

From Rio to Durban: EU Actorness within UNFCCC

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Abstract

This paper analyses the reasons for the fluctuations of EU actorness within the United Nations Framework Convention on Climate Change (UNFCCC), looking at four different Conferences of Parties (CoP): Rio, Kyoto, Copenhagen and Durban. It applies the concept of actorness established by Jupille and Caporaso who propose four criteria that need to be present to be an independent actor: recognition, authority, cohesion and autonomy. This study claims that EU actorness within UNFCCC improved slightly over time with decline in Copenhagen. However, one can still not call the EU an actor as powerful as a state. The main reason for this has been lacking autonomy from member states.

I. INTRODUCTION

“Given the nature and magnitude of the challenge, national action alone is insufficient (...). No region can insulate itself from these climate changes. That is why we need to confront climate change within a global framework, one that guarantees the highest level of international cooperation.”

Ban Ki-moon

Just as Ban Ki-moon expressed it in the quote above, it has become increasingly obvious within the last 40 years that environmental problems transcend national boundaries and can no longer be fought against by states alone. The theory of the greenhouse effect, the major cause of climate change, has been discovered already in the 1890's (McCormick, 2011, p. 280). Yet, the existence of climate change has been scientifically disputed for a long time. Nowadays few people deny it due to proven rising global temperature and an increasing amount of natural catastrophes. The extreme weather and melting of the polar ice caps in the beginning of the 21st century made climate change a topic of global public and political concern (Vogler, 2011, p. 356). Vogler and many more experts even argue that climate change has been the most important issue ever faced by humankind (p. 348).

If as noted above climate change cannot

be fought against by single states, then also a group of states like the EU is inefficient, because for a global problem global action is required. Therefore, during the Rio Summit of 1992, the United Nations Framework Convention on Climate Change (UNFCCC) was created to unite all countries for the fight against emissions. By now it is one of the most multi-faceted systems of international environmental governance. Albeit the EU's organizational problems and lacking coherence, it managed to acquire a leading role in the development of the climate change regime (Vogler, 2011, p. 349).

However, the EU leadership within UNFCCC has not been constant but went through many changes. It is especially interesting to investigate the changing role of the EU, since it is not a state but a union of countries, which can however be very powerful. This paper analyzes the reasons for the shifting EU actorness, looking at four different Conferences of Parties (CoP): Rio, Kyoto, Copenhagen and Durban. It applies the concept of actorness established by Jupille and Caporaso who propose four criteria that need to be present to be an independent actor: *recognition, authority, cohesion and autonomy*. This study claims that EU actorness within UNFCCC improved slightly over time with decline in Copenhagen. However, one can

still not call the EU an actor as powerful as a state. The main reason for this has been lacking autonomy from member states. However, this study bears limits as to the used theory and depth of analysis.

Firstly, this paper introduces the actorness theory of Jupille and Caporaso. Afterwards, the relationship between EU institutions and member states are elaborated upon. Secondly, EU actorness at the four above-mentioned conferences (Rio, Kyoto, Copenhagen and Durban) is discussed. Thirdly, the development of EU actorness over the years is lined out. Before the conclusion, limitations of the used theory are discussed.

II. THEORETICAL BACKGROUND

This chapter introduces the theory of actorness as well as the interaction and power-relations between the EU institutions and national governments in European politics. The notion of actorness matters, because it outlines the effectiveness of the EU in international relations. It may not directly cause effectiveness, but actorness is an important pre-condition for being active and successful in international relations.

I. The Concept of Actorness

Already in the 1960's the notion of actorness developed as a response to an increase of other actors than states in international relations. Sjöstedt (1977) defined actorness as "the ability to function actively and deliberately in relation to other actors in the international system" (p. 16). Over the years two main streams of actorness emerged. Bretherton and Vogler use three criteria: presence, opportunity and capability. However, these are known to be broad and problematic to measure empirically. That is why for this study the theory of Jupille and Caporaso (1998) is being used, who developed criteria for measuring the observable and continuously altering interactions of the EU in international relations.

