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## It's not as simple as copy/paste: the EU's remobilisation of the High Ambition Coalition in international climate governance

**Key words:** European Union / climate diplomacy / coalition building / multilateral negotiations / High Ambition Coalition

### Abstract:

Following the success of the High Ambition Coalition (HAC) in contributing to the UNFCCC Paris Agreement in 2015, the European Union (EU), which played an instrumental role in the coalition, remobilised, along with its partners, the HAC to support two key international climate agreements in 2016: the Kigali Amendment to the Montreal Protocol and the ICAO Carbon Offsetting and Reduction Scheme for International Aviation (2016). Despite these negotiations taking place simultaneously within a push for climate action following COP21 and having significant EU involvement, the HAC produced mixed results. While the HAC appeared successful in helping to secure an ambitious agreement in Kigali, thanks to broad involvement from the EU and HAC partners, this was not the case with ICAO CORSIA, where the EU struggled to mobilise its HAC partners. This article answers the question *Why was the EU successful in its involvement with the High Ambition Coalition in the negotiations leading to the Kigali Amendment yet unsuccessful in the ICAO CORSIA negotiations?* In conducting a detailed 'most similar' case study comparison, it identifies three contextual (scope) conditions that needed to be present for such success: capacity of the HAC for collective action, a favorable institutional environment in the negotiating forum in question, and the availability of sufficient time to influence the negotiations.

### 1. Introduction

The High Ambition Coalition (HAC), which brought together over 100 countries in support of a binding, ambitious agreement at the 21st Conference of the Parties (COP21) of the United Nations Framework Convention on Climate Change (UNFCCC), stands as a high point in international climate governance. The previously-implausible, yet broad coalition, which European Climate Commissioner Miguel Arias Cañete (2015) called "the masterplan of Europe and its allies", is widely-recognized as crucial for delivering the Paris Agreement, thanks in part to the European Union's

(EU) instrumental role in conceiving and bringing the coalition to fruition (Brun, 2016; Parker et al., 2017).

Following COP21, the EU and other coalition partners, namely the Marshall Islands, remobilised the HAC in pursuit of two key non-UNFCCC climate agreements in 2016: the Kigali Amendment of the Montreal Protocol on Substances that Deplete the Ozone Layer and the International Civil Aviation Organization's Carbon Offsetting and Reduction Scheme for International Aviation (CORSA). In March 2016, Commissioner Cañete (2016) spoke of maintaining the HAC momentum "in all international fora including the G7 and G20, not least because of the critical negotiations in the International Civil Aviation Organization (ICAO) later this year as well as further talks on the Montreal Protocol". Expectations were high for strong HAC-involvement in both negotiations (King, 2016; Niang, 2016).

Both negotiations took place at approximately the same time and within a push for climate action following the Paris Agreement and shared a keen EU interest in replicating the HAC therein. The fact that (1) the EU played a key role in the HAC's success at COP21 (Brun, 2016; Parker et al., 2017), (2) had the diplomatic resources and ambition to extend its climate leadership in ICAO and the Montreal Protocol (Oberthür & Dupont, 2021), and (3) declared its specific desire to use the HAC in the negotiations suggest it likely tried to occupy a catalysing role in the CORSA and Kigali Amendment negotiations.

Despite their similarities, these negotiations produced diverging outcomes. In the Kigali Amendment negotiations, the HAC appeared quite successful in helping to secure an agreement consistent with the Paris Agreement. However, in the CORSA negotiations, the HAC seemed to have less influence on the final agreement, with the ultimate agreement falling short of its objectives (Morata Liebert, 2019). Although each of these international fora has its own focus, norms, and considerations (Hoch et al., 2019), it is surprising that a high-level, politically-popular coalition produced mixed results in two agreements negotiated within a month of each other, not even a year after the Paris Agreement. These diverging outcomes provide an opportunity for comparative study to understand how the EU (or other actors) can help mobilise the HAC (or other coalitions) to facilitate climate agreements in non-UNFCCC negotiations and, importantly, the conditions influencing this.

This article therefore answers the research question *Why was the EU successful in its involvement with the High Ambition Coalition in the negotiations leading to the Kigali Amendment yet unsuccessful in the ICAO CORSA negotiations?* Successful involvement here entails the EU being strongly involved in the HAC, with the HAC influencing the content of the agreement in a way that was in line with its objectives. By comparing the cases, it identifies the relevant contextual conditions necessary for the EU to successfully mobilise the HAC outside the UNFCCC (Beach & Pedersen, 2019). However, it does not claim that the EU was the only coalition partner contributing to its success. Rather, for the three aforementioned reasons, it takes the EU's role as an instrumental member of the coalition as the point of departure and catalyst. It identifies three contextual conditions that needed to be present for such a success: (1) capacity of the HAC for collective action in the

forum in question, (2) a favorable institutional environment in the negotiating forum in question, and (3) the availability of sufficient time for the HAC to influence the negotiations.

