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Explaining transformative change in EU climate policy: multilevel problems, policies, and politics

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ABSTRACT

The EU's ambition to lead in global climate governance has shaped its engagement with the UNFCCC regime and informed a vast body of regulatory instruments. However, EU climate policy outcomes have not always matched aspirations. We explore how UNFCCC-EU institutional interactions have shaped EU climate policy outcomes by combining a multilevel governance perspective with scholarship on policy entrepreneurship to explain when, why, and how motivated policy entrepreneurs are most likely to secure transformative policy change. We contrast the successful policy transformation of the European Green Deal with the experience of policy stagnation in the aftermath of the economic crisis, shedding light on the interaction between problems, policies, and politics across levels. We find that while the international level is significant in opening up windows of opportunity from above, the presence below of an authoritative and motivated policy entrepreneur within the political stream is a crucial additive to securing transformative policy change.



KEYWORDS

Climate governance; multi-level; multiple streams; European climate policy; European Green Deal

1. Introduction

Climate governance under the United Nations Framework Convention on Climate Change (UNFCCC) is not a linear process of global-to-local policy transmission. Rather, it is a product of dynamic, multilevel interactions, with a broad range of diverse actors jostling to upload, download, resist, impose, shape, and evade or enforce compliance with rules, standards, and norms. This paper combines insights from literatures on global governance, multilevel governance (MLG), and policy entrepreneurship to address the question: what explains the ability of climate policy entrepreneurs to achieve transformative policy change at the EU level?

The ability of climate policy entrepreneurs to galvanise fast, large and significant policy changes – such as the recent adoption of the European Green Deal (EGD) – poses a puzzle for prominent neo-functional theories of EU policy and integration processes. It would appear that, in addition to traditional path dependence mechanisms that explain why policies tend to follow an incremental logic, such as increasing returns and veto players, we also observe opportunities for transformative change if the right conditions are in

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place and ambitious policy entrepreneurs seize the opportunity (Holzinger and Knill 2002). As such, when it comes to climate policy, scholarship that emphasizes critical junctures and exogenous factors offer an equally, if not more, plausible starting point (Cappoccia and Kelemen 2007). That said, further work is needed to explain why transformative policy change happens in some circumstances but not in others.

Our contribution to the literature on transformative policy change is twofold. First, we supplement an MLG lens with John Kingdon's (1984, 1995, 2003) influential multiple streams framework (MSF). While MLG accounts for the increasingly interdependent and nested nature of climate policymaking across levels of governance, innovative uses of MSF have provided powerful insight into the role of policy entrepreneurs and the structural conditions (problem perception, availability of policy tools, and political will) which determine their ability to secure transformative policy change (Herweg et al. 2015). In line with the theme of this Special Issue, we focus on an under-explored but central intervening variable: cross-level interactions and their combined impact upon internal EU climate policy outcomes, which is the dependent variable for this study.

While much climate governance scholarship focuses on the dysfunctions of the international level, this paper interrogates how interactions between different governance levels relate to policy outcomes within EU structures. Notably, the European Union is a formal party to the UNFCCC, enhancing the EU's 'actorness' within this MLG setting (Groenleer and van Schaik 2007). Regional organizations provide an instructive domain of analysis because they sit neither at the 'top' nor at the 'bottom' of the global climate change regime, providing vital governance functions. We illuminate how the boundary conditions set by the UNFCCC enable and constrain decentralised action by a host of actors as they seek to advance transformative policy goals within EU structures enmeshed in global, national and subnational linkages.

We find that, while EU climate policy is informed by UNFCCC interactions, more often than not it is the European Commission – flanked by supportive governments and vocal non-state stakeholders – which serves as the principle policy entrepreneur in this arena. This reflects the heightened importance of the EU's mediation function with the shift under the Paris Agreement towards nationally determined policy compliance. As such, the entrepreneurial role of the EU Commission in securing transformative policy change is closely related to its role at the UNFCCC level in promoting 'high ambition' coalitions. That said, it is sometimes difficult to weigh the positive and negative implications of such interactions, especially if countries face low incentives to exceed the weak but standardised Paris Agreement model.

Second, studying specific instances of climate policy success and failure allows us to specify how the EU's uniquely advanced MLG structures create potential for vertical and horizontal scaling of policies, but also the possibility of policy stagnation and paralysis (Schreurs and Tiberghien 2007). The latter is illustrated by a case study of EU climate policy making in the aftermath of the financial and economic crisis and the failed Copenhagen climate summit, when joint ambition largely stalled. We contrast this experience with a case study of the European Green Deal, demonstrating how multi-level opportunity structures can be utilised to achieve transformative policy change when the circumstances allow. Our study broadly confirms the MSF scholarship's claims, and adds important empirical support and nuance to a literature that, to date, has paid less attention to shifting policy equilibria in MLG settings. In turn, we contribute to the aims of

this Special Issue by elucidating when and how the EU policy process is significantly impacted by international institutions operating within specific policy domains or regime complexes.