The first criterion, *Recognition*, is the minimum condition needed to be present in the

global political sphere. Generally, it is about the "acceptance of and interaction with the entity by others" (p. 214). De jure, the EU is not automatically recognized, because it is not a state. Therefore, it needs formal membership in an international organization, which is often only reluctantly granted. De facto, however, as soon as a third party cooperates with the EU instead or on top of cooperating with one or more EU member states, one can say that the EU fulfills recognition. The more the EU collaborates with other states, the more it gets socialized and accepted thus creates its own identity (p. 215).

Authority, the second criterion, is the EU's "legal competence to act" (p. 214). This is built via member states that delegate authority to the EU institutions, mostly in form of treaties (p. 216). Naturally, the EU actorness is strongest when operating under exclusive competence (Pedro do Coutto, 2010, p. 98).

The third criterion, *Autonomy*, is traced by institutional distinctiveness and independence, especially from other actors like states. This independence is visible by unrestricted goal formation, own decision-making and autonomous implementation. However, it is difficult to guess the EU's autonomy, as there are many ways that member states can have influence, for example through the Council of Ministers or the working committees of the Commission. In the field of environmental negotiations, there are also many "negotiations-within-a-negotiation", because often no one has the sole competence for implementation (Jupille & Caporaso, 1998, p. 218). The next section explains more about it.

As last criterion, *Cohesion* describes "the degree to which an entity is able to formulate and articulate internally consistent policy preferences" (p. 214). Because the EU is more than a regime and less than a federation, an indicator for cohesion needs to be proper to this level. The EU is very complex, thus it can also act with changing degrees of cohesion. Horizontal conflicts between different member states or EU institutions as well as vertical conflicts between the EU institutions and member states

can threaten cohesion and if such clashes are present, the EU is less capable of acting (p. 219).

II. The Relationship between EU Institutions and Member States

This section gives a short overview of how EU institutions and member states interact, since this influences the EU's actorness and autonomy.

Member states have always played a very important role in EU politics. They not only represent their national aims in the European Council and Intergovernmental Conferences, but also in lower committee structures. Besides that, they are key actors for the implementation of all policies in their country. Over the time, EU treaties made Qualitative Majority Voting the major voting system, taking away some of the power of states. However, the most important decisions are taken unanimously by the Heads of States, making them very powerful. Nowadays, EU competences in different policy fields are exclusive, shared or supportive. Only with exclusive competence the EU has the right to act without the agreement of member states. There is an on-going debate whether EU integration leads to a more intergovernmental or more supranational union. The field of climate change is a shared competence, leading to an influential position of member states in all issues related (Nugent, 2010).

One sees that member states are of high importance for European politics and international negotiations. Thus, this paper takes into account this aspect while analysing the EU's actorness in the following chapters.

III. EU ACTORNESS AT UNFCCC CONFERENCES

This chapter analyses EU actorness at the four mentioned UNFCCC conferences. It does so by first summarizing the content of each conference and then applying one after another the four criteria of actorness.

I. The Beginning: The Earth Summit in Rio

The following section analyses the EU's performance as an actor at the Earth Summit, known as the first global summit about sustainable development.

The UN Conference on Environment and Development, also called Earth Summit, took place in 1992 in Rio de Janeiro. One of the important outcomes was the establishment of UNFCCC, entering into force in 1995 and marking the start of the international climate change regime (Vogler, 2011, p. 364). For the EU, it has been argued, is the presence in Rio a relevant case for investigating its function in global environmental negotiations (Jupille & Caporaso, 1998, p. 221). Therefore, this analysis starts with the EU's performance in Rio.

