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Abstract

On 1 June 2017, President Trump announced his intention to withdraw the United States (US) from the Paris Agreement on climate change. This paper examines to what extent this decision has had an impact on the climate diplomacy of the European Union (EU). In light of US disengagement, questions have been raised about the future viability of the global climate regime. The paper argues that Trump's ability to roll back climate legislation domestically is relatively restricted, while his impact has been more pronounced on the international level. Overall, US disengagement has created a leadership gap, which has strengthened the EU's actorness and provided it with an opportunity to increase its external engagement in the field. Even though the EU is still in a process of strategic adjustment, three important adaptations can be identified: First, the EU has strengthened its cooperation with key partner countries such as China and Canada. Second, the EU increasingly frames climate change issues in terms of energy cooperation and security in its bilateral relations with the US. Third, the EU's engagement with local and regional actors has been significantly reinforced.

Introduction: Kyoto all over again?

The recently elected President of the United States (US) is standing on a podium in the White House Rose Garden, publicly elaborating on his decision to abandon a major international treaty on climate change: "For America, complying with those mandates would have a negative economic impact, with layoffs of workers and price increases for consumers".¹ The Republican President, whose foreign policy has been described as 'unilateralist' and 'America First', thereby ignores the many calls from leaders around the world, in particular from Europe, who had urged him to remain engaged within the global climate regime.² The year is 2001, the President is George W. Bush, and the treaty that he intends to abandon is called the Kyoto Protocol.

Almost 16 years later, the United States' 45th President, Donald J. Trump, is standing in the exact same spot while announcing the US' withdrawal from another milestone treaty on climate change – the Paris Agreement. Employing a reasoning similar to Bush, Trump emphasises the need to protect American workers and argues that compliance with the Paris Agreement would disadvantage the United States vis-à-vis emerging economies such as China.³ The similarities between the two Presidents' policies on climate change are striking. Domestically, they rolled back existing environmental regulations and adopted new legislation to facilitate fossil fuel extraction. Internationally, the presidencies of Bush and Trump have marked two periods in which the US disengaged from the global climate regime.

Both presidencies were preceded by a period of US climate leadership. In the run-up to and during the negotiations of the Paris Agreement in 2015, the Obama administration played a decisive role in the preparation and shaping of the final outcome.⁴ During the 1970s and 1980s, the US was one of the most ardent supporters of environmental action and at the forefront of the establishment of a number of environmental treaties, such as the Montreal Protocol in 1987.⁵ However, while US leadership had been crucial during the early days of the environmental regime, the

¹ The White House, Office of the Press Secretary, *President Bush Discusses Global Climate Change*, Washington D.C., 11 June 2001.

² J. Dumbrell, "Unilateralism and 'America First'? President George W. Bush's Foreign Policy", *The Political Quarterly*, vol. 73, no. 3, 2002, p. 279.

³ The White House, Office of the Press Secretary, *Statement by President Trump on the Paris Climate Accord*, Washington D.C., 1 June 2017.

⁴ C. Parker, C. Karlsson & M. Hjerpe, "Assessing the European Union's Global Climate Change Leadership: From Copenhagen to the Paris Agreement", *Journal of European Integration*, vol. 39, no. 2, 2017, pp. 248-249.

⁵ D. Kelemen & D. Vogel, "Trading Places: The Role of the United States and the European Union in International Environmental Politics", *Comparative Political Studies*, vol. 43, no. 4, 2010, p. 1.

1990s marked the beginning of a paradigm shift in US environmental policy. Under President George H.W. Bush, the US had initiated a moratorium on new regulations, effectively putting a halt to new environmental legislation.⁶

Even though his successor, Bill Clinton, tried to reinvigorate US climate leadership, he was unable to gain Congressional support for a majority of his initiatives.⁷ In 1997, the US Senate finally adopted the Byrd-Hagel Resolution with unanimous support from both parties, revealing a growing bipartisan reluctance to advance climate action. With an eye to the upcoming United Nations (UN) climate negotiations in Kyoto later that year, the resolution successfully limited the room for manoeuvre of President Clinton, setting out very strict conditions for an agreement to gain approval by the Senate.⁸ This reluctance foreshadowed a gradual US disengagement from global climate politics that eventually culminated in the non-ratification of the Kyoto Protocol.

In contrast to when President Trump announced his decision to leave the Paris Agreement, President George W. Bush's refusal to ratify the Kyoto Protocol posed a risk to the treaty's very survival. While the Paris Agreement had already been operational at the time of Trump's announcement, for the Kyoto Protocol to enter into force, it first had to be ratified by at least 55 signatories, representing a minimum of 55 percent of overall emissions from industrialised countries. Hence, after the exit of the world's largest greenhouse gas (GHG) emitter at the time, the fate of the agreement rested with a small group of industrialised countries, amongst them countries such as Russia whose commitment to climate action had been ambiguous at best. In this context, the EU had to engage in extensive diplomatic activities to ensure that the Kyoto Protocol would still see the light of day. In retrospect, the EU has often been praised for the instrumental role it played in bringing about the ratification of the Kyoto Protocol.⁹

US disengagement from the global climate regime, both in the early 2000s and today, caused the emergence of a leadership gap. Due to its self-image as an environmental leader and thanks to its economic and political clout, the EU has been

⁶ *Ibid.*, p. 13.

⁷ *Ibid.*, p 14.

⁸ G. Kahn, "The Fate of the Kyoto Protocol under the Bush Administration", *Berkeley Journal of International Law*, vol. 21, no. 3, 2003, p. 550.

⁹ S. Oberthür & C. Roche Kelly, "EU Leadership in International Climate Policy: Achievements and Challenges", *The International Spectator*, vol. 43, no. 3, 2008, pp. 47-48.

seen as a 'natural contender' to fill this void both then and now.¹⁰ However, in the early 2000s, EU activism benefitted from a greater urgency to act and a less competitive leadership, the former related to the uncertain fate of the Kyoto Protocol and the latter referring to the EU's position as the most progressive force for climate action at the time. It is important to note that the EU's relative share of GHG emissions decreased over time, suggesting that its relative weight in climate negotiations has also diminished.

Against the backdrop of these changes, this paper aims to examine whether the EU is still willing and able to assume leadership, when faced with US disengagement today. In particular, the following research question is addressed: To what extent has the US decision to withdraw from the Paris Agreement had an impact on EU climate diplomacy? The focus is on the impact of US disengagement on the EU's status as an actor in climate diplomacy (actorness) and its response thereto in terms of discourse and actions taken (external engagement).

The paper argues that US disengagement has strengthened the EU's actorness and external engagement. However, in contrast to the early 2000s, the EU increasingly relies on other partners to provide (co-)leadership in global climate politics, reaching out to both state and non-state actors. This finding confirms prominent conceptualisations of the EU as a 'networked co-leader'.¹¹ The paper proceeds as follows: First, it briefly introduces the reader to the analytical framework, in particular to the concepts of EU actorness and external engagement. Hereafter, it examines the nature of US disengagement from the global climate regime and the EU's response thereto. The conclusion sums up the main findings and presents a number of policy recommendations for the EU's future engagement in international climate diplomacy.

¹⁰ E. Palacková, "The Race for Climate Leadership in the Era of Trump and Multilevel Governance", *European View*, vol. 16, no. 2, 2017, p. 253.

