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Fit & Fair for 55?

A frame analysis of fairness arguments on the EU's 2021 emission reduction proposals within the Council of the European Union

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Abstract

Fairness, usually not a common consideration in international bargaining, features prominently in global climate negotiations. Also, within the European Union, typically (self-)portrayed as a unified climate actor, discussions concerning fair emission reduction targets divide the Member States. However, reaching fair agreements is the prerequisite for keeping to them, and thus understanding what fairness means for EU countries is paramount for future climate action. By analyzing the debates around the union's most recent emission reduction proposal, *Fit for 55*, this work aims at answering the research questions of how EU Member States invoke and frame different fairness principles and how they thereby cluster argumentatively. Relying on frame theory and qualitative content analysis, eight debates in different constellations of the Council of the EU are coded. Among the eleven fairness principles found, those of capacity, flexibility, and just transition are raised most frequently, while generational justice and responsibility are invoked rarely. Furthermore, two argumentative groups can be identified: those referring to fairness as capacity, need, and equal burden sharing, and those framing fairness as equality, cost-efficiency, and flexibility. While the former group consists mostly of states with below EU-average GDP per capita, the latter group exclusively contains states with above EU-average GDP per capita. Thus, argumentative fairness patterns seem to reflect economic circumstances, a finding that can be helpful for future emission reduction allocations and the calculation of resources for mitigation efforts and financial burden sharing.

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Abbreviations

BSA	Burden Sharing Agreement
CBAM	Carbon Border Adjustment Mechanism
CERP	Climate Equity Reference Project
CFSP	Common Foreign and Security Policy
COP	Conference of the Parties
COREPER	Committee of the Permanent Representatives of the Governments of the Member States to the European Union (also: Permanent Representatives Committee)
ECSC	European Coal and Steel Community
ESR	Effort Sharing Regulation
EU	European Union
ETD	Energy Taxation Directive
ETS	Emission Trading System
GDP	Gross Domestic Product
GHG	Greenhouse Gas
IJI	Intergenerational Justice Index
IPCC	International Panel on Climate Change
LULUCF	Land Use, Land Use Change, and Forestry
MFF	Multiannual Financial Framework
NDC	Nationally Determined Contribution
NECP	National Energy and Climate Plan
QCA	Qualitative Content Analysis
SCF	Social Climate Fund
SME	Small and medium-sized enterprises
TFEU	Treaty on the Functioning of the European Union
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

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1. Introduction

"This is the make-or-break decade in the fight against the climate and biodiversity crises. The European Union has set ambitious targets and today we present how we can meet them. Getting to a green and healthy future for all will require considerable effort in every sector and every Member State. Together, our proposals will spur the necessary changes, enable all citizens to experience the benefits of climate action as soon as possible, and provide support to the most vulnerable households. Europe's transition will be ***fair****, green and competitive."*

Frans Timmermans*, Brussels, July 14, 2021*

Seven years after the adoption of the Paris Agreement, the need to reduce greenhouse gas (GHG) emissions is as urgent, if not more urgent, than ever. At the current pace of global warming, increasingly drastic emission reductions are needed to reach the 1.5°C or 2°C targets agreed on in Paris (IPCC, 2022). However, the striking difference between who has caused climate change and who is suffering from it make international negotiations about emission reduction burdens immensely difficult. These inequalities have also opened the stage for a topic that is usually debated less prominently in the international realm: the notion of fairness. If "the average carbon footprint in the top 1% [of carbon emitters] is more than 75 times higher than that in the bottom 50%" (Bruckner et al., 2022, p. 3), should the bottom 50% of emitters be exempted from emission reductions? If not, what is the adequate financial compensation for offsetting others' excess emissions? These fairness-related questions are increasingly debated in research on international climate agreements, but they have also entered the European debate. As the quote above by Executive Vice-President for the European Green Deal, Frans Timmermans, demonstrates, the European Union (EU) is well aware of the need to ensure a fair distribution of emission reduction burdens among its Member States. But how is fairness in climate change debated within the EU, and who decides what is fair?

The European Union and its Member States are parties to the United Nations' (UN) Framework Convention on Climate Change (UNFCCC), established in 1992. As a major institution for the negotiation of international climate change agreements such as the Paris Agreement, it encourages fair and ambitious emission reductions, called mitigation (UN, 2015). However, neither the UNFCCC nor the European Union explicitly define what is fair and ambitious. This is problematic for the distribution of burdens and international climate action,

especially considering that states are more likely to adhere to mitigation agreements if they perceive them as fair (Klinsky et al., 2017). In the absence of a common definition, many scientific studies calculate fair shares under various fairness indicators such as responsibility for emissions and capacity to reduce them. They conclude that especially developed countries such as the EU Member States are far from contributing their fair share needed to meet the Paris targets (Climate Action Tracker, 2021; Holz et al., 2018; Robiou du Pont et al., 2016; Höhne et al., 2014). Given this dim prediction, it is of crucial importance to consider and better define fair shares and corresponding emission reduction responsibilities.

With the Commission's introduction of its *Fit for 55* package in July 2021, the EU as the fourth largest emitter of global greenhouse gases has outlined a way to meet its ambitious target to reduce emissions by 55% compared to 1990 levels by 2030 (European Commission, 2021*;* 2020*a;* Ritchie & Roser, 2020). But while the EU is often portrayed as a unified actor (Matthes et al., 2018*a*), its composition of 27 sovereign Member States means that it also faces internal debates about fair mitigation burdens (Ringius, 1999). After all, the promised 55% in emission reductions have to be divided, and previous studies show that the EU is more fragmented in positions on fair shares than it appears (Woods & Kristófersson, 2015). A case in point is the recent debate on which energy sources should be labeled as sustainable under the EU's green taxonomy and on how to ensure energy security in a fair phase-out of Russian fossil fuels. Both reveal divides and varying dependencies within the union (Simon & Taylor, 2022). In light of these discussions, it is worth examining the European debates on what is fair and what is not.

The first studies on climate-related fairness debates within the EU emerged during the union's pre-Kyoto[1] negotiations on how the EU's mitigation target could be internally shared. They reveal vastly different understandings of fairness and related burden-sharing proposals in the Member States (Ringius, 1999; Phylipsen et al., 1998). Since then, the urgency of combatting global warming has rendered the discussion on fair internal burden sharing even more important. And as the above quote by Frans Timmermans reveals, the EU wants to ensure a fair distribution of burdens between its Member States. Nevertheless, while there is abundant fairness literature at the UN level (see e.g. Castro, 2020; Audet, 2013), there is a striking lack of recent academic work on EU-internal debates on distributing emission reduction burdens fairly.

[1] The term *pre-Kyoto* refers to the time before the third Conference of the Parties (COP3) to the UNFCCC in December 1997, also called Kyoto Climate Change Conference.

This working paper sets out to study this research gap by examining the debates on emission reduction fairness in the context of the EU's recent *Fit for 55* package within the Council of the European Union. In doing so, it aims at answering the following research questions:

How do EU Member States invoke and frame different fairness principles in the debate on GHG emission reduction policies under the proposed Fit for 55 package?

How do fairness frames and argumentative patterns cluster among the 27 Member States?

Since the fairness of emission reduction shares has a significant effect on compliance and public support, understanding how fairness is perceived within the EU Member States, together forming one of the largest global emitters and climate leaders, is crucial (Zimm & Nakicenovic, 2020). It will be central for encouraging financing and reduction efforts at home and abroad, identifying negotiation strategies in the European setting, and for reaching the Paris targets (Bergquist et al., 2022; Huber et al., 2019). For research on burden sharing, opening the black box as which the EU is often treated and instead looking at its Member States individually can reveal interesting insights into the ambition of targets and new possibilities to calculate fair shares (Tørstad et al., 2020).

The contribution of this work is threefold: firstly, it applies the global research field of fairness in climate negotiations to the European context, thereby using and adapting existing concepts to fit the European scenery. Secondly, it grants an insight into the rarely analyzed Council of the European Union sessions by using frame theory. It thereby allows a unique view of the 27 Member States' policy priorities and into a bargaining arena that is often only studied from a voting behavior perspective (Eising et al., 2015; da Conceição-Heldt, 2006). Lastly, by addressing the often invoked but rarely deeply researched topic of fairness in climate change, it contributes to understanding the EU-internal mechanisms of justice and solidarity in a climate-related context (Manners, 2020).

In the following, this working paper first demonstrates why considering fairness matters in the European context. Then, it elaborates on what fairness and justice mean in a climate setting, gives an overview of current research on fairness in climate agreements globally and within the EU, shows different fairness principles invoked in these agreements, and presents the research gap and the author's contribution. Next, it presents frame theory as the theoretical framework of the thesis and introduces content analysis as the method

behind this research. In doing so, it also explains the case study and material, the *Fit for 55* package as negotiated in the Council of the European Union, as well as its limitations. Finally, it presents, analyzes, and discusses the results. They show that within the Council debates on *Fit for 55*, Member States invoke eleven fairness principles to varying degrees. Congruent with previous literature and the EU's focus on differentiation and solidarity, the most dominant principle found is capacity. Yet, the other commonly invoked principle of responsibility is notably absent from arguments, indicating that the EU cannot be seen simply as a microorganism of global climate negotiations. Instead, the principles of need and equal burden-sharing are referred to side-by-side with capacity. While a majority of Member States raises those three principles, a smaller group of Member States instead invokes the principles of equality, cost-efficiency, and flexibility. This diverse use of fairness principles in arguments allows the clustering of Member States according to their argumentative patterns which quite accurately reflect groups of countries with above and below EU-average gross domestic product (GDP) per capita. Thus, it is concluded that argumentative patterns around the fairness of GHG emission reductions reflect national economic circumstances.

