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국제학석사학위논문

**Internationalization of EU's Environmental  
Policy through FTA Negotiation  
- A Case Study of Korea-EU FTA**

FTA 협상을 통한 EU 환경정책의 국제화 전략:

한-EU FTA 사례연구를 중심으로

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**Internationalization of EU's Environmental Policy  
through FTA Negotiation  
- A Case Study of Korea-EU FTA**

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# Internationalization of EU's Environmental Policy through FTA Negotiation - A Case Study of Korea-EU FTA

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**Internationalization of EU's Environmental Policy  
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- A Case Study of Korea-EU FTA**

**ABSTRACT**

The European Union(EU) has been the prime mover in the environmental field. Indeed, the EU has used a variety of policy means to lessen implementation gaps while improving on its implementation effectiveness. Given the lack of progress in the international environmental regime, Free Trade Agreements (FTAs) are potentially a significant means of addressing environmental policy at the international level. Thus, this study examines how the EU has made use of the FTA to improve on its implementation effectiveness in the environmental field by conducting the case study of Korea-EU FTA.

Assuming that implementation effectiveness of environmental policy increases with the compatibility between domestic legislation and international law, this paper examines how the European Union has enhanced its compatibility with EU legislation through the Korea-EU FTA, thus improving on its implementation effectiveness in the environmental field. Focusing on the

international strategy of EU's environmental standardization and the way it is reflected on the FTA, the objective of this article is to review the close relationship between the EU's environmental policy and bilateral trade agreement in closer detail.

Keywords: Korea-EU FTA, Environmental Policies, Bilateral Trade, Climate Politics, Kyoto Protocol, Paris Agreement, The CDM, ETS, Environmental Cooperation, Environmental Integration, Standardization

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## **ABBREVIATIONS**

AC	Administrative Committtee
CDM	The Clean Development Mechanism
CP	Contracting Parties
COP	Conference of the Parties
EC	European Community
EN	European Standard
ETSI	European Telecommunications Standards Institute
EU ETS	The European Union Emissions Trading System
HS	Harmonised Standard
JI	Joint Implementation
NSO	National Standards Organisation
TB	Technical Body
TBT	Technical Barriers to Trade
UN ECE	United Nations Economic Commission for Euope
UNFCCC	The United Nations Framework Convention on Climate Change
UNGTR	UN Global Technical Regulations
WP.29	World From for Harmonization of Vehicle Regulations
WTO	World Trade Agreement

# Chapter I . Introduction

## 1. Background of Research

The European Union(EU) is in general referred to as an important global actor in the environmental field, and has been described as a ‘frontrunner’ (Damro 2006: 175) or a ‘global leader’ (Kelemen 2010: 335) that has been able to shape global environmental governance.<sup>1</sup> Indeed, the EU has used a variety of policy means to lessen implementation gaps while improving on its effectiveness in the environmental field. Assuming that implementation effectiveness of environmental policy increases with the compatibility between domestic legislation and international law, this paper examines how the European Union has made use of the Free Trade Agreement(FTA) to enhance its compatibility with EU legislation, thus improving on its implementation effectiveness in the environmental field.

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<sup>1</sup> Tom Delreux. "EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs." *Journal of European Public Policy* 21.7 (2014): 1017-032. Web. 17 Dec. 2016.

The European Union's adherence to multilateralism and international legislation is especially relevant in the field of climate change among the environmental issues, which represents a global common good problem: an 'EU only' policy of reducing greenhouse gas emissions would be ineffective because the European Union is only responsible for about 14 percent of global emissions (Commission, 2009).<sup>2</sup> To reduce them effectively at the scale, scientists of the Intergovernmental Panel on Climate Change(IPCC) insist necessary actions are required by all states, or at least by the major emitters.<sup>3</sup> In this context, these studies support the idea that the EU makes use of a bilateral trade agreement to solve a global problem. Indeed, the EU has a set of far-reaching climate and energy targets and are implementing specific measures to achieve them. With its new Roadmap for going ahead to a competitive low-carbon economy in 2050, in line with environmental and economic goal of the EU, the European Commission(EC) has created a plan to achieve the long-term target of reducing domestic GHG emissions by 80% to 95%. This shows that the EU has been the prime mover in terms of social and environmental protection. In particular, the

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<sup>2</sup> Louise Van Schaik, and Simon Schunz. "Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?" *JCMS: Journal of Common Market Studies* 50.1 (2011): 173-174. Web. 7 Jan. 2017

<sup>3</sup> *Ibid.*, p. 174

enhanced way of implementation has taken concrete form in the Climate Change provisions through the 2010 Framework Agreement between Korea and the EU. However, at the same time, it can also mean that trading partners with the EU could bear further burdens, as the EU has been demanding stricter environmental requirements. Thus, this study seeks closer links between the EU's environmental policy and widening influence of the FTA and examines how the EU has utilized the FTA to improve on its implementation effectiveness in the environmental field.

### **Why the Korea-EU Free Trade Agreement(FTA)?**

In this paper, we examine the international strategy of EU's environmental policy by conducting the case study of Korea-EU FTA. EU trade with Asia is undoubtedly important and has been growing over the past years. Asia accounted for 39.9 percent of total EU trade in 2015 and Europe remains Asia's largest trading partner. As a significant initiative with Asia, the Korea-EU FTA has become the EU's first signed agreement with Asia. It has been applied since July 2011 and officially entered into force in 2015. In the perspective of the EU, the FTA with Korea could greatly facilitate trade flows with Asia and integrate the EU much more into the Asian economy. Indeed, the Korea-EU FTA matters in that both progress on major issues such as eliminating Technical Barriers to

Trade(TBT) and creating sustainable development provisions within the framework. Especially in the context of framework agreement between Korea and the EU, both have cooperated on a wide range of issues in the field of environment with a special focus on technical cooperation on the Emissions Trading Scheme(ETS). However, at the same time, environmental concerns have also been integrated into the definition and implementation of its policies, thus bringing a treaty based requirement for both under the Framework Agreement between Korea and the EU. To fulfill this requirement, both environmental cooperation clauses and environmental integration clauses are included in its bilateral trade agreement.<sup>4</sup> In analyzing these provisions, particular attention should be paid to the environmental standards utilized and the trade and environment nexus. To sum up, this paper examines the global strategy of EU's environmental policy in the context of the bilateral trade agreement between Korea and the EU. Focusing on the international strategy of EU's environmental standardization and the way it is reflected on the FTA, the objective of this article is to review the close relationship between the EU's environmental policy and bilateral trade agreement in closer detail.

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<sup>4</sup> Morgera, Elisa., "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 194-195. Print

## 1.2 Research Question

The starting point of this paper is to understand why and how the European Union(EU) has been the main actor in the global environmental field. To seek the answer to such a question, the paper looks into the historical background first with a special focus on the climate change issues. The multilateral legal framework to reduce greenhouse gasses(GHGs) has developed into a highly complex regulatory regime, and countries are still forging to bring a new and even stronger agreement worldwide.<sup>5</sup> However, there is no comprehensive and legally binding global treaty yet. Nevertheless, understanding the dynamic nature of climate change regime is needed to seek how international and domestic legislation aimed at reducing GHGs emissions interact with the recent bilateral trade agreement, especially in the context of the Framework Agreement and the Korea-EU FTA. Thus, this paper analyzes the United Nations Framework Convention on Climate Change(UNFCCC), Kyoto Protocol, the Bali Action Plan and the Paris Agreement on the following points: 1) the role of EU as a “global

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<sup>5</sup> David Rossati. "13. The Legal Framework for EU-Korea Climate Change Cooperation: Opportunities and Challenges under the Framework Agreement and Free Trade Agreement." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 212. Print

leader” and some significant features of the relationship between Korea and the EU within this regime, and 2) specific to the EU, the linkage between coherent domestic environmental policies and international legislation.

Next, the paper aims to investigate how the EU has made use of the Free Trade Agreement(FTA) to improve on its implementation effectiveness of environmental policy. Environmental policy is an area where implementation gaps are particularly prevalent (Commission 1996); the EU has used a variety of policy means to lessen implementation gaps while improving on its implementation effectiveness. This study focuses, inter alia, on the international strategy of EU’s standardization in the field of environment by analyzing the Korea-EU FTA provisions. In order to answer the main question, the paper hypothesizes that; **the enhanced compatibility of domestic environmental legislation with international law leads to the better implementation effectiveness.** In order to find the answer to such a hypothesis, this paper analyzes the compatibility of national legislation with international legislation of the EU and the way it is reflected on the Korea-EU FTA, and suggests the possible impacts and implication of the EU’s environmental policy on Korea. The research will therefore address the question *what is the global strategy of EU’s environmental policy through the Korea-EU FTA negotiation?*

## **II. History of International Climate Change Regime**

### **1. The UNFCCC**

The climate change issue is among the major environmental problems, one of the most complex and demanding area where a high level of international cooperation is needed. Intergovernmental Panel on Climate Change (IPCC), an international body consisted of climate scientists, reviews and assesses the scientific evidence on the causes and impacts of climate change. Rising sea levels, a change in rainfall patterns, higher temperatures, and abnormal weather such as droughts and floods have already been observed worldwide.

The first global initiative to address the matter by the international community dates from the Rio Summit 1992, when delegates at the UN Conference on Environment and Development signed the United Nations Framework Convention on Climate Change (UNFCCC).<sup>6</sup> It was entered into force in 1994 and currently has 197 Parties. The parties to the UNFCCC meet

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<sup>6</sup> United Nations Framework Convention on Climate Change (UNFCCC) (9 May 1992) 1771 UNTS 107

every year in a Conference of Parties(COP) and review not only emission inventories but also the national communications submitted by the Parties. The ultimate objective of the UNFCCC is to stabilize greenhouse gas concentration in the atmosphere at a level that will prevent dangerous human interference with the climate system.<sup>7</sup> However, despite its ambitious goals, the treaty is in essence a guidance document; the UNFCCC outlines objectives, rules, and general commitments, but is relatively lacking in terms of implementation strategies and accurate and prompt policy solutions.<sup>8</sup> Thus, many major decisions and details with regard to climate change remained unresolved even though the UNFCCC has made a general consensus on major goals and principles.

## **2. The Kyoto Protocol**

Kyoto Protocol to the United Nations Framework Convention on Climate Change, Kyoto Protocol for short, was passed and adopted in 1997 when delegates at Conference of the Parties (COP 3) met in Kyoto and agreed to a protocol. It entered into force in 2005 and was ratified by 192 of the UNFCCC Parties. The

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<sup>7</sup> United Nations Framework Convention on Climate Change. "Parties & Observers." *Parties & Observers*. N.p., n.d. Web. 02 Jan. 2017

<sup>8</sup> UNFCCC, *supra* note 1.

main objective of this international treaty is to reduce the emission of gasses that contribute to global warming, like its parent treaty “the UNFCCC”. However, it shows a great difference in terms of “regulatory power” in that Kyoto Protocol sets binding emission reduction targets globally whereas the UNFCCC only plays the role of the guidance. To be specific, the Kyoto Protocol imposed quantified greenhouse gasses(GHGs) limitations and reductions on developed countries for a five-year commitment period.<sup>9</sup> In addition, it brought along with what came to be known as Kyoto mechanisms as follows; Emissions Trading(ET), Clean Development Mechanism(CDM) and Joint Implementation(JI).