The EU outlined its strong opinion on achieving timetables and targets for emission reductions already before the start of the conference. It aimed at establishing credibility through leadership by example. Setting such high goals contributed to its recognition by others states and organisations (Vogler, 2011, pp. 361-364). Officially, the EU had the non-voting viewer status within the UN framework, but the EU started questioning this, since it received further competences in the field of climate change through the Single European Act (SEA) (Uldall Heidener, 2011, p. 7). During the preparatory meeting of the Rio conference it has been disputed, but in the end there was an agreement by the UN General Assembly that the EU receives full participatory status as a Regional Economic Integration Organisation (REIO), thus having the same rights as member states (Jupille & Caporaso, 1998, p. 222). This goes in line with the general assumption that the EU is more than an international organization, because it develops law that is directly binding for its member states (McCormick, 2011, p. 263).

A milestone for European authority in external relations was the ERTA (European Agreement on Road Transport) Case 22/70 in 1971. It laid foundation for the Commission's capabil-

ity to represent the whole EU in international environmental negotiations in fields where internal environmental policy competence was reached (Vogler, 2011, p. 353). However, even though ERTA supported EU's authority, shared competences for final decisions disrupted its actorness. Climate change, for example, is a field of shared competences and therefore requiring signatures of both the EU and its member states (Rhinard & Kaeding, 2006, p. 1204). Not only climate change was discussed in Rio, also topics, which vary from shared to exclusive competences were touched, such as development aid, biodiversity and forest resources, (Jupille & Caporaso, 1998, p. 221). In order to prevent chaos, the Council decided that in exclusive areas the Commission would represent and negotiate, whereas in mixed areas it is the Council Presidency (Sbragia, 1997, p. 28). However, this could not circumvent an ambiguous and vague behaviour in mixed areas of competence (Jupille & Caporaso, 1992, p. 222).

Concerning institutional distinctiveness, the EU was very present in Rio due to its big delegation, but the Commission President Jaques Delors could not enjoy the same acceptance as the US President. Additionally, important figures like Ken Collins, chairperson of European Parliament Environment Committee, and Environment Commissioner Carlo Ripa di Meana were not present, because of several frustrations with the conference beforehand. That is why all in all the institutional distinctiveness of the EU was weaker than it could have been (pp. 223-226). Also the independence was fragile, since mixed agreements needed to be established.

What contributed to cohesion was the Portuguese presidency's smooth cooperation with the Commission that was supported by the clear separation of tasks (Brinkhorst, 1994, p. 613). Before the conference, a UN General Assembly resolution asked for national reports. The EU handed in a common report produced by the Commission, showing consistency (Commission of the European Communities, 1992). This convincing and uniting

report was supported by several policies of member states about the reduction of greenhouse gas emissions and also had a strong impact on the powerful position of the Commission during the conference (Mc Cormick, 2011, p. 281). However, there were horizontal disagreements between EU Member States, for example whether a carbon tax should be part of the UN framework or not. Other difficulties hindering higher policy goals were concerns about loss of sovereignty, the disagreement of powerful industries, struggle to fairly allocate emission-abatement among member states and the disappointment about countries like the US. Consequently some member states also created their own national plans (pp. 283-284).

At the Earth Summit one could observe a certain degree of actorness of the EU. All factors were present, but in very diverging degrees due to control of member states (Uldall Heidener, 2011, p. 10). Nonetheless, for the fact that it was the first big meeting in this political field, the EU showed a strong presence and a well-prepared action. The following section shows how EU actorness developed in Kyoto five years later.

II. Kyoto - on the Way to a Binding Agreement

This section analyses the actions of the EU at the third Conference of the Parties (CoP) in Kyoto from the perspective of the EU's actorness.

The CoP3 in Kyoto in 1997 managed to produce a binding protocol and marked a qualitative shift from emission stabilisation to emission reduction. The EU's initial proposal of a cut by 15% of all developed countries was blocked by states that export oil, but it achieved a deal on targets and timetables among the developed countries: 7% the US, 6% Japan and 8% EU countries. An agreement could be reached that "using the baseline of 1990, a set of differentiated emissions targets would be achieved by the first commitment period, 2008-2012" (Vogler, 2011, p. 366). First opposing it, the EU finally accepted the flexibility mechanism proposed by the US. The ratification endured

seven years and the Kyoto Protocol entered into force in 2007. By then it was proven that even if the Kyoto targets were met, this would not significantly help to fight climate change (ibid.).

