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Global Cities, Climate Change, and Transnational Lawmaking

1.1 INTRODUCTION

On 12 December 2015, when French Foreign Minister Laurent Fabius announced that a new climate change agreement had been signed, cheers erupted in the negotiation hall and elsewhere around the world.[1] States had finally concluded more than two decades of difficult multilateral negotiations.[2] However, there should be no illusions that we are on track to averting dangerous human interference with the climate system.[3] As noted 'with concern' in the Paris decision, based on the mitigation pledges that states submitted in advance of the Conference of the Parties (COP) in Paris, global greenhouse gas (GHG) emission levels will reach 55 giga-tonnes in 2030.[4] This far exceeds the 40 gigatonne limit necessary to hold the increase in the global average temperature to below 2 °C above pre-industrial

[1] Fiona Harvey, 'Paris Climate Change Agreement: The World's Greatest Diplomatic Success' *Guardian* (14 December 2015).

[2] For discussion of the Paris Agreement, see e.g. Daniel Bodansky, 'The Legal Character of the Paris Agreement' (2016) 25(2) *Review of European Community and International Environmental Law* 142; Christina Voigt, 'The Compliance and Implementation Mechanism of the Paris Agreement' (2016) 25 (2) *Review of European Community and International Environmental Law* 161.

[3] Article 2 of the United Nations Convention on Climate Change 1771 UNTS 163 (UNFCCC) states that the ultimate objective of the treaty is the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner. Yamin and Depledge argue that this objective is akin to an environmental quality standard; Farhana Yamin and Joanna Depledge, *The International Climate Change Regime: A Guide to Rules, Institutions and Procedures* (Cambridge University Press 2004), pg. 61.

[4] Para. 17, Decision 1/CP. 21: Adoption of the Paris Agreement, UNFCCC, Report of the Conference of the Parties on its twenty-first session, held in Paris from 30 November to 13 December 2015. The Paris Agreement entered into force on 4 November 2016, thirty days after the date on which at least fifty-five parties to the UNFCCC, accounting in total for at least an estimated 55 per cent of the total global GHG emissions, have deposited their instruments of ratification, acceptance, approval, or accession (Article 21(1)); UNFCCC, 'The Paris Agreement', online: http://unfccc.int/paris_agreement/items/9485.php (accessed on 1 December 2016).

levels.[5] While the Paris Agreement requires states to progressively ratchet up their climate mitigation targets,[6] it would not be wise to rely on states alone to address climate change. Solving a complex problem in a complex global society will require action beyond what states can shoulder. Tackling climate change requires pragmatic deliberation involving multiple sources of knowledge and experience, not simply the top-down involvement of 'increasingly detached and under-resourced diplomats paralyzed by geopolitical power plays, hidden value systems, or zero-sum distributional calculations'.[7]

While government delegates were in marathon negotiating sessions trying to conclude the Paris Agreement, banks, corporations, think tanks, consultancies, and various other organizations were holding 'side events' at multiple venues across Paris.[8] At the Climate Summit for Local Leaders, mayors from around the world gathered to discuss climate change and to highlight the significant role that cities play in reducing GHG emissions and increasing society's resilience to the impacts of climate change. At the end of the summit, the city leaders delivered a declaration intended to 'demonstrate their global leadership on climate policies'.[9] Mayors who signed the Paris City Hall Declaration undertook commitments to '[a]dvance and exceed the expected goals of the 2015 Paris Agreement' and 'deliver up to 3.7 gigatons of urban [GHG] emissions reductions annually by 2030 – the equivalent of up to 30 per cent of the difference between current national commitments and the 2 degree emissions reduction pathway identified by the scientific community'.[10] Following the Paris City Hall Declaration, the Lima-Paris Action Agenda (Focus on Cities) proposed a Five Year Vision to accelerate climate action in cities.[11] The aim is that, by the year 2020, 'local action and partnerships should be the new

