

# Bringing Multilateralism to the Bilateral Level: The European Union and Brazil Strategy for Cooperation on Global Climate Governance

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Paper prepared for the 2017 Biennial Conference of the European Union Studies Association (EUSA) - Miami, 6 May 2017

*Work in Progress and being updated; please do not quote or cite. Comments welcome.*

## Abstract

Sharing the interest in building a strong international climate regime, over the past years the European Union (EU) and Brazil have been shaping their bilateral relations around this common goal. Launched in 2007, the EU-Brazil Strategic Partnership not only best represents the interest of the partners in discussing issues from the multilateral agenda bilaterally, but a commitment to jointly promote “effective multilateralism.” Climate change has been placed as one of the priority areas of their strategic partnership. Nine years later, however, the EU and Brazil have not been able to become strategic allies at that level.

This paper asks why the EU and Brazil have not been successful in promoting a *spillover* from cooperation at the bilateral level to the multilateral arena, ultimately cooperating more on international climate negotiations. The scrutiny of this question is developed under a theoretical debate on the correlation between different levels of cooperation. This paper then engages with the literature on international cooperation and proposes an analytical model to explore the limits and potentials of the strategy of forging a positive linkage between bilateralism and multilateralism.

The structure of this paper entails three parts. Firstly, it sets out the theoretical framework that provides the basis for this analysis. Following, the paper proceeds with the scrutiny of EU-Brazil cooperation, breaking down the analysis into the two levels. The final part assesses the correlation between two levels of cooperation, exploring explanations to the failure of the EU-Brazil strategy in using the bilateral level of their relationship as a platform to promote the strategic partnership at multilateral climate negotiations. The conclusion provides important elements to understand the engagement between these two actors on climate change regime and to analyse the limits and potential of different strategies of cooperation applied to the international climate regime.

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## Introduction

At the occasion of the first EU-Brazil Summit, in Lisbon, the two actors agreed to promote their relationship to new standards, launching the EU-Brazil Strategic Partnership, on 4 July 2007. Aiming at strengthening bilateral relations at all levels, this new framework for cooperation was innovative in two ways. Firstly, it enhanced the profile of the multilateral dimension of their relationship, with the partners concurring on “the need to identify and promote common strategies to tackle global issues”, affirming that “the best way to deal with global issues is through effective multilateralism, placing the UN system at its centre”. Secondly, the Strategic Partnership strengthened the centrality of the bilateral level as a useful platform to strengthen the other levels in which the EU and Brazil engage; namely regional level, sub-regional, and multilateral.

Forging strategic partnership with “key global players” was one of the objectives outlined in the European Security Strategy (ESS), adopted by the European Council, in 2003. A landmark in the development of the EU’s approach to security issues, the Strategy aims at forging internal cohesion around a common foreign and security policy, ultimately asserting the EU’s relevance in international affairs. In order to address global issues (including climate change), the ESS identifies the “need to pursue our objectives both through multilateral cooperation in international organisations and through partnerships with key actors” (European Council 2003).

Implementing this strategy, the European Commission identified potential key partners for the EU, recommending the establishment of Strategic Partnerships; that was the case of Brazil. The “Communication from the Commission to the European Parliament and the Council – Towards an EU-Brazil Strategic Partnership” summarises the EU’s perception and interest in strengthening cooperation with Brazil:

Over the last years, Brazil has become an increasingly significant global player and emerged as a key interlocutor for the EU. [...] Based on powerful historical and cultural links, the EU enjoys broad relations with Brazil. Over the last few years Brazil has emerged as a champion of the developing world in the UN and at the WTO. The EU and Brazil share core values and interests, including respect for the rule of law and human rights, concern about climate change and

the pursuit of economic growth and social justice at home and abroad. Brazil is a vital ally for the EU in addressing these and other challenges in international fora (European Commission 2006).

From Brazil's end, domestic political stability and economic growth met an international context favourable to the country's projection as an "emerging power". Under Lula's government, Brazilian foreign policy was orientated towards autonomy and diversification, paying special attention to South-South relations and multilateralism. Reasserting the relationship with the EU represented to Brazil an opportunity to legitimise her role as a relevant international actor at global stage. At the same time, it was also a chance to promote an "equal partnership", breaking the asymmetry of power projected in the old framework for their cooperation.

Thus, the 2007 EU-Brazil Strategic Partnership is largely influenced by the agenda of international politics and the individual aspirations of the EU's and Brazil's foreign policy in the light of the balance of power and global challenges they face. Nevertheless, the Partnership needs to be considered as the current framework of a long-standing bilateral relationship, formally established in 1960, organised in a four-level structure (multilateral, interregional, sub-regional, and bilateral levels) explained bellow.

Firstly, Brazil has a long history of participation in multilateral institutions, the EU and its member states equally; the two partners have always met and interacted with each other at multilateral arenas. Secondly, and in parallel, relations with Brazil are developed in observing the overall orientations of the EU's foreign policy towards Latin America and the Caribbean (LAC), which includes an institutionalised framework for cooperation under the EU-LAC context. Thirdly, this regional dimension unfolds through the EU-MERCOSUR channel; formalised since 1995 with a specific Framework Cooperation Agreement and currently under the negotiation process of new Association Agreement. Finally, the bilateral level corresponds to the "one-to-one" EU and Brazil engagement.