The *de jure* recognition of the EU was proven in 1992 with the adoption of the UNFCCC, when it became an official member as a REIO. Therefore, since Rio, *de jure* recognition did not change (Vogler, 2002, p. 5). *De facto* recognition was present, because big nations like the US or Japan interacted with the EU just as with other states. In Kyoto, for the first time in history of UNFCCC, the final negotiations were held between the US, Japan and the EU (Mühleck, 2010, p.14). Also article 4 of the Kyoto Protocol "allowed the EU and its member states to meet their targets jointly through a different commitment among the member states" (McCormick, 2011, p. 288). This bold statement is a clear sign of recognition.

Formal authority did not alter since Rio (Uldall Heidener, 2011, p. 11). The Maastricht Treaty increased provisions of the Single European Act (SEA) by mentioning sustainable development, introducing majority voting in this area and establishing the European Environmental Agency. All this strengthened the EU's focus on environmental issues as such, but did not influence the EU's authority to bargain within the UNFCCC (Mühleck, 2010, p. 12). One major change from Rio to Kyoto was that Kyoto dealt exclusively with climate change, an area of shared competence, which resulted in member states refusing to give the Commission a negotiation mandate (Groenleer & Van Schaik, 2007, p. 985). This had a big influence on the negotiating power of the EU. In addition, constantly changing Council Presidencies hampered the development of a long-term strategy and stability (Lacasta, Dessai & Powroslo, 2002, p. 370). Contrary, high-level advice of the European Commission to the Presidency proved that the EU enjoyed at least informal authority (Uldall Heidener, 2011, p. 12).

Regarding institutional distinctiveness, the EU had a small delegation lacking the Commission President and Head of State of Lux-

embourg holding the Presidency, but the Commissioner for Environment and Environment Minister of Luxembourg were on spot. This caused weak autonomy of the EU (p. 14). There were several problems of independence of the EU: Since the Council Presidency represented the EU, the member states wanted to have as much control as possible. Besides that, it took hours of negotiations to build a new mandate. Such long discussions caused delayed decision-making and lost time in daily coordinating meetings (Mühleck, 2010, pp. 12-13).

It was the EU's aim to have a common agreement ready prior to Kyoto in order to strengthen its cohesion (Oberthür, 2006, p. 68). Therefore, preparing for Kyoto, the Environment Council Meeting in March 1997 considered a 15% reduction of CO2 emission using 1990 as a base. This meeting decided on the "burden sharing agreement", which sets out different reduction targets for different states (McCormick, 2011, p.284). This agreement also made the EU to the major leader in Kyoto showing tactical cohesion (Oberthür, 2006, p. 68). Also horizontal cohesion was present, since member states increasingly followed the common voice of the Council (Uldall Heidener, 2011, p. 14). This in turn led to a decline in negotiating parties, gave more power to the EU and made it possible to achieve concessions from Japan and the US and supported strong outcomes in Kyoto (Oberthür, 2006, p. 69).

The actorness of the EU in Kyoto was stronger than in Rio, though still not entirely developed. The European Union could develop its external representation through strong recognition, authority and cohesion. Only the autonomy was weak due to a small delegation and independence problems. The next chapter shows how the EU behaved as an actor during the Copenhagen conference in 2009.

III. Copenhagen - the Decline of EU Actorness

This section focuses on the famous CoP15 in Copenhagen and analyses the behaviour and internal relations of the EU.

Copenhagen 2009 was the UNFCCC conference towards which most expectations existed. The election of Barack Obama, who promised to take climate change seriously, gave hope to a successful summit. The objective of Copenhagen was to develop a "comprehensive, ambitious, fair, science-based and legally binding global treaty" (Vogler, 2011, p. 370). Beforehand, the EU supported its leading role by proposing a unilateral offer of 20% emission reduction by 2020, increasing up to 30% if other developed countries joined. On top of that, the EU promised a funding of EUR 7,2 billion for achieving the targets of less developed countries. In contrast to these promising expectations, the slow progress of the UN working groups already showed that these goals would be hard to achieve. In the end, Copenhagen was a big disenchantment for the EU. The so-called 'Copenhagen accord' was not legally binding and only noted instead of adopted. It also did not include any binding emission targets and no agreement on replacing Kyoto (pp. 370-371).