5   Ibid.
6   Article 4(3) of the Paris Agreement states: 'Each Party's successive nationally determined contribution will *represent a progression beyond the Party's then current nationally determined contribution and reflect its highest possible ambition*, reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances' (emphasis mine).
7   Joost Pauwelyn, Ramses Wessel, and Jan Wouters, 'Informal International Lawmaking: An Assessment and Template to Keep It Both Effective and Accountable' in Joost Pauwelyn, Ramses Wessel, and Jan Wouters (eds), *Informal International Lawmaking* (Oxford University Press 2012), pg. 526.
8   For details of the official side events coordinated by the UNFCCC secretariat as well as events independently organized by observer organizations relating to the climate change negotiation process, see UNFCCC, *Side Events and Exhibits One Stop Shop*, online: http://unfccc.int/parties_and_obser vers/ngo/items/9325.php#Side%2520events (accessed on 1 July 2016).
9   Climate Summit for Local Leaders: Cities for Climate (4 December 2015), online: http://climatesum mitlocalleaders.paris (accessed on 1 March 2016).
10 *Paris City Hall Declaration: A Decisive Contribution to COP21*, online: http://climatesummitlocallea ders.paris/content/uploads/sites/16/2016/01/CLIMATE-SUMMIT-LOCAL-LEADERS-POLITICAL-DECLARATION-PARIS-DEC-4–2015.pdf (accessed on 1 March 2016).
11 Lima-Paris Climate Agenda, 'Cities and Regions Launch Major Five-Year Vision to Take Action on Climate Change', online: http://newsroom.unfccc.int/lpaa/cities-subnationals/lpaa-focus-cities-regions-across-the-world-unite-to-launch-major-five-year-vision-to-take-action-on-climate-change/ (accessed on 1 March 2016).

norm globally'.[12] In an interview with the *Financial Times*, the mayor of Paris, Anne Hidalgo, said, '[Cities] are more practical; we have the capacity to act faster and the decisions are closer to reality. We can mobilize all actors, public and private ... [which is] more complicated for the state'.[13]

Mayor Hidalgo's opinion captures the essence of how cities perceive and situate themselves within the contemporary global effort to govern climate change. Cities do not claim to be simply implementers of international climate policy; they have positioned themselves as central participants and stakeholders, in their own right, of the global climate governance effort.[14] While early efforts by cities to address climate change (1990s–early 2000s) were mainly concerned with driving local action in the face of national recalcitrance and stalemate in international negotiations, cities today aim to play a prominent role in global climate change governance, including the formal international lawmaking process – the United Nations Framework Convention on Climate Change (UNFCCC).[15] In 2010, local and sub-national governments were conferred recognition as 'governmental stakeholders' within the UNFCCC regime in the Cancun Agreements.[16]

The ambition to take on a global role may be viewed as a natural extension of the increasingly significant participation of cities in multi-level climate governance arrangements, particularly in the European Union (EU). Within the EU, cities such as Southampton (United Kingdom) and Munich (Germany) are leading in terms of their development of local climate change strategies as well as their active engagement in climate protection networks such as Climate Alliance and Energy Cities.[17] As authority within the EU has not only shifted upwards from member states to European institutions but has also dispersed downwards to sub-national levels, municipal networks cooperate with each other to increase their influence and

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12 Lima-Paris Climate Agenda, 'A 5-Year Vision', online: http://newsroom.unfccc.int/media/544092/lpaa-five-year-vision.pdf, pg. 4 (accessed on 1 March 2016).

13 Michael Stothard, 'Mayors Call for More Powers to Fight Climate Change' *Financial Times* (4 December 2015).

14 Michele Acuto, 'The New Climate Leaders?' (2013) 39 *Review of International Studies* 835.

15 It should also be noted that earlier urban climate action efforts primarily focused on ways to link climate change to issues already on the local agenda, such as improving air quality. Since the 2000s, there have been shifts in cities' climate governance agendas towards the need to scale localized actions and impacts up to the global level in order to achieve aggregate global effects; Harriet Bulkeley, 'Cities and the Governing of Climate Change' (2010) 35 *Annual Review of Environment and Resources* 229.

16 Decision 1/CP.16 The Cancun Agreements: Outcome of the Work of the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention, para. 7.

