

“Once more unto the breach, dear friends, once more”*

A CALL FOR EUROPE TO DEMONSTRATE RENEWED LEADERSHIP IN THE INTERNATIONAL CLIMATE CHANGE REGIME

Strategy Note[†]

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* William Shakespeare, *Henry V* (Act III, Scene I). Opening line of the address to his troops at the battle of Agincourt (25 October 1415) by Henry V, an English King who was fighting to be part of Europe.

[†] The views expressed in this Note do not necessarily reflect the views of the affiliated institutions of the authors. The authors would like to acknowledge gratefully comments received from a number of reviewers under the Chatham House Rule (which is why we are not listing them individually here, nor in quotations from their comments).

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SUMMARY FOR POLICYMAKERS

The surprise election of avowed climate sceptic Donald J. Trump as the 45th President of the United States that took place during the recent [Marrakech climate conference](#), not surprisingly led some commentators to highlight parallels with the situation in 2001 ([‘Is US climate policy history repeating itself?’](#)^{*}), when President George W. Bush repudiated the Kyoto Protocol – and not merely because [Marrakech was also hosting the Conference of the Parties](#) (‘COP’) of the [United Nations Framework Convention on Climate Change](#) (‘Convention’).

This Strategy Note looks at the situation in 2001 – when the EU took the initiative to save the Kyoto Protocol – and the situation now, with a view to assessing the need for, and chances of, invigorated EU leadership in the international effort to combat climate change under the 2015 [Paris Agreement](#).

At the end of January, the *New York Times* reported from the annual meeting of the World Economic Forum in Davos that “[As U.S. Cedes Leadership on Climate, Others Step Up at Davos](#)” [35], but while China, India, and global business were singled out for mention,¹ nothing was said of the EU. Of course, there are commentators that have listed the EU as a candidate for global climate change leadership, particularly in the context of the vacancy left by the US in the ‘Group of 2’ (G2) with China, but it is apparently not self-evident that this will happen.

In the first part of this Note, Ambassador Bo Kjellen, who in 2001 was heading the climate change negotiating team of the Swedish EU Presidency, gives a first-hand account of what happened in the first six months of that turbulent year. In the second part, both authors examine the status quo in comparison to what happened in 2001, focusing on three main protagonists: the US, China, and the EU.

The authors argue that, for a number of reasons, the international situation in 2001 made it more difficult to assume climate leadership than today. For one, the Paris Agreement is not only in force, but of a much more ‘nationally determined’ nature than was the Kyoto Protocol. Thus, any Party can show leadership through adopting ambitious climate targets without having to have these targets approved internationally.

Also, following the repudiation of the Kyoto Protocol, the Bush administration did try to set up an alternative international regime, beginning with the Asia Pacific Partnership, while President Trump just “formally abandoned the ambitious, 12-nation Trans-Pacific Partnership [...] and declared an end to the era of multinational trade agreements.” [38] So while the new administration is likely to spell disaster for the US ‘nationally determined contribution’ (NDC, i.e. its target under the Paris Agreement), the international climate change negotiations could well be overshadowed by other more pressing problems in the Trump administration’s international agenda of isolating the country by building metaphorical and literal walls around it (“Trump signs order to begin Mexico border wall in immigration crackdown” [40]).

As concerns China, there is an overwhelming consensus that it has stepped centre stage in the global fight against climate change [39]. In 2001, this would have been unthinkable because of the demand by developing countries, enshrined in the Convention (Art. 3.1), that *developed* countries should take the lead in combating climate change. Given the statements made by the Chinese leadership in the aftermath of the recent US elections, it is also clear that China is willing to continue playing a leading role, both in its domestic actions and in the international climate negotiations [35]. But, the authors argue, the loss of the developed country partner in the ‘G2’ has put China, as a developing country, in a difficult

^{*} See [7] in the appended Reference List.

position because of the requirement for leadership from the developed world. In order to get the maximum ambition out of the Paris Agreement, there needs to be a suitable developed country partner to take up the role of the US in the G2.

This, the authors argue, is where the EU can and must enter into the picture: to help provide the geopolitically balanced leadership which the Paris Agreement requires, if not to survive, then in order to be ambitious and effective. They propose two related measures that would be conducive to that end.

For the new G2 partnership to be as ambitious and effective as possible, the authors suggest that it should be based on ‘strategic collaborations’, by which they mean collaborative actions that involve some concrete quantified targets to be achieved under the collaboration, be it in terms of reducing (utility) emissions or through the linking of emissions trading schemes. The idea is that, while not part of the Paris Agreement architecture, this will give the collaboration the quantitative objective that is often needed to ensure success, not least by focusing minds on promulgating enabling rules and regulations.

In light of the complexity of competencies in the EU, they also suggest that for collaborations in areas with mixed or sole Member State competence, the presence of a high-level EU ‘Special Envoy for Strategic Climate Change Collaboration’ could be helpful – not only in matters of internal coordination, but as designated interlocutor managing the external relations of the collaborations.

Strategic collaborations thus facilitated should help the EU to demonstrate renewed leadership, in particular (but not only) to partner with China in an ambitious and effective new G2.

The changing face of the ‘G2’?



2014



2017

Photo credits: US Embassy, The Hague; European External Action Service

PART I. 2001 ('THEN'): THE EU TAKES THE LEAD

From the beginning of the climate negotiations in 1991 the European Union has taken a leadership role, sometimes together with, or sometimes in competition with, the US. In this part of the Strategy Note, Ambassador Kjellen gives an eyewitness account of what happened in the negotiations following the US withdrawal from the Kyoto Protocol in 2001. He reports in particular how the EU at that time managed to have a decisive influence in that critical situation, in order to stimulate thinking about what the EU could and should do today.

During the first semester of 2001, Sweden was President of the European Union, for the first time since our entry in 1995. We were preceded by France and succeeded by Belgium in the Presidency. At the time the 'troika' of the sitting and following Presidency, plus the Commission, played an active role.

