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# The EU's Engagement with China in Building a Multilateral Climate Change Regime: Uneasy Process Towards an Effective Approach

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► **To cite this version:**

Giulia Romano, Yan Bo, Zhi-Min Chen. The EU's Engagement with China in Building a Multilateral Climate Change Regime: Uneasy Process Towards an Effective Approach. 2011. hal-03461512

**HAL Id: hal-03461512**

**<https://hal-sciencespo.archives-ouvertes.fr/hal-03461512>**

Preprint submitted on 1 Dec 2021

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# The EU's Engagement with China in Building a Multilateral Climate Change Regime: Uneasy Process Towards an Effective Approach

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# **The EU's Engagement with China in Building a Multilateral Climate Change Regime: Uneasy Process Towards an Effective Approach**

## **Abstract**

The European Union and China are two key players in climate change politics, in terms of their huge contributions to, and their significant influence in, solving the problem. By tracing the development of the EU's engagement with China in the background of global climate change governance, the paper finds out that past bilateral cooperation and dialogue between the EU and China have shown mixed impacts on the construction of a multilateral climate change regime. The paper argues that the EU's approach of engaging with new rising players, particularly China, in moving the multilateral climate change negotiation forward should be improved to be more effective.

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<http://www.mercury-fp7.net/>

ISSN 2079-9225

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# **The EU's Engagement with China in Building a Multilateral Climate Change Regime: Uneasy Process Towards an Effective Approach**

## ***Introduction***

Global climate change poses one of the most serious threats to the international community. In order to cope with this threat, an international climate change regime was established in the 1990s. It is still under construction after several rounds of international negotiations.

This multilateral endeavour could arguably be conceived as a form of crystallizing multilateralism, with new international rules and organisations in the process of being established (Bouchard and Peterson 2011: 20-21). It is a well-established fact that “from 1990 until 2008 the EU has positioned itself, and was conceived, as the lead actor in global climate governance” (Keukeleire and Bruyninckx 2011: 360). In particular, the EU succeeded in establishing the Kyoto regime, even without the support of the sole remaining superpower, the United States. However, in the process of building a post-Kyoto regime, the EU has found itself less influential than in the past. The return of the United States and the more assertive role played by emerging countries all complicated the situation at the Copenhagen summit in 2009.

The European Union and China are two key players in climate change politics, in terms of their huge contributions to, and their significant influence in, solving the problem. While the EU has been a crucial actor in the climate change regime-building for over a decade, China's rising role only fully emerged at the 2009 Copenhagen climate change conference, where, supported by other BASIC countries, India, Brazil and South Africa, China cut a modest deal with the United States. This agreement, coined the “Copenhagen Accord”, became the only result from the high-profile and long-awaited conference. The Accord, seen by the European countries as a minimalist one, was finalized without European participation, but European countries had to endorse it, albeit reluctantly.

The Copenhagen experience indicates that the EU's claim of being a “leader” in the climate change issue has been confronted with the visions that third actors hold on this subject, and which clash with the predominant European vision. Among these third actors, China is surely

one of the most challenging, given its weight in world affairs as well as its strong stance during the climate change negotiations, which call into question the EU's capacity to play a leading role on this issue and of its being followed by other actors.

Therefore, this paper will analyse the EU's efforts to engage with new rising players, particularly China, as it sought to build a post-Kyoto multilateral climate regime. Firstly, it will trace the development of the EU's engagement with China before the Copenhagen conference. Secondly, it will analyse the EU-China interactions during and after the Copenhagen climate change conference, highlighting how they failed to build on their bilateral collaborations to produce a global pact that the EU had desired. Lastly, the paper will look at the adjustment of the EU's climate change negotiation approach, and its more pragmatic bilateral engagement with China, which contributed to the more substantial results coming out of the Cancun conference in 2010. In the conclusion, we will raise a few suggestions for the EU if it seeks to play a more effective role in moving the multilateral climate change negotiation forward in the future.

## ***The EU's Pre-Copenhagen Engagement with China in Global Climate Governance***

With the multilateral process of global governance of climate change involving 194 countries, the EU attaches growing importance to China's role in international negotiations. Their relations on climate change have evolved accordingly.

### **China as an Insignificant Partner (1989-2000)**

In the period from February 1991 to May 1992, during which the international community negotiated and adopted the United Nations Framework Convention on Climate Change Convention (UNFCCC), international negotiations of climate change proceeded on a broadly triangular basis among the (then) European Community, the United States and the developing countries (Dasgupta 1994: 139; Djoghlafl 1994: 97).

The divergences during international negotiations of climate change arose between two main camps above all. While developed countries tended either to ignore, or at least to de-emphasize, the link between the historical responsibility of developed countries in their contribution to climate change and the collective responsibility of all countries to take

corrective action, developing countries argued that developed countries should take the lead in addressing climate change due to their major historical responsibility of contributing to the climate change by emitting much more greenhouse gases (GHG) (Dasgupta 1994: 134). While the developed countries pressed the developing countries to accept commitments on carbon reduction, developing countries emphasized that eliminating poverty and improving people's lives were their priorities. China fully participated in the work of Group 77<sup>1</sup> in negotiations while simultaneously maintaining its independent status. Group 77/China as a negotiating force took common positions on some proposals and arrived at a consensus on other issues. China was not an important player for EC during this period.

Furthermore, due to the clear opposition of the US on binding targets and timetable of stabilization of emissions and her biggest share of emissions worldwide, most of the EC's foreign efforts were put on formulating consensus with other developed countries such as Japan and Australia in an effort to try to change the US's positions. At the same time, China tended neither to oppose, nor over-emphasize, the binding target for developed countries to limit greenhouse gases proposed by the EC to be included in the convention, while firmly rejecting that it and other developing countries should accept any specific target of limiting GHG (China's Coordination Group of Climate Change 1995: 259). After finalization of a common US-EC formulation on their commitments regarding emissions, the Convention was close to being reached (Dasgupta 1994: 143).

The adoption of the UNFCCC implies that main negotiators including the EU , US and developing countries achieved consensus on climate change at a multilateral level with divergences put aside. As parties to UNFCCC, they are all committed to the stabilization of greenhouse gas concentrations in the atmosphere at a level which would prevent dangerous anthropogenic climate interference with the climate system, in accordance with their common but differentiated responsibilities and respective capabilities. For the EC, the Framework Convention "made a large contribution towards the establishment of key principles of the international fight against climate change" but the Convention fell short in that it did "not contain commitments in figures, detailed on a country by country basis, in terms of reducing greenhouse gas emissions".<sup>2</sup>

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1 The Group of 77 (G-77) is a loose intergovernmental organization grouping the developing countries in the United Nations. It was established on 15 June 1964 in the United Nations Conference on Trade and Development in Geneva. Its aim is to help developing countries "to articulate and promote their collective economic interests and enhance their joint negotiating capacity on all major international economic issues within the United Nations system, and promote South-South cooperation for development". See "About the Group of G77", <http://www.g77.org/doc/>

The period 1995 to 1997 saw international efforts to advance the climate regime towards a binding protocol to strengthen the commitments made in the UNFCCC. China enjoyed enhanced national power while also seeing its emissions increase. The EU as an important proponent of international governance of climate change reiterated its position in COP3<sup>3</sup>, favouring consideration of new commitments for developing countries including China. Although maintaining a low profile, the EU joined the US in exerting pressure upon China to accept items favouring their own positions (Liu 1998). China resisted new commitments proposed by developed countries including the EU at the conference. The G77/China said “it is not the time to address developing country commitments, but to strengthen developed country commitments” (IISD 1997: 2). China also raised the issue of the poor performance of Annex I Parties<sup>4</sup> in meeting existing commitments. The Chinese negotiators made it even more explicit claiming that “it is impossible for China to fulfil the duty of reducing greenhouse gases before China becomes a medium-developed country” (IISD 1997: 2).