The UNFCCC and the Kyoto Protocol are often referred to as a regime, rather than as a mere treaty, because the regime is not limited to the UNFCCC and its Kyoto Protocol only. Rather, it extends to a complex system of regulations developed by COP over almost twenty years of activity and has become part of the whole body of international law with regard to the environmental policies.<sup>10</sup> Indeed, climate change is a crucial component of both the Korea and EU’s sustainable development policies, as for many other countries, since mitigating

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<sup>9</sup> Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto Protocol) (11 December 1997) 2303 UNTS 148, Article 3.

<sup>10</sup> B. Simma and D. Pulkowski, ‘Of Planets and the Universe: Self-Contained Regimes in International Law’, *European Journal of International Law*, vol. 17 (2006), pp.483-529.

greenhouse gasses emissions and adapting to the adverse effects of global warming inevitably impact on other significant domestic and bilateral interests: economic growth, employment and health, to name but a few.<sup>11</sup> Thus, it is worth sketching out not only the role of European Union(EU) as a “frontrunner” in the environmental field but also some significant features of the relationship between Korea and the EU within this regime.

First, the legal status of Korea and the EU is differentiated under the UNFCCC and the Kyoto Protocol. Within the regime, it divided the countries into Annex I and non-Annex I categories. Annex I Parties consist of the industrialized countries that were the OECD members, plus countries with “economies in transition” including the Baltic States, the Russian Federation and several Central and Eastern European States, whereas non-Annex I parties include the developing countries.<sup>12</sup> By this standard, Korea belongs to non-Annex I category while the EU is classified as Annex I. When it comes to reducing greenhouse gas emissions, the Kyoto Protocol adopted the principle of

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<sup>11</sup> David Rossati. "13. The Legal Framework for EU-Korea Climate Change Cooperation: Opportunities and Challenges under the Framework Agreement and Free Trade Agreement." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 213. Print.

<sup>12</sup> United Nations Framework Convention on Climate Change. "Parties & Observers." *Parties & Observers*. N.p., n.d. Web. 30 Jan. 2017.

‘common, but differentiated responsibilities’ to allocate a greater responsibility to the developed countries, which belong to Annex I category.<sup>13</sup>

According to the UNFCCC Article 4-1(a)(c), all parties shall not only develop, periodically update, publish and make available to the Conference of the Parties, national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases, but also promote and cooperate in the development, application and diffusion, including transfer, of technologies, practices and processes that control, reduce or prevent anthropogenic emissions of greenhouse gases.

However, at the same time, when it comes to the ‘differentiated responsibilities’, the UNFCCC and the Kyoto Protocol impose a higher level of regulation on Annex I countries, mainly about the implementation of mitigation policies and financial support to non-Annex I countries.<sup>14</sup> To be specific, the article 3.1 of the Kyoto Protocol states as follows:

*The Parties included in Annex I shall, individually or jointly,*

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<sup>13</sup> Schaik, Louise Van. "7. The EU Negotiating Climate Change." *EU Effectiveness and Unity in Multilateral Negotiations: More than the Sum of Its Parts?* Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2013. 114. Print.

<sup>14</sup> See, respectively, UNFCCC Articles. 4(2)-(7) and 11; Kyoto Protocol Articles 2(3), 3(1) and 11

*ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by at least 5 per cent below 1990 levels in the commitment period 2008 to 2012.*

Because Korea belongs to non-Annex I category, Korea has not been bound by any reduction goals under the Kyoto Protocol during the commitment period.<sup>15</sup> However, given the fact that Korea is the world's 10th biggest emitter of carbon dioxide and has rapidly growing economy, we can reasonably assume that the recent high levels of greenhouse gasses in Korea is due to an exemption from gas reduction duty. These facts are reflected in the provisions of the bilateral trade agreement between Korea and the EU and will be discussed in more detail

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<sup>15</sup> David Rossati. "13. The Legal Framework for EU-Korea Climate Change Cooperation: Opportunities and Challenges under the Framework Agreement and Free Trade Agreement." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 215. Print.

in a later chapter.

Another factor to be noted in the Kyoto Protocol with regard to the differentiated status between Korea and the EU is the Clean Development Mechanism(CDM). The CDM is a flexibility mechanism that enables investment in low-emission technologies and practices in emerging economy. According to the Article 12.2 of the Kyoto Protocol, the purpose of the clean development mechanism shall be to assist Parties not included in Annex I in achieving sustainable development and in contributing to the ultimate objective of the Convention, and to assist Parties included in Annex I in achieving compliance with their quantified emission limitation and reduction commitments under Article 3. The CDM rewards Annex I countries' public and private entities, enabling emissions reduction projects in non-Annex I countries' with Certified Emissions Reductions(CERs) which will be issued in a project entity's virtual account for each metric tonne of CO<sub>2</sub> equivalent reduction.<sup>16</sup>

The Kyoto Protocol has encouraged the participation of all nations, especially the developing countries, through an important means of the CDM because compensation may also be needed for private sectors. For instance, firms in emerging economies would not be able to afford the expenses of learning new

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<sup>16</sup> Ibid., p.215

technologies or investing in public goods. Indeed, essentially all developing countries including Russia at the Kyoto talks were unwilling to accept on measures limiting emissions in the absence of payments through mechanisms such as the CDM.<sup>17</sup> Thus, provision for compensation in the Kyoto Protocol provides one of the most important linkages between emission trading systems and cross-border investments.<sup>18</sup>

Lastly, the reach of the Protocol was limited by the refusal to ratify by the United States.<sup>19</sup> At the international climate talks in 2001, the Bush administration declined to seek ratification by the Congress, as the agreement would be damaging to the US economy and hurt American workers. He addressed that the treaty would exclude obligations from the developing countries, thus undermining any possibility of an agreement on global environmental issues. Therefore, the Kyoto Protocol has not been effectively tackling the global warming as the world's two biggest emitters, China(26%) and

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<sup>17</sup> Keohane, Robert O., and David G. Victor. "The Regime Complex for Climate Change." *Perspectives on Politics* 9.01 (2011): 7-23. Web.

<sup>18</sup> Ibid.,

<sup>19</sup> David Rossati. "13. The Legal Framework for EU-Korea Climate Change Cooperation: Opportunities and Challenges under the Framework Agreement and Free Trade Agreement." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 215. Print.

the US(16%), were exempted from the reduction obligation.

The position of the United States, the only major industrial country to have rejected Kyoto, is in sharp contrast to the EU position. Indeed, the European Union has maintained a high degree of activity on climate change talks. The EU's support for the Kyoto Protocol is often referred to as exemplifying the EU's ability to act with a single voice on international foreign policy issues (Scheipers and Sicurelli, 2007; Groenleer and Van Schaik, 2007).<sup>20</sup> The opposition of the United States made the EU realize the importance it attached to the Kyoto Protocol, and thereby indirectly enabled it to become an emblem of EU foreign policy. This in turn helped the issue to become a priority subject for justifying the European integration project from 2005 onwards.<sup>21</sup>

**<Table 1> Commitments of the State-parties under UNFCCC and KP**

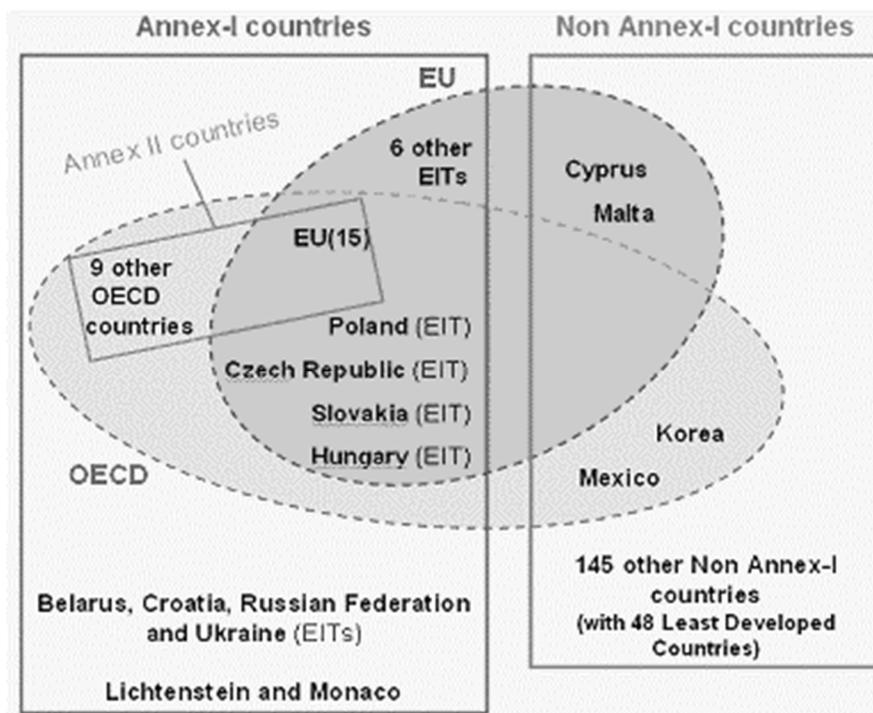
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<sup>20</sup> Louise Van Schaik, and Simon Schunz. "Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?" *JCMS: Journal of Common Market Studies* 50.1 (2011): 177.

<sup>21</sup> *Ibid.*, 177.

Country	UNFCCC (1992)		Kyoto Protocol (1997)		Reduction goal (%)	EU-15 Reduction goal (%) Burden-sharing agreement (1998)	Performance (1990–2009) GHG reductions in % 1990 (base year)			
	G-8 countries	Annex 1	Annex 2	Annex B			In transition	EU Eurostat 2011	IEA 2011	UNFCCC (2009) Land-use change and forestry (LULUCF)
									Excl.	Incl.
1) USA	X			X				+6.7	+7.2	+5.6
2) Canada	X			X				+20.4	+17.0	+29.8
3) Japan	X			X				+2.7	-4.5	-5.0
4) Germany	X			X		-21	-25.4	-21.1	-26.3	-23.0
5) UK	X			X		-12.5	-27.1	-15.2	-26.9	-27.7
6) France	X			X		0	-8.3	+0.6	-7.7	-12.9
7) Italy	X			X		-6.5	-5.0	-2.0	-5.4	-13.3
8) Russia			X		X			-29.7	-36.9	-57.2

<Figure 1> Current country classifications within the UNFCCC



*Source: International Climate Policy Agreements.*

### **3. The Bali Action**

Although the Kyoto Protocol under the UNFCCC has created a solid basis for reducing greenhouse gasses emission, the EU and the US, so-called the two leaders in terms of the command-and-control environmental regulation, have not converged their opinions. In order to solve the problem and launch the successful climate regime for post-2012 global agreement, delegates at Conference of the Parties (COP 13) met in Bali, Indonesia in 2007 and set the agenda called “The Bali Roadmap” for the Copenhagen conference. The Bali Action Plan is meaningful in terms of cooperation since the European Union, together with the developing countries, successfully managed to obtain the recognition that climate

change policies should be guided by the IPCC's findings.<sup>22</sup> Furthermore, all the parities including the emerging economies could make individual pledges on their future GHGs mitigation efforts in order to prevent the global warming after the adoption of the 2009 Copenhagen Accord. Although the Copenhagen Accord is a non-binding document, of which the COP only 'took note' in its related decision,<sup>23</sup> the pledges have taken concrete forms of National Appropriate Mitigation Actions (NAMAs). The NAMAs refer to any government-led action that reduces GHGs emissions in emerging economies and is created in the context of sustainable development. Under the UNFCCC, non-Annex I countries including Korea could submit their NAMAs discretionarily and ask for financial support to improve on its implementation effectiveness. For instance, South Korea pledged to take concrete steps to curb the emissions and fight climate change by reducing the level of carbon dioxide by 20 percent over the next five years. In terms of trade and environment, the NAMAs are indeed a potential driver of Foreign Direct Investment(FDI) in Korea and potentially connected with emissions trading schemes of the EU; This in turn would happen through

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<sup>22</sup> Louise Van Schaik, and Simon Schunz. "Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?" *JCMS: Journal of Common Market Studies* 50.1 (2011): 181. Web. 14 Dec. 2016.