2. Puzzle and Relevance – Why does Fairness matter?

While realists would argue that moral values such as fairness and justice do not exist or are used only to conceal strategic self-interest (Franceschet, 2002; Morgenthau, 1978), constructivists hold that climate negotiations occur within a social setting in which norms such as justice matter (Okereke, 2010). Although constructivists recognize that arguments of fairness can serve as utility maximization in self-interest, they believe that norms also have "an intrinsic role and impact on the structure of agreements" (Grubb et al., 1995, as cited in Okereke, 2010, p.464). With the repeated interactions between Member States that make power plays less likely, the appreciation of common norms, and the agreement on appropriate behavior, the EU represent many values that constructivist assumptions rely on (Castro & Kammerer, 2021; Eriksen, 2018; Albin, 1995). It thus provides a favorable case to research the role of fairness.

Established in 1951 as the European Coal and Steel Community (ECSC), the European Union's construct in which countries forfeit part of their sovereignty for a shared jurisdiction and increasing integration is often referred to as *sui generis* in international relations (Øhrgaard, 2018; Knelangen, 2005). With the transformation from a purely military demobilization and economic project to a union of values, the EU has become contingent upon solidarity and

burden sharing: previous and current treaties repeatedly refer to the principle of solidarity and a fair sharing of responsibility (e.g. Treaty on the Functioning of the European Union [TFEU], Article 80). Especially since most Member States can be defined as welfare states, albeit with differing characteristics, it can be argued that the thought of (distributional) justice is deeply manifested within their political cultures (Arts & Gelissen, 2002; Esping-Andersen, 2000; Korpi & Palme, 1998). The EU's climate politics are no exception to this rule. Decisions about the union's overall climate ambition and the distribution of individual burdens are made unanimously, meaning that Member States' differences are at the center of attention in all decisions (Runge-Metzger & Van Ierland, 2019). As Sangiovanni (2013) argues, "the EU is best understood as a way for member states to enhance their problem-solving capacities in an era of globalization, while indemnifying each other against the risks and losses implicit in integration" (p.241). Thereby, he establishes that mutuality and justice are intrinsic values in the EU, meaning that fairness of mitigation burdens matters especially within the European context.

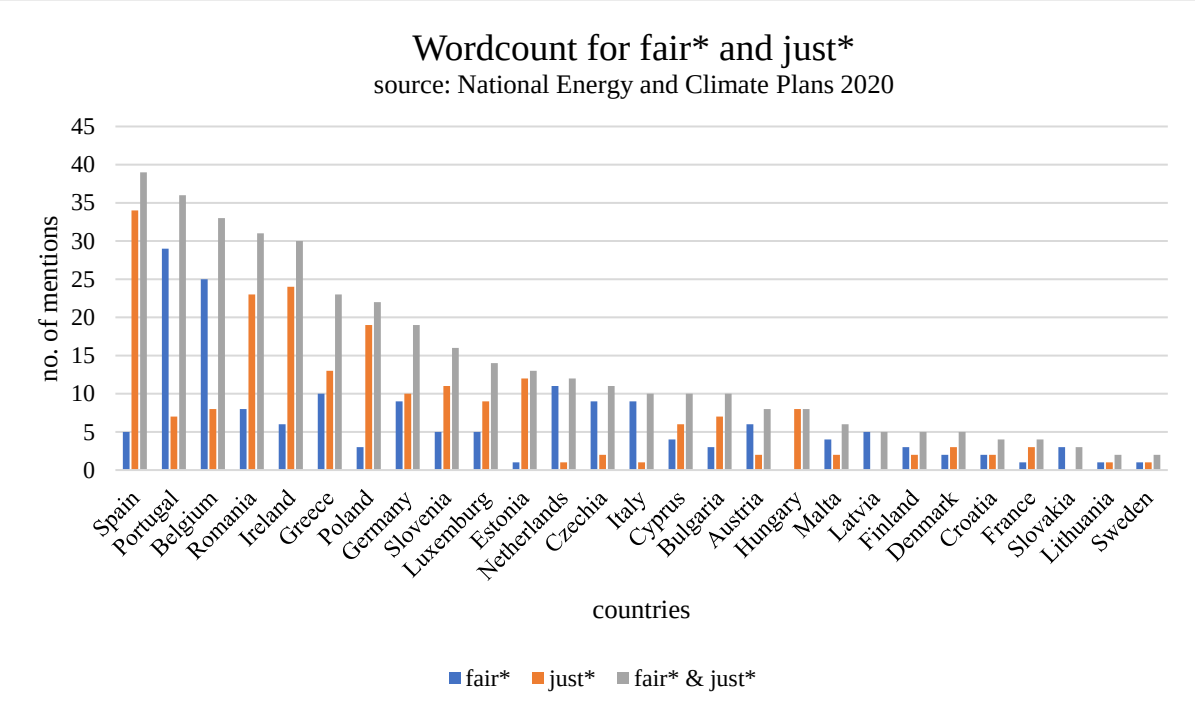
Reflections by ethics scholars support this conclusion. In his seminal piece *The unavoidability of justice*, Henry Shue (1992) argues that justice considerations are intrinsic to climate change talks because participating countries are not in equal negotiation situations. From this assumption, an ethical duty to consider fairness in climate change and to contribute one's fair share can be deduced (Shue, 2011; Hohl & Roser, 2011; Traxler, 2002). It can be followed that it is perceived as wrong - because unfair - to benefit from cooperation schemes without partaking, and that fair-play obligations require proportionate shouldering of emission-reduction burdens (Duus-Otterström, 2021). Coming from this moral perspective, considering fairness in climate negotiations should be ranking high on the EU's agenda.

Empirically, this can be witnessed in several ways. Zimm and Nakicenovic (2020) find that countries are more likely to effectively reach, maintain and implement agreements if they perceive them as fair. In a similar vein, citizens' support for climate policies is higher if they are viewed as fair. Bergquist et al. (2022) conduct a meta-analysis of determinants of public opinion on climate change laws and taxes and find that perceived distributional fairness and effectiveness are among the most important determinants, ahead of values and knowledge about climate change. Similarly, the cross-disciplinary research overview by Drews and van den Bergh (2016) and a survey study conducted by Huber et al. (2019) conclude that high fairness of climate policies positively influences public support. As Robert Putnam's (1988) two-level game theory convincingly argues, these domestic preferences shape states' ability to act on the international level. Furthermore, citizens' opinion is an important precondition for

the success of national policies (Huber et al., 2019; Anderson et al., 2017). Therefore, while self-interest can be a strong motivator behind countries' positions in climate negotiations (Brick & Visser, 2015), the voluntary nature of agreements and the non-excludability of benefits make them a special case among international negotiations in which fairness plays an important role (Ringius et al., 2002; Rose et al., 1998; Albin, 1993).

However, the importance and definition of fairness do not necessarily have to be the same for all Member States. After introducing its 55% GHG emission reduction target in 2019, the European Commission asked all Member States to submit National Energy and Climate Plans (NECPs) in which they outlined how they will contribute to help reach those 55% (European Commission, 2020*b*). A first word count of the 27 NECPs for the word stems just* and fair*[2] shows that several countries (e.g. Spain, Portugal, and Belgium) emphasize fairness frequently in their climate action, while others (e.g. Sweden, Lithuania, and Slovakia) mention it rarely (see Figure 1). Thus, keeping in mind the importance of fairness for implementing agreements and for public support for climate policy, investigating the different views on fairness in the EU is paramount.

Figure 1. Fairness and justice in National Energy and Climate Plans



Note. Wordcount of the word stems fair* and just* in Member States' 2020 National Energy and Climate Plans. Author's analysis and depiction using Microsoft Excel. Source: European Commission (2020*b*).

[2] It was manually controlled that the word just* was counted only if it was used in the sense of justice. All other use of just, e.g. as an adverb ("just in time") was excluded from the word count.

3. What is fair in climate change? A Literature Review

To contextualize the fairness debate and its origins, the following literature review first differentiates between justice and fairness. Then, it shows how different concepts of fairness are operationalized and defined, relying in part on indicators quantifying countries' emission reduction burdens. Thereafter, it outlines the previous EU-internal debates on fairness in climate negotiations. Lastly, it elaborates what role the related notions of just transition and generational justice might play in the debates.

3.1. Fairness & Justice, Equality & Equity

The term fairness is often subjectively defined, afflicted with normative considerations, and vaguely applied (Climate Equity Reference Project (CERP), 2015; Ringius et al., 2002). Therefore, it is essential to carefully define what is meant by fairness in this work. In theoretical literature, a distinction is often made between justice and fairness. Following Cecilia Albin (1993), justice is "a macro-concept which refers to general principles for the distribution of resources and obligations in society as a whole" (p.225) that has been established before a case to be judged arises. Among the often-invoked theories of justice is utilitarianism, meaning that a society is just if its laws and institutions are set up to promote the greatest overall welfare for its members. This notion entails certain distributional elements but focuses on society as a whole, not on the individual. Rawlsianism, on the other hand, considers the individual – equal individual rights, distribution of wealth and power to the greatest benefit of the disadvantaged, and equality of opportunities. Lastly, libertarianism holds that individual freedom prevails unless others are harmed by it (Münnich Vass et al., 2013). In the European context, justice is found to rest on redistributive, recognitive, and representative justice principles that are intertwined, thus mostly reflecting the Rawlsian theory of justice (Rippon et al., 2018).