This article is organised as follows: Section two provides a review of the existing literature on climate coalitions, the EU as an international climate actor, and the HAC. Section three introduces the analytical framework for the article. Section four presents the two case studies and the relevant contextual conditions. Finally, section five discusses these findings and concludes.

## 2. State of the art

### 2.1 Climate coalitions and their success

Like many large-scale multilateral negotiations, international climate negotiations typically are organised around coalitions, or “groups of countries that explicitly coordinate their positions and pool their resources in order to achieve common goals” (Castro & Klöck, 2021, p. 18). These common goals can be specific objectives for a negotiation or achieving larger priorities in a given governance forum (Deitelhoff & Wallbott, 2012). Within the UNFCCC, negotiations are traditionally characterized by strong divergences in positions between developed and developing countries. Coalitions have therefore emerged on each side of the bifurcation (Groen, 2020).

Coalitions can take multiple forms, depending on the issues they work on and size of their membership (Crump, 2020; Klöck, 2020). Larger coalitions with a diverse membership base can help balance power dynamics in negotiations (Crump, 2020). Moreover, coalitions bringing together members across typical dividing lines (e.g. small, medium, and large powers; developing versus developed) typically benefit from increased political legitimacy and credibility, which can increase their bargaining power (Hampson & Reid, 2003).

The extent a coalition is considered a success and the factors influencing this have been the subject of much debate. In a rational perspective, success is the extent the final negotiating outcome reflects a coalition’s specific objectives (Dupont, 1996; Klöck et al., 2021; Panke, 2012). A more open-ended interpretation of success can include raising awareness of a particular issue, introducing a new narrative in the negotiation process, or demonstrating legitimacy or discursive power (Deitelhoff & Wallbott, 2012; Hampson & Reid, 2003). Both perspectives reinforce that the success of coalition is influenced, on the one hand, by characteristics related to its own membership – its size, objectives, and the strategies it employs to reach those objectives – and, on the other hand, by the context in which it operates, both with respect to decision-making rules (i.e. consensus or majority) and the attitudes and expectations of a given forum (Deitelhoff & Wallbott, 2012; Dupont, 1996; Klöck et al., 2021; Odell, 2000; Panke, 2012).

Although the literature acknowledges that many geographic and UN-based coalitions are present in various international fora (Klöck, 2020), little attention has been paid to the performance of specific coalitions or their replication across negotiating fora. One notable exception is Bhandary (2015), who acknowledges the potential for coalitions to expand to different fora handling a similar issue area, notably within an international regime complex. In an international regime complex, or

those constellations of overlapping fora governing a given issue area, actors can strategically work across and within multiple fora to achieve their objectives (Faude & Gehring, 2017). However, each forum has its own norms and priorities, which influences the ways in which actors can use a given forum (Kellow, 2012). Fitting with this, the UNFCCC, ICAO, and the Montreal Protocol are constitutive units of the international regime complex on climate change, as they all deal with different aspects of the climate challenge (Earsom & Delreux, 2021). While the literature on regime complexity has broadly acknowledged the potential for actors to leverage their position or influence from one forum into another, it has not yet addressed how a coalition from one forum could be replicated in a negotiation elsewhere.

## 2.2 The EU and the High Ambition Coalition

Although not always successful, the EU has long been recognised as an international actor with leadership ambitions on climate (Oberthür & Dupont, 2021). Following its side-lining from the negotiations at COP15 in 2009, the EU adapted its climate outreach to a ‘bridge-building’ approach towards not only the larger powers but also via coalition-building with smaller developing countries, notably small island developing states (SIDS), that wanted a legally-binding international agreement on mitigation (Bäckstrand & Elgström, 2013). This strategy manifested itself in two key venues: the Cartagena Dialogue, formed by the UK, Australia, and Colombia in 2010, and ‘progressive ministerials’ created by then-Commissioner Hedegaard in 2011. In both venues, the EU engaged with like-minded and ambitious developing states to overcome the divide between developing and developed countries in UNFCCC climate negotiations and arrive at a new agreement (Brun, 2016; Oberthür & Groen, 2018).