17 In terms of number of members, Climate Alliance claims to be the 'largest European city network dedicated to climate action'; Climate Alliance, 'About Us', online: www.climatealliance.org/about-us.html; Energy Cities is a European network of local authorities focused on energy transition and sustainable energy. Amongst its key objectives is 'to represent [local authorities'] interests and influence the policies and proposals made by European Union institutions in the fields of energy, environmental protection and urban policy'; Energy Cities, 'Main Objectives', online: www.energy-cities.eu/-Association,8- (accessed on 1 March 2016).

solicit EU funding.[18] At the same time, these networks can help the European Commission implement EU policies through the exchange of best practices and the production of standards which member cities are required to implement.[19] In brief, cities have evolved from being 'passive implementers' to 'active co-decision makers' in the EU climate governance context.[20] Their experience of working across various levels of governance and cooperating through networks to develop and implement governance initiatives has created fertile ground for 'up-scaling' these efforts to the transnational level.

As global governors – i.e. 'authorities who exercise power across borders for purposes of affecting policy'[21] – cities have created networks that connect thousands of cities across the globe. These networks operate across the public-private divide, forming partnerships and cooperating with other actors, be they multinational corporations, global non-governmental organizations (NGOs), or philanthropic foundations.[22] They seek to distil and disseminate authoritative and credible information to their member cities throughout the world. The networks also aggregate the influence of cities so that they have a more prominent collective voice in international forums such as the UNFCCC.

There are four transnational networks working in the area of city-focused and city-driven climate governance: (i) ICLEI – Local Governments for Sustainability (ICLEI), (ii) United Cities and Local Government (UCLG), (iii) the World Mayors Council on Climate Change, and (iv) the C40 Cities Climate Leadership Group (C40). Through these networks, cities around the world create physical and virtual platforms to share best practices and experience. They utilize information and communication technologies to create collective knowledge as well as enhance transparency, which in turn fosters legitimacy.[23] For ease of reference, this book will refer to these transnational networks of cities as *city networks*.

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[18]   Kristine Kern and Harriet Bulkeley, 'Cities, Europeanization and Multi-Level Governance: Governing Climate Change through Transnational Municipal Networks' (2009) 47 *Journal of Common Market Studies* 309, pg. 313.

[19]   Ibid.

[20]   Kristine Kern and Arthur P. J. Mol, 'Cities and Global Climate Governance: From Passive Implementers to Active Co-Decision-Makers' in Mary Kaldor and Joseph E. Stiglitz (eds), *The Quest for Security: Protection without Protectionism and the Challenge of Global Governance* (Columbia University Press 2013), pg. 288.

[21]   Deborah D. Avant, Martha Finnemore, and Susan K. Sell (eds), *Who Governs the Globe?* (Cambridge University Press 2010), pg. 2.

[22]   See discussion in Chapter 5.

[23]   An example drawn from Chapter 5 is the carbon*n*® Climate Registry. This is an online reporting platform that allows sub-national governments to publicly report their climate actions. Anyone with an Internet connection can gain access to the carbon*n* Climate Registry to monitor whether a city has fulfilled its climate action commitments. Such transparency mechanisms allow the media, civil society, and citizens to play a quasi-monitoring and enforcement function. On its website, carbon*n* Climate Registry is described as 'designed as the global response of local and sub-national governments towards measurable, reportable and verifiable climate action'; online: http://carbonn .org (accessed on 1 July 2016).

Briefly, ICLEI coordinates local government representation in several UN processes related to Agenda 21 and the Habitat Agenda.[24] It has observer status at the UNFCCC and has been a leading advocate for greater recognition of the role of local and sub-national governments in the international climate change regime.[25] UCLG's stated mission is 'to be the united voice and world advocate of democratic local self-government', and it facilitates programmes and partnerships to build the capacity of local governments.[26] UCLG's global agenda includes disaster risk reduction, the 2030 Agenda for Sustainable Development, water and sanitation, and climate change.[27] The third network is the World Mayors Council on Climate Change, founded in December 2005 by the mayor of Kyoto (Japan) soon after the Kyoto Protocol entered into force in February 2005.[28] The network receives technical and strategic support from ICLEI.[29] Since the adoption of the 2012 Seoul Declaration of Local Governments on Energy and Climate Mitigation, the World Mayors Council on Climate Change has been relatively quiet and primarily involved in supporting other networks (e.g. ICLEI) and initiatives such as the Compact of Mayors (which will be discussed in detail later).[30] Finally, C40 can be described as being the most well-known network of cities addressing climate change. It has rapidly gained prominence because of its unique focus on global cities and climate change (while the other three networks address climate change as one of many issue areas that they work in) as well as the partnerships it has fostered with high-profile organizations such as the World Bank and the Clinton Foundation.[31] This book will focus on C40, because both its global city membership and modus operandi render it well suited for a study of how global cities engage in hybrid public-private governance arrangements in addressing climate change and how these arrangements produce norms, practices, and voluntary standards.