Fairness, on the other hand, is defined to be a more context-specific "individual (psychological) notion relating to a particular conflict, negotiation, and/or outcome, and include[s] views on how to apply any broader principle of justice regarded as pertinent to a specific context" (Albin, 1993, p. 225). Fairness can be divided into four distinct types: structural fairness, meaning the overall relations and constraints between parties in a negotiation (Rubin & Brown, 1975); procedural fairness, referring to the design of the process;

process fairness, meaning that the procedures are followed in a fair way; and distributive fairness, referring to fairness in the outcome of a process (Albin, 1993). Since the structures, processes, and procedures for decision-making within the EU's Council of Ministers are designed in detail to guarantee that each Member State has equal rights to be heard, and the focus of this analysis is on the distribution of burdens, this work will concentrate on distributive fairness, also referred to as fairness of outcome.

Although the distinction between justice and fairness is made in theory, the concepts are often used interchangeably in practice, but also in academic literature (Albin, 1995). The word count exercise above demonstrates that some countries focus on the term justice, while others prefer fairness (see Figure 1). However, this does not have to be problematic, since climate negotiations constitute real-world cases in which justice concepts can be fairly applied, and "parties naturally tend to view their own notions of fairness as justice" (Albin, 1995, p.119). Therefore, conscious of a theoretical distinction, this analysis will treat fairness and justice as interchangeable terms gathered under the term *fairness* for practical reasons.

The narrow interpretation of distributional fairness, equality, rests on the sovereignty of states and their resulting equal rights and obligations. In the context of climate negotiations, this would for example result in proportionally equal reduction shares, a call for the convergence of targets, or the claim for a level-playing field (Ringius et al., 2002; Albin, 1995). However, given that the EU Member States are not equal in central factors such as GDP, development, or energy dependencies to begin with, the outcome would be unacceptable to many parties (Ringius et al., 2002). Thus, equality rarely serves as a guiding principle for justice in climate change negotiations. Equity, a wider interpretation of fairness, remedies this and takes into account countries' possessions and contributions to make burdens proportional to input. This can result in equal burdens, meaning that all *suffer* equally from reductions, or equal opportunity, dividing resources depending on how well they can be used (Albin, 1995). A third interpretation is often referred to as compensatory, as it takes past burdens or benefits into account. Lastly, the needs perspective allocates burdens in a Rawlsian sense, so that the best-endowed party must reduce the largest share until the least endowed party is better off (ibid.; Rawls, 1999 [1971]).

Especially the notion of equity has become prominent in international climate negotiations when discussing fairness. The UNFCCC stresses the importance of equity and fair burden sharing (UN, 1992, Article 3.2), and the International Panel on Climate Change (IPCC) calculates several equity scenarios in their regular reports (Holz et al., 2018). The European Union has also enshrined equity as one of the key principles of its climate strategy

(Münnich Vass et al., 2013; Capros et al., 2011). The distribution of burdens under the *Fit for 55* package is based on GDP per capita and cost-efficiency calculations, reflecting the equity and capacity approach (European Commission, 2021). Also, most calculators of fair emission reduction shares focus on equity, which is thus often equated with justice or fairness (Chan et al., 2018; Peters et al., 2015; Audet, 2013; Rose et al., 1998). These equity considerations rest mainly on the principle of differentiation, reasoning that only a differentiated treatment of states, considering individual abilities and responsibilities, will lead to flexibility, effective results, and compliance (Bellamy & Kröger, 2022; Castro & Kammerer, 2021).

3.2. Fairness principles and burden sharing indicators

Thus far, it has been established why fairness matters in the international, but especially in the European context, and what is meant when referring to the term. But how can these abstract principles be broken down and characterized, so that they can later be identified in arguments? How can fairness in mitigation burden sharing be achieved? Within the UNFCCC, the differentiation of burdens is established as a prerequisite for fairness, as it takes differences between countries as a starting point of their mitigation duties (Castro & Kammerer, 2021). After having abolished its binary division into states with and without reduction responsibilities in 2015, the UNFCCC relies on voluntary emission reductions. Communicated every five years through so-called *Nationally Determined Contributions* (NDCs), states should clarify how their targets are "fair and ambitious, in light of its national circumstances, and how it contributes towards achieving the objective" (UN, 2015, p.3).

While the UNFCCC does not further define what is fair and ambitious, research has been active in suggesting mechanisms for allocating fair shares equitably, equally, or efficiently between countries (Pan et al. 2017; CERP, 2015). Among the first contributions is Rose et al.'s (1998) differentiation between nine equity criteria. Their suggested indicators for outcome-based fairness consider horizontal fairness, meaning that all states should incur proportionally equal welfare losses (equal burden), and vertical fairness, meaning that proportionate to GDP per capita, some states should shoulder more burden than others (capacity). During the time of the Kyoto negotiations, many countries also proposed their own fair allocation indicators. For instance, Australia pleaded to account for fossil fuel dependence and the resulting lower capacity to reduce emissions (dependency), and Brazil requested to consider others' historic responsibility for emissions (responsibility) (Torvanger & Godal, 2004; Rowlands, 1997). Over the years, many indicators have been developed. At one end of two extremes stands the so-

called grandfathering, a concept based on merit "when relevant inequalities among parties justify deviation from the equality standard" (Rowlands, 1997, p. 5). This means that future allocations of emission shares are based on current shares, solidifying the existing global system. At the other end of the extremes stands radical equality, meaning an abrupt switch to equal per capita emission reductions worldwide (Matthes et al., 2018*b*; Gignac & Matthews, 2015).

In between these two extremes lie several fairness indicators. Their main criteria are capacity to reduce emissions or to pay for emission reductions, (historic) responsibility for pollution, need for financing or assistance to reduce emissions resulting from specific national circumstances, and cost-efficiency, assuming that it is fair to reduce most emissions where one unit of emission results in the lowest output in GDP (CERP, 2015; Raupach et al. 2014; Münnich Vass et al. 2013; Torvanger & Ringius, 2000). Thereby, these equity indicators consider compensatory fairness, needs-based fairness for development rights, fairness in the different ability to change the current emission system, and equality of suffering the consequences. Following the UNFCCC approach, especially the notions of (historic) responsibility and (socio-technological and financial) capacity have become the mainstream criteria for attributing fairness based on equity (Holz et al., 2018). Thus, after a review of the fairness principles underlying calculators for fair shares, the most prominent notions of fairness surfacing in debates are capacity, responsibility, need, equal burden, and cost-efficiency. Additionally, although equity-related principles are usually preferred, the principle of equality might be raised as well.

3.2.1. Fairness principles and the burden sharing discourse within the EU

Coming from this global perspective, how is fairness debated within the EU? Established as a shared competence between the union and its Member States, the EU's environmental policy is often portrayed as being one of the most progressive ones worldwide (Jordan & Adelle, 2012). Relatedly, apart from a defeat at COP15 in Copenhagen in 2009, the EU is often portrayed as a climate leader and has communicated one of the most ambitious emission reduction targets among developed nations (Climate Action Tracker, 2021; Delreux, 2014). Under the Green Deal, a concept presented in 2019 for the continent to become carbon neutral by 2050, the EU has slowly advanced its ambition, culminating in the *Fit for 55* set of legislative proposals with increased reduction burdens for Member States (European Commission, 2021). Having the global debate in mind, it can be expected that these increases

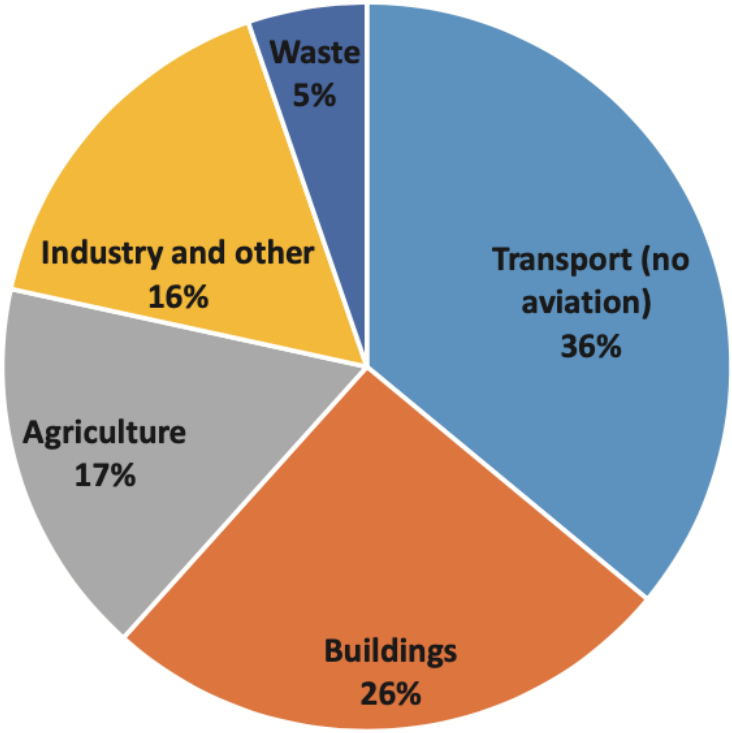
have led and will lead to intense debates about fair burden sharing within the EU (Abnett, 2021).

In the past, this has already been the case. In the run-up to the Kyoto negotiations in 1997, intense negotiations took place within the EU, mainly revolving around the justice notion of equity and a resulting wish for asymmetrical agreements (Ringius, 1999). The Commission's initial proposal, resting on vertical fairness (Rose et al., 1998), was to allow low-emission countries to increase their emissions, ask high-emission countries to cut emissions, and let medium emitters carry on as before. However, high and medium emitters such as Germany, France, and Italy perceived this proposal as unfair (Ringius, 1999). As a remedy, the Triptique proposal, introduced under the Dutch presidency in 1997, allocated emission reductions on a sectoral basis (Phylipsen et al., 1998). Ultimately, it was this Triptique approach that served as a template for the final Burden Sharing Agreement (BSA) in 2002 (ibid., Ringius, 1999; Marklund & Samakovlis, 2007; Runge-Metzger & Van Ierland, 2019).