With coalition building at the heart of EU climate diplomacy in the run-up to COP21 in 2015, the EU strongly relied on both arrangements, leading to what would eventually become the High Ambition Coalition (Oberthür & Groen, 2018)<sup>1</sup>. Commissioner Cañete and the Norwegian climate minister convened a high-level ‘progressive’ ministerial in May 2015 on the side-lines of the Petersberg Dialogue. They invited Tony de Brum, the Foreign Minister of the Marshall Islands, to chair the meeting (Brun, 2016; Parker et al., 2017). Henceforth, de Brum took a leading role in the group, which met regularly to find solutions to politically-charged issues in the negotiations and to align positions. The HAC was thus an ad-hoc coalition, as opposed to more permanent coalitions like the G77 or the African Group in UNFCCC climate negotiations (Klöck, 2020).

The HAC expanded during the actual COP21 negotiations and eventually represented over 100 countries from different negotiating groups and geographies, including not only the EU and SIDS, but also many least developed countries, along with the United States and Brazil. The HAC is widely-considered as a key success factor for increasing the overall ambition of the Paris Agreement

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<sup>1</sup> Although the EU can be considered a coalition in its own right, this article views it as actor and thus coalition member. This approach is consistent with the literature on EU climate action (cf: Oberthür & Dupont, 2021).

and providing political support for an agreement (Brun, 2016; Groen, 2020; Parker et al., 2017). The literature acknowledges the EU's key role in convening and catalysing the HAC and facilitating the work of Tony de Brum (Brun, 2016; Oberthür & Groen, 2018; Parker et al., 2017). Thus, it considers the EU an integral – but not sufficient – member of the coalition.

Based on a review of the literature on the HAC and coalition success, a combination of its large and powerful membership, the “moral superpower” of the Marshall Islands, and its early emergence appear to have facilitated its ultimate impact on the Paris Agreement. First, it benefitted from a large membership across the developing and developed divide (Brun, 2016). In the consensus-driven UNFCCC negotiations, such a large and powerful membership commands significant political clout, making it easier to push for its objectives (Castro & Klöck, 2021; Dupont, 1996). Second, it benefitted from a ‘moral superpower’ in its co-convenor, the Marshall Islands, whose survival is intrinsically threatened by climate change, meaning they could make passionate calls to action (Brun, 2016). Such ‘moral discourse’ has proven a powerful tool for convincing others and thereby increasing leverage in climate negotiations (de Águeda Corneloup & Mol, 2013). Finally, the HAC began meeting well in advance of the negotiations, building on years of relationships and meetings chaired by the EU (Parker et al., 2017). Coalitions, especially those drawing on strategies based on discourse, require ample time and manoeuvrability to convince others of the merits of their position (Odell, 2000).

While the HAC emerged within a unique context at COP21, it could seemingly be remobilised to support other climate negotiations. Yet, the literature is unclear on how exportable the HAC would be outside the UNFCCC. This is particularly interesting given the literature's acknowledgement of the increasingly strategic nature of EU climate diplomacy and efforts to extend its climate leadership into other fora like ICAO and the Montreal Protocol following the Paris Agreement (Oberthür & Dupont, 2021). One exception is Morata Liebert (2019) who evokes the poor coalition dynamic at the CORSIA negotiations due to the under-representation of island states and the transportation-heavy nature of the negotiators. Nonetheless, we lack insight into the specific conditions that could facilitate replicating the coalition.

### 3. Analytical framework

#### 3.1 Methods

The article conducts a detailed comparison of the two cases in order to identify factors that could explain the diverging outcomes of the EU's involvement in the HAC (Beach & Pedersen, 2019). Since the two cases are ‘most similar’ in that they share the same strong EU interest in using the coalition and took place within a similar timeframe and political environment, the comparison is primarily concerned with identifying the contextual (scope) conditions, or any “relevant aspects of a setting” whose presence/absence enables or determines the outcome (Beach & Pedersen, 2019, p. 78). It is thus presumed that the presence of these conditions enabled the EU's successful involvement with the HAC and their absence prevented success.

I perform a qualitative analysis based on a triangulation of four types of data: 20 semi-structured interviews with EU, EU member state, and third state officials involved with the coalition efforts in the negotiations, plus one interview with a secretariat official from each forum (see annex); official EU and coalition documents; official forum documents; and press reports. Interviewees were selected based on their participation in the negotiations (via participant lists) and recommendations from other interviewees on their relevance. Interviews continued until I reached the point of saturation, i.e. no new information emerged.

As for documents, I consulted 11 official EU coordination documents (8 for Kigali; 3 for CORSIA), 3 HAC coalition documents, and 2 HAC press reports. Furthermore, I examined ICAO Council Meeting Minutes from 2015 – 2016, as well as specialized press reports on the Montreal Protocol from the Earth Negotiations Bulletin for 2015 – 2016. Data was qualitatively coded in NVivo based on a deductive coding scheme proposed by Mayring (2014) and informed by my knowledge of the literature on coalition building and regime complexity.