The formal recognition in Copenhagen was just as before - the REIO membership of the UNFCCC (Uldall Heidener, 2011, p. 16). However, one major difference was the presence of the European heads of states during the final decision-making. This particularly influenced the informal recognition of the EU. On the lower levels of negotiation, the EU was highly accepted. Commission officials observed that the EU was seen as a strong and competent negotiator that was approached as a whole instead of the member states. Additionally, NGOs recognized the EU as one actor during formal and informal meetings. However, once the final decision-making came closer and heads of states entered the field, this recognition decreased (p. 17). One main reason for this shift was the isolation of leaders from the

UK, France and Germany, who often spoke for themselves. Therefore, also the Swedish Prime Minister, at that time leading the Council Presidency, lost the position to represent the EU, since he was often left out (Groen & Niemann, 2010, p. 13). Not even the attendance of Commission President Barroso changed the situation (Uldall Heidener, 2011, p.18). In a leaking audio report it was proven that the three leaders negotiated for the EU during a highly important informal meeting ("Kopenhagen Protokolle", 2010).

The entry into force of the Lisbon Treaty, which stated climate change as one of the priorities of the EU and created the new DG CLIMA (DG Climate Action) and a separate DG Energy, gave hope to increased EU authority (Vogler, 2011, p. 372). However, the formal authority was restrained just as in Kyoto, since the Council Presidency had the mandate to speak instead of the Commission (Lacasta et al., 2002, p. 368). Generally, the Commission improved its standing from Kyoto to Copenhagen, because it was added to the Troika in 2001 (Uldall Heidener, 2011, p. 18). The Irish Presidency in 2004 introduced issue leaders and lead negotiators which consist of member state and Commission officials representing the EU on behalf of the Council Presidency. Informally, those leaders managed to become leading negotiators during the conference (Oberthür & Roche Kelly, 2008, p. 38). On the other hand, the same problem with the heads of state existed as for recognition: Sarkozy, Merkel and Blair were taking over the authority role from the Troika ("Kopenhagen Protokolle", 2010).

With regards to institutional distinctiveness of the EU during CoP15, the Commission had a comparatively good representation with many experts who were also leading some negotiations (Uldall Heidener, 2011, p. 21). In practice, the EU representatives could only hold very reserved and supported negotiations, because cohesion disparities between member states lead a fragile independence of the EU institutions from its member states (p. 30). This lacking autonomy contributed to the failure of the EU to adopt its preliminary stratagem.

Also, the fact that the US, China, India, Brazil and South Africa lead the negotiations of the Copenhagen Accord, with only very small influence of the EU, underlines the EU's lacking autonomy to keep its leadership position (Uldall Heidener, 2011, p. 23).

As mentioned above, missing cohesion played a role of upmost importance for the EU's actorness in Copenhagen. The 2007 enlargement made coherence and quick action more difficult, since the Union was "capable of moving only at the speed of the slowest member state" (Vogler, 2011, p. 353). Merkel, Brown and Sarkozy speaking in their own national opinion ruined the EU's cohesion (p. 372). Before the conference there was horizontal cohesion between the member states with the common goal of a determined climate agreement that would replace Kyoto in 2012 and safeguard the EU's leadership (Groen & Niemann, 2010, p. 10). Unfortunately, this was only on the surface overshadowing internal disputes about the outcome (Vogler, 2011, p. 371). Since new member states were anxious to be obliged to spend more than they can, further controversial topics were forestry and climate funding for developing nations. As a result, the EU mandate was not strong and lacking a clear financing agreement (Groen & Niemann, 2010, p. 12). Also vertical cohesion was problematic. Member states like Poland and Estonia were clearly against binding reduction targets, since coal is their main energy supply, whereas the Commission was a leading advocate of it ("Negotiators at Climate Talks", 2009).