Despite the divergences among major players, The Kyoto Protocol was finally adopted on 12 December 1997. The key feature of this treaty is that it commits developed countries to reduce greenhouse gases within the timeframe of 2008 to 2012, which was one of the EU’s biggest objectives in COP3. Although the EU joined the US in exerting subtle pressure on China at this conference, the EU still regarded China as just another developing state rather than a player in its own right. In contrast to the US, which argued that developing countries should accept targets or limitations during the Kyoto Protocol’s first commitment period, the EU took a more conciliatory approach. Thus, right after Kyoto Conference, the Chinese leadership believed that the biggest pressure in the short term would come from the US rather than the EU, albeit with the general sense that the developed countries would exert further pressure on China later (Liu 1998). Specifically speaking, China realized that developed countries would urge China to take on more commitments of reducing emissions which were beyond her capacities in international negotiations of climate change later.

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2 'Kyoto Protocol on climate change', 14 June 2010,

[http://europa.eu/legislation\\_summaries/environment/tackling\\_climate\\_change/128060\\_en.htm](http://europa.eu/legislation_summaries/environment/tackling_climate_change/128060_en.htm)

3 Since the UNFCCC entered into force, the parties have been meeting annually in Conferences of the Parties (COP) to assess progress in dealing with climate change, and beginning in the mid-1990s, to negotiate the Kyoto Protocol . From 2005 in which the Kyoto Protocol entered into force, the Conferences of the Parties have met in conjunction with [Meetings of Parties of the Kyoto Protocol \(MOP\)](#).

4 Parties to UNFCCC are classified as Annex I countries, Annex II countries and Non Annex I countries. There are 41 Annex I countries and the [European Economic Community](#) is also a member. These countries are classified as industrialized countries and countries in transition. They are [Australia](#), [Austria](#), [Belarus](#), [Belgium](#), [Bulgaria](#), [Canada](#), [Croatia](#), [Czech Republic](#), [Denmark](#), [Estonia](#), [Finland](#), [France](#), [Germany](#), [Greece](#), [Hungary](#), [Iceland](#), [Ireland](#), [Italy](#), [Japan](#), [Latvia](#), [Liechtenstein](#), [Lithuania](#), [Luxembourg](#), [Malta](#), [Monaco](#), [Netherlands](#), [New Zealand](#), [Norway](#), [Poland](#), [Portugal](#), [Romania](#), [Russian Federation](#), [Slovakia](#), [Slovenia](#), [Spain](#), [Sweden](#), [Switzerland](#), [Turkey](#), [Ukraine](#), [United Kingdom](#), [United States of America](#). Annex II countries are a sub-group of the Annex I countries which shall provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties in complying with their obligations under UNFCCC. Non Annex I countries are developing country Parties.



## China's Growing Importance (2001-2007)

Post-Kyoto, two external factors pushed the EU to regard China as a more important player amid China's rapid growth in both emissions and national power. The first was the collapse, in 2000, of the Hague Conference (COP6), due to the irreconcilable divergence of the US and the EU on the issue of carbon sinks.<sup>5</sup> Second, after President George W. Bush came to power, was the withdrawal of the US from the Kyoto Protocol in March 2001, which provoked both strong international astonishment and criticism. In this context, the EU and other developing countries including China collaborated closely in international climate change negotiations and jointly contributed to the adoption of the "Marrakesh Accords" in COP7 in November 2001, which includes the detailed rules for the implementation of the Kyoto Protocol. The EU established and solidified its leading role in this process by actively engaging other players and setting a good example in climate change policy.<sup>6</sup>

Relations between the EU and China on climate change have been greatly enhanced since 2001 and especially after the Kyoto Protocol came into force in 2005 and the post-Kyoto process also started. At global level, the EU as a leader and China as an important player share common positions in the approach and framework of a post-Kyoto process at the multilateral level. They both ratified the Kyoto Protocol and contributed to its entry into force. Moreover, the two sides reaffirmed their commitments to both the UNFCCC and the Kyoto Protocol. They are also committed to moving forward in the UN forum in the Post-Kyoto process and called on all parties to participate actively and constructively in the UNFCCC Conference. Specifically, both China and Europe hold that developed countries should commit to a binding scheme in the Post-Kyoto process.<sup>7</sup> Therefore, the EU and China as well as others met in December 2005 in Montreal and adopted the *Montreal Action Plan* which is an agreement to "extend the life of the Kyoto Protocol beyond its 2012 expiration date and negotiate deeper cuts in greenhouse-gas emissions".<sup>8</sup> In September 2007, the EU and Chinese delegations to the conference held by the Bush administration supported each other

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5 A carbon sink is anything that absorbs more carbon than it releases. See What are carbon sinks?, <http://www.fern.org/campaign/carbon-trading/what-are-carbon-sinks>

6 For example, the Commission launched the European Climate Change Programme (ECCP) in June 2000 which identified and developed all the necessary elements of an EU strategy to implement the Kyoto Protocol. See EU Commission (2001), European Climate Change Programme. Long Report, Brussels, June 2001. Available at: [http://www.eu-greenlight.org/pdf/eccp\\_report\\_0106.pdf](http://www.eu-greenlight.org/pdf/eccp_report_0106.pdf)

7 Joint Statement of the 10th China-EU Summit, 28 November 2007, [http://www.gov.cn/misc/2007-12/03/content\\_824127.htm](http://www.gov.cn/misc/2007-12/03/content_824127.htm)

8 Summary of The Eleventh Conference of The Parties To The UN Framework Convention On Climate Change And First Conference of The Parties serving as The Meeting of The Parties to The Kyoto Protocol, 12 December 2005, <http://www.iisd.ca/download/pdf/enb12291e.pdf>

in arguing that the developed countries should take the lead in making binding commitments, on the provision that the developing countries should not be required to do that initially. The two sides also shared common positions in the Bali conference in December 2007 and welcomed the roadmap adopted at the conference.

The EU also strengthened bilateral cooperation with China on climate change. Since 2005 the EU has developed climate change partnerships and dialogues with important emerging economies, including Brazil, India, South Korea, South Africa and China, aiming at “involving and committing all large emitters” by the realization of “specific projects or programmes to improve energy efficiency or to promote low-carbon technologies as well as more comprehensive policies, including targets” (European Commission COM 2005: 8). Moreover, behind these bilateral initiatives there was a precise multilateral purpose, clearly made explicit by the European Commission (Romano 2010: 5). The EU-China Partnership on climate change is one of these initiatives. In September 2005, the EU and China agreed on a Partnership on Climate Change as one of the major outcomes of the annual China-EU Summit of that year. The Partnership is committed to strengthening cooperation and dialogue on climate change and energy between the EU and China and, in theory, provides for a robust follow-up process, which includes a regular review of progress in the context of annual EU-China Summits.<sup>9</sup> The initiative has been praised as “an important step forward towards bridging the North-South Divide” (Dai and Diao 2011: 262). Indeed, instead of choosing the same confrontational approach the US adopted towards China during the negotiations, the EU decided to establish this partnership, with the purpose of understanding China’s point of view on climate change and encouraging the country to step up its ambitions in the fight against climate change. At the Tenth China-EU Summit, held on 28 November 2007, the two sides agreed to step up their efforts to further enhance bilateral cooperation, including their cooperation on technology development and transfer.<sup>10</sup> Although it is a variant of bilateral cooperation partnership, it underlines both the EU and China’s adherence and commitments to working within the UN framework.