¹¹ D. Belis *et al.*, "Climate Diplomacy and the Rise of 'Multiple Bilateralism' between China, India and the EU", *Carbon & Climate Law Review*, vol. 12, no. 2, 2018, pp. 96-97.

Analytical Framework: Measuring EU Actorness and External Engagement

This study relies on Schunz, Damro and Gstöhl's analytical framework combining actorness and external engagement,¹² which builds upon the conceptualisation of EU actorness developed by Bretherton and Vogler.¹³ Bretherton and Vogler distinguish between 'opportunity', 'presence' and 'capability' as the three constitutive elements of EU actorness: Opportunity relates to the external environment of EU policy-making and reveals to what extent structural features of the international setting influence the EU's ability to engage externally.¹⁴ According to Schunz *et al.*, the most important structural features in this context are interests, institutions, ideas and norms.¹⁵

Interests refer to the "ultimate, material or ideational objectives pursued by foreign policy actors".¹⁶ Institutions can be perceived as enduring "patterns of behaviour" that structure the international system.¹⁷ They can, but do not necessarily have to, take the form of multilateral organisations. Finally, ideas and norms relate to the subjective worldview of international actors and "standards of acceptable behaviour".¹⁸ In climate change diplomacy, the EU's external engagement has been frequently subject to a volatile opportunity. Hence, an examination of the EU's opportunity, gauged along the analytical categories of interests, institutions, ideas and norms, appears highly relevant to this paper's analysis.

The second component of EU actorness put forward by Bretherton and Vogler is presence. The EU's presence in a given policy field describes its indirect external influence as "a consequence of being".¹⁹ Schunz *et al.* refer to the historical evolution of the EU's legal and policy *acquis* which "forms the basis of what the EU projects to the outside world".²⁰ Capability constitutes the third and final component of EU actorness and denotes the internal context of EU policy-making, most notably those features that determine the EU's "ability to formulate effective policies".²¹ According

¹² S. Schunz, C. Damro & S. Gstöhl, "Analytical Framework: Understanding and Explaining EU External Engagement", in Chad Damro, Sieglinde Gstöhl & Simon Schunz (eds.), *The European Union's Evolving External Engagement: Towards New Sectoral Diplomacies?*, Abingdon, Routledge, 2017, pp. 15-33.

¹³ C. Bretherton & J. Vogler, *The European Union as a Global Actor*, London, Routledge, 2006, p. 13.

¹⁴ *Ibid.*, p. 24.

¹⁵ Schunz, Damro & Gstöhl, *op.cit.*, p. 28-29.

¹⁶ *Ibid.*, p. 16.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ Bretherton & Vogler, *op.cit.*, p. 27.

²⁰ Schunz, Damro & Gstöhl, *op.cit.*, p. 16.

²¹ Bretherton & Vogler, *op.cit.*, p. 29.

to Schunz *et al.*, the EU's capability relies "on its legal competence for external action, its policy objectives, strategies and procedures for external engagement".²² Moreover, Bretherton and Vogler emphasise the importance of vertical (EU vs member state level) and horizontal (inter- and intra-institutional) coherence in EU policy-making.²³

The impact of US disengagement from the global climate regime has a direct influence on the EU's structural context of action, i.e. its opportunity. Moreover, there is the potential that US disengagement might indirectly influence the EU's presence, by inducing the adoption of new domestic policies. The latter would be the case, for example, if the EU decides to strengthen its own climate legislation to compensate for US inactivity. The impact on the EU's capability, however, seems very limited. Indeed, the EU's capability is mainly determined by the treaties. The EU's competences and internal decision-making procedures are not expected to change as a result of the US decision to abandon a multilateral agreement on climate change. Hence, this paper's analysis focuses predominately on the question of coherence, when assessing the EU's capability.

The concept of actorness in itself can only point to the EU's ability to engage as an actor externally. To assess what kind of actor the EU is and what it actually does, it is vital to examine the forms of external engagement that the EU employs in its diplomatic activities. The second part of the analytical framework thus focuses on the EU's forms of external engagement. Schunz *et al.* define external engagement as "any form of interaction – whether purposive or [...] non-purposive – between the European Union and the outside world".²⁴ It is important to note that this definition not only relates to the EU's engagement with international organisations and states, but also with sub- and non-state actors. This is crucial as a large part of this paper deals with the EU's interaction with non-state actors. Based on Schunz *et al.*'s analytical framework, the form of EU external engagement essentially depends on four analytical categories: 'objectives', 'agency', 'mechanisms' and 'interlocutors'/'arenas'.²⁵

Objectives denote the EU's intentions while engaging in external action. This category aims to identify the EU's external goals in a certain policy field. Agency relates to the Union's internal decision-making and its external representation. It

²² Schunz, Damro & Gstöhl, *op.cit.*, p. 17.

²³ Bretherton & Vogler, *op.cit.*, pp. 29-31.

²⁴ Schunz, Damro & Gstöhl, *op.cit.*, p. 18.

²⁵ *Ibid.*, p. 19.

addresses the question as to which institution/Member State is in the driving seat regarding external action. Mechanisms describe the approach taken by the EU to pursue its objectives. Schunz *et al.* differentiate between coercive, persuasive and bargaining-based mechanisms.²⁶ While the former (coercion) relies on hard instruments such as sanctions, the latter two follow the logics of socialisation (persuasion) and consequentialism (bargaining), respectively. Last but not least, 'interlocutor' aims to identify the target or addressee of EU external engagement, while 'arena' asks through which venues EU engagement takes place. These venues can be diverse, ranging from formal to informal and from multilateral to bilateral arenas. Together with the analytical components of the actorness concept, these indicators of external engagement serve to structure the analysis of this paper.

Based on these conceptual foundations, this paper carries out a qualitative case study of US disengagement from the global climate regime under President Trump, and in particular its impact on EU climate diplomacy. The time period considered ranges from the inauguration of President Trump in January 2017 to October 2018. Even though Donald Trump only announced the US withdrawal from the Paris Agreement in June 2017, his actions before this decision already had an impact on global climate diplomacy. The analysis relies on three different components. First, it examines the practical and legal implications of US disengagement under Trump. Second, a discourse analysis examines the EU's immediate reaction to President Trump's announcement. In this context, both primary and secondary sources are used, in particular press releases, public statements and media reports. Third, a process-tracing analysis is carried out to examine the EU's reaction and strategic adjustment in practice and over time.

The relatively scarce academic literature on the topic is complemented by primary sources, such as official EU documents requested from the institutions and expert interviews. The requested documents concern internal and external communication regarding the EU-US Energy Council and the EU-US Working Group on Climate Change. They have been partially released and are publicly available on the internet.²⁷ They offer valuable insights into the strategic considerations, undertaken at the highest level of EU decision-making. Additionally, five semi-structured interviews were carried out with EU officials in Brussels. The interviewees were chosen to reflect

²⁶ *Ibid.*, pp. 19-20.

²⁷ Asktheeu.org, 2018.

the key institutions and services involved in the formulation of EU climate diplomacy, with a particular focus on the transatlantic relationship.

US Disengagement under President Trump

The first part of the analysis focuses on President Trump's domestic and international policies in the field of climate change. In particular, it discusses the legal and practical implications of his decision to withdraw from the Paris Agreement.