In conclusion, the actorness of the EU in Copenhagen was weak in comparison to prior conferences. Whilst at Kyoto European states were eager on referring powers to the EU, the contrast was happening in Copenhagen. The lacking cohesion had an unfavourable effect on autonomy and overall a strong negative impact on actorness. Even the fact that for the first time in UNFCCC history heads of state were present, did not help to strengthen the outcome, but worsened it. The following chapter informs about the latest UNFCCC conference

in Durban in the end of 2011 and the changes in EU actorness it brought about.

IV. Durban - Roadmap to full EU Actorness and a Better Future?

This section introduces the latest CoP17 in Durban, which is known for its success. It will be discussed how far the EU's actorness was present in this conference.

After the disappointment of Copenhagen and a promising CoP in Cancún in 2010, the CoP17 in Durban in December 2011 was hoped to find a follow-up mechanism once Kyoto would expire in 2012. Durban was named a success due to the establishment of the Durban Platform for Enhanced Action, suggested by the EU, outlining a legal framework that requires climate combat by all parties until 2015. This was historic, since for the first time an agreement was worked on that. Furthermore, it decided on a second commitment period of the Kyoto Protocol, to fill the gap until 2015, and put into operation the Green Climate Fund for developing nations ("Durban Conference", 2011).

The EU, after many years of being one of the main negotiators during UNFCCC negotiations, has been fully recognized as an actor in Durban. The International Institute for Sustainable Development (IISD), one of the major reporting NGOs reporting on international climate negotiations, always refers in their earth bulletin to the EU and never to single Member States of the Union. This shows that they recognized them as an independent actor and also acknowledged their one voice ("Durban Highlights December 3", 2011). Furthermore, the EU was recognized as a good ally by the African Group, Alliance of Small Island States (AOSIS), and Least Developed Countries (LDC) during the final negotiations (Schwägerl, 2011).

Legally and concerning the EU's authority nothing has altered since Copenhagen, since no change in EU treaty took place and also the status of the EU at UNFCCC negotiations stayed the same. Thus, the EU in form of the Polish EU Presidency had the mandate to speak on be-

half of all member states. It was observable that the EU acted as an autonomous player. The EU spoke with one voice and together with Cyprus made a very important amendment to Annex I, including Cyprus in it (Framework Convention on Climate Change, 2012). During the final days of the conference, both the EU Commissioner for Climate Action Connie Hedegaard as well as the Polish Minister of Environment, Marcin Korolec, spoke on behalf of the EU confirming their view that a roadmap leading to a globally binding agreement was needed ("Durban Highlights December 6", 2011).

In the EU negotiations leading to Durban, there have been some internal divisions between member states caused by the financial crisis and different priorities single states had. There have been those being in favor of very high emission targets (30%) due to establishing future technologies, establishing local jobs and global reputation for the EU (e.g. UK, Germany, Denmark) whereas especially Poland holding the Presidency supported lower targets to prevent high costs for industry and consumers (Netzer & Gouverneur, 2011, p. 17). However, those differences did not hinder the EU to put forward a common standpoint before the CoP 17 in Durban started: The EU strongly believed that an ambitious, comprehensive and legally binding global climate change treaty which engages all major economies is needed ("Climate change", 2011). They proposed a roadmap stating that until 2015 binding targets would be achieved which then come into force by 2020. This proposal in the end turned into the main outcome of the conference. On top of that, during the opening speeches, Germany, Belgium, France and many more countries stated their association with the EU's position. This is a clear sign for goal cohesion. In the final part of the conference, according to IISD, the EU kept to their initial goal of the roadmap and confirmed again strong cohesion ("Durban Highlights December 5", 2011).

To sum up, even though there have been some internal conflicts before the conference, the EU has shown developed actorness during CoP17 in Durban. All four criteria were ful-

filled and the EU showed a strong leading presence during these climate negotiations. Polish Environment Minister Marcin Korolec put the outcomes into fitting words: "That is a significant success of the Polish presidency of the EU Council together with the European Commission, the European Union and the global community as a whole" ("EU Council Conclusions", 2012).

