

## From blue wave to green wave? US climate policy and international climate politics ahead of the Santiago Climate Summit

**Bram De Botselier**

### Executive Summary

- ▶ The Democratic House majority has put climate change back on the national agenda, but legislation continues to be blocked by the Republican Senate and President Trump, with climate policy becoming an increasingly partisan topic.
- ▶ More potential exists on the state-level, where new Democratic trifectas have started to implement new climate policy. Several governors were (re-)elected on a pro-climate legislation platform and are now trying to turn their ideas into concrete policy proposals.
- ▶ Nevertheless, these positive developments are largely limited to liberal, coastal states. The US pro-climate coalition should be broadened to also include moderate and conservative states, by addressing their specific concerns on for instance coal mining and agriculture.
- ▶ Furthermore, in order for these developments on the regional level to have spillovers to international negotiations, there is a need for a regularly organized global political forum that includes sub-national entities and that has a broad enough agenda that would also appeal to more conservative actors.

The 2018 United States (US) midterm elections resulted in a victory for the Democratic Party, which secured the majority in the House of Representatives, in addition to picking up 7 governorships and hundreds of seats in various state legislatures. A significant number of these candidates were (re-)elected based on a pro-climate policy platform. The Republicans, on the other hand, tended to be much more skeptical towards climate measures in their campaigns and managed to increase their Senate majority by two seats. The election has thus resulted in a so-called divided government on the federal level, with the Republican Party holding the presidency and the Senate majority, and the Democrats the House majority. This

policy brief analyses to what extent the campaign promises regarding climate change have in the meantime materialized in concrete legislation, and how these will impact the international negotiations ahead of the 2019 Santiago Climate Summit (officially the 25<sup>th</sup> Conference of the Parties to the United Nations Framework Convention on Climate Change – COP-25 to the UNFCCC). While the federal level remains deadlocked, progress on climate policy has been made on the state-level. However, these entities have few possibilities to participate in the largely state-driven international climate negotiation process, limiting their chance to learn from best practices and to create positive spillovers. There is thus a need for a regularly organized international political forum that includes sub-national entities.



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## A divided federal government blocking climate policy progress?

The decision by US President Donald Trump to withdraw from the Paris Agreement in June 2017 did not come as a surprise (see also: Steinhauer 2018). Climate policy is a controversial issue in US domestic politics, and especially at the federal level. Despite key legislation having been implemented by Republican Presidents, such as the creation of the Environmental Protection Agency (EPA) by President Richard Nixon and clean air legislation under President George H.W. Bush, the contemporary Republican Party is generally more critical vis-à-vis climate change legislation, while the Democrats are more in favour. Although not necessarily surprising, Trump's decision to withdraw from the Paris Agreement had important consequences for global climate negotiations, most recently during the 24<sup>th</sup> Conference of the Parties (COP-24) in Katowice, Poland. The US delegation adopted a conservative approach regarding for instance the 1.5°C report by the Intergovernmental Panel on Climate Change (IPCC), but nevertheless stopped short of actively obstructing the overall negotiations.

It seems clear that the US federal government will not adopt a more progressive stance in the near future. The Fourth National Climate Assessment released in November 2018 contains several warnings regarding the adverse impact of climate change on the US economy, welfare, transportation and natural environment. Despite the report being a joint effort of 13 federal agencies under his own administration, President Trump stated that he did not believe its conclusions. Also within his own cabinet, Trump has gradually replaced people more supportive of climate measures with climate sceptics, for example Rex Tillerson being succeeded by Mike Pompeo (Secretary of State), H.R. McMaster by John Bolton (National Security Advisor) and John Kelly by Mick Mulvaney (Chief of Staff). Considering that negotiating treaties is a presidential prerogative, the midterm elections had no effect on the Trump administration's approach to climate change.

### *A Democratic House with limited powers*

This has been very different though in the US Congress. After picking up 41 seats in the House of Representatives, the Democratic Party is now in the majority. One of the first measures taken by House Speaker Nancy Pelosi was the establishment of the Select Committee on the Climate Crisis, after the Republicans had previously abolished a similar committee. Climate activists as well as some newly elected Members of Congress, the most well-known being Alexandria Ocasio-Cortez (New York), demanded that this committee would have legislative

powers so that it would be able to draft a Green New Deal, a comprehensive legislative package to cut greenhouse gas (GHG) emissions and support the energy transition. The eventual mandate is much more narrow and the main purpose of the committee is to put climate policy back on the national agenda and to review the environmental impact of the Trump administration's policies (Daily 2018).