<sup>23</sup> See Decision 2/CP15, UN Doc. FCCC/CP/2009/11/Add.1.

the generation of credits for emissions reductions in a similar way to the Clean Development Mechanism(CDM) which we have dealt with in the previous chapter.<sup>24</sup>

In the context of the trade and the climate change issues, it is also worth noting that the Bali Action Plan is closely related to the bilateral trade agreement between Korea and the EU. It is specified in the article 13.5.1 Multilateral Environmental Agreements of the Free Trade Agreement(FTA) between Korea and the EU as follows:

*The Parties reaffirm their commitment to reaching the ultimate objective of the United Nations Framework Convention on Climate Change and its Kyoto Protocol. They commit to cooperating on the development of the future international climate change framework in accordance with the Bali Action Plan 2.*

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<sup>24</sup> David Rossati. "13. The Legal Framework for EU-Korea Climate Change Cooperation: Opportunities and Challenges under the Framework Agreement and Free Trade Agreement." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 216. Print.

Indeed, the Bali Action Plan gave a mandate to focus on key elements of long-term cooperation such as finance for climate policies in developing countries, mitigation of GHGs emissions, adaptation to climate change and the new technology and capacity building. It also called for articulating a ‘shared vision for long-term cooperative action’, including a long-term global goal for emission reductions.<sup>25</sup> In this regard, the Bali Action Plan has made some progress by inducing voluntary participation from the Parties. Nevertheless, the Bali Action Plan has not been entirely successful in that the aggregate of state pledges in reducing emissions still falls short of what is actually required to stay within the 2 °C goal<sup>26</sup> and the developed nations and developing countries failed to resolve the conflict over the key policies, including reduction obligation, finance and the transparency issues.

#### **4. The Paris Agreement**

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<sup>25</sup> Schaik, Louise Van. "7. The EU Negotiating Climate Change." *EU Effectiveness and Unity in Multilateral Negotiations: More than the Sum of Its Parts?* Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2013. 116. Print.

<sup>26</sup> See UNEP, ‘The Emissions Gap Report’, November 2010, pp.41-42, [www.unep.org/publications/ebooksemissionsgapreport/](http://www.unep.org/publications/ebooksemissionsgapreport/)(accessed 12 Jan 2017).

The “Paris Agreement”, negotiated under the aegis of the UN and adopted in Paris on 12 December 2015, marks the latest step in the evolution of the UN climate change regime and builds on the work undertaken under the Convention.<sup>27</sup> As French President Francois Hollande remarked on it, the Paris Agreement has been considered “the last chance to save the planet”. It aims to hold the increase in the global average temperature to “well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels”.<sup>28</sup> Indeed, 195 countries who attended COP21 signed onto a new international climate agreement and made emission-cutting pledges. Given the historical background of environmental field, it has long been a sticking point in climate negotiations, with large developing countries like China (the world’s biggest emitter of carbon dioxide) and India keen not to be treated in the same way as developed countries.<sup>29</sup>

In this respect, the most salient fact of the Paris Agreement is in bringing agreements between the major emitters including the US and China. Before the

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<sup>27</sup> United Nations Framework Convention on Climate Change. "Essential Background." *Essential Background*. Web. 16 Jan. 2017.

<sup>28</sup> United Nations Framework Convention on Climate Change. "Status of Ratification." The Paris Agreement - Main Page. Web. 03 Jan. 2017.

<sup>29</sup> International. "The Paris Agreement Marks an Unprecedented Political Recognition of the Risks of Climate Change." *The Economist*. The Economist Newspaper, 12 Dec. 2015. Web. 03 Jan. 2017.

announcement by the US and China, only 24 countries which were accountable for 1% of global emissions had ratified agreement whereas 180 had signed it.<sup>30</sup> While signing indicates a commitment to refrain from acts that would defeat the object and purpose of the Agreement, a signature alone does not mean that a country becomes a “Party” to the Paris Agreement. As with many other international agreements, joining the Paris Agreement follows a two-step process: countries must sign the Agreement, and then also indicate their consent to join and be bound by it as Parties.<sup>31</sup> Since at least 55 countries to the

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<sup>30</sup> See Grey, Alex. "What Is the Paris Agreement on Climate Change?" *World Economic Forum*. N.p., 7 Sept. 2016. Web. 21 Jan. 2017. There are three steps that a country or party has to take before officially joining the agreement; *1. Adopt the agreement*. This is what the meeting in December 2015 was all about. All the parties who attended the meeting agreed to - “adopted” - the text of the Paris Agreement on Climate Change. *2. Sign the agreement*. On April 22, 2016, the Paris Agreement was opened for signature at the United Nations Headquarters in New York. This step indicates a commitment by that country to refrain from acts that would defeat the object and purpose of the Agreement. The Agreement will remain open for signature until April 2017. *3. Join the agreement*. Each party has to ratify the agreement, i.e. go back to their domestic governments in order to gain domestic approval or, in some cases, have it passed by domestic law. China, for instance, voted to adopt "the proposal to review and ratify the Paris Agreement," at the closing meeting of the National People's Congress Standing Committee. The US used a presidential executive agreement. Once the Agreement is ratified the parties submit an “instrument of ratification, acceptance or approval” to the UN to prove that they are ready to join.

<sup>31</sup> Northrop, Eliza, and Katherine Ross. "After COP21: What Needs to Happen for the Paris Agreement to Take Effect?" | *World Resources Institute*. 21 Jan. 2016. Web. 12 Jan. 2017.

UNFCCC representing at least 55% of total global emission have to join the agreement for it to come into force<sup>32</sup>, it faced with a definite shortage of requirements. However, as the US and China made pledges to ratify the agreement and the sum of China and the US pledges represented 37.98% of global emissions, the global emissions target of 55% has been significantly boosted. This brings the total parties who have joined the Agreement to 26, and the percentage of global emissions to 39.06%. Their announcement puts pressure on other Parties to the UNFCCC to speed up their ratifying process.<sup>33</sup> As a result, not only the EU which has been playing the role as a “frontrunner” in the environmental field but also some of the world’s other large emitters, such as Canada, India, Japan, and Brazil have all ratified the agreement. In the end, the Paris Agreement entered into force on November 2016 and currently 125 out of 197 Parties to the convention have ratified it as of December 2016.

Another factor to be noted in the Paris Agreement is the key policies and decisions made in the UN Climate Talk in Paris. More than two decades after the adoption of the UNFCCC, it is becoming much clearer that effective climate policy is not about finding quick fixes to an emissions problem but about putting

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<sup>32</sup> United Nations Framework Convention on Climate Change. "Essential Background." *Essential Background*. Web. 16 Jan. 2017.

<sup>33</sup> Ibid.,

in place the structure for a long-term technological and economic transformation.<sup>34</sup> In this respect, it is worth noting that Parties agreed on process for how countries will finalize their current national climate plans and shift them from being Intended Nationally Determined Contributions (INDCs) into Nationally Determined Contributions (NDCs).<sup>35</sup> States will offer NDCs to reducing emissions that cause climate change under the Agreement. Setting a broad goal of eliminating the net increase in man-made greenhouse gas emission this century, the agreement does not mandate specific measures or targets.<sup>36</sup> Instead, it creates a system for ensuring countries make good on voluntary domestic efforts to curb emissions, and provides billions more dollars to help poor nations cope with the transition to a greener economy.<sup>37</sup> However, there are

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<sup>34</sup> Falkner, Robert. "The Paris Agreement and the New Logic of International Climate Politics." *International Affairs* 92.5 (2016): 1107-125.

<sup>35</sup> Northrop, Eliza, and Katherine Ross. "After COP21: What Needs to Happen for the Paris Agreement to Take Effect?" | *World Resources Institute*. 21 Jan. 2016. Web. 12 Jan. 2017.

<sup>36</sup> Phillips, Sara. "Paris Climate Deal: Historic Climate Change Agreement Reached at COP21." *ABC News*. N.p., 12 Dec. 2015. Web. 01 Jan. 2017.

<sup>37</sup> The US, for instance, pledged to cut the U.S. climate pollution by 26-28% from 2005 levels. China's target is to reach peak CO<sub>2</sub> emissions by 2030 at the latest, lower the carbon intensity of GDP by 60% to 65% below 2005 levels by 2030, and to increase the share of non-fossil energy carriers of the total primary energy supply to around 20%. The EU plans to cut emissions by 40% by 2030 on 1990 levels: see "Paris 2015: Tracking Country Climate Pledges." *Carbon Brief*. N.p., 23 Mar. 2016.

also some concerns over the vagueness of the Paris Agreement that many governments will be tempted to use the vagueness of the Agreement, and the discretion that it permits, to limit the scope or intensity of their proposed actions.<sup>38</sup> Nevertheless, the Paris Agreement is indeed a critical turning point to make a zero-carbon world in that it bears a highly political significance by bringing an unprecedented political recognition of all the nations.

### **III. EU's Approach on International Environmental Regime**

#### **1. Driving Factors of EU External Policy**

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<sup>38</sup> Keohane, Robert O, and Michael Oppenheimer Woodrow. "Paris: Beyond the Climate Dead End through Pledge and Review?" *Politics and Governance*, 8 Sept. 2016. Web. 7 Jan. 2017.

Climate change is an issue of global significance in terms of the maintenance of biodiversity and sustainability, the well-being of humankind and international security. Getting actively involved in political actions than any other nations with a particular focus on climate change, the EU has always been committed to developing its engagement and supporting the UN to solve the problems. At the European level, the EU action on environmental protection and ‘global warming’ enjoys high popular support and increasingly provides a major new rationale for advancing European integration.<sup>39</sup> Given these circumstances, it is reasonable to expect the EU to be the global leader in international environmental regimes. Yet, the EU’s climate policy did not always meet with success, despite its activeness and persistence. Indeed, the EU has failed to influence the 2009 Copenhagen climate change summit through exporting its policy solutions to the global level. Although 192 nations represented at the climate talks and the EU was at the forefront of the meeting, there were arguably the only two that matter: the “G2” of the US and China.<sup>40</sup> Not only was the system based primarily upon action by “G2” since the sum of

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<sup>39</sup> Tom Delreux. "EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs." *Journal of European Public Policy* 21.7 (2014): 1017-1032. Web. 17 Dec. 2016.