IV. DEVELOPMENT OF EU ACTORNESS

The upcoming lines develop a hypothesis on patterns of EU actorness that advanced between 1992 and 2011 at those four investigated UNFCCC conferences. Looking at the four assemblies and changes in actorness, one sees that the EU actorness generally improved over time, interrupted by an intermezzo in Copenhagen.

As the prior analysis has shown, there is no conference where all criteria of actorness have been entirely fulfilled. Even though Durban came very close, there were internal differences between member states that during preparations hindered unity (Netzer & Gouverneur, 2011, p. 17). This shows that even though the EU had full participatory status at UNFCCC conferences, it still could not reach the same actorness that states have. However, over time it came closer to being an actor and only the conference in Copenhagen interrupted this positive development. This tendency can be connected to the deepening of European economic and political integration over the last 20 years, with treaty changes favoring EU actorness and intensifying the one European voice.

The first criterion recognition did not alter much over time. Since the EU received the status of a Regional Economic Integration Organization (REIO) and thus full participatory status already before the Earth Summit in Rio in 1992, the EU has been positively recognized from the beginning of UNFCCC (Jupille & Caporaso, 1998, p. 222). In the upcoming decades this status did not change and the EU was accepted as a valuable negotiating partner. Only in Copenhagen did the presence of European

heads of states weaken its recognition, since the EU lost its common standing and started to be increasingly fragmented (Uldall Heidener, 2011, p.18). Connected to the developments mentioned above, also the authority of the European Union stayed over the four conferences mostly constant, with a slightly positive development. With the ERTA case in 1971 the EU gained legal power to represent its member states externally where internal competences were reached. However, at this point themes discussed were mainly shared competences (e.g. climate), which caused a vague behaviour due to divided abilities. Treaty changes of Maastricht and Lisbon put climate change as a topic more strongly on the agenda, but the lack of negotiating power because of missing mandates and shared competences overshadowed the positive treaty changes (Mühleck, 2010, p. 12). In Durban the Presidency had the mandate to talk on behalf of the EU, which led to positive authority at this conference. Hence, positive and negative features constantly marked the progress of the EU's authority.

The weakest criterion of EU's actorness has been its autonomy. Throughout UNFCCC history the EU suffered from not being a state and being highly dependent on its member states. Additionally, the size and composition of the delegation had a high impact on the autonomy, since it changed the power relations between institutions and people. When the Presidency was well represented, it automatically gained momentum, the same for Commission or Heads of States. Due to powerful Presidencies and Heads of States in Copenhagen was the EU's (Commission's) autonomy persistently weak, whereas Durban showed one autonomous player with a common goal and voice (Groen & Niemann, 2010, p.29).

The EU's cohesion fluctuated immensely over time, which in turn influenced the actorness as such. In Rio cohesion was mixed, since there were positive common goals and smooth cooperation between the Commission and Portuguese Presidency, while horizontal disagreements between member states about details existed (Brinkhorst, 1994, p.613). With the "bur-

den sharing agreement" presented in Kyoto, the EU showed strong consistency, which made it to one of the major leaders of this conference (Oberthür, 2006, p.68). The EU Eastern enlargement in 2007 however influenced negatively European unity, since they could only move as fast as the 'slowest' member state, which also caused many horizontal and vertical conflicts ("Negotiators at Climate Talks", 2009). Two years later in Durban the EU could overcome prior internal divisions and achieved its proposed road map by sharing the same aim and goal. Hence, the member states interests had a strong influence on the EU's cohesion.

To sum up, this study has shown that EU actorness at UNFCCC conferences improved over time, but only slowly and with many fluctuations. Table 1 serves as a visual summary of this research. One can observe the strong influence member states have on this development. Following, the willingness of member states to transfer rights and power to the EU is the main condition for achieving actorness within UNFCCC.