This complex structure promotes direct and indirect instances for dialogue between the two partners, addressing issues that are often discussed at more than one level. As a rule, the agenda of cooperation at each level reflects shared interests of all

stakeholders; consequently, the bilateral level tackles issues the EU and Brazil alone identify as relevant, regardless of whether they concern only the two partners or not. Despite this certain “division of labour” there must be a minimum degree of coherence in cooperation across all these levels, avoiding one level undermining the other.

Forged at the bilateral level, the Strategic Partnership not only endorses a broad range of issues for cooperation, but also deliberately aims at strengthening all levels of EU-Brazil engagement. As mentioned before, the rationale behind this strategy implies in forging the bilateral level of cooperation as a platform to foster cooperation at other levels. That is a novelty in the way Brazil and the EU have conceived and developed their bilateral cooperation for almost five decades, until the 2007 Partnership. Innovative, this new approach certainly is, but is this a logical process? In other words, is there a functional – and positive- linkage between levels of cooperation? And in practical terms, have the EU and Brazil been able to assert a strategic partnership at the multilateral level as they expected?

Addressing these questions, this paper assesses the success (or not) of the strategy to address the multilateral agenda of climate change at the bilateral level, eventually promoting a *spillover* of cooperation to the multilateral arena. The argument postulated asserts that this is not a straight- forward process. The viability of this strategy, the paper claims, depends on aspects related to the structure of the international regime, the dynamics of the EU’s and Brazil’s participation on multilateral negotiations, and their own foreign policy-making processes.

The analysis proposed entails four main stages. Firstly, the theoretical framework adopted to assess this *spillover* process is presented. Secondly, the paper explores the presence and the approach to cooperation at the bilateral level on the issues currently negotiated in the context of global climate change agenda. The third stage conducts a process-tracing of multilateral negotiations, identifying the pattern of EU-Brazil engagement at that level over time. The fourth part of the paper compares cooperation at the two levels and answers the question on the success of the Strategic Partnership to promote an alliance between the EU and Brazil in multilateral climate negotiations. This

last section concludes explaining the reasons for the success or failure of the strategy adopted.

## **Theoretical Framework: Level- linkage explained**

Most of the theoretical debate around the interplay between bilateralism and multilateralism is not casted in terms of levels of cooperation, but approaches the issue as types of agreements.<sup>2</sup> The emphasis is not on the engagement process between actors but on a possible outcome of their interaction. Within this scope, academics as Jacob Viner (1950) and Paul Krugman (1989) have paid special attention to trade and economic issues, questioning whether or not preferential trade agreements – PTAs (bilateral or regional) undermine multilateralism. There is no clear answer to this question.. Bhagwati (1991), for example, argues that PTAs can be either “stumbling-blocks” or “building-blocks” to multilateralism. Similarly, Martin (1992) claims that bilateralism can be an intermediate step to the conclusion of multilateral agreements, implying that multilateralism is the best instrument for cooperation. Reinforcing that multilateralism should be the final goal; Wright advocates, “states should work to convert their strongest bilateral relationships into multilateral arrangements” (Wright 2009: 164).

To a certain extent, the arguments presented support rationale behind the strategy adopted by the EU and Brazil that the correlation between the levels of their cooperation can be manipulated to produce the desirable outcomes. But what are the factors that impact the prospects of a positive linkage between levels of cooperation in the context of a bilateral relationship?

The literature provides very limited insights to analyse this question. That is because the “bilateralism-multilateralism” theoretical debate is casted in terms of the impact of this linkage at a particular international regime. The focus on issue-areas as

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<sup>2</sup> This paper shares Robert Keohane’s understanding that “cooperation occurs when actors adjust their behaviour to the actual or anticipated preferences of the others, through a process of policy coordination” (Keohane, 1984: 51)

units of analyses implies deliberately ignoring the specificities of the agents engaged in this process and the overall framework of their cooperation. That is why this paper claims that the literature provides limited support to understand the Strategic Partnership as a bilateral instrument to foster cooperation at all levels of the EU-Brazil relationship.

Addressing this gap, I earlier developed a framework to analyse the correlation between two levels of cooperation within the context of a particular bilateral relationship. For that end, I propose and defined the concept of “ ‘**level –linkage**’, that simply put, refers to the correlation between two or more levels of cooperation within the framework of a particular relationship” (Pavese 2013). At least in principle, this linkage can be thought as running in all directions and between all different levels in which two partners engage. Yet, the direction of process of “level-linkage” assessed in this paper goes *from* bilateralism *to* multilateralism.

Before presenting the analytical framework to assess “level-linkage in this particular direction, two premises need to be clarified. First, it is important to distinguish between *coexistence* and *linkage*. The fact that different levels of cooperation are present in the framework of a particular bilateral relationship does not necessarily imply in one impacting the other, as they can develop in isolation; “level-linkage” occurs when changes in only level have effects in other level. Secondly, “level-linkage” is a process, not a permanent feature of a multilevel framework. International actors that engage within that framework can indeed influence this process, but not completely determine its outcome (Pavese 2013).