In these 1997 negotiations, Ringius (1999) identifies three groups: rich and relatively green Member States (Germany, Austria, Sweden, Denmark, Finland, and the Netherlands), rich but less green states (France, Belgium, Italy, Luxemburg, and the UK), and the so-called cohesion states with less economic means (Spain, Portugal, Greece, Ireland). The intense negotiations also show that it was important for the EU to reach a consensus that would allow for the setting of an ambitious target at the Kyoto conference, leading some to conclude that the union was normatively entrapped in its presentation as a climate leader (Vogler, 2009). Also, it could be concluded that reaching an acceptable and fair burden sharing agreement was necessary to fulfill the EU's repeated references to its solidarity principle (Manners, 2020). Thus, coming from these debates, an argumentative focus on equity principles such as capacity, responsibility, need, and equal burden could be expected.

Since the Kyoto negotiations, the EU has advanced its Burden Sharing Agreement (BSA). While the Emission Trading System (ETS) covers GHG emissions from the energy, industry and aviation sector, the remaining 60% of emissions are regulated by the Effort Sharing Decision (2009) and its successor, the Effort Sharing Regulation (ESR) (2018) (see Figure 2). Although there is important EU legislation in areas such as transport and housing, most non-ETS regulations are determined by the Member States themselves, including taxation, urban planning, and transport policies (Runge-Metzger & Van Ierland, 2019). Therefore, defining targets and burden sharing mechanisms under the Effort Sharing Decision/Regulation is crucial for allocating emission reductions in this non-ETS sector.

Figure 2. Non-ETS GHG emissions per sector, 2017



Note. Shares of GHG emissions not covered by the EU's ETS system, per sector, in 2017. Adopted from Runge-Metzger & Van Ierland, 2019, p.96.

According to Runge-Metzger and Van Ierland (2019), fairness and differentiation considerations were at the heart of both Effort Sharing debates. These concepts were operationalized through GDP per capita and cost-efficiency scenarios and amended by redistribution elements such as reallocation of emission permit auctioning revenues. Additionally, flexibility in the counting of emissions, swapping ETS and non-ETS allowances, and counting (limited) absorbed emissions from the Land Use, Land Use Change, and Forestry (LULUCF) sector allowed for considerable differentiation (European Commission, n.d.*a*). The *Fit for 55* package follows this tradition and operationalizes fair shares as GDP per capita and cost-efficiency. Thus, in addition to the principles emergent from the BSA, cost-efficiency could be expected to emerge as a fairness principle in the analysis.

3.3. Just Transition

Besides a fair distribution of emission reduction burdens between countries, another aspect of fairness is intensely debated in the context of climate change within the EU: the notion of a *just transition*. Having emerged from concerns about job loss caused by environmental protection, just transition can be defined as "a fair and equitable process of moving towards a

post-carbon society" (McCauley & Heffron, 2018, p. 2). Thus, just transition is concerned with societal rather than inter-state justice and refers to the process of restructuring the entire economy, production, and consumption model to fight climate change. It is often said to combine aspects of three realms of societal justice: environmental justice, aiming to remedy inequalities in life quality resulting from exposure to environmental risks; climate justice, referring to inequalities in the vulnerability to a warming climate worldwide; and energy justice, concerned with the provision of climate-neutral energy sources without compromising development needs and affordable access to energy (ibid.). Note how the term justice is used in these contexts. Since environmental, climate, and energy justice outline fields and aspects to be judged by underlying principles of justice, not justice concepts *per se*, fairness would arguably be the more appropriate term following Albin (1993, 1995). However, this conceptual confusion supports the decision to treat fairness and justice as interchangeable terms in the following analysis.

In the context of the EU, just transition has gained increasing influence, culminating in its own funding scheme under the Multiannual Financial Framework (MFF) 2021-2027. The goal is to make the green (and digital) transition fair in terms of financing and employment transition to prevent increasing inequalities (Galgóczi, 2018.). Thus, equity is treated as a key notion also in the realm of just transition, acknowledging that it matters politically to gain citizens' support for a green transition (Muttitt & Kartha, 2020; Newell & Mulvaney, 2013). Therefore, although it is not the focus of this work, just transition is increasingly present in European debates on burden sharing of emission reductions and thus included in the analysis.

3.4. Generational justice

A last aspect of fairness often debated in the context of emission reduction negotiations is that of intergenerational justice (Okereke, 2010). As Page (1999) points out, the long-term impact of global warming will most likely have more severe effects on future rather than present generations. Shue (2011) argues that the current generation, therefore, has a moral obligation to act. Similarly, Hohl and Roser (2011) argue that action is required now, even if not considered fair in any sense discussed above, to prevent or at least limit injustices to future generations. Thereby, the intergenerational justice component is often raised to justify countries' claims to action or inaction (Schuppert, 2011).

Within the European Union, intergenerational justice is increasingly discussed within, but also between the Member States. Compiling an Intergenerational Justice Index (IJI), Pieter

Vanhuysse (2014) finds that Estonia and the Nordic countries are the most, Italy, Greece, and the Czech Republic the least intergenerationally just countries in the EU. From this might follow some diverse argumentation and consideration of intergenerational fairness in the countries' arguments. Therefore, it merits attention in the analysis of fairness arguments in European negotiations, although it is also not the center of interest in this thesis.

3.5. Research gap and own contribution

As has become clear, previous research has been concerned mostly with practical aspects of burden sharing, and only to a limited degree with a broader investigation of what the term means for participants in the debate (Okereke, 2010). Additionally, negotiators rarely reveal to which concept of fairness or justice they refer, and research has found that often several, partly conflicting notions of the terms are invoked to make a case (Okereke & Dooley, 2010). Still, in the European context, there is only limited research on Member States' discourses of fair burden sharing in climate agreements besides the literature presented above. Analyzing the *EU climate and energy package* from 2008, Capros et al. (2011) state that fair shares were ensured by GDP per capita-based allocation and flexibility mechanisms (see also Kulovesi et al., 2011). However, they do not further discuss alternative fairness scenarios or Member States' perceptions of the issue. Babonneau et al. (2016) calculate fair financial burdens in a study based on game theory but do not discuss how the EU Member States debate these options themselves. In a more promising approach, Vogler (2009) evaluates Member States' interests in emission reduction bargaining but also limits the analysis to actions and settings rather than internal discourses. Other studies do not differentiate between Member States (Underdal & Wei, 2015), focus only on a specific policy area (Kober et al., 2014), or apply a global perspective (Holz et al., 2018; Robiou du Pont et al., 2017), thereby leaving a substantial research gap on current EU-internal debates of emission reduction fairness.

This thesis aims at addressing this research gap. Since fairness merited mentioning upon the introduction of the EU Commission's *Fit for 55* proposal by Frans Timmermans, it is worth questioning how it is ultimately debated and achieved in the supranational organization. Additionally, also EU Member States are more likely to uphold their targets if they perceive them to be fair and equitable (Zimm & Nakicenovic, 2020), and these contributions are important for the EU to fulfill its self-image as a climate leader (Delreux, 2014). Thus, more insight is needed into how Member States debate fairness in the present day. The evaluation of previous negotiations presented above leads to the expectation that the notions of capacity,

responsibility, need, equal burden, and cost-efficiency are favored in Member States' arguments. However, the Paris Agreement in 2015 brought an international shift in climate negotiations away from strict divisions to bottom-up and voluntary proposals (Castro, 2020). Since then, the EU has introduced increasingly ambitious targets and climate action plans. It is thus likely that the debate between the Member States is still relevant and that with a global shift in discourse also an EU-internal shift might be observed.

Bridging the research gap can also matter for other research on the European Union. For one, it touches upon the question of whether the EU is a unified actor. Arguably, internal disagreement over fair burden sharing harms cohesive appearances. This would be especially damaging given the array of external and internal crises the EU has experienced over the last decade and is experiencing currently over the Russian invasion of Ukraine (Moens & Barigazzi, 2022; Matthijs, 2020; Delreux, 2014). Additionally, it refers to the solidarity principle often invoked by the union and might shed some light on what the Member States are ready to contribute in a less obvious case of solidarity (Manners, 2020; Sangiovanni, 2013). Moreover, it draws upon the debate of whether the EU is a normative actor – after all, the wish to promote consistent norms is contingent upon leading by example (Manners, 2008). Lastly, by investigating EU-internal debates at the ministerial level in the Council of the European Union, it provides a rare insight into a body usually treated as a secretive black box and only investigated through secondary sources or voting behavior research (Bailer, 2010).

Following the research on European pre-Kyoto negotiations, this analysis will not limit itself to outlining or assessing the importance of fairness within the EU but dive deeper into understanding how fairness is framed and debated between EU Member States. In doing so, the thesis will answer the following research questions:

How do EU Member States invoke and frame different fairness principles in the debate on GHG emission reduction policies under the proposed Fit for 55 package?

How do fairness frames and argumentative patterns cluster among the 27 Member States?

4. Theory – Arguments and Frames

To answer these research questions, it is essential to rely on a theory that allows the detection of fairness principles in debates. A common practice to do so is to look at argumentative patterns (Schimmelfennig, 1995; Risse, 2000). Being the fourth rhetorical mode of discourse

along with exposition, description, and narration, argumentation is used as a tool in political decision-making (Fairclough, 2017). Especially in the realm of climate politics, this is important: Reducing greenhouse gas emissions is often portrayed as a common, non-exclusive good that entails high costs for those who participate, but no option to enforce others' contribution (Chan et al., 2018). Accordingly, it is accompanied by a collective action problem that invites interest-led negotiations between members (Jagers et al., 2020; Keohane & Oppenheimer, 2016; Bailer, 2010; Ostrom et al., 2002).