### 3.2 Success and potential contextual conditions

This subsection defines the threshold for the HAC (and by extension the EU) to be considered successful in the negotiations. It then uses existing theory to identify potential contextual conditions. As the literature review demonstrates, defining coalition success in a multilateral negotiation is an abstract endeavour. Unsurprisingly, it is also difficult to assess (Klöck et al., 2021). To that end, I employ a relatively open-ended understanding of success. Drawing from Panke (2012), success here entails the HAC influencing the content of the negotiations in a way that fits with its objectives. Transitively, as the EU has demonstrated a desire to extend its climate leadership into ICAO and the Montreal Protocol and to use the HAC therein, its involvement is considered successful if the HAC is successful. As the cases will show, the HAC largely employed the same combination of activities – political pressure and moral leadership – in each forum. Hence, there is a need to determine what conditions facilitate success in one case and lack of success in the other.

In extending the HAC from the UNFCCC into climate negotiations taking place in separate fora, the EU and its partners are attempting to use the credibility and influence they gained in one forum (UNFCCC) in order to shape the negotiations in other fora (ICAO and the Montreal Protocol) to facilitate their objectives. They are pushing their counterparts to look beyond the negotiation and against the broader climate regime complex (Faude & Gehring, 2017). Yet, it remains a coalition. Therefore, the literatures on regime complexes and coalition building could help unpack the conditions that likely affect using the HAC outside the UNFCCC. Additionally, the work of Morata Liebert (2019) also provides insight. From this, three considerations stand out in order for the HAC to be successful: (1) the capacity of the HAC for collective action in the forum in question (2) the institutional fit of the forum in question and (3) sufficient time to influence the negotiations.

The first condition is the capacity of the HAC for collective action in that forum. Research on regime complexity has shown that a group of actors in one forum can extend their influence to

another forum, provided they possess the capacity for collective action therein (Faude & Gehring, 2017). For coalitions, this entails being present in the forum, having enough diplomatic and technical resources to actively participate in the negotiations (i.e. follow the agenda, make proposals, and employ strategies), and maintaining aligned priorities (Bhandary, 2015; Panke, 2012). In Paris, the HAC's diverse membership was present in relevant meetings inside and outside the UNFCCC, where they made coordinated, compelling moral arguments, while remaining committed to its core objectives. Hence, there are three sub-conditions for capacity for collective action: the HAC would need to have (1) sufficient participation, (2) coordination, and (3) alignment inside the Montreal Protocol or ICAO throughout the negotiations.

The second condition is a favorable institutional environment in the negotiating forum. Each forum of a regime complex has its own norms, structures, and priorities, meaning a given forum "is more or less propitious at any one time for different actors and proposals" (Kellow, 2012, p. 337). Institutional fora are typically more receptive to ideas and arguments from those fora that share similar issue-area orientations and prioritizations (Sommerer & Tallberg, 2018). Relatedly, the literature on coalitions finds that the issue area in which a negotiation takes place can influence the success of a coalition (Deitelhoff & Wallbott, 2012; Dupont, 1996). In different issue areas, negotiators have different expectations and reactions to particular arguments. For instance, parties in Paris were receptive to the HAC's moral and political arguments and saw an imperative to act. However, negotiators elsewhere might view their role in climate change governance differently and be less receptive to such arguments. For the HAC to be successful, the negotiating fora would need to see climate change as a priority for action.

The third condition is the availability of sufficient time for the HAC to influence the negotiations. The literature stresses that negotiation strategies focused around convincing others of the necessity of a particular agreement or reframing particular issues – i.e. what the HAC is doing when seeking to import its credibility and persuasion-based arguments from another forum – take a significant amount of time (Odell, 2000). These influence-based strategies are more successful at the earlier, exploratory stages of negotiation, before parties have finalised their positions and final bargaining over specific issues has begun (Crump, 2020; Depledge, 2005). The turning point for this stage is typically the issuance of a single draft negotiating text (Depledge, 2005). Sufficient time thus entails engaging as a collation before a single negotiating text emerges.

#### 4. Empirics

This section presents the empirics of the two case studies. In early 2016, Commissioner Cañete affirmed the EU's willingness to use the HAC in support of the negotiations regarding the hydrofluorocarbon (HFC) amendment to the Montreal Protocol and for the ICAO global market-based mechanism (MBM). This willingness is reflected not only in this statement but also in EU involvement in earlier HAC meetings in 2016 that established both negotiations as two of the coalition's priorities for the year (King, 2016). Moreover, an EU document from October 2016 identified the HAC as an

important outreach venue for the Montreal Protocol (Council of the European Union, 2016a). A separate EU document for ICAO from May 2016 stressed that the “The EU needs not only to show ambition but also to build bridges to third countries to successfully conclude an agreement” (Council of the European Union, 2016b, p. 3). This section therefore provides an overview of each negotiation, the HAC’s involvement, and the observed contextual conditions.

