocked by the Republican majority in the Senate in 1998 and then explicitly abandoned by former President George W. Bush in 2001.

A superficial analysis of US environmental policies would therefore suggest that the US tradition of environmental protection was abruptly interrupted by the rise to power of a Republican party that has made opposition to the fight against climate change a main political issue. Indeed, Republican success in Congressional elections in 1994 and in the 2000 presidential run produced a shift in the US government's approach towards both domestic environmental protection and international environmental cooperation. Evidence of US declining support towards global environmental initiatives, however, pre-exists both dates. The increasing reluctance to commit to multilateral environmental agreements became apparent when the United States failed to join the 1992 Convention on Biological Diversity (CBD). Already before the end of the Cold War, the US did not ratify the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989). Moreover, the US refused to ratify the United Nations Convention on the Law of the Sea as early as 1982 at least

partly due to the issue of access to resources of the deep seabed (DeSombre 2011:193, DeSombre 2000). It is also worth noting that the Republican policy platform was not entirely deprived of environmental protection efforts. President Bush encouraged environmental legislation in his 2002 Clear Skies speech, and congressional regulatory initiatives such as the Lieberman-Warner bill were repeatedly discussed and came close to passing in 2007 (Ellerman 2013, Skocpol 2013).

The Barack Obama administration has pledged renewed attention to the environmental cause, promising to re-establish US leadership on climate change. The President's State of the Union address in February 2013, the "Climate Action Plan" unveiled four months later and the resulting proposal by the Environmental Protection Agency (EPA) to set carbon pollution standards for new power plants, all indicate an increased willingness to address environmental issues. In the absence of Congressional emission reduction initiatives, however, the scope and impact of these measures is likely to remain limited.

Climate Change

The US initially exhibited a firm leadership in the fight against atmospheric pollution. US assertiveness was clear in its response to ozone depletion. In 1977, Congress signed the Clean Air Act Amendments, requiring its industry to phase out the use of chlorofluorocarbons (CFC). Ten years later, the US emerged as a leader in the negotiations for the abatement of CFC emissions underlying the 1987 Montreal Protocol. US efforts to protect the atmosphere were also epitomised by its effort to ban aerial nuclear tests, culminating into the 1963 Partial Nuclear Test Ban Treaty (DeSombre 2011, Kelemen and Vogel 2010).

When the countering of climate change emerged as a major challenge in the international environmental agenda, however, the US failed to replicate a similar commitment. At the negotiations for the Kyoto Protocol, started in 1996, at the time president Bill Clinton reluctantly supported the call for binding reduction targets, accepting an abatement of US emissions to 7 percent below 1990 levels. In 1997, however, before the final negotiations for the Protocol initiated, the US Senate passed with an overwhelming majority (95-0) the Byrd-Hagel Resolution, indicating the Senate's intention not to ratify any agreement requiring abatement obligations from industrialised countries without simultaneous reductions from developing countries (Kelemen and Vogel 2010, Ellerman 2013). Subsequent efforts by Congress members explicitly prevented the establishment of GHG reduction targets by means of federal regulations (DeSombre 2011). In 2001, shortly after his election, President Bush announced that the United States would not implement the Kyoto Protocol, emphasizing the lack of scientific knowledge of the causes of and solutions to climate change and the harm that its ratification would impose on the US economy (Bush 2001).

President Obama has promised to reignite US commitment against climate change, described as "one of the greatest challenges of this generation" (Obama 1987). In his 2013 and 2014 State of the Union addresses, the president reinforced this commitment, linking recent natural disasters to climate change and warning that a direct presidential initiative would follow in case of Congress' failure to enact a "bipartisan, market-based solution" (Obama 2013). To date, however, Obama's vocal support for climate policy has not translated into concrete action. Due to the combination of economic growth and the inability to undertake federal regulatory action, the period between 1990 and 2011 saw US GHG emissions grow by 8.4 percent (DeSombre 2011, Ellerman 2013, US EPA 2013). As of 2006, the US was the second largest producer of CO_2 after China (DeSombre 2011, Ellerman 2013). Since 2010, however, emissions have decreased compared to the projected estimates, setting the US on track to reaching the commitments made at the 2009 climate conference in Copenhagen thanks to the industrial slowdown triggered by the 2008-09 recession, the replacement of coal with less

polluting sources of energy such as natural gases (Purvis et al. 2013, Schulzova 2013) and improvements in energy efficiency. Moreover, while federal efforts have stagnated, some GHG reduction initiatives have been successfully conducted at the state level. California took the lead, reducing 2010 emissions to 2000 levels. In 2001, North Eastern states launched the New England Governors Climate Change Action Plan, followed in 2005 by an integrated Regional Greenhouse Gas Initiative (RGGI) aimed at reducing emissions below 1990 levels by 2020.