<sup>40</sup> Crooks, Ed, and Valentina Romei. "Copenhagen Summit: G2 is the key to CO2" *Financial Times*, 9 Dec. 2009. Web. 12 Nov. 2016.

their pledges accounts for more than 40 percent of global carbon emissions, but also the climate talks failed to seek the legally binding treaty. In this respect, the Copenhagen summit is very disappointing from the viewpoint of the EU as it did not lead to the outcome desired by the EU and failed to provide its own strong leadership. Nevertheless, the EU has maintained a high degree of activity on the environmental issues with a special focus on climate change for a very long time. Thus, this paper will investigate the key driving factors of the EU policy and the factors that underpin the EU leadership in the environmental regime. This chapter also provides a more detailed account of the phenomenon of the EU leadership with a special focus on the climate change issues.

### **Norms vs. Interests**

When it comes to explaining the driving factors of the EU in the climate change regime, two terms have been always mentioned: “norms” and “interests”. To many, the driving factors behind the Union’s climate policy seem clear: the EU displays a range of characteristics of a normative power – that is, a new type of entity on the global scenery whose foreign policy is value-based and who possesses the ability to shape conceptions of what is considered ‘normal’ in the world through the diffusion of its norms(Manners, 2002, p. 240; Lightfoot and

Burchell, 2005; Falkner, 2007; Rosecrance, 1998, p. 22).<sup>41</sup> However, at the same time, it is hard to explain the driving factors of EU external policy excluding the concept of interests. Indeed, some scholars have explained the EU's proactiveness in international climate politics on the basis of its interests, which would include the exploitation of a first-mover advantage when it comes to the transformation of energy systems or the forging of a European identity through activities on an issue considered important by the European public (Van Schaik and Van Hecke, 2008; Schreurs and Tiberghien, 2007)<sup>42</sup>. To better comprehend the differences between two terms, attentions should be paid to the conceptual clarifications first. Since an interest-driven actor behaves in line with a logic of consequence, it reasons on the basis of instrumental calculations concerning its *self-interest* – that is, in defence of its very own benefit (March and Olsen, 1989, p. 23). Thus, if the EU is driven by the interests, the EU has been actively getting involved in the climate change issues because the deal would be advantageous to the nations. To be specific, the benefits the EU considered would be about economic, environmental, power, or security interests. On the other hand, a

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<sup>41</sup> Louise Van Schaik, and Simon Schunz. "Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?" *JCMS: Journal of Common Market Studies* 50.1 (2011): 173. Web. 7 Jan. 2017

<sup>42</sup> *Ibid.*, p.169-186

norm-driven actor follows a logic of *appropriateness*: it decides and behaves in accordance with norms that it has internalized and that it considers to be the most appropriate in a given context (March and Olsen, 1998, pp. 160–1; Risse, 2002, p. 599).<sup>43</sup> Thus, if we assume that the EU is a norm-driven actor, the EU has been playing the role as the “frontrunner” in the field of environment because the EU believes that those are behavioural expectations of what is considered normal. Especially in the field of climate change, norms concern not only the way of coping with general environmental problems, but also the manner in which global common good problems are to be dealt with internationally.<sup>44</sup> Then, the question now arises as to which of the two is closest in explaining the EU’s enthusiasm toward environmental issues on the world stage?

The crucial point to note here is that norms and interests are not mutually exclusive (Van Shaik and Simon Schunz, 2012). However, there is a high possibility of a hierarchy between the two: adherence to norms, certainly the precautionary principle and sustainable development, goes further back in the history of the Union and runs deeper than its attachment to certain interests favoring climate protection activities.<sup>45</sup> This supports the idea that the EU’s

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<sup>43</sup> Ibid., p.169-186

<sup>44</sup> Ibid., p.169-186

<sup>45</sup> Ibid., p.169-186

active role and straightforward policy-making in the climate change regime can be well explained by its norms, rather than other interests such as security or economic benefits. Understanding the EU's action and policy-making on a basis of normative foundation is indeed more suited to explain the EU's enthusiasm toward the climate change issues because uncertainty in terms of the benefits has been always existed in the environmental regimes as this paper reviewed in the historical background. Preliminary Studies on the most important norms that the EU frequently invokes with regard to those issues imply that several significant norms could be considered as driving factors of EU external action on climate change: its adherence to multilateralism and international law, its dedication to sustainable development and its relatively early consideration of scientific evidence regarding climate change on the basis of the precautionary principle.<sup>46</sup> In this paper, we only focus on its adherence to multilateralism and international law since this study seeks closer links between the EU's environmental policy and widening influence of the FTA and examines how the EU has made use of the FTA to improve on its implementation effectiveness in the environmental field.

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<sup>46</sup> Ibid., p.169-186

Given a lot of attention, participation and commitment toward the environmental issues and the active utilization of multilateral agreement as a tool, it can be inferred from these facts that the EU has made use of agreement to improve on its implementation effectiveness of environmental policy. Indeed, the EU has long considered itself a staunch supporter of the multilateral system and promotes ‘effective multilateralism’ as a guiding principle of international policy- and law-making (Commission, 2003; European Council, 2003).<sup>47</sup> Thus, it advocates the possibility of establishing international agreements with which parties comply and, as such, increase the problem-solving capacity of nation-states, as is done within the EU in a most advanced form.<sup>48</sup> It becomes more evident when it comes to the relationship between national law of the EU member states and the EU law. Since European laws supersede any laws of the EU Member States, the nation-states must comply with not only European laws but also a wide variety of European standards and regulations. According to the NSO, National Standards Organisations(NSOs) and ETSI(European Telecommunications Standards Institute) Members are required to stop any national standards work that could prejudice that EN ("Standstill"), NSOs are required to adopt the EN at national level...("Transposition")...and to withdraw

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<sup>47</sup> Ibid., p. 173

<sup>48</sup> Ibid., p. 173

any conflicting national standards ("Withdrawal"). The EU's political leaders seem to consider it possible to establish similar compliance mechanisms at the global level.<sup>49</sup> Summing up, to seek an international agreement to solve a global problem like climate change through multilateralism seems perfectly appropriate and 'normal' for the EU,<sup>50</sup> The EU has been actively getting involved in the climate change issues as a "global leader" and participated in international environmental regimes thereby.

## **2. EU's Impact on Environmental Politics**

The EU has been playing a central role as a global leader in terms of command-and-control environmental regulation. However, the EU's initiative obviously doesn't always succeed, as in case of 2009 Copenhagen Summit. Contrary to its original positive image in the global environmental regimes, EU's performance at Copenhagen has become a reference point for EU failure at the international level (Groen and Niemann 2013; Oberthur 2011). The failure of Copenhagen was mainly caused by the highly politicized nature of the Copenhagen conference and the unfavourable international opportunity structure in which the major

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<sup>49</sup> Ibid., p.169-186.

<sup>50</sup> Ibid., p.173

players had opposite positions to those of the EU (Groen and Niemann 2013).<sup>51</sup> In this chapter, the paper investigate the literature on the EU's activities in the international environmental regime, its effectiveness, its findings, and will allude to the EU's impact on global climate politics on a basis of a preliminary study (Schaik Van, 2013).

When the EU participates in international environmental negotiations, there exist a few actorness criteria that should be fulfilled to achieve the cohesiveness: recognition (its acceptance by other actors in the international system); authority (its legal competences); and autonomy (the EU negotiator's independence from the member states).<sup>52</sup> A close look at the concept of actorness reveals that it contributes to elucidate the relationship between the cohesiveness and implementation effectiveness of the EU in a field of environment, even though some authors argue that the actorness concept 'remains empirically underexplored' (Groen and Niemann 2013: 309). In that context, since EU's ineffectiveness in the Copenhagen negotiation is related with

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<sup>51</sup> Tom Delreux. "EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs." *Journal of European Public Policy* 21.7 (2014): 1017-032. Web. 17 Dec. 2016.

<sup>52</sup> Ibid., p.1018

the cohesiveness, and the actorness in some parts, attentions should be paid to the factors contributing the EU cohesiveness with a special focus on authority.

Authority of the EU to act in international environmental negotiations is based on its external environmental competences.<sup>53</sup> Since environmental competences are the shared competences between the EU and EU Member States, understanding the competence of EU's external representation leads to the authority of the EU. The privilege of EU Member States to negotiate in international bodies and to conclude international agreements in the field of environment has taken concrete forms in Article 191 of Treaty on the Functioning of the European Union.<sup>54</sup>

Article 191(4) of the Treaty on the Functioning of the European Union(TFEU) states:

*Within their respective spheres of competence, the Union and the Member States shall cooperate with third countries and*

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<sup>53</sup> Tom Delreux. "EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs." *Journal of European Public Policy* 21.7 (2014): 1017-032. Web. 17 Dec. 2016.

<sup>54</sup> Ibid., p.108

*with the competent international organizations. The arrangements for Union cooperation may be the subject of agreements between the Union and the third parties concerned. The previous subparagraph shall be without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements.*

This provision provides the legal basis for EU activities in international environmental negotiations.<sup>55</sup> The crucial point to note here is that the EU's overall discussion should be dealt within the framework of EU coordination. In addition, there exists a high possibility of conflicts since the big member states have relatively more power and voice than small member states.

To return, cohesiveness refers to the EU's ability to both formulate internally and represent externally a common position, even in a situation of heterogeneous preferences between member states (Conceicao-Heldt and

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<sup>55</sup> Schaik, Louise Van. "7. The EU Negotiating Climate Change." *EU Effectiveness and Unity in Multilateral Negotiations: More than the Sum of Its Parts?* Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2013. 129. Print

Meunier, this collection).<sup>56</sup> The relationship between cohesiveness and effectiveness is affected by the relative bargaining power and the relative position of the EU. In international environmental negotiations with a high degree of relative bargaining power, the EU's cohesiveness is usually high. Such a high degree of cohesiveness is achieved by the ability to reach a common position and to present a single voice.<sup>57</sup> Given the fact that preference heterogeneity exacerbates the EU cohesiveness and undermines the implementation effectiveness, it requires for the EU to speak with one voice in the face of external threats through decision-making processes. On the other hand, when the EU's relative bargaining power is low in global negotiations, the conclusion is more tentative due to the lack of counterfactuals in the data.<sup>58</sup> To sum up, cohesiveness does not seem to be a sufficient condition for effectiveness, but it might facilitate it.<sup>59</sup> Still, the relationship between those two is closely related with the relative bargaining power of the EU. What matters is not the diversity and multiplicity of

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<sup>56</sup> Tom Delreux. "EU Actorness, Cohesiveness and Effectiveness in Environmental Affairs." *Journal of European Public Policy* 21.7 (2014): 1017-032. Web. 17 Dec. 2016.