Impact and Limitations of President Trump's Policies

Soon after his inauguration on 20 January 2017, President Trump arranged a number of political appointments which already indicated the new administration's stance on climate action. First, the President announced that Scott Pruitt would become the new Administrator of the Environmental Protection Agency (EPA). The EPA is a federal agency, responsible for the monitoring and implementation of environmental regulation. Mr. Pruitt's appointment was criticised, as he had been a constant opponent of EPA, bringing multiple cases against it as former Attorney General of Oklahoma.²⁸ Under Pruitt's leadership, hundreds of EPA employees have either resigned or received buy-outs, resulting in a massive downsizing of the agency's overall workforce.²⁹

In July 2018, Pruitt finally resigned amidst ethical controversies over his management style.³⁰ President Trump subsequently replaced him with Andrew Wheeler, a former coal lobbyist, who is said to have "crusaded behind the scenes for decades to quash climate change legislation and promote coal".³¹ Beyond EPA, the Department of Energy was allocated to Rick Perry, who had previously advocated the closing of the very same department.³² Ryan Zinke was appointed as the new head of the Department of Interior, responsible for the protection of natural resources. Zinke is publicly known as a strong supporter of fossil fuel production.³³ Additionally, the

²⁸ Bomberg, *op.cit.*, pp. 956-957.

²⁹ J. Hirschfeld-Davis & M.D. Shear, "Trump Signs Spending Bill, Reversing Veto Threat and Avoiding Government Shutdown", *The New York Times*, 23 March 2018.

³⁰ O. Milman & S. Siddiqui, "Scott Pruitt, Trump's embattled EPA chief, resigns amid ethics scandals", *The Guardian*, 6 July 2018.

³¹ J. Dlouhy, "New EPA Boss Same as the Old: Pruitt Policies to Stay Intact", *Bloomberg*, 6 July 2018.

³² Bomberg, *op.cit.*, p. 957.

³³ Freeman, *op.cit.*, p. 547.

Office of Management and Budget was given to Mick Mulvaney, who considers funding for climate action a “waste of money”.³⁴

Secretary of State Rex Tillerson, former CEO of ExxonMobil, surprisingly turned out to be one of the strongest proponents of climate action within the administration. However, he was ousted and replaced by the climate-sceptic Mike Pompeo in March 2018.³⁵ Similarly, the relatively climate-friendly national security advisor H.R. McMaster³⁶ was replaced by John R. Bolton in April 2018. Bolton is a hard-line conservative who already served under President George W. Bush as Under Secretary of State and Ambassador to the UN.³⁷

Taken together, these political appointments make it more difficult for international partners such as the EU to identify access points within the administration. The impact of the new administration’s climate sceptic stance could also be felt on a working level. Jonathan Pershing, for example, the last climate envoy under President Obama, was first able to keep his position. However, this position was downgraded internally within the State Department. According to an official from the European External Action Service (EEAS), Pershing no longer reported directly to the Secretary of State.³⁸ Eventually, the position of Special Envoy for Climate Change was entirely abolished, leading to Pershing’s departure.³⁹

Beyond personnel changes, President Trump also quickly started to issue a number of executive orders aimed at rolling back domestic environmental regulation. On 28 March 2017, he signed an executive order which obliges government departments and agencies to review “existing regulations that potentially burden the development or use of domestically produced energy resources”.⁴⁰ The review focuses, in particular, on the promotion of fossil fuels and is supposed to result in the suspension, revision or rescinding of regulations which restrict their use. Most importantly, however, the executive order is intended to make good on Trump’s campaign promise to abolish the Clean Power Plan (CPP). The CPP foresees CO₂

³⁴ Bomberg, *op.cit.*, p. 957.

³⁵ Interview with an official, EEAS, via telephone, 28 March 2018.

³⁶ *Ibid.*

³⁷ J. Dumbrell, “Unilateralism and ‘America First’? President George W. Bush’s Foreign Policy”, *The Political Quarterly*, vol. 73, no. 3, 2002, pp. 280-281.

³⁸ Interview with an official, US Desk, EEAS, Brussels, 4 April 2018.

³⁹ N. Toosi, “Tillerson looking to eliminate dozens of special envoy posts”, *Politico*, 28 August 2017.

⁴⁰ The White House, Executive Orders, *Presidential Executive Order on Promoting Energy Independence and Economic Growth*, Washington D.C., 28 March 2017.

reductions in the power sector of up to 30 percent by 2030 (reference: 2005).⁴¹ It is often seen as Obama's most important legacy in domestic climate policy and was adopted right after the conclusion of the Paris Agreement.

Officially, Trump has only instructed the EPA to review the CPP. However, the agency already announced its intention of rescinding the act.⁴² In fact, the Trump administration already began to reduce incentives for renewables that are foreseen by the CPP.⁴³ Nevertheless, repealing, suspending or even revising the CPP is not an easy task. Any such effort is subject to a fixed set of procedural requirements.⁴⁴ Importantly, agencies and executive departments need to issue prior notice of their intentions to repeal a regulation and allow for public comment thereon. Thus, if the EPA aims to rescind the CPP, it "will be required to accept and review public comment, and once the repeal takes effect it will likely be the target of vigorous judicial action".⁴⁵

Furthermore, Trump lifted a moratorium on new coal mining leases and fracking on federal lands, while approving two controversial pipeline projects which were previously blocked under the Obama administration.⁴⁶ The Keystone XL pipeline and the Dakota Access pipeline projects have been criticised for their "potential impact on water resources and the climate, as well as alleged violations of indigenous and tribal rights".⁴⁷ The approval of these infrastructure projects is not subject to further procedural constraints. However, several environmental groups have initiated lawsuits against the approval decisions and litigation is currently pending.⁴⁸ Besides political appointments and executive orders, Trump also made an attempt at restructuring the federal budget to reflect the change in priorities.

In March 2017, the Trump administration put forward its budget proposal for the fiscal year 2018. The budgets of the Department of Energy, the Department of State and the EPA were all supposed to be slashed drastically. The EPA was targeted with

⁴¹ Biedenkopf, Katja, "Transatlantic Climate Diplomacy", *American Institute for Contemporary German Studies*, Washington, D.C., 2016.

⁴² M. Mehling & A. Vihma, "'Mourning for America' – Donald Trump's Climate Change Policy", *Finnish Institute of International Affairs (FIIA) Analysis*, no. 8, 2017, p. 27.

⁴³ D. Gordon, D. Reddy & E. Rosenberg, "After Paris: A Climate Agenda that Serves U.S. Interests", *Center for a New American Security*, Washington D.C., 2017, p. 9.

⁴⁴ Freeman, *op.cit.*, p. 559.

⁴⁵ *Ibid.*, p. 15.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*, p. 14.

⁴⁸ V. Volcovici, "Environmental Groups Sue Trump Administration for Approving Keystone Pipeline", *Reuters*, 30 March, 2017.

the largest proposed cut, a budget reduction of 31.4 percent.⁴⁹ Moreover, Trump proposed to stop, or at least drastically cut, funding for several government programmes related to the environment and clean energy.⁵⁰ However, the final Congressional spending bill was perceived as a “broad rebuke to President Trump’s vision”.⁵¹ Most of his proposals were rejected or even reversed in a bipartisan package deal between Democrats and Republicans. While Trump had proposed to cut the budget of the Energy Department’s programme on energy efficiency and renewables by 69 percent, Congress increased it by 14 percent.⁵² Moreover, the administration’s proposal to shut down the Advanced Research Projects Agency was rejected. Instead, the Agency received a budget increase of 16 percent.⁵³ Local environmental initiatives were largely kept in place and the budgets of the State Department and the EPA have so far remained untouched.