Biodiversity

The protection of biodiversity also reflects an increasing reluctance to commit to binding multilateral commitments in spite of a long tradition of domestic regulatory efforts. Since the establishment of the first national parks and the 1900 Lacey Act, the US federal government has adopted stringent regulations against animal trafficking, now enshrined into the 1973 Endangered Species Act. Consistent with its domestic efforts, the US worked relentlessly for the international protection of biodiversity, as epitomised by its leadership in the 1946 International Convention for the Regulation of Whaling, the 1971 Ramsar Convention on Wetlands of International Importance and the 1973 Convention on Trade in Endangered Species (DeSombre 2011, Kelemen and Vogel 2010).

By the beginning of the 1990s, however, US biodiversity policies started to diverge from Europe's. Such an evolution is apparent in the US negotiating position at the 1992 Earth Summit. After providing the momentum for the initial negotiations, the US became disaffected with the direction of the agreement, due to its hostility against the principle of equitable sharing of the benefits of biodiversity, its concern for American firms' intellectual property rights in the field of biotechnology and its preoccupation that the precautionary principle embodied in the subsequently adopted Cartagena Protocol on Biosafety could limit the export of genetically modified agricultural products. As a result, then President George H.W. Bush announced that the US would not sign the CBD (Schreurs et al. 2009). In 1993, after the election of Bill Clinton, firms and NGOs alike proposed that the United States adopt the agreement, limiting its impact on the US economy by means of an interpretative statement. Consequently, President Clinton signed the Convention. The Senate, however, insisted that the CBD was both unnecessary and detrimental to US economic interests, and ratification did not follow. Since then, the United States has participated in the following Conferences of Parties (COP) to the CBD only as an observer.

Renewable Energy

After the 1973 oil shock, energy policy gained prominence in the US political and strategic debate. Yet, even if geostrategic considerations associated with securing access to fossil fuels have played an important role in US foreign policy, the US government has never developed a fully-fledged domestic energy strategy, and the energy sector in the US remained largely market-driven. While federal and state administrations have provided basic regulations and tax incentives, as well as policy directions on the use of energy sources such as biofuels, investment decisions and technological strategies have been largely left to commercial actors. (Schulzova 2013:3).

In the wake of the discovery of new fossil fuel reserves, the George W. Bush administration directed its efforts to the pursuit of energy independence through a better exploitation of US oil reserves, a resort to shale gas and the production of biofuels. Such a strategy, enshrined in the 2007 Energy Independence and Security Act, found broad, bipartisan support in Congress. Barack Obama has attempted to promote a new energy plan aimed at reducing the production of CO_2 by means of greater energy efficiency and a stronger emphasis on renewable

energy, defined as energy produced from "fuel sources that restore themselves over short periods of time and […] include the sun, wind, moving water, organic plant and waste material (eligible biomass), and the earth's heat" (US EPA 2010). The 2009 fiscal stimulus package enacted in response to the economic crisis allocated large federal investment for the renewable energy sector and for energy efficiency programmes. However, the lingering economic difficulties, the lower price of oil and the large availability of shale gas, less polluting than other fossil fuels, weakened support for clean energy initiatives. In the absence of a federal emission capping mechanism, federal support for renewable energies focused largely on the provision of subsidies, which more than tripled in comparison to previous years (Rowlands 2009). Moreover, many US states have adopted renewable electricity standards requiring providers to source a percentage of their production from renewable sources. Such measures alone, however, have not sufficed in preventing the US from lagging behind in the production of green energy. Indeed, in 2012 the US generated only 12 percent of its electricity from renewable sources, in comparison to the 19.9 percent of the EU two years earlier (EIA 2013, Eurostat 2013). As lamented by president Obama, China too has now surpassed the US in terms of investments on green energies (Obama 2013).

Sustainable Development

Although many of the concepts underlying the idea of environmental sustainability have originated in the US, the notion has eventually been marginalised in the US public debate (Bomberg 2009).

At the 1992 Earth Summit in Rio, the United States agreed on developing and implementing a strategy for sustainable development, defined as a type of development that meets "the needs of the present without compromising the ability of future generations to meet their own needs" (UN 1987). Consequently, in 1993 president Clinton established a Council on Sustainable Development, composed of representatives from various government departments, NGOs, business and labour groups. The Council developed a series of reports and recommendations for creating a more sustainable America. The large majority of these recommendations, however, failed to achieve Congressional and public support, and were never implemented. After the election of George W. Bush, attention towards sustainable development further waned, and the Council's mandate was not renewed. Since then, official recognition of sustainable development has been difficult to find (Bomberg 2009). While the Rio +20 UN Conference has renewed international commitment to sustainable development, American individualist culture and wariness of federal regulation, as well as Congress' focus on short term policy achievements, have undermined the appeal of such a concept both as a rhetorical tool and an actual policy objective (Hopwood et al. 2005, UN 2012). Only recently, Barack Obama has reintroduced the concept of sustainable development as an objective of US domestic and trade and development policies (Obama 2013).

