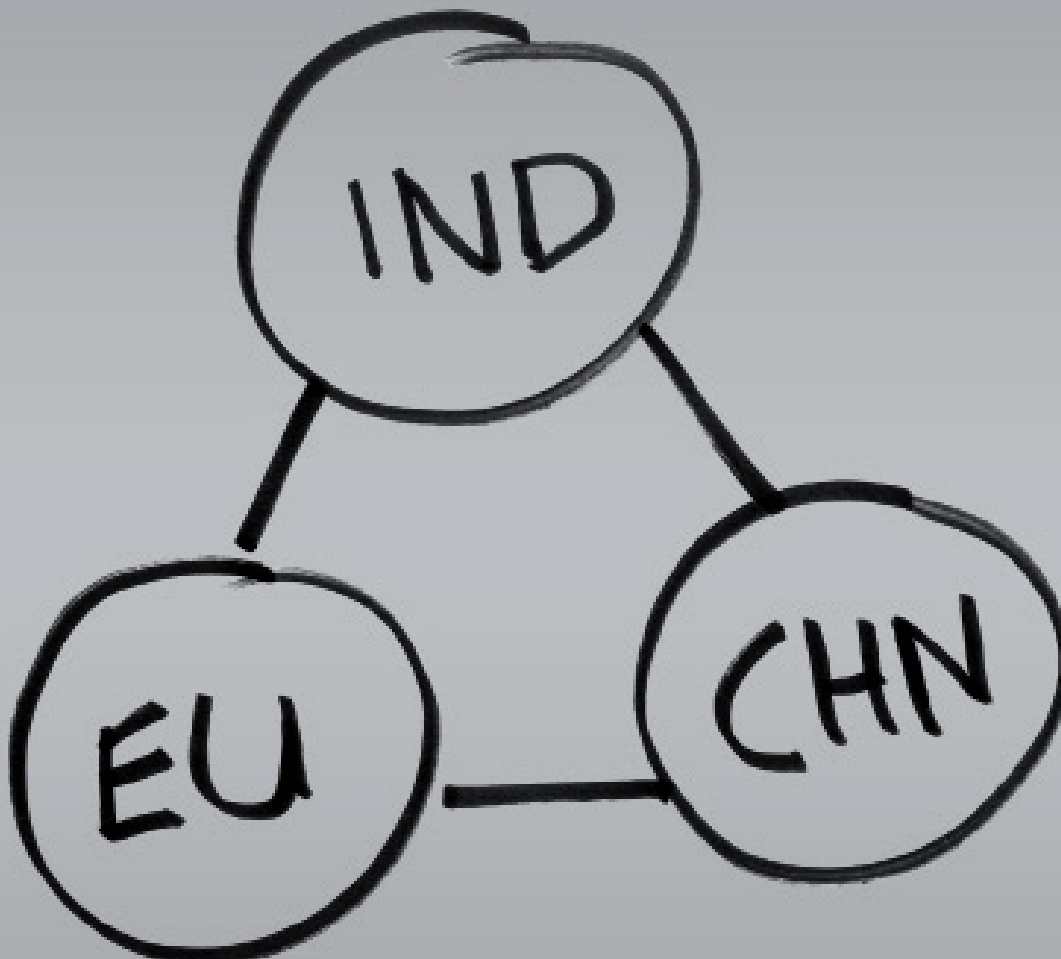


# OUTSIDERS' PERCEPTIONS AND EU INFLUENCE IN THE WORLD

The Case of Climate Change

Diarmuid Torney

NFG Working Paper No. 4/2013



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# OUTSIDERS' PERCEPTIONS AND EU INFLUENCE IN THE WORLD

## The Case of Climate Change

Diarmuid Torney

### Abstract

In recent years, a growing literature has focused on how the EU is perceived beyond its borders. One of the aims of these studies is to shed light on the ability of the EU to exercise external influence. This working paper argues, however, that outsiders' perceptions of the EU are not necessarily a reliable guide to the EU's external influence. It illustrates the argument by examining the case of climate change in which, despite broadly positive external perceptions, the EU has often failed in attempts to influence the positions of other states. Focusing on Chinese and Indian perceptions of the EU, the current paper argues that this apparent tension results from the fact that the EU on the one hand, and China and India on the other, have framed global climate governance in starkly contrasting ways. In particular, they have differed with respect to whether "climate leadership" by the EU should generate "followership" on the part of China and India. This paper uses the example of negotiations on a "second commitment period" under the Kyoto Protocol to demonstrate this point. It concludes by urging that greater attention be paid to the relationship between external perceptions and external influence.

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## 1. Introduction<sup>1</sup>

Since the early 1990s, EU policy makers have assumed a leading role with respect to international efforts to combat climate change. At the international level, the decision of European leaders in 2001 to proceed with ratification of the Kyoto Protocol in spite of the decision of the Bush administration in the United States to withdraw from the Protocol served to transfer the mantle of global leadership on environmental issues from the US to the EU, and the EU has sought to drive the process of international negotiations since that time (Vogler/Bretherton 2006). Internally, the EU has succeeded in developing progressively extensive climate legislation, including the flagship EU Emissions Trading Scheme and the 2009 Climate and Energy Package (Oberthür/Pallemaerts 2010; Skjærseth/Wettestad 2007). Substantial research has been undertaken examining the contribution of the EU to global climate governance. Much of this research has concluded that the EU has exercised what we might call “leadership by example” (Gupta/Grubb 2000: 1; Oberthür/Roche Kelly 2008; Schreurs/Tiberghien 2007; Vogler 2005; Wurzel/Connelly 2010), though some scholars have taken a more critical view (Jordan et al. 2012; Parker/Karlsson 2010; Schunz 2012; Skodvin/Andresen 2006).