In these negotiations, the acting party aims to convince the other of the rightness of its ideology, either to gain an advantage (Schimmelfennig, 1995) or to find a reasoned consensus in a process of truth-seeking (Risse, 2000). Given that all EU Member States have different interests, backgrounds, and capabilities, "making collective decisions is almost invariably an adversarial process in which participants will advocate conflicting lines of action" (Fairclough, 2017, p.3). These conflicting standpoints are shared through arguments in a process of deliberation, which entails justifying positions and critically testing alternative proposals (Eriksen, 2018). Successful justification of arguments is often achieved by invoking norms like fairness and justice, and institutional commitments, such as being a member of the highly integrated, norms-based EU. If argued well, both give actors good enough reasons to act against their initial self-interest without being coerced by power instruments.

4.1. Frame Theory

To identify deliberative and argumentative patterns and their underlying normative mechanism, this study will rely on frame theory. Originally rooted in social movement research, its assumption that communicative frames influence how (political) issues are understood and interpreted has gained increasing attention as an instrument in argumentative research (Fairclough, 2017). Most commonly, a frame is defined as a "central organizing idea" (Gamson & Modigliani, 1989, p. 3) that helps make sense of events and issues. Being one of the often-cited frame analysts, Lindekilde (2014) attributes three elements to frames: a definition of the problem, a suggestions for overcoming the problem, and a motivational element that justifies the proposed action. Depending on how these elements are used, frames can revolve around the same objective topic but depict it differently in a continuum of possible interpretations (Chong & Druckman, 2007).

An important underlying assumption of frame theory is that framing is used strategically by actors such as politicians to set and define the dominant frame (Lindekilde, 2014). Thus,

framing, like arguing, can be understood as a subcategory of discourse, in which setting the frames means having the power over action. Since the direction of discourse matters for how a problem is defined, framing plays an important role in the debate about and decision for or against certain policies such as *Fit for 55*. Framing is thus an important element of the policy-making process and understanding how it is used in the European context is crucial to understanding policy outcomes. Therefore, the theoretical approach of frame analysis is suitable for answering the research question of how fairness is debated (framed) and how this debate reflects Member State positions on *Fit for 55*.

4.2. Previous research on framing in European negotiations

As frame analysis has become increasingly popular in fields other than social movement research, also a corpus of literature on framing in European politics has emerged. Daviter (2007) reviews several studies on EU policy frames and discusses how they structure political conflict and competition at the EU level. He finds that frame theory offers paramount insights into actor preferences and inter-actor relationships, thereby providing new perspectives to the study of European policy-making. More specified frame analyses evaluate how the framing of keywords has influenced the emergence of the EU's common foreign and security policy (CFSP) (Smith, 2003), how the EU frames its foreign policy strategically (Kratochvíl et al., 2011), and how frames are used in the debate about gender equality (Lombardo & Meier, 2008).

In the realm of European environmental policy-making, however, the use of frame analysis remains limited. De Roeck, Deputte, and Orbie (2016) assess the framing of the climate-development nexus in the EU and find that, concordant with its image as a normative power and climate leader, the EU frames the nexus as a human security and international justice issue. Comparing the framing of climate science in the EU, China, and the United States, Schreurs (2019) finds that a more or less skeptical framing influences the countries' foreign and climate policies differently. Apart from the European political context, a significant body of research evaluates the use of frames in discourses on climate change in fora such as cities, public discussions, or the media (Vossen, 2020; Schäfer & O'Neill, 2017; Dirikx & Gelders, 2010).

However, as is the case with literature on fairness debates, the literature on framing in the EU policy-making context treats the EU as a single actor that frames issues vis-à-vis its citizens or other international actors. What is lacking, therefore, is an analysis of how EU

Member States frame issues in internal debates, a gap that this working paper aims at addressing. A notable exception is Eising et al.'s (2015) insightful evaluation of the use of frames at EU institutional and Member State level in Germany, the Netherland, Sweden, and the UK. Relying on computer-assisted content analysis, they develop a fourfold typology of the prevalent frames in debates of four EU policy proposals on financial market regulation and environmental policy. Besides their valuable pioneer work in applying frame analysis to the Member State level, their work also shows the added value of conducting frame analysis in the European context, where frames can empower certain actors over others (Harcourt 1998, as cited in Eising et al., 2015). They find that since each Member State has different interests and economic, social, and political characteristics, also their framing of the four policy proposals differs.

4.3. Expectations

This work acknowledges that the formulation of hypotheses is debated in qualitative work since it is often applied inductively and not with the purpose of theory testing (see Zhang & Wildemuth, 2009). Indeed, the nature of this work is explorative and descriptive, not causal. Therefore, it will refrain from stating hypotheses. However, to transparently show the assumptions and expectations underlying the analysis, to set guidance for the evaluation of results in light of previous literature, and to do justice to the quantitative elements in the content analysis below, four expectations are explicitly stated in the following.

Eising et al.'s (2015) findings are congruent with what can be expected from the literature review above on different perceptions and measures of fairness. On a global scale, fairness perceptions seem to depend on the individual national circumstances of a country. Since also EU Member States vary in characteristics such as their varieties of capitalism (Hall & Soskice, 2001), their welfare regime type (Esping-Andersen, 2000), their economic situation, and their historical and cultural background, so should their perceptions of fairness. Thus, it is firstly expected that *the fairness principles invoked and framed in the policy debates about Fit for 55 vary between Member States.*

Moreover, research has abundantly established that a country's support for and compliance with an agreement is higher if it is perceived as fair (Zimm & Nakicenovic, 2020; Klinsky et al., 2017). Thus, how countries argue about fairness should somehow reflect their support for or opposition to the proposed *Fit for 55* package. Although no statistical correlation can be established here as to the exact reasons behind a country's support for the

package, it can be evaluated whether countries that support it argue differently than those that oppose it. Thus, the second expectation is that *the fairness principles invoked and framed in the policy debates about Fit for 55 vary between Member States who support and those who oppose the package.*

Furthermore, the research on the pre-Kyoto burden sharing negotiations showed that Member States tend to cluster in their fairness perceptions. The identified groups are divided into affluent ambitious pioneers, affluent and less ambitious countries, and less endowed climate laggards (Ringius, 1999). The economic division found by Ringius (1999) could mean that economic affluence is an important factor influencing fairness perception. Reducing GHG emissions is costly, and the extensive *Fit for 55* package makes these costly reductions necessary in all sectors of the economy. In countries with below EU-average GDP per capita, the emission reduction burden might thus be perceived as less fair, and more fairness frames related to capacity might be used. In more affluent Member States, on the other hand, the focus might be more on historic responsibility or cost-efficiency in fairly reducing emissions (Dunn, 2020, Tørstad et al., 2020; European Commission, n.d.*b*). This assumption is further underlined by the EU's practice to attribute emission reduction burdens based on GDP per capita, thus implicitly setting this criterion as an indicator of fairness (European Commission, 2021). Thus, it is thirdly expected that *the fairness principles invoked and framed in the policy debates about Fit for 55 vary between Member States with above and below average GDP per capita.*

On the other hand, the review by Runge-Metzger & Van Ierland (2019) shows that in negotiations on the Effort Sharing Decision and Regulation, support was contingent upon the height of countries' targets and the meeting of certain fairness criteria in achieving them. For instance, Member States with high reduction targets called for increasing flexibility mechanisms to help meet them. Thus, it is reasonable to assume that the total amount of emission reduction responsibilities, or more precisely, the amount of additional reduction shares introduced by *Fit for 55*, influences how a country argues for fairness (Abnett, 2021). For example, countries that saw an above average increase such as Sweden and Germany might have other fairness arguments than a country such as Malta, which saw no increase at all (see Appendix II). Thus, instead of economic circumstances, it could be expected that *the fairness principles invoked and framed in the policy debates about Fit for 55 vary between Member States with above and below average increases in reduction responsibility.* Although the economic and distributive clusterings are the most intuitive expectations derived from literature, there are other variables such as energy mix, share of renewables, or present industry branches that

could influence how Member States frame fairness. These options are kept in mind for the analysis and further elaborated on in the discussion of the results.

5. Material and Methods

5.1. Case Selection

To analyze how distributional fairness is framed in EU negotiations about climate policies, this work will draw on negotiations about the *Fit for 55* package. Introduced on July 14, 2021, the Commission's set of legislative proposals should enable 55% GHG emission reductions compared to 1990 levels by 2030. Agreed upon in the European Green Deal, this is a 15 percentage point increase from the 40% reductions agreed by 2030 under the previous framework. Some of the major, and intensely debated, elements of the package include increasing the share of renewable and energy efficiency, revising the Energy Taxation Directive (ETD), reforming the ETS to include new sectors, and introducing a Carbon Border Adjustment Mechanism (CBAM) (European Commission, 2021; Karamfilova, 2021; Wilson, 2021). This intense debate makes *Fit for 55* a very timely and fitting case of analysis. Also, given its broad coverage, it will allow meaningful insights into Member States' fairness perceptions.

Being the most recent emission reduction policy proposal, it also revises the Effort Sharing Regulation and features higher reduction responsibilities for Member States under the mechanisms of GDP per capita and cost-efficiency. To make the targets more acceptable for less endowed Member States, more affluent ones like Sweden or Germany were asked to deliver more severe cuts than they might have expected, leading experts to anticipate considerable quarrels over reduction responsibilities (Abnett, 2021). To counter the repercussions, the proposal also introduces a Social Climate Fund to help Member States support their citizens (European Commission, 2021; Mathieu & Gläser, 2021). The ESR revision and the Social Climate Fund might thus be the parts of the package most related to fairness. However, since the debate on *Fit for 55* is still ongoing, only first insights, not final conclusions can be drawn at this point.