The United Nations (UN) has also embraced the urban agenda. For example, in support of the previously mentioned Five Year Vision, the UN has formed a 'sub-national action hub' that will entail a wide mobilization of UN agencies to help cities and regions increase the scale and number of climate actions and plans.[32]

[24] ICLEI, 'Recognizing, Engaging and Resourcing Local Governments', online: www.iclei.org/activities/advocacy.html (accessed on 1 July 2016).

[25] ICLEI at COP21, online: www.iclei.org/activities/advocacy/cop21.html (accessed on 1 July 2016).

[26] United Cities and Local Government, online: www.uclg.org/en (accessed on 1 July 2016).

[27] Ibid.

[28] World Mayors Council on Climate Change, online: www.worldmayorscouncil.org/home.html (accessed on 1 July 2016).

[29] Ibid.

[30] 2012 Seoul Declaration of Local Governments on Energy and Climate Mitigation, online: www.worldmayorscouncil.org/fileadmin/Documents/Seoul/2012_SeoulDeclaration_ofLocalGovernments_onEnergyandClimateMitigation.pdf (accessed on 1 July 2016).

[31] See discussion in Chapter 5.

[32] Lima-Paris Climate Agenda, 'Cities and Regions Launch Major Five-Year Vision to Take Action on Climate Change'. The UN agencies include the UN Environment Programme (UNEP), the UN Development Programme (UNDP), UN-Habitat, the World Health Organization (WHO), the World Bank, and the UN Industrial Development Organization (UNIDO).

In 2018, the Intergovernmental Panel on Climate Change (IPCC) will hold a major scientific conference to further develop scientific understanding of climate change and cities, a key recognition of the role of cities in addressing climate change.[33] The Sustainable Development Goals (SDGs) finalized by negotiators from UN member states in September 2015 also recognize the significance of the urban unit in determining the state of the environment. SDG 11 challenges policymakers and governments to '[m]ake cities and human settlements inclusive, safe, resilient and sustainable'.[34] Cities are also working directly with international organizations like the UN Human Settlements Programme (UN-Habitat) and the World Bank to address climate change as part of a larger, multipronged urban sustainable development agenda.[35] In doing so, cities are engaging in transnational relations that bypass national governments and forging a direct link between the local level and international organizations.

1.2 THE SUBJECT MATTER OF THIS BOOK: THE LAWMAKING ROLE OF FIVE CITIES IN TRANSNATIONAL CLIMATE CHANGE GOVERNANCE

Although there is a large body of literature on 'cities and climate change governance' that continues to grow rapidly, few scholars have considered the legal effect and normative relevance of cities' governance activities.[36] This book aims to fill this gap in the literature by examining the emergence of cities as actors that are producing and implementing norms, practices, and voluntary standards that transcend state boundaries to steer the behaviour of cities towards reducing GHG emissions and

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[33] Cities and Climate Change Science Conference (Edmonton, Canada, 5–7 March 2018), online: www.citiesipcc.org (accessed on 1 August 2017).

[34] UN Sustainable Development Goals, online: https://sustainabledevelopment.un.org/?menu=1300 (accessed on 1 August 2016).

[35] For example, the Low Carbon, Livable Cities initiative sees the World Bank eschewing the traditional approach of multilateral cooperation and bypassing the state to work directly with city officials; see discussion in Section 3.3.