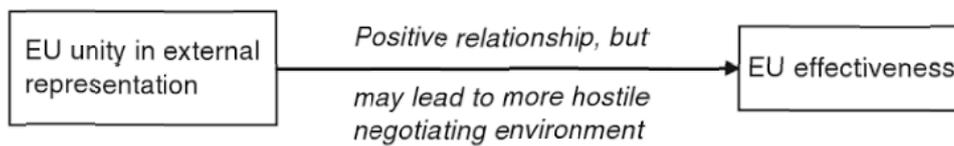
<sup>57</sup> Ibid.,

<sup>58</sup> Ibid.,

<sup>59</sup> Ibid.,

negotiators, but the fact that they all send a similar message to the negotiation partners.<sup>60</sup>

**<Figure 2> The relationship between EU unity and EU effectiveness**



Source: Schaik, Louise Van. 2013

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<sup>60</sup> Ibid., p.1017-1018

## IV. Case Study of the Korea-EU FTA

### 1. Analysis on Environment-Related Provisions in the Framework

#### Environmental Cooperation

In analysing the provisions, this paper differentiates environmental integration clauses from environmental cooperation clauses. With regard to environmental cooperation clauses, environmental concerns are integrated with preambular paragraph confirming parties' commitment to 'promote sustainable development in its economic, social and environmental dimension' and to 'ensure a high level of environmental protection' from the outset of the Framework Agreement.<sup>61</sup> Indeed, this intention is well reflected in the article 1.3 and 2.2(d) of the Framework Agreement between Korea and the EU:

*1.3 The Parties reaffirm their commitment to promoting sustainable development in all its dimensions, economic growth, contributing to the attainment of internationally*

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<sup>61</sup> Framework Agreement between the Republic of Korea on the one part, and the European Union and its Member States, on the other part (Korea-EU Framework Agreement), Preambular Recital 15.

*agreed development goals, and cooperating to address global environmental challenges, in particular climate change.*

*2.2 Building on their well-established partnership and shared values, the Parties agree to develop their cooperation and dialogue on all issues of common interest. Their efforts will in particular be aimed at:*

*d) strengthening cooperation in the area of sustainable development, notably health; employment and social affairs; environment and natural resources; climate change; agriculture, rural development and forestry; marine and fisheries; and development assistance;*

The article 1.3 and 2.2(d) of the Framework Agreement reaffirm the parties' commitment to cooperate with a special focus on climate change, thus putting top priority on the environmental protection. This support the idea that building the sustainable development through the bilateral trade agreement is one of the central aims of the Framework Agreement.

## **Environmental Integration**

The environmental dimension of the Framework Agreement between Korea and the EU can be assessed from the viewpoint of environmental integration.<sup>62</sup> By definition, environmental integration is to bring the environmental objective into non-environmental sector. There exist many terms referring the environmental integration such as ‘sectoral integration’, or ‘environmental integration’, but in this paper, we would use the term ‘Environmental Policy Integration(EPI)’ following Lenschow[1997, 1999].<sup>63</sup> Indeed, the concept of “EPI” is needed in analysing environment-related provisions in the Framework Agreement because the integration of environmental concerns into other policy areas is considered one of the salient features of ‘sustainable development’. However, if the environmental policy objective is not clearly connected to broader sustainable development objectives, it would bring about a high administrative burden and objectives. Nevertheless, understanding EPI is essential and crucial to understand

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<sup>62</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 194. Print.

<sup>63</sup> Lafferty, William, and Eivind Hovden. "Environmental Policy Integration: Towards an Analytical Framework." *Environmental Politics* 12.3 (2003): 1-22. Web.

the global strategy of EU's environmental policy to increase its implementation effectiveness and achieve sustainable development at the same time.

Aside from the environmental cooperation provisions, environmental integration clauses take a concrete form in the four specific areas under the Framework Agreement; transport, fisheries, energy and agriculture. This paper analyzes the environmental integration provisions with a special focus on the transport provisions. Environmental protection appears as one of the specific objectives of bilateral cooperation in the field of transport. It requires to promote, inter alia, regulatory convergence on the environmental aspects of transport policy, the reduction of GHGs emissions in this sector and the implementation of pollution prevention standards 'in line with the relevant international conventions applicable to both Parties, including cooperation in the appropriate international for a aimed at ensuring better enforcement of international regulations'.<sup>64</sup> Indeed, environmental integration clauses in the field of transport reflect the strategy of

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<sup>64</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 194. Print.

EU to 'green' individual policies covered by bilateral agreement, beyond the area of environmental cooperation.<sup>65</sup>

## **2 Analysis on Environment-Related Provisions in the Korea-EU FTA**

The European Union member states have agreed that further efforts towards international cooperation for standardisation of EU environmental policies are necessary. Given the lack of progress in the international environmental regime, Free Trade Agreements(FTAs) are potentially a significant means of addressing environmental policy at the international level. If environmental policy is adopted in the FTAs, the country with a more advanced legislation might help the other country improve its environmental law. Thus, international cooperation can be strengthened with respect to environmental policy and laws through enhancing its implementation effectiveness from the viewpoint of the country with a more advanced legal system. Furthermore, incorporating standardisation into FTAs could mean that both countries go ahead to mutual recognition on environmental

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<sup>65</sup> Marin Duran and Morgera. "Environmental Integration in the EU's External Relations." *Bloomsbury Publishing*. N.p., n.d. Web. 17 Jan. 2017.

issues. In this respect, it can be considered as the key strategy of EU's environmental policy.

In analysing the Korea-EU FTA, the standardisation of environmental policy has a significance in that the environmental provisions deal with those issues in an independent chapter of the bilateral trade agreement. Chapter 13 of the Korea-EU FTA is dedicated to 'trade and sustainable development' and it is well elaborated in article 13.7 of the Korea-EU FTA.

*1. A Party shall not fail to effectively enforce its environmental and labour laws, through a sustained or recurring course of action or inaction, in a manner affecting trade or investment between the Parties.*

*2. A Party shall not weaken or reduce the environmental or labour protections afforded in its laws to encourage trade or investment, by waiving or otherwise derogating from, or offering to waive or otherwise derogate from, its laws, regulations or standards, in a manner affecting trade or investment between the Parties.*

Indeed, article 13.7 of the Korea-EU FTA puts emphasis on upholding levels of protection in the application and enforcement of laws, regulations or standards.

### **TBT Agreement**

To better understand the standardization of the EU represented in Korea-EU FTA, this paper will further examine specific provisions in the Technical Barriers to Trade(TBT) Agreement. The World Trade Organization(WTO) Agreement on TBT establishes rules and procedures with respect to the development, adoption and application of voluntary product standards, mandatory technical regulations, and the procedures used to identify whether the particular product meets such standards or regulations.<sup>66</sup> Article 2.4 of the WTO TBT Agreement requires members to use “relevant” international standards “as a basis for” establishing mandatory product characteristics unless such standards are “ineffective or inappropriate” to achieve legitimate objectives. Article 4.4 of the FTA TBT has also focused on using relevant international standards as a basis for technical regulations.

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<sup>66</sup> “Technical Barriers to Trade | United States Trade Representative.” *Technical Barriers to Trade | United States Trade Representative. N.p., n.d. Web. 17 Jan. 2017*

*The Parties agree to make best use of good regulatory practice, as provided for in the TBT Agreement. In particular, the Parties agree: to use relevant international standards as a basis for technical regulations including conformity assessment procedures, except when such international standards would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued, and where international standards have not been used as a basis, to explain on request to the other Party the reasons why such standards have been judged inappropriate or ineffective for the aim pursued(FTA TBT Article 4.4).*

One of the salient features of the Korea-EU FTA is a high level of dependence on *international* environmental standards. Unlike other approaches that the EU has used in the Partnership and Cooperation Agreements between the EU and CIS countries, the Korea-EU Framework Agreement and Free Trade Agreement(FTA) gives no indication of approximation of environmental laws to

those of the EU.<sup>67</sup> In the Korea-EU FTA, the provisions reiterate the commitment of Korea and the EU to use relevant international standards as a basis for regulations. This is the trend of the new generation of EU bilateral agreements, where a more systematic approach can be detected in the utilization of standards as the benchmark for assessing domestic environmental performances, with increased emphasis on questions related to implementation and enforcement.<sup>68</sup>

### **Harmonization of Standards**

To better understand the harmonization of standards in the FTA, this paper analyses the Korea-EU FTA with a special focus on the transport sector. Article 2.1 of the FTA Annex 2-C Motor Vehicles and Parts provides that; The Parties recognize that the World Forum for Harmonization of Vehicle Regulations (hereinafter referred to as the “WP.29”), within the framework of the United Nations Economic Commission for Europe (hereinafter referred to as the “UN

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<sup>67</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 198. Print.

<sup>68</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 198. Print.

ECE”), is the relevant international standard-setting body for the products covered by this Annex.<sup>69</sup> Because the WP.29 administers three international agreements on motor vehicle; the 1958 Agreement and the 1998 Agreement on the construction of vehicles, and the 1997 Agreement on periodical technical inspection, the UN ECE regulations adopted by the WP.29 becomes the international regulations which sets the standards of automobile safety.

Furthermore, paragraph 1 and 2 of the FTA Article 3. Market Access Section takes more concrete forms on promoting the standardization.

*(1) the competent approval authorities in the European Union shall accept for the purpose of EU type-approval any product that complies with the requirements listed in Table 1 of Appendix 2-C-2 as complying with the corresponding provisions of the applicable EU technical regulations;*

*(2) Korea shall accept any product that complies with the requirements listed in Table 1 of Appendix 2-C-3 as complying with the corresponding provisions of the applicable Korean*

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<sup>69</sup> Free Trade Agreement between the Republic of Korea, of the one part, and the European Union and its member states, of the other part(Korea-EU FTA)

*technical regulations*1;

Article 3 of the Korea-EU FTA has its intention to facilitate trade flows by approving both domestic regulation and international regulations as long as it complies with the corresponding provisions of trading partners'. Again, this shows the trend of the new generation of EU bilateral agreements, where a more systematic approach can be detected in the utilization of standards as the benchmark for assessing domestic environmental performances, with increased emphasis on questions related to implementation and enforcement.<sup>70</sup>

Effective multilateralism embodies thus many norms that its own polity is founded on and allows also for creating international institutions which could enable the Union to export its own – frequently relatively high – standards (Falkner, 2007).<sup>71</sup> In this respect, understanding National Standards Organizations(NSO) of the EU is needed first. The European Union member

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<sup>70</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 198. Print.

<sup>71</sup> Louise Van Schaik, and Simon Schunz. "Explaining EU Activism and Impact in Global Climate Politics: Is the Union a Norm- or Interest-Driven Actor?" *JCMS: Journal of Common Market Studies* 50.1 (2011): 173. Web. 7 Jan. 2017

states are highly encouraged to cooperate for creating European Standards(EN), thus replacing national standards.

*National Standards Organisations(NSOs) and ETSI(European Telecommunications Standards Institute) Members are required to stop any national standards work that could prejudice that EN ("Standstill"), NSOs are required to adopt the EN at national level...("Transposition")...and to withdraw any conflicting national standards ("Withdrawal").*

This provision explains the strong linkage between national standards and European standards among European Community members. Indeed, the European Union is a strong and solid supporter of the multilateral system and promotes ‘effective multilateralism’ as a guiding principle of international policy- and law-making (Commission, 2003; European Council, 2003).<sup>72</sup>

### **3 Findings**

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<sup>72</sup> Ibid., p.174

The EU legislation quite often is directly derived from or related to international agreements, particularly in trade-related policy areas, such as environmental protection.<sup>73</sup> Thus, government has to meet higher environmental standards or risk prosecution under EU law by making its law or standards correspond to the international standards under the Agreements.