1.2. Environmental Governance in the EU: Leadership by Default?

As observed in the introduction, European countries long followed the US lead in environmental matters. Far from having a unified approach towards environmental issues, Europe adopted sharply different positions, displaying a rift between "green" Northern countries adopting stringent domestic regulation and supporting international action, and Central and Southern European industrial economies, which lagged behind in the drafting of domestic environmental legislation and were unwilling to cooperate on matters such as the reduction of CFC gases.

Lacking any power in the environmental domain, the European Economic Community initially did little to homogenise the European countries' positions (Knill and Liefferink 2007, Meyer 2011). The situation started to change at the beginning of the 1970s . While the 1957 Treaty of Rome did not contain any provisions on environmental matters, environmental protection was soon included as an objective of the Community based on the "implied powers" doctrine developed by the European Court of Justice (ECJ). Since 1971, in spite of the absence of an explicit treaty basis, "numerous directives and regulations have been adopted on almost every conceivable aspect of environment policy" (Jans and Vedder 2012:4).

By virtue of the doctrine of implied treaty-making powers, the European Community also started to participate in multilateral environmental agreements (Kulovesi and Cremona 2013). After the 1972 Stockholm conference, the First Programme of Action of the European Communities on the Environment was launched for the years 1973-76, firmly establishing environmental protection within the European agenda. Explicit competences on environmental issues were first introduced into EU treaties by the 1986 EU Single Act, which created a new Title on the Environment. The Maastricht (1992), Amsterdam (1997) and Nice (2000) Treaties explicitly included environmental protection, the fighting against climate change and sustainable development as objectives of the Union. The 2007 Treaty of Lisbon has left the legal basis for EU environmental action unaltered, but has given increased prominence to the external environmental role of the EU. Articles 3 and 21 of the Treaty on European Union (TEU) confer constitutional relevance to the EU intention to promote sustainability at the global level and in its relations with third countries (Kulovesi and Cremona 2013, Orlando 2013).

Due to the convergence of these institutional developments and the increasing environmental protection fatigue displayed by the United States, the EU has steadily moved to the forefront of environmental protection on a range of issues, most notably the fight against climate change (Marín Durán and Morgera 2012).

Climate Change

EU initiatives aimed at cutting GHG emission slowly emerged at the start of the 1990s but gained momentum only after the signing of the Kyoto Protocol, which saw the EU proposing the deepest emission cuts and accepting the highest reduction targets among industrialised countries (-8 percent). In 2000 the European Commission launched its European Climate Change Programme. In 2007 EU leaders agreed to go beyond the Kyoto commitments and reduce by 20 percent GHG emissions from 1990 levels by 2020. The cornerstone of the EU's emission abatement efforts was the EU Emissions Trading Directive, establishing a cap-and-trade mechanism for industrial CO_2 emissions (Kulovesi and Cremona 2013, Orlando 2013). Between 2008 and 2012, EU emission trading was enlarged to other gases and sectors, including civil aviation. The non-binding 2050 Low Carbon Roadmap has pushed the EU decarbonisation agenda even further, calling for an 80 to 95 percent GHG reduction. In January 2014, the European Commission published its proposal for a binding target of 40 percent emissions reduction compared to 1990 levels to be achieved by 2030, which is now being examined through the co-decision legislative procedure by the European Parliament and Council. Furthermore, in 2012 the EU and Australia recently signed an agreement to link their carbon trading systems by 2018 (European Commission 2012). Other measures, such as those contained in the Renewable Energy directive, also converged in the attempt to meet the commitments made in Kyoto (Orlando 2013). The EU is now on track to meet and exceed its 2020 emissions reduction target, and recent projections show that total EU emissions in 2020 will be 21 percent below the 1990 level. The European Commission also adopted in April 2013 a EU strategy of adaptation to climate change, prescribing mitigation measures for the EU industrial and agricultural sectors, among others (Borghesi and Montini 2013).

EU external action has increasingly reflected EU assertiveness in the countering of climate change at the domestic level. In 2002 the EU adopted a specific Strategy on Environmental Integration in External Policies, prescribing that development programs and trade negotiations include environmental impact assessments and transfers of clean technology (European Commission 2002). Climate change has also been given prominence in the Common Foreign and Security Policy (CFSP). The European Security Strategy (2003) emphasises global warming, competition for natural resources and energy security as key security issues alongside terrorism and proliferation. In 2011, the Foreign Affairs Council reaffirmed that global warming acts as a threat multiplier, "exacerbating tensions over land, water, food and energy prices, and creating migratory pressures and desertification".

Biodiversity

In comparison to climate change policies, EU implementation of norms on biodiversity has been more ad hoc and inconsistent. EU internal legislation on biodiversity, originating in the late 1970s and 1990s, largely focused on "traditional" conservation measures, such as protected areas and species (Marín Durán and Morgera 2012:261-5). Unlike the United States, however, the European Union and its member states are parties to the Convention on Biological Diversity, and have consistently resorted to its annexed protocols to shape common market regulations as well as external trade and development policies. In 2006, the EU launched a Biodiversity Action Plan, followed by a new strategy to prevent biodiversity loss both within its territory and globally, in line with the commitments made at the 2010 Conference of the Parties to the CBD in Nagoya. The EU biodiversity strategy also has an external dimension, based on the commitment to minimize any negative impact on biodiversity of EU development programs and trade agreements (Council of the EU 2011b).