Identifying the common objective of promoting of “effective multilateralism” and the need to address global challenges together are certainly a first requirement to forge a partnership at the climate change regime, but not the only one. There are other factors that highly impact this process. Thus, taking level-linkage in the case of climate change as the dependent variable, this research considers the “compatibility of approaches” as the independent variable. This Compatibility is assessed in terms of (a) degree of convergence of the EU’s and Brazil’s approaches to the agenda and the normative framework of a multilateral climate change agreement, (b) preferences for partners, and (c) level of correspondence of their individual foreign policy-making processes.

The scrutiny of these issues is especially important when explaining the results of the level-linkage case explored in this paper. To get to that stage, however, first we need to explore how the EU and Brazil have implemented the strategy to set the bilateral level of their cooperation as a platform to enhance their cooperation at the multilateral level. Crossing the analysis of the development of cooperation at the two levels allows identifying the results of the strategy adopted, to finally explain it. The structure of this paper follows that logic and order; the next section explores the bilateral level dimension of the “level-linkage” process.

## **Bringing Multilateralism to the Bilateral Level of Cooperation**

Environmental issues first debuted in the agenda of the EU-Brazil relations in the 1992 EC-Brazil Framework Cooperation Agreement. Without mention to multilateralism, instruments of cooperation addressed the bilateral level. This approach was further reinforced in the first Country Strategy Paper for Brazil (CSP). Adopted in 2001, the CSP was a standard EU instrument to conduct its relations with third country, with specific agenda and the budget for EU’s contribution to projects in a pluriannual basis. Despite being discussed and approved by the partner country, i.e. Brazil, the CSP was funded by the EU only. As the main instrument for EU-Brazil cooperation until the launching of the Strategic Partnership, in 2007, the characteristics of the CSP denote that the relationship between the two actors was initially framed in a “donor-recipient” with the EU sponsoring actions and policies developed in Brazil.

The first mention to multilateralism appears in the 2007-2013 CSP-Brazil. Recognising that “Brazil has a major role to play in global environmental issues”, the document recommends the establishment of a High Level Dialogue on Environmental issues (climate change explicitly included), but does not provide further guidelines on how to frame it. The scope of actions funded by this second CSP obeys the same logic as the first edition of the Paper, focusing at the local level. Yet, the impact of these actions is presented in broader terms. In the case of projects to be sponsored, the 2007-2013 CSP

adopts, “promoting the environmental dimension of sustainable development”, as its second priority, as stated:

[T]he EC cooperation will contribute to attaining the MDGs for Brazil, and at the same time support Brazil's valuable efforts to be a major player in and to comply with its commitments under multilateral environmental agreements, in particular the Convention on Biological Diversity, the Framework Convention on Climate Change and the Kyoto Protocol (European Commission 2007).

These remarks on multilateralism anticipated the changes in the scope and format of the EU-Brazil cooperation promoted by the Strategic Partnership (SP). Launched in 2007, the Partnership identified climate change as an area of shared interest that should feature in the agenda of the SP. In the document, the partners stressed their commitment to strengthen the multilateral climate change regime, based on the principle of common but differentiated responsibilities, and guided by the ultimate objective of the UNFCCC. Again, in line with the recommendation of the II CSP Brazil, the partners agreed also to enhance dialogue on environmental and sustainable development issues (Council of the European Union 2007).

The Joint Statement that officially launched the Strategic Partnership did not detail its implementation. Following the EU's standard framework for its strategic partnerships, the agenda and instruments for the development of the EU-Brazil partnership were first presented in the so-called Joint Action Plan (JAP). The first JAP was delivered in 2008, during the II EU-Brazil Summit, in Brasilia. With a life span of three years, the Plan was replaced by a second version, covering from 2012 to 2014. Throughout the seven years of continuous flux of the Strategic Partnership process (2007-2014), a total of seven EU-Brazil Summits and two Action plans were delivered; all reinforcing the strategy to set the bilateral level as a platform to foster cooperation at the multilateral level in priority areas, including climate change.

Analysing the documents produced by these Summits, it is interesting to observe that the proposed instruments to promote “level linkage” are outlined in general terms and do not take into account the specificities of each international regime.

Regarding climate change, all seven Joint Declarations of the Summits and the two JAPs



adopted until the present date have general statements affirming the EU's and Brazil's commitments to specific issues of the international climate change agenda and their interest in contributing to successful multilateral negotiations. Yet, words are carefully chosen when expressing the possibility of a partnership in this area. JAP I, for example, explicitly mention that "Brazil and the EU will work together to help reach an ambitious and global agreed outcome by 2009 for strengthening international cooperation on climate change through a global effort under the UNFCCC and the Kyoto Protocol frameworks." For that end, the two partners agree "that the meetings of the Dialogue on the Environment Dimension of Sustainable Development and Climate Change take place at the level of senior officials, whenever possible at ministerial level. Simultaneously, discussions on technical level will take place" (Council of the European Union 2008). Nevertheless, there is no mention to agreement on joint positions (proposal and/or votes), which would indicate an actual partnership at multilateral negotiations.