What has been less evident in the discussion, however, is a sustained focus on whether EU leadership has caused others to follow, and how EU climate policy is perceived beyond its borders. In response, recent years have seen the emergence of new research on outsiders' perceptions of the EU which has sought to examine the extent to which the EU's perception of itself matches others' perceptions (Chaban et al. 2013; Chaban et al. 2006; Elgström 2007; Holland 2007; Lucarelli 2007; Lucarelli/Fioramonti 2010a).

The growing literature on external perceptions of the EU represents an important addition to our knowledge of the role of the EU in world politics. However, it presents some puzzling conclusions concerning the role of the EU as an environmental actor. A number of studies report that the EU is viewed positively with respect to climate and environmental issues by third parties (Chan 2010; Jain/Pandey 2010; Karlsson et al. 2011; Kilian/Elgström 2010; Lucarelli 2007; Vergeron 2007; Zhang 2011). However, if we look at the role the EU has played in global climate governance, we see a much more ambiguous pattern, particularly in recent years. The EU's marginalisation at the Copenhagen climate change summit in 2009 was a particular low-point for EU climate diplomacy, but even over a longer time trajectory the EU's ability to shape the international process has been limited, notwithstanding the notable success of securing entry into force of the Kyoto Protocol (Schunz 2012).

This working paper takes that puzzle as a point of departure. It explores the relationship

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between external perceptions and external influence more closely, and seeks to challenge the assumption—both implicit and explicit in the literature—that external perceptions provide a useful guide to assessing the influence of the EU beyond its borders (Chaban et al. 2006: 248; Lucarelli/Fioramonti 2010b: 2).

The current study uses the case of Chinese and Indian perceptions of the EU to make the argument that positive perceptions of the EU in a particular field do not necessarily tell us very much about the potential impact of the EU in that area. In particular, I argue that China and India, in concert with other developing countries, have been able to use the concept of EU “climate leadership” as a rhetorical strategy to resist the attempt by the EU to alter the balance of rights and responsibilities between developed and developing countries within the climate change regime. Using the example of negotiations on a second commitment period under the Kyoto Protocol, I show how China and India, in concert with other developing countries, framed this debate in terms of developed country leadership, and framed the EU’s negotiating position as an attempt to “kill” the Kyoto Protocol and as an abandonment of leadership, and that this contributed to a partial reversal of the EU’s negotiating position during 2010.

Further, the study focuses on the roles of China and India vis-à-vis the EU because these countries are those arguably under the most pressure from developed countries in the climate change negotiations to accept binding emissions targets under a future regime. China and India are not, of course, fully representative of the universe of EU partner countries since they are both materially and normatively powerful states in world politics and are, to some extent, leaders in their own right in global climate politics. Accordingly, this paper does not seek to draw sweeping conclusions from this single case. Rather, its contribution is to argue for caution when attempting to extrapolate patterns of EU influence based on outsiders’ perceptions. It also does not try to claim that there is no value in studying external perceptions. Instead, it seeks to highlight both the usefulness and also the limitations of this literature.

The paper consists of three main parts. The next section discusses the relationship between external perceptions and external influence and challenges the assumed link between how the EU is perceived by others and its ability to influence others. Section 3 reviews the findings of recent empirical literature on external perceptions of the EU, particularly as it relates to the area of (global) environmental policy, and unpacks the concept of “leadership” in the international climate regime to show how it is conceptualized differently by the EU on the one hand, and by China and India on the other. Building on this, Section 4 illustrates the argument by analyzing the negotiations on a second commitment period under the Kyoto Protocol.

## 2. Outsiders' Perceptions and EU Influence

Because of the EU's unique status as something less than a state but more than a classic international organisation, significant effort has been expended on trying to characterize the nature of the EU as a global actor. In the words of Jupille & Caporaso, the EU is "an evolving entity, composed of numerous issue areas and policy networks, neither a full-blown polity nor a system of sovereign states, which displays varying degrees of 'actorhood' across issues and time" (Jupille/Caporaso 1998: 214). Attempts to capture the essential features of the EU as a global actor have made much of its distinctiveness, with scholars arguing variously that the EU is a "civilian power", a "normative power", an "ethical power", or a "model power" (Aggestam 2008; Diez/Manners 2007; Duchêne 1972; Laïdi 2008; Manners 2002; Orbie 2008; Telò 2006; and Telò 2009). However, by seeking to extrapolate from the internal institutional and ideational characteristics of the EU some sort of external identity, this long-running scholarly debate has served to focus attention inwards on what the EU is, rather than on what the EU does (Aggestam 2008). Moreover, for a long time the debate neglected to examine what outsiders think about what the EU is and what it does.

