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U.S. Participation in Global Climate Change Resolutions: Analysis of the Kyoto Protocol

Cover Page Footnote

Mentors: Jennifer Pence and Dr. Maria Cruz

 <p>Rashmeen Kaur</p> <p>Major: Political Science</p> <p>Mentor: Jennifer Pence and Dr. Maria Cruz</p> <p>U.S. Participation in Global Climate Change Resolutions: Analysis of the Kyoto Protocol</p>	<p>Biography</p> <p><i>Growing up as a first-generation student fueled Rashmeen's passion to serve and advocate for students in racially disparate communities. She aspires to a Master's in Public Policy (MPP), specializing in education policy. She is an alumni at the Public Policy and International Affairs Program at Princeton University. She currently works with a non-profit organization providing tutoring to first generation students in math and has worked with other similar non-profit organizations that have provided her with a hands-on understanding of the inequalities in education that children from underprivileged communities experience. As a legislative intern in Washington DC, Rashmeen worked closely with staff members specializing in policy issues, giving her a birds-eye view of how policy works at a higher level. While there is a history behind her passion for public service and education policy, other policy issues are just as intriguing to her. Following an MPP, she hopes to earn a PhD in public policy specializing in racial disparities surrounding policy and education.</i></p>
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U.S. Participation in Global Climate Change Resolutions: Analysis of the Kyoto Protocol

Abstract

The ratification of treaties, particularly the Kyoto Protocol (KP), is complicated due to domestic forces such as democracies, presidency, and public opinion. The United States is the second largest emitter of carbon emission and has yet to sign on to the stringent mitigation efforts of the KP. Climate change is an issue considered unrelated to national security; however, it is one of the most dangerous national and global threats. Ratification and implementation are domestic factors that increase the stability and credibility of international agreements. The process may be dreadfully slow, but the commitment level of democratic states tends to be significantly high. The lack of legislative support during President Clinton's administration and President Bush's links with the energy industry are additional examples of factors constraining support for the agreement. Lastly, public opposition towards anthropogenic climate change stems from disbelief in global warming. Climate change is one of the most pressing global issues present today requiring critical repair. Implementing the stringent goals of the KP is an excellent way towards mitigation and key elements of international governance. The U.S. can maintain its role as a superpower by taking the lead on this issue and avoiding domestic forces constraining the adoption of this agreement. If the U.S. ratifies the KP, other countries are more likely to follow this nation's footsteps. Although the ratification process is complex, it is important that our current legislative and executive powers push the policy forward by placing it higher on the political agenda through the use of news and online outlets.

Introduction

Fifteen to twenty countries are responsible for roughly 75 percent of global emissions, but no one country accounts for more than about 26 percent. Efforts to cut emissions—*mitigation*—must therefore be global. Without international cooperation and coordination, some states may free ride on others' efforts, or even

exploit uneven emissions controls to gain competitive advantage. (Council on Foreign Relations, 2013, p. 5)

For all immediate challenges that we gather to address this week—terrorism, instability, inequality, disease—there’s one issue that will define the contours of this century more dramatically than any other, and that is the urgent and growing threat of a changing climate. (Obama at the U.N. Climate Change Summit, 2014, p. 1)

Addressing the horrifying state of the current environment requires international agreement and cooperation. With the absence of an international government, there are organizations and agreements in place to help resolve issues such as climate change. These include the United Nations Environment Program (UNEP), Kyoto Protocol (KP), and United Nations Framework Convention on Climate Change (UNFCCC). The UNFCCC today has a near-universal membership, and 195 countries have ratified the Kyoto Protocol agreement (United Nations Framework Convention on Climate Change, 2014). The international treaty remains without the participation of one of the world’s most dominant nations, the United States.