#### 4.1 The Kigali Amendment

The negotiations leading to the Kigali Amendment revolved around the phasing-out of HFCs, chemicals often used as cooling agents to replace ozone-depleting substances but which have a global warming potential thousands of times higher than carbon dioxide (Hoch et al., 2019; Ripley & Verkuijl, 2016). Negotiations in the consensus-based and traditionally collegial forum had been ongoing since 2009, with a breakthrough occurring at the annual Meeting of the Parties (MOP) 27 in November 2015, where it was decided an amendment would be agreed upon the following year at MOP28. In 2016 (see figure 1 for timeline), negotiations continued at Open-Ended Working Group 37 (Geneva; April) and a session in July in Vienna which combined remaining aspects of OEWG37, OEWG38, and an extraordinary Meeting of the Parties (exMOP3). Negotiators considered the timeline for freezing the use of HFCs in both developed and developing countries, the baseline values for phasing out the HFCs, and financial and technological support to facilitate the transition.

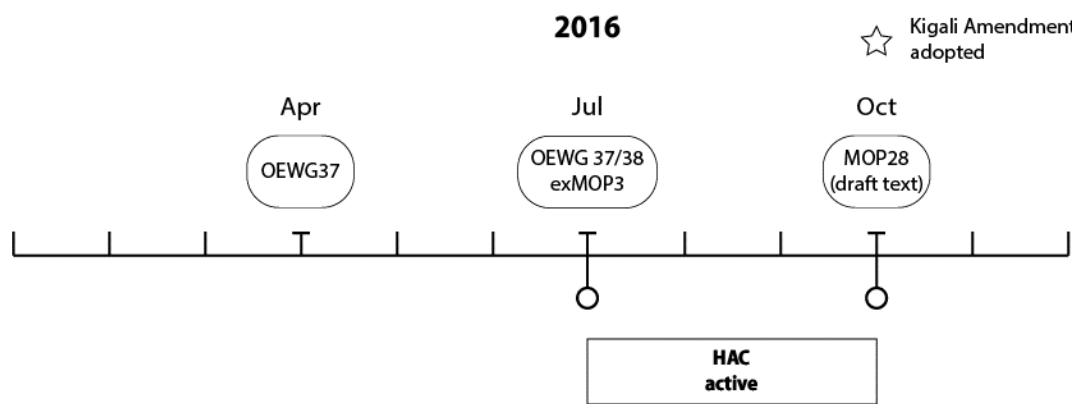


Figure 1: Timeline of Kigali Amendment negotiations in 2016

While there was general agreement on the requirements for developed states, divisions remained on the requirements for developing states. Over 100 parties, including the EU and other HAC members, supported a 2021 freeze of HFCs and subsequent phase down with a baseline average of 2017 – 2019. However, a number of developing states pushed for looser targets, notably China (baseline: 2019 – 2025; freeze: 2025 – 2026), the Gulf States (baseline: 2024 – 2026; freeze: 2028), India (baseline 2028 – 2030; freeze 2031), and Iran (baseline 2024 – 2027; freeze 2029) (Council of the European Union, 2016a; Ripley & Verkuijl, 2016). The task was thus convincing these

'blocking countries' to agree to a more ambitious phase-out scheme than they had proposed (interviews 2a, 5a, 8a). Negotiations continued in a marathon session in Kigali, beginning on 10 October 2016, in which parties first arrived at a draft text and then worked through remaining disagreements to ultimately adopt the Kigali Amendment (Ripley & Verkuijl, 2016). The Amendment established legally binding freeze dates and phase-out baselines for HFC consumption, with different responsibilities for developing and developed states, as well as those with high ambient temperatures. Regarding the main point of contention, it established a freeze date of 2024 for developing states with a baseline based on 2020 – 2022 average HFC consumption.

### *HAC activities*

While the HAC had met several times in early 2016, it convened on the side-lines of the Montreal Protocol's negotiating meetings in Vienna in July 2016 (King, 2016; interviews 5a, 8a). Notably, Commissioner Cañete, US Secretary of State John Kerry, and Canadian Environment Minister Catherine McKenna attended. The HAC continued to meet and coordinate in the leadup to MOP28, with lobbying efforts at the UN General Assembly Week in September (Council of the European Union, 2016a) and the final negotiations themselves in Kigali in October (interviews 1a, 5a, 8a, 9a).