It becomes more evident when it comes to the Free Trade Agreement between Korea and the EU. To better comprehend the global strategy of the EU through the bilateral trade, this paper examines the WP.29 in a closer detail first. The UN ECE regulations adopted by the WP.29 become the international regulations which set the standards of automobile since the WP.29 administers three international agreements on motor vehicle; the 1958 Agreement and the 1998 Agreement on the construction of vehicles, and the 1997 Agreement on periodical technical inspection. When it comes the 1958 Agreement, it has 127 UNECE regulations and 48 Contracting Parties(CP) including Korea and the EU. It is worth noting that the agreement is considered as international law because regulations are annexed to the Agreement and therefore part of it.<sup>74</sup> The crucial point to note here is that even though Korea is a Contracting Party to the 1958

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<sup>73</sup> Ibid., p.173.

<sup>74</sup> "Text of the 1958 Agreement." *Text of the 1958 Agreement - Transport - UNECE*

Agreement, Korea is not obliged to adopt any UN ECE regulations under the Agreement because it is not a legally binding agreement. Any CP can cease the application of a regulation one year notice by notification to the United Nations Secretary General (UN SG). However, as the UN ECE regulations are adopted as international standards under the FTA between Korea and the EU, Korea has now obligation to adopt the UN ECE regulations.

As analysed in the case study, both WTO and FTA TBT Agreement state that the member states are required to use relevant international standards “as a basis” for technical regulations. Under the FTA between Korea and the EU, Korea should make its standards or regulations correspond to the United Nations Economic Commission for Europe (UN ECE) regulations because UN ECE is adopted as a basic international standard through FTA. Thus, Korea is required to make its 29 national technical regulations in harmony with UN ECE regulations. The EU, however, is required to make only one product correspond to the UN ECE regulations because most other products already meet the UN ECE regulations. The EU has only to make its technical specification 92/114/EEC in harmony with UN ECE Regulation #61. It may be a natural result from the viewpoint of the EU. Thus, we can reasonably assume that the EU has a utilitarian purpose of forcing South Korea to adopt UN ECE regulations through FTA between Korea and the EU.

Indeed, the EU has reflected the purpose of internationalization of European standards corresponding to the UN ECE regulation through the Korea-EU FTA. Thus, the EU is using its external action tools to make progress on environmental issues on which the international community has been unable to launch negotiations towards an international legally binding agreement in the absence of multilateral environmental negotiations, the EU wishes to pursue certain environmental goals with other willing countries, with a view to building international consensus from the bottom up.<sup>75</sup>

In terms of the trade, the EU's share in Korea's total imports from the world increased from 9 percent before the FTA to 11 percent in the third year of the FTA implementation. Over the same period of time, the EU's share in total exports from Korea declined from 11 percent to 9 percent.<sup>76</sup> More specifically, this paper examines the exports and imports of some industry sectors which are closely related with environmental standards from the viewpoint of the EU. Firstly, in terms of "Chemical products" which account for over 12 percent of total EU exports, exports increased by 9 percent in the third year of FTA implementation.

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<sup>75</sup> Duran, Marin, and Elisa Morgera. "Environmental Integration in the EU's External Relations EBook." *Kobo*. Bloomsbury Publishing, 16 Mar. 2012. Web. 5 Jan. 2017.

<sup>76</sup> "The European Union and South Korea." (2013): [Http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc\\_113448.pdf](http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113448.pdf). European Commission. Web.

In addition, EU exports of motor vehicles to Korea increased by 90 percent, accounting for 9 percent of total EU exports to Korea. On the other hand, EU imports of motor vehicles from Korea grew by 53 percent. Lastly, when it comes to “Machinery and appliances” which is the most important categories of products in terms of EU exports since it accounts for almost 34 percent of total EU exports to Korea,” exports increased by over 56 percent and represent 16 percent of total EU exports to Korea.<sup>77</sup>

This clearly indicates that the EU companies have been able to take advantage of the bilateral trade. However, at the same time, Korea has not been able to utilize the opportunities of the FTA effectively. Given the fact that EU export growth of categories related with environmental standards increased rapidly after the trade deal was implemented, we can reasonably assume that trading partners of the EU could bear further burdens, as the EU has been demanding stricter environmental requirements.

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<sup>77</sup> Ibid.,

## V. Conclusion

This paper examines the global strategy of EU's environmental policy in the context of the bilateral trade agreement between Korea and the EU. The European Union has made use of the Free Trade Agreement(FTA) to enhance its compatibility with EU legislation, thus improving on its implementation effectiveness in the environmental field. International cooperation can be strengthened with respect to environmental policy and law through enhancing its implementation effectiveness from the viewpoint of the country with a more advanced legal system. Furthermore, incorporating standardisation into FTAs could mean that both countries go ahead to mutual recognition on environmental issues. In this respect, it can be considered as the key strategy of EU's environmental policy.

Indeed, one of the salient features of the Korea-EU FTA is a high level of dependence on *international* environmental standards. In the Korea-EU FTA, the provisions reiterate the commitment of Korea and the EU to use relevant international standards as a basis for regulations. As a result, the Korean government has to meet higher environmental standards or risk prosecution under the Korea-EU FTA by making its law or standards correspond to the international standards. Given the fact that the EU is required to make only one product correspond to the UN ECE regulations, this appears as a more appropriate course

of action to legitimise the EU's efforts to promote environmental protection outside its borders and avoid criticisms on the grounds of extra-territoriality.<sup>78</sup> It can also mean that trading partners with the EU could bear further burdens, as the EU has been demanding stricter environmental requirements. Putting top priority on the environmental protection, however, the provisions still support the idea that building the sustainable development through the bilateral trade agreement is one of the central aims of the Framework Agreement.

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<sup>78</sup> Morgera, Elisa. "12. Environmental Cooperation between the EU and Korea." *The European Union and South Korea: The Legal Framework for Strengthening Trade, Economic and Political Relations*. By James Harrison. Edinburgh: Edinburgh UP, 2013. 198. Print.

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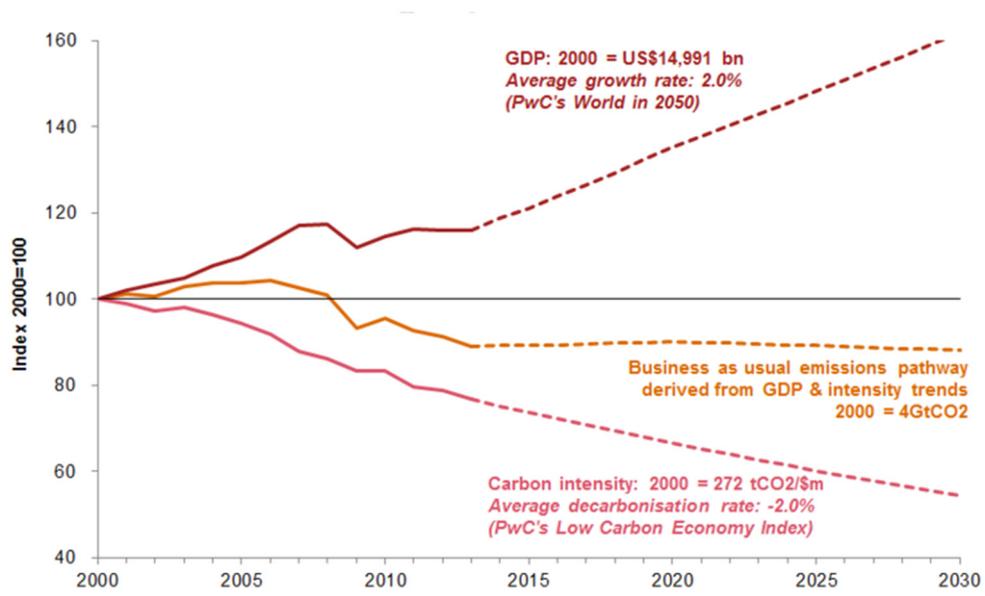
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## <APPENDIX 1>

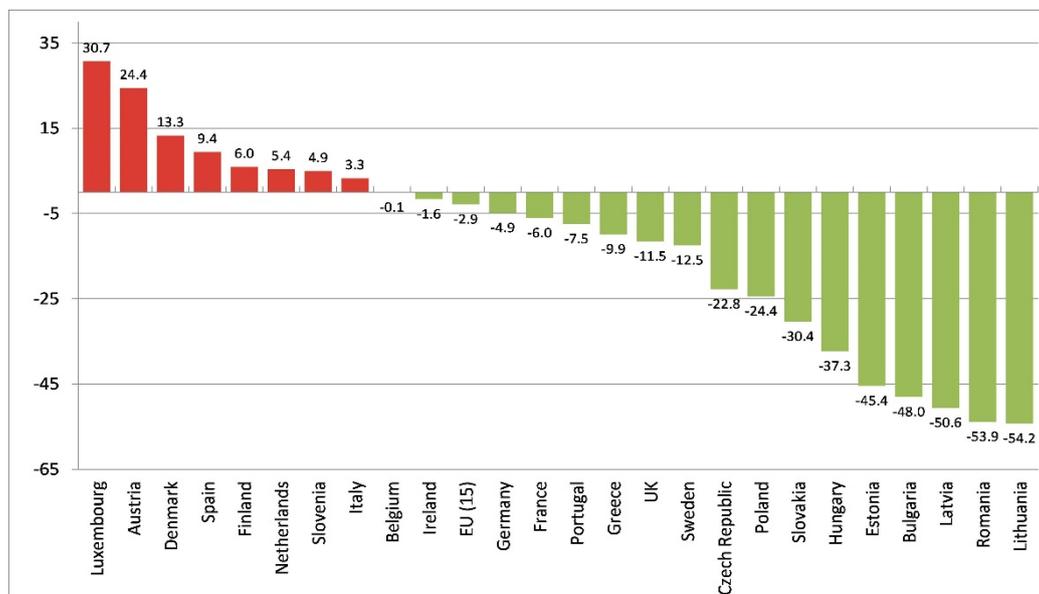
### EU GDP, intensity and emissions trends and projections



Sources: BP, International Energy Agency, Energy Information Administration, World Bank, IMF and PwC data and analysis