5.2. Material

To answer the research questions and discover which fairness perceptions and frames are at play when the EU Member States debate *Fit for 55*, it is essential to analyze instances in which

such perceptions come to show. Rather than formal submissions such as the NECPs analyzed above (see Figure 1), it is interstate discussions and debates where fairness notions emerge and are used strategically. Within the European Parliament, these debates are more significantly influenced by the parliamentarians' party membership than their nationality (Høyland et al., 2014; Proksch & Slapin, 2010). The European Council meetings, on the other hand, are mostly non-public and take place seldomly. Thus, the best place to witness the debate on fairness perceptions is the Council of the European Union, often also termed Council of Ministers, and herein referred to as the Council.

Forming part of the EU's legislative body, the Council is one of the EU's main decision-making institutions and a key intergovernmental and interinstitutional forum for debating and negotiating[3] (da Conceição-Heldt, 2006). Negotiations in the Council constitute several discussion rounds that move from a working group level to the Permanent Representatives Committee (COREPER) to the actual Council. Thus, although much of the debating and bargaining is done in working groups and COREPER, the final arguments are advanced and decisions are made in the Council (Bailer, 2010). Previous research finds that rather than left-right conflicts or cleavages between national and supranational attitudes, the redistributive dimension plays a vital role in negotiations (Zimmer et al., 2005). This finding makes the Council the ideal setting for detecting and analyzing arguments on the distributive elements of the outcome fairness studied here. Furthermore, Bailer (2010) finds that in a repetitive setting such as the Council, sincere preferences prevail and are not covered by power-play or nested interests. Additionally, the bargaining success is quite evenly distributed across Member States (Golub, 2012). Thus, it is expected that fairness frames will reflect sincere Member State positions, albeit used strategically, making the Council an accessible and fitting level of analysis.

Table 1. Analyzed Council debates

Debate	**Date**	**Acronym**
Environmental Council	October 6, 2021	ENV1
Environmental Council	December 20, 2021	ENV2
Environmental Council	March 17, 2022	ENV3
Agriculture and Fisheries Council	October 12, 2021	AGRIFISH
Competitiveness Council	September 29, 2021	COMPET
Economic and Financial Affairs Council	March 15, 2022	Ecofin

[3] Following da Conceição-Heldt (2006), the terms *negotiation* and *bargaining* will be used synonymously in this work and are defined as "a decision-making method used by actors to reconcile their respective policy positions when they disagree about preferred outcomes" (p.146).

Transport, Telecommunications and Energy Council	December 2, 2021	TTE1
Transport, Telecommunications and Energy Council	December 9, 2021	TTE2

Note. Full names, dates, and used acronyms of the eight Council debates analyzed in this work.

For this analysis, the Council debates on the Commission's *Fit for 55* package were gathered between July 14, 2021, the day of the package's introduction, and March 17, 2022, the last debate of the Environmental Council to the date of writing. During this period, the package was debated eight times in five Councils (see Table 1). To gain the full extent of fairness discussions, all eight debates were anaylzed. Since each Member State is invited to speak for a timespan of three to four minutes per topic in one Council debate, the total speaking time per Member State is on average 30 minutes[4]. Although this time constraint means that only a limited depth of arguments can be advanced, the variety of Councils and speakers analyzed can give a valuable insight into the countries' positions. Therefore, it was also decided to analyze all 27 Member States but later focus on countries whose frames stand out particularly in the discussion. The video material for the Council debates was downloaded from the Council's video website *Council live*, transcribed using Google Text-to-Speech software, and manually corrected by the author. In the following methods section, deeper insight into the methods used and the steps of analysis performed is provided.

5.3. Methods

To apply frame theory in an analysis, researchers usually rely on discourse or content analysis as their method. This combination is then termed frame analysis. For research on frames in policy-making processes, content analysis has emerged as the dominant choice (Eising et al., 2015; Fairclough, 2017). It also fits this study: since the Council meetings follow a strict protocol in which all Ministers read written statements in roughly equal speaking time, many process-related elements that could be revealed by discourse analysis are lacking (Schreier, 2012). Furthermore, most contributions are simultaneously translated, meaning that rhetoric speech elements and emotions might get lost or would be difficult to detect. Thus, this study will rely on content analysis to detect frames in the material.

Although content analysis is deployed and defined differently by researchers, its overarching concept consists of "systematic, rule-guided techniques used to analyze the informational contents of textual data" (Mayring, 2000, as cited in Forman & Damschroder,

[4] For a full table of analyzed Councils, speaking times, and video sources, see Table 9, Appendix IV.

2007, p.39). This rule-based focal aspect of content analysis is especially helpful here as it reduces the 25 hours of speech material to the passages relevant for the analysis of fairness frames. There is an ongoing debate about whether content analysis should be carried out quantitatively or qualitatively. The first group holds that "a content analysis has as its goal a numerically based summary of a chosen message set" and thus is per definition quantitative (Neuendorf, 2002, p. 14). The defendants of qualitative content analysis (QCA) argue that the method goes beyond counting words to examine meanings, patterns, and latent themes (Zhang & Wildemuth, 2009). Hence, presenting frequencies of coding in QCA "does not make the method any less qualitative" (Schreier, 2012, p.239).

This work aims at finding and understanding invoked fairness principles and their meaning, framing, and relation by manually coding qualitative text material. Thus, following Schreier (2012) and Zhang and Wildemuth (2009), it represents a qualitative content analysis. Choosing a qualitative approach can do justice to the detailed material. Additionally, it makes it possible to conduct a reflexive in-depth analysis of arguments and frames and to establish the context of speaking and the connection between arguments (Schreier, 2012). However, to visualize the results and make the argumentative patterns of the 27 Member States more comprehensible, frequencies and closeness of codes are used in the results section, albeit without drawing statistical inferences. While Schreier (2012) argues that this remains within the realm of QCA, adding the quantitative element might for some constitute a move away from QCA to a mixed method content analysis. However, as Zhang and Wildemuth (2009) convincingly argue, a mix of qualitative and quantitative content analysis is often applied in praxis, enhancing the findings validity even more. Furthermore, adding a quantitative element allows for the tentative evaluation of the expectations specified above. However, this work consciously does not intend to establish causation or statistical correlation with this method. Therefore, it will draw mainly on QCA with some quantitative and deductive elements.

In this analysis, the Council debates gathered and transcribed are systematically coded to identify frames using the software MAXQDA. The analysis follows Forman and Damschroder (2007) in constructing some coding categories deductively, guided by theory-driven concepts, and inductively adding categories that emerge from the data. With this approach, inductive category development can be merged with deductive category assignment, a combination suggested by Mayring (2014, p. 106). This process is often used in QCA and helps structure the material before starting its analysis (Früh, 2007).

The coding procedure followed here consists of five steps. As suggested by Forman and Damschroder (2007), the first step is the familiarization with the material by reading

through it and marking passages related to fairness. In this step, the relevant data is segmented into topical sentences or paragraphs to assure that coding units are coherent (Schreier, 2012). In a second step, as suggested by Mayring (2014), an initial coding of about 30-40% of the debates is conducted. Thereby, deductive, theory-driven codes are applied and inductive codes generated. To ensure the representativeness of the first round of coding, one Environmental, one Economic and Financial Affairs, and one Transport, Telecommunications and Energy Council debate are coded in this round.

To involve frame elements in the coding procedure, this analysis follows Lindekilde (2014) and deductively codes the three frame elements established by Snow and Benford (1988, as cited in Lindekilde, 2014): the diagnostic element, which identifies a problem and attributes blame or causality, the prognostic element, which proposes a solution, and the motivational element, which indicates a rationale for action. In this working paper, the coded motivational element often hints at the moral evaluation of the topic at hand, thereby helping to reveal the underlying fairness principle. The frame elements identified are then filled with content codes. Since this working paper does not aim at revealing the thematic details of the *Fit for 55* package, but at finding fairness principles in arguments, content is hereby defined as the fairness principle present in the argument. For example, if a text passage revolves around the request for considering a country's specific geography and its resulting lacking possibilities to reduce emissions, the passage's content is coded as "capacity." The content codes are partly defined beforehand based on existing literature, and party created inductively from the data. After this initial coding of three Council debates, both inductive and deductive codes are revised, labeled, and defined in a codebook, following the codebook layout suggested by Forman and Damschroder (2007) (see Appendix III). In a third step, the remaining material is then coded using the codebook.

In a fourth step, the coded frame elements are merged to form frame packages. In the example above of the energy transition problems resulting from the country's geographical position, the diagnostic problem is the geographic situation, the prognostic solution is to lower the country's emission reduction burden, and the motivational element is national circumstances. From this motivational element, the content "capacity" is coded. In the last step, the data is interpreted to identify patterns and place the results in the larger analytical framework of this study. For this, country groups with similar framing patterns are formed and the salience of frames is determined by counting. To do so, the material is divided into country contributions. One contribution represents one country's speeches at all eight Councils, resulting in 27 different contributions. It is then counted how often a fairness

principle and its frames appeared in each contribution and which codes are often invoked together.