In response, a recent succession of literature has emerged focusing on external perceptions of the EU, both in general and with respect to climate change and environmental policy.<sup>2</sup> This literature has sought to shed light on a number of aspects of the EU's external relations, including assessing the degree to which the EU's supposed distinctiveness as a global actor is reflected in others' perceptions, and how external perceptions of the EU contribute to the process of European identity formation (Lucarelli 2007; Lucarelli/Fioramonti 2010b). However, most relevant in the current context is the contention that examining others' perceptions of the EU can help us to assess the impact of the EU beyond its borders. Chaban, Elgström, and Holland argue that "outsiders' expectations and perceptions influence the impact of EU foreign policy role performance. Whether policy initiatives taken by the EU reach their goals, and whether (and to what extent) the Union may play a leadership role in a given policy area, are partly determined by the images others have of the EU" (Chaban et al. 2006: 248). Similarly, Lucarelli and Fioramonti argue that "the way in which the EU is perceived by other countries is likely to have a direct bearing on its success as a player in the international arena. What the world thinks of the EU is therefore an important factor in facilitating or opposing the achievements of EU-sponsored policies" (Lucarelli/Fioramonti 2010b: 2).

However, the usefulness of external perceptions for assessing the influence of the EU is likely to be limited by three related factors. First, some of the data simply are not very relevant to the question of EU external influence, particularly those that draw on public opinion surveys and media analysis, though several of the relevant studies focus partly or wholly on elite perceptions (Holland 2007; Lucarelli/Fioramonti 2010a).

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<sup>2</sup> This literature results from a number of research projects: "The External Image of the European Union", led by Sonia Lucarelli in the framework of the GARNET network; "External Perceptions of the EU" led by Martin Holland and Natalia Chaban at the University of Canterbury, New Zealand; there are also more specific projects such as an EU FP7 project on "Chinese Views of the EU", led by Wang Zhengxu, coordinated by the China Policy Institute at the University of Nottingham and involving a consortium of six institutions in the EU and China; as well as the NFG Research Group "Asian Perceptions of the EU".

There is only a relatively indirect causal connection between public opinion and media framings of the EU in third countries and EU influence in those countries. However, secondly, even the results of elite surveys can be problematic, because favourable external perceptions of the EU in a particular domain are likely to be only one of a range of factors affecting EU influence. It is reasonable to expect that negative perceptions of the EU by outsiders will inhibit EU influence, or at least raise the costs of effective EU action. However, favourable external perceptions are unlikely to do anything more than act as a facilitator for EU external influence, and a range of other factors are likely to be important in determining the nature and extent of EU influence. Third, in the specific case of perceptions of EU “leadership”, these are not bound to generate “followership” if other actors do not believe that the behaviour of the EU is appropriate to their own circumstances. Instead, it is important to take into account the particular characteristics of the issue in question and the ways in which the respective roles of “leader” and “follower” are conceptualised by each side. Therefore, while the growing trend towards examining external perceptions of the EU represents a welcome attempt to “de-centre” the study of EU external relations, it is of limited help in understanding the nature and extent of EU influence. This is particularly true when we look at the question of EU leadership in the area of global environmental politics. Focusing on external perceptions of the EU as a “leader” tells us little about the relational aspect of leadership, that is, the relationship between leader and follower. While much of the conceptual literature on leadership emphasizes its relational nature (see, for example, Malnes 1995; Underdal 1991; Young 1991), much of the empirical work which attempts to apply these concepts to the EU’s contribution to global environmental politics neglects this relational dimension (Oberthür/Roche Kelly 2008; Schreurs/Tiberghien 2007; Vogler 2005). In order to make the findings of the literature on external perceptions more meaningful, it is necessary to understand them in the context of the EU’s relations with specific countries in defined issue areas. The rest of this working paper attempts to do so by considering the case of Chinese and Indian perceptions of the EU on climate change.

### **3. The Paradox of External Perceptions of the EU as an Environmental Actor**

To the extent that the literature on external perceptions of the EU has focused on the EU as an environmental actor, it has generally found that the EU is perceived in positive terms. Lucarelli reports that the image of the EU as an environmental leader is growing rapidly, particularly as a reaction to the EU’s activism regarding the Kyoto Protocol. These findings “point to a rapidly growing expectation of a leading role for the EU in the protection of the global environment, in particular how to tackle global warming” (Lucarelli 2007: 264).

A small number of studies have focused more specifically on perceptions of leadership in the climate change regime, and in particular on perceptions of EU leadership. One earlier study by Gupta and van der Grijp, using 67 interviews with climate change negotiators in 1997–98, found that there were no “clear-cut” or “confident” leaders in the negotiators, but that a number of countries played limited leadership roles (Gupta/van der Grijp 1999).



The EU was viewed as playing a limited leadership role in terms of agenda-setting, norm development, adoption of the initiative, and pushing for stringent targets for greenhouse gas reduction or limitation, though the EU was also perceived to be a hypocritical leader for a number of reasons (Gupta/van der Grijp 1999: 313-316).<sup>3</sup>

More recently, two studies have focused on perceptions of leadership among negotiators at the 14<sup>th</sup> Conference of the Parties to the United Nations Convention on Climate Change (COP-14) in Poznan, Poland in 2008. Karlsson et al. report, on the basis of a survey of 233 representatives of government, NGOs, business, the United Nations, and the media, that “the European Union is the actor most commonly viewed as a leader on climate change as 62 percent of all respondents identify the EU as having a leading role in the climate change negotiations” (Karlsson et al. 2011: 96). However, there is no clear single leader on climate change: only 14 percent viewed the EU as the only leader. They also found that the EU is perceived as a leader particularly among respondents from Asia, Europe, North America, and Oceania.<sup>4</sup> In another study, Kilian and Elgström conducted interviews with both EU and non-EU participants at COP-14 to test more specifically for perceptions of the EU as fulfilling a leadership role (Kilian/Elgström 2010).<sup>5</sup> They found that the EU is viewed, for the most part, as a coherent and credible actor from the outside and has a significant impact on the negotiations, and that “[t]here is unanimous agreement among third state representatives that the Union is still a leader in climate change, no matter whether the interviewee represents a developing or a developed country”. Moreover, they found that this view was affirmed by representatives of the United States, China, and Japan (Kilian/Elgström 2010: 262).