Political Dialogue seemed to be the choice for more regular cooperation. In the Second Joint Action Plan, the parties "reinforced climate change cooperation by formally launching a self-standing EU-Brazil Climate Change Dialogue." Nevertheless, and again, the language employed to specify the degree of cooperation reinforces the perception of a lack of clarity on how to actually establish and promote a partnership, with statements as "explore exchange of experience", "explore possible cooperation", and "explore options for cooperation" (Council of the European Union 2011)

As explained by staff from DG CLIMA from the European Commission, the decision to separate climate change from the Brazil-EC Dialogue on the Environmental Dimension of Sustainable Development represents the enhanced importance the partners attribute to cooperation on climate change.<sup>3</sup> These meetings are important as they represent the primary opportunity for discussing specific issues of global environmental governance at the bilateral level. True, climate change has featured in the agenda of all EU-Brazil Annual Summits held from 2007 to 2011. However, these high level meetings, co-chaired by Brazilian Heads of Government and the EU Troika, have a very broad political agenda. Consequently, environmental issues are not addressed in much depth on these

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<sup>3</sup> Interview n.19, Brussels, 11 July 2011.

occasions; hence the importance of bilateral sectorial dialogues. With the changes adopted in 2011, the new EU-Brazil dialogues on climate change should be held on an annual basis, either in Brussels or Brasilia, following a similar structure to that of the Dialogue on the Environment.

Regarding the international climate change regime, an official of DG CLIMA interviewed stressed the informal nature of debate on these issues at the Dialogues. In the interviewee's view, "the EU is not using the bilateral level to get something at a multilateral level, but to test new ideas and develop new concepts, increasing mutual understanding and fostering cooperation;" nonetheless, "no formal position is agreed and taken there". The perspective presented by a staff member of the Brazilian Delegation indicated that, like the EU, Brazil does not expect that joint positions that are to be taken in multilateral negotiations could be agreed at bilateral level. Yet, since the Strategic Partnership, bilateral cooperation has been enhanced, and the increased sectorial dialogue at the technical level has facilitated closer coordination between Brazil and the EU.<sup>4</sup> But has the strengthening of Dialogue at the bilateral level for cooperation at the multilateral arena impacted on the pattern of engagement between the two partners at the multilateral level?

### **The EU-Brazil (non) strategic partnership at the multilateral level**

Negotiations of a complementary agreement to the UNFCCC were launched in Berlin, in 1995. The discussions of what became the Kyoto Protocol extended for two other Conferences of the Parties, and it was at COP3 that the most important bargaining and trade-offs occurred, leading to an agreement, in 1997. Engaging within the negotiations of the Kyoto Protocol since they were first launched, Brazil and the EU were determinate not only to promote a comprehensive agreement, but also to affirm leadership in this process, leaving their imprints in the Protocol.

Brazil's engagement with this process was very active, as the country gave an important contribution to the negotiations proposing the establishment of a Clean

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<sup>4</sup>Interview n.19, Brussels, 11 July 2011.

Development Fund (CFD). The instrument would adopt binding emission reduction targets to developed countries based on their historical responsibilities, and fines would be charged should commitments not be met (Johnson 2001: 193-194). Interestingly, even if the “Brazilian proposal” could be interpreted as a step-forward to the EU’s proposal of binding emission target, it did not obtain the support of the EU. As the Earth Bulletin reported from the negotiations, the EU opposed many technical issues of the implementation of the CDM, and the parties could not reach an agreement on these specificities (Earth Negotiations Bulletin 1997).

Following the agreement of the Kyoto Protocol in 1997, the process leading to its entry into force was anything but smooth. A major setback occurred in 2001, when the US President George W. Bush announced that his country would not ratify the Accord, thus shedding great uncertainty over the future of the Protocol. Against this background, COP7 was marked by tense discussions regarding the ratification process, in which the EU and Brazil were the protagonists. The alliance between the EU and Brazil was also extended to other issues negotiated in Marrakesh. The EU sided with developing countries in many of the provisions concerning the implementation of the Protocol under negotiation, this time even on the Clean Development Mechanism. Originally rejected by Japan, Canada and Australia, the Commitment Period Reserve (CPR) of the CDM was supported by the G77/China and the EU. Approved, the CPR was included in the final resolution of the COP7, known as the “Marrakesh Accord” (Dessai and Schipper 2003:150-151).

One year later, at COP8, the Kyoto Protocol still had not been implemented. Brazil and the EU continued to pressure for the ratification process, but in other issues negotiated in Delhi their engagement varied. Going against other Annex I parties, the EU supported the G77/China in the definitions and modalities of Land-use, Land-Use and Change and Forest (LULUCF). However, Brazil and the EU disagreed on the debate of the financial mechanisms of the Climate Change Fund (Earth Negotiations Bulletin 2002). The mixed pattern of cooperation between the EU and Brazil on technical issues was extended to political sensitive matters (Roberts and Parkers 2007: 134).