This article starts with the history of the KP, moves to examining domestic factions including democracy, presidency, and public opinion, and ends with the benefits and importance of U.S. cooperation in this agreement. Without global agreement and participation from the U.S., the anticipation of success in combating climate change will end in disappointment. The current state of the environment is appalling and requires as many countries as possible to sign onto the KP— especially the major contributors to pollution. The U.S. should not allow “free rider” issues to interfere with the manifestation of the KP. Furthermore, without the support of domestic institutions, ratification is unstable. Ratification of treaties through federal states—states with powerful subunits of domestic institutions—is a significantly complicated process. Institutional complications that surround the politics of ratification are fragile due to domestic influences such as a president’s level of environmentalism, legislative process through a democracy, and public opinion. Although ratification through a federal state can be complicated and slow, it increases stability and credibility.

Additionally, the current environment poses grave tension due to the urgency of this global threat and requires a hastened ratification of the KP. My research examines the domestic factors that affect Washington's stance on multilateral agreements to combat climate change. Considering that there is a multinational effort to combat climate change through the Kyoto Protocol, the U.S. should sign on to the agreement.

Literature Review

Domestic factors such as democracies, presidency, and public opinion impact global participation in climate change policy. In multiple studies, scholars provided their opinions on factors that prevent the U.S. from international participation in combating climate change. Domestic factors such as the decentralized decision-making process in a federal system impact the international treaties that are ratified. Sarah Fisher (2005) states that in nations with a federal system, unlike unitary nations, the likelihood and speed of ratification depends on domestic factors that influence environment policy decisions. Battig and Bernauer (2009) admit that democracies induce a positive output on political commitment; however, measured emission levels and trends are ambiguous. Relevant to the controversy of domestic institutions on international cooperation, democracies provide more global goods.

As far as domestic factors, a president's behavior also influences foreign policy. Amy Below (2008) sheds light on the decision-making process of U.S. presidents on ozone and climate change and argues that it varies depending on the level "environmentalism" of each president. The United States' domestic and international efforts to combat climate change are insufficient for the current environmental distress. The U.S. has not ratified the Kyoto Protocol agreement due to these domestic factors, which many scholars have argued over. As a major contributor to the issue of excessive pollution, the U.S. should avoid any domestic factors preventing the ratification of the KP agreement.

Historical Significance

The U.S. retains a leading role in industrial activity that drives the excessive contribution to carbon emissions, but it is reluctant to act on

stringent mitigation, especially through the KP. Negotiations for a global climate change effort began in 1992 with the adoption of the UNFCCC (Andersen, 2015). The Kyoto Protocol, which emerged from the UNFCCC, is a global climate change agreement that was adopted on December 11, 1997 and served the purpose of emission reduction targets. The rigorous work of the KP is precisely the reason that the U.S. should adhere to its regulations, especially since the U.S. had been regarded as an industrial superpower in terms of its role in the global economic power structure. When the world is in need of negotiation however, the U.S. fails to collaborate on one of the most globally pressing issues: climate change.

There are many competing establishments in place fighting to combat climate change, including the Low Carbon Growth Partnership (LCGP), Asia-Pacific Partnership (APP), United Nations Environment Program (UNEP), and even former President Obama's joint announcement with China. The international community has taken initiative in securing meaningful change through many international agreements. The U.S. refuses to work with other nations and participate in the KP, an international agreement that attempts to bring significant change to protect the climate (Gerston, 2009). The Kyoto Protocol in particular has "heightened the expectations for large-scale collective action with stringent mitigation measures" to combat climate change. The 160 nations signing on to this agreement include 6 out of 8 of the highly industrialized nations (Laub, 2014). The efforts toward environmental change are ongoing, as the UNEP states:

After ten days of tough negotiations, ministers and other high-level officials from 160 countries reached an agreement this morning on a legally binding Protocol under which industrialized countries will reduce their collective emissions of greenhouse gasses by 5.2%. The agreement aims to lower overall emissions from a group of six greenhouse gases by 2008-12, calculated as an average over these five years. (The United Nations Framework Convention on Climate Change, 1997, p. 1)

A nation that has largest economy and is the second largest emitter has yet to sign onto the agreement (Obama at U.N. Climate Change Summit, 2014). The U.S. has isolated itself from the rest of the world on an issue that we cannot afford the false luxury of ignoring any longer (Gerston, 2009).