EU adherence to the CBD, and most notably to the 2000 Cartagena protocol, used to justify restrictions on the import of US genetically modified agricultural products, has been successfully challenged by the US within the framework of the World Trade Organisation (WTO) dispute resolution mechanism. The EU, however, has not entirely relinquished its stringent genetically modified organisms (GMO) approval mechanisms, based on a case-by-case authorization by the Commission after a scientific evaluation by the European Food Safety Authority (Keilbach 2009).

Renewable Energy

The development of integrated energy policies has been at the core of the EU integration process. Support for renewable energies at the EU level gained momentum after the signing of the Kyoto protocol, when the promotion of renewable energies became inextricably linked with GHG abatement. The 2009 EU climate and energy package enshrined this link by resorting to the 20-20-20 formula, a target referring to the percentage of greenhouse gas emissions reduction, energy efficiency improvement, and quantity of energy originating from renewable sources to be achieved by 2020 (Borghesi and Montini 2013, Orlando 2013, Schulzova 2013). A new EU renewable energy target for 2030 is now being discussed by EU institutions and member states. To date, the fastest deployment of renewables has occurred in the power sector. It is estimated that in 2013 approximately 23 percent of electricity is now generated by renewables, about half of which from non-hydro sources (European Commission 2013a).

The Lisbon Treaty clarifies the Union's competences in energy policy as an area of shared competences, establishing a Directorate-General (DG) Energy within the Commission and constitutionalising the commitment to promote energy efficiency and develop new and renewable forms of energy as one of the four objectives of

the EU's energy.

Sustainable development

Since the 1992 Rio Summit, the EU has systematically engaged with the concept of sustainable development. In 1998, European leaders launched what became known as the Cardiff Process, which requires the Council of Ministers in all its formations to integrate sustainable development objectives criteria into its decisions. At the 2001 Gothenburg Council, the EU launched a Strategy for Sustainable Development, later constitutionalised by the Lisbon Treaty as an objective of the Union. The Strategy, revised in 2005 and now accompanied by a Resource Efficiency Roadmap, adds an environmental dimension to the Lisbon Strategy of economic and social development, and is predicated on the principle of integrating environmental concerns into any policy that impacts on the environment (Jordan and Adelle 2013, Pallemaerts and Azmanova 2006).
Although some scholars have criticized the strategy for having ill-defined objectives and implementation gaps, the EU has shown much stronger attachment to the sustainable development goals than the US. The much greater assertiveness of the EU in the international promotion of eco-sustainability was epitomised by the Rio+20 United Nations Conference on Sustainable Development, where the size and activism of European delegations dwarfed those of the US (Bomberg 2009).

2. Patterns of Convergence and Divergence in Transatlantic Environmental Governance

In each of the policy issues briefly reviewed in the section above the United States and the European Union reveal elements of both divergence and convergence, sharing a mutual commitment to environmental protection and transatlantic dialogue but also displaying substantial disagreement in their environmental policies and their approach to global environmental cooperation.

Transatlantic divergence in the fight against climate change is epitomised by the US inability to establish a federal emission trading scheme and its failure to ratify the Kyoto Protocol. The EU, by contrast, has enacted trailblazing emission reduction targets, emerging as a model in GHG reduction negotiations. EU emission abatement efforts have recently created some tension with US businesses and authorities. The extension of the EU Emission Trading Scheme to civil aviation, including foreign airlines, triggered a reaction by US carriers which obtained support from President Obama, who in late 2012 signed a law excluding US airlines from the European Union's carbon trading scheme. As a result, the EU Climate Commissioner Connie Hedegaard forcefully criticised Obama for his inability to deliver the promised change in US environmental policies. Due to the existing mismatch in climate regulation, EU-US climate change cooperation initiatives have lost momentum, as attested to by the case of the EU-US High Level Dialogue on Climate Change, Clean Energy and Sustainable Development, which was established by the 2006 Vienna Summit but has not met since 2009. However, some bilateral cooperation is maintained through the EU-US Energy Council, which has enhanced knowledge-sharing on Carbon Capture and Storage, and other multilateral venues such as the UNFCCC and the G20, where the EU and the US have continued to work in close cooperation.

