

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific locations.

From »Brokenhagen« to »Cancún Can!«

The Cancún Climate Summit and its Significance for Transatlantic Relations

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- The 16th session of the Conference of the Parties (COP 16) to the United Nations Framework Convention on Climate Change has mostly been considered a success. COP 16 has indeed given rise to some significant developments; however, one must look at the negotiations from different angles when evaluating its success. Its significance can only be thoroughly understood when seen against the backdrop of the 2009 Copenhagen Climate Summit.
- The revival of multilateralism has been prized as the most important outcome. On the one hand, the Cancún summit was free from the atmosphere of mistrust which dominated the UN climate summits of previous years. On the other hand, it is uncertain whether the willingness to compromise shown at Cancún will persist once the most difficult questions of the negotiations are addressed: the legal structure of a future agreement between all the signatory states and the extension of certain emission reductions prescribed by the Kyoto Protocol.
- As far as transatlantic relations are concerned, the significance of the Cancún Climate summit so far only lies in the fact that both sides continue to consent to the United Nations as the framework for their negotiations on this matter. For now, the modest success achieved in Cancún seems to have staved off calls for transitioning from intergovernmental climate collaboration to other kinds of forums and a greater emphasis on voluntary measures and regional or national approaches.
- After the US midterm elections this year, however, the year 2011 will show whether the United States is still able to keep the promises they made in Copenhagen to reduce emissions and make financial commitments. These promises were reiterated in Cancún. On that front, political developments at home will continue to have a decisive influence.
- In light of modest progress in the area of climate protection on the North American continent, Europe and Germany will find themselves under increasing pressure if they want to retain their role as a forerunner in the fight against climate change. More comprehensive commitments in the future could go hand in hand with a new revival of calls for additional excise duties on goods from countries which lack adequate efforts to reduce emissions.

Not even a year ago, the press described the Copenhagen Climate Summit as a »historic failure“ and a »huge disappointment« for billions of people. Critics interpreted the disappointing outcome of 2009 climate talks as evidence for the incapacity of the international community to find solutions to the most pressing challenges of our time. In any case, the United Nations and their tradition of classic multilateralism had reached a low-point in their regularly proclaimed legitimacy crisis.

Last week, the follow-up conference to last year's fateful Copenhagen Climate Summit was concluded in Cancún, Mexico. According to the media, intergovernmental collaboration in the fight against climate change has finally hit the home stretch. Reports about the »Cancún miracle« praise the outcome of the summit, and even environmental organizations proclaim: »Yes, we CAN!«

Has the change in temperature from the freezing cold Danish capital to the Caribbean peninsula Yucatán also given rise to fundamental change in climate policies? The fight against climate change has repeatedly caused international tensions, particularly on the transatlantic front; could the positive outcome of the 2010 Cancún Summit also boost hopes for a new era of cooperation between Europe and the USA on climate-related matters?

It can be hardly surprising that both questions require a qualified answer, but a close analysis of the recent climate summit yields certain insights into the future of intergovernmental climate negotiations in general and the future of transatlantic climate ties in particular.

Procedural progress

Without a doubt, the outcome of Cancún climate talks - officially termed »the 16th session of the Conference of the Parties (COP 16) to the United Nations Framework Convention on Climate Change (UNFCCC)« represents a step forward in the international fight against climate change in many ways, not only because the international community has finally committed to the ambitious emission reduction goals which climate scientists have requested for years, but also and more importantly, because the signatory states have launched a number of accompanying decision-making processes.

The decisions agreed upon by the international community after a long night of negotiations will create the framework for the creation of certain institutions and procedures that will address issues such as the adaptation to the consequences of climate change, the protection of the rain forest, and technological cooperation, as well as the measurement, reporting on and verification of climate protection measures. These »Cancún Agreements« could help extend market mechanisms as well as the creation of a »Green Climate Fund«, designed to assist developing countries finance emission reductions and adaptation measures to climate change.

Despite the fact that many questions relating to the implementation of the agreement remain unanswered, the above decisions are far-reaching enough so as to give new impetus to the negotiations. The most difficult decisions, however, were postponed in Cancún, such as the tightening of insufficient reduction goals agreed upon in Copenhagen, the legal form of a future climate agreement, and the question of how to raise and secure funds long-term for financing climate protection measures.

On the one hand, it is true that the non-binding reduction and financing goals pledged in the Copenhagen Accord have transitioned to a more formal agreement. The achievements reached in Copenhagen, the impact of which has often been underestimated, constituted a hard-won breakthrough on the question of quantifiable reduction goals for important threshold countries. Industrialized nations were only able to make less developed countries commit to these on condition of generous financial contributions.

The Cancún Agreements do not significantly exceed the above, however. The final decisions are limited to the frequently expressed goal of restricting global warming to 2°C and an appeal to industrialized nations to accordingly develop their reduction goals further in the future. The goal to achieve by COP 17 is to determine an inflection point in worldwide greenhouse gas emissions and a long-term reduction goal to be reached by the year 2050.

The guidelines for states that have entered binding stabilization and reduction goals in the context of the Kyoto Protocol are equally vague. The negotiations in Cancún threatened to derail in particular when

addressing the extension of Kyoto Protocol measures past the year 2012. The compromise that has now been agreed upon states that the respective industrialized nations must negotiate a second commitment period in time before the first one expires in the year 2012. The community target for 2020 is reducing emissions by on average of 25%-40% relative to 1990.