When we took over on 1 January 2001 we had, as one of our priorities, to keep the EU together; in previous years there had been some difficulties. It turned out satisfactorily and our Presidency was quite harmonious. Sweden's Prime Minister at the time was Göran Persson, and Kjell Larsson was Minister of Environment and responsible for the climate negotiations. It was a social democratic Government. As Chief Negotiator of the Ministry I had participated in the negotiations from the beginning in 1991.

George W. Bush had won a hotly contested election in 2000. We realized that he was opposed to the Kyoto Protocol but we were, of course, unaware of what action he was going to take. However, we were struck by the tough language he used in the letter to a number of Republican members of Congress in March, 2001, where he announced that the US would not ratify the Protocol. Furthermore, at an EU lunch at the residence of the Swedish Ambassador a few days later, the Security Adviser Condoleezza Rice stated repeatedly that "the Kyoto Protocol was dead on the arrival of this administration". In Stockholm, our conclusion was that the climate hardliners had taken over in Washington, and that there was a risk that the whole Protocol could collapse if a number of countries believed that the Protocol would not be a viable way forward.

Rapid contacts with other EU countries at a high political level showed that the EU could arrive at a unified position in stating that the Kyoto Protocol was not dead, that the EU countries and the Union intended to ratify, and that we would encourage other states to ratify. The Swedish Prime Minister raised the issue at an EU summit meeting, and in the beginning of April an informal meeting of EU Environment Ministers agreed on a detailed position to defend the Kyoto Protocol.

Three days later, Environment Minister Kjell Larsson led an EU delegation to Washington for talks with representatives of the new US administration; these included the Head of the EPA, Christine Whitman. The composition of the EU group underlined the importance attached to the Kyoto issue: the Swedish Minister was accompanied by Belgian Environment Minister Olivier Deleuze, the EU Environment Commissioner Margot Wallström (today Foreign Minister of Sweden), as well as a number of high officials. There was no meeting of minds with the US administration, but the talks and the well-attended press conferences helped to underline both the resolve and the capacity of the EU to continue to support the Kyoto Protocol. The Group also had separate talks with Democratic Senators Biden, Kerry, and Lieberman.

The visit also showed that the Bush administration had no alternative proposals; the EU constantly underlined the fact that the Kyoto Protocol was 'the only show in town' and that the collapse of the Protocol would undermine the Convention itself.

Kjell Larsson and the troika now opted for a rapid travel diplomacy, involving Moscow, Teheran, Beijing, and Tokyo in a little more than a week. Canada and Australia were also visited by High-level

EU representatives. Furthermore, Kjell Larsson paid special attention to contacts with his Iranian colleague, Mme Ebthakar, who chaired the Group of 77 in 2001, and she made a special visit to Sweden.

All this activity served to underline the firmness of the EU's uncompromising position on the Kyoto Protocol. On this basis, the last months of Sweden's EU Presidency also saw efforts to avoid active negative action by the US in the continuing climate negotiations later in the year. Therefore we aimed at negotiations with the United States in the spirit of 'agree to disagree'. First contacts were made in connection with the OECD Ministerial Meeting in Paris in May, when a draft text was negotiated. This became the point of departure for negotiations during the EU/US Summit in Göteborg, Sweden in early June, 2001. Following very long and difficult talks, agreement was reached on a text which simply stated the positions of the two parties and established an EU/US high-level working group on climate. Not surprisingly, this group never became fully operational, but the Göteborg text effectively took the drama out of the EU/US controversy. The US did not try to wreck coming negotiations, but for a long time remained quite passive in successive COPs.

This final outcome also helped to underline the role of the EU as both a leader and a driving force on climate change. Furthermore, it meant that the climate issue became a central part of the EU foreign policy profile. As proceedings at the resumed COP 6 in Bonn in July 2001 and COP 7 in Marrakech in the late autumn managed to make the Kyoto Protocol 'ratifiable', the action in 2001 finally paved the way for the entry into force of the KP in late 2004.

Sadly, Kjell Larsson did not live to continue the climate negotiations, since he died of cancer in late 2002. His sense of politics and his driving personality were at the heart of the Swedish role in building a platform for saving the Kyoto Protocol in 2001. It was a major effort by a united Europe, and a quite unique example of Sweden taking the initiative in positioning the EU as a world leader in a critical situation.

PART II. ‘NOW’

Fast-forward 15 years to another UN climate conference hosted by the historic capital of what used to be known as the ‘Kingdom of Marrakech’: COP 22 (7 to 18 November 2016), with the final three days also being used for the inaugural session of the ‘Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement’ (CMA 1). There was an initial sense of euphoria about the Paris Agreement having entered into force in record time, but a damper was put on the mood of many participants on the second day, with the election of Donald J. Trump as the 45th President of the US.

This part of the Note considers the effect of this election on the role of the US, China, and the EU in the climate change regime under the new US administration and compares it to the situation during the Bush administration, in order to draw some conclusions about the available options and need for invigorated EU leadership in the international climate change arena.

USA

Effect on American action – in mitigation as well as in funding

It has been widely acknowledged that Donald J. Trump does not shy away from changing his mind, and then changing it back again.²

“BLOWING hot and cold doesn’t begin to cover it. In 2009 Donald Trump signed a public letter calling for cuts to America’s greenhouse-gas emissions. In 2012 he dismissed climate change as a hoax cooked up by the Chinese. On the campaign trail, he promised to withdraw from an international accord, struck last year in Paris, to fight global warming. This week, as president-elect, Mr Trump said he has an ‘open mind’ on the Paris deal and that there is ‘some connectivity’ between human activity and climate change.” [6]

It is true that his choice of cabinet nominees for key domestic positions – such as Rick Perry for the DOE – may give some more clarity as to the direction in which the Trump administration is going, even if this is not necessarily a welcome one.³

Some commentators think that this is may not be so tragic, because ‘climate action’ is happening at State level,⁴ but while there is some welcome news, in particular from California, about State-level climate action – both on mitigation⁵ and funding⁶ – it seems likely that the new administration will not continue to fund the Federal programmes and will revoke at least some of the regulations⁷ introduced by the Obama administration. It is also not clear that such sub-national activities will be able to fill the gap in reaching the US NDC that is likely to arise by the abandonment of these Federal programmes and regulations (which played a major role in President Obama’s strategy for the US NDC).*

In short, the size of US emissions over the next four years is very uncertain, except that the current situation does not bode well for the US NDC being achieved, even if the Trump Presidency only lasts for one term and the successor administration is willing to re-engage fully.⁸

* According to [12] (see in particular Figure 1) the Obama administration’s strategy was based not only on keeping the existing PAMs (policies and measures) (–5.4 ppts), but on introducing additional measures (–4.1 ppts). Even that would leave a gap of 3.6 ppts. Just over half (5.4 ppts + 4.1 ppts + 3.6 ppts out of 26 ppts) of the US INDC is thus threatened by a reversal of federal programmes (at least with respect to the current strategy). If the current PAMs are removed it is also not clear whether reductions already achieved could be maintained.