It is, however, not all good news in the House for climate change, after the defeat of several members of the bipartisan Climate Solutions Caucus in the midterm elections. This Caucus was made up of an equal member of Democrats and Republicans and aims to educate Members of Congress on the dangers of global warming as well as on economic solutions to combat climate change. However, about half of the Republican members, including co-chair and co-founder Carlos Curbelo (Florida), lost re-election or retired, creating an imbalance between the two parties. The Caucus has a mixed record. It was key in the defeat of a 2017 amendment that would have prevented the Department of Defence to look into the impact of climate change on national security. On the other hand, most of the Republican members voted in favour of condemning a possible carbon tax (Hu & Teirstein 2018). In this Congress, the climate credentials of some of its members have been questioned, and the Caucus has not been able to play a real role in the discussions (Beitsch 2019).

With the departure of several moderate members, the Republican Party has moved more towards climate scepticism. Conversely, the Democratic Progressive Caucus will heavily outnumber the moderate Blue Dog Coalition, since the latter has been decimated after the Republican wave years of 2010 and 2014 when many moderate Democrats lost re-election in red and purple districts (Bacon 2018). The increased share of conservatives in the Republican Party, and progressives among the Democrats, will thus lead to an even more partisan environment, where climate change remains a divisive issue. This division became very clear with regard to a proposal (H.R. 9) that sought to prevent President Trump from using federal funds to withdraw from the Paris Agreement, and to put a plan in place to meet the US' GHG emission reduction commitments. The proposal was approved by the House along partisan lines, with all Democrats in favour and all but three Republicans opposed. While the blue House majority will put climate change thus back on the national agenda, the even bigger partisan divide in the House will arguably not help the planet.

### *Overcoming the Republican Senate*

Even if the House managed to agree on climate legislation, the bill would most likely not make it to President Trump's desk as it would not pass the Senate, where Republicans increased their majority



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by two seats. Several moderate Democrats lost re-election, namely Bill Nelson (Florida), Joe Donnelly (Indiana), Claire McCaskill (Missouri) and Heidi Heitkamp (North Dakota). These have all been replaced by reliable Republican votes in opposition to climate measures. Furthermore, several moderate Republican Senators who indicated to (at least) believe in the science of man-made climate change, departed, such as Jeff Flake (Arizona), Dean Heller (Nevada), Bob Corker (Tennessee) and Orin Hatch (Utah) – or have passed away, in the case of John McCain (Arizona). This group of conservative Democrats and moderate Republicans was not a reliable pro-climate vote, as they often considered the economic costs of combatting climate change to outweigh the potential benefits. In some cases, however, they did support climate measures. Nevertheless, the group of Republicans who could be potentially convinced to support climate measures has now decreased in number. Just like in the House, this will create a more partisan environment where climate change becomes even more controversial. Key Senators left in this group of moderate Republicans are Lisa Murkowski (Alaska), Susan Collins (Maine), Ben Sasse (Nebraska), Rob Portman (Ohio), Pat Toomey (Pennsylvania), Lindsay Graham (South Carolina), Lamar Alexander (Tennessee) and Mitt Romney (Utah). Particularly Senators Alexander, Graham and Romney have been looking for ways to support private sector innovation in renewable energy, while nevertheless steering clear of supporting more comprehensive plans such as the Green New Deal (Bolton 2019).

Environmentalists were also worried about the top Democrat on the Senate Energy and Natural Resources Committee, which oversees climate policy. Joe Manchin has only been able to win successive elections for Governor and Senator of West Virginia, one of the most Republican states in the US and coal mining country, by touting his relatively conservative credentials. While he does not deny the science behind man-made climate change, he has been sceptical about the economic impact of climate measures. In 2010, he famously released a televised ad in which he shot the cap and trade bill, that had been under consideration, with a rifle. Fears of progressives that he would block climate legislation has proven to be somewhat true. Manchin does not support the Green New Deal and together with Committee Chairman Lisa Murkowski (Republican – Alaska) he has tried to steer the committee debate in the direction of carbon capturing rather than emissions reduction (Bowden 2019).