Once the common positions between the EU and China were established, and with their cooperation steadily deepening, the EU paid more attention to the status of China in the discussions of a post-2012 multilateral climate change regime. For example, the European Parliament’s Temporary Committee on Climate Change dispatched an official delegation to

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9 China-EU Partnership on Climate Change Rolling Work Plan, 19 October 2006, <http://www.fmprc.gov.cn/eng/wjb/zzjg/tyfls/tfsxw/t283051.htm>

10 Joint Statement of the 10th China-EU Summit, 28 November 2007, [http://www.gov.cn/misc/2007-12/03/content\\_824127.htm](http://www.gov.cn/misc/2007-12/03/content_824127.htm)

China in November, 2007 before the Bali conference. The delegation met with key officials, politicians, and experts in order to facilitate cooperation with China in the Bali Conference (European Parliament 2007). The EU Commission President, Jose Manuel Barroso, said that China was a trustworthy partner for the EU on the issue of climate change and that the EU and China should take the common but differentiated responsibilities (Wu, Yang 2007: A7).

### **Deepening Collaboration as well as Divergence (2008-2009)**

Since 2007, China has become the world's largest emitter of GHGs (IEA 2009). This development pushed the issue of emissions by developing countries onto the centre-stage of international negotiations on climate change (Foot and Walter 2011: 182,186). In the period leading to the 2009 Copenhagen climate change conference, the EU had managed to deepen its bilateral collaboration on climate change with China, while the negotiation positions of the two sides in multilateral fora witnessed a growing divergence.

At the bilateral level, China and the EU continued to consult on institutional guarantees, funding arrangements, technical cooperation and other issues for enhancing capacities to address climate change (Wen 2009). The two sides deepened their Energy Dialogue and conducted concrete cooperation in the fields of renewable energy, clean coal, bio-fuel and energy efficiency. In 2008, President Barroso led a delegation of nine commissioners to visit Beijing and discuss climate change (amongst other issues). On that occasion, the EU and China agreed to enhance and strengthen their cooperation on energy saving, emission reduction, environmental protection, climate change and technological innovation.<sup>11</sup> Moreover, in January 2009, the European Commission and the Chinese Government signed a financing agreement to fund a joint EU-China Clean Energy Centre in Beijing, with the aim of providing a comprehensive approach (including technological but also political and regulatory tools) to develop clean energy technologies and to support Chinese efforts to switch to a low carbon economy. In addition, in the Joint Statement of the 12th EU-China Summit held on 30 November 2009, "the two sides recognized the comprehensive cooperation in the field of climate change between the EU and China, and agreed to enhance coordination and cooperation to further implement the EU-China Joint Declaration on Climate Change", and "to upgrade the current Partnership on Climate Change".<sup>12</sup>

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11 Embassy of the People's Republic of China in the United States of America, 'China, EU start-up high level economic, trade dialogue', 25 April 2008, available at <http://www.china-embassy.org/eng/xw/t429082.htm>

12 Joint Statement of the 12th EU-China Summit, 30 November 2009, Nanjing, China, [http://ec.europa.eu/clima/events/0022/joint\\_statement.pdf](http://ec.europa.eu/clima/events/0022/joint_statement.pdf)

The EU and China also tried to coordinate their positions on a bilateral basis before the Copenhagen Conference (COP15). At the 11<sup>th</sup> EU-China Summit, President Barroso said there would be a huge area open for the EU and China to cooperate in the Copenhagen Conference based on their partnership on climate change. Chinese Premier Wen Jiabao declared that China was willing to contribute to a positive outcome at the Copenhagen conference together with the EU.<sup>13</sup> In the Joint Statement of the 12th EU-China Summit, the two sides stated that they would work together with other parties “for a comprehensive, fair and ambitious outcome at the UN Climate Change Conference in December 2009 in Copenhagen”.<sup>14</sup> At the same time, both the EU and China gave a positive evaluation of the role the other side was playing in addressing climate change. In addition, the EU sent a delegation to China on 13 July 2009 and held talks with Chinese officials to seek more cooperation with China, including speeding up international negotiations on climate change prior to the Copenhagen Conference (Li 2009).

Despite these bilateral efforts, in practice divergences between the EU and China’s positions at the multilateral level tended to be more apparent and related to the essential structure and principles of a global regime on climate change (Bo 2010: 19). First, they diverged on the role of the Kyoto Protocol. With the clear signal that the US would not come back to Kyoto, and the ambitious target of having both China and the US taking on commitment under one treaty, the EU called for “a global and comprehensive agreement in Copenhagen that builds on and broadens the architecture of the Kyoto Protocol” in COP14, held in 2008 (IISD 2008). But China stressed that:

the UNFCCC and its Kyoto Protocol are documents reflecting (a) global consensus and constitute the basic legal framework for addressing climate change. [...] Any attempts to deviate from, breach or re-define the Convention, or to deny the Kyoto Protocol, or to merge the Convention process with the Kyoto Protocol process, will be detrimental, and will ultimately lead to a fruitless Copenhagen Conference (Xie 2008).

Second, the EU and China again diverged on the sharing of responsibility and commitments for emission reductions between developed and developing countries. In this period, the EU highlighted common responsibilities, while playing down differentiated responsibilities and exerted more pressure on major emerging countries especially China, provoking Chinese

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<sup>13</sup> 'Wen Jiabao and EU leaders meeting with Journalist', 20 May 2009, [http://www.gov.cn/ldhd/2009-05/21/content\\_1320555.htm](http://www.gov.cn/ldhd/2009-05/21/content_1320555.htm)

<sup>14</sup> 'Joint Statement of the 12th EU-China Summit, 30 November 2009, Nanjing, China, [http://ec.europa.eu/clima/events/0022/joint\\_statement.pdf](http://ec.europa.eu/clima/events/0022/joint_statement.pdf)

opposition. In COP14, the EU required at least a 50% reduction at global level by 2050 compared with 1990 levels, and for developing countries to deviate from business-as-usual by 15-30% by 2020. By contrast, China emphasized historical responsibility and outlined criteria involving cumulative emissions and said developed countries should cut their emissions significantly in order to allow developing countries the space to develop (IISD 2008).

## ***The EU and China at the Copenhagen Climate Change Conference***

### **EU-China Collision at the Copenhagen Conference**

The Copenhagen Conference on Climate Change was the occasion for a more conflictual relationship between the EU and China on climate change, an event that can be divided into two phases. In the first half of the conference, the EU, together with the US, imposed direct pressure on China, which provoked an intense counterattack. Indeed, despite the friendly bilateral contacts between the EU and China before the Copenhagen Conference, they had not, in reality, previously crossed swords with each other on the core issues of international climate change negotiations. When the Copenhagen conference's curtain rose and the core issue of numerical targets was put on the table, the EU adopted the strategy of imposing pressure on China, intensively linked to the trilateral relationship among the US, China and the EU. Since the US had already committed itself to quantitative targets of emissions under UNFCCC, the EU believed that the US would not take on more commitments without developing countries —especially China committing themselves more. Besides, there was no hope for the US coming back to the Kyoto Protocol. Therefore, with the help of the US the EU attempted to urge developing countries to take on more commitments and, in return, expected to gain greater commitments from the US.