Effect on the international regime, in particular on the Paris Agreement

The Paris Agreement

There are three scenarios of how things might plausibly progress, in relation to US participation in the international climate regime: ***Exit*** from the Paris Agreement/Convention; ***Remain and Subvert*** [R&S]; and ***Remain and Abstain*** [R&A].⁹

Exit is not impossible but we think it is unlikely: for legal reasons in the case of the Paris Agreement, and political reasons¹⁰ in the case of the Convention,* not least because the new Secretary of State Rex Tillerson, who as Exxon CEO is on record as supporting the Paris Agreement,¹¹ would probably push back on such a radical scenario.¹²

In other words, it is likely that the US will remain a Party of the Paris Agreement and the Convention. As progressive leadership can be ruled out, the real question is thus whether the Trump administration will undermine a progressive operationalization [R&S] or whether they will take a back-seat and not interfere [R&A]?[†]

Again, one key factor in this may well be the new Secretary of State. If he is serious about his support for the Paris Agreement then, given that he will not be able to lead progressively because of pushback from his domestic cabinet colleagues, he should opt for R&A. However, taking a backseat anywhere does not come naturally to US administrations, so R&S remains a possibility,^{13,14} unless the State Department is too busy dealing with problems other than climate change (such as renegotiating NAFTA or protecting their interests in the South China Sea¹⁵) or, for that matter, President Trump simply does not care.¹⁶

‘Means of Implementation’ (a.k.a. ‘climate finance’)

The expected dearth of Federal funding for climate change under a Trump administration has repercussions beyond the domestic American landscape. While bilateral (US AID) funding may be less affected because it is not subject to Congressional line-item approval, it is very unlikely that US multilateral funding will continue.[‡] Indeed, even the pledges formally signed off by the Obama administration will, in all likelihood, not be fulfilled.¹⁷ This may be why one of the final acts of President Obama was to order the disbursement of a second instalment of \$500 million to the Green Climate Fund (GCF), or as the *Guardian* headline succinctly put it:

“Barack Obama transfers \$500m to Green Climate Fund in attempt to protect Paris deal – New instalment leaves \$2bn owing, with Donald Trump expected to cease any further payments” [30]

What are the chances that sub-national action could also help to alleviate the Federal abrogation of responsibilities in this context? As it happens, there are commentators who have started to advocate this sort of sub-national solidarity with the international victims of climate change:

A recent Eco Equity essay, for example, highlights that *“there are still good moves to make, lots of them. What’s key is that, taken together, they must express not only resistance but solidarity, and begin to break down the walls between the American crisis and the global crisis. It would for example be excellent if at least some U.S. states (California might want to step forward here) went beyond sending*

* According to Art. 28 of the Paris Agreement, Parties cannot withdraw from the Agreement (without simultaneously withdrawing from the Convention) before 4 November 2019 the earliest, almost exactly one year before the next US elections. However, a withdrawal from the Convention, which would automatically mean a withdrawal from the Agreement, could become effective one year after notification.

† As one reviewer pointed out, things are not static. R&A could well, over time, turn into R&S.

‡ See, for example, “Hope for the best, prepare for the worst! What next with American climate finance?” [2]

delegations to the international talks, and sent some money as well. It wouldn't have to be much, not nearly a true fair share, but direct 'solidarity payments' from U.S. states, sent to the very climate funds (e.g. Least Developed Countries Fund) that Trump's people will be trying to defund and suffocate, would send a welcome message."

A similar theme is taken up in a forthcoming opinion piece by one of the authors: "*The new leaders of American climate action – governors, mayors, and their citizens – must recognize the fact that the (admittedly heroic) feat of cutting their own emissions can no longer be seen as solving the problem. Helping the least-developed countries to reduce their own emissions and protect themselves from the adverse impacts of climate change is now regarded as an essential part of the solution. Without funding from the wealthier parts of the world – including U.S. cities and states – this simply will not happen. The climate crisis will not be solved, and the rising seas and storms will attack America's coastline, even if American cities themselves emit almost no greenhouse gases.*" [5]

California Governor Brown has certainly reacted very robustly and defiantly to Donald Trump's threats to cut Federal climate change funding. In a speech to scientists, he not only asserted that if need be "California will launch its own damn satellite" but he reminded the audience "judged by measures of gross domestic product of over \$2.2 trillion, we're the fifth or sixth economy in the world. And we've got a lot of firepower ... And we will persevere. Have no doubt about that! [...] We will set the stage. We'll set the example, [...] And whatever Washington thinks they are doing, California is the future." [10]

Admittedly, in Governor Brown's speech, that firepower was directed at outer space, but we believe there is room for hope that it might also be used to show solidarity with the plight of the poorest and most vulnerable on Earth's surface.

Comparison 'then' & 'now', with lessons

When, in June 2001, the Kyoto Protocol was resurrected at COP 6bis (after President Bush had unilaterally issued a death certificate) it had been agreed that the US would not disrupt the negotiations (see Part I). However, it was unclear whether the US would abstain from undermining the UN process in the run up to COP 7 (Marrakech, November 2001) and beyond from outside, by setting up an alternative international regime (see [1]).