The analysis is based upon policy documents published by diverse European bodies, as well as secondary sources. The authors interviewed 15 key actors: 1 from the UNFCCC Secretariat, 1 from the EU Commission, 1 from the European Environment and Sustainable Development Advisory Councils, 6 EU government representatives (UK, Denmark, Finland), and 6 stakeholders (environmental INGOs, academics).

The paper begins by introducing MLG and the MSF, which provide the theoretical coordinates for the study. We then detail the mechanisms by which transformative policy change happens and the factors driving that change, locating internal EU policy processes within their international context. This is followed by a structured focused analysis of policy stagnation and transformation. The study concludes by examining the implications of this analysis for EU policy-making and MLG more broadly.

2. Understanding multilevel governance dynamics: problems, policies and politics

MLG scholarship is well-attuned to the realities of climate change governance, acknowledging that policymaking authority may flow ‘upward, downward and sideways’ across different territorial jurisdictions and types of actors (Hooghe and Marks 2003, 233). On the global level, while the autonomy of the UNFCCC as an organization is limited, it plays a key role in providing ‘stable opportunity structures’ for state interaction that may result in binding international commitments (Jänicke 2017, 111). Under the Paris Agreement, these commitments are primarily procedural, laying the groundwork for lower-level policy development rather than prescribing a regulatory framework.

Although states remain pivotal actors, regional institutions have emerged as important intermediation arenas in MLG arrangements as they interface with both national and international governance systems. This is particularly true of the EU, which has played a key role in coordinating joint policy initiatives among member states and the UNFCCC regime and enjoys an unusual degree of supranational authority.

The question of how the EU internal policy processes influence the EU’s role in global climate governance and vice versa has spawned a large scholarship and is an important dimension of this study (Börzel and Buzogány 2019). Scholars note that the EU’s internal and external climate policy ambitions have been an important instrument for European identity building, helping to generate support for the wider European project (Wurzel, Liefferink, and Di Lullo 2019). The EU has also sought to ‘globalise’ its own institutional preferences for a binding, target-led approach to global climate action, bolstered by robust review mechanisms (Parker, Karlsson, and Hjerpe 2017). Importantly, the EU is also a major donor to the UNFCCC secretariat through both assessed and voluntary contributions (Interview EU Commission).

Consistent with the argument in the introduction of this Special Issue, concrete institutional interactions between the EU and international level have served to enable transformative policy change under certain conditions. In terms of concrete linkages, the most visible interface lies with the EU greenhouse gas (GHG) inventory system which

operates in line with UNFCCC reporting requirements. More broadly, an exceptionally dense institutionalisation of climate policy, unique among regional structures, ensures frequent interaction among both elected officials as well as peer-to-peer bureaucratic exchange. EU MLG structures also include a dynamic host of transnationally networked actors, from businesses to sub-national authorities and NGOs, who all serve to invigorate institutional interactions (Interview NGO).

In that respect, several MLG scholars have pointed to the EU as an example of how actor coalitions may engage in vertical and horizontal upscaling or ‘multilevel reinforcement’ of best practices, taking advantage of efficiency gains through coordination and functional differentiation (Jänicke and Wurzel 2018). However, recent contributions have challenged this functionalist optimism, with criticism focusing primarily on questions of democratic legitimacy and accountability (Pierre and Peters 2004). We add another important caveat in this paper, namely that we cannot automatically assume multilevel reinforcement dynamics will favour best practices and ambitious agendas.

If positive ‘multilevel reinforcement’ cannot be assumed, then under what conditions are policy entrepreneurs more or less likely to enable transformative climate action within MLG systems? We build on an extensive scholarship using John Kingdon’s MSF to inquire into when policy entrepreneurs matter and under what conditions they can effectuate ambitious climate policies. Kingdon identifies three independent but frequently overlapping ‘streams’ that inform policymaking processes:

- (1) *Problem stream*: issues arise that are deemed to require policy action because ‘indicators’, ‘feedback’ and ‘focusing events’ capture the attention of policymakers and convince them that they ‘should do something’ (Kingdon 1995, 109).
- (2) *Policy stream*: potential policy solutions to these issues are developed, with ideas floating around in a ‘policy primeval soup’, where they evolve as various actors seek to imprint their preferences (Kingdon 1995, 140).
- (3) *Politics stream*: changes in national mood, election outcomes, administrative turnover, or pressure group campaigns may all influence how receptive decision-makers are to proposed solutions.