A number of studies looking more specifically at Chinese perceptions of the EU have come to a similar conclusion. Vergeron reported that “the Chinese recognize that Europe has been ‘the champion and leader at the international level in combating climate change and pollution’” (Vergeron 2007: 23), while Chan reports similarly that “the EU serves as a model for China in terms of its economic, social and environmental policies, areas in which the EU is seen as being a global leader and role model” (Chan 2010: 140). A project led by the University of Nottingham on “Chinese Views of the EU” recently reported very positive perceptions of the EU’s role in environmental protection among a number of categories of Chinese elites. These ranged from a low of 71.6 percent positive perceptions among business representatives, to a high of 85.2 percent positive perceptions among government officials. Negative perceptions among elites ranged from 1 percent of government officials to 5.2 percent of “intellectuals” (Zhang 2011: 5). Moreover, the environment was generally not ranked as one of the most controversial issues in the EU-China relationship by Chinese elites, and was identified as an area where cooperation should be strengthened (Zhang 2011: 6).

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3 These included that the EU’s emissions reductions were seen to be the result of “good luck” rather than specifically climate change policies, and the EU had no sense of how the targets it was proposing would be achieved.

4 Interestingly, they also found that China was perceived by many as playing a leading role, particularly among respondents from Africa and Latin America.

5 This study was, however, based on a small sample of participants—11 non-EU and 4 EU. For a longer presentation of the findings of this research project, see Kilian (2009).

While Indian perceptions have tended to be more mixed, Jain and Pandey nonetheless report that “[t]he European Union was considered a normative power primarily because of its role in global climate negotiations and trade talks and described by some ‘elites’ as a major player in terms of agenda setting and regulating the norms of international behaviour” (Jain/Pandey 2010: 204). While this does not necessarily indicate a positive view, they go on to state that while some Indian elites viewed the EU in negative terms in this regard, some viewed the EU as a leader in international politics.

Although the literature on external perceptions of the EU as an environmental actor paints a somewhat mixed picture, the prevailing view reported across a number of projects is of the EU as a credible environmental actor and, to some extent, as a “leader” with respect to climate change policy. These findings seem somewhat puzzling, given the widespread perception that the EU has often failed to achieve many of its desired outcomes in the negotiations on a future climate change regime. As discussed above, this is due to the fact that external perceptions are not necessarily very helpful in assessing the EU’s external influence. In the case of the EU’s purported international leadership role on climate change, a key point is that the global governance of climate change, and the rights and responsibilities of different states therein, has been framed in very different ways by the EU on the one hand, and by China and India on the other.

### 3.1 *The European Conception of Global Climate Governance*

The EU has conceptualised climate governance as an arena in which industrialised countries should “take the lead” in setting ambitious action for greenhouse gas reduction and implementing policies to achieve those targets, though historically the EU has been somewhat better at the first of these than the second.<sup>6</sup> However, this is done in the expectation that others would follow the EU’s example, not least because of the fact that even reducing EU emissions to zero would not, in the absence of action by the rest of the world, have any significant effect on mitigating climate change. For this reason, a core element of the EU conception of “leadership” on climate change is the expectation that other states would follow, though precisely which types of states should follow, and when, has varied over time. Since the earliest years of the climate negotiations, the EU has been engaged in an ongoing attempt to secure the meaningful participation of the United States in the climate change regime, with varying degrees of success.

With respect to the participation of developing countries, particularly those with relatively higher levels of aggregate emissions such as China and India, the position of the EU has always been that such countries should eventually be required to adopt binding emission limitation or reduction commitments, but should not initially be required to do so. In this respect, the EU position has stood in contrast to that of the United States, which has tended to demand “meaningful” participation of these countries over a shorter timeframe.

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<sup>6</sup> For a recent critical analysis of EU leadership in the climate change regime which discusses the gap between EU rhetoric and action, see Parker/Karlsson (2010).

The EU sought to bring up the question of developing country participation under a future climate change regime on a number of occasions in the international negotiations, including in 1994 and 2002, but this was always strongly resisted by China, India, and other developing countries.

However, from 2005 onwards the EU became increasingly concerned with the growth of emissions from large developing countries.<sup>7</sup> A communication from the European Commission in January 2005, which was endorsed by the March 2005 European Council meeting, flagged “broadening international participation”, including that of large developing countries, as a key EU goal for the forthcoming negotiations on a post-2012 climate regime (European Commission 2005). As climate change moved towards the top of the European policy agenda over subsequent years, the March 2007 European Council meeting set out the EU’s headline target for emission reduction for the period to 2020, as part of its contribution to the process of building a post-2012 regime. This consisted of an unconditional commitment by 2020 to reduce emissions by 20 percent relative to 1990 levels which would be raised to 30 percent in the context of a global agreement in which “other developed countries commit themselves to comparable emission reductions and economically more advanced developing countries to contributing adequately according to their responsibilities and respective capabilities” (European Council 2001: 12, emphasis added).