In short, while the Democratic majority in the House

has put climate change back national political agenda, concrete measures have not been approved and it is unlikely that ambitious climate policies will be put in place in the near future, as the Republican Senate remains overwhelmingly opposed. In some key areas, such as supporting private sector innovation or carbon capturing, it looks that a bipartisan compromise is possible.

### A green wave on the state-level?

While little has changed on the national level, more progress was made on the state-level (see Associated Press 2019). The Democratic Party managed to increase its number of *trifectas*, states where it controls both the governor's mansion as well as all chambers of the legislature, from 8 to 14. This has brought climate policy back on the political agenda and also created new enthusiasm to take concrete action. In the first four months of this year, state legislatures introduced 329 bills addressing GHG emissions, compared to 188 in all of 188 and 255 in 2017.

A first group of states where significant progress has been made, consists of Illinois, Maine, Nevada and New Mexico. All are Democratic-leaning states with a Republican in power until the Democrats won the 2018 gubernatorial election. The previous Republican governors had on several occasions vetoed climate policy and renewable energy legislation. Now, incumbent governors Janet Mills (Maine), Steve Sisolak (Nevada) and Michelle Lujan Grisham (New Mexico) have already signed proposals into law to modernize solar power policy, support renewable energy initiatives and set concrete green energy targets. Furthermore, all four states have in the meantime joined the US Climate Alliance, a bipartisan coalition of states that have committed to live up to the emission reduction targets under the Paris Agreement and the domestic Clean Power Plan. Also in this category of 'blue' states are Colorado and New York, where Governors Jared Polis respectively Andrew Cuomo are proposing stricter climate legislation after receiving voter support in the form of a Democratic Party-controlled legislature. Nevertheless, the renewable energy and GHG emission reduction targets are not always backed up by concrete proposals on how they will be achieved (Ibid.). It therefore remains to be seen to what extent the proposed plans will lead to tangible progress.

A second group consists of "purple" states, where elections are competitive and power switches between the Democratic and Republican Parties. Particularly important has been the election of Gretchen Whitmer



(Michigan) and Tony Evers (Wisconsin) as well as the comfortable re-election of Tom Wolf (Pennsylvania). All these states have in the meantime joined the US Climate Alliance, providing a significant boost to the alliance as it now includes three states (Michigan, Pennsylvania and Wisconsin) that unexpectedly voted for Donald Trump over Hillary Clinton in the 2016 presidential election. These governors have also proposed concrete climate policies, but with varying degrees of success as all four governors have to deal with Republican-controlled state legislatures. While Michigan Governor Whitmer has managed to work together with the legislature on some issues, this has proven more difficult when it comes to certain climate friendly measures as increasing taxes on gasoline. Wisconsin Governor Evers has a troubled relationship with the legislature, especially as it tried to strip him of some powers in the final months of the previous session (Wilson 2019). As such, it remains to be seen to what extent the broad plans of the Democratic governors will be put into practice by concrete legislation.

### *Bipartisan climate measures on the state-level*

The inclusion of Illinois, Michigan, Pennsylvania and Wisconsin in the US Climate Alliance has been important for its legitimacy, considering that it mainly consisted of liberal, coastal states. With the inclusion of additional states in the Great Lakes region as well as the Southwest (Nevada and New Mexico), the US Climate Alliance now covers 23 states and Puerto Rico or about 55% of the US population, more than half of its GDP and about one third of its GHG emissions (USCA 2019). It is nevertheless important to consider that, despite being bipartisan in name, these initiatives and other pro-climate policy initiatives are primarily led by Democratic Party-controlled blue and purple cities and states. The only exceptions are Maryland, Massachusetts and Vermont, very liberal coastal states where the incumbent Republican governors comfortably won re-election thanks to their moderate policies. Also North Carolina, the only Republican-leaning state in the alliance, is an exception to the rule, as it currently has a Democratic governor.