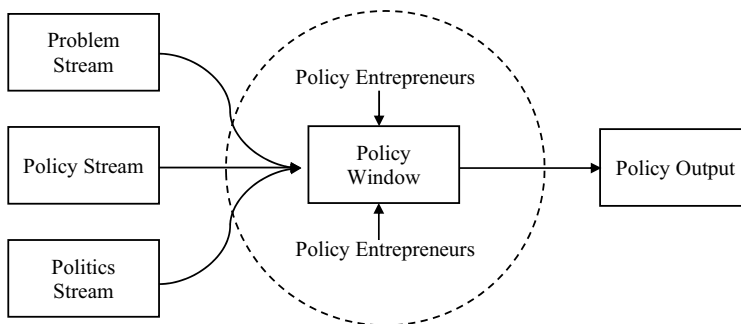


Figure 1. The MSF policymaking process based on (Kingdon 2003).

Within this model, as [Figure 1](#) illustrates, policy change occurs if and when these three streams converge, thus creating a ‘window of opportunity’. It is at this moment, specifically, that policy entrepreneurs can successfully push forward their respective ideas, ‘coupling solutions to problems’ and ‘both problems and solutions to politics’ (Kingdon 1984, 21).

Policy entrepreneurs, therefore, assume a central causal function in the MSF as they work to couple these three relatively independent ‘streams’ to achieve their desired ends. As such, ‘coupling’ is the central mechanism in the MSF, connecting the three streams to achieve policy change, stasis or reversal. A useful distinction is also made between ‘agenda-coupling’ and ‘decision-coupling’ across the streams, with the former focused on prizing open the window and the latter zeroing in on actual policy outcomes (Herweg, Huß, and Zohlnhöfer 2015).

The MSF also flags the importance of seizing the moment, given that windows of opportunity may rapidly close (Kingdon 2003, 192). Thus, to execute their brokering function, policy entrepreneurs must react quickly and work simultaneously across streams. Importantly, this task of brokering takes place in a context of unavoidable ambiguity in the policymaking process, referring to ‘a policy-making environment of overlapping institutions lacking a clear hierarchy’ (Ackrill and Kay 2011, 5). Such an understanding takes on additional relevance with regard to the EU and the UNFCCC, given the potential for EU-level policy entrepreneurs to engage in venue-shopping across levels.

However, the availability of multiple venues is not sufficient to explain the ability of climate policy entrepreneurs to achieve transformative policy change at the EU level. Indeed, a vast public policy scholarship converges on the insight that explaining transformative policy changes remains one of the hardest tasks in the policy sciences (Baumgartner and Jones 2009). In the following section, we build on earlier work by specifying how the MSF can shed light on the conditions under which transformative policy change is more likely to occur under conditions of MLG (Derwort, Jager, and Newig 2021). Namely, we follow Kingdon in emphasising the importance of creating windows of opportunity, but also seizing synchronistic moments when such windows open from ‘above’ (international) or ‘below’ (national).

As Kingdon (1995, 186) observes ‘cyclical windows’ which promote policy stability and therefore incrementalism are common to the European legislative process. We suggest that windows which open from above may be less predictable and therefore more conducive to disruptive policy change at lower levels. Crucially though, the importance of decision-coupling gives priority to the politics stream at executive level, recalling Kingdon’s (2011, 24) observation that successful policy entrepreneurs will often be in ‘an authoritative decision making position’.

3. Governing for EU climate policy transformation

EU policy processes display conditions conducive to multilevel reinforcement as identified by Rietig (2020, 59) – level interdependence, regular cross-level interaction, recognition that problems on one level may require policy solutions on another level, and sufficient ambiguity to allow for venue shopping. However, while these functional conditions are necessary for multilevel reinforcement to occur, they are not sufficient. To bring about

transformative policy change, proactive policy entrepreneurs must be able to couple the problem, policy and politics streams. In turn, and as we explore below, the flow of these streams is influenced by events and developments 'above' and 'below' the EU level.

We join other contributions to this Special Issue in showing how institutional interactions between the EU and international organizations, including the UNFCCC, can provide the political and discursive ballast required to get transformative policy change over the line. The conditions under which such transformative change becomes possible is further illuminated in the case studies which follow.

3.1. Problem stream

European institutions have seized on the problem of climate change to reinforce their own legitimacy, advance the development of a joint foreign policy, and accelerate supranational identity building. Over time, dominant problem frames in the EU have changed, gradually transforming climate change from a narrow sectoral concern 'into a high-politics, core-identity issue for the EU' (Torney 2015, 49).

An important shift in problem framing occurred in the mid-2000s, when the European Commission pushed forward a more integrated approach to climate policy, 'mainstreaming' it into other policy areas, notably energy (Skjærseth 2017). More recently, problem definitions have become even more expansive, with the European Green Deal connecting the need for climate change mitigation and adaptation with a range of other ecological and societal challenges. Yet, notwithstanding high-level commitment to urgent transformational change, current policies still reflect an understanding of sustainability that is steeped in techno-economic narratives of innovation and market rationalities (Olsson, Öjehag-Pettersson, and Granberg 2021).