On the specific issue of developing countries’ emissions, the European Council highlighted the increasing share of global emissions from developing countries, and “the need for these countries to address the increase in these emissions by reducing the emission intensity of their economic development, in line with the general principle of common but differentiated responsibilities and respective capabilities” (European Council 2007: 13). At this stage, the EU did not specify what it would consider an “adequate” contribution by economically more advanced developing countries, but it was clear already that the EU expected countries such as China and India to follow the lead of the EU in the development of a post-2012 climate regime.

### 3.2 *Chinese and Indian Conceptions of Global Climate Governance*

China and India have, in contrast, conceptualized leadership on the issue of climate change differently to the EU, placing a strong emphasis on the responsibility of developed countries for the historical accumulation of greenhouse gas emissions in the atmosphere,<sup>8</sup> and the generally higher levels of per capita emissions in developed

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7 China overtook the United States as the world’s largest emitter in 2006, and the International Energy Agency has projected that, if governments maintain current policies, 56 percent of the total increase in global emissions from 2005 to 2030 will be accounted for by China and India (International Energy Agency (2007); and Vidal/Adam (2007)).

8 The United States alone accounts for 29.3 percent of cumulative global emissions over the period of 1850–2002, while the then EU25 account for 26.5 percent. Russia, Canada, Japan and Australia together account for a further 15.4 percent (Baumert et al. (2005: 32)).

countries relative to developing countries.<sup>9</sup> Focusing on the developed world's generally high levels of past emissions and current emissions per capita, China, India, and other developing countries have understood EU "leadership" (and that of other developed countries) as the fulfilment of a moral responsibility that requires developed countries to take the lead in reducing greenhouse gas emissions. Accordingly, this form of leadership entails little "followership" on the part of developing countries, at least in the short to medium term. Indeed, Gupta argues that developing countries signed and ratified the UNFCCC "because of the initial understanding that the climate change problem called for a restructuring of production and consumption processes, and because of the assumption that the ICs [industrial countries] would take serious measures to reduce their own emissions" (Gupta 1998: 182). In this regard, China and India emphasize a strict adherence to the principle of "common but differentiated responsibilities and respective capabilities" (CBDR) embodied in the text of the UNFCCC.<sup>10</sup> The first principle of the UNFCCC states:

*The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof* (Article 3.1, UNFCCC, emphasis added).

This is the foundation of both China's and India's conceptualization of EU leadership on climate change, and it is a principal which both countries have defended strongly in the UNFCCC negotiations. On this basis, they have argued that they should not be subject to binding limitations on their emissions levels in the short term. China and India have also historically defended the existing binary distinction between developed (Annex I) and developing (non-Annex I) countries enshrined in the UNFCCC and Kyoto Protocol, for the obvious reason that they would be considered by many to be the first candidates for "evolution" to Annex I status. While India has been somewhat more vigorous and vocal than China in defending a strict interpretation of the CBDR principle and the special rights of developing countries in the climate regime, there are very significant commonalities between their respective negotiating positions. This position was softened somewhat at the most recent UN climate conference in Durban in November–December 2011, at which all Parties agreed to commence negotiations on a future international agreement to contain commitments for all major emitters, including developing countries. While this represents a significant departure in principle from China's and India's historical opposition to binding targets for developing countries, what was agreed in Durban represents only an agreement to commence negotiations, and it remains to be seen what kind of commitments they are willing to accept under a future agreement. Moreover, equity and historical responsibility remain cornerstones of the negotiating positions of both countries.

<sup>9</sup> Per capita emissions for 2005 were 23.4 metric tons CO<sub>2</sub>e per person in the United States, 10.3 metric tons in the EU27, while the figures for China and India were 5.5 and 1.7 metric tons, respectively. However, some oil-producing developing countries have the highest per-capita emission levels in the world. Qatar, United Arab Emirates, Kuwait and Bahrain were four of the top five emitting countries on a per-capita basis in 2005 (World Resources Institute (2010)).

<sup>10</sup> The most comprehensive academic treatment of differentiation in international environmental law is Rajamani (2006). See also Okereke (2008) and Stone (2004).

In short, China and India on the one hand, and the EU on the other, have conceptualized global climate governance in strikingly different ways, with significant implications for whether and how China and India should respond to the EU's purported climate leadership. Thus, there is no necessary contradiction in the fact that while the EU is perceived as a "leader", it is unable to induce China and India to follow. This analysis of competing conceptions of climate governance provides a plausible explanation for the apparent puzzle of limited EU influence despite positive external perceptions as an environmental actor. In order to strengthen the argument further, the next section delves into more detail to show how, in a specific instance of UN climate negotiations, China and India in concert with other developing countries were able to use European claims to climate leadership as a means to constrain the EU negotiating position.

#### 4. Post-2012 Negotiations and the Future of the Kyoto Protocol

The negotiations around a post-2012 climate change regime, in particular the issue of the future of the Kyoto Protocol, provide a telling example of how the EU, China, and India have differed with respect to global climate governance and their conceptualization of the EU role therein. Not only have they differed, in fact, but China and India together with other developing countries have succeeded in framing the debate over the future of the Kyoto Protocol in terms of the EU's need to demonstrate leadership and, in doing so, have constrained the negotiating position of the EU. This section does not seek to claim that this aspect is the only or even necessarily the most important aspect of the ongoing negotiations, but it is an issue which has generated much publicity and tension.