What ultimately did happen was the formation of the 'Asia Pacific Partnership (on Clean Development and climate)' (APP) in 2005,* and the 'Major Emitters Forum' (MEF) in 2007. These were presented as complementary, if not an alternative, to the UN process.† The US under President Bush did not abstain completely from international climate discussions and some at the time did feel that these efforts were intended, if not to subvert, then to provide an alternative to, the Kyoto Protocol.¹⁸ The situation with respect to the anticipated level of US international engagement under the Trump administration is therefore not dissimilar to the situation under the Bush administration.

It should also be kept in mind that the Paris Agreement is in now in force, which the Kyoto Protocol in 2001 decidedly was not. Moreover, with its 'nationally determined' elements, the Paris Agreement is much more flexible than the Kyoto Protocol ever was. In particular, any Party to the Paris Agreement can unilaterally show leadership by taking on a more ambitious 'target' (NDC) without the need for international approval (as was the case in the Kyoto Protocol).

* See also "Exploring and explaining the Asia-Pacific Partnership on Clean Development". [43]

† In 2009, under President Obama, the MEF became the Major Economies Forum.

This means that, on balance, it should be easier to take the lead now than it was in 2001. Thus, judging from the 2001 precedent, the EU should be able step “unto the breach” left in the ‘G2’ – the relationship with China which was instrumental in bringing about the Paris Agreement.

China

Sino-American Relations

The biggest change in the international climate change arena to result from the recent election is in the relationship between the US and China. Under the Obama administration, general relations between the two countries were somewhat touchy. The issue of climate, however, provided (as an eyewitness reviewer put it) the opportunity “to carve out a ‘bright spot’ for climate – whose success was partly because of the need for such a bright spot amidst tensions on other issues.” This partnership, sometimes referred to as the ‘G2’, led to a path-breaking joint announcement on emissions reductions in November 2014¹⁹ that was instrumental in getting an agreement in Paris. This was followed by joint ratification announcements²⁰ at the September 2016 Hangzhou G20 Summit, itself key in bringing about entry into force of the Agreement in record time.

Unfortunately, it is extremely unlikely that this Sino-American climate cordiality will continue under the Trump administration, not only because he thinks that climate change was “created by and for the Chinese in order to make US manufacturing non-competitive,” [21] but much more importantly, because he seems intent on repudiating the almost four-decade long US position on the status of acknowledging the ‘one China’ policy, probably the paramount policy priority of the Chinese government.²¹

Chinese and Developed Country Leadership

In early January, the *New York Times* reported from the annual meeting of the World Economic Forum in Davos that “[As U.S. Cedes Leadership on Climate, Others Step Up at Davos](#)” [35], but is this really the right image? There is no doubt that China has shown leadership in recent years, not only in mitigation action but also in providing climate finance to developing countries by establishing a south–south cooperation fund²² (pledging three times as much as the US is likely to contribute to the GCF for the foreseeable future). But the situation is not so much that of China ‘stepping up’, but of being left to stand alone.

This was borne out by Mr Zhang Jun, Director General of the international economics department in the Chinese Foreign Ministry, when he said (elaborating in Davos on President Xi’s keynote theme that countries must resist isolationism) that “China had no intention of seeking global leadership. ‘If anyone were to say China is playing a leadership role in the world I would say it’s not China rushing to the front but rather the front runners have stepped back leaving the place to China,’ Zhang said. ‘If China is required to play that leadership role then China will assume its responsibilities,’ he added” [41].

Indeed, the idea of ‘rushing to the front’ in the climate change arena is particularly problematic for China as a developing country because of the ‘principle of common but differentiated responsibilities’, as enshrined in Article 3.1 of the Convention,²³ which stipulates that **developed countries** “should take the lead in combating climate change and the adverse effects thereof”.*

* This is, as has been pointed out to us, “not necessarily a barrier [preventing] ... China [from taking] ... ambitious targets in the nationally determined architecture of the Paris Agreement. China’s long-standing logic is as follows:

From the very beginning of the international climate negotiations, developing countries had a deep-seated fear and suspicion that developed countries are intent on ‘shifting the burden onto developing countries’ (one only needs to recall the debate on ‘voluntary targets’ at COP 4 in Buenos Aires in 1998,²⁴ one year after the adoption of the Kyoto Protocol). In 2001 it was thus unthinkable for a developing country to take on leadership in the international climate regime, particularly in the absence of the US, which is why the Chinese display of leadership in recent years, in particular in the run-up to Paris in the context of the G2, is remarkable. But will it continue even with the inevitable abrogation of leadership by its G2 partner?

Erik Solheim, Executive Director of the United Nations Environment Program, posited in Marrakech that “It is a new world order. ... Leadership on climate change policy has now gone to the developing countries, China among them.” [22] And a number of commentators, including some from China, have expressed the view that China will indeed continue, despite the US leadership abrogation.²⁵

However, in light of the aforementioned deep-seated fear and suspicion, we do not think that developing countries would be willing to accept Mr Solheim’s new world order just yet. As concerns China, we find it difficult to believe that it would be willing to be perceived by the developing world as letting the developed world off the leadership hook by taking on sole leadership without a developed country partner.* However, we do think that, given the recent proclamations by the Chinese leadership,²⁶ there is a great window of opportunity for a developed country partner to step up and join China in leading the fight against global climate change.

Re-enter the EU (?)

Most commentators seem to agree that the Paris Agreement can survive a US abrogation of leadership. But it is unlikely that it could survive China also withdrawing leadership because of the lack of a co-champion from the developed world. The Paris Agreement was made possible by there being a group of champions (‘G2’) bridging the north–south ‘firewall’, and it requires this joint leadership to survive.

It has been suggested that the EU could step in and take up the role of developed country co-champion with China, in the same way that it stepped in when the US recused itself from the Kyoto Protocol in 2001. And as mentioned earlier, from the US side, the international situation is not dissimilar to the situation then. But what about the EU’s internal situation? Or, as a recent *Climate Diplomacy*[†] blog put it: [“Can the EU become the next World Climate Leader?”](#)

Migration, political and financial crises threaten the European Union’s very existence. But the destabilised political landscape after the US elections is an opportunity for the EU to lead by example and show leadership. Pushing forwards on pan-European energy transition and trade partnerships with China will be key to ensuring implementation of the Paris Agreement.

its mandatory responsibility should be determined in accordance with CBDR, but what it could and will do depends on its own interests. This distinction is of particular importance in the current situation when the co-benefits of mitigation [are] ... obvious and urgently needed, for example improving energy securities and air pollutions.”

