

Introduction

Climate changes have had widespread impacts on human and natural systems.¹ Climate change has become the core issue in the political agenda in the last two decades.² The consensus of the international community is to find a solution through collective actions. This is an essential path to deal with global warming. In this regard, the United Nations Framework Convention on Climate Change (“UNFCCC”) is the main platform for international negotiations to take place, in order for nations to reach an agreement to carry out collective actions. Nevertheless, differences have appeared regarding the understanding of “who, what, how and which” activities to carry out. The Paris Agreement reached at the end of 2015 has offered a practical and legally-binding platform for global climate governance ever since.

1. The view of China towards global climate governance

For years, in accordance with the principles of equity and common but differentiated responsibilities (“CBDR”) and respective capabilities, the Parties to the UNFCCC have been working on to enhance cooperation and have achieved positive progress in the implementation under the UNFCCC.

Over the past 25 years, China’s position in international climate negotiations has changed steadily. China has fully involved in international climate negotiations since the early 1990s. China’s action demonstrates her stance towards global climate governance. In the course of continuous participation in international climate negotiations, China has gradually formed a basic global climate concept which includes five principles. These principles are: adhere to the CBDR principle, adhere to the basic framework of the UNFCCC and Kyoto Protocol, strictly follow the Bali Road Map; adhere to the principle of coordinating issues of mitigation, adaptation, finance and technology; adhere to sustainable development; adhere to the principle that the UN leading climate change negotiations as well as the consensus-style decision-making mechanism.³

The Chinese government has changed its position from “being impossible of cutting Green-House Gas (“GHG”) emissions before reaching to the middle-income country”⁴ to deliver its “intended national determined contributions” (“INDCs”) in 2015. The commitment on INDCs refers that China’s GHG emission will peak around 2030, and will lower carbon dioxide emissions per unit of gross domestic product (“GDP”) by 60% to 65% as well as increase the forest stock volume by around 4.5 billion cubic meters in 2030 from 2005 levels.⁵ As remarks addressed by President Xi Jinping at COP21 in Paris, China believes in “求同存异, 聚同化异”, which means to agree in disagree and to gather common interests in differences. China’s view on global climate governance is that there should be no zero-sum game at international negotiations.

Sophie Kalantzakos argues, “China’s actions on climate change in terms of mitigating greenhouse gas emissions and enhancing climate resilience is not only driven by the domestic needs for sustainable development in ensuring its economic security, energy security, ecological security, food security as well as the safety of people’s life and property and to achieve sustainable development, but also driven by its sense of responsibility to fully engage with global governance, and to forge a community of shared destiny for humankind as well as to promote common development for all human beings.”⁶

The increased willingness of China’s central government and its cooperative capacity are the main factors that make the transition possible. The actions carried out by China’s active participation in the global climate governance are reflected in three aspects. Firstly, in terms of involving with international institutions, China’s position has moved from being suspicious to positively supporting, particularly the

1 Intergovernmental Panel on Climate Change (2014). p.2; Intergovernmental Panel on Climate Change (2010). p. 4.

2 Giddens (2011). p. 3.

3 GOV.cn (2011).The State Council Information Office of the People’s Republic of China (2011). Part 8. para.2.

4 Zhuang (2008). p. 9.

5 UNFCCC (2015a).

6 Kalantzakos (2017). p. 80.

Clean Development Mechanism (“CDM”) of the Kyoto Protocol (“KP”). Until 2015, China has over 270 projects registered under the UNFCCC’s CDM mechanism.⁷

Secondly, in terms of climate finance and technology transfer, China has innovatively proposed to set up a South-to-South Cooperative Mechanism under the United Nations framework which aims to promote financial cooperation and technological diffusion between developing countries. In the COP15 Copenhagen climate conference, the Chinese government claimed that it would not compete with countries from the Alliance of Small Islands States (“AOSIS”) or least developed countries to apply climate funds. On the contrary, China will actively help these countries to develop their actions with her financial support.

During 2010-2012, the Chinese government and companies have invested in more than 100 hydropower stations, solar power stations as well as agricultural pilot projects.⁸ In 2014, China committed to mobilize \$5 billion dollars to Caribbean and Latin American countries supporting bilateral cooperation in the section of energy, hi-technology and sustainable development.⁹ In 2015, China announced to pool 20-billion-yuan (about 3-billion-U.S. dollars) establishing the “China South-South Climate Cooperation Fund” to help other developing countries combat climate change.¹⁰

Thirdly, at the domestic level, the results from the international negotiations have positively pushed Chinese internal climate law-making into a fast track. Since 2005, the Chinese government consistently adopted relating policies to control carbon emissions by adjusting the industrial structure and energy mix, improving energy efficiency as well as increasing carbon credits.