Substantive negotiations for a global agreement on climate change for the period beyond 2012 were launched at COP-13 in Bali in December 2007.<sup>11</sup> COP-13 launched a negotiating process on a climate regime for the post-2012 period which was aimed at reaching agreement by the COP-15 in Copenhagen in December 2009. This process consisted of two parallel tracks of negotiation. The first of these was the "Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol" (AWG-KP), which was tasked with establishing targets under a second commitment period of the Kyoto Protocol for so-called "Annex I" countries, the group of countries with quantified emission targets under the Kyoto Protocol (i.e., developed countries excluding the United States). The second negotiating track was the "Ad Hoc Working Group on Long-term Cooperative Action" (AWG-LCA). This was tasked with considering future action by all parties, including the United States and developing countries. The mandate for the AWG-LCA, set out in the "Bali Action Plan" (BAP), identified four areas for negotiation: (i) mitigation; (ii) adaptation; (iii) technology; and (iv) finance (UNFCCC 2008). On the issue of mitigation—the focus of this section—the twin-track negotiating process distinguished between the mitigation activities to be negotiated for developed countries, described as "nationally appropriate mitigation commitments or action,

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<sup>11</sup> The relevance of the year 2012 lies in the fact that the "first commitment period" of the Kyoto Protocol, the only period during which any countries have quantified emissions reduction or limitation targets under the climate period, runs from 2008 to 2012, thus requiring a follow-up agreement for the period beyond 2012.

including quantified emission limitation and reduction objectives”, and the mitigation activities to be negotiated for developing countries, described as “nationally appropriate mitigation actions” (not commitments).<sup>12</sup>

What the precise institutional and legal relationship between these two negotiating tracks would be, and particularly how these two tracks were to be combined in a final agreement, was never made clear and was a cause of significant conflict as the negotiations proceeded. China and India in particular were very keen to maintain the binary distinction between Annex I (developed) and non-Annex I (developing) countries institutionalized in the UNFCCC and the Kyoto Protocol, for the obvious reason that they would be among the first developing countries to be proposed for “graduation” to Annex I status. For this reason, they sought to maintain the distinction between the AWG-LCA and AWG-KP negotiating tracks, and to push for a second commitment period under the Kyoto Protocol.

The EU, while acknowledging that developing countries should not be required to take the same actions as developed countries, nonetheless placed increasing emphasis on the need for developing countries with large aggregate emissions to adopt measures to limit their emissions within the framework of a post-2012 climate change regime. In October 2008, the Environment Council adopted the position that “[d]eveloping countries as a group, in particular the most advanced among them, would have to reduce their emissions by 15 to 30 % below business as usual, respecting the principle of common but differentiated responsibilities and respective capabilities”.<sup>13</sup> While the precise legal character of the respective commitments of developed and developing countries was not specified, the EU advocated a legally binding global agreement that would include commitments for all “major emitters”.

In what would prove a highly controversial move, the EU adopted the position that rather than having two parallel agreements—a continuation of the Kyoto Protocol with a second commitment period, and a separate agreement under the AWG-LCA track binding all other so-called “major emitters”—it would be preferable to have a “single legal instrument”. This would be an agreement incorporating the “essential elements” of the Kyoto Protocol—though what these elements were was not specified in detail—and would be legally and institutionally more straightforward, making the process of national ratification simpler. This preference was first articulated by EU negotiators at the Bangkok UNFCCC meeting in September–October 2009, two months before Copenhagen (Council of the European Union 2009c). During that negotiating session, EU negotiators sought to highlight that they wished to incorporate the successful elements of the Kyoto Protocol into a new global agreement, that they remained committed to the Protocol, and that the proposed arrangement did not mean that the Kyoto Protocol “will have to die” (IISD 2009).

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12 Furthermore, during the final plenary in Bali, India, supported by the G77, succeeded in adding text to the effect that developing countries’ actions must be “supported and enabled by technology, financing and capacity-building [provided by developed countries], in a measurable, reportable and verifiable manner”.

13 Alongside this, the EU proposed that industrialized countries should reduce their emissions by 25–40 percent below 1990 levels by 2020, and by 80–95 percent by the 2050 Council of the European Union (2008: 6).

The response from developing countries was swift and sharp. The EU preference for a single legal instrument was framed by developing countries as an attempt to destroy the Kyoto Protocol and the CBDR principle, therefore implying an abandonment of leadership by the EU. During a plenary session in Bangkok, China expressed “deep concerns” about this development, and accused some parties of trying to “undermine, challenge, and destroy the principle of common but differentiated responsibilities, that is the foundation for international cooperation on climate change” (Third World Network 2009c). Speaking to the media in Bangkok, the head of the Chinese delegation, Yu Qingtai, stated:

Everybody agreed in Bali that there should be a twin-track system and one of the tracks should be a discussion of the second commitment period. But now people are trying to take away the wheels on this track ... At the same time they are working to terminate the Kyoto Protocol before the second commitment period gets under way (Euractiv 2009b).

India took a similar position. At the closing plenary of the AWG-KP in Bangkok, the Indian negotiator described the position of developed countries in the following terms:

We see now clearly that the intention is to terminate the KP, a move that we have to caution would put the Bali Action Plan in jeopardy and exposes their lack of intention to solve climate change (Third World Network 2009b).