* A couple of years ago, in the run up to Paris, one of us argued in a blog on [‘Firewall Fundamentalism’](#)[4] that it would be not only futile but counterproductive to try and give an explicit definition – either through criteria or lists – of being a ‘developed’ or ‘developing country’, because of the highly political nature of these terms. Indeed, it has been held that the reason why China created its own climate fund for developing countries at the beginning of the initial resource mobilization period of the GCF (2015 to 2018) was to be able to demonstrate south–south solidarity without having to contribute to the GCF, which was seen to be the responsibility of developed countries

[†] [Climate Diplomacy](#) is part of a web-based platform for exchange on environment, conflict, and cooperation ([ECC](#)) run by [Adelphi](#) and supported by the German Federal Foreign Office.

The European Union is facing multiple crises that could threaten its very existence. Migration, financial turmoil in the Eurozone, and the UK's withdrawal from the bloc would all be enough on their own to cause Brussels a headache. Together, they are shaking the EU to its core.

The fight against climate change provides a beacon of hope in this bleak political landscape. Under the climate action umbrella, the EU is uniting member states in pursuing the ambitious goal to reduce emissions by up to 95% below 1990 levels by 2050.

At a time when the Paris Agreement could be at risk, should the US decide to obstruct it, the EU has the potential to lead by example.” [25]

E (pluribus) U(num)

The founding fathers of the United States could not have been more right about the need for unity in a pluralistic system of governance than when they chose *e pluribus unum* ('out of many, one') as the motto of the country's Great Seal. It would, we believe, benefit everyone if this were taken to heart on both sides of the Atlantic.

As indicated in the Climate Diplomacy blog, the state of unitedness in the EU is not at its best right now, and no doubt it is worse than in 2001. But given the progress that has been made on concluding and implementing the [2030 climate and energy framework](#), and given the EU-wide consensus about the seriousness of the problem, the issue of climate change may just be the policy area where the international need to provide leadership may be sufficient to pull the EU member states together to save the global climate regime. This echoes the EU's turn to climate activism in the mid-2000s. In response to the rejection by French and Dutch voters of the EU Constitutional Treaty, then Commission President Jose Manuel Barroso pursued climate change as a way of deepening integration when it was politically impossible to discuss institutional reform (see [47]). Climate action may once again serve as an opportunity to bring together member states that are divided on many other questions.

Moreover, we should not forget that in 2001, the EU united behind the Swedish Presidency in their efforts to save the Kyoto Protocol, and there is no doubt that one of the key factors in forging this unity was the brashness of President Bush's repudiation of the Protocol – unilaterally declaring it to be 'dead'.²⁷ Donald Trump's recent rather undiplomatic pronouncements about the fate of the EU could therefore have an equally salutary effect on Member States, as reflected in the response by Jean-Marc Ayrault, the French foreign minister: “The best response is European unity. [...] As is the case with Brexit, the best way of defending Europe, which is rather what Mr Trump has invited us to do, is to remain united, to remain as a bloc, not to forget that the strength of the Europeans lies in their unity.” [27]

We believe that the best way forward is to join the G2 with China – not through words ('memoranda of like-mindedness') but by strategic actions, in particular 'strategic collaborations'.

Strategic Sino-European Collaborations

What would such **strategic Sino-European collaborations** look like? One thing that is quite clear: they would have to go beyond merely “a lot of flights back and forward”.²⁸

ETS linkages

One possibility springs to mind when reading a [recent LSE blog](#) [26] on the effect of Brexit on the EU Paris Agreement target (i.e. its 'Nationally Determined Contribution'). The piece shows convincingly that – as feared by some commentators before the Brexit referendum²⁹ – without the UK, “other Member States will find themselves picking up the slack or the EU will miss its greenhouse gas target for 2030” [26]. The blog suggests that the additional effort needed to compensate for Brexit could be achieved by

reducing emissions covered by the EU Emissions Trading Scheme (ETS), which as it happens is already undergoing a reform to reduce surplus emissions.

The possibility for strategic Sino-European collaboration in this context could be through linking the EU ETS with the emerging Chinese ETS, which may produce cost savings that outweigh the additional Brexit burden. Indeed, cooperation on emissions trading emerged as a prominent focal point for EU-China climate change cooperation in recent years (see [48] and [49]). Another recent blog, based on an [LSE Working Paper](#) [29], concludes that “a very large market such as China has little incentive to link up with a smaller place such as South Korea. In practice, the most mutually beneficial links are likely to be between countries (or other jurisdictions such as the EU) of a similar size, particularly if these markets are subject to different economic fluctuations.” [28]

Discussions on such a post-2020 linkage have started some time ago, somewhat ironically led by the UK through their Climate Envoy.³⁰ It seems curious that the UK would have been doing this bilaterally, given that linkages with the EU ETS are clearly [the remit of the Commission](#). However, as reported by Reuters in the beginning of February:

“The EU's top climate diplomat Miguel Arias Canete will travel to Beijing at the end of March, EU sources said. Offering EU expertise on its plans to build a ‘cap-and-trade’ system is one area officials see for expanded cooperation. Enticed by huge investments in solar and wind power in economies such as China and India, Germany, Britain and France are seeking closer ties to gain a share of the business.” [42]

As was pointed out to us in the review process, linking the EU ETS with Chinese schemes would have to involve “agreeing on regulatory arrangements, monitoring rules, accounting rules, coordination in target setting etc., none of which a small feat.” Yet there are other options for strategic collaboration. Indeed, the second sentence in the Reuters quote leads very naturally to another example, proposed as far back as June 2010 by a group of researchers from Xinhua University and the University of Oxford making “[The Case for Strategic Sino-European Collaboration under Joint Commitments](#)” [3].