The transatlantic divide on biodiversity, and especially EU wariness of a large use of biotechnologies in agriculture, have produced repeated tensions in transatlantic trade. Of the sixteen complaints filed by the US against the EU before the WTO between 1995 and 2006, nine were related to agricultural trade restrictions

based on biotechnological matters. The EU's 1998 ban on US hormone-treated beef resulted into a WTO trade dispute. In spite of being sanctioned by the WTO, the EU insisted on maintaining a ban, and, in turn, initiated a WTO dispute against Canada and the US, challenging the retaliatory measures that these countries had placed on EU exports. EU adherence to the Cartagena Protocol on biosafety, regulating the safe handling, transport and use of genetically modified organisms, created additional friction, triggering another trade dispute between the EU and the US. In 2006, the US, Canadian and Argentinian governments obtained that the WTO Dispute Settlement Panel condemned the EU's slow pace of approval of GM food imports as a protectionist measure and an infringement of the SPS (Sanitary and Phytosanitary) agreement of WTO. The current negotiation of a Transatlantic Trade and Investment partnership (TTIP) may however reconcile EU-US disagreements on GM food and other biodiversity issues, although according to EU environmentalist associations this could only occur at the price of relinquishing the EU's more stringent agricultural standards (Bizzarri 2013, Friends of the Earth Europe 2013).

Substantial differences also exist in the level of support for renewable energy. In the US, federal and state incentives to green energies have not produced any major change in US energy production, based on the pursuit of energy independence through its reserves of fossil fuels. By contrast, the requirements of its emission trading commitments and the security concerns associated with overreliance on the import of gas and oil from insecure sources have provided stronger incentives for renewable energy production in the EU. However, US-EU cooperation on energy issues has not stagnated. Since 2009, four EU-US Energy Council ministerial meetings have taken place, facilitating a number of joint research initiatives and the EU-US Energy Star Agreement on the energy efficiency labelling programme (European Commission 2014).

Likewise the principle of sustainability, firmly embedded in the EU's legal framework and policy planning, virtually disappeared from the US policy debate for years, has re-emerged only recently in President Obama's speeches and efforts to increase the efficiency of federal agencies.

A final, notable difference relates to US and EU positions on international environmental cooperation. Overall, the EU has promoted a multilevel model of environmental governance based on the delegation of powers to supranational bodies. The US, by contrast, has insisted on a model of unfettered sovereignty, maintaining a preference for market mechanisms encouraging GHG emissions reductions and resisting against the establishment of binding international abatement targets and the strengthening of international environmental agencies. The EU has been in favor of accepting a larger degree of international oversight over compliance with international environmental norms by strengthening existing global environmental bodies such as the United Nations Environment Programme (UNEP) or establishing new multilateral environmental institutions. For instance, the EU unanimously supported the French initiative, launched during the 2005 World Summit, to create a new environmental agency within the UN system. The US has remained aloof (Francioni and Bakker 2014). US wariness of international organisations' involvement is confirmed by the Transworld's Transatlantic Elites Survey, which shows that US elites have a more tepid support for the argument that international organisations should do more to address global environmental governance (Isernia and Basile 2014).

While transatlantic environmental relations appears strained by disagreements at the government level, the formulation of policy on the two sides of the Atlantic still remains at least partly shaped by mutual socialisation processes fostering policy convergence and isomorphism, eased by the strong links between the US and the European scientific communities, both advocates of environmental action, and the presence of a deeply integrated constellation of NGOs and advocacy groups (Savaresi 2013). Indeed, an analysis of the interpenetration between scientific communities and advocacy networks reveals the existence of a

synergy between environmentalist groups and the role of ideas and strategies first developed in the US in shaping EU climate change policies. Several scholars have argued that environmental experts and activists on both sides of the Atlantic form a single epistemic community. As noted by Haas in his seminal work, the transatlantic environmental epistemic community has played a key role in nurturing international cooperation on CFC abatement (Haas 1992). Not only was the US environmental movement pivotal in raising European environmental consciousness and willingness to participate in environmental agreements during the 1970s and 1980s. Indeed, there is evidence of more recent and direct influence of US civil society on EU policy. The market-based approach to emission abatements embraced by the EU with the establishment of its emission trading scheme had first been developed and championed in the United States. At the beginning of the 2000s, the European Commission developed its knowledge base on emission trading schemes by resorting to the advice of the Center for Clean Air Policy (CCAP) in Washington, which produced several recommendations that were integrated into the Commission's first green paper (Skjærseth and Wettestad 2009:104). The EU's Emission Trading Scheme and environmental measures, in turn, have influenced the latest US environmental protection efforts at the state level. States such as Massachusetts and California have developed their cap-and-trade mechanisms by drawing on the example of the EU (Schreurset al. 2009:12). According to Slaughter, municipal level officials on the two sides of the Atlantic have formed a transnational sustainability network (Slaughter 2004).

The results of the Transatlantic Elites Survey provide additional support for this line of argument, revealing significant agreement among EU and US opinion, political and business elites over the need for environmental protection. For instance, while overall less supportive of government and international regulation than their European counterparts, US elites also maintain that more should be done to protect the environment even at the price of slower economic growth, favouring various measures to counter climate change, ranging from more research into renewable energies to increased investments in carbon capture and storage, tax rebates for environmentally responsible consumers and taxation weighted according to the "polluters pay" principle (Isernia and Basile 2014).