[36] On cities and climate change, see for example Michele M. Betsill and Harriet Bulkeley, 'Transnational Networks and Global Environmental Governance: The Cities for Climate Protection Program' (2004) 48 *International Studies Quarterly* 471; Harriet Bulkeley and Michele Betsill, 'Rethinking Sustainable Cities: Multilevel Governance and the "Urban" Politics of Climate Change' (2005) 14 *Environmental Politics* 42; Ute Collier, 'Local Authorities and Climate Protection in the European Union: Putting Subsidiarity into Practice?' (1997) 2 *Local Environment* 39; Gard Lindseth, 'The Cities for Climate Protection Campaign (CCPC) and the Framing of Local Climate Policy' (2004) 9 *Local Environment* 325; Renske den Exter, Jennifer Lenhart, and Kristine Kern, 'Governing Climate Change in Dutch Cities: Anchoring Local Climate Strategies in Organisation, Policy and Practical Implementation' (2014) *Local Environment: The International Journal of Justice and Sustainability*; Joyeeta Gupta, Ralph Lasage, and Tjeerd Stam, 'National Efforts to Enhance Local Climate Policy in the Netherlands' (2007) 4 *Environmental Sciences* 171; Heleen Lydeke, P. Mees, and Peter P. J. Driessen, 'Adaptation to Climate Change in Urban Areas: Climate-Greening London, Rotterdam, and Toronto' (2011) 2 *Climate Law* 251.

developing low-carbon alternatives for the future. These norms, practices, and voluntary standards impose limitations on how cities develop by requiring them to take climate risks into account and to consciously develop practices, policies, and regulations to reduce their emissions of harmful GHGs from, for example, landfills, transportation systems, and buildings. On the basis of the impact or effect that voluntary standards and practices have on cities and their authorities, it can be argued that they constitute normative products.

In this book, I adopt a pluralistic conception of what constitutes law and therefore use the term *law* in a broader sense.[37] It includes statements and guidelines that are not, strictly speaking, part of law but would be considered part of a broader normative or legal process. The divide between law and non-law has been the subject of long-standing discourse amongst legal theorists, and I do not intend to delve into that debate. This book situates itself firmly within the tradition that eschews a binary conception of law (i.e. an instrument is either law or it is not) and regards legal normativity as a sliding scale of varying degrees of normativity.[38] Within this tradition are the 'law as process' school and the New Haven school of international law. Former president of the International Court of Justice Rosalyn Higgins, for example, is a proponent of law as process and has argued that '[i]nternational law is not rules' or 'accumulated past decisions', but rather a continuous process from the formation of rules to their refinement through specific application by various actors, including governments, multinational corporations, international courts, and tribunals.[39] According to the New Haven school, lawmaking is a 'process of authoritative decision by which members of a community clarify and secure their common interests'.[40] It is a broad social phenomenon deeply embedded in the practices and beliefs of a society and shaped by interactions within and amongst societies.[41]

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[37] On legal pluralism, see e.g. Paul Schiff Berman, *Global Legal Pluralism: A Jurisprudence of Law beyond Borders* (Cambridge University Press 2014); Balakrishnan Rajagopal, 'The Role of Law in Counter-Hegemonic Globalization and Global Legal Pluralism: Lessons from the Narmada Valley Struggle in India' (2005) 18 *Leiden Journal of International Law* 345; Gunther Teubner, '"Global Bukowina": Legal Pluralism in the World Society' in Gunther Teubner (ed), *Global Law without a State* (Dartmouth Publishing Company 1997). For a critique of the lack of continuity between 'global legal pluralism' and the older anthropological and socio-legal accounts of legal pluralism, see William Twining, 'Normative and Legal Pluralism: A Global Perspective' (2010) *Duke Journal of International and Comparative Law* 473–517.

[38] For a binary conception of law, see Jan Klabbers, 'The Redundancy of Soft Law' (1996) 65 *Nordic Journal of International Law* 167.

[39] Rosalyn Higgins, *Problems and Process: International Law and How We Use It* (Clarendon Press 1995), pgs. 2–3.

[40] Harold D. Lasswell and Myres S. McDougal, *Jurisprudence for a Free Society: Studies in Law, Science and Policy* (Martinus Nijhoff Publishers 1992), pg. xxi.

[41] Levit offers an account of 'bottom-up international lawmaking' in which lawmaking 'is a process whereby practices and behaviors gel as law' and both public and private actors 'join with others similarly situated in avocation (although often quite distant in location) to share experiences and standardize practices towards shared goals'; Janet Koven Levit, 'Bottom-Up International Lawmaking: Reflections on the New Haven School of International Law' (2007) 32 *Yale Journal of International Law* 393, pg. 409.