The UNFCCC holds developed countries as primarily responsible for the high levels of Green House Gas (GHG) emissions. For the treaty to go into effect, it needed 55 industrialized countries to cut to 5.2% below their 1990 levels of GHG emissions. During the first commitment period, there were 37 signatories (United Nations Framework Convention on Climate Change, 2014). Responsible for 36% of emissions in 1990 (Walsh, 2004), the United States refused to sign on to the treaty and still continues to do so.

Domestic Factors

Although the environment is not a national security issue, the domestic process of ratification of the KP should be urgently addressed because climate change is certainly a national and global threat. The level of urgency assigned to the KP is due to its consideration as “low politics” or not high on the political agenda. Federalism has a seeping influence on decision-making and the ratification process of international treaties such as the KP. Federalism is defined as nations that consist of powerful institutionalized subunits that have jurisdiction in the national government. It can also be described as, how freely the government functions (Haftel & Thompson, 2013). Domestic groups must reach an agreement for jurisdiction to be made at an international level (Fisher, 2015). Federalism is a factor of domestic politics that impacts foreign policy. Fisher defines “low politics” as issues unrelated to national security (such as terrorism). Since environmental issues are considered “low politics” (Fisher, 2015), this impacts the way domestic forces reach decisions on international agreements (Jenkins, 2003).

Domestic forces leverage international cooperation and a state’s jurisdiction with respect to the international system. International agreements involve a two-stage process in which participation is the ratification stage and deciding on the level of participation is the implementation stage (Bernauer, Khalbenn, Koubi, & Spilker, 2010). Treaties are legal obligations; signing onto a legal agreement means credibly committing to factors such as democratic reform, human rights, and the protection of foreign investors. Without legal obligations, commitments are unlikely and fragile because government preferences can change or leadership can turn over. The ratification and implementation of the KP through domestic institutions is necessary for the agreement to be

fully committed to. This explains why some treaties are instantly ratified and others take years to gather signatories (Haftel & Thompson, 2013).

To move forward from political commitments such as the ratification of the KP agreement to actual implementation of the policy and GHG emission reductions, the U.S. must disregard domestic issues constraining the adaptation of the KP agreement. Domestic institutions contribute to complications and slow down ratification but increase the stability and credibility of policy. One study argued that democracies have a more positive impact on global public goods such as climate change and GHG mitigation than other kinds of political institutions. The role of democracy makes policy output stronger even though policy outcome is not (Battig & Bernauer, 2009). Nondemocratic states have a tendency to sign on and ratify such agreements but underprovide the public goods (Olson 1965, McGuire, & Olson, 1994). Empirical testing on over 185 countries found that democracies show a sign of greater political commitment to global public goods. However, their outcomes are ambiguous due to the negative effect democracies have on GHG emissions from transportation. These issues include the free-rider problem, low long-term benefits of climate change mitigation, (Battig & Bernauer, 2009), federalism, and the slow domestic process of ratification preventing efficient emission reduction. In domestic institutions, the ratification of a treaty is a very difficult process because of costs and complications.

In addition to these difficulties, disagreements about the role of environmentalism among the executive and legislative branches and public opinion also impact political decisions about the KP. The KP failed to be ratified under the Clinton and Bush administrations. During the Clinton administration, the legislature was completely unsupportive and there was domestic opposition to the KP agreement. This led Bill Clinton to have a representative sign the agreement but not ratify it (Below, 2008). In cases when presidents know they have no legislative support to back up their signature, they do not sign on or ratify agreements as they acknowledge that the bill will not pass and get vetoed. Knowing the Senate had clear opposition to the KP, Clinton made an effort to rely on his executive powers to continue the environmental agenda (Vig, 2006). Clinton proposed a 5-year \$6.3 billion package of tax breaks and research funding (Below, 2008), directed the federal government to reduce petroleum in federally owned

vehicles, and reduced GHG emissions from federal buildings (Layzer, 2002). During his time in office, International Performance Computing and Communications Conference (IPCCC) reports showed 1998 as the warmest year and 1990 as the warmest decade. Clinton still did not receive any further legislative support (Below, 2008). Presidents face domestic institutional constraints similar to the ones Clinton faced.

