

The EU as a Global Environment Actor —A Case Study of Its Participation in the UNFCCC

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Abstract

This article examines the legal basis of the EU's competence in environment affairs with a view to ascertaining how the expansion of internal competence supports EU external action in international environmental policies. With respect to climate change, firstly, the EU was successful in including a "regional economic integration organisation" in the UNFCCC, which provides a legal basis for the EU to become a Contracting Party to it; and, secondly, in assuming a leadership role in global climate change politics when the US retreated from environmental politics, and successfully persuading the Russian Federation to ratify the Kyoto Protocol with trade and environment linkages. However, given that environmental affairs are a shared competence between the EU and its Members States, as the EU seeks to lead the fight against global climate change it may confront internal challenges as well as external challenges. Therefore, the consistency of the positions of the EU and its Members States, and coherence among different policies objectives, are key to EU success as a leading actor in the fight against global climate change. Thus, the principle of sincere cooperation plays a critical role in ensuring the consistency, coherence, and unity of EU international representation.

Keywords: EU as a global actor, UNFCCC, Kyoto Protocol, Burden Sharing Agreement, Principle of Sincere Cooperation