In part, the persistence of a techno-economic problem definition reflects the central steering function and preferences of the European Commission. Since the Commission operates above day-to-day politics at member state level, it is arguably well-placed to push forward policy agendas aimed at addressing long-term problems, such as climate change (Skjærseth 2021). However, as Dreger (2014, 176) argues, the Commission's problem framing powers can also be strategically employed to 'technocratize' subsequent policy debates, 'pull[ing] political actors toward those grounds where the Commission has a home field advantage'.

Although high-level EU summits often capture the headlines, it is the European Commission which holds a monopoly on formal agenda-setting in defining the climate problem. Nevertheless, the Environment Council – a configuration of the Council of the European Union which brings together national ministers responsible for environmental matters – also plays a key role in preparing joint positions for international climate change negotiations, thus shaping the problem frames that the EU promotes at the global level and, in turn, downloading policy preferences from their interactions within UNFCCC forums (Rietig 2020).

Crucially, decisions which ultimately shape problem framing are not taken in isolation from external developments in other institutional domains. In MLG settings such as the EU, these developments play out at several levels, with EU policymakers responding to pressure from above (e.g. IPCC assessment reports) as well as below (e.g. youth climate strikes). At several points in recent years, the combination of top-down and bottom-up

pressure has brought the problem of climate change to the fore. However, '[i]t takes time, effort, mobilization of many actors, and the expenditure of political resources to keep an item prominent on the agenda' (Kingdon 1995) and climate change has been repeatedly crowded out by other policy challenges requiring urgent attention. In addition, a problem is unlikely to occupy policymakers' minds unless it can be coupled to concrete policy proposals. Thus, we now turn our focus to the search for policy solutions.

3.2. Policy stream

Recently, and in tandem with the transformation of dominant problem frames, the EU's climate policy toolbox has expanded. As we explore in the below case study, the European Green Deal has shifted the focus decisively towards long-term, whole-economy planning in line with the goal of reaching collective climate neutrality by 2050. This marks a departure from the earlier pathway of climate policy development within the EU informed by a 'a strong preference for regulatory instruments' (Jordan and Moore 2020), combined with a limited selection of market-based instruments.

Contemporary policy innovation at the EU level, including regulations aimed at enhanced transparency surrounding environment sustainability in the private sector, partially mirrors the paradigm shift at the international level with the Paris Agreement embracing a 'catalytic' model of cooperation, breaking with the legacy 'regulatory' approach (Hale 2016). Indicative of a change in appetite for transformative policy design, taxation – long ringfenced as an issue of national sovereignty – has also been mooted as a possible EU-level policy instrument to advance climate action, with a revision of the Energy Taxation Directive promising to harmonize energy taxation policies and remove exemptions that favor fossil fuels (European Commission 2021).

Notably, it was the otherwise underwhelming 2009 Copenhagen Summit, spearheaded by EU delegations to the UNFCCC, which precipitated a move within the global climate regime towards a 'catalytic and facilitative' policy model (Hale 2016, 13). Individual EU member states played a pivotal entrepreneurial role in shaping UNFCCC-level policy outcomes, as exemplified by French leadership during COP-21. Notwithstanding, the EU has proven reluctant to embrace voluntary regulatory tools within its own internal policy structures, not least because of high-profile failures in the application of such instruments (Jordan and Moore 2020). Nevertheless, the EU continues to experiment with soft tools aimed at catalyzing action within informal inter-governmental networks, as well as transnational public-private governance initiatives (Roger, this issue; Westerwinter, this issue).

When it comes to key actors in the policy stream, it is important to note that the Commission is not monolithic. Although climate action has a dedicated Directorate-General (DG CLIMA), there are significant overlaps with the work of other DGs covering policy areas such as energy and environment. Conflict between different DGs, due to competing interests, beliefs and policy priorities, can dampen climate policy ambition (Rietig 2019). In practice, EU policymaking is a product of interinstitutional negotiations, usually facilitated by informal 'trilogues' between the Commission, the Parliament, and the Council, with ideas for policy solutions entering negotiations through various channels (Burns 2019). The Commission is also heavily dependent

on external expertise (Coen, Katsaitis, and Vannoni 2021). As we show below, its role in the policy stream is often that of an ‘entrepreneurial gatekeeper’ – selecting, rejecting or reshaping the ideas that float around in the ‘policy primeval soup’ (Kingdon 1995, 140).