To accomplish low carbon goals, China adopted a range of major policy measures to mitigate and adapt to climate change during the 11th Five-Year Plan (2006-2010) period, and has achieved remarkable results. The Outline of the 12th Five-Year Plan for National Economic and Social Development released in 2011 which established the policy orientation of promoting green and low-carbon development, and clearly set the objectives and tasks of addressing climate change for the next five years.¹¹

The Chinese government constantly sets strong ecological and economic targets by addressing climate change into its mid-and long-term planning for economic and social development as a major issue concerning its overall economic and social development.¹² These policies include, such as, the National Program on Climate Change, the Work Plan for Controlling Greenhouse Gas Emissions during the 12th Five-Year Plan Period, the Comprehensive Work Plan for Energy Conservation and Emission Reduction for the 12th Five Year Plan Period, the 12th Five Year Plan for Energy Conservation and Emission Reduction, the 2014-2015 Action Plan for Energy Conservation, Emission Reduction and Low-Carbon Development, and the National Plan on Climate Change (2014-2020). In 2014, China adopted the “Environmental Protection Act”. The pass of the Act has shown China’s dramatic change in environmental law-making. The Act has set a strict legislative system toward those who pollute the environment.¹³

Besides, China has viciously been promoting renewable energy. China is already the world’s leading country both in energy saving and in the use of new and renewable energy.¹⁴ In 2014, the energy consumption and the emission of carbon dioxide per unit of the GDP decreased by 29.9 percent and 33.8 percent respectively, compared to the 2005 levels.¹⁵ In 2018, China accounted for one-third of global wind power capacity and one-third of global solar PV capacity.¹⁶ According to the International Energy Agency,

7 UNFCCC (2019).

8 China.org.cn (2011).

9 Xinhua Net (2014).

10 China.org.cn (2015a); China Meteorological Administration (2015).

11 China’s National Energy Administration (2012); The State Council Information Office of the People’s Republic of China (2011). Part “Forward”.

12 Cao (2018). p. 4.

13 Chinese Government Legal Information Net (2014).

14 Finamore (2020). p. 4.

15 China.org.cn (2015a); China.org.cn (2015b).

16 Renewable Energy World (2019).

during the period of 2019-2024, China will account for 40% of global renewable capacity expansion over the forecast period. The higher forecast figure for China is because of improved system integration, lower curtailment rates and enhanced competitiveness of both solar PV and onshore wind. It is expected that China will account for almost half of global distributed PV growth, and will overtake the EU to become the world leader in installed capacity as early as 2021.¹⁷

China has put other enabling policies and measures to support the development of renewable energy. These include ongoing power sector reforms, the construction of the world's largest ultra-high voltage transmission network, promotion of distributed energy and microgrids, support for the development of energy storage technologies, a national carbon market and measures to reduce the country's reliance on coal.¹⁸

Over the past fifteen years, as solar and wind power have grown exponentially, China has adopted an increasingly ambitious series of renewable energy targets. The country has already exceeded its 2020 installed capacity targets for wind (210 gigawatts, GW) and solar (150 GW). Under the Paris Agreement, China pledged by 2030 to increase the share of non-fossil energy to 20 per cent of its energy mix, reduce its carbon intensity 60 to 65 per cent below its 2005 level.¹⁹

During the period of 2010-2019, China has committed 758 billion US dollars in renewables capacity (excluding large hydropower), followed far behind by the US at 356 billion USD and Japan at 202 billion USD.²⁰

China has not only improved her willingness in GHG emission control, but also increased her internationally cooperative capacity. Since 2017, the Chinese government has taken a series of actions in adjusting the industrial structure, optimizing the energy mix, conserving energy and improving energy efficiency, controlling greenhouse gas emissions from non-energy activities, and increasing carbon sinks, and achieved positive results. In 2018, China's carbon intensity was cumulatively reduced by 45.8 percent compared to 2005, exceeding the target of a 40-45 percent reduction by 2020.²¹

2. The view of the EU towards global climate governance

2.1. Historical overviews on the EU's climate change policy

The European Union ("EU") did not start to develop its climate change policy until the beginning of 1990s. The European Council for the first time with EU leaders called for "targets and strategies" to be agreed for limiting GHG emissions. Due to the lack of specific distribution of "burden share" and implementing measurement, the Council of Ministers ("the Council") failed to achieve its goal in 1990. Oberthür and Kelly argue that the substantial disagreement persisted on the need and content of common measures to implement the Community's emission stabilization commitment at the European level.²² In 1992, a proposed CO₂/energy tax bill by the European Commission to the Council was blocked by the member states on the ground that a fiscal measure requires unanimous agreement of the member states, according to Article 130s of the Treaty establishing the European Community ("EC Treaty"). Although the Council passed the Directive 93/76/EEC ("SAVE") and Decision 93/389/EEC to its member states to establish a programme limiting and monitoring the CO₂ and GHG emissions, these legislations however did not contain commitments for individual Member States.

Not until the preparation for the KP, as a first significant step in June 1996, the EU Council of Environment Ministers established the objective that 'global average temperatures should not exceed two degrees

17 International Energy Agency (2019). "Executive Summary", p. 3.

18 Ministry of Ecology and Environment of the People's Republic of China (2019). Part 1-4.

19 Finamore (2020). p. 5.

20 Frankfurt School-UNEP Centre/BNEF (2019). p. 12.

21 Ministry of Ecology and Environment of People of Republic of China (2019), p. 1.

22 Oberthür and Kelly (2008). pp. 39-40.