As briefly mentioned above with regard to biodiversity, a future development that may dramatically inform transatlantic environmental relations towards greater convergence is the Transatlantic Trade and Investment Partnership currently negotiated by US and EU officials, which might entail harmonisation of EU and US environmental standards. Although the content of the agreement remains to be seen and its ratification an open question, European environmentalist and consumer protection groups have already warned that such a harmonisation may only occur at the price of loosening or relinquishing EU restrictions on the use of shale gas, chemicals, hormone-treated meat and GMOs (Bizzarri 2013, Friends of the Earth Europe 2013) While the European Commission has dismissed such concerns, its preliminary Impact Assessment of the TTIP has acknowledged that a trade agreement "may pose dangers for both natural resources and the preservation of biodiversity" (European Commission 2013c:49).

3. Transatlantic Environmental Relations Examined: A Functional Relationship

A convergence of domestic and international transformations has dramatically reshaped EU and US approaches to environmental protection and international environmental governance, turning a laggard into a leader and vice-versa. As aptly summarised by Kelemen and Vogel (2010), the US and the EU have "traded places" in

international environmental governance. Such a leadership handover has not occurred without frictions. As demonstrated by the EU's resistance against the import of genetically modified agricultural products or by the recent clash over the extension of the EU Emission Trading Scheme to US airlines, the growing mismatch in environmental protection standards on the two sides of the Atlantic has repeatedly engendered economic disputes. Yet, such disagreements have not created any permanent strain in the transatlantic partnership (Ellerman 2013), coexisting with enduring cooperation efforts at the federal, state and non-state levels.

As a result of this shift in US and EU postures, each of the three conceptual scenarios suggested by Tocci and Alcaro (2014)to map the transformation of the Atlantic community after the end of the Cold War, namely structural drift, enduring partnership and functional relationship, can shed light on important elements of the current state of the transatlantic environmental partnership and provide important insights into its evolution.

Thanks to its emphasis on the possibility for cooperation and disagreement to coexist, and overlap depending on issue-areas and its focus on the role of domestic political coalitions in shaping the preferences of the Atlantic partners, the functional relationship scenario is however best suited to shed light on the reasons underlying changes in US and EU approaches to different forms of environmental cooperation and the timing of such shifts.

According to the structural drift scenario, predicated upon neorealist assumptions, strategic considerations associated with the shifting distribution of power across the international system play an important role in shaping US approach to environmental cooperation. Consistently with realist expectations (Gilpin 1971 and 1975; Krasner 1978), US concerns for relative economic gains and losses to potential competitors play an important part in hindering international environmental cooperation. Indeed, the imperative to keep a competitive edge vis-à-vis emerging economies and especially China has undermined US support for the Kyoto Protocol. While realist assumptions are of limited utility in explaining EU unilateral emission reductions, its subsequent efforts to extend GHG reduction policies outside of its borders may be explained at least in part by a desire to reduce the competitive disadvantages of its industry and export green technologies. Realist analysis suggests that the divergence between US and EU environmental policies may further degenerate into a structural drift due to different security interests and geopolitical factors. Owing to its dramatic energy dependence, the EU has much greater incentives to invest in renewable energies and reduce its dependence on fossil fuels imported from Russia or the Middle East and North Africa. Moreover, due to its proximity to unstable regions, the EU might be more closely affected by some of the threats arising from environmental degradation, such as mass immigration and conflict along its Southern borders. Indeed, both climate change and energy security have been increasingly framed as security issues in the European political discourse. However, the global scope of US foreign policy commitments and the increasing vulnerability of the US territory to extreme weather events have heightened US decision-makers' awareness of the security implications of environmental protection, as illustrated by the 2010 Quadrennial Defense Review (US Dept of Defense 2010). As suggested by Stephen Walt's (1990) reformulation of Waltzian neorealism (1979), states balance against threats rather than merely against power. If so, a convergence of US and EU threat perceptions may increase transatlantic synergy on environmental issues. Hence, even an analysis of transatlantic environmental relations based on the realist tradition may therefore not necessarily forecast an inevitable drift.

An analysis based solely on exogenous shifts of power, geopolitical imperatives and threat perceptions, however, is of limited usefulness in explaining why environmental cooperation started and developed in the first place, overcoming at least in part collective action problems and concerns for relative gains. As clearly illustrated by the analysis of US and EU environmental policies conducted in the previous sections, both normative factors and domestic politics have played a key role in shaping each actor's approach towards environmental cooperation.