Nevertheless, big emitters as Florida, Ohio and Texas are not included, because they are Republican-leaning states with Republican incumbents. Moreover, even some Democratic governors, such as Laura Kelly (Kansas) and Steve Bullock (Montana) have been hesitant to propose climate legislation as they have been elected in very Republican states. Considering that Republicans also (partially) control 36 states and a significant number of GHG emissions, the coalition of pro-

climate states must be broadened to also include conservative Democrats and Republicans in order for state level action to somewhat mitigate the lack of progress on the federal level.

Luckily, there are several examples where climate friendly measures have been adopted with bipartisan support. In North Carolina, which favoured Trump over Clinton by 5.7 percentage points compared to the national average, several measures have been adopted by the Republican-controlled legislature to support the solar power industry. This does not necessarily mean that climate change concerns are the main drivers, as also arguments related to energy independence and the fact that it is simply good for business, play a role. Nevertheless, the measures have proven to be effective, as the state has now become the second largest producer of solar power in the US. A push to extend a ban on wind energy, due to concerns that the windmills would make military exercises more difficult, has been criticized by Republicans as well (Ouzts 2018). Also in Maine and Nevada, measures to support renewable energy have been adopted with bipartisan support. Another example is Idaho, where all federal and state offices are Republican-controlled. Nevertheless, it is also a state that has heavily invested in renewable energy (mainly hydropower) in an attempt to become less dependent on imported fossil fuels. Additionally, electrical power utility Idaho Power has recently set its own target of reaching 100% of energy production to come from renewable sources by 2045 (EIA 2918). These examples show that often, climate policy is possible at the state level, because it is simply good for business.

This shows that, locally, climate change is not such a partisan and divisive issue, and that measures can be taken with cross-party support. This can be explained by research on climate scepticism. Van Boven *et al.* (2018) found that both Democrats and Republicans generally believe in climate change, although the former more strongly than the latter, but that the distrust between members of the other party prevents bipartisan measures to be adopted. Concretely, Republicans tend to oppose climate measures proposed by Democrats because they distrust Democrats, rather than because they disagree with the content of the measures. Furthermore, in local politics, party affiliation often plays a less important role than in Washington D.C. By focusing on the side-benefits of climate policy, such as clean air and energy independence, this bipartisan coalition can be strengthened. The next section elaborates on how these states can be involved in international climate politics.



## Ensuring US involvement in climate negotiations: sideline Washington and talk to Sacramento?

It is thus clear that there will be no change in the position of the federal government ahead of the Santiago Climate Summit (COP-25) and the US position in international climate negotiations will not change. Even though significant progress has been and is being made at the state-level, this will have a limited impact on international climate politics, which are centred around the state-driven UNFCCC process. This is problematic, because due to the US leaving the Paris Agreement, a major emitter is being a drag during climate negotiations. Furthermore, the US is not the only country where a change of government has made the national administration much more hesitant to agree to higher ambition in climate policies. In major countries such as Australia, Brazil and Mexico, which played for different reasons key roles in the adoption of the Paris Agreement, new governments seem unlikely to push for increased levels of ambition in Santiago (De Botselier 2019). This is particularly problematic considering the importance of COP-25, which will be key to keeping up the level of ambition agreed upon in the Paris Agreement, especially since countries should enhance their GHG reduction commitments in 2020. COP-25 will thus be an important step in deciding whether the spirit of Paris is still alive. By involving state-level actors in the discussions, the negative effects of the lack of interest from national governments could at least somewhat be moderated.

This is not to say that US states have not at all been involved in international climate discussions. During COP-23 in Bonn, the We Are Still In coalition led by former New York Mayor Michael Bloomberg, then California Governor Jerry Brown and former US Vice President Al Gore conveyed the message that an important part of the US still wanted to respect the Paris Agreement. It hosted governors, members of Congress, business leaders and mayors and acted as an unofficial shadow delegation. Several countries made efforts to reach out to this group at and after COP-23. Governor Brown was invited by the European Parliament for a discussion on green energy, signed agreements with China and the EU regarding cooperation for green technology and coordination between their respective carbon markets, while the Canadian government teamed up with several governors to launch the North American Climate Leadership Dialogue that resulted in a joint Global Climate Action Summit in September 2018. The We Are Still In coalition was also present during COP-24 in Katowice, albeit at a lower political level.