Without reaching the necessary ratifications of the Kyoto Protocol, COP9, in 2003, focused on the functionality of technical instruments of cooperation that had been

adopted by the “Marrakesh Accord.” In spite of the technical nature of most issues negotiated, in Milan the rift between the EU and the developing countries, Brazil included, expanded. Based on the Third Assessment Report (TAR) of the IPCC, the EU continued to push for the negotiations of post-2012 commitments. As expected, the G77/China group strongly opposed to that. The EU and Brazil also had contrasting approaches to the complementary mechanisms of the Special Climate Change Funds (SCCF), such as the Global Environmental Fund (GEF). Further, the North–South divide was stressed on the debate of the Third Assessment Report (TAR) of the IPCC, which adopted a system of information sharing among the parties (Dessai et. al. 2005; 110-116).

Divergences between the EU and Brazil, this latter essentially represented by the G77/China group, over COP8 and COP9, did not undermined the two actors’ alliance on the ratification issue. Based on shared interest in promoting global environmental governance under the UN framework, the EU and Brazil, supported by others parties, played a strong role at the international level advocating the ratification of the Protocol. However, the partnership between the EU and developing countries was rather circumstantial and restricted to the ratification issue, thus not representing a major shift in the pattern of EU- Brazil cooperation. Thus, from 2002 to 2004, the positions of the EU and Brazil at the COPs placed the two parties in different sides of the negotiations, with Brazil supporting the G77/China and the EU aligning itself with the developed countries.

The first Meeting of the Parties of the Kyoto Protocol (MOP) was held in the same year of its entry into force, namely 2005. MOP1 was carried out jointly with COP11 of the UNFCCC ever since these two meetings have always occurred simultaneously. At the occasion, the parties agreed on operational aspects for the implementation of the Protocol, reaching important decisions on further commitments for the post-2012 period. Negotiations were marked by a shift in both the EU and Brazil’s approach. Contrasting with the two previous COPs, in Montreal the EU sided with the G77/China group in most of the provisions negotiated. Arguably this alignment was in part facilitated by the technical character of certain issues, but also by the acceptance by the developing countries, including Brazil, to discuss possible enhanced commitments to

non-Annex I parties (Earth Negotiations Bulletin 2005). This trend continued at COP12, in Nairobi, in 2006.

As Eduardo Viola stresses, contradicting its long-standing position against the inclusion of forest-related issues in the agenda of negotiations, at COP12 Brazil proposed the creation of a global fund to combat deforestation. Financed by the Annex I parties, the fund would be distributed in accordance with the performance of the countries in reducing deforestation. The proposal was widely supported by the G77/China and the EU. However, the opposition of some other parties, and fundamentally of the US, hindered the prospects for its approval. The negotiations of the fund extended until 2007 (Viola 2007: 8).

The necessity to reach an agreement on the post-2012 period influenced the agenda and the negotiations at COP13, in 2007. In Bali, the parties achieved concrete results in the direction of setting a roadmap for the second commitment period of the Kyoto Protocol. Together with other parties of the G77/China group, Brazil agreed on the creation of AWG-LCA, declaring the interest of developing countries in enhancing their commitments post-2012. However, they emphasized that *national* actions would be taken. Considering that as a feeble compromise, the US proposed greater responsibilities and more specific obligations to the non-Annex I parties. In the midst of this dispute, the EU changed its original position and backed the G77/China (Afionis 2008:9).

The alliance between the EU and Brazil in many important issues negotiated in Bali can be partially credited to their shared understanding that multilateral cooperation on climate change should be developed on the basis of the “common but differentiated responsibilities” principle.<sup>5</sup> In fact, this condition was decisive in shaping both actors’ positions regarding the discussion of enhanced responsibilities to the parties of the Annex I and the non-Annex I. Moreover, the EU-Brazil partnership forged in Bali facilitated the conclusion of a comprehensive agreement, but also contributed to the emergence of their

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<sup>2</sup> The commitment to this principle was publically expressed at COP13 by the Brazilian Foreign Minister, Celso Amorim, as he stated that: “Our responsibilities are common. Yet they are differentiated. Those historically responsible for greenhouse gas concentrations in the atmosphere must stop preaching and set the example. Annex I countries must have new and more ambitious legally -binding emission reduction targets. It is extremely worrying that some developed countries do not appear to be heading towards meeting their targets under the Kyoto Protocol even as the biggest emitter still refuses to join the Protocol” (Amorim, 2007).

leadership within the international climate change regime. Arguably, the increasing role played by both actors and the enhanced compatibility of their approaches towards international negotiations could have led to a consolidated partnership between the EU and Brazil on climate change in the COPs/MOPs to come. However, that was not the case at COP 13.

The difficulty in reaching an agreement on post-2012 threatened the future of the Kyoto Protocol. Aiming at saving COP 15 from a failure, the BASIC group took the lead in drafting a final resolution. Meeting behind closed doors, the leaders of BASIC were later joined by the US President Barack Obama. The text produced was then approved at the final meeting of all the parties in Copenhagen. As for the EU, “the President of the European Commission learned of the agreement they had reached by way of a text message on his phone. The EU and its Member States were presented with a text which had been agreed at a meeting at which they had not been present” (Curtin 2010: 6).

The contrasting roles of Brazil and the EU at COP15 hindered the prospects of cooperation between the two partners at the multilateral level in this stage of negotiations. The lack of coordination of the EU in articulating a common position among its member states obstructed the possibilities of the Union to employ any of its common strategies within the international negotiations; i.e., act unilaterally or forge alliances. Thus, the positions of EU and Brazil in Copenhagen did not diverge, but could also not converge.