Despite a Republican majority in both chambers, President Trump suffered a major blowback on his budget proposal. Republican lawmakers were primarily concerned with the up-coming mid-term elections in November 2018 and were eager to protect local interests. The clean energy sector has increasingly become an important source of economic growth in many states.⁵⁴ Hence, it appears logical that Senators want to promote these emerging industries in their regions. Additionally, Democrats are still able to filibuster in the Senate and to delay the adoption of a spending bill, effectively forcing a temporary government shutdown. To avoid such a shutdown, President Trump thus also relies on bipartisan support for his budget proposals.

All in all, Trump’s domestic policy agenda signals a willingness to deliver on his campaign promises. On the one hand, he improved the infrastructure development and extraction opportunities for fossil fuels. On the other hand, his political appointments, budget proposals and domestic policy actions reveal a departure from existing environmental standards. Taken together, these actions are likely to negatively impact the United States’ ability to engage in effective climate action domestically and internationally. However, Trump’s impact is – for now – not as significant as

⁴⁹ Mehling & Vihma, *op.cit.*, p. 12.

⁵⁰ *Ibid.*

⁵¹ J. Hirschfeld-Davis, “Spending Plan Passed by Congress Is a Rebuke to Trump. Here’s Why”, *The New York Times*, 22 March 2018.

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ B. De Botselier, “US Climate Politics in the Trump Era: Options for EU Engagement”, *College of Europe Policy Brief (CEPOB)*, 1/2018, College of Europe, Bruges, p. 2.

sometimes assumed. Domestic procedural, political and judicial constraints limit the powers of the President. The constitutional system of checks and balances curtails much of the impact that a Trump administration could potentially have.

The Announcement to Withdraw from the Paris Agreement – Implications

On 1 June 2017, Trump officially announced his plan to withdraw the United States from the Paris Agreement.⁵⁵ While he referred to a re-negotiation of the agreement and the opportunity for the US to re-enter under more preferable terms, he also announced that the US will immediately “cease all implementation of the non-binding Paris Accord”.⁵⁶ From a legal point of view, President Trump’s announcement has no immediate effect. According to Article 28 of the Paris Agreement, the withdrawal procedure is only officially launched once a written notification is submitted to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC). However, under the provisions of the Paris Agreement, this note can only be submitted “three years from the date on which this Agreement [the Paris Agreement] has entered into force for a party”.⁵⁷ President Obama enacted the Paris Agreement via an executive order on 4 November 2016.⁵⁸ Hence, the earliest date by which the US can launch the withdrawal procedure is 4 November 2019.

Moreover, according to Article 28, any withdrawal can take effect at the earliest one year after the submission of the formal note of intent. As a result, 4 November 2020 is the earliest date by which a potential US withdrawal can become effective. Incidentally, the next US presidential elections are scheduled for 3 November 2020. This has three major implications. First, US withdrawal from the Paris Agreement is not going to be completed before the next elections. Second, the United States’ decision to leave the Paris Agreement is likely to be revisited and discussed during the next presidential campaign. Finally, it is possible that the US will never leave the agreement, depending on the results of the 2020 presidential elections. Indeed, a potentially new President would only be able to take office in January 2021, hence after the withdrawal were to take effect. However, in case the new President-elect was determined to keep the US within the agreement, it would be

⁵⁵ The White House, Office of the Press Secretary, *Statement by President Trump on the Paris Climate Accord*, Washington D.C., 1 June 2017.

⁵⁶ *Ibid.*

⁵⁷ United Nations Framework Convention on Climate Change, *Paris Agreement*, 2015, p. 25.

⁵⁸ Wirth, David, “While Trump Pledged Withdrawal from Paris Agreement on Climate, International Law May Provide a Safety Net”, *Boston College Law School Faculty Papers*, 2017, p. 1.

politically difficult for the outgoing administration to enact the withdrawal nonetheless. Until these developments will unfold, the US remains a party to the Paris Agreement and continues to be bound by its obligations.

In practical terms, President Trump's announcement has two immediate repercussions. On the one hand, the US no longer aims to comply with its 2025 GHG reduction target of 26 percent (base year: 2005).⁵⁹ On the other hand, the Trump administration has stopped its payments to the Green Climate Fund (GCF). The Obama administration had previously committed 3 billion USD in financial support to the GCF, of which 1 billion USD were already provided.⁶⁰ The remaining 2 billion USD, representing almost 20 percent of the Fund's overall capacity (10.3 billion USD), will no longer be paid. Many observers were also left wondering in what capacity the US would be represented at future UN climate negotiations.

The 23rd Conference of the Parties (COP-23) that took place in Bonn in November 2017 was the first climate summit after President Trump's announcement and served as a test ground to examine the US role in future climate negotiations.⁶¹ Importantly, the US sent a delegation to Bonn, which signals its intention to continue to participate in the negotiations. Comparing the provisional participant lists of COP-22 (Obama administration) and COP-23 (Trump administration), one can determine that the total number of official US delegates almost halved from 91 to 48.⁶² This drop in numbers reflects a clear change in the administration's priorities. However, in the eyes of a conference participant, the US delegation comprised many familiar faces and largely continued to advocate its usual positions.⁶³

In Bonn, developing countries were vocal on a stronger differentiation in the Paris rulebook and rejected the set-up of an ambitious transparency mechanism.⁶⁴ US leadership on these issues has suffered from a lack of credibility according to an official from the EEAS.⁶⁵ The lack of credibility is particularly pronounced with regard to the

⁵⁹ Mehling & Vihma, *op.cit.*, p. 24.

⁶⁰ S. Minas & M. Bowman, "Post-Paris / Post-Trump: The Green Climate Fund and Climate Finance Governance in the Eye of the Storm?", *TLI Think! Paper*, no. 75/2017, London, Transnational Law Institute, 2017, p. 2.

⁶¹ H. Winkler & J. Depledge, "Fiji-in-Bonn: Will the 'Talanoa Spirit' Prevail?", *Climate Policy*, vol. 18, no. 2, 2018, p. 143.

⁶² UNFCCC, 22nd Session of the Conference of the Parties, *Provisional list of registered participants*; UNFCCC, 23rd Session of the Conference of the Parties, *Provisional list of registered participants*.

⁶³ Interview with an official, DG CLIMA, European Commission, Brussels, 4 April 2018.

⁶⁴ *Ibid.*

⁶⁵ Interview with an official, EEAS, via telephone, 28 March 2018.

issue of financing, as the US has significantly cut its contributions to the GCF. This has a negative impact on the extent to which the European Union can rely on US support during UNFCCC negotiations.⁶⁶

Another important feature of the Bonn climate summit was the presence of a second, unofficial delegation from the US. This delegation, the so-called 'We-Are-Still-In' coalition, comprised several representatives from states, cities, and the business community, representing half of US gross domestic product.⁶⁷ In Bonn, they "opened an impossible-to-miss, 27,999-square foot 'U.S. Climate Action Pavilion' outside the main COP 23 venue".⁶⁸ Moreover, they presented the report 'America's Pledge', in which they promise to make additional efforts to ensure that the US would meet its targets under the Paris Agreement.⁶⁹

There is a long-standing tradition of local and state action on climate change in the United States.⁷⁰ In fact, state legislators have time and again outperformed the federal government, as they enjoy considerable competences in environmental matters.⁷¹ The state of California serves as a case in point. California has led the way in domestic climate action, by pioneering both vehicles' emission standards and an emissions trading scheme (ETS). The introduction of the latter came as a reaction to President Bush's decision to not ratify the Kyoto Protocol in the early 2000s. In response to Trump, California engaged in extensive diplomatic activities both at home and abroad and announced that it will work to cut emissions by 50 percent until 2030.⁷²

Whereas President Bush's rejection of the Kyoto Protocol had been welcomed by a substantial part of the business community, the private sector's reaction to Trump's announcement in 2017 was overwhelmingly negative.⁷³ Rather than adapting their business strategies, enterprises continue to invest in innovation and clean energy technology.⁷⁴ This change can largely be attributed to the economic maturity that

⁶⁶ R. Keohane, "The International Climate Regime without American Leadership", *Chinese Journal of Population Resources and Environment*, vol. 15, no. 3, 2017, p. 185.