The HAC gathered support for reaching an ambitious agreement in two main ways. First, thanks to its diverse membership of developing and developed countries, the HAC mobilised states that would not normally be active in the negotiations, both at OEWG38 and MOP28, particularly SIDS and African states (2a, 5a, 8a). These countries began speaking up in the negotiations in ways they had not previously. As an EU member state official stated, "It was important to make sure that other, you know the SIDS and like Colombia and all these countries, it was important for us...the African group would mobilize themselves and be vocal in the negotiation, so that we don't always hear just the ones who are blocking" (interview 5a). Together, the wide-ranging coalition reinforced that there was broad support for an agreement (interview 2a). Second, according to a non-EU official, the HAC meetings ensured that countries' "high-level representative, whether it was a minister, but not always a minister sometimes a little bit lower than that, were aware and were advocating the issue" (interview 8a). By working at the political level, the HAC "lobbied to unlock any possible barriers in the Paris Agreement [...] to help translate those messages to the Montreal Protocol" (interview 1a). It also served as a means of reminding countries that, as HAC members, they were already supporting ambition in the UNFCCC (interview 8a).

### *HAC is successful*

The HAC's mobilization and political messaging helped reinforce the urgency and necessity of adopting an HFC amendment with an ambitious phase-out timeframe, which was eventually adopted at MOP28 (interviews 8a, 9a). The agreement, which does not entirely reflect the EU and its HAC partners' original positions, represents a compromise among the parties (interviews 1a, 4a,

7a, 8a, 9a).

However, three pieces of evidence suggest the HAC influenced the content of the final agreement in a way that fit with its objectives. First, when asked about the role of the HAC in the negotiations, five interview respondents, including a non-EU negotiator and an Ozone secretariat official, acknowledged that it broadly contributed to creating momentum for the final shape of the agreement (interviews 1a, 2a, 5a, 8a, 9a). Second, the HAC appeared to inspire the creation of a financing mechanism to support developing countries' phasing out of HFCs (Puerto, 2016). This financing mechanism was also acknowledged by interview respondents as an important consideration in convincing developing countries to eventually agree to the amendment and its phase out targets (interviews 2a, 9a). Finally, in a press release at MOP28, the Marshall Islands stressed that the agreement "may not be entirely what the islands wanted, but it is a good deal and the High Ambition Coalition fought hard to secure it" (High Ambition Coalition, 2016c). Taken together, these pieces of evidence suggest it contributed to the ambition of the ultimate outcome.

### *Contextual conditions*

All three contextual conditions from section 3.2 appear present for the negotiations. First, the HAC appeared to have a strong capacity for collective action, fulfilling all three sub-conditions. As for the first sub-condition of participation, the HAC was present in the main negotiating meetings of Montreal Protocol. Regarding the second sub-condition of coordination, the SIDS members, notably Micronesia had a long-standing presence and expertise in the forum. Micronesia, one of the HAC members charged with leading the coalition's push for an agreement (King, 2016), had been making proposals for an HFC amendment to the Montreal Protocol since 2009. In its revised 2015 proposal, it was joined by the Marshall Islands and several other SIDS (Ripley & Verkuijl, 2016). The SIDS, particularly Micronesia, were viewed as credible actors within the Montreal Protocol negotiations and maintained good working relationships with other negotiators (interview 6a). The HAC's legitimacy thus appeared in tact in Kigali. Via its presence and expertise, the HAC actively influenced the negotiations by making concrete proposals, along with political pressure and interventions reflecting the moral imperative of action. As for the third sub-condition of alignment, the HAC remained aligned on its priorities for the negotiations: convincing the 'blocking' states of the need for ambitious HFC targets (interviews 2a, 5a, 8a).

Regarding the second condition, negotiators in the Montreal Protocol viewed climate change as a priority for the negotiations. In many cases, Montreal Protocol negotiators worked in the same units and ministries as their UNFCCC counterparts (interviews 1a, 3a, 5a, 6a). Moreover, they shared similar priorities and views on environmental governance. A HAC negotiator noted that although there was initial hesitation to work on HFCs, after the Paris Agreement, "people started to recognize that the Montreal Protocol could be a good instrument to address this [...] and, you know 'We don't need to make like a big deal about it.'" (interview 8a). In that sense, there was a natural

awareness of the importance of the Paris Agreement and the HAC, which facilitated its work (interviews 1a, 7a, 9a).

Finally, the HAC became implicated in the negotiations early in the process. It first met on the side-lines of the first formal negotiating session in Vienna in July 2016. In that sense, it had three months to coordinate internally on priorities, advocate for the inclusion of specific elements in the Amendment, and mobilise typically under-represented parties to be active in the discussions, helping shape others positions' and the draft text, which appeared midway through MOP28 in October 2016 (interviews 5a, 8a; Ripley & Verkuijl, 2016).