Rather than domestic constraints, George W. Bush's link to the energy industry prior to becoming president only intensified the lack of progress in America's ratification of the KP. As the UNFCCC continued to meet annually, they noticed even more growth in rising temperatures and the anthropogenic effects that growing GHG emissions would cause. Despite the alarming findings, there was hardly any progress in reaching an agreement, and the U.S. was often blamed for this (Below, 2008). Bush disbelieved in the human effects on global warming and asked for further research and scientific evidence. Although Bush said that he would support climate causes during his campaign, he did not take measures according to his promises. This is due to Bush's negative environmental record. Bush worked with the energy industry and was a partner in a number of oil and gas companies before he became president. Furthermore, President Bush claimed to oppose the KP because he believed it was flawed and unfair due to the free rider problem, in which countries not signed onto the KP would receive benefits for combating climate change. In the text of a letter from the President to Senators Hagel, Helms, Craig, and Roberts, President Bush wrote:

I oppose the Kyoto Protocol because it exempts 80 percent of the world, including major population centers such as China and India, from compliance, and would cause serious harm to the U.S. economy. The Senate's vote, 95-0, shows that there is a clear consensus that the Kyoto Protocol is an unfair and ineffective means of addressing global climate change concerns...As you also know, I support a comprehensive and balanced national energy policy that takes into account the importance of improving air quality. Consistent with this balanced approach... Any such strategy would include phasing in reductions over a reasonable period of time, providing regulatory certainty, and offering

market-based incentives to help industry meet the targets. (Bush, n.d.)

Bush thought it was unfair that the KP exempts about 80 percent of the countries globally and left a burden on developed nations to reduce their emissions while leaving the requirements for developing nations different (Below, 2008). He seemed to have less opposition for the KP issue and more concern over the economy because he claimed that his approach offered market incentives. Opposed to taking responsibility in combating climate change, Bush geared toward supporting the energy industry and oil companies.

Bush diverted the responsibility of America being a major contributor to the issue by playing the blame-game and instead bringing attention to India and China's exemption. Having a past with the energy and oil industries, he of course brought attention to short-term economic hindrances and the free-rider problem rather than giving consideration to the time and life-threatening intensity of climate change. In response to Bush's free-rider concern and disbelief in climate change, America's significant contribution to pollution can also be viewed as a reverse free-rider issue in which the rest of the world suffers for emissions that they have not caused. If states were to be equally and seriously affected by the free rider problem, they would also be reluctant to contribute to such global public goods.

The American public is also skeptical about the disastrous consequences of anthropogenic climate change. Significant and growing portions of the U.S. population do not believe in the global threat regardless of all the research and evidence provided (Nagel, 2011). Public opinion is a domestic factor that restricts representatives from honoring international commitments (Tomz, 2002). Concern about climate change and belief in scientific evidence had a staggering decrease four years after the Intergovernmental Panel on Climate Change released a report bringing global attention to the negative consequences of the changing climate, even after this report was widely publicized in the film, *An Inconvenient Truth* and Al Gore received an Academy Award and Nobel Peace Prize. Joane Nagel from the University of Kansas claims that the vast ignorance of the deniers of climate change should not matter in American politics (Nagel,

2011). The health and lives of the American public, as well as the world, are at stake due to the deniers of climate change and especially those concerned about the short-term effects related to the economy of industries. In respect of the fragile state the global environment is currently in, America should set aside concerns of corporate profit, the free rider problem, other countries, and a president's environmental interests to pay special attention resolving the issue.

Importance of International Cooperation

Climate change is one of the most complex and important issues facing the world today that requires critical attention. More than 20 years of UN climate resolutions have failed due to lack of international cooperation. The UNFCCC has not only recognized that there is a problem, but has also worked toward a lofty and specific goal, gave developed nations the duty of leading cooperation, directed allocate developing countries to funds for climate change activities, and most importantly, acknowledged the vulnerability of all countries to the effects of climate change and called for special efforts to adopt this agreement. Former President Obama's joint announcement with China on reducing emissions and making progress in "developing a wide range of initiatives that reduce greenhouse gas emissions" was not sufficient to deal with the increasingly dangerous and fragile state of the environment (The White House, 2015). Adopting the KP's stringent goals for emission reductions is required for crucial environmental improvements.