Overall, and in spite of their relatively convergent approach and interest in the development of the climate change regime, cooperation between the EU and Brazil follows a tortuous path. At least in period cover and the issues here analysed, the pattern of engagement between the two partners at the multilateral level can be considered very irregular. Thus, it is plausible to affirm that rather than allies on global climate change governance, the EU and Brazil are circumstantial partners.

## Mind the Gap: Explaining an unsuccessful strategy

Crossing the positions taken by the EU and Brazil at multilateral climate change negotiations, it is clear that EU-Brazil cooperation at the multilateral level is, at most, irregular. Periods of reciprocal collaboration and eventual alliances contrast with diverging positions embraced on other occasions. As a result, there was no level-linkage on climate change; enhanced dialogue at the bilateral level for cooperation at the multilateral arena has not *spilled over* to the multilateral level. But why has the EU-Brazil strategy to increase cooperation on climate change produced a positive outcome only at the bilateral level?

In order to answer this question, we now analyse the “compatibility of approaches”, specifically addressing: (a) degree of convergence of the EU’s and Brazil’s approaches to the agenda and the normative framework of a multilateral climate change agreement, (b) preferences for partners, and (c) level of correspondence of their individual foreign policy-making processes.

### *The Compatibility of the Two Actors’ Approaches*

For different reasons, the EU and Brazil share an interest in global climate governance. Moreover, external climate policies of both parties are grounded on the preference for multilateralism as the strategy to address climate issues.

As Robert Falkner argues, the EU “has come to consider the need to participate in multilateral environmental institutions building as a ‘good citizenship’ norm in international society” (Falkner 2005: 597). The EU’s interest in engaging within this regime is largely justified by the EU’s aspiration to enhance its relevance as an

international actor.<sup>6</sup> Based on a preference for a normative approach, but also considering its incapacity to exert coercive power over others, the EU pursues “soft leadership.” In employing its “soft power,” the strategy adopted in international climate change negotiations combines “leadership of example,” with the emphasis on negotiation, argumentation and persuasion. The expected outcome is to promote the establishment of a rule-based model of environmental global governance, exporting the EU’s normative preferences (Oberthür and Kelly 2008: 36-44).

Like the EU, by taking strong positions and actively contributing to international negotiations, Brazil aims to employ a sort of “normative power.” In addition to influencing rules and principles that constitute the basis of the international climate change regime, the occasions on which Brazil assumed unilateral voluntary commitments could be considered as a strategy of “leadership by example.”<sup>7</sup> Those similarities in terms of strategies employed at the multilateral level between the EU and Brazil contrast with differences regarding preferences for unilateral or joint positions. On this issue, the EU has adopted an independent approach on more occasions than Brazil, which places greater emphasis in coordinating its positions with other parties. According to Ana Paula Barros-Platiau, the Brazilian position on climate change negotiations is guided by the general principles of its diplomacy, namely: common but differentiated responsibilities; international cooperation; right to development; sovereignty; and equity and pacific solution of conflicts (Barros-Platiau 2011: 22).

From the EU perspective, as John Vogler claims, positions taken at the multilateral climate negotiations have been the outcome of the combination of two factors: the development of EU internal climate policy, and the principle of “common but differentiated responsibilities” (Vogler 2011: 33). In supporting differentiated responsibilities to developed countries the EU has traditionally pushed for strong GHG reduction commitments for the Annex I. Nevertheless, the EU’s approach is also critical

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<sup>6</sup> Groenleer and Van Schaik (2007), and Pavese and Torney (2012) analyse EU actorness in the case of climate change, whereas Afionis, S. (2011), Connelly and Rüdiger (2011), Gupta and Grubb (2000), Karlsson et.al. (2010), Mehling and Massai (2007), Oberthür (2009), Vogler and Bretherton (2006) promote an interesting discussion on the EU’s leadership in the international climate regime.

<sup>7</sup> For an account of Brazil’s role and engagement with multilateral climate negotiations, see Barros-Platiau (2010), Hochstetler and Viola (2012), Johnson (2001), and Viola (2004).



of developing countries, as the EU favours the restriction on the exploitation of forests and other carbon sinks (Oberthür and Kelly 2008: 36). These preferences indicate a rather independent approach towards multilateral negotiations that characterises the EU's participation in the international climate change regime throughout the period analysed here.

Different membership to the Annex I implies distinct obligations at the international climate change regime, however, in broad terms, the EU and Brazil have similar positions on the guiding principles and the general agenda of the regime. The “principle of common but differentiated responsibilities” embraced by both partners implies the acceptance of uneven commitments on climate issues as a starting point to build up a partnership. Based on this principle, the EU and Brazil have positioned themselves in favour of greater responsibilities to the Annex I parties, a perspective that conflicts with the view of some developed countries. Thus, this shared understanding reinforces the choice of Brazil as the EU's strategic partner.

Regarding their own participation, the EU and Brazil have contributed actively to on-going negotiations, submitting proposals and undertaking voluntary commitments. In an attempt to influence the others and to demonstrate its engagement, the EU went further than its legally binding obligations, internally agreeing on greater targets for emission reduction. In a similar way, Brazil adopted voluntary commitment to reduce its GHG emissions. The resemblances between these foreign policies are not only in the content of the decisions, but also on the strategy employed by both partners to convert the announcement of their unilateral positions into an opportunity to project their images as international actors in the regime.