## 4.2 ICAO CORSIA

Negotiations for an agreement to introduce a market-based measure (MBM) for greenhouse gas (GHG) emissions from aviation intensified in ICAO following the EU's 2008 attempt to introduce its Emission Trading System (ETS) on flights entering or leaving the EU. At ICAO Assembly 38 in 2013, member states agreed that they would finalise the format of the MBM to be implemented no later than 2020 at Assembly 39 in 2016. The negotiations then focused on determining the format of the MBM, the associated level of ambition, and potential implementation methods (Martinez Romera, 2017).

While preparations and consultations had been ongoing since Assembly 38, they intensified in early 2016 with the introduction of a draft text to the ICAO Council, the 36-member body responsible for directing the organization's work in between ICAO's triannual all-member Assemblies. As the Council includes the principal key players in international aviation, including China, the United States, France, and the United Kingdom, it is the nexus of ICAO decision-making power (Martinez Romera, 2017).

The Council then established a High-Level Group to continue negotiations in 2016 (see figure 2 for timeline). Following this, negotiations advanced informally and within the ICAO Council, though they remained largely technical and among experts from members' transport ministries (Martinez Romera, 2017). The EU's objective for the negotiations was to ensure an MBM was put into place so that ICAO would begin to offset all emissions above 2020 levels, as had been agreed in 2013. The framework needed to be applicable to all and also contribute to the goals set by COP21 (Council of the European Union, 2016b). The HAC appeared to share this goal, with members underlining the importance of the negotiations during a press conference at the signing of the Paris Agreement in April 2016. Speaking on behalf of the coalition, then-US climate envoy Jonathan Pershing stressed that ICAO, along with other fora, was "part in parcel of larger vision for reducing international greenhouse gas emissions" (High Ambition Coalition, 2016b). Simply put, the task was ensuring the MBM would not be watered down (Valero, 2016).

The ICAO Council eventually developed a final draft text, which was endorsed by all its members in August 2016 and presented for approval by majority vote to the full Assembly in



### *HAC is not successful*

By the time the HAC became involved in the negotiations in September 2016, the final content of the agreement had largely been determined. In August 2016, negotiators had arrived at a draft text that moved the mandatory start date for large states to begin offsetting from 2021 to 2027 (ICAO, 2016b). The draft agreement text had subsequently been endorsed by the ICAO Council, meaning CORSIA was a “done deal by that time [of Assembly 39]” (interview 6b). The only outstanding issue was adopting the measure and ensuring that a sufficient number of states would sign up for the voluntary, pilot phase of CORSIA for the phase to be successful (interviews 7b, 11b).

Hence, the HAC influenced neither the content of the agreement nor mobilization for adoption of the agreement as such, since there already appeared to be sufficient support for its phased implementation (ICAO, 2016a; Valero, 2016; interviews 1b, 6b). It did not push for a more ambitious target or prevent the watering down of the agreement. Instead, it only drew up increased participation in the pilot phase that was very likely to be implemented regardless. In this regard, the HAC’s overall impact on CORSIA is questionable, especially when compared to what it accomplished at Paris (interviews 1b, 3b, 4b, 6b). An EU official summarised the effect of the HAC as “It motivated certainly a couple of states to sign up and to speak up during the Assembly, which made it then more difficult for others who might have shied away from expressing themselves positively. It gained a couple of votes as well, in favour of the initiative” (interview 7b). Another EU negotiator downplayed the impact even further, “When they tried it, it fell very flat” (interview 1b).

### *Contextual conditions*

Looking at the negotiations, the three contextual conditions developed in section 3.2 appear absent. First, the HAC appeared to have a limited collective capacity to act in ICAO. With respect to presence within ICAO, although full members, the SIDS have traditionally had a very limited attendance, only showing up at the triennial assemblies (interviews 6b, 11b). They were largely absent from the ICAO Council and its relevant sub-bodies responsible for drafting CORSIA (interviews 6b, 11b). An EU official stressed, “if you don’t have the right countries there at the time, you can’t...They are not there. You can’t rely on any of them” (interview 6b). Moreover, they do not have the resources to follow the climate-related negotiations and understand the technical aspects of the proposals to the same extent as in other fora. Hence, there was little potential to mobilise and engage in the process, save the Assembly. Finally, there is the issue of aligned priorities, as the key developing members of the HAC – SIDS and least-developed countries – were exempt from having to join the CORSIA scheme (Morata Liebert, 2019).