International organizations help solve problems of environmental degradation and are key elements in building international governance systems. Scholars pay special attention to institutionalized efforts to increase international cooperation (Bernauer, et al., 2010). Pressure from participation in international organizations, treaties, or governance systems has a positive impact because they promote good behavior. For instance, domestic governments require the cooperation of citizens in order to control environmentally unfriendly behavior. Similarly, cooperation in an international governance system serves the purpose of harmonizing institutions (Drenzer, 1998) and prevents states from deterring environmental participation (Stein 2008). Laws and regulations of every

state allow prosecution of individuals who commit an offense against the values of that state. Fear of prosecution or punishment encourages individuals to abide by laws. Corresponding to the international level of governance and policy, participation in the KP agreement acts as a law, and those countries disobeying the law face consequences. Therefore, the KP promotes a commitment to environmental change because of fear of the consequences. If there is international cooperation in the economic (such as trading), social (human trafficking), and security (terrorism) sectors, then why not in the environment sector? As the second largest contributor to pollution (Sources of Greenhouse Gas Emissions, 2017), the United States' actions are similar to a misbehaving citizen escaping governance.

Therefore, membership and adoption of rules and regulations of the KP benefit not only the U.S. but also the world as a whole. Failure to participate can have an "audience cost," such as reputation loss at home and abroad, a snowball effect (other countries refusing to ratify the agreement), and loss of credibility. Taking responsibility by cooperating can be beneficial in reviving respect as well as the status of being the superpower that has been a guiding light for so many countries since the Industrial Revolution. Globalization is a prominent topic of discourse in politics (Bernauer et al., 2010) and climate change is a test of global leadership (Kerry, 2014). These arguments are important in terms of cooperation. As Kerry states, "no single country can solve climate change" (Kerry, 2014, p. 1). As the climate situation worsens, the U.S. may incite retaliation from other countries that could argue that America is not taking responsibility for its contribution to the pollution problem. The loss of credibility and reputation can also seep intolerance into other policy issues as well. For example, if America does not cooperate in environmental issues, other nations may retaliate by abstaining from cooperation in national security issues that are important to America. However, by working on the large portion of carbon emissions that America produces, we can take a significant step toward the Kyoto Protocol's lofty goal of combating climate change.

Domestic factors play a prominent role in constraining the ratification of this agreement; the U.S. can accomplish these goals by bringing significant attention and importance to reducing carbon emissions. Regardless of the fact that federalism, the slow process of ratification,

public opinion, and disbelief in global warming conflict with the adoption of the KP, the U.S. can still take the lead. America can influence nations not signed on to the KP agreement to join by ratification and implementation in our own nation first. Those states that do sign onto the KP but do not reach emission reduction goals could begin making serious efforts, in essence viewing the U.S. as a superpower whose values they follow. Furthermore, as one of the most pressing global issues present today, climate change calls for executive action. The U.S. legislative and executive branches can take initiative on the issue by pushing the policy on their agendas. This can be accomplished by addressing the issue and policy extensively in speeches, leading to greater congressional and public attention and creating an efficient process towards ratification. Supporters of the KP can also bring attention to the issue by advocating through mass media. From the national newspaper to local television, mass media is a compelling public agenda builder and acts as a microphone to policy makers (Gerston, 2008).

The U.S. should avoid domestic forces affecting Washington's stance on the KP and sign onto the agreement. Combating climate change through the adoption of this agreement is beneficial to the U.S. and the entire world. As one of the largest polluters, the U.S. needs to take responsibility for the GHG emissions they are contributing to, sign onto the agreement, and implement climate change mitigation. International cooperation is necessary for success in the globalized world. The U.S. is seen as a superpower and should maintain this status by taking responsibility and directing others to ratify and implement the agreement as well. Resolving climate change—regardless of many regions of the world free riding this public, global good—is better than having no world at all. Standing on the tipping point of the crisis, there is no time to wait.

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