## *Involving conservative states in international climate negotiations*

While this outreach to sub-national actors is undoubtedly positive, it is largely organized *ad hoc*, tends to only include liberal states, and its success heavily depends on individual office holders. The Global Climate Action Summit was centred around the states in the US Climate Alliance, which is largely made up of states led by Democratic governors. Moreover, few US governors have the necessary political experience and diplomatic clout to be welcomed by Chinese President Xi Jinping or join leaders from major countries for a conversation on climate change. While then California Governor Jerry Brown, four term governor of the world's fifth largest economy with decades of political experience, successfully navigated these diplomatic waters, the continuity of these efforts should not depend on the capacities of one individual.

Consequently, there is a need for summits and structured discussion forums that are regularly organized. A potential topic of discussion could be carbon pricing, which several states are now considering. Initiatives such as the Northeastern Regional Greenhouse Gas Initiative (RGGI) and particularly the Western Climate Initiative (WCI), need to be re-energized. California is for example the only member of the WCI that ended up implementing the promised carbon market. Thanks to its own experiences with the European Union's (EU) Emissions Trading Scheme (ETS), the Commission's Directorate-General for Climate Action (DG CLIMA) and these states could benefit from mutual learning. Right now, the priority should be on convincing those states that have expressed an interest in joining these initiatives, but stopped short of effectively implementing carbon pricing systems, such as Oregon, Virginia and Washington.

Again, however, this would mean that only liberal states are included. There is thus also a need to reach out to less obvious states, such as red states with Democratic governors (such as Kansas and Montana) or even Republican-led states (such as Florida, Ohio, West Virginia). These states could be targeted in such a way that their specific concerns are addressed. For example, coal mining states like Kentucky, West Virginia and Wyoming fear the socio-economic consequences of climate measures. Outreach to these states should thus focus on for example technological and financial aid needed to achieve the transition to renewable energy. Countries with similar issues, like Germany and Poland, could help address them and both sides could benefit from sharing experiences. Farming states like Iowa, Nebraska and North and



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South Dakota are facing challenges to make their agriculture more sustainable, similar to for example France and Spain. Rust Belt states as Indiana and Ohio worry about the cost of environmental legislation for manufacturing jobs, which have already decreased significantly in recent years. These concerns are shared by many other countries and also here there could be benefits from mutual learning.

There is thus a clear need for a regularly organized international political forum that includes sub-national entities and that has a broad enough agenda that would also appeal to more moderate and conservative states. This could be done by also discussing side-benefits of climate measures, such as energy independence. By simply including them in the discussion, they would already be forced to at least think about climate legislation, which can in turn create positive spillovers. The Polish presidency of COP-24 was criticized for organizing a climate summit in the coal mining city of Katowice, but it can also be seen as an example of how a coal-dependent economy with a conservative government is forced to participate in the climate debate. It is true that these conservative states are harder to convince of the need to implement climate legislation, but their collective contribution would nevertheless make an important difference. Indeed, it is relatively easy to convince a vegetarian that eating meat is not good for the environment. However, persuading convinced meat fans of this fact is much harder, but their collective potential contribution to a more limited meat consumption would nevertheless be more significant. Considering that the dire state of the planet's climate was once again confirmed by the IPCC's 1.5°C report (and the Fourth National Climate

Assessment report for the US specifically), also convinced meat fans will have to be persuaded to do their part. Only then can climate policy on the state-level somewhat compensate for the blockage on the federal level.

## Conclusion

This policy brief discussed how US internal climate policies have evolved a few months after new leaders have taken office in the aftermath of the 2018 midterm elections. The analysis shows that little has changed on the federal level and that the US will continue to be disengaged in international climate negotiations. However, progress has been made on the sub-national level, where several new governors have made climate commitments. The policy brief then found that there is a lack of participation of these sub-national entities in international negotiations. The political fora that includes these entities are largely organized *ad hoc*, tend to only include liberal states, and their success heavily depends on individual office holders. This leads to insufficient opportunities for mutual learning and makes spillover effects impossible. This could nevertheless be solved through a regularly organized international political forum with a broad enough agenda that would also appeal to more moderate and conservative states. The policy brief concluded by pointing out that, considering the problematic state of the climate as confirmed by the 1.5°C IPCC report, also their involvement is necessary for global climate negotiations to find a sustainable solution to combat climate change.



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