‘Jointly Determined Contributions’

The group explored the potential for large-scale mitigation through a “*Joint Commitment Framework Agreement*” under which the government of China and EU counterparties were to adopt ‘joint commitments’ to *provide an additional assurance to the relevant private sector companies* that the government counterparties to the agreement are *fully committed to the scheme at the envisaged scale*. To provide a realistic context, the exploration focused on the potential to reduce the growth of *coal-based emissions in the Chinese power sector* through large-scale collaboration between *European and Chinese enterprises*. The technical details of this power sector example are inevitably outdated, but the idea of taking on joint targets – or ‘***Jointly Determined Contributions***’, to mimic the Paris Agreement terminology – is still relevant when trying to give teeth to international collaborations over and above what ‘feel-good’ MOUs can deliver.*

One reviewer suggested looking at past EU–China joint statements on climate change as information source on what sort of collaborations could be enhanced in this manner, and at the same time agreed that “managing the transformation of those statements into partnerships and then ensuring those partnerships deliver is indeed a challenge – particularly (for the EU) when the partnerships involve

* A reviewer pointed out that EU–China joint actions might be more easily brought about than joint contributions, and we agree that joint actions would be useful and could obviously be undertaken in the absence of jointly agreed targets. However, we also think that such targets would have a catalysing effect on the actors in question (including governments) and should therefore be aspired to in strategic collaborative efforts.

multiple sectors, member states, ministries, levels of government and ‘DGs’. The emissions trading collaboration has worked well in part because it is clear who is in charge.* Collaborations on low carbon cities, or on technology development and deployment (Mission Innovation) both of which involve China and the EU are trickier, as its less clear who is in charge.”

With regard to the ‘[Low Carbon Zones](#)’[45], another reviewer told us that the problem with this initiative was not a lack of Chinese interest, but “misalignments between and within both the Commission and Member States.”

In his study of EU relations China and India on climate change, Diarmuid Torney argued that there has been “a mismatch between between the degree to which the EU declared itself a leader on the climate change issue, and the resources it devoted to exercising leadership through its engagement with China and India” [50]. While the creation of the European External Action Service (EEAS) in 2010 and the upgrading of EU Delegations in third countries, including China, offered a chance to strengthen EU-China climate change cooperation, Torney argues that “in reality, the EEAS has not become an active player in the day-to-day running of European climate diplomacy” [51].

The collaborative efforts envisaged here might well involve just a subset of Member States or, for that matter, areas with mixed-competence or competence solely at Member State level.† We believe that these sorts of collaborations could be enhanced if they could avail themselves of somebody (or ‘some body’) to be in charge of internal coordination, who could also serve as interlocutor managing the external relations of the collaboration – to avoid a ‘too-many-EU-cooks’ scenario, as it were. It is for this reason that we suggest the establishment of an ‘EU Special Envoy for Strategic Climate Change Collaboration’ to offer support in the management of external collaborative efforts of this kind. Exactly where and at what level this function should be located is a very important and very political question and one which will clearly need to be addressed, but which goes beyond the scope of this Note.

What we are aiming to do here – in line with the observation of another (non-European) reviewer that “nobody prevents the EU from leading, but I do not know if it has right tools to lead” – is to suggest two additions to the EU ‘tool kit’, namely: strategic collaborative efforts with joint targets, and the option of coordination through a Special Envoy. We believe these tools could benefit the EU in demonstrating renewed leadership in the international climate change regime.

Of course, strategic collaborations would not be restricted to China. They could well also be forged with India, or with Latin America, as already witnessed in a Joint Press Release on the occasion of the July 2016 visit of the Argentine President to the EU: “The EU and Argentina are facing up to global challenges like climate change and the refugee crisis in the Middle East and have been strengthening their cooperation in the United Nations and other multinational fora like the G20 – which Argentina will chair in 2018 – on these and many other issues.”[52] This could, for example, be taken up in the context of the upcoming EU-MERCOSUR negotiations (see [53]).

* The EU ETS is an instrument of EU law and covers around half of the EU’s carbon dioxide emissions. The emissions which it covers it fall under Union competence. Within the European Commission, the Directorate-General for Climate Action is responsible for its administration.

Two sets of negotiating directives have been granted to the Commission to link the EU ETS with other systems, in Switzerland and in Australia. Both of these negotiating directives were agreed in Council as a matter of Union competence.

† Title IV (“Provisions on Enhanced Co-operation”) of the EU Treaties envisages that “Member States which wish to establish enhanced cooperation between themselves within the framework of the Union’s non-exclusive competences may make use of its institutions and exercise those competences by applying the relevant provisions of the Treaties, ...”[Art. 201].

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ENDNOTES

¹ “Over four days of intense politicking and parleying at the [World Economic Forum](#) in Davos, the annual gathering in the Swiss Alps where global policy and business leaders debate the world’s challenges, the sizable Chinese delegation seemed to preach climate action every chance it got. President Xi Jinping of China set the tone by opening the forum on Tuesday, [arguing forcefully for follow-through on the 2015 Paris climate deal](#). ... ‘Today, we are facing climate change, and we know this is caused by our use of energy,’ Mr. Bekri [China’s energy minister] declared. ‘That is why the Chinese government attaches great importance to the development of clean energy.’ ... Nirmala Sitharaman, the Indian minister of state for commerce and industry, said the country was ready for a bigger global role in mitigating climate change. She pointed to the [International Solar Alliance](#), a coalition of more than 120 countries that seeks \$1 trillion in investments to ramp up [solar energy](#) generation. The alliance was first proposed by the Indian prime minister, Narendra Modi. India, Ms. Sitharaman said, is ‘no longer on the fringe’ of climate change policies and technologies.” [35]

² **“Trust Him Because He Lies** [...] Many have also found solace in Trump’s sketchy record of keeping promises. ‘We heard a lot of crazy rhetoric during the campaign that, in all likelihood, will not result in action in the light of a new day, when the responsibility of running a country falls squarely on the shoulders of Mr. Trump’ said Korchinsky.” [14]

³ “It is almost certain that there will be a roll-back even of the modest climate change initiatives President Barack Obama had undertaken. The appointment of Scott Pruitt, a former Attorney General from Oklahoma, as head of the Environmental Protection Agency (EPA) and of Rick Perry, former Governor of Texas, as Secretary of Energy, would point in that direction since both are vocal climate change deniers and strong supporters of the fossil fuel industry. This does not augur well for the implementation of the Paris Agreement.” [15]