⁶⁷ Winkler & Depledge, *op. cit.*, pp. 143-144.

⁶⁸ S. Leahy, "Half of U.S. Spending Power Behind Paris Climate Agreement", *National Geographic*, 15 November 2017.

⁶⁹ "America's Pledge", *Bloomberg Philanthropies*, 2017, pp. 9-11.

⁷⁰ L. Kemp, "US-proofing the Paris Climate Agreement", *Climate Policy*, vol. 17, no. 1, 2017, p. 89.

⁷¹ Gordon, Reddy & Rosenberg, *op.cit.*, p. 8.

⁷² Leahy, *op.cit.*

⁷³ M. Betsill, "Trump's Paris Withdrawal and the Reconfiguration of Global Climate Change Governance", *Chinese Journal of Population Resources and Environment*, vol. 15, no. 3, 2017, p. 190.

⁷⁴ Bomberg, *op.cit.*, p. 959.

clean technologies have reached over the past two decades. The long-term trend towards green energy appears largely irreversible. Hence, US emissions are likely to fall over the next decade, regardless of Trump's policies. A report from the Rhodium Group estimates that, in the absence of new policies, US emissions will fall by 15 to 19 percent by 2025, which is, however, still roughly ten percent below the target of its Nationally Determined Contribution (NDC).⁷⁵

The EU's Reaction to US Disengagement

From a geopolitical point of view, Trump's decision to leave the Paris Agreement has created a leadership gap in climate change diplomacy. The EU has been referred to as a 'natural contender' to fill this void.⁷⁶ The next section examines to what extent the EU has been able and willing to provide leadership in light of US disengagement, paying particular attention to the concepts of actorness and external engagement.

The EU's Immediate Reaction to Trump's Announcement

The EU's first official response to Trump's announcement was issued only a couple of hours after the US President had given his speech. In a press statement, the Commissioner for Climate Action, Miguel Arias Cañete, called Trump's announcement a regrettable "unilateral decision".⁷⁷ Interestingly, Cañete recalled the non-prescriptive character of the Paris Agreement and stressed that "there is room for the US to chart its own course within the Paris Agreement".⁷⁸ This formulation points to the fact that the Commissioner did not consider Trump's decision to be irreversible. The Commissioner further announced that the EU remained committed to a 'leadership' role on climate action and that it would "strengthen its existing partnerships and seek new alliances".⁷⁹

The reference to 'new alliances' does already hint at a strategic re-orientation in response to US disengagement. Commissioner Cañete specifically pointed to "US businesses, citizens and communities", which he expects to form an integral part of

⁷⁵ K. Larsen, J. Larsen, W. Herndon, S. Mohan & T. Houser, "Taking Stock 2017: Adjusting Expectations for US GHG Emissions", *Rhodium Group*, New York, 2017, p. 1.

⁷⁶ Palacková, *op.cit.*, p. 253.

⁷⁷ European Commission, *Statement by Climate Action and Energy Commissioner Miguel Arias Cañete on the US Announcement to Withdraw from the Paris Agreement*, Press Statement, Brussels, 1 June 2017.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

any future partnership.⁸⁰ The European Parliament's President Tajani reminded the US that "the Paris Agreement must be respected".⁸¹ Environment Committee Chair Adina-Ioana Vălean added that she hoped that "America will, in the end, come back on our side in the fight against climate change".⁸² Hence, similar to Commissioner Cañete's reaction, Vălean considered that the final word on the future participation of the US under the Paris Agreement had not yet been spoken. Moreover, she called for EU leadership and emphasised cooperation with China and the High Ambition Coalition, an alliance between small, ambitious developing countries and the EU, which was instrumental in pushing for an ambitious outcome at the Paris climate conference. The diversity of political groups within the European Parliament, however, is also reflected in a diversity of viewpoints. This was evident at the plenary session on 14 June 2017, when several Members of the European Parliament (MEPs) from the 'Europe of Nations and Freedom' group applauded Trump's decision.⁸³

The European Council and the Council of Ministers did not release a dedicated press statement in the immediate aftermath of Donald Trump's decision. Only at the next Council meeting on 19 June 2017, EU Member States finally adopted a joint response.⁸⁴ They reconfirmed their commitment to the Paris Agreement and clearly rejected President Trump's call for a renegotiation of the accord. Moreover, they emphasised that "the world can continue to count on the EU for leadership in the global fight against climate change".⁸⁵ The language of the Council conclusions resembles to a large degree to the one used by Commissioner Cañete in his statement of 1 June 2017, in particular the call for a reinforced engagement with new partners, especially non-state actors.

After the adoption of a common position at ministerial level, the EU's heads of state followed suit by adopting European Council conclusions on 22 June 2017.⁸⁶ In terms of content, the two documents are barely distinguishable. Apart from their engagement within the EU, some Member States have also sought to coordinate their

⁸⁰ *Ibid.*

⁸¹ European Parliament, *EP President Tajani: 'The Paris agreement is alive and we will take it forward'*, Press Release, Brussels, 1 June 2017.

⁸² *Ibid.*

⁸³ European Parliament, *European Parliament Debate on U.S. Withdrawal from Paris Climate Agreement*, video, 2 June 2016.

⁸⁴ Council of the European Union, *Council Conclusions on Climate Change following the United States Administration's Decision to Withdraw from the Paris Agreement*, Brussels, 19 June 2017.

⁸⁵ *Ibid.*

⁸⁶ European Council, *European Council Conclusions on the Paris Agreement on Climate Change*, Brussels, 22 June 2017.

response to Trump's announcement outside of the EU institutions. The heads of state of Germany, France and Italy released a joint statement on the day of Trump's announcement, expressing their continued commitment to the Paris Agreement.⁸⁷ In the absence of an immediate response by all 28 Member States, media attention was clearly focused on the response of these three countries.⁸⁸

The most memorable European response to Trump, however, was delivered by the French President. In a televised broadcast, Emmanuel Macron playfully transformed Trump's campaign slogan into the catchphrase 'make our planet great again'.⁸⁹ It is perhaps telling that Commission President Juncker simply recited these words when he talked about climate change in his State of the Union Address in September 2017.⁹⁰ Thanks to a smart online communication strategy and the fact that Macron delivered his speech in English and French, he managed to spread his message around the globe and successfully presented himself and his country as climate champions.

All in all, the EU's response to Donald Trump was coherent in terms of the message that was conveyed. EU leaders clearly confirmed their commitment to the Paris Agreement and signalled their intent to pursue leadership, for example by reaching out to new partners (i.e. non-state actors). However, when it comes to the delivery of the message, there was a lack of internal coordination. EU Member States needed almost two weeks to adopt a common position. In the era of online media, this is late. It was therefore the reaction of a small group of large Member States that stuck out in the immediate aftermath of Donald Trump's announcement.