New impetus for the spirit of multilateralism?

Without a doubt, the Cancún summit has jump-started several important processes; it has rescued the negotiations out of an impasse and paved the way to a new round of talks. In light of the remaining questions, however, we may wonder whether the outcome of the conference is not just being sugarcoated in order not to utterly destroy the new-found confidence in the whole process. Each of the questions that have been postponed could easily cause the shaky Cancún agreement to tumble and revert climate negotiations to an atmosphere of mistrust and unwillingness to compromise. However, it would be premature to anticipate failure at this point in time.

Undoubtedly, the success in Cancún only appears as such against the backdrop of the failure of the Copenhagen climate talks. Back in 2009, expectations were excessively high and the attempt to address all problems in one go was doomed to failure. The biggest achievement of the 2010 Cancún Summit may thus reside in the fact that it outlined new paths for the course of negotiations.

In addition to the much-praised transparency that characterized the negotiations, the presidency of the summit - held by Mexico - envisaged to overcome the lack of trust between industrialized and developing countries that resulted from the Copenhagen climate summit by dividing the participants up into different negotiation groups. Each group was comprised of a minister from an industrialized nation and one from a developing nation, respectively. Each of these groups then had to focus on one specific problem in the fight against climate change and come up with a solution which had to take into account the different interests of both groups to equal degrees.

The president of the conference, Patricia Espinosa, also found herself in uncharted waters when she merely put one of Bolivia's vetoes on record instead of

allowing it to derail the negotiations. By doing this, she re-interpreted the requirement for consensus in a way that did not give any individual nation veto power. Although the scope of this incident and Bolivia's pledge to resort to the ICC over this issue will probably be overstated, the fact that the remaining participants tolerated her line of action could be interpreted as the collective wish to make the negotiations more efficient. This does not yet give a free pass to majority votes, which have been common procedure for environmental questions in the European Union since the Maastricht Treaty was enacted; nevertheless, turning away from the strict policy of unanimity could partly weaken the calls for restructuring the climate negotiations.

The Cancún Summit 2010 and its impact on transatlantic relations

After the EU was maligned last year as being diplomatically insignificant and after the US was confronted with a world order increasingly influenced by important threshold countries as a result of the special representation of interests in the field on climate protection, the significance of the Cancún climate summit, with its primarily procedural decisions, will be of secondary importance for transatlantic relations at this time.

After all, the US-American climate delegate Todd Stern expressed his contentment with the outcome of the Cancún talks; despite limited room for manoeuvre as a result of the failure to pass legislative climate reform at home, at least his delegation achieved a major success on the question of monitoring emission reductions in developing nations.

The coming negotiation rounds, however, give reason to expect the US to face more difficulties, given that after the US mid-term elections, from which the Republican Party emerged victorious despite their critical stance on climate change, the US is now facing the threat of a credibility loss. The climate goal expressed in Copenhagen had been announced at a time when the world was still expecting to pass a comprehensive climate and energy law; with Washington's limited room for manoeuvre alone, the emission reductions that had been envisaged are unlikely to be achieved. Further uncertainty stems from the 300 pending lawsuits filed by various federal authorities against sublegal climate regulations.

But even the granting of funds for immediate financial aid, which has been officially confirmed in Cancún, is likely to meet with resistance on the domestic front in the US. All hopes are centered around trailblazer states such as California or regional initiatives like the *Regional Greenhouse Gas Initiative* on the east coast, which may serve as a starting point for more far-reaching climate protection measures on a nation-wide scale. Even long-term, it is unlikely that the USA will ratify a binding climate agreement.

running out does not justify throwing in the towel far too soon.

But in light of antagonistic forces at home, even Europe will have to make an effort to defend and expand its role as a forerunner in the fight against climate change. The Cancún climate negotiations illustrate that even after the Lisbon Treaty was enacted, uniting all the international forces on the issue of climate change continues to be a difficult task. In the coming year, climate talks in Europe are likely to focus on the question of raising the European reduction goals from 20% to 30% by 2020. In light of only modest progress on the North American continent, calls for additional excise duties on goods from countries without adequate commitment to climate protection measures may also be heard - originally a European idea. In order not to unnecessarily strain the EU's diplomatic relations, however, this option needs to be handled in a cautious and constructive manner. The concept of including aviation in the EU Emissions Trading System (ETS) alone will be enough reason for moroseness in the eyes of some transatlantic players.

Even after the shift in US power relations, there are still ample possibilities for cooperation, especially on less sensitive topics, some of which even meet with consent in more conservative circles. This includes cooperation on technological issues for the purpose of saving energy, which has already been put in place. Innovation and competition will continue to dominate the climate-policy discourse in the US, and the EU could share valuable experiences with the US on that front. A topic that still offers potential for future discourse is energy security and its defense- and security-policy-related manifestations.

The biggest danger arises from the possibility of the EU turning its back on the US altogether after having their excessive expectations disappointed one more time. This, however, would be a disastrous mistake: restructuring the US economy on the basis of sustainable precepts will require time and patience, as was also the case in Europe. The fact that time is



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