⁴ “A strategy of also pushing individual states to lead on climate action could set achievable goals for the movement, allow them to go on the offensive and demonstrate to the world that America isn’t a rogue state on climate – it just has a rogue president” said Mary Robinson, UN climate envoy. [13]

“‘In the US, usually, if Washington wanes, you can see the states pick up activities,’ said Forrister. ‘That’s what brought us the California program to begin with; that’s what brought us the New England program; and interestingly, in both of those examples, the leaders in those regions found a way to bring about a bipartisan approach.’” [14]

⁵ “Gov. Jerry Brown, rallying a room of scientists Wednesday with his most heated rhetoric yet on the topic, suggested California would defy the federal government should President-elect Donald Trump impede the state’s efforts to thwart climate change.” [10]

⁶ “At one point, Brown warned against proposed budget cuts under the new presidential administration that could effectively eliminate [earth-observing satellite programs](#). [...] ‘And, if Trump turns off the satellites, California will launch its own damn satellite,’” [10]

⁷ “Trump has promised to immediately reverse President Obama’s 263 executive orders, 35 of them related to climate change, such as requiring federal agencies to reduce their own carbon emissions. [However] Trump’s promise to reverse the Obama rule requiring power plants to cut carbon emissions would require the same cumbersome, litigation-prone process that was required to write the regulation in the first place.” [11]

⁸ “We also need to prepare for 2020, and do our best to make Trump a one-term president, and ensure that, in the optimistic but not unlikely case where we succeed, we’re ready to crank the ambition ratchet fast and hard. To that end, we need a Big Think, and it had best be an honest one, because it has to result in a plan that’s grand enough to give us a fighting chance at the Paris temperature targets. This won’t be easy, but it wouldn’t have been easy before Trump’s election either. It’s extremely important that we remember this.

To be clear. Clinton’s election would have staved off the catastrophe that we now face, and brought progress by small degrees. We would take it today, almost all of us.” [16]

⁹ ‘Remain and Engage Progressively’ can, we believe, be ruled out.

¹⁰ Kevin Fay, head of the International Climate Change Partnership (ICCP), “stressed the need to examine climate negotiations within the larger frame of the US role in international relations, where Trump has repeatedly vowed to be more aggressive in looking out for US interests. ‘... When he goes to his first G20 meeting, and the other 19 are engaging him in a discussion, I think he will be engaging.’” [14]

¹¹ “Tillerson has voiced [support](#) for the Paris agreement, unlike many of the other Trump cabinet nominees, and even came out in support of a carbon tax in 2009.” [9]

¹² “Whenever he was asked about the United States’ role in global efforts to tackle climate change, the former Exxon Mobil CEO said it was vital to remain involved in global warming negotiations. ‘I think it’s important that

the United States maintain its seat at the table on the conversations around how to address threats of climate change, which do require a global response,' Tillerson said, repeating four different versions of that statement throughout the day. 'No one country is going to solve this alone.'" [36]

¹³ "The Trump people will soon be arriving, and when the next negotiating session opens, in Bonn in May 2017, there's absolutely no reason to believe that they'll come to play nice. How will the world's negotiators finish the Paris rulebook? How will they build out its institutions? How will we (I'm including civil society activists in this one) manage any progress on the Big Questions — finance, differentiation, equity — that must absolutely be advanced if the ambition ratchet is ever to start spinning in earnest?" [16]

"Another strand argues that a continuation of the US in the Agreement will be worse for whatever effectiveness the Agreement may have, because of likely and continued obstructions by the Trump team." [8]

¹⁴ "Tillerson's latest commentary suggests the Trump administration *might* decide to remain involved in global climate diplomacy, even if it abandons Obama's domestic emissions reduction policies. But is staying superficially involved any less destructive than withdrawing the United States entirely? As [Vox's Brad Plumer](#) notes, 'There's still a whole lot they could do to bog down global climate talks and hinder efforts to address climate change from within.' [...] Even if Trump signals he won't actually 'cancel' the agreement, there's a lot of damage he can do from the inside. 'You can't have a seat at the table if you put a hand grenade in the agreement,' says Jake Schmidt of the Natural Resources Defense Council. 'Hopefully [Tillerson] realizes that.'" [31]

¹⁵ "US pledges to 'protect our interests' in South China Sea" [37]

¹⁶ "Unsurprisingly given its anonymity during the election, there was no mention of climate change or the environment in Donald Trump's inauguration speech. He mentioned mountains and oceans, but only in context of locations in America that will be great again once he solves all of its maladies. [...] Most telling was what was happening off-stage. The [White House website's expansive section on climate change has now been deleted](#). In its stead is an 'America first energy plan' in which Trump promises to scrap the 'harmful and unnecessary' climate action plan. This move, as well as Trump's speech, is a clear indication the president will simply ignore climate change, as if it does not exist, during his term." [33]

¹⁷ "Republican presidential nominee Donald Trump has once again wooed his supporters as he promises to cancel the pledge of the outgoing Obama administration to give a couple of billion dollars as global warming payments to the United Nations. During his rally in Florida, Trump outlined the need to cancel the global warming payment. He proposed that the payments could be more beneficial if used in the U.S. alone. [...] 'We will also cancel billions in global warming payments to the United Nations'". [17]

"'We're going to put America first. That includes cancelling billions in climate change spending for the United Nations, a number Hillary wants to increase, and instead use that money to provide for American infrastructure including clean water, clean air and safety.'" [18]

¹⁸ "In late September 2007, the Bush administration launched the Major Emitters Forum, ... This initiative was presented as complementary to the UN process, ..." [19]

"Like the APP, the Major Economies forum (MEF) was conceived as an alternative forum to the UNFCCC, ... In fact, according to one account, the bush administration created the MEF (originally dubbed the 'Major Emitters Forum' in 2007 ...) after recognizing that the APP was "too small and without much practical significance." [20]