EU External Engagement with non-US Actors

Already before Donald Trump's announcement, the EU had internally started to prepare for the eventuality of US withdrawal. Indeed, the EU and China began to work on a joint statement on climate change immediately after Trump's election.⁹¹ An official from the EEAS, who was present at the COP-22 negotiations, confirmed that

⁸⁷ The Italian Government, *Declaration of Italy, Germany and France*, 1 June 2017.

⁸⁸ J. Watts & K. Connolly, "World Leaders React after Trump Rejects Paris Climate Deal", *The Guardian*, 2 June 2017.

⁸⁹ C. Herreria, "French President to U.S. Scientists: Come Work With Us on Climate Change", *The Huffington Post*, 1 June 2017.

⁹⁰ J.-C. Juncker, *State of the Union Address 2017*, European Commission, Brussels, 13 September 2017.

⁹¹ K. Mathiesen, "Leaked EU-China Climate Statement in Full", *Climate Home News*, 1 June 2017.

the decision to prepare a joint statement was already taken during the climate summit in Morocco, which took place in parallel to the US elections.⁹² After months of careful preparations, the draft statement received the support of all EU Member States and was ready to be adopted at the 19th EU-China summit on 2 June 2017.⁹³

The draft joint statement was leaked to the press a couple of days before the summit.⁹⁴ The document includes a strong statement from both parties in support of the Paris Agreement and a promise to “step up their co-operation to enhance its implementation”.⁹⁵ In particular, the two parties present a number of concrete proposals to strengthen Sino-European cooperation on a bilateral level. Prominent examples include the set-up of a nation-wide emissions trading scheme in China or the development of low-carbon mobility systems. Due to trade-related issues, however, the EU and China were unable to agree on a joint statement in 2017, so that the document was only adopted at the 20th EU-China summit in July 2018.

The EU also reached out to other key partners in the wake of Donald Trump’s announcement. Together with the African Union, the Commission published a short statement on 1 June 2017, reaffirming their joint commitment to the implementation of the Paris Agreement.⁹⁶ On 14 June 2017, the European Parliament invited the President of the Republic of the Marshall Islands, who holds the chair of the High Ambition Coalition, to speak in front of the plenary on the issue of US withdrawal. Moreover, in the context of the G20 meeting in Hamburg in July 2017, EU leaders played an important role in the adoption of a statement by the heads of state and government in support of the Paris Agreement.⁹⁷

The EU also engaged in further outreach activities. On 16 September 2017, the EU together with Canada and China hosted the first ‘Ministerial on Climate Action’ (MoCA) in Montreal. According to an official from DG CLIMA, the creation of the MoCA is directly related to US disengagement from the global climate regime.⁹⁸ Under Obama, the US used to convene the ‘Major Economies Forum on Energy and Climate Change’. This forum allowed for a high-level exchange on climate and energy between major developed and developing economies. However, under Trump this

⁹² Interview with an official, EEAS, via telephone, 28 March 2018.

⁹³ Mathiesen, *op.cit.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ European Commission, *EU-African Union Joint Communiqué on the Implementation of the Paris Agreement*, Brussels, 1 June 2017.

⁹⁷ Interview with an official, US Desk, EEAS, Brussels, 4 April 2018.

⁹⁸ Interview with an official, DG CLIMA, European Commission, Brussels, 4 April 2018.

format was abandoned.⁹⁹ Hence, the MoCA is intended to replace the Major Economies Forum, by providing a new framework to continue these discussions.

Ministers from over 30 major economies followed the invitation to the first MoCA. Even though the US participated, it was the only country that was not represented at ministerial level. Moreover, instead of sending a representative from the State Department, which represents the US in climate talks, the Trump administration sent the deputy director of the US National Economic Council.¹⁰⁰ The discussions at the MoCA essentially served as preparatory talks ahead of the 2017 climate summit in Bonn and helped to streamline the work on the Paris rulebook. Moreover, the parties agreed to reconvene for a second MoCA, which took place in Brussels, in June 2018.¹⁰¹ It was hosted by the EU and “designed to help ensure the success of the 24th UN Climate Change Conference this year in Katowice, Poland”.¹⁰² The high-level nature of these meetings allows the EU, China and Canada to streamline their efforts and to push jointly for a successful outcome at UN climate conferences. In this way, the MoCA should be seen as a complementary tool that is used to facilitate negotiations at the UN level.

EU External Engagement with US Actors

While the EU has intensified its efforts at reaching out to key partners beyond the US, it also continues to seek engagement with US actors. On the multilateral level, the EU aims to keep up the cooperation at climate summits. At COP-23, it continued to consult with the US delegation.¹⁰³ The US still co-chairs the working group on transparency together with China. Hence, even though the US participation in the negotiations has decreased in both quantity and quality, the country is still involved in the process. Transatlantic coordination continues especially on reporting, differentiation and transparency issues. However, the US no longer plays a leadership role in the negotiations, due to both a lack of interest and credibility.¹⁰⁴

⁹⁹ *Ibid.*

¹⁰⁰ D. Keating, “EU, Canada, China Try to Isolate US ahead of Bonn Climate Talks”, *Deutsche Welle*, 15 September 2017.

¹⁰¹ Interview with an official, DG CLIMA, European Commission, Brussels, 4 April 2018.

¹⁰² European Commission, Chairs’ Summary, *Ministerial on Climate Action*, Brussels, 20-21 June 2018.

¹⁰³ Interview with an official, Climate Change Unit, Council of the European Union, Brussels, 4 April 2018.

¹⁰⁴ Interview with an official, EEAS, via telephone, 28 March 2018.

On the bilateral level, the EU also remains interested in addressing climate change issues in its interactions with the US. Under Obama, the two parties had created the EU-US Energy Council in 2009.¹⁰⁵ This Council allows for high-level exchanges on climate change issues and is usually attended by the Secretaries of State and Energy on the US side and the Commissioners for Energy and Climate as well as the High Representative on the EU side. In 2016, the two parties decided to further strengthen their bilateral relations under the EU-US Energy Council, by setting up a dedicated Climate Change Working Group. The Working Group met for the first time on 22 September 2016.¹⁰⁶ Since Trump's inauguration there has been no meeting of the Climate Change Working Group,¹⁰⁷ and only recently another meeting of the EU-US Energy Council.

An examination of internal and external communication material, provided by the EU institutions, reveals that the EU had tried to revitalise these fora on multiple occasions. On 22 February 2017, for example, in a letter personally addressed to the then US Secretary of State, Rex Tillerson, High Representative Frederica Mogherini specifically mentioned the EU-US Energy Council as a "vital forum for transatlantic cooperation".¹⁰⁸ She also suggested convening the Energy Council "at a mutually convenient time during 2017".¹⁰⁹ This invitation was later re-stated in several follow-up letters written by Mogherini as well as Commissioners Šefčovič and Cañete.¹¹⁰ Moreover, the letters were drafted in a way that, albeit mentioning clean energy, climate and the environment, the focus was clearly placed on aspects of energy security and economic growth.¹¹¹ This confirms the assessment of a high-level official from the EEAS, who stated that the EU started to increasingly engage the US on climate issues through the framework of energy cooperation and security.¹¹²

As direct cooperation on climate change is assumed to be a 'red flag' for the Trump administration, there have not been any attempts at revitalising the working

¹⁰⁵ D. Belis *et al.*, "China, the United States and the European Union: Multiple Bilateralism and Prospects for a New Climate Change Diplomacy", *Carbon and Climate Law Review*, vol. 9, no. 3, 2015, pp. 213-214.