Adopting these conceptions of international lawmaking, this book argues that when cities construct and implement norms, practices, and voluntary standards, they are making and implementing law. The emergence of cities as jurisgenerative actors in the context of transnational climate change governance is the focus of this book.[42]

The participation of cities in transnational legal processes invites us to re-examine theories of international lawmaking that posit the state as the only legally relevant actor in international affairs. From a classical international law perspective, a city does not have international legal personality because it is deemed to be a part of the state in which it is physically and jurisdictionally embedded. Therefore, according to classical international law, the actions of cities are attributable solely to their states. If Rotterdam undertakes to reduce its GHG emissions, it simply counts towards the Netherlands' international legal obligations to mitigate climate change and does not have independent relevance for the purposes of public international law. The norms, practices, and voluntary standards that cities develop and convey through their transnational networks are also not recognized to be international law, as they are not amongst the traditional sources identified in Article 38(1) of the Statute of the International Court of Justice.

However, in the first decade of the twenty-first century, international law scholars (and those studying law and globalization more generally) increasingly recognize that we inhabit a world of multiple normative communities. After globalization, privatization, and trade liberalization swept through the world in the 1980s and 1990s, regulation and standard setting ceased to be the exclusive domain of states and international organizations. Business actors, professional associations, and NGOs have become involved in developing and implementing regulatory initiatives and voluntary codes of conduct, for example.[43] Of course, these norms have varying degrees of impact, 'but it has become clear that ignoring such normative assertions as somehow not "law" is not a useful strategy'.[44] Accordingly, what we see emerging are approaches to international law drawn from legal pluralism and transnationalism. Through its examination of cities as an emerging normative community in the sphere of transnational climate change governance, this book seeks to contribute to the larger discussions about the

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[42]   Steven Wheatley argues, '[t]he defining characteristic of a non-state "jurisgenerative" actor is its capacity to establish international governance norms that frame the context for action by states, corporate entities and individuals'. Further, it can be said that non-state actors exercise political authority, an activity traditionally associated with the state, when their jurisgenerative efforts have practical effect; Steven Wheatley, 'Democratic Governance beyond the State: The Legitimacy of Non-State Actors as Standard Setters' in Anne Peters et al. (eds), *Non-State Actors as Standard Setters* (Cambridge University Press 2009), pg. 220.

[43]   See Section 6.2 for discussion.

[44]   Paul Schiff Berman, 'A Pluralist Approach to International Law' (2007) 32 *Yale Journal of International Law* 301, pg. 302.

evolving nature of the state and international lawmaking processes in a world of increasing global pluralist governance.[45]

This book is also likely to be of interest to scholars of climate change policy. As mentioned earlier, there already exists an abundant literature on cities and climate change. There are numerous studies on the opportunities and barriers that cities face in mitigating and adapting to climate change, comparative case studies, and analyses of urban participation in hybrid governance initiatives.[46] However, to the best of my knowledge, none has considered the role of cities as norm-setters and the legal meaning of the climate governance activities in which cities engage. Neither have any studies, as far as I know, considered the interaction between the norms, practices, and voluntary standards that city networks have generated (and are putting into effect) and traditional sources of climate law such as the COP decisions of the UNFCCC and the Paris Agreement. This book therefore attempts to shed light on the transnational lawmaking dimension of the role that cities play in governing climate change. I hope that this book will enrich our understanding of a complex world prolific with climate change governance experiments that involve many public and private actors.

1.2.1 *The Focus on Global Cities*

Thousands of cities are members of networks like C40, the Covenant of Mayors for Climate and Energy,[47] the Carbon Neutral Cities Alliance,[48] and

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45 For discussion of pluralist global governance, see Grainne de Burca, Robert O. Keohane, and Charles Sabel, 'New Modes of Pluralist Global Governance' (2013) 45 *New York University Journal of International Law and Politics* 723.

46 In addition to the works listed in 36, see e.g. Melissa Powers, 'US Municipal Climate Plans: What Role Will Cities Play in Climate Change Mitigation?' and Elizabeth Schwartz, 'Local Solutions to a Global Problem? Climate Change Policy-Making in Vancouver' in Benjamin Richardson (ed), *Local Climate Change Law: Environmental Regulation in Cities and Other Localities* (Edward Elgar Publishing 2012); Mikael Granberg and Ingemar Elander, 'Local Governance and Climate Change: Reflections on the Swedish Experience' (2007) 12 *Local Environment* 537; Benjamin J. Deangelo and L. D. Danny Harvey, 'The Jurisdictional Framework for Municipal Action to Reduce Greenhouse Gas Emissions: Case Studies from Canada, the USA and Germany' (1998) 3 *Local Environment* 111.