By repeatedly referring to the Bali Action Plan, the principles of the UNFCCC, and in particular the CBDR principle, China and India sought to tie the issue of a second commitment period rhetorically to the EU's leadership role, and to imply that the EU was trying to “kill” the Kyoto Protocol and was therefore abandoning that role. They did not act alone: many other developing countries made similar statements, and Sudan, representing the G77 and China at the time, stressed that calls for an end to the Kyoto Protocol were “completely unacceptable” to the G-77 and China, noting that under the UNFCCC and the Kyoto Protocol “we have all agreed that Annex I Parties must ‘take the lead’ in meeting their obligations to mitigate GHG emissions” (IISD 2009).

While all of these comments were directed at developed countries in general, it is clear that at this time they were directed in particular at the EU, since the EU's announcement of its preference for a single legal instrument became one of the main flashpoints of the Bangkok negotiating session, and also because the EU had played the role of “saving” the Kyoto Protocol following its rejection by the United States in 2001.

In the lead-up to and during the Copenhagen conference, the EU maintained its negotiating position regarding the legal form of the proposed agreement.<sup>14</sup> At the often chaotic Copenhagen conference, the future of the Kyoto Protocol remained a major point of contention. At a stocktaking plenary at the mid-point of the conference, the Swedish EU Presidency complained that “[t]he texts are not balanced when it comes to the requirements on different developed countries and sets out only a loose framework for the actions by developing countries.

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<sup>14</sup> The October 2009 meeting of the Environment Council, which set out in detail the EU negotiating position for Copenhagen, reaffirmed this position clearly. See Council of the European Union (2009a: 23).

On the one side there is a continued Kyoto Protocol and on the other side there are no legally binding requirements at all” (Council of the European Union 2009b). Speaking at the high-level segment of the conference a few days later, Swedish Environment Minister Andreas Carlgren on behalf of the EU reiterated the EU position:

We fought hard to rescue the Kyoto protocol. We will do much better than our Kyoto target. We want an agreement building on all essentials of the Kyoto protocol. However, the Protocol alone cover [sic] less than a third of global emissions and will not be enough to win the battle against climate change. We must strive for an agreement that is comprehensive, more ambitious, with broader participation and legally binding for all (Government of Sweden 2009).

Particularly noteworthy about this statement is the fact that Carlgren felt the need to justify the EU position by referencing the EU’s role in saving the Kyoto Protocol, thereby seeking to defend the EU’s leadership record in these terms.

Developing countries, meanwhile, maintained their strong opposition to the position of the EU and other developed countries. Early in the second week of the conference, the Africa Group, supported by China, India, and many other developing countries, refused to participate in other areas of the negotiations unless they were assured that there would be a second commitment period under the Kyoto Protocol. Negotiations resumed after the Danish head of the conference gave assurances that the Kyoto Protocol negotiations would be given priority in the sequencing of negotiations (Third World Network 2009a). Jairam Ramesh, Indian Minister for Environment and Forests, expressed similar concerns, arguing that many developed countries were “vehemently opposing” the Protocol: “The sense we get is that [the] Kyoto [Protocol] is in intensive care if not dead,” Ramesh told reporters (Euractiv 2009a). The Kyoto Protocol did not die in Copenhagen: both negotiating tracks were extended beyond the Copenhagen deadline, though there was no substantive agreement from either track, and the conference “took note” of “Copenhagen Accord”, the three-page agreement negotiated by heads of state in the final days of the conference, rather than formally adopting it (UNFCCC 2010).

In the months following Copenhagen, high-level representatives of both China and India continued to frame the EU’s negotiating position as an abandonment of leadership, and reiterated their expectation that the EU would agree to a second commitment period. Following a meeting with Commissioner for Climate Action Connie Hedegaard in Brussels in March 2010, China’s lead negotiator for climate change Su Wei stated: “The EU wants to maintain a leading role and it should maintain it ... But it should do so under the Bali roadmap”, a clear reference to the need for a second commitment period (Euractiv 2010b). The Indian ambassador to the EU made a similar case in an interview with the Euractiv website in February 2010:

*For India, and other developing countries, the Kyoto Protocol represents an international commitment on the part of developed countries to fulfill their historical responsibility ... Casually setting aside the Kyoto Protocol or replacing it with another instrument would not only lend credence to the suspicion that the developed countries wish to get away from their legally-binding commitments, it would also put a question mark on the credibility of any new legal obligation they might take under a new instrument (Euractiv 2010a).*



While the EU stuck resolutely to its position regarding the legal form of a post-2012 agreement during the Copenhagen conference, the reflection period that followed the conference in the first half of 2010 saw a change in the EU's position. This was led by the UK, which proposed at the end of March 2010 that the EU should be prepared to agree to a second commitment period under the Kyoto Protocol, provided that there would be a separate legal treaty covering all other countries (Vidal 2010). On this issue, the Commission's communication that was launched earlier in March entitled *International Climate Policy Post-Copenhagen* stated only that "[t]he Commission will assess the merits and drawbacks of alternative legal forms, including of a second commitment period under the Kyoto Protocol" (European Commission 2010: 6). However, a month later Commissioner for Climate Action, Connie Hedegaard, indicated a change in the EU position in line with the UK proposal, namely that the EU would be willing to agree to a second commitment period (Euractiv 2010c). It is significant that Hedegaard announced this change in position during a meeting with Indian Minister for Environment and Forests, Jairam Ramesh, in Delhi on 9 April 2010 (European External Action Service 2010).