Like the problem stream, the EU policy stream is responsive to external developments on multiple levels of governance. However, EU policy also has its own momentum. In the run up to COP26 in Glasgow, the Commission struck a pragmatic approach:

We try to influence these developments as much as we can but I think everyone has to prepare for the result of Glasgow to be underwhelming . . . our plan is to continue to pursue a climate-neutral Europe regardless of what happens in Glasgow – what else can you do? (Interview EU Commission).

As we explore further below, global treaties such as the Paris Agreement provide important impetus and broad parameters for EU policy development. However, the EU also promotes policy solutions that have first been tried at tested at the national level or promoted by non-state actors.

3.3. Politics stream

The ‘hyper-consensual’ environment of EU politics poses perhaps the most formidable challenge to entrepreneurs seeking to advance transformative policy change. The centrality of consensus-building to EU policy change serves to reinforce a path dependent dynamic, where no single actor can prescribe policy and minority interests can easily mobilize to block reform (Hix 2007). It is not surprising then that MSF scholars place particular weight on ‘propitious conditions’ in the EU politics stream to explain successful coupling across streams (Palmer 2015, 281).

An MLG setting poses particular challenges in this regard. In contrast to national-level politics streams, ‘windows of opportunity’ are rarely flung open in the wake of seismic political events. European elections are still widely regarded by domestic electorates as ‘second-order elections’ (Hix and Marsh 2007). Recent trends in European parliamentary election outcomes also point to growing polarization of the climate debate (Waldholz 2019). Policy entrepreneurs must therefore navigate a complex multilevel bargaining landscape, where the room for manoeuvre at the regional level may be severely constrained by interest arrays at the domestic level. However, as Jänicke and Wurzel (2018) show, national and sub-national policy entrepreneurs have drawn on transnational networks or UNFCCC-led platforms ‘above’ to overcome EU-level policy deadlock ‘below’ (Hermwille 2018).

Given the far-reaching consequences of industrial decarbonization, the salience of domestic power dynamics in the climate policy domain is acute (Aklin and Mildenerger 2020). Divisions run principally (though not exclusively) between the ‘older’ Western and Northern European member states and a handful of ‘newer’ Eastern European member states, led by Poland. Resistance from the latter has made it more challenging to adopt ambitious climate goals and recent efforts to do so have resulted in protracted negotiations (Mathiesen 2019). Such dynamics speak to the potential ‘negative’ implications of MLG institutional interaction, as potential veto players seek to lower expectations on a successful outcome or exit altogether.

However, as Kingdon (2011, 152) himself argues, ‘the application of the resources of major interest groups against a proposal does not necessarily carry the day’. Our case study of the Green New Deal provides insight into the conditions under which transformative policy change can be achieved within the larger policy regime complex, even in the face of stiff opposition. However, it is also salutary to recall Herweg, Huß, and Zohlnhöfer (2015, 438) caution, ‘public policy is driven not just by the need to solve problems, but also by the political need to be seen to address problems – even at the expense of failing to solve the problem itself’. In turn, recent exogenous shocks, from the COVID-19 pandemic to the Ukrainian conflict, demonstrate all too well how ‘windows of opportunity’ can be overtaken by events.

4. Transformation and stasis: lessons from climate policymaking in the EU

This section assesses the role of MSF dynamics in explaining variation in policy outcomes within the EU MLG setting. We first analyse the situation in post-crisis Europe, when negatively reinforcing multilevel dynamics impeded the ability of policy entrepreneurs to advance transformative climate policy development. This case study is contrasted with the more recent European Green Deal (EGD), which serves as an example of how cross-level institutional interaction can, under the right conditions, enable policy entrepreneurs to raise climate ambition and promote opportunities for transformative policy change.

4.1. EU climate policy stasis after Copenhagen: negatively reinforcing dynamics

Why did EU climate policy ambition stall in the late 2000s? After all, the previous decade had seen a rapid expansion of EU climate policies. Key policy innovations have been enabled by drivers located at multiple governance levels, including the need to implement the 1997 Kyoto Protocol. As one observer comments, ‘you might be able to draw a direct causal line between the design of the Kyoto Protocol and the shape of European climate and energy policy’ (Interview EU Commission). However, towards the end of the 2000s, the window of opportunity for ambitious EU-level action closed. As we argue, this was partly a result of negatively reinforcing multilevel dynamics, including uncertainty surrounding the future of the UNFCCC process following the Copenhagen climate summit.

The 2009 Copenhagen conference marked a low point for EU climate leadership. The EU had aimed to exert influence on the negotiations through a normative, example-setting strategy, with the expectation that the conference would deliver a new binding global treaty (Bäckstrand and Elgström 2013). One of its key bargaining chips was a conditional offer to increase its own 2020 emission reduction target from 20% to 30% if other countries committed to comparable efforts. However, this strategy failed to convince other leading economies of the need for new-binding targets and the EU found itself largely side-lined and struggling to speak with one voice as other key parties hammered out the non-binding Copenhagen Accord behind closed doors. The failure of the Copenhagen summit to produce a new global treaty reinforced other developments on the European and national level that made it harder for policy entrepreneurs – including climate-progressive voices within the Commission – to secure decision-coupling and policy adoption, even where windows for agenda change had been successfully opened (Herweg, Huß, and Zohlnhöfer 2015, 444).