The divergences and confrontation between China and the EU involved the following aspects. Firstly, while the EU tended to merge the UNFCCC process with the Kyoto Protocol process, China insisted on the dual-track negotiating mechanism of the Convention and its Kyoto Protocol. The EU in the conference called for an inclusive Copenhagen agreement, encompassing non-annex I parties and urged that the agreement should be translated into a universal, legally-binding agreement in Copenhagen, or by a specified time in 2010 (IISD 2009). The EU and the US also opposed references to the second commitment period of the Kyoto Protocol. Meanwhile, China, together with other developing countries, opposed a new

protocol. They stressed that negotiations should result in separate agreements under the AWG-KP (Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol) and AWG-LCA (Ad Hoc Working Group on Long-term Cooperative Action under the Convention) (IISD 2009). Secondly, the EU and China were not satisfied with each other's numerical targets. China announced before the conference that it would reduce the intensity of carbon emissions per unit of its GDP by 40-45 percent by 2020 from the 2005 level. The EU said it was not ambitious enough (Zhang and Zhang 2009: A6) and wanted China to commit itself to more. The EU negotiator also tried to compare China's numerical target with that of the EU's, provoking China's Chief Negotiator, Su Wei, to say that "the EU is unkind in comparing the two kinds of targets which are incomparable" (Yan and Xu 2009). Fighting back, he argued that the target of the EU (a voluntary reduction of 20 percent from 1990 levels and a 30 percent if others' commitments to reductions were comparable), was "far from being enough".<sup>15</sup> Indeed "with a figure of 20%, the EU's annual target of reduction is only 1.05% which does not reach (even) the half level of its commitments in the first commitment-period of Kyoto Protocol."<sup>16</sup> Furthermore, the EU's policy on financial aid to developing countries is also problematic in China's eyes. The EU promised during the Copenhagen Conference that it would offer a "fast-start" fund of €2.4 billion annually to developing countries and would take into consideration the pledges of other developed countries and assume a "reasonable share". China complained that though developed countries had made some pledges, the aid was too small to address the problem and there was no long-term, stable and predictable fund-raising mechanism (Xie 2009).

In the second half of the conference, the EU continued to urge both China and the US to commit more. EU Commission President Barroso spoke at the UN High Level Segment in Copenhagen Conference, "... I would like to call on our partners in the US and China to contribute further to a successful outcome to the conference".<sup>17</sup> Sweden's Environment Minister, Andreas Carlgren, stated on the same occasion,

To both China and USA I say: your ability to reduce emissions will be absolutely crucial. It is promising that you have come forward with your contributions in an international context. However, the world needs more and we are confident that you have the ability to deliver more. Let us be honest with

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15 'US, EU expected to do more on emission cuts: China', Xinhua, 9 December 2009, [http://www.chinadaily.com.cn/china/2009copenhagencclimate/2009-12/09/content\\_9144762.htm](http://www.chinadaily.com.cn/china/2009copenhagencclimate/2009-12/09/content_9144762.htm)

16 'Unfair text infuriates developing countries', *People's Daily*, 10 December, 2009, A3

17 Statement by EU Commission President Barroso at the UN High Level Segment COP 15 Copenhagen Climate Change Conference, 16 December 2009, Copenhagen, [http://www.europa-eu-un.org/articles/fr/article\\_9343\\_fr.htm](http://www.europa-eu-un.org/articles/fr/article_9343_fr.htm)

each other: Together your ambitions to limit emissions will make or break the world's efforts to keep global warming below 2 degrees celsius.<sup>18</sup>

The EU's strategy of urging upon both China and the US the necessity of committing more through the conference did not succeed in altering their stances. But it did lead to a degree of convergence between the US and China and other BASIC countries. As an emerging country eager to show itself as a responsible power, China wanted a successful outcome from the Conference. At the same time, China claimed that it was still a developing country with low per capita GDP, and therefore tried hard to avoid binding and "unreasonable" commitments of reducing emissions in the present period. For the US, President Obama intended to break the deadlock of the negotiations and drive the conference to an agreement with a view to fulfilling his promise; at the same time, constrained by the Senate, he held a practical attitude to the conference, preferring to have a political agreement to a binding international protocol (Bo and Chen 2011: 112). Though President Obama expected China, India and other emerging economies to make pledges on emissions reduction, he needed all parties to compromise for a final achievement. In this context, when the "mini-summit of the 25" took place on 18 December, the EU leaders were determined to secure commitments from China and India on the issue of the goal of a 50-percent reduction in global CO<sub>2</sub> emissions by 2050 and continued to urge them to accept the target. But they soon met with direct opposition (Rapp et al. 2010). At a crucial moment, US president Obama intervened. Although he was also intent on reaching an agreement in the conference and securing a commitment from China and India, he was more pragmatic about the final outcome both due to the difficult situation of the conference and the domestic constraints he was facing. Therefore, he told his European counterparts that it would be best to shelve the concrete reduction targets for the time being and claimed that "China still is as desirous of an agreement, as we are" (Rapp et al. 2010). Later on, the US and BASIC countries held a joint meeting to reach an agreement. The EU was left out of these negotiations. Moreover, the points that were most important to the Europeans were removed from the draft agreement, in particular the concrete emissions reduction targets. China went beyond its previous choice of sticking closely to negotiating only within the G77 plus China and the EU's leadership in climate change governance was seriously weakened (Bo and Chen 2011: 99).

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18 'Statement by Sweden on behalf of the European Union and its member states', 16 December 2009 <http://andreas.centerpartiet.net/tag/cop15/>

## Reflections on the Copenhagen Outcomes

The EU and China have different assessments of the Copenhagen Conference. Even if the conference made “significant progress” in three areas, such as financing, deforestation and adaptation (Egenhofer and Georgiev 2009: 2), on the whole, the EU expressed its strong disappointment with the conference and its outcome. EU leaders criticized the final accord as lacking in ambition as it has not even reached the form of a binding agreement, but rather of a non-binding political pledge. EU Commission President Barroso stated on 21 December 2009, “I will not hide my disappointment regarding the ambition in terms of the binding nature or non-binding nature of the future agreement. On this particular point, the text agreed today falls far short of our expectations”.<sup>19</sup> Andreas Carlgren, the environment minister of Sweden, the country holding the rotating EU presidency, said that the summit meeting had been a “great failure” partly because other nations had rejected targets and a timetable for the rest of the world to sign on to binding emissions reductions (Kanter 2009).

According to the Communication 'Towards a comprehensive climate change agreement in Copenhagen', for the EU a successful conclusion of the conference would have meant an accord containing appropriate targets of emissions reduction for both developed and developing countries. Above all, it would have recognized a 2°C limit for the rise of the global average temperature (compared to pre-industrial levels), an objective requiring specific reduction commitments by the whole of the international community. Moreover, for the EU it was necessary to set “concrete new targets and actions”, and to “provide the basis for sustainable development by strengthening” countries’ capacity of adaptation (European Commission COM 2009: 3). In this regard, the EU’s three main objectives for Copenhagen were:

1. to set new objectives for developed countries, with global targets of 25-40% by 2020 and of 80-95% by 2050 to meet the 2°C objective.
2. to involve developing countries in the battle against global warming by adopting appropriate national actions and by contributing with a combined target of 15-30% reduction below the 1990 baseline by 2020.
3. to decide on adequate financial resources in order to back up all the actions designated by the negotiated accord, namely to help developing countries in mitigation and adaptation measures, to finance global research, and to establish valid measures on adaptation and on mitigation.