The enduring partnership scenario, based on a social constructivist approach, highlights the importance of a shared sense of identity and a common adherence to certain rules and norms on the two sides of the Atlantic in fostering environmental cooperation (Risse 1996 and 2012). Such a scenario captures the existence of a common belief in the need for environmental protection not only as a strategic interest, but as a moral obligation shared by the Western community. Even when sharp differences between the US and the EU have emerged, such disagreements have always related to the means to promote environmental protection, never calling into question the importance of safeguarding the environment as a goal, as illustrated by the shared commitment of US and EU elites to enhance environmental protection even at the price of slowing down economic growth (Isernia and Basile 2014). The existence of a shared normative framework underlying environmental protection in the Atlantic community is apparent at the civil society level, where the links between advocacy networks and epistemic communities have played an important role in the transfer of ideas and regulatory models between the two sides of the Atlantic (Schreurs et al. 2009, Slaughter 2004).

The enduring partnership hypothesis, however, fails to explain the latest transformations in environmental cooperation. If mutually shared norms are the main driver of environmental cooperation, the increasingly different response of the US and the EU to the protection of biodiversity and the countering of climate change remains puzzling. This divide is all the more surprising considering the mutual exposures of the United States and Europe to socioeconomic developments that should encourage further normative convergence towards environmental protection. Economic and constructivist scholarship alike have noted the existence of a connection between wealth, the spread of post-materialist values and attention for environmental issues (Recchia 2002). This process has been captured by economic scholarship with the environmental Kuznet curve, which shows that levels of pollution, initially increasing alongside economic development, eventually start to decline proportionally with higher levels of income. Yet, the evolution occurred in the latest decades in the transatlantic environmental partnership calls into question this picture. Notwithstanding the latest financial crisis, from the 1980s onwards both the US and Europe have benefitted from an overall improvement of socioeconomic conditions. In the US, however, the economic development occurred during the 1980s and the 1990s did not translate into greater attention for environmental themes. On the contrary, soaring levels of income during the Clinton presidency were matched by an increasing wariness of environmental protection measures (Kelemen and Vogel 2010). As observed by Finnemore and Sikkink (1998:893), "international norms must always work their influence through the filter of domestic structures and domestic norms, which can produce important variations in compliance and interpretation of these norms". Following this line of argument, it can be argued that in the United States international (or transatlantic) environmental norms have been displaced due to their dissonance with local norms such as individual liberties and free economic enterprise. While it is possible that the common normative framework underlying the existence of an Atlantic community may eventually produce greater convergence, the dissonance between environmental protection norms and the attachment to individual and economic liberties that underlie US identity is likely to persist, hindering the development of an enduring EU-US partnership.

Although both the structural drift and the enduring partnership hypotheses offer important insights, the functional relationship scenario offers a more nuanced and convincing account of the current state of the transatlantic environmental partnership and may also yield the most fruitful insights into its future evolution. Based on the emphasis on domestically produced preferences resulting from coalition building and bargaining processes that underlies liberal approaches to the study of international politics (Keohane and Nye 1972 and 1977, Keohane and Ostrom 1995, Moravcsik 1997), the functional relationship scenario can better capture the dynamic nature of the transatlantic environmental partnership, thereby accounting for the transformation occurred in the latest twenty years and the present coexistence of sharp disagreement and close cooperation

in a much more fine-grained fashion.

According to liberal theorists, states and supranational entities like the EU are constantly subject to capture and recapture by competing coalitions of social actors. Representative institutions constitute the transmission belt by which varying societal preferences are translated into policy (Moravcsik 1997:518). In both the US and the EU, the shifting power of environmentalist coalitions has been the key driver of their changing approach to environmental cooperation. The varying political clout of environmental coalitions has affected EU and US stance towards environmental policies thanks to the interplay of two dynamics. Firstly, stronger environmental coalitions have been more successful in directly pressuring governments towards the signing of international environmental agreements. Secondly, more influential environmental groups have been better capable of promoting environmental measures at the domestic level. The existence of these more stringent domestic standards, in turn, has reduced the costs or even created incentives for domestic business lobbies to support international agreements imposing similar restrictions on foreign jurisdictions (Kelemen and Vogel 2010). The implementation of the EU emission trading scheme shows the interplay of these two dynamics. The commitment made in Kyoto, supported by a large part of the European public, provided the momentum for the establishment of an EU emission trading scheme, which, in turn, has increased the propensity of EU institutions and business communities to advocate binding emission abatement measures worldwide. The US provides an even more forceful example. While federal environmental regulations were the most advanced in the world, US governments consistently supported international environmental agreements that would have little costs for the US industry or even decrease its competitive disadvantage (DeSombre 2011, Kelemen and Vogel 2010, DeSombre 2000). When US federal environmental policies have started to lag behind, the costs for the US to comply with international agreements imposing binding restrictions have soared, strengthening the resistance of different domestic constituencies against multilateral environmental cooperation. The evidence provided by the elites survey further confirms the importance of domestic political factors in explaining US and EU environmental postures. Since the beginning of the 1990s, environmental issues in the US have been increasingly politicised, losing the bipartisan support they had previously enjoyed and becoming increasingly identified with the Democratic Party (Skocpol 2013). The persistence of this rift, which has prevented environmental protection to reach the broad political consensus that would be needed for initiating federal legislation and ratifying treaties such as the Kyoto Protocol, is illustrated by the response of the US elites, whose responses vary sharply based on their political affiliation. Indeed, only a minority (albeit sizeable) of US conservative elites supports the statements that poorer countries should not be expected to make the same carbon-abatement efforts of developed countries, that the environment should be protected even if this would reduce economic growth and that industries should pay taxes depending on their level of pollution. By contrast, the majority of European conservative elites has backed those three statements, confirming the argument that environmental issues enjoyed greater bipartisanship in the EU than in the US (Isernia and Basile 2014, Mair 2001).