47 The European Commission launched the Covenant of Mayors for Climate and Energy after the adoption of the EU Climate and Energy Package in 2008 to support local authorities in the implementation of climate mitigation and sustainable energy plans. Members of the Covenant of Mayors are eligible for funding opportunities availed by the Committee of Regions and the European Investment Bank. To become a member of the Covenant of Mayors, a local authority must give a formal undertaking to prepare a baseline emissions inventory, submit a sustainable energy action plan, and submit an implementation status report at least once every second year after submission of the sustainable energy action plan. Signatories face the possibility of suspension if they fail to submit the requisite documents within established deadlines. See the Covenant of Mayors for Climate and Energy, 'Commitment Document', online: www.covenantofmayors.eu/IMG/pdf/ CoM_CommitmentDocument_en.pdf (accessed on 1 July 2016).

48 The Carbon Neutral Cities Alliance is a project of the Urban Sustainability Directors Network, which is a 'peer-to-peer network of local government professionals' from cities across North America. On 27 March 2015, the mayors of seventeen major cities (nearly half of which are US cities, including

Eurocities,[49] to name a few. These networks have emerged to facilitate the exchange of ideas, information, and best practices amongst cities. Some networks also seek to give collective representation to urban interests and engage in political advocacy at the international level (e.g. ICLEI) and at the regional level (e.g. Eurocities). Many mid-sized cities are members of multiple networks and at some point may decide to consolidate their resources and focus on participating in networks that confer the most benefits.[50] Many cities are not likely to have the resources to participate in transnational networks that are geared towards scaling up city climate actions to the global level. For example, a vice-mayor of a mid-sized city in Greece shared in an interview that her city participated in many networks. In 2016, the mayor's office decided that it was a priority for the city to become a member of Eurocities, the regional network that is the active lobbyist for urban interests at the EU level.[51] The annual membership fee of 15,000 euros is considered hefty for a city of its size. The city's government therefore decided to withdraw from all networks that required membership fees in order to pay for the Eurocities membership. In light of this type of situation, a working assumption I adopted at an early stage of research for this book is that not all cities have the motivation and/or the resources to become globally relevant actors in climate governance.

The cities that are proactive leaders in the climate change arena tend to be those that command significant political and economic resources. These are often hubs of global trade, transnational capital, and cultural flows. In other words, the cities that are leading the current wave of urban climate action are what Saskia Sassen calls *global cities*. Sassen defines today's global cities as '(1) command points in the organization of the world economy, (2) key locations and marketplaces for the

Boston, Washington DC, and New York City) announced the launch of this alliance, which will work with member cities to achieve the goal of reducing their GHG emissions by at least 80 per cent by 2050 or sooner. See Carbon Neutral Cities Alliance, online: http://usdn.org/public/page/13/CNCA (accessed on 1 July 2016).

[49]   Eurocities works across a range of areas, including environmental sustainability, social cohesion, and culture. Its 'objective is to reinforce the important role that local governments should play in a multilevel governance structure' and to represent the interests of municipal authorities at the EU level. The Eurocities project team monitors relevant EU funding calls and provide members with funding forecasts, briefs, and opportunities to find project partners. Eurocities also works with EU institutions and national governments to ensure that EU legislation can be properly implemented at the local level. See Eurocities, online: www.eurocities.eu/eurocities/about_us (accessed on 1 July 2016).

[50]   Acuto and his colleagues have made a similar observation. They argue that the vast number of networks presents city governments with the dilemma of deciding where they should focus their networking efforts, bearing in mind that the more networks a city participates in, the greater the burden placed on an already-stretched municipal government for communication, reporting, and collaborative engagement; Michele Acuto, Mika Morissette, and Agis Tsouros, 'City Diplomacy: Towards More Strategic Networking? Learning with WHO Healthy Cities' (2017) 8(1) *Global Policy* 14.

[51]   Interview No. 7.