## <APPENDIX 2>

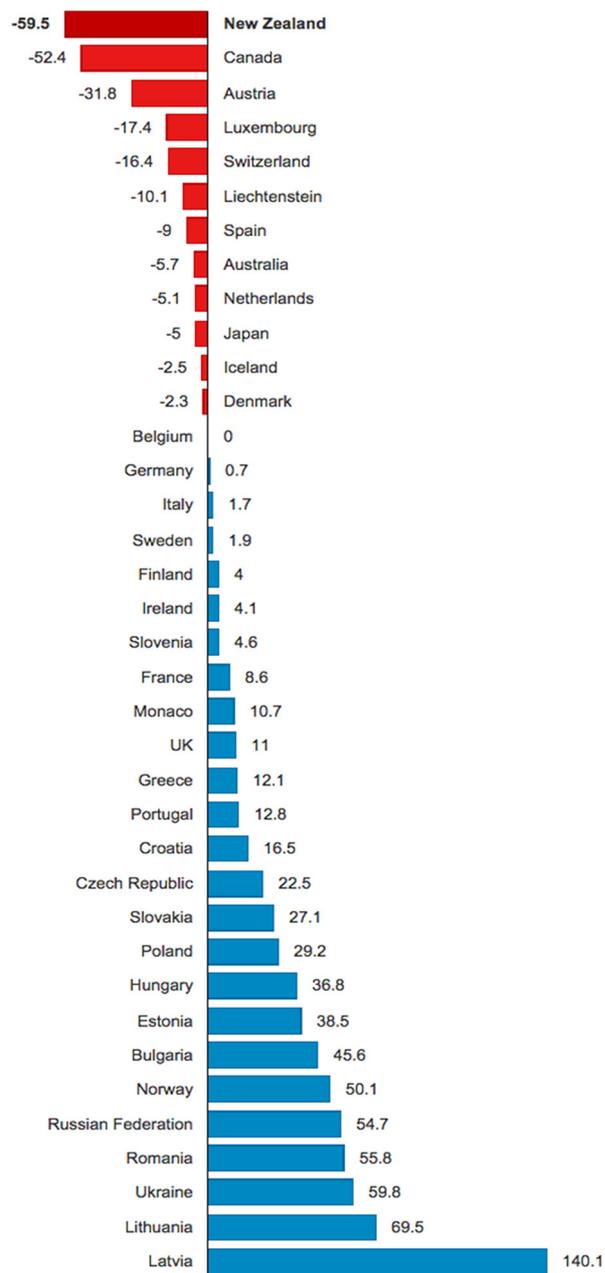
### Distance between 2010 emissions and KP target(%) for EU countries



Source: UNFCCC(1990-2010)

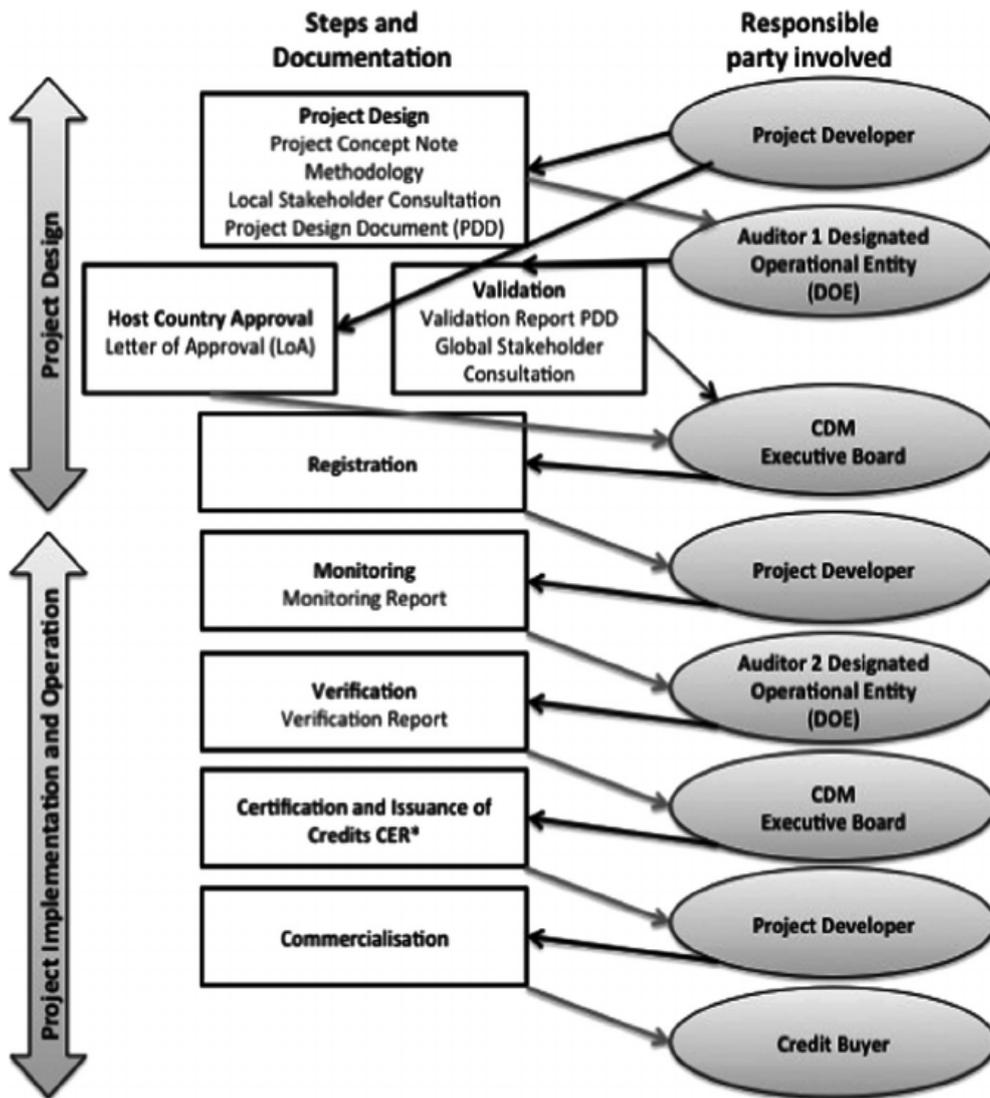
### <APPENDIX 3>

#### Kyoto Successes(blue) and failures(red)



<APPENDIX 4>

The Clean Development Mechanism(CDM) Procedures



<APPENDIX 5>

Climate change performance of the 27 EU countries

Country	National Communications to UNFCCC					Reduction Goals (%)		Performance 1990–2009 Eurostat (GHG) (IEA, CO <sub>2</sub> )	Total GHG emissions (Mio.t)					EU Share 2009	GHG Emissions per cap.		Global total % CO <sub>2</sub> (2008)
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	KP A-B	EU15 BS		1990 CO <sub>2</sub>	1998 GHG	2008 CO <sub>2</sub>	2009 GHG	2010 CO <sub>2</sub>		1990	2009	
Austria	1994	1998	2001	2006	2010	-8%	-13	14.3 (12.2)	57	82	68	80		1.7		0.22	
Belgium	1997	1997	2002	2005	2010	-8%	-7,5	-7.1 (-6.7)		151	105	124		2.7		0.35	
Denmark	yes	yes	2003	2005	2010	-8%	-21	9 (-7.2)	50	75	46	61		1.3		0.15	
Finland	1995	yes	2001	2006	2009	-8%	0	0.3 (1.1)	54	72	57	66		1.4		0.19	
France	yes	1997	2001	2006	2009	-8%	0	-8.3 (0.6)	352	586	377	517	363	11.2		1.25	
Germany	1995	1997	yes	2006	2010	-8%	-21	-25.4 (-21.1)	950	1078	787	920	763	19.9		2.61	
Greece	1995	1997	2003	2006	2010	-8%	+25	22.5 (+28.6)	70	122	98	123		2.7		0.32	
Ireland	1995	yes	2003	2007	2010	-8%	+13	20.2 (+32.4)	30	65	44	62		1.4		0.14	
Italy	1995	1998	2003	2007	2010	-8%	-6.5	3 (-2.0)	397	541	445	491	408	10.6		1.48	
Luxembourg	1995	----	----	----	2010	-8%	-28	-11.3(-4.4)	10	9	11	12		0.3		0.03	
Netherlands	yes	1997	2001	2005	2009	-8%	-6	-1.4 (13.0)	156	226	174	199		4.3		0.58	
Portugal	1994	1997	2003	2006	2010	-8%	27	(35.3)	39	75	56	75		1.6		0.19	
Spain	yes	1997	2002	2006	2009	-8%	15	34.8 (37.7)	206	338	329	368		8.00		1.09	
Sweden	1994	yes	2001	2005	2010	-8%	4	(-20.9)	53	74	49	60		1.3		0.16	
UK	yes	1997	2001	2006	2009	-8%	-12.5	-27.1 (-15.2)	549	700	523	566	493	12.3		1.73	
<b>E-15</b>	<b>yes</b>	<b>1998</b>	<b>2001</b>	----	----	<b>-8%</b>	<b>-8%</b>	<b>-12.7 ()</b>	----	5.193	----	4.615	----	80.7	----	----	
Bulgaria	1996	yes	2002	2006	2010	-8%	----	-55.1 ()	75	71	51	60		1.3		0.17	
Cyprus	----	----	----	----	----	----	----	78.3 ()	4	8	8	9		0.2		0.03	
<i>Czech Repub.</i>	yes	1997	2001	2006	2009	-8%	----	-31.6 (-29.2)	155	145	117	133		2.9		0.39	
<i>Estonia</i>	1995	1998	2001	2005	2010	-8%	----	-60.5 (-59.4)	36	19	18	17		0.4		0.06	
<i>Hungary</i>	1994	1997	2002	2006	2009	-6%	----	-42.2 (-27.8)	67	78	55	67		1.4		0.18	
<i>Latvia</i>	1995	yes	2001	2006	2010	-8%	----	58.6 (n.a.)	19		8			0.2		0.03	
<i>Lithuania</i>	yes	----	2003	2005	2010	-8%	----	56.3 (n.a.)	33	24	15	22		0.5		0.05	
Malta	2004	2010	----	----	----	----	----	38.8 (n.a.)	2	3	3	3		0.1		0.01	
<i>Poland</i>	1994	1998	2001	2006	2010	-6%	----	-33.2 (-16.2)	342	413	316	377	310	8.2		1.05	
<i>Romania</i>	1995	1998	2005		2010	-8%	----	-53.0 (n.a.)	167	157	95	131		2.8		0.31	
<i>Slovakia</i>	1995	yes	2001	2005	2010	-8%	----	(-41.5)	57	51	38	43		0.9		0.12	
<i>Slovenia</i>	2002	----	----	2006	2010	-8%	----	3 (21.2)	13	19	17	19		0.4		0.06	
<b>EU-27</b>	----	----	----	<b>2006</b>	<b>2009</b>		----	<b>-17.4 (-11.7)</b>	<b>4.052</b>	<b>4.205</b>	<b>4.178</b>	<b>3.724</b>		<b>100</b>		<b>14.04</b>	

Source: Climate paradox of the G-8: legal obligations, policy declarations and implementation gap.