In sum, each of the three scenarios proposed by Tocci and Alcaro can shed light into certain elements of EU and US environmental postures. The structural drift scenario, however, fails to explain why, in spite of diverging security interests and geopolitical concerns, transatlantic environmental cooperation – albeit weakened – has survived the end of the Cold War and the US pivot to Asia. The enduring partnership hypothesis, by contrast, cannot shed light on why US and EU environmental postures increasingly diverged given the existence of mutually shared transatlantic norms and the existence of a deeply integrated transatlantic epistemic community. The functional relationship scenario, by contrast, can best explain variance in transatlantic environmental cooperation both over time and across levels and issue-areas thanks to its focus on the varying ability of competing domestic interest groups in shaping state preferences.

Conclusions: The Future of Transatlantic Environmental Governance

Consistently with the expectations of the liberal approach to the study of international relations underlying the functional relationship scenario, domestic political preferences provide key insights into US and EU environmental cooperation postures. Forecasting future developments in the US and the EU and their impact on environmental policies based on domestic political developments, however, remains a dauntingly complex task.

To date, Barack Obama's renewed commitment to environmental leadership has not translated into meaningful, assertive action. Regardless of Obama's intentions, the current Congressional deadlock makes it unlikely that the president will be able to push forward the ambitious environmental agenda he committed to, resuscitating US environmental leadership in the international arena. The persisting radicalisation of the US Republican Party, dramatically epitomised by the refusal to approve the federal budget and the subsequent government shutdown occurred in October 2013, clearly shows the difficulty of reaching any bipartisan Congressional agreement. As bluntly observed by Theda Skocpol (2013:130), in the context of such a stark ideological polarisation there is nearly no possibility left for environmental bipartisanship. As the 2014 midterm elections are unlikely to provide the president with a Congressional majority more supportive of environmental action or at least more inclined to compromise than the present, the prospects for enacting an ambitious environmental agenda in the next years remain far from rosy.

The situation within the European Union is equally complex. The gravity of the eurozone crisis has both severely undermined the credibility of the Union and steered EU governments' and public attention away from environmental issues. Protest voting has played an especially important role in the 2014 European Parliament (EP) elections, which have seen a considerable bloc of eurosceptics entering the EP. Such an electoral result is likely to weaken the assertiveness of EU institutions in domain such as environmental cooperation and external relations. The appointment of a new Commission in late 2014 may also weaken the momentum and consistency of EU environmental efforts, at least in the short term (Potočnik 2013). However, the results of the elites survey show that European elites do not see environmental protection and economic recovery as irreconcilable goals. Indeed, the elites of some of the countries that were most severely affected by the crisis, such as Greece and Italy, are among the most supportive of increased environmental efforts, and even see green investments as an opportunity for economic growth (Isernia and Basile 2014).

Although the complexities of US and EU domestic political landscapes make the future of the US and EU environmental policies difficult to ascertain, the transatlantic environmental partnership is unlikely to take a linear, univocal trajectory in the foreseeable future. Far from degenerating into a structural rift or converging towards an enduring partnership, the near future of the transatlantic environmental partnership will remain a complex patchwork displaying the coexistence of major disagreements in key areas alongside both old and novel elements of convergence and cooperation efforts. Most importantly, the negotiation of a TTIP, ongoing at the moment of writing, might entail a harmonisation of environmental regulation . The extent to which such a harmonisation will occur and its impact on environmental protection, however, are yet to be seen.

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The Project

In an era of global flux, emerging powers and growing interconnectedness, transatlantic relations appear to have lost their bearings. As the international system fragments into different constellations of state and non-state powers across different policy domains, the US and the EU can no longer claim exclusive leadership in global governance. Traditional paradigms to understand the transatlantic relationship are thus wanting. A new approach is needed to pinpoint the direction transatlantic relations are taking. TRANSWORLD provides such an approach by a) ascertaining, differentiating among four policy domains (economic, security, environment, and human rights/democracy), whether transatlantic relations are drifting apart, adapting along an ad hoc cooperation-based pattern, or evolving into a different but resilient special partnership; b) assessing the role of a re-defined transatlantic relationship in the global governance architecture; c) providing tested policy recommendations on how the US and the EU could best cooperate to enhance the viability, effectiveness, and accountability of governance structures.

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