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<sup>19</sup> Statement of EU Commission President Barroso on the Copenhagen Climate Accord, 21 December 2009, Copenhagen, [http://www.europa-eu-un.org/articles/en/article\\_9364\\_en.htm](http://www.europa-eu-un.org/articles/en/article_9364_en.htm)



Therefore the CA should have constituted the basis for establishing “a long-term international framework” capable of pooling the contributions from both the developed and the developing countries (Ibid: 12). In order to make this perspective more tempting for the other negotiators, the EU unilaterally and unconditionally pledged to proceed with a 20% reduction of its emissions by 2020 (on a 1990 baseline), and to possibly move to a 30% if other countries made comparable offers. But notwithstanding the EU’s willingness and the efforts of its negotiators in Copenhagen, the final CA fell very far from its ambitions, and failed to “produce a knock-out blow for a legally-binding post-Kyoto protocol” in the EU’s strategy (Wurzel and Connelly 2011: 272).

China evaluated the Copenhagen conference and its outcome in a very positive way from the very beginning. The Chinese leadership firmly believed that the Copenhagen Conference was a significant and successful event. The Chinese Foreign Minister Yang Jiechi, who accompanied Premier Wen to the conference, pointed out that the Copenhagen Conference provided an important opportunity for international cooperation in addressing climate change and “fully demonstrated the great attention that the international community pays to the issue of climate change and the strong political will that it embraces to rise up to the challenge through closer cooperation” (Yang 2009). Chinese leaders also thought that the outcome of the conference, the Copenhagen Accord as the only possible outcome from the conference, was both important and positive in that it upholds the principle of “common but differentiated responsibilities” and the dual-track negotiating mechanism of the UNFCCC and its Kyoto Protocol (Yang 2009; Xie 2009).

Apart from the different assessment on the Copenhagen Conference and the Accord, some European leaders and media pointedly blamed China for the perceived failure at Copenhagen. Reports in the European press depicted China as the main culprit. In an article in *The Guardian*, Mark Lynas argued that China “wrecked the talks, [...], and insisted on an awful ‘deal’ so Western leaders” would have walked away carrying the blame (Lynas 2009). Sharing this opinion was also the then British Secretary of State on Energy and Climate Change and now Labour Party leader, Ed Miliband, who accused China, together with Sudan and Bolivia, of having tried to hijack the conference in order to prevent the reaching of a comprehensive accord (Vidal 2009). He added that the impossibility of reaching an agreement on the pledge to move to a 50% reduction in global emissions by 2050, or an 80% reduction for developed countries, was due to China’s veto, “despite the support of a coalition of developed and the vast majority of developing countries” (Miliband 2009). China was also

accused of lacking real commitment by the attendance of its Deputy Foreign Minister instead of the Premier in the "mini-summit of the 25" attended by the heads of other countries. This was regarded as a diplomatic offence and a display of arrogant behaviour.

Chinese leaders rejected the Western accusation of their being the "wreckers" of the conference. Chinese Foreign Ministry spokeswoman Jiang Yu harshly criticized those remarks made by "an individual British politician", containing "obvious political attempts" to "shirk the obligations of developed countries to their developing counterparts and foment discord among developing countries, but the attempt was doomed to fail". He Jiankun, the deputy director of the National Expert Committee of Climate Change wrote an article in the *People's Daily* refuting Miliband's accusations from a more technical perspective (He 2010: A23). China's leaders think that they played a positive and useful role in the Copenhagen Conference: the Chinese Premier, Wen Jiabao, said in an interview that the country "has played an important and constructive role in pushing the Copenhagen climate talks to earn the current results, and demonstrated its utmost sincerity and made its best efforts" (Wen 2009). Chinese negotiators also took a flexible and constructive attitude to the 2 degrees celsius issue and international consultation and analysis (Yu 2010). Moreover, Chinese negotiators believed that a 50% reduction in global emissions by 2050 or an 80% reduction for developed countries included in the agreement, and implicitly stipulating long-term binding commitments for developing countries as demanded by European leaders, would seriously constrain their future development space (He 2010: A23). Therefore, they firmly rejected the proposals.

However, despite of the EU and China's different assessments and mutual criticisms, the two sides still shared positions. Firstly, they both held that international climate change negotiations in the Post-Copenhagen process should move forward in the UN forum and called on all parties to actively and constructively participate in UN Conferences of climate change. Secondly, with the EU coming to acknowledge that the CA has made a big stride towards concluding a legally-binding global agreement on fighting climate change (European Commission 2010; EU Council 2010), both the EU and China emphasized that the CA should provide political guidance for further international climate change negotiations. Thirdly, they shared the long-term objective of keeping the rise of the global average temperature below 2 degrees celsius compared to pre-industrial levels. Fourthly, they shared the general roadmap that agreement could be reached first on such issues with more consensus as finance, technology, adaptation, capacity building and forestry while the time frame of reaching a

binding agreement could be postponed until the Durban Conference in 2011. These elements thus gave signs of their more pragmatic and productive cooperation afterwards.

## ***From Copenhagen to Cancun***

### **The EU's "Pragmatic Change" and Renewed Partnership with China**

The European Commission, in the communication following Copenhagen, reiterated that "the EU should continue to pursue a robust and effective international agreement and a legally-binding" one "under the UNFCCC" (European Commission COM 2010: 4). But given the current difficulties in reaching a new agreement with specific emission reduction pledges, the EU responded to the following rounds of climate change negotiations with a renewal of its negotiating strategy, scaling down its ambitions for the Cancun Conference. Taking note of the increasing centrality of the US and China's responses and attitudes in the negotiations, the EU has thus started to consider the opportunity of converting its self-proclaimed "climate leadership" role into that of a "bridge builder" and redirect the negotiations towards transforming the CA's voluntary pledges into an internationally binding agreement. The EU's task was thus to "build on" these countries' determination in order "to help channel it into action" (Ibid: 2), transforming the political declarations made in Copenhagen into a UN-negotiated legal text. Furthermore, the EU sought to make Cancun the platform to address a series of unresolved questions remaining from Copenhagen, such as forestry emissions; surpluses in emission budgets from the 2008-2012 Kyoto Treaty period (the so-called "Russian hot air"); designing a "robust and transparent" framework for emissions and performance accounting; and fast-start funding and long-term finance to help mitigation and adaptation measures in developing countries. Moreover the EU drew attention to the need to "establish a global policy framework for reducing emissions from international aviation and maritime transport" (European Union MEMO/10/627 2010: 4).

This "pragmatic change" in its negotiating strategy was due to the recognition that, in the presence of the ongoing divergences between the negotiating parties, the goal of reaching a comprehensive agreement in Cancun was unattainable. In the official EU documents indeed it can be noticed that the EU's expectations for Cancun were to produce "a balanced package of decisions", capable of capturing "the progress achieved in the negotiations so far" and of establishing "major elements of the 'architecture' of the future global climate regime" (European Union IP 2010: 2). There was no mention of specific targets for developed or

developing countries in either the post-Copenhagen Communication or in the Council conclusions preparing for the 16<sup>th</sup> Conference of the Parties, and the objective of a more inclusive agreement was deferred to the 2011 Durban Conference. Therefore, the EU's objectives for Cancun were limited to delivering a common agreement on specific and sectoral issues, in order to restore confidence in the international community on the possibility of brokering a more far-reaching agreement in the period following Cancun. Nevertheless, far from receding from its "leader" or at least "pusher" role, the EU continued to pursue its efforts by trying to convince third countries of the importance of taking more ambitious steps towards defining the future climate change regime. In the Communication following Copenhagen, there is a specific recognition of the need to intensify bilateral and multilateral discussion outside the UN framework to "obtain a better understanding of the position, concerns, and expectations of" the EU's partners "on key issues" and "to explain clearly what the EU requires of an agreement in terms of its ambition, comprehensiveness, and environmental integrity". (European Commission COM 2010: 4-5). Thus, given the differentiated points of view and interests among the negotiating parties, an important element of the EU's strategy was "to focus on building support with different partners", as ways to "facilitate convergence on action-oriented decisions to be agreed in Cancun" (Ibid: 5). Among its targets, China is surely one of the most important.