In the problem stream, Europe started to feel the full fallout of the financial and economic crisis and the ensuing sovereign debt crisis. Concerns over unemployment, economic competitiveness, fiscal stability and the future of European integration consequently crowded out climate-related concerns. In public surveys the percentage of Europeans seeing climate change as one of the most pressing global problems steadily declining post-2008 (Duijndam and van Beukering 2020). Powerful European business interest groups emphasized the problem of ‘carbon leakage’ – the risk of production being transferred to countries with more lenient climate policies – given ‘the absence of a legally binding agreement with equivalent targets at an international level’ (BusinessEurope 2010).

Meanwhile, post-crisis public spending in the EU largely supported a fossil fuel driven recovery, further emboldening lobbying efforts by status quo industry interests (Fernandez 2018).

Activities in the policy stream also slowed, as much of the Commission’s previous entrepreneurial energy was sapped. Divisions between (and within) DG Energy and DG Climate Action could be exploited by less progressive factions of the Commission and also made those factions more accessible to business lobbying (Fuchs and Feldhoff 2016). Moreover, climate-progressive voices within the Commission found it more difficult to develop a normative justification to significantly ramp up EU climate action following the Copenhagen summit. Based on voluntary pledges, the Copenhagen Accord was at odds with EU preferences for regulatory policies, which had been premised on the expectation that UNFCCC negotiations would yield another Kyoto-like agreement (European Commission 2009). Although the Commission made an attempt to unilaterally scale up ambition in early 2010, it quickly gave in to pressure by member states and business groups, conceding that conditions for updating the EU’s emission reduction target were ‘clearly not met’ and citing ‘uncertainties’ surrounding implementation of the Copenhagen Accord (European Commission 2010).

While climate policy development in post-crisis Europe did not come to a halt altogether, it moved forward in a more incremental manner, with shrinking opportunities for policy entrepreneurs to push for ambitious change. For example, an important ‘agenda window’ was opened by the Commission’s 2011 Low Carbon Roadmap for 2050, the first time the EU explored in earnest the implications of a long-term climate target. However, the ‘decision window’ remained firmly shut and the Roadmap never received political endorsement from the Council due to a Polish veto. Even within the Commission, as one observer notes, a serious commitment to a mid-century target was seen as ‘too ambitious’ by many (Interview NGO Stakeholder). Similarly, a new Energy Efficiency Directive, adopted in 2012, was watered down in the legislation process, providing member states with a number of exemptions and high levels of discretion in implementing the directive (Zygierewicz 2016). In 2013, planned EU regulations on reducing emissions from passenger cars were weakened after German chancellor Angela Merkel personally intervened (Carrington 2013) and the credibility of EU regulatory efforts in the area was reduced even further in the aftermath of the 2015 ‘Dieselgate’ scandal (Becker and Traufetter 2016).

In the politics stream, the EU now felt the ‘delayed political impact of the EU’s eastern enlargement on climate policymaking’ (Fischer and Geden 2015, 1). Poland emerged as a key veto player to more ambitious EU climate policy, backed by several other ‘new’ member states. Yet, as Bürgin (2014) notes, traditionally climate progressive member

states were also dragging their feet on more ambitious climate policies, thus encouraging laggards to be more assertive. Speaking out against the Commission's proposal to unilaterally raise EU climate targets in 2010, the German economy minister for economic affairs declared that: 'after the failure of the Copenhagen summit, we must give ourselves a bit more time' (Phillips 2010). As a result, slackening policy entrepreneurship was accompanied by a lack of 'political entrepreneurship' (Herweg, Huß, and Zohlnhöfer 2015), impeding the decision-coupling phase. The task was made harder still by the 2014 European parliament elections which produced a 'big bang' of populist, anti-EU parties whose agendas often reflected hostility towards climate action (Martín-Cubas et al. 2019).

In October 2014, after tense negotiations, EU leaders managed to agree on a second Climate and Energy Package, which introduced new headline targets for 2030. However, targets 'did not go far beyond what would be reached with existing policies and, most importantly, were (partly) defined as 'non-binding' (Fuchs and Feldhoff 2016, 58). As illustrated above, this failure of transformative policy is attributable to negatively reinforcing developments on multiple levels, including the lack of a widely supported global agreement under the UNFCCC. Indeed, as Fischer and Geden (2015, 4–5) observe:

Just as international developments were used as an argument for more ambitious commitments by progressive northern and western member states in the 2007 debate [on the EU's first Climate and Energy Package], in the post-Copenhagen period, the changed circumstances were the most frequently cited argument for less ambitious targets.