5.4. Limitations

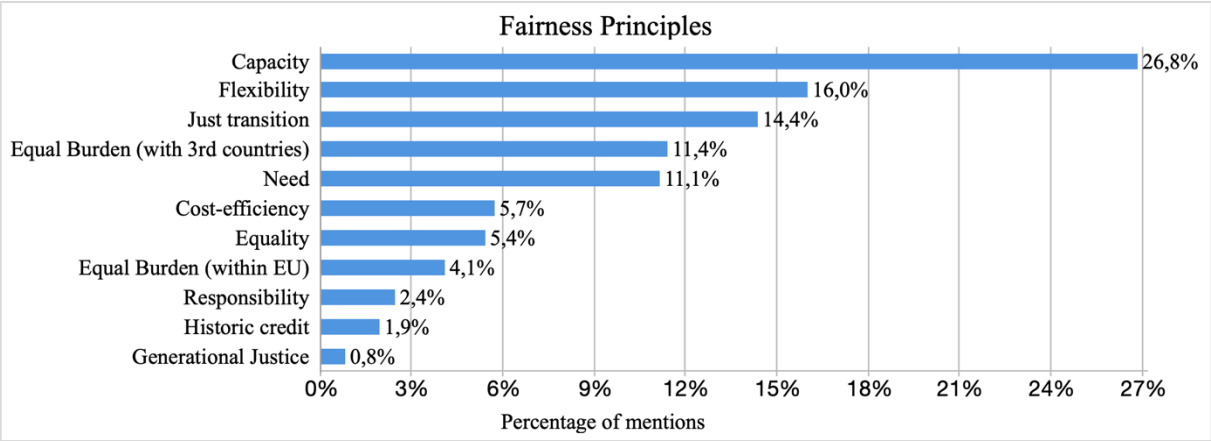
The results presented below rest on the analysis of eight Council debates over nine months. While the scope of this work did not allow for the inclusion of more material, it should be kept in mind that a wider time frame or a different choice of analyzed Councils might have led to different results. This is especially the case for the two countries having the Council presidency during this time, Slovenia and France, who acted as neutral participants and thus have less speaking time to be analyzed. Similarly, a different method or strategy of frame analysis might have identified different fairness principles. Furthermore, although the Council debates were purposefully chosen as the adequate material with the least party-political influence, including other material such as debates in the European or national parliaments could have altered the conclusions. Relatedly, it should be kept in mind that most negotiating in the Council is done in working groups and COREPER. Although the Council still reflects Member States' positions, it could be that some relevant arguments and related fairness perceptions are only presented in the working groups. Especially since the debates are usually oriented along guiding questions set by the presidency, each debate might revolve around the questions posed and not the overall view of Member States. Additionally, as the debates around the *Fit for 55* package are still ongoing at the time of writing, only preliminary, not final conclusions can be drawn on the use of fairness arguments and frames in this specific debate and no generalizations can be made. Still, due to its topicality, the analysis serves as a valuable insight for the use of fairness arguments in EU-internal debates on current climate-related burden sharing. Lastly, with frame theory and the related method of content analysis relying on interpretation, the researcher's subjective experiences unavoidably influence the research process. To make the coding process and resulting findings as transparent as possible, the findings and frames are explained in the results section and deductive and inductive codes are illustrated and explained with an example in the codebook (see Appendix III).

6. Analysis and Results

With the help of frame theory and content analysis, this work wants to identify the use and framing of fairness principles by EU Member States upon discussing the legislative proposals in the *Fit for 55* package in the Council. Besides outlining the variety and salience of fairness principles, it aims at identifying argumentative patterns that allow clustering the Member

States. As expected from the first keyword analysis (Figure 1) and the literature review, different types of fairness principles can be detected in the Council debates. In total, eleven principles of fairness emerge (Figure 3).

Figure 3. Invoked fairness principles (shares)



Note. Graph of eleven fairness principles and their percentage of use found in eight Council debates. Author's work with MAXQDA.

Congruent with the literature, the principles of capacity, responsibility, need, equality, equal burden, and cost-efficiency appear in the Ministers' arguments on mitigation and emission reduction burden sharing. Furthermore, just transition emerges as a relevant theme, while generational justice is barely mentioned. The principles of historic credit and flexibility, on the other hand, emerge inductively from the data. In the following, the first research question is addressed by showing how the different fairness principles are framed in regard to Snow and Benford's (1988, as cited in Lindekilde, 2014) diagnostic, prognostic, and motivational frame elements and how these frames are congruent with support for the *Fit for 55* package. Thereafter, in answering the second research question, argumentative clusters among Member States are visualized and discussed. Although differences and similarities between countries and country groups are pointed out, it should be kept in mind that fairness principles are often interconnected and invoked together, and that differentiation, therefore, is an interpretative effort.

6.1. How do EU Member States invoke and frame fairness principles in the debate on GHG emission reduction policies under the proposed *Fit for 55* package?

Figure 3 quantitatively illustrates the results of coding the eight Council debates. Not only are different fairness principles invoked in the debate of *Fit for 55*, they are also raised to a different

degree, thus hinting at a hierarchy of importance between principles. Additionally, the analysis uncovers that some principles are often invoked together. For instance, cost-efficiency and equality are frequently used together, as are equal burdens within the EU and with third countries. Figure 4 visualizes these connections by highlighting with different colors which fairness principles are raised within the same or the following two coding units (here: topical sentences or paragraphs) by the same speaker. These codes, their framing, and their relationship will be presented in the following.

Figure 4. Codemap - Closeness of fairness principles

Note. Map of fairness principles invoked by a country within the same or two following paragraphs. The size of nodes indicates the frequency of usage, the location indicates how closely the principles are used with each other. Colors visualize identified groups of arguments. Source: Council Debates. Author's work with MAXQDA.

6.1.1. Capacity

By far the most salient fairness principle found in the eight analyzed debates is capacity. Commonly defined as "the notion that those who have more capacity to solve a problem should contribute more to solving it, all else being equal" (CERP, 2015, p.6), it is among the two fairness principles most often referred to in the UNFCCC context (Holz et al., 2018). Also within the EU, the calculation of fair shares based on GDP per capita reflects the notion of capacity – states with higher GDP are seen as more capable, and vice versa (Runge-Metzger & Van Ierland, 2019). While it is thus not surprising that capacity is the most often invoked fairness principle, it is interesting to see how it is framed and used.

In the analyzed debates, capacity is mostly framed to demonstrate how individual national circumstances negatively affect a country's possibility to mitigate GHG emissions or to contribute financially to the collective effort. The diagnostic element in framing capacity thereby often revolves around aspects that are portrayed as being unique to a Member State. For example, Austria problematizes its constitutionally decided opposition to nuclear energy as an obstacle to phasing out fossil fuels, while other countries such as the Czech Republic or Poland cite their coal dependence as an impediment. Other states mention their geographical location (Cyprus, Malta, Greece, Spain, Ireland), lacking technology (Estonia), and the lacking availability of alternative energy or fuel sources (Slovakia, Slovenia, Lithuania). Another diagnostic element discovered frequently and across several Member States is that the (sectoral) emission reduction target under *Fit for 55* is too high or too ambitious (Bulgaria, Czech Republic, Estonia, Croatia, Hungary, Ireland, Latvia, Poland, Portugal, Romania, Slovakia). As a prognostic solution, the remedy mentioned mostly for these problems is to account for national specificities in the calculation of reduction burdens and to reduce the respective country's targets accordingly, as exemplified by Slovakia: "[T]he calculation of the national targets does not take into account capacity […]. We have therefore submitted an alternative proposal for the recalculation of the national targets that could be fairer" (Slovakia, ENV2, Pos. 122).

The motivational element behind capacity-related arguments differs between frames. Lacking financial ability is often invoked, as well as the requirement to avoid social repercussions and disadvantages for the economy. Estonia, for example, repeatedly problematizes the challenging target and proposes setting later target deadlines, motivating the argument with the need to avoid a detrimental effect on the national economy: "Achieving targets should not decrease the economic competitiveness of any Member State" (Estonia, COMPET, pos.186). Others argue that the target is not proportional (Croatia, Hungary, Romania) or that financial burden sharing is inefficient (Malta, Slovakia).

Thus, capacity is invoked in self-interest and framed mostly as a reason to lessen emission reduction burdens, for reasons varying from national specificities to financial concerns. This is congruent with expectations from previous literature – in international climate negotiations, the (lacking) capacity of states to reduce emissions is among the primary fairness criteria (Holz et al., 2018). Also within the EU, the wish for asymmetrical agreements based on national abilities has been predominant since the pre-Kyoto negotiations (Ringius, 1999).

Interestingly, however, some Member States frame capacity differently. Germany, Denmark, and Finland problematize the minimum ambition of some current sub-targets, for instance for synthetic fuels. Sweden, going one step further, even questions the ambition of the overall 55% reduction target. As a solution, they propose that it should be allowed for Member States to exceed their targets, or to increase the overall ambition. As Germany states, "Member States should continue to have the opportunity to aim for higher, more demanding, ambitious goals at the national level more quickly" (Germany, TTE2, pos.99). The motivation behind this argument is technological availability or feasibility: "With the projects that we know are in the pipeline, we estimate with confidence that we will be able to set the requirement for synthetic fuels much higher and still have sufficient fuels to be able to deliver" (Denmark, TTE2, pos.53-59). Thus, instead of arguing for a lacking capacity, these countries' advanced capacity is framed as a possibility to do more.

This reverse mode of arguing for the fairness of targets by invoking capacity is notably absent from previous literature. Typically, states argue that their lacking capacity to address emission reductions should result in lower targets (Robiou du Pont et al., 2017). Thereby, they also contribute to the collective action problem of reducing greenhouse gas emissions (Ostrom et al., 2002). In the interest-led bargaining arena of the EU, the common and non-exclusive nature of preventing global warming invites free-riding, and citing one's reduced capacity can serve as a strategically (over-)stated reason to reduce own burdens (Chan, 2016; Bailer, 2010). Against this backdrop, what reasons do Member States have to argue that it would be fair to let them be more ambitious? One possible reason could be national incentives. In Germany, for example, the new government coalition includes a considerably strengthened Green party with an ambitious environmental program (Federal Government of Germany, 2021). It is in their interest to translate as much of their program into action at the EU level to gain credibility at home. Furthermore, under Putnam's (1988) two-level game theory, the green mandate given to the government by their voters should translate into more discretion to accept and propose more ambitious targets. Another reason could be that environmental forerunners such as Sweden do not want to face economic disadvantages from their stricter environmental policy and therefore call for more ambition across the whole EU to maintain their first-mover advantage (Nehrt, 1998). The exact reasons could be subject to future research, but it is interesting to note that capacity does not only have to be framed as a hindrance of climate action but can be used as a motivator to do more.