Throughout the negotiation rounds analysed, the compatibility of the two partners' opinions regarding the instruments of the framework of multilateral cooperation varied. Conflicting views on the CDM, and on the Financial Instruments of the Climate Change Fund, contrast with similar positions on the CPR, and on the creation of the AWG-LCA, providing examples of the irregular pattern of convergence of the EU-Brazil approaches. It is also remarkable that on the same round of negotiations the compatibility

of their positions has varied according to the instrument being discussed, demonstrating complete lack of coordination of the EU and Brazil understanding on technical aspects of the establishment of the international climate change regime. Lack of coordination, however, does not mean conflicting approaches. Even in the points in which the EU's and Brazil's positions do not converge, there is still room for dialogue and, eventually, for cooperation.

### *Preferences for Partners*

Multilateralism entails a large number of players. The calculation of the strategic gains from cooperation with a given partner at the multilateral level depends on the evaluation of the prospects of partnership with third parties. Arguably, the presence of a larger number of players at the multilateral level then poses a problem for a positive level-linkage when the EU and Brazil form *different coalitions* with *conflicting agendas*.

In principle, the EU and Brazil have different memberships in the three grouping compositions at the UN framework for cooperation on climate change defined according to annex list, geographical location and political affinity). Part of the Annex I of the UNFCCC, EU member states are distributed in three geographic groups of the UN, namely Asia group, Eastern European group, and Western European and Others group. Further, the 28 EU member states form a “political group” within negotiations in itself. At the UNFCCC, Brazil features in the list of non-Annex I countries. Regarding the UN geographical criteria, it belongs to the Latin America and Caribbean States group (GRULAC), whereas at the political level Brazil traditionally negotiates in coordination with the G77/China and, recently, through the BASIC group; this latter is formed by Brazil, South Africa, India and China.

As the account of negotiations suggested, when opting for a partner, actors tend to engage with members with whom they share political affinity, rather than through alliances set up by geographical or annex-related factors. These political coalitions were formed as the outcome of the practice of negotiations, rather than formally being

incorporated to the institutional design of the UN framework. In fact, throughout the negotiation rounds analysed here, Brazil revealed strong preference for aligning with other developing countries, especially the G77/China and the BASIC group. There were a few occasions on which Brazil opted for a unilateral approach.

This preference for coalitions contrasts with the strategies employed by the EU; configuring a political group in itself, the EU's positions within negotiations are the result of an alliance of forged among its 28 member states. This may explain why the EU has adopted an independent approach to negotiations, characterised by the combination of unilateral positions with alliances with either developed or developing countries.

The preferences for partners produce a double effect on level-linkage, undermining or fostering the prospects for it to succeed. In the same negotiation round, the EU and Brazil adopt converging and opposing positions, depending on the issue at stake. Interestingly, as Brazil is very loyal to the G77/China and the BASIC group, in most of the opportunities in which the EU and Brazil sided with each other was due to the EU strategic choice in aligning with developing countries, not the other way around. Thus, if an alliance with Brazil requires considering the perspective of other developing countries, it does not demand taking into account the agenda of the Annex I parties other than the EU member states. Alliances with third parties are more likely to be formed when the EU's original position is compatible with that of other players, like Brazil. Should this not be the case, another possibility of a coalition between the two partners is Brazil adapting its approach to the EU's.

### *Foreign Policy Decision-Making Processes*

In the case of climate change, foreign policy addressing multilateral cooperation prevails over EU-Brazil bilateral relations. This “top-down” approach characterises the foreign policies of both partners, and has direct implications for the agenda and the role of the agents engaged in their bilateral relations. First, dialogue at the bilateral level for cooperation at the multilateral arena is based on the agenda of multilateral negotiations.

But, rather than covering the broad range of topics from the international climate change regime, dialogue at the bilateral level is selective and restricted to the issues of greater interest of the partners. As the texts of the many joint bilateral declarations and documents providing the basis for EU-Brazil cooperation on climate change suggest, their bilateral agenda addresses essentially points in which the two actors have *similar* approaches. Consequently, dialogues held at the bilateral level can potentially strengthen EU-Brazil cooperation on issues of convergence; however, they fail to lead to an agreement on matters in which the partners have adopted divergent positions at the multilateral level.

Even if the strengthening of EU-Brazil relations at the bilateral level has limited capacity to forge new joint positions, it contributes to reducing the chances of conflict when they interact at the multilateral level. The reason for that is the strong emphasis on the “exchanging of views” in the agenda of the meetings held at the bilateral level. Members of the staff from both the EU and the Brazilian governments interviewed stressed that bilateral level provides an opportunity to exchange information on each partner’s position on multilateral negotiations.<sup>89</sup> In anticipating their approaches, the EU and Brazil can identify points in which their external climate policies converge. Having this information prior to negotiation rounds facilitates cooperation between the two actors at the multilateral level even if an alliance has not being previously agreed. The reason is because each partner has more time to evaluate the possibility of siding with each other in a given multilateral summit. Moreover, even when the outcome of the Summit does not indicate enhanced coordination of the two players’ positions, “exchanging views” prior to negotiations benefits the EU and Brazil. Having the information on the probable position of a third party in a multilateral negotiation affects individual calculation of the best strategy to increase the prospects of gain from cooperation.