Second, unlike in the Montreal Protocol, there did not appear to be favorable institutional environment in the negotiating forum in question. Notably, ICAO appeared to lack, relatively speaking, a general awareness or prioritization of climate change. As ICAO’s primary focus is aviation, even the negotiators handling CORSIA largely came from states’ transport ministries

(interviews 1b, 2b, 3b, 4b, 5b, 12b, 13b). They did not necessarily view climate change issues in the same way as in other fora, nor did they necessarily prioritise ambitious action. An official summarised the atmosphere as “In ICAO, I don’t think the heads of delegations felt that they would be slapped on the back when they got home again...for this...for CORSIA...Perhaps they got pat on the back when they killed ETS.” (interview 1b). They were not necessarily as receptive or aware of the Paris Agreement targets or the commitments (interviews 1b, 2b, 3b, 4b). One EU official saw this difference in background as a key limiting factor of the efficacy of the HAC:

“Because aviation people were not ready. They just weren’t ready for this High-Level coalition [...] I don’t know...It’s a different atmosphere than the technical guys, the experts, from transport, and especially those in aviation” (interview 4b).

There appears to be not only a different perspective/understanding of climate change, but also that it was not at all the same priority for the aviation-centric ICAO as in the Montreal Protocol, which affected the receptiveness of the HAC’s efforts.

Finally, the HAC did not have sufficient time to influence the content of the negotiations. In the ICAO negotiations, the EU only used the HAC very late in the negotiation process, mere weeks from the start of the final ICAO Assembly in late September 2016 (interview 1b, 3b, 7b). This is indeed puzzling, considering the EU and other HAC-members seemed keen to mobilise the coalition much earlier in the year. An EU official stressed the relevant EU orchestrator of the HAC “came along at a very late stage and tried to rebuild the coalition and make it act together, but it was pretty disappointing” (interview 1b). By the time the HAC had convened, the final framework of the agreement with its different phases and an advanced draft text had already been established via negotiations taking place both informally and within ICAO sub-bodies (interview 1b, 7b, 9b, 11b; ICAO, 2016a, 2016b). There was little opportunity for the HAC to shape the substance of the final agreement, beyond encouraging states to join the voluntary pilot.

## 5. Discussion and conclusion

In comparing the negotiations leading to the Kigali Amendment and those leading to ICAO CORISA, this article has identified three contextual conditions that needed to be present for the HAC (and the EU) to be successful: (1) capacity of the HAC for collective action in the forum in question, (2) a favorable institutional environment in the negotiating forum in question, and (3) the availability of sufficient time for the HAC to influence the negotiations. In the case of the Kigali Amendment, the EU’s decision to use the HAC ultimately led to the HAC influencing the content of the negotiations in a way that fit with its objectives, via its use of political pressure and moral discourse. This was facilitated by the presence of these contextual conditions. In the case of ICAO, the EU deciding to use the HAC did not ultimately lead to the HAC influencing the content of the CORSIA agreement, despite very similar activities, due to the absence of those necessary contextual conditions.

The identified contextual conditions provide significant insight into the limits of replicating such a coalition outside the UNFCCC, particularly for the EU. Accordingly, the article has two main

consequences for the existing literature. First, regarding the EU as a climate leader, it demonstrates the limits of the EU to use the UNFCCC to influence other climate negotiations. As the ICAO case particularly shows, the EU cannot successfully translate the 'spirit of the HAC' to other fora alone. The HAC does not work unless it is a collective endeavour. This is not surprising from a negotiation literature perspective – a coalition's membership is key to its success. However, these findings nuance the EU's leadership outside the UNFCCC and show that its approach to the negotiations there does not automatically transfer elsewhere. Furthermore, it also complements existing work on the importance of small, developing states in international climate negotiations (c.f. Corbett et al., 2020).

The second contribution relates to the study of coalitions in multilateral negotiations, not only in general but also with respect to regime complexes and climate. Overall, the article demonstrates that a coalition can be usable and influential in situations outside of its negotiation setting but only if certain conditions are met. Regarding broader debates on coalition success, it stresses that context matters: what works one place will not necessarily succeed elsewhere. Thus, it reinforces work on the importance of the issue under negotiation and its suitability for particular types of arguments. However, the formal negotiating style of majority vs consensus did not seem to be influential here, as it has been in other instances. Thus, my findings reinforce the complex nature of success and the factors influencing it in multilateral negotiations.

As for regime complexity, the article provides empirical evidence for a type of cross-forum strategic activity to which little attention has been paid. Regarding the climate literature, it underlines the need to expand the scope of study of climate coalitions beyond the UNFCCC and into other fora. Indeed, different spin-offs of the HAC have appeared in different fora, including the International Maritime Organization, so it would be interesting to see the success of such reincarnations. Although the two case studies provide an excellent comparison, they took place in a very specific context and time-frame. In that sense, while I sought to use a level of detail appropriate for mid-level generalisation, the same conditions might not be at play elsewhere. Further research should examine the replication of coalitions in other negotiation settings, climate or otherwise.

## 6. References

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