At the same time, multiple pressures 'from below' also constrained ambition, including member states' resistance to more intrusive energy targets as well as intense lobbying by businesses, who had privileged access to high-level insiders, notably then-energy Commissioner Günther Oettinger (Fuchs and Feldhoff 2016). Thus, as the EU went into the 2015 Paris negotiations, its internal policies largely reflected political 'feasibility' and concerns over cost effectiveness rather than scientific urgency.

4.2. EU climate policy transformation after Paris: positively reinforcing multilevel dynamics

In recent years, multilevel reinforcement dynamics have moved climate change back up the policy agenda and made it easier for EU policy entrepreneurs to couple the problem, politics and policy streams, culminating in the European Green Deal (EGD), a package of environmental policies introduced by the European Commission in December 2019. As we document, this transformative policy shift has been decisively reinforced through institutional interaction with the UNFCCC, as well as developments at member state level. Climate action has once again achieved prominence despite competing with ongoing and new concerns from sluggish economic growth to the refugee crisis, Brexit, the COVID-19 pandemic, and, of course, the security situation in Ukraine.

On the global level, opportunity structures were significantly altered by the adoption of the Paris Agreement in 2015. In contrast to Copenhagen, the EU played a key role in the negotiations at Paris and managed to secure an international treaty with mitigation commitments for all countries. These successes were to a large extent the result of a shift towards a new negotiation strategy, centred on coalition- and bridge-building rather

than example-setting (Bäckstrand and Elgström 2013). In presenting the Paris outcome as a 'major win for Europe and its allies' (Cañete 2015), leading European Commission officials were able to instil a sense of ownership and stake in the implementation of the Agreement.

In the problem stream, the urgency of implementation was underscored by the publication of the IPCC's Special Report on Global Warming of 1.5°C in 2018 (IPCC 2018). Leveraging this opportunity from above, the Commission took the lead in November 2018 to introduce the vision of a climate neutral Europe by 2050, explicitly citing the need to 'respond to the recent IPCC report' and 'lead the way worldwide' (European Commission 2018). Reflecting legacy techno-economic problem frames, the EGD has been promoted by the Commission as 'a new growth strategy' for Europe (Von der Leyen 2019). However, importantly, it also expands problem definition, placing the focus on long-term socio-economic change rather than short-term emission cuts. This is a direct reflection of the Paris Agreement, which broadened problem scope beyond mitigation and 'really refocused the discussion on the mid-century goal and the long-term need for serious transformation' (Interview NGO Stakeholder).

For the first time, the EGD also explicitly addresses the distributional consequences of decarbonization, spurred on by the Paris Agreement which 'has helped focus . . . attention on the importance of institutional capacity in many countries' (Interview UNFCCC) and sparked international debate on the need for a 'just transition'. Notably, the European Commission introduced a Just Transition Mechanism as an integral part of the EGD, designed to respond to these discussions and establish financial incentives for Poland and other 'laggard' member to commit to decarbonisation.

In the policy stream, the EGD has been promoted as 'revolutionary in concept' (Tsafos 2020). Although many of its components build on existing EU policies and regulations, for the first time it lays out an integrated, long-term plan for the transition towards a climate neutral Europe by 2050, covering all sectors of the economy. The EGD can be seen as the culmination of a longer process of climate policy transformation in the EU, 'from narrow, separate climate and energy policy initiatives to broader coordinated packages aimed at achieving increasingly ambitious climate targets' (Skjærseth 2021, 26).

A central element of the EGD is the European Climate Law, which turns the EU's 2050 climate neutrality objective into a legal obligation. The law also enshrines the EU's 2030 emissions reduction target, which has been raised from 40% to at least 55% to ensure consistency with the 2050 target and to demonstrate higher ambition in line with the Paris Agreement's five-yearly 'ratchet' mechanism (Skjærseth 2021). It is important to stress that similar framework laws had already been established in several member states – as early as 2008 in the case of the UK – before the Commission picked up the idea at a politically opportune moment (Duwe and Evans et al. 2020), following years of campaigning by NGOs across Europe (Interview NGO Stakeholder). As such, the European Climate Law is an exemplar of positively reinforcing multilevel dynamics, with both the Paris Agreement and the IPCC's 1.5°C report providing the necessary opportunity structure for the European Commission to seize upon a policy concept that had already been tried and tested at member state level.

Many observers are now looking to 'national climate legislation as a mechanism for enforcing the Paris Agreement' (Interview UNFCCC). Thus, EGD origins cannot be understood without taking into account interactions between the international, regional, national and sub-national level.