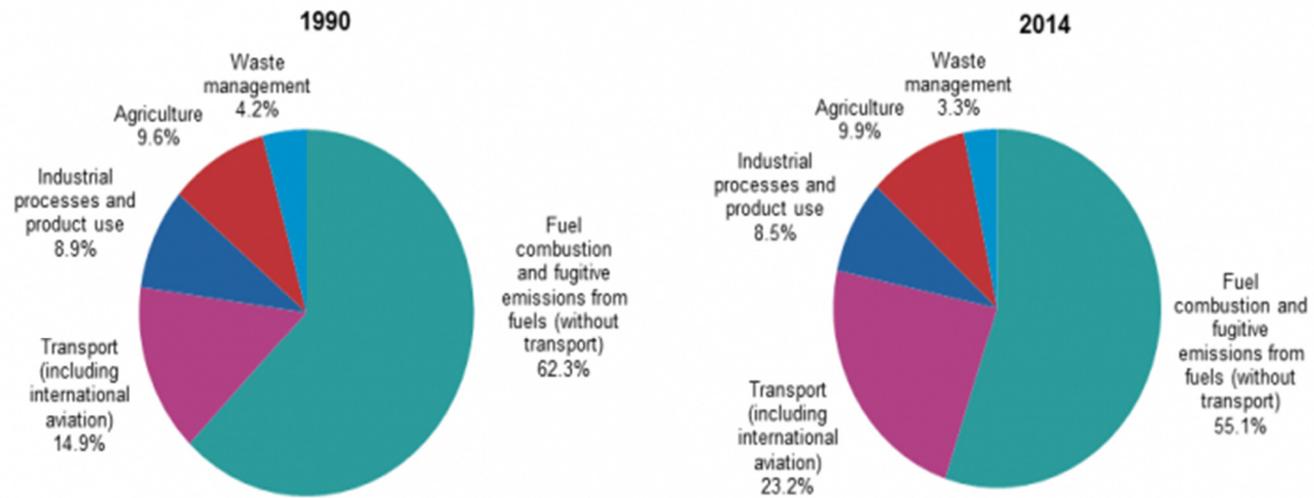
<APPENDIX 6>

Total greenhouse gas emissions by countries

	1990	1995	2000	2005	2010	2014	Share in EU-28*
<b>EU-28</b>	<b>5 735.1</b>	<b>5 399.3</b>	<b>5 283.8</b>	<b>5 347.0</b>	<b>4 914.4</b>	<b>4 419.2</b>	<b>100.00%</b>
Belgium	149.2	156.9	153.9	148.4	137.5	117.9	2.67%
Bulgaria	104.8	74.4	58.5	63.2	60.3	55.4	1.25%
Czech Republic	199.8	158.7	151.5	149.7	141.1	126.8	2.87%
Denmark	72.4	80.4	73.4	69.3	66.0	53.9	1.22%
Germany	1 258.2	1 133.4	1 060.3	1 012.8	963.6	969.1	21.93%
Estonia	40.1	20.0	17.1	18.4	20.0	21.2	0.48%
Ireland	57.2	61.0	71.2	72.9	64.6	60.6	1.37%
Greece	107.3	113.4	130.2	138.4	120.8	104.3	2.36%
Spain	291.6	333.0	395.3	450.5	373.6	342.7	7.75%
France	556.8	557.7	568.8	570.6	530.7	475.4	10.76%
Croatia	35.2	24.6	27.1	31.3	29.2	24.8	0.56%
Italy	526.1	539.2	562.6	588.1	517.9	428.0	9.69%
Cyprus	6.4	7.9	9.2	10.2	10.4	9.2	0.21%
Latvia	26.4	12.9	10.5	11.6	12.6	11.6	0.26%
Lithuania	47.5	21.7	18.8	22.4	20.2	19.2	0.44%
Luxembourg	13.3	10.7	10.7	14.4	13.5	12.0	0.27%
Hungary	94.6	76.2	74.2	76.7	66.2	57.7	1.31%
Malta	2.2	2.8	3.0	3.2	3.4	3.3	0.08%
Netherlands	226.8	239.8	230.2	225.5	224.1	198.0	4.48%
Austria	79.7	81.2	82.1	94.8	87.0	78.3	1.77%
Poland	473.5	446.0	393.0	397.9	407.7	382.0	8.64%
Portugal	62.1	73.0	86.0	90.5	73.1	67.6	1.53%
Romania	252.7	183.4	140.9	147.0	117.5	110.4	2.50%
Slovenia	18.7	18.8	19.2	20.6	19.7	16.7	0.38%
Slovakia	74.8	54.8	50.0	51.6	46.7	40.8	0.92%
Finland	72.4	72.8	71.1	70.9	77.6	61.1	1.38%
Sweden	73.3	75.5	70.8	68.9	67.1	56.7	1.28%
United Kingdom	812.2	769.0	744.0	727.3	642.1	556.7	12.60%

<APPENDIX 7>

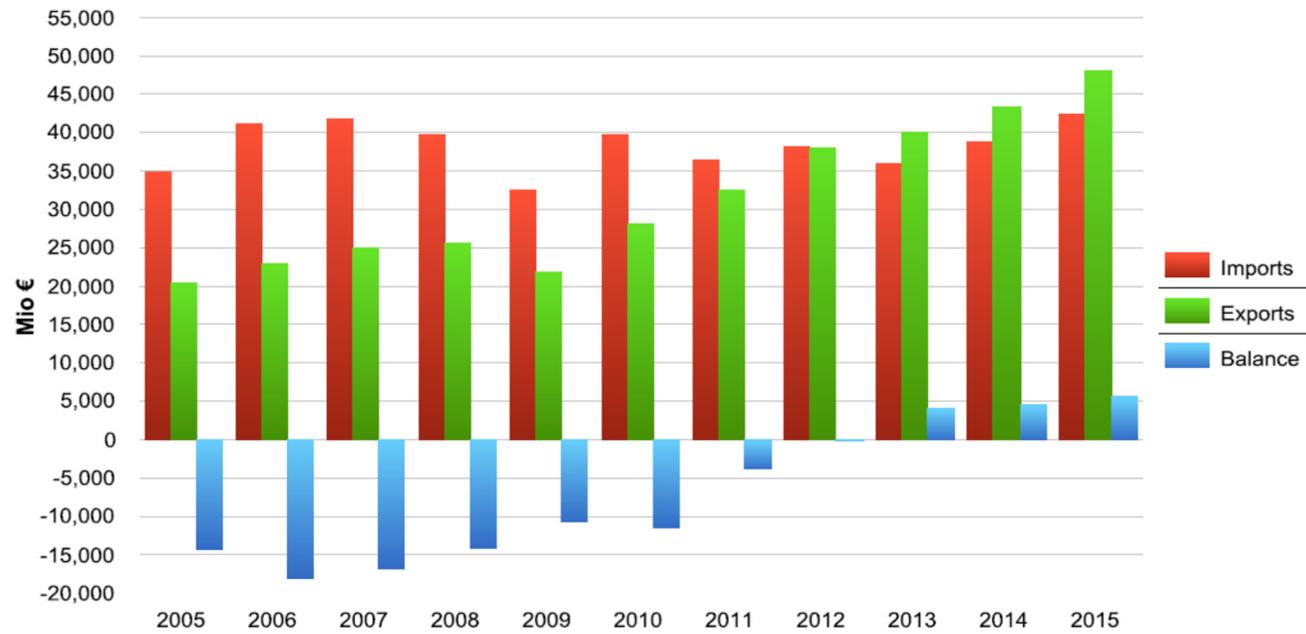
Greenhouse gas emissions by source sector, EU-28, 1990 and 2014



Source: Eurostat

## <APPENDIX 8>

Total goods: EU Trade flows and balance, annual data 2005-2015



Source: Eurostat Comext – Statistical regime 4

## <APPENDIX 9>

### European Union, Trade with South Korea: Trade flows by HS section 2011-2015

HS Sections	Imports Value Mio €				Exports Value Mio €			
	2012	2013	2014	2015	2012	2013	2014	2015
Total	38,017	35,837	38,772	42,350	37,812	39,910	43,188	47,841
I Live animals; animal products	72	52	72	87	624	516	886	887
II Vegetable products	20	22	24	27	242	427	242	371
III Animal or vegetable fats and oils	3	2	2	2	84	91	100	109
IV Foodstuffs, beverages, tobacco	77	85	103	153	806	785	913	1,004
V Mineral products	1,753	1,585	1,979	1,535	3,397	3,295	2,974	3,031
VI Products of the chemical or allied industries	1,096	1,305	1,815	2,510	5,146	5,014	5,241	5,582
VII Plastics, rubber and articles thereof	2,557	2,990	3,368	3,511	1,185	1,250	1,402	1,512
VIII Raw hides and skins, and saddlery	79	94	54	51	661	692	782	802
IX Wood, charcoal and cork and articles thereof	2	3	3	4	140	186	214	233
X Pulp of wood, paper and paperboard	120	110	134	149	319	307	305	340
XI Textiles and textile articles	1,055	1,082	1,158	1,237	736	749	842	1,010
XII Footwear, hats and other headgear	48	42	44	45	124	142	186	241
XIII Articles of stone, glass and ceramics	170	172	187	192	345	354	378	419
XIV Pearls, precious metals and articles thereof	389	310	299	150	244	344	621	640
XV Base metals and articles thereof	2,619	2,732	2,868	3,351	2,894	2,700	2,715	2,627
XVI Machinery and appliances	13,519	13,075	13,772	14,736	12,818	13,885	13,625	14,163
XVII Transport equipment	10,816	9,085	9,854	11,605	4,545	5,578	7,852	10,081
XVIII Optical and photographic instruments, etc.	3,025	2,599	2,451	2,361	2,240	2,450	2,536	2,947
XIX Arms and ammunition	16	10	6	15	5	6	5	6
XX Miscellaneous manufactured articles	277	315	361	331	354	397	422	581
XXI Works of art and antiques	6	7	22	14	33	29	32	53
XXII Not classified	299	158	197	285	870	715	914	1,201

## 국 문 초 록

### FTA 협상을 통한 EU 환경정책의 국제화 전략:

#### 한-EU FTA 사례연구를 중심으로

유럽연합은 세계 환경보호의 주도국으로서 엄격한 환경기준을 실행하고 있다. 유엔 기후변화 협약, 교토 의정서, 발리협약, 그리고 파리협약으로 이어지는 국제 기후변화 협정에서 유럽연합은 법적 구속력을 갖는 합의를 도출하기 위해 일관된 입장을 취해 왔다. 더불어 코펜하겐 협정의 실패에도 불구하고 온실가스 감축을 비롯한 환경 규제를 지속적으로 주도함으로써 세계 기후변화 체제에 적극적으로 참여해 왔다. 특히 역내 국가들의 무역과 환경정책의 조화를 추구함으로써 실행 효과성을 높여왔음을 확인할 수 있었다.

본 논문은 유럽연합이 환경정책의 실행 효과성을 높이기 위해 자유무역협정을 어떻게 활용해 왔는지에 대해 고찰하였다. 이에 대한 대답을 모색하기 위해 본 연구는 국내와 국제 법안의 호환성이 높을수록 실행 효과성 역시 높아진다는 전제를 제시한다. 이에 따라 호환성이 높은 유럽연합의 정책들이 삽입된 한-EU FTA 조문을 살펴봄으로써 결과적으로 이것이 유럽연

합 환경정책의 실행 효과성과 어떤 연관성을 갖는지 살펴보았다. 결과적으로 유럽연합이 고수해온 일관된 환경정책과 통상정책의 밀접한 관련성을 확인할 수 있었다.

주제어: 한-EU FTA, 환경정책, 통상정책, 세계 기후변화 협정

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