Besides these four countries' different framing of capacity, it is interesting to note which Member States do not mention this particular fairness principle in any of the eight analyzed

debates: Belgium, France, Luxembourg, and the Netherlands. Together with Germany, Finland, Denmark, and Sweden, they represent a great share of the more affluent EU Member States, thus hinting at a potential argumentative clustering according to economic means (Eurostat, 2022). This will be investigated in more detail upon answering the second research question. Already here, it becomes clear that not only are different fairness principles invoked in Member State's arguments, they are also framed and interpreted differently.

6.1.2. Responsibility

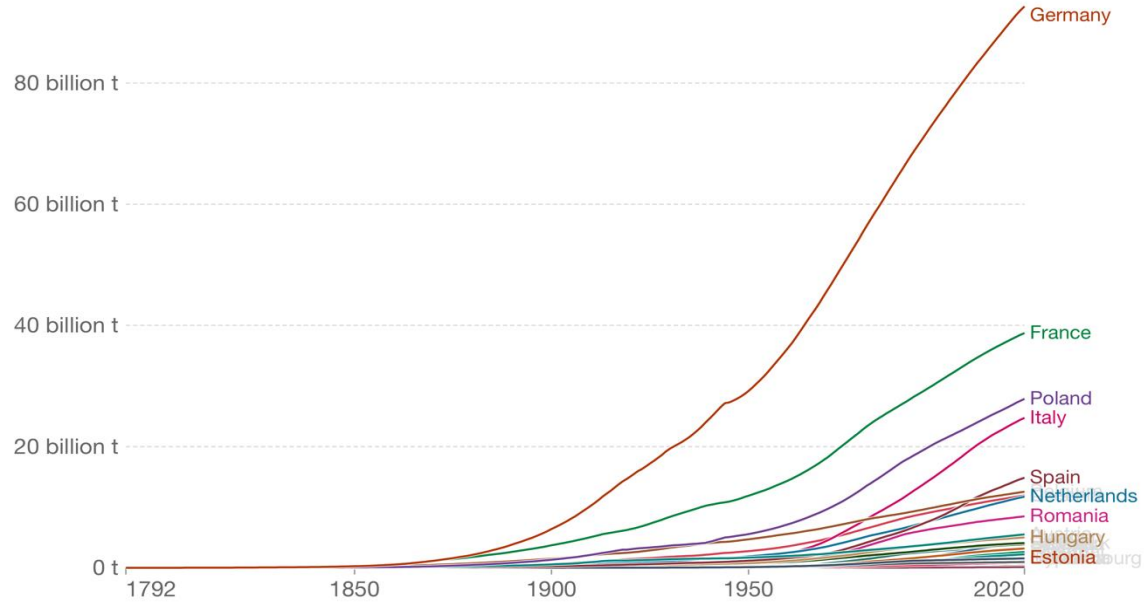
Besides capacity, the other fairness principle used frequently in the literature to calculate fair emission reduction targets is responsibility (Holz et al., 2018; Pan et al., 2017; Chan, 2016; Höhne et al., 2014). It is commonly defined as "the notion that those who are more responsible for causing a problem should take more responsibility for solving it, all else being equal" (CERP, 2015, p.6). Given its prominence in global climate agreements, it could be expected that it features among the principles invoked in the European context with a similar dominance as capacity.

Surprisingly, this is not the case. Instead, it is among the least invoked fairness principles found in the debates (see Figure 3). The Member States that refer to the principle (Malta, Spain, Hungary, Ireland, Slovakia, Poland, Greece) frame it mostly by diagnosing that their (sector's) share in emissions is marginal: "The contribution of agriculture emissions in Malta amounts to a mere amount of around 5%" (Malta, AGRIFISH, pos.124). Motivated by the polluter-pays principle and the wish to avoid undue burdens on the national industry, farmers, or companies, they argue that having to reduce others' emissions is unfair. Accordingly, they propose in the prognostic elements that it should be emitters to pay for reductions: "We are convinced that large emitters and major polluters should pay the bulk of the cost of measures to combat climate change within and outside of the European Union" (Hungary, COMPET, pos.98). Furthermore, it is problematized that citizens have to bear the costs of reducing emissions caused by others and proposed that they should be spared these costs: "So the costs of transmission should be borne primarily by global producers and not by small and medium-sized enterprises (SMEs) or end users" (Poland, COMPET, pos.271).

What could be the reason for the responsibility principle being used so rarely? For one, the relative similarity of EU Member States in terms of historic emissions could play a major role. In international climate agreements under the patronage of the UNFCCC,

countries with extremely diverse emission backgrounds come together in negotiations. While the US as the largest historical emitter has caused 20.3% of the total global emissions between 1850 and 2021, other nations at the negotiation tables have caused mere fractions of this (Evans, 2021). In the EU, on the other hand, the countries' cumulative emissions are, with the notable exception of Germany, more similar (see Figure 5). Therefore, they might feel that it is fair to reduce emissions collectively, accepting that they have produced them to more or less similar shares. Relatedly, with the EU being the third largest historic emitter, it might be strategically advantageous to circumvent an argument that could fuel more blame games globally (Evans, 2021).

Figure 5. Cumulative CO2 emissions in the EU-27



Note. Total cumulative CO2 emissions in the 27 EU Member States between 1792 and 2020. Source: Our World in Data based on the Global Carbon Project (Ritchie & Roser, 2022).

Moreover, the EU Member States are often evaluated together when it comes to historic emissions shares (Ritchie, 2019). Thereby, a feeling of collective responsibility might be triggered: as Lavallee et al. (2019) find in the East Asian context, a collective responsibility framing can lead to increased mitigation behavior. Furthermore, Olausson (2009) finds that repetitive media framing of responsibility can increase the calls for collective action. This collective responsibility for the past might be a partly unintended effect of European integration but fits well within the EU's distributional welfare state logic resting on solidarity (Manners, 2020; Esping-Andersen, 2000). Accordingly, it is not necessarily other EU countries'

emissions that the Member States feel unfair to reduce, but they frame it as unfair for their national companies or citizens having to pay the cost of large emitters' (companies') emissions.

All in all, the fairness principle of responsibility does not play a large role in the *Fit for 55* debates. Besides the possible explanations elaborated here, it remains an interesting finding that could be studied in more detail by further research. Especially the amount that Germany contributes to the collective EU emissions would make it an adequate target to attack in responsibility fairness frames. Why other Member States refrain from using this weapon to lower their own emission reduction target remains unsolved by this work.

6.1.3. Need

A fairness principle often seen as being related to capacity is that of need. According to the Climate Equity Reference Project (CERP, 2015), "need refers to the basic requirement of countries to guarantee the inalienable human rights of their citizens in the face of climate change" (p.6). To do so, "resources should be allocated relative to the strength of need so that the least endowed party gets the greatest share" (Albin, 1995, p.133). Thus, under this notion, reduction responsibilities must be feasible without compromising a country's ability to care for its citizens. To make this possible and increase fairness, countries should be awarded (financial) aid according to need.

Contributing about one-tenth of the argumentative fairness frames, need is majorly problematized in the diagnostic element by raising exactly this issue: not being able to alleviate the burden of reducing emissions from the population so that they become bearable and proportionate to the purpose. Exemplary, Bulgaria (AGRIFISH, pos.167) points out that the current target would be to the great disadvantage of Bulgarian farmers. As a prognostic solution, congruent with the needs perspective, they want to receive adequate financial means to help farmers innovate and adapt to different farming methods. They motivate their argument by a need for guaranteeing income and social development.

The most frequent framing of need as fairness is made by Lithuania, closely followed by Malta and Cyprus. Problematizing detrimental effects to households under currently overstated targets and proposing adequate funding to deter the worst from citizens, Lithuania motivates its arguments mostly with social equality and the need for EU-internal solidarity:

> [T]he current proposal for [the] social climate fund does not sufficiently reflect the social-economic circumstances of Member States and is not aligned with own resources proposal. We propose to find solutions in other resources allocated by social climate fund [that] would

> be sufficient for the just transition of the most vulnerable households. (Lithuania, ENV1, pos.222)

Malta and Cyprus, on the other hand, motivate their need for more funding with national (geographic) circumstances – the lacking production of fuels, the dependence on shipping and aviation, and the limited space for carbon sinks and renewable energy generation. For example, Cyprus argues that:

> For countries such as Cyprus with limited alternatives in road transport and buildings, the efficiency of the carbon pricing tool is not given as a matter of cost, it will impose additional costs on our economy without substantially contributing to the reduction of greenhouse gas emissions. (Cyprus, ENV3, pos.157)

As could be expected from the closeness of capacity and need, countries framing fairness as need are similar to those framing it as capacity – Bulgaria, the Czech Republic, Cyprus, Estonia, Spain, Croatia, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Poland, Portugal, Romania, and Slovenia. The other eight countries outlined above that do not frame capacity as a fairness principle or that frame it as a capacity to do more (Belgium, France, Luxembourg, the Netherland, Germany, Finland, Denmark, and Sweden) also do not refer to the needs principle. This again points to the potential of argumentative clustering according to economic means. Given that a lacking capacity to address emission reductions can be translated into a need for financing to increase capacity, this is coherent and also reflected by an overlap in countries invoking both principles.

6.1.4. Equality

In direct contrast to the equity-related principles of capacity, responsibility, and need stands the fairness principle of equality. Representing the narrower interpretation of distributional fairness, equality is often seen as the default starting point of international interaction. It originates in the principle of state sovereignty, endorsing the equality of states and the resulting equal rights and burdens (Ringius et al., 