V. LIMITATIONS OF THIS STUDY

Based on this research, not all arguments can be included into the theory of actorness by Jupille and Caporaso. The authors themselves claim that the assessment of the EU's role in global politics creates many pragmatic challenges, due to problems of definition, changing interests of Member states and quick transformations in world affairs (Jupille & Caporaso, 1998, p.213). Even though one can find patterns fitting into this theory, one should not forget the importance of influence the different criteria have on each other. Additionally, it is challenging to decide which criterion is of which importance. The used theory is a good framework for a short study like this, but for having a deeper analysis of this topic, one should develop or set new measurements. On top of that, to have a complete study, one would need to go more into the internal level of member states and EU institutions, which was out of the scope of this study. Generally, it

is complex to analyze behavior from the outside without knowing from first hand internal developments. Therefore further research on this topic would be appropriate.

VI. CONCLUSION

This paper has shown that the EU's actorness at UNFCCC conferences has improved slightly over time, but was constantly dependent on the member states' willingness to transfer powers to the EU and to support a shared vision and goal. Therefore it supports the claim, that the EU can only be an actor on its own, if member states support the EU on this way by cooperating instead of following their own path. This strong member state's influence has been visible throughout the four investigated UNFCCC conferences.

As this analysis has demonstrated, the four criteria used in the theoretical framework of Jupille and Caporaso developed into different directions between the Earth Summit in Rio in 1992 and the latest UNFCCC CoP17 in Durban. Recognition stayed nearly constantly positive, since the granting of full participatory status to the EU as a Regional Economic Integration Organization (REIO) in 1992 laid the legal recognition basis that did not alter over

the years. Only in Copenhagen recognition decreased due to the presence of heads of states who took over the leadership from the EU. Also the EU's authority stayed persistently mediocre and only improved in Durban. Shared competences as well as missing mandates explain such average authority of the EU. The autonomy was the weakest criterion throughout the conferences, supporting the claim that the often missing institutional distinctiveness of the EU and active control by member states were major reasons for the EU's fragile actorness. From Rio to Copenhagen the autonomy was very fragile, but Durban proved the opposite. The cohesion of the EU was highly fluctuating, since cooperation between different Presidencies and the Commission altered and also the EU enlargement brought additional burdens to the one European voice. Copenhagen showed most cohesion difficulties, due to the Eastern enlargement and a lacking common goal.

To sum up, the general increase of EU actorness within UNFCCC conferences is a positive development that also went hand in hand with further economic and political integration. It remains to be seen whether current developments and the Eurozone crisis will lead to further integration or disintegration and how this in turn will influence the EU's actorness in international negotiations.

	Rio	Kyoto	Copenhagen	Durban
Recognition	+	+	≈	+
	- high goals - EIRO status	- strong cooperation with US & Japan - EIRO status	- isolation of heads of states - acceptance on lower level	- experience - cooperation with African Group, AOSIS & LDC
Authority	≈	≈	≈	+
	- ERTA 1971 - vague behaviour in mixed areas of competence	- Maastricht increased SEA provisions - informal authority	- Lisbon: climate becomes priority - no Commission mandate - heads of states prevailed	- no legal changes after Copenhagen - Presidency had mandate to talk
Autonomy	-	-	-	+
	- big EU delegation - Jaques Delors not much accepted - weak autonomy	- small EU delegation - control of member states via Presidency - delay in decision-making	- good Commission representation - reserved negotiations due to cohesion discrepancies - lacking autonomy lead to failure	- one voice - one autonomous player - one shared goal
Cohesion	≈	+	-	≈
	- smooth cooperation between Commission & Presidency - common EU report - horizontal dis- agreements between member states - national plans	- EU leader through “burden sharing agreement” - horizontal cohesion between member states - one voice with increasing power	- 2007 enlargement made high goals difficult - internal horizontal and vertical disputes - no strong common goal and outcome	- prior internal divisions could be overcome - in Durban: one aim and goal - EU’s roadmap was proposed and achieved

Key: + (positive); - (negative); ≈ (mediocre)

Figure 1: *Development EU Actorness at UNFCCC Conferences*

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