In the politics stream, the President of the European Commission, Ursula von der Leyen, emerges as a key authoritative policy entrepreneur and, importantly, capable of connecting agenda and decision-coupling. Indeed, observers expressed surprise at 'how aggressive the push by this new Commission has been' (Interview UNFCCC). Others concur that it 'was a very hard-won battle' (Interview NGO Stakeholder). Munta (2020, 8) explains von der Leyen's focus on climate action with the political contestation that accompanied her 'backroom' nomination, leaving her 'in desperate need of a strong programmatic statement' which would be palatable to all European institutions.

Von der Leyen was assisted by real-world events, as droughts and heatwaves in Europe reached unprecedented levels (Büntgen et al. 2021). Climate change now polled as the second most important problem facing the EU in Eurobarometer opinion surveys (Eurobarometer 2019). Although assisted by developments at the UNFCCC level, above all the international action framework set down by Paris, the UNFCCC Secretariat was not directly involved in promoting the EGD reflecting 'a very clear recognition under the Paris Agreement that climate action is mainly a nationally-led process' (Interview UNFCCC).

Bottom-up pressure for more ambitious climate policies was also building. 2019 saw unprecedented levels of public engagement on climate change, as evidenced by significantly increased media coverage (Pianta and Sisco 2020) as well as the success of the 'Fridays for Future' strikes. Targeted advocacy by NGOs such as the European Climate Foundation was also a key ingredient to driving policy change. As one NGO representative recalls, it was vital to impress upon the Commission the importance of climate laws, 'What do they deliver? They deliver political ambition' (Interview NGO Stakeholder). Although Poland secured an opt-out from implementing the 2050 climate neutrality objective, other EU leaders agreed to press ahead in December 2019 and two other hold outs – the Czech Republic and Hungary – dropped their resistance after securing guarantees on nuclear energy. In December 2020, after arduous negotiations, all member states agreed to the updated 2030 target. Thus, while the window of opportunity was by no means wide open, leaders within countries that supported stronger climate goals were willing to facilitate decision coupling through concessions and 'carrots' such as the Just Transition Fund.

While the EGD has been broadly welcomed by stakeholders, it has also invited fierce criticism. Above all, the 2030 emissions reduction target of at least 55% has been criticized as insufficiently ambitious (European Parliament 2020). Nevertheless, it is significant that the COVID-19 crisis has, so far, not resulted in a significant delay or weakening of the EGD. Indeed, as Dupont, Oberthür, and von Homeyer (2020) argue, the political salience of the climate crisis enabled the Commission to provide continued policy entrepreneurship, joining forces with other stakeholders to turn the COVID-19 crisis into a window of opportunity and putting the EGD at the center of its recovery strategy. It is too early to predict the long-term effects of COVID-19 on international, European and national climate policymaking. Yet, as the Commission's Frans Timmermans emphasized, the fundamental idea behind the European Climate Law is precisely to make sure that more immediate crises do not distract from long-term imperatives: 'it allows you to focus on other things without losing track of what you need to do to reach climate neutrality' (qtd. in Rankin 2020).

5. Conclusion

The EGD has travelled far in just 3 years. We find that not only have UNFCCC developments likely sped up the adoption of the EDG, they have also served as a template for new frames, mechanisms and logics of action within the EU-level problem and policy streams. The institutional interaction between the UNFCCC and key policy entrepreneurs within EU structures, above all the President of the EU Commission, has spurred policy innovation through 'multi-level reinforcement' – creating a competitive landscape for climate leadership (Schreurs and Tiberghien 2007) and resulting in higher aggregate ambition.

In turn, we have highlighted variation in policy outcomes across time and the challenges posed by dispersion of authority. Challenges to effective agenda and decision-coupling were particularly apparent following the financial crisis of the late 2000s, reflecting competing priorities among domestic governments. Incremental reform was nevertheless achieved. However, events at UNFCCC level with the failure of Copenhagen also conspired to keep any window for transformative policy change from above firmly shut.

Our analysis confirms the utility of MSF for explaining policy outcomes with MLG settings defined by institutional ambiguity and multiple venues. It further suggests that while the international level is significant in opening up windows of opportunity from above, the presence below of an authoritative policy entrepreneur willing and able to connect the problem and policy stream with an executive function within the politics stream is a crucial additive to securing transformative policy change. Our EGD case study suggests that synchronous opening of windows of opportunity from above and below can be decisive. In accord with the theme of this special issue, this study confirms the importance of international interactions in fundamentally shaping the problem frame, policy modalities and political will within the EU's internal climate policy domain.

However, importantly, this is very much a two-way interaction with the EU strongly invested in driving policy ambition at the UNFCCC level and willing to go it alone if necessary. That said, as the EGD enters its third year, buffeted by security and economic crosswinds, a deepening of the EU's inter-institutional interaction with the UNFCCC process may prove a vital support for the difficult political battles ahead.

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