With the pragmatic change of negotiating strategy of the EU, the partnership between the EU and China on climate change has been renewed. In the run-up to the Cancun Conference, the EU and China decided to re-establish their bilateral cooperation and dialogue on the issue of climate change. On the occasion of a high level EU delegation visit to China, on 29 April 2010, the Chinese chief negotiator in Copenhagen and Vice-president of the National Development and Reform Commission (NDRC), Xie Zhenhua, and the EU Climate Action Commissioner, Connie Hedegaard, released a joint statement explaining the objectives of this renewed initiative. The new partnership established a new regular dialogue mechanism at ministerial level, whose aim was to produce positive outcomes at the Mexican climate summit through deepened understanding, practical cooperation, and an exchange of views (Hedegaard and Xie 2010). The ministerial-level dialogue was then reinforced by a Climate Change Hotline at the chief negotiators' level, facilitating "an expedited exchange of views and sharing of information on new developments related to climate change", and complemented by a senior officials' dialogue and meetings at a working level (Ibid). Moreover, during the 13<sup>th</sup> EU-China summit of October 2010, the Chinese and European leaders restated their commitment to continue participating in the climate change negotiations "under the guidance of the 'Bali Action Plan'" and to promote "a positive, comprehensive and

balanced outcome at the Cancun conference". This should be pursued by a further enhancement of "policy dialogue and practical cooperation" within the framework of their bilateral partnership on climate change (Council of the European Union PRESSE [267]: 2). Nevertheless, despite its positive intentions, the renewed partnership has shown that its fruits are still unripe. On this point, the EU Energy Commissioner, Gunther Oettinger, underlined that even if the two partners have closer contacts, and despite the already "long" experience of cooperation on the climate change issue, they are only "at the beginning of a real partnership" (Fu and Zhang 2010); the latest rounds of negotiations have clearly shown that this was the case. The Tianjin talks, held in October 2010, were characterized by the continuing standoff between China and the US, confirming the by now secondary role of the EU. The two countries were both accused of hindering progress during negotiations, blocking the talks on a series of issues. Indeed, even if technical and forestry emissions questions have been moved forward by negotiators, any extension or substitution of the Kyoto Protocol as desired by the EU has been postponed to future negotiations (Watts 2010). And if Europe, together with the least developed countries, island states, Brazil and South Africa were willing to make progress in the negotiations and to make further compromises on the legal form of the agreement and the measures for verification, the stubbornness of the "G2", i.e. China and the United States, ensured that any new deal would be deferred at least until the 2011 Durban summit. On the road to Cancun, world leaders were already aware that the new agreement would lack ambition. In order to prevent another failure like Copenhagen, they even decided not to participate in the conference, leaving it to their environment ministers to attend.<sup>20</sup>

## **One Step Forward in Cancun**

Despite the disillusioned atmosphere preceding the Cancun Conference, Cancun Agreements were finally reached finally, which include specific points concerning:

- finance to developing countries (the so-called "Green Climate Fund", plus two finance bodies, the Transitional Committee, mentioned to design the Fund, and the Standing Committee, charged of the supervision and coordination of finance flows);
- a framework to develop a mechanism to reduce emissions from deforestation (the so called REDD+ - Reducing Emissions from Deforestation and Forest Degradation);

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<sup>20</sup> On 1 December 2010, the Former Brazilian President Luis Ignacio da Silva Lula, overtly declared that no great leader is participating in the conference, at the most Ministers of the environment are taking part. And as Ministers of Foreign Affairs are not even participating, there would not be any progress. Lula eventually cancelled his flight to Cancun for the second week of negotiations (Le Monde 2010).

- a new technology mechanism, aimed at sharing green technology; and
- an accord on the development of measurement, report and verification (MRV) and international consultation and analysis (ICA) (Gupta 2010).

Moreover, it makes the 2°C objective legally binding and anchors the emission pledges made by developed and developing countries after Copenhagen to a formal COP decision. Nevertheless it is still the “lowest common denominator” agreed upon by the parties, with uncertainties even on the points settled by the agreement. For example, the accord has left uncertain how the annual \$100 billion for the Green Climate Fund will be raised. On technology cooperation, the accord lacks on details on how to facilitate the absorption of green technologies by developing countries (Doyle and Wynn 2010; Gupta 2010). More important, it leaves open the question of defining a long-term global emission reduction goal: although the outcomes had the merit of addressing many of the sensitive questions like technology transfer and finance at the root of the North-South divide, the crucial point of the negotiations, namely how to establish a new post-Kyoto climate regime, still remained intractable. Japan, Russia and Canada said no to a second period for the Kyoto Protocol without the participation of the US and China (Morales and Biggs 2010). As for the EU, accused of trying to scrap the Kyoto Protocol,<sup>21</sup> it clearly stated that it was ready to commit itself for a second period, provided that the main emitters also joined in. For these reasons, as negotiators and the Mexican host wanted to produce an outcome from the conference at all costs, they made the decision to defer the question of renewing Kyoto to December 2011. In the absence of specific emission reduction commitments, the current situation could still lead to a 5°C rise in average global temperatures, a result that, according to the NGO Friends of the Earth, is “a slap in the face of those who already suffer from climate change” (Vidal and Goldenberg 2010).

Despite the lacunae, the EU and China both felt that the final agreements moved forward on some specific and controversial issues and kept open the negotiation process within the UNFCCC. Xie Zhenhua affirmed that the conference, advancing “with the guidance of the Bali Road Map”, restored full confidence in the multilateral mechanism and in the future South African conference (Liu and Wang 2010). And for Connie Hedegaard, partially satisfied with the outcome, Cancun made new steps after Copenhagen, recognizing at the same time that the journey in order “to reach a legally binding global climate deal” is still “long and challenging” (European Commission MEMO/10/673 2010). Yet China “did not manage to get

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<sup>21</sup> There have been rumours of an EU attempt, together with small island states, to circumvent a second period of Kyoto by making a new proposal (Goldenberg 2010a).

all it hoped” in Cancun (The Climate Group 2011: 10). Indeed the country was not satisfied with the fact that questions like a second commitment period for the Kyoto Protocol, the clarity of sources and sizes of the fund for developing countries and new, ambitious mitigation efforts from developed countries remain absent. On the contrary, for the EU Cancun has been able to provide a balanced and substantive package of decisions, as it was wished by the European Commission communication and by the Council conclusions of October 2010. But, there is also a recognition that there were still “other outstanding issues, such as the legal form of the agreement and how to provide long-term finance” to be solved (Hedegaard 2010).

As for the role played by the two actors during the conference, this time China was depicted by the international press as willing to make compromises, rather than being considered as the “wrecker” in the conference. Deploying a new strategy based on flexibility and transparency, it tried to demonstrate that the low ambition of the Copenhagen Accord was not due to its deliberate action, but rather to a lack of consensus among the main actors in the negotiations. And to avoid being blamed as the main hurdle of substantive progress in the negotiations, it adopted a more pragmatic strategy, demonstrating a willingness to deliver at least lowest common denominator results and to build consensus for more significant steps in the future. The new attitude towards transparency and flexibility has been demonstrated by a dramatic change of its stance on the issue of measurement, reporting and verification (MRV), showing that China is capable of facilitating a common international agreement and of removing one of the major points of disagreement it had with the Western countries. Indeed it agreed to submit to the International Consultation and Analysis (ICA) mechanism, which measures the efforts of developing countries while respecting the principle of common but differentiated responsibilities and not infringing on the sovereignty of states during its application (a matter of primary importance for China).<sup>22</sup> Moreover, in Cancun it adopted a publicity strategy aiming at demonstrating past and current action in dealing with climate change, by distributing a NDRC (National Development and Reform Commission<sup>23</sup>) Report recording the progresses of its climate change policy among the participants to the

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22 The ICA mechanism requires consultations and analysis should take place every 2-3 years for countries emitting more than 2% of GHG and every 4-5 years for the rest of the countries. Consultations will be handled by a group of experts coming from both developed and developing countries. Furthermore, it should respect a series of principles favouring the specific situations of developing countries, namely being non-punitive and, above all, taking into account the respective capabilities of each developing country.