¹⁹ "Besides its own domestic efforts, China has been keen to push international cooperation. A declaration signed between China and the US in 2014 in Beijing marked a rare opportunity for harmony for the two countries, in which they pledged to work together towards cutting carbon emissions and clean energy development." [21]

²⁰ "The United States and China, the world's biggest emitters of greenhouse gases, have announced they will formally ratify the [Paris climate change agreement](#) in a move campaigners immediately hailed as a significant advance in the battle against global warming. Speaking on Saturday, on the eve of the G20 summit in Hangzhou, US president, Barack Obama, confirmed the long-awaited move, the result of weeks of intense negotiations by Chinese and American officials. ... Shortly before Obama landed in Hangzhou, [China became the 25th country to ratify the agreement](#). It said the move would 'safeguard environmental security' and was 'conducive to China's development interests'". [23]

²¹ "China has stepped up its rhetoric against Donald Trump, with a Communist party-controlled newspaper declaring Beijing will have no choice but to 'take off the gloves' if the incoming president insists on tearing open a Pandora's box over [Taiwan](#). [...] The China Daily warned on Monday that Beijing needed to ready itself for a 'costly' battle with the property tycoon after he takes office on 20 January. An editorial said Trump's repeated threats to abandon the 'one China' policy could no longer be dismissed as '[bluster or miscalculation](#)' but instead appeared to be a deliberate and intolerable ploy designed to extract concessions from Beijing." [31]

As it happens, President Trump seems to be wavering on this also, see [46].

²² "In 2015, the Chinese government pledged 20 billion yuan (\$2.8 billion) to establish a south-south cooperation fund, to support other developing countries' programs to deal with climate change." [21]

²³ “3.1. 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.”

²⁴ “Despite overwhelming opposition from the G-77/China at previous meetings, Argentina placed voluntary commitments for developing countries on the provisional agenda, setting a tone of mistrust that ran throughout the two-week meeting. Throughout the deliberations, developing countries raised their guard against any hint of new obligations. This contributed to the deadlocked debate on the review of the adequacy of FCCC commitments and forced a postponement of the issue. [...] When several countries of the G-77/China vehemently opposed the item, COP President, Argentine Environment Minister María Julia Alsogaray, struck the item off the agenda and suggested that informal consultations between interested countries proceed. Led by China, the G-77/China reacted furiously, urging the COP President, in a rather undiplomatic intervention, to remain neutral on the issue and to not facilitate informal consultations” [32]

²⁵ “Chinese policymakers and environmentalists alike have said that China will continue its prominent role on the climate change issue despite what might happen in the US. Chinese Vice Foreign Minister Liu Zhenmin also stated this before the talks started at Marrakesh. Many have said it’s an unavoidable trend.” [21]

“‘Proactively taking action against climate change will improve China’s international image and allow it to occupy the moral high ground,’ Zou Ji, deputy director of the National Centre for Climate Change Strategy and a senior Chinese climate talks negotiator, told Reuters. Zou said that if Trump abandons efforts to implement the Paris agreement, ‘China’s influence and voice are likely to increase in global climate governance, which will then spill over into other areas of global governance and increase China’s global standing, power and leadership.’” [7]

²⁶ “As Liu Zhenmin [Chinese vice-foreign minister] said in Marrakech, any change in US policy ‘won’t affect China’s commitment to support climate negotiations and also the implementation of the Paris Agreement’.” [39]

“17 January 2017, Davos - Chinese President Xi Jinping today addressed the opening of the World Economic Forum in Davos. Under the theme ‘responsive and responsible leadership’, Xi offered his view on a set of global issues including climate change, urging all parties to stick to the Paris Agreement instead of walking away from it, three days ahead of the inauguration of US President-elect Donald Trump. On the same day, China’s veteran climate envoy Xie Zhenhua said China was capable of taking a leadership role in combating global climate change - the first time a senior Chinese government official has made such a clear remark in assuming leadership after the US presidential election.” [34]

²⁷ “European leaders frequently bristle about American behavior, but President Bush’s abrupt decision this week to abandon a treaty on global warming has provoked even more than the usual level of anger and frustration. ‘Irresponsible,’ ‘arrogant,’ even ‘sabotage’ are just a few of the charges that Europeans have leveled at Mr. Bush since he announced his refusal to follow through on the treaty, the Kyoto Protocol. [...] Today, environment ministers from European Union countries discussed the Bush decision at a previously scheduled meeting in Sweden, where the reaction was one of indignation. ‘Kyoto is still alive,’ said Mr. Larsson, who was host of the meeting in Kiruna, 60 miles north of the Arctic Circle. ‘No country has the right to declare Kyoto dead.’ The anger at the United States is spread evenly across Europe. Dominique Voynet, France’s minister for the environment, called Mr. Bush’s decision ‘completely provocative and irresponsible’ and warned the United States against ‘continuing the work of sabotage’ if other countries decided to embrace the goals of the Kyoto agreement on their own.” [24]

²⁸ “But Sam Geall, the executive editor of China Dialogue, [...] said a breakthrough towards a UN deal on climate change had been on the cards since November 2014 when Obama and Xi jointly announced a secretly negotiated agreement to slash greenhouse gas emissions. Geall said: ‘Certainly in terms of US–China relations, it is the one area where they have created a proper, active, cooperative relationship ... [There are] a lot of flights back and forward, a lot of cooperative projects on coal, on renewables, on energy-efficient buildings, on innovation.’ ” [23]

²⁹ See, for example, “[Brexit threatens disaster in climate change battle](#)”, Letter to the *FT* editor, 13 May 2016.

³⁰ “The UK government is working very closely with China to ensure the EU and Chinese emissions trading schemes can link up ‘a few years after 2020’, David King, the UK’s special representative on climate change, told BusinessGreen. ‘We have worked with the Chinese government very closely to ensure that the mistakes we made in the European cap-and-trade system were not repeated in the Chinese system. But the outcome is going to be something that is compatible,’ King said on the sidelines of a carbon event in London. According to the envoy, a tie between the two markets could become reality a few years after 2020, when the EU has finalised its market reforms and the Chinese scheme, due to launch in 2017, has been operational for a few years.”[44]