¹⁰⁶ Interview with an official, US Desk, EEAS, Brussels, 4 April 2018.

¹⁰⁷ Interview with an official, DG CLIMA, European Commission, Brussels, 4 April 2018.

¹⁰⁸ Asktheeu.org, 2018, Letter by HRVP Frederica Mogherini.

¹⁰⁹ *Ibid.*

¹¹⁰ Asktheeu.org, 2018, Letter by Commission Vice-President Šefčovič and Commissioner Cañete.

¹¹¹ *Ibid.*

¹¹² *Ibid.*

group on climate change.¹¹³ This points to a strategic adjustment of the EU's engagement with the US. Even though transatlantic cooperation on climate change has always been closely related to energy, it is fair to assert that the 'energy-climate nexus' has become an even more important tool, at least from the EU's point of view, to address climate issues under Trump. Apart from its efforts to frame climate issues in terms of clean energy and energy efficiency, the EU has also increasingly tried to address the 'climate-security nexus' through formats such as the G7 and G20, or the UN Security Council.¹¹⁴

Another change is the reinforced focus on US regional and local actors. The EU is actively engaging with these actors, most notably through the 'Global Covenant of Mayors for Climate and Energy'. This Global Covenant was created in 2016 and represents a forum for cooperation between local and city actors on climate and energy-related issues.¹¹⁵ It comprises thousands of non-state actors from around the world and is currently co-chaired by Commission Vice-President Maroš Šefčovič and former New York Mayor and UN Special Envoy for Cities and Climate Change Michael Bloomberg.¹¹⁶ The value of this platform is its non-state focus, according to a Commission official.¹¹⁷ The Commission has increasingly strengthened its engagement in the steering process of the Covenant.

The importance of the Commission's input has been recently underlined by the opening of the Global Covenant's new headquarters in walking distance to the Berlaymont building in Brussels.¹¹⁸ The EU's engagement is, however, not limited to city actors. Climate Commissioner Cañete, for example, received California's Governor Brown in Brussels to discuss possibilities of linking carbon markets and cooperation on low-carbon transport.¹¹⁹ In return, Cañete visited the 2018 Global Climate Action Summit, which brought together local and regional actors in San Francisco, California. The European Parliament has also reached out to non-state actors. At COP-23, MEPs met with representatives of the 'We-Are-Still-In' initiative to discuss options to strengthen their participation in the UN climate regime.¹²⁰ Moreover, the European

¹¹³ Interview with an official, US Desk, EEAS, Brussels, 4 April 2018.

¹¹⁴ Interview with an official, EEAS, via telephone, 28 March 2018.

¹¹⁵ Interview with an official, DG CLIMA, European Commission, Brussels, 4 April 2018.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ Global Covenant of Mayors for Climate and Energy, *Global Covenant of Mayors Opens Worldwide Headquarters in Brussels*, 22 March 2018.

¹¹⁹ C. Stupp, "EU and California to Discuss Linking Carbon Markets", *EURACTIV*, 8 November 2017.

¹²⁰ Interview with a MEP, Delegation for relations with the United States, via email, 3 April 2018.

Parliament has made use of the 'Transatlantic Legislative Dialogue' to initiate an exchange on climate change with members of Congress. As a result, at the meeting in December 2017, common ground could be found in particular on the importance of the cooperation on energy security and energy diversity.¹²¹

The EU Delegation in Washington also plays a crucial role in engaging with local and regional actors in the US. It developed an action plan on climate change outreach, specifically targeted at local and regional actors.¹²² This engagement strategy foresees, *inter alia*, an increased participation in conferences and meetings with a focus on local climate action.¹²³ In December 2017, the EU Ambassador to the US participated in the North American Climate Summit in Chicago, which brought together non-state actors from across the country.¹²⁴ Officials from the EEAS in Brussels also visited Chicago and had meetings with key stakeholders.¹²⁵ Importantly, the insights gained on the ground are regularly reported back to the EEAS headquarters and fed into the EU's policy processes.¹²⁶

It is a bit early to tell whether US disengagement under President Trump will have a similar effect on the EU's presence as was the case under Bush. In the early 2000s, major domestic policies (e.g. EU ETS) were launched at a time when the survival of the Kyoto Protocol was still unsure. While the adoption of these policies was motivated by a plethora of reasons, they also served to signal 'leadership-by-example'. Today, a similar development can be observed. Indeed, the EU is adopting new policies primarily with the aim to comply with its commitments taken under the Paris Agreement. These commitments are based on the EU's NDC, which so far has not been adjusted since Trump came to power.

However, the 2020 stocktaking exercise will offer an opportunity for the EU to express leadership by adopting more ambitious reduction targets. Recently, the EU has signalled its willingness to do exactly that. On the fringes of the second MoCA in Brussels, Climate Commissioner Cañete announced that the EU may be set to increase its GHG emission reduction targets from 40% by 2030 to 45%.¹²⁷ The planned adjustment comes as a result of a series of institutional negotiations on clean energy targets,

¹²¹ *Ibid.*

¹²² Interview with an official, US Desk, EEAS, Brussels, 4 April 2018.

¹²³ *Ibid.*

¹²⁴ De Botselier, *op.cit.*, p. 3.

¹²⁵ Interview with an official, EEAS, via telephone, 28 March 2018.

¹²⁶ *Ibid.*

¹²⁷ S. Morgan, "Cañete: EU 'de facto' Upping Carbon Reduction Pledge to -45%", *EURACTIV*, 21 June 2018.

producing more ambitious outcomes than previously foreseen by the Commission. Even more recently, the European Parliament and the Council adopted their positions regarding the Commission proposal on CO₂ emissions of passenger cars for the post-2020 period. Again, both institutions exceeded the targets proposed by the Commission, pointing to a general trend amongst the co-legislators in favour of more ambitious climate action.¹²⁸

Even though it is difficult to establish a direct causal link between US disengagement and the observed appetite for enhanced climate action amongst EU decision-makers, this paper argues that a partial correlation cannot be denied. The Eurobarometer regularly shows that climate change ranks amongst the top priorities that EU citizens want the EU to work on.¹²⁹ In light of the upcoming European Parliament elections and an increasingly Eurosceptic citizenry at home, both the European Parliament and the Council have an interest in presenting themselves as champions of the climate cause. US disengagement therefore creates a 'window of opportunity' for the EU to prove its own relevance by enhancing its internal climate policy. Consequently, the EU's presence in the field of climate change is in the process of being strengthened, also because US disengagement has increased a sense of urgency to do more.

The effect of US disengagement on the EU's opportunity was even more pronounced. Just like the non-ratification of the Kyoto Protocol, Trump's decision to withdraw the US from the Paris Agreement resulted in a weakening of the global climate regime. The impact of his decision in terms of leadership, funding, expertise and credibility is considerable. On a normative/ideational level, Trump has also questioned the science of climate change. His stance on global warming and science in general has been interpreted as an attack on the very idea of evidence-based policy-making. In fact, some observers have even spoken of the emergence of an age of 'post-truth' politics.¹³⁰ Trump's announcement has especially created a void in terms of leadership. The EU is one of the potential candidates to fill this void, but so are others such as China, India or Canada. When the US decided to pull out of the Kyoto Protocol, the EU was considered to be the only viable alternative for leadership. In an

¹²⁸ R. Toplensky, "EU ministers agree 35% car emissions reduction by 2030", *Financial Times*, 10 October 2018.