23 The National Development and Reform Commission is the Chinese governmental agency responsible for economic policy, with broad administrative and planning tasks. Since 1998 it is also in charge of climate change policy, as the climate change issue inevitably involves the economic aspects. Moreover, it is home to the National Coordination Committee on Climate Change, an inter-agency group chaired by the Chinese Prime Minister, whose aim is to coordinate the governmental agencies involved in the climate change policy-making.

conference<sup>24</sup> (Seligsohn 2010). Opting for “a constructive, low-key approach”, (Goldenberg 2010b) China finally managed to significantly restore its international image.

For its part, the EU tried to play the role of a “bridge builder” in Cancun, helping to find solutions to the disputes over a second Kyoto Protocol period. Representing the Belgian Presidency of the Council, the Flemish Minister for the Environment, Nature and Culture, Joke Schauvliege, said that “the EU has worked tirelessly to be a bridge-builder in Cancun while also advancing its positions”, further adding that “the EU has reported transparently on the progress it has made in mobilizing the €7.2 bn of fast-start funding it has pledged over 2010-2012” (European Union IP 2010). Concerning the ability to negotiate as a unitary actor, the Achilles’ heel for the EU in Copenhagen, Hedegaard officially stated that “Europe has succeeded in speaking with one voice” (European Commission MEMO/10/673 2010). But these claims were controversial and have been disputed. During the conference, the EU was accused “of taking unfair advantage of poor countries” by insisting that providing loans to reduce emissions is better than providing grants. Indeed, in Cancun the EU started talking about giving part of its pledged funds in the forms of loans, an outrageous proposal for many NGOs, fearing that these loans will add another burden to countries already fighting for development (Willis 2010). Seeking to counter this accusation, the EU’s chief climate negotiator, Dr Arthur Runge Metzger, asserted that “loans are often made on highly concessional terms”, including a “major grant element of up to 75%”, and do not concern countries unable to repay them (cited in Vidal 2010). But one anonymous negotiator from a developing country affirmed that EU member states’ methods of accounting for climate pledges are all different, making it all “a complete mess”. And according to Al Gore, they are “using creative accounting to cover up their shortfalls”, giving the impression to developing countries that developed countries use these tactics in order to avoid meeting their commitments (cited in Vidal 2010). Criticisms of its “creative accounting” measures also arose among NGOs. According to Tim Gore, Oxfam’s senior climate advisor, “countries are definitely using creative accounting to cover up for their shortfalls” (cited in Willis 2010). Moreover, NGOs also highlighted that developed countries’ pledges were not new and additional funds as established in Copenhagen, but rather re-cycled money, increasing distrust among developing countries on the seriousness of developed countries’ engagements. On this point, the European Environmental Bureau’s (EEB) assessment of the Belgian Presidency was positive, confirming that in 2010 the EU actually mobilized €2.35bn

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24 The initiative was accompanied by the Climate Group civil society initiative of the “China Day” in the “Climate Leaders Summit” (6-8 December 2010), a fringe event held on 6 December 2010, aimed at promoting contacts between Chinese government officials and their international counterparts during the period of the Mexican conference (The Climate Group 2010)



of its promised €7.2bn for the 2010-2012 period of 'fast start finance' and that the money assumed the form of grants and not of loans. However, the assessment also highlights that it remains unclear how the money for the \$100bn annual green climate fund will be raised, as well as the EU's share of contribution (EEB 2010).

Criticisms were also expressed about the role played by the EU during the negotiations. While there is a general consensus on the EU's ability to speak with one voice, opinions are divided over its capacity to play a leadership role during the negotiations. For CAN Europe (*Climate Action Network Europe*) one of the positive outcomes of the Cancun conference was the ability of the EU to reassert itself as one of the key players in the negotiations.<sup>25</sup> And for The Climate Group, the EU was also able to play a leading role (The Climate Group 2011: 11). Yet, other climate activists were surprised with the reticence of the European delegation to take a strong position. The head of WWF Britain, Keith Alliot, affirmed that the EU spent a lot of time "licking its wounds" after Copenhagen and showed continuing internal divisions over the question of stepping up its commitment from 20% by 2020 to 30%. The offer of the unconditional 20% and of 30% if other countries make comparable commitments remained unchanged since Copenhagen. And if some member states (like UK, France and Germany) were already willing to opt for a unilateral 30%, other states still wanted to stick to the 20% objective, a lack of cohesion tarnishing the image of the EU's vaunted capability of "speaking with one voice" (Cermak 2010). Jennifer Morgan, of the World Resources Institute, argued that EU officials were "rather passive" in Cancun, afraid of crossing the "red lines" that had been set by the European heads of government.<sup>26</sup> By reporting activists' words, Cermak adds that "the EU's more passive role at this conference is a shame [...] because the EU has historically been one of the leaders in climate negotiations". (Ibid) Even the verdict of the EEB is negative. Indeed, the indecision of moving to a 30% emission reduction unilaterally made the EU lose the opportunity to "set the right tone to the negotiations, that the EU is ready to do a larger part of its fair share" (EEB 2009: 4), an element capable of restoring its lost "leadership by example" (Oberthür 2007: 8).

However, it must be remembered that without a significant move from the American and the Chinese sides, Cancun could not deliver the expected results to save the planet. Moreover,

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25 CAN Europe is the European branch of a worldwide network of over 550 civil society organizations whose battle is to limit human-induced climate change and promote sustainable development. The information has been retrieved from their official press: 'Cancun agreement sets stage for EU to increase its climate ambitions', 11 December 2010, available at <http://www.caneurope.org/policywork/un-climate-negotiations/286-cancun-agreement-sets-stage-for-eu-to-increase-its-climate-ambitions>

26 Ibid. This is basically due to the fact that the EU mandate is the fruit of difficult compromises and is not easy to renegotiate.

given the disagreements between the main actors before the event, the EU was already conscious that a consensus on the most pressing issues, namely emission targets, was still a remote prospect. Thus it preferred to secure an agreement on the objectives where a consensus could be found, and this “pusher” role was overtly recognized. As Connie Hedegaard reports, the Mexican Foreign Affairs’ Minister, Patricia Espinosa, affirmed that “without the constructive work of Europe it would have been impossible to bring the process back on track” (Hedegaard 2010). Yet the Cancun Conference left the international community with many issues still to be solved in the next negotiations. And it made 2011 the decisive year for seeing the parties agree on specific commitments in order to save or to replace the expiring Kyoto Protocol, with the first moves coming from the “North” side. But the present international context – the debt crisis of the Eurozone, the recovery efforts to exit from the 2008 economic crisis and the Mid-Term elections in the US, that saw Obama lose his majority in the House of Representatives and with it his ambitions to pass his climate change bill in Congress – weakened the hope for more ambitious action from the developed countries. Developing countries, especially newly emerging economies, despite their already public commitments to reducing their emissions, would continue to refuse binding pledges by invoking the principle of common but differentiated responsibilities. This situation makes the prospect of reaching a more decisive agreement in Durban very confused and unlikely. And the latest rounds of talks in Bonn (6-17 June 2011) seemed to confirm this scenario. The lines of contention still run on the “eternal” North-South divide, with developing countries accusing developed countries of refusing further emission reduction commitments to maintain their economic privileges (Max 2011). The talks concluded with countries “still nowhere near agreement in three key areas of finance, greenhouse gases cuts and the future of the Kyoto Protocol” (Vidal 2011). However, despite these daunting results of negotiations, cooperation is still moving forward outside the formal confines of the UN. On the EU and China side, low-carbon cooperation is still ongoing, receiving a significant boost behind the scenes of Cancun. On 3 December 2010, the European Investment Bank announced a €500 million grant to China to support low-carbon projects, a move provoking new optimism about the seriousness of the two partners to tackle climate change, and that will enable China to reduce CO<sub>2</sub> emissions by three tons per year (La Repubblica 2010).