In the following months, the EU negotiating position on a second commitment period was clarified and made more explicit. As expressed at the August 2010 session of the UNFCCC negotiations in Bonn and confirmed by the October meeting of the Environment Council, the EU preference is now for a single legal instrument incorporating the essential elements of the Kyoto Protocol, but the EU is willing "to consider a second commitment period under the Kyoto Protocol, as part of a wider outcome including the perspective of the global and comprehensive framework engaging all major economies" (Council of the European Union 2010). This has remained the essential core of the EU negotiating position, and represents a significant symbolic reversal of the EU's 2009 negotiating position.

At the UN climate change conference in Durban in November–December 2011, the EU agreed formally to a second commitment period. Of course, this was part of a broader deal, the other major element of which was the launching of negotiations within the framework of a new "Ad Hoc Working Group on the Durban Platform for Enhanced Action". These negotiations were tasked with establishing "a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties" (Decision 1/CP.1, in UNFCCC 2012). This represents a significant change in the longstanding principled objection of China, India, and other large developing countries to binding commitments for developing countries. However, the Durban outcome represents only a commencement of negotiations, and it will be several years before we know what kinds of commitments China and India are willing to accept, and under what conditions: negotiations are scheduled to be concluded by 2015, with the future agreement to enter into force by 2020. Meanwhile, the EU agreement to be bound by commitments under a second commitment period of the Kyoto Protocol will apply from the beginning of 2013.

The manner in which China, India, and other developing countries framed the negotiations on a second commitment period and the rhetorical pressure they exerted played a role in changing the EU's position. There is no clear alternative explanation for the EU's change of course. Indeed, other industrialised countries were moving in the opposite direction.

In December 2011, the Canadian government announced that it would withdraw from Kyoto, and at COP 18 in December 2012, Japan, New Zealand and the Russian Federation declined to participate in a second commitment period, thereby increasing the cost of participation for the EU (GLOBE International 2013; IISD 2012). Furthermore, although European interests in maintaining the institutional architecture – particularly in the realm of market mechanisms – were served by a continuation of the Kyoto Protocol, this could also have been achieved through alternative institutional arrangements not involving a second commitment period. In fact, as discussed above, the original EU position advocated retaining the “essential elements” of the Protocol in a different institutional form. Rather, the argumentative strategy employed by negotiators from China, India and other developing countries was at least partly responsible for the EU change of position.

This episode shows not only that external perceptions of the EU as a climate leader are not necessarily a useful indicator of EU influence, but furthermore that external perceptions of “leadership” can in fact be used rhetorically as a constraint on EU influence. Of course, this is not simply a story of the power of words and framing—it helped that the words were spoken by negotiators representing materially powerful states that matter a great deal to the future of the climate change regime. Furthermore, China and India certainly did not act alone in this process, but were nonetheless vocal and influential actors among the larger group of developing countries which were supported by many civil society organizations, including those from Europe.

## 5. Conclusion

The recent turn to focus on external perceptions in the literature on the EU as a global actor is to be welcomed. This research provides us with new insights and is helpful in de-centring the study of EU external relations. One—albeit not the only—aim of this research is to tell us something about the external influence of the EU. However, while perceptions of the EU by other actors can enable and constrain the ability of the EU to exert influence beyond its borders, the relationship between external perceptions and external influence is complex. Positive perceptions are a necessary but not sufficient condition for EU influence beyond its borders. This paper has sought to shed light on this topic by examining the seemingly puzzling case of the EU as an environmental actor: While the literature broadly reports positive external perceptions of the EU in this field, the EU has often failed to achieve its preferred outcomes with respect to international climate change negotiations.

Focusing on China and India, this paper argued that “leadership” in the climate regime means very different things to the EU on the one hand, and China and India on the other. For the EU it means ambitious targets and policies, which will be followed by other actors. For China and India, it means the EU and other industrialized countries will take action to reduce their emissions as a matter of historical responsibility, with no corresponding obligations for developing countries—at least in the short to medium term.

Furthermore, the current paper showed how China, India and other developing countries were able to use European claims to leadership as a way of constraining the EU's negotiating position, by accusing the EU of trying to "kill" the Protocol and thereby abdicating its leadership position. Indeed, this case illustrates that precisely the opposite relationship can exist between external perceptions and external influence: far from securing the "followership" of other significant actors, the EU's rhetoric of "leadership" with respect to international climate change policy in fact provided a rhetorical means by which other countries could resist attempts by the EU to secure their participation through new commitments.

This working paper does not seek to draw broad, generalisable conclusions from one case, particularly since China and India are hardly representative of the universe of states with which the EU interacts in world politics. Moreover, the field of environmental governance and particularly the characteristics of leadership and followership make extrapolating from this specific case difficult. However, the argument developed above calls attention to the need for further conceptual and empirical research to examine the relationship between external perceptions and external influence. This could involve further case study analysis examining the extent to which positive or negative external perceptions of the EU correlate with successful instances of EU external influence, and how and why the outcomes vary across cases. By doing so, we will be able to develop a richer understanding of the limitations but also the potential of the growing research on external perceptions of the EU.

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