¹²⁹ European Commission, Documentation, *Citizen Support for Climate Action*.

¹³⁰ W. Davies, "The Age of Post-Truth Politics", *The New York Times*, 24 August 2016.

era of fragmented leadership, the EU's opportunity continues to be conducive to external engagement, but has been subject to a higher degree of competition.

The EU's capability in climate diplomacy has not been substantially altered since the entry into force of the Lisbon Treaty. However, in terms of coherence, two observations can be made. On the one hand, the EU's communication strategy after President Trump's announcement appeared at times uncoordinated. Even though EU leaders largely expressed the same message, the lack of a single, forceful and immediate response from all EU Member States damaged internal coherence. On the other hand, the EU's engagement in terms of action was much better coordinated. Whereas the EU's multi-level governance harmed the delivery of a single message, the EU's diplomatic activities benefitted from its multilevel engagement. Member States and EU institutions successfully complemented each other in their diplomatic efforts to keep up the Paris momentum.

Taking presence, opportunity and capability together, this paper thus argues that the EU's actorness has been strengthened as a result of US disengagement under Trump. This strengthening is most pronounced when it comes to opportunity and presence. The paper also identified three important adaptations concerning the form of EU external engagement. First, the EU has strengthened its cooperation with key partner countries such as China and Canada. Second, it has increasingly framed climate change issues in terms of energy cooperation and security in its bilateral relations with the US. Third, the EU's engagement with local and regional actors has been significantly reinforced. Rather than claiming that EU engagement with non- and sub-state actors is the result of US disengagement, this paper argues that the Trump administration's policies reinforced the importance attached to already existing relations with non-state actors.

Hence, the EU's external engagement has intensified and was most clearly shaped by the interlocutors' and arenas. The EU's focus on key partners such as China and Canada as well as local and regional actors is not new, but more resources have been invested in these relations. Moreover, existing venues such as the Global Covenant have received increasing attention and new formats such as the MoCA have been created in response to US disengagement. The EU's objectives in international climate diplomacy have remained largely the same. The EU continues to advocate for transparency and a strong review mechanism, while defending an equal application of the rules to all parties.

The EU also continues to reach out to the US. However, the mechanisms that are used for engagement have been adjusted significantly. The EU increasingly aims at framing climate issues in terms of energy and security, strategically adapting itself to the Trump administration's priorities. Its (successful) attempts to revitalise the EU-US Energy Council stand witness to this approach. Moreover, specific engagement strategies have been implemented within the EEAS, most notably through the EU Delegation to the US. These strategies focus on outreach activities targeted at local and regional actors as well as civil society. The European Parliament recently adopted a report calling on all EU Delegations to develop a climate action plan and engage in consistent climate diplomacy, not only in the US but across the globe.¹³¹

In contrast to these persuasive 'mechanisms', Trade Commissioner Malmström has also announced to conclude future free trade deals exclusively with those countries that have ratified the Paris Agreement.¹³² Even though discussions on a trade deal with the US have been frozen since 2016, these may well become relevant again in the future, not least as a potential solution to the current conflict on import tariffs. Hence, this move can be seen as an attempt to complement the EU's persuasive approach with a greater focus on coercive, or at least bargaining-based instruments. Finally, the continuous search for new policy tools show that the EU is still in a process of strategic adjustment.

Conclusion: What comes next?

This paper has explored to what extent the US decision to withdraw from the Paris Agreement had an impact on EU climate diplomacy. The findings have revealed that US disengagement has strengthened EU actorness and external engagement. Moreover, it was shown that US withdrawal from the Paris Agreement requires a lengthy and formal procedure that can only be completed after the next presidential elections in November 2020. Even though President Trump's decision to immediately cease the implementation of the Paris Agreement has important practical repercussions, the US constitutional system of checks and balances as well as regional, local and civil society engagement have so far limited the effect of President Trump's policies. Nonetheless, the impact of US disengagement on the global climate regime in terms of leadership, funding, expertise and credibility is considerable.

¹³¹ Morgan, *op.cit.*

¹³² M. Dupré & S. Leré, "Trade and Climate: How the EU Can Protect the Paris Agreement", *EURACTIV*, 28 February 2018.

In this context, the EU is once again identified as a 'natural contender' for leadership. However, in an era of fragmented leadership, the EU can no longer provide such leadership on its own. Instead, it increasingly shares this role with other key players. The list of partners that the EU has reached out to in the wake of President Trump's inauguration is diverse and ranges from the African Union to US Governors and non-state actors. In the future, the EU could explore further options for a stronger engagement of sub- and non-state actors within the UN climate regime. In particular, their participation in the negotiations at climate summits could be strengthened. Non-state actors are an important source and channel for climate funding. It would be possible, for example, to look into opportunities to allow for a greater participation of the private sector in the GCF.

Additionally, the EU's clout as a trade power could be an effective bargaining chip. So far, the EU's reaction to US disengagement under President Trump has mostly relied on persuasion. Recently, Commissioner Malmström has started a discussion on linking ratification of the Paris Agreement to the conclusion of future trade deals. Although it is doubtful that such a move would influence Trump's position, the climate-trade nexus provides a plethora of opportunities for engagement that could provide additional leverage. One potential tool would be to revitalise the negotiations on the Environmental Goods Agreement. The EU and the US have a joint interest in the facilitation of trade of 'green goods'. Such an agreement has the potential to make clean technology more affordable and to encourage competition. Negotiations came to a halt in late 2016, mainly due to technical issues.

In December 2018, the 24th Conference of the Parties will take place in Katowice. The conference will primarily focus on the finalisation of the Paris rulebook, but talks will also touch on the question of enhanced ambitions. Already now, it is clear that higher ambitions are needed to keep global warming below two degrees Celsius. Recent developments suggest that the EU may adapt its NDC to reflect an increase in its emission reduction target from 40 to 45 percent by 2030. This in itself will not be enough. It will be vital for the environmental effectiveness of the Paris Agreement that the emerging economies, in particular China, will raise their ambitions as well. The socio-economic turbulences that some emerging economies have been facing recently, in particular with regard to trade, might also prove to be barriers on the way towards enhanced action.

The emerging alliance between the EU, China and Canada might prove crucial in setting the pace at COP 24. In the absence of US leadership, this format will receive

more attention. Ahead of the upcoming European Parliament elections next year, the EU institutions appear united in their support for more climate action. However, much will depend on the Member States. With Poland holding the COP Presidency and Romania taking over the EU Council Presidency, two rather climate-sceptic countries are set to occupy powerful positions at a crucial moment. In this context, active leadership is required not only from the Commission but also from the other Member States.

Finally, it is important to stress that the EU is still in the process of adjusting to the new realities of international climate diplomacy and US foreign policy more generally. This paper has provided an insight into the early stages of this adaptation process. As a result, its main limitation is that its findings remain preliminary.

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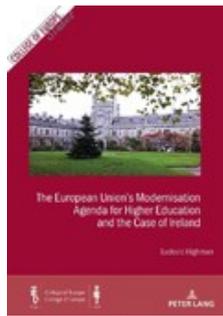
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