## **Conclusions**

As discussed above, past bilateral cooperation and dialogue between the EU and China have shown mixed impacts on the construction of a multilateral climate change regime. From the very beginning of their relations on the climate change issue, their contacts were characterized by a constant divergence on developing countries' responsibilities. Indeed, while the EU has always promoted a sharing of efforts between developed and developing countries (under the principle of common but differentiated responsibilities), China insisted on the historical responsibility of developed countries and on the right to growth of developing ones. Nevertheless, except in the Copenhagen conference, these divergences have not hindered the EU and China cooperating with each other in advancing the Kyoto regime, Bali Roadmap, and Cancun Agreements. In fact, since the entry into force of the Kyoto Protocol in 2005, their relations have been significantly enhanced, especially with the establishment of the Partnership on Climate Change. This partnership enabled the two actors to improve their exchanges on the climate issue, and to institute concrete cooperation projects.

Nevertheless, bilateral activity does not always ensure that the two parties act as partners. While China and the EU continue to consult each other bilaterally, this may not be reflected at the multilateral level, as demonstrated by the bitter collision in the Copenhagen conference. The reasons were different and can be partly ascribed both to the EU's multiple weaknesses during the negotiations and to China's inflexible position. During the Conference, the EU continued to urge upon China a pledge to international binding commitments, while it was already clear from the beginning that China would not accept them. At the same time, the EU's expectations of reaching a comprehensive agreement in Copenhagen were too high, given that the atmosphere preceding the event was already one of disillusionment and, because of the financial crisis, the attention of both developed and developing countries shifted to national economic issues. This particular conjuncture was also the basis of the dissent among EU member states, making them incapable of agreeing on an ambitious plan to reduce their GHG emissions and on aid for adaptation and mitigation for developing countries (Groen and Niemann 2010: 23).

After the disappointing experience in Copenhagen, in Cancun the EU demonstrated a much more pragmatic approach. Acknowledging that a comprehensive agreement on a "Kyoto Protocol-style" was impossible to reach and that divergences among developed and developing countries were still sharp, the EU sensibly scaled down its ambitions, adopting a more "sectoral approach", namely pushing on the issues that were not highly controversial

among the parties and on which an agreement could be “easily” reached. But it did not substantially change its basic position on its emissions reduction, nor has it proven to have a serious approach on the financial issues. In our view, there are some elements that need improvement in order to enhance the EU’s capacity to be one of the critical actors in the negotiations.

Firstly, by lowering its ambitions, playing the role of a “bridge builder” among the parties and pushing further on its commitments, the EU can still play a leadership role. If “voluntary cooperation” is defined as a basic feature of multilateralism, (Bouchard and Peterson 2011: 1) the EU has to find common ground with other key players. It is useful to remember that the EU is still one of the most committed parties in the negotiations and this can provide it with leverage to push the negotiation process forward. But in order to make this possible, the EU needs to strengthen its pledges, which are no longer credible, for example by moving from the unconditional 20% to an unconditional 30%. It also needs to be clearer on the issue of finance to developing countries, as the choice of loans instead of grants raises many doubts about the EU’s willingness and capacity to finance adaptation and mitigation measures in vulnerable countries, especially after the global financial and the Euro zone crisis.

Secondly, the EU should make a better use of its partnership with China. Despite six years of bilateral contacts on the climate change issue, the EU seems not yet to have understood what China wants or how to deal with it. However, what is clear is that putting excessive pressures on China could be counter-productive. It will not lead to a change of its negotiating position, but will, rather, entrench the country’s position. It is perhaps better to continue involving China on issues in which the country could reasonably be expected to cooperate (for example on technical cooperation), enhancing mutual understanding and trying to find shared points to defend in international negotiations. The EU and China are only “at the beginning of a real partnership” (Fu and Zhang 2010). If it is up to them to play a significant role in the negotiations, mutual comprehension should be reinforced, together with a renewed practical cooperation on the climate change issue. Yet, we would particularly highlight the fact that in this bilateral relation words are not enough, and that China needs incentives to be further involved in the battle against climate change. Such an approach should take into account China’s development needs. This could finally lead to the most concrete realization of the principle of common but differentiated responsibilities, a point shared by both partners.

Finally, it should be kept in mind that nowadays the EU’s influence on China’s international stance can only be marginal. We would suggest that if the EU’s internal climate change policy

succeeds in helping the European countries meet their emission targets while avoiding excessive costs for their economies and/or providing stimuli for their industrial sectors, China will be very interested in learning from the European example. This would help the country in boosting its national measures to reduce its dependency from coal and, finally, to reduce its GHG emissions. But there will not be significant changes in China's international negotiating position unless the US also makes a concrete move. In China's eyes, notwithstanding its ranking as the first greatest world polluter, it is paradoxical that it is asked to make more efforts and to commit internationally when the second greatest polluter still occupies a free rider position and produces so-called "luxury emissions" (whereas China's emissions can be considered "developmental" or "survival" ones). In other words, without the US on board, the Chinese will hardly make substantial concessions at the international level.

To conclude on an optimistic note, we feel that both China and the EU are still the two crucial actors in the future negotiating process. Indeed, both the EU and China may prove central in the climate change negotiations by showing a more active approach and putting pressure on the US, still blocked in Congress on its climate bill. For its part, the EU should continue playing a role of bridge builder between developed, developing and emerging countries. On the other side, China could "facilitate the reaching of a compromise" by easing its negotiating language on the commitments of non-Annex I countries (De Matteis 2010). In order to make this possible, their renewed bilateral dialogue on climate change needs to go forward in reconciling their positions and defining a common strategy for the next round of negotiations. If this situation occurs in the near future, their bilateral cooperation may move beyond the purely rhetorical and engender significant progress in future negotiations. Indeed, something already has moved at the bilateral level. The example of the European bilateral partnerships for climate change with the emerging economies pushed the US to propose similar arrangements with China, trying to catch up with the Sino-European initiative (Dai and Diao 2011: 264). This is a positive signal from the American side, especially given that future climate change negotiations will run along the lines of a Sino-American 'entente'. As the two giants are also the two biggest greenhouse gases emitters, to which the whole international community is looking, and that they both observe each other's stance and take new steps on the climate change issue, a Sino-American dialogue and cooperation on these issues might increase the possibilities of reaching a future climate accord, mainly depending on the concessions they will be able to make in order to reach an agreement. If the EU succeeds in treasuring this new resource by pushing on both the US and the Chinese side, the prospect for a new international solution for the climate change issue will not be as bleak as they appeared after Copenhagen.

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