The detachment of multilateral and bilateral policies translates into institutional frameworks that isolate agents engaging in the policy- making of the two levels. This structure poses several organisational and procedural obstacles for the agents that are part

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<sup>8</sup> Interview n24, Brussels, 12 July 2011.

<sup>9</sup> Interview n19, Brussels, 12 July 2011.

of EU-Brazil bilateral cooperation to influence policy-makers responsible for the parties' positions at the multilateral level. Policy-makers directly responsible for the development of EU-Brazil bilateral relations do not participate in multilateral negotiations, and vice-versa. This "division of labour" is present in the decision-making processes of both partners; however, it is more accentuated in the case of the EU.

As an area of "shared competences", the EU policy-making is characterised by a clear divide between bilateral and multilateral policies. Whereas the European Commission leads the development of bilateral cooperation with Brazil, multilateral climate policy is subjected to a more complex process of "multi-level governance" in which the Council of the European Union and the 28 EU member states play a strong role in forging EU's approach to multilateral climate negotiations, in coordination with the European Commission. Yet, even within the European Commission, agents and divisions in charge of bilateral climate policy are not responsible for EU's multilateral policy.

In the case of Brazil, competences are relatively more centralised. Always in coordination with other ministries, *Itamaraty* is the main responsible for forging bilateral cooperation with the EU on climate change, at least at the political level. Like the EU, Brazilian multilateral climate policy-making entails a plural number of actors, with the *Itamaraty* sharing competences with other bodies from the executive power that have been very active in defining Brazilian climate policy, but also representing Brazil in multilateral climate negotiations.

To summarise, the policy-making processes of the EU and Brazil challenges level-linkage for two core reasons. The first is the hierarchy in terms of agenda. Bilateral policies are subjected to multilateral policies, therefore setting the policy-making process in the opposite direction of level-linkage analysed in this thesis. In other words, the priority the EU and Brazil give to their "multilateral" climate policy establishes a process in which policies addressing multilateral cooperation impact bilateral policies, and not the contrary. Adding to this picture, the second obstacle to level-linkage is the decentralisation, or fragmentation, of policy-making processes. In neither the EU nor Brazil agents and agencies in charge of bilateral cooperation are the same responsible for

multilateral climate policies. Consequently, there is limited coordination amongst policy-makers at the two levels, hindering the possibility of bureaucrats in charge of bilateral policies to influence the making of “multilateral” climate policies significantly enough to promote level-linkage.

## **Summary of findings and conclusions**

The enhancement of cooperation at the bilateral level was not matched with an eventual increase of the EU-Brazil engagement at the multilateral arena. Taking into account material and cognitive elements, the two partners expressed different positions in terms of the principles that should underpin multilateral agreements, the instruments of cooperation and the content of the norms of these agreements. The EU and Brazil agree on the principle of “common but differentiated responsibilities” in which the climate change regime is grounded, but disagreed on how to address most of the specific issues subjected to a multilateral agreement. In the light of these findings, it can be argued that shared interest in a multipolar world creates incentives for Brazil and the EU to aim at the strengthening cooperation at the bilateral level, but is not sufficient to ensure level-linkage. For this process to occur, it is essential that the two actors have a common understanding on the normative content and framing of the international climate change regime.

In this case, level-linkage would require coordination amongst agencies and agents responsible for the policy-making of policies addressed to each of the two levels of cooperation. That is where the main problem to level-linkage lies. In the case of both the EU and Brazil, bilateral foreign policies are conducted separately from multilateral foreign policies. There is little coordination amongst agents from the two processes. In addition to being fragmented, foreign policies of the two actors are hierarchical; with multilateral policies prevailing over bilateral policies. Thus, even if the fragmentation (or decentralisation) problem was overcome, this order would have to be changed, allowing bilateral policies to play a greater influence in the shaping of the multilateral approaches

of the EU and Brazil. As the analysis of level-linkage revealed, that was not the case – at least in the three issues investigated.

Finally, the enhancement of dialogue at the bilateral level was not matched with an eventual increase of the EU-Brazil engagement at the multilateral arena. In this light, the thesis concluded there is lack of level-linkage in the cases analysed. The absence of a correlation between the two levels does not imply complete isolation of the two processes. In approaching the EU-Brazil relations as a multilevel structure, this thesis showed how bilateral level and the multilateral level are integrated parts of the framework of this bilateral cooperation. Even if developing through independent processes, the two levels are interconnected, even if indirectly. In this light, this thesis claimed that the understanding of the correlation between levels of cooperation within a bilateral relation must be contextualised and analysed in considering the characteristics of this particular relationship.

These findings allow concluding that the failure of the “strategic partnership” to *spillover* from the bilateral level to the multilateral climate negotiations due to the lack of appropriate internal, domestic conditions. Moreover, unless these conditions are met, the strategic partnership is doomed to remain an element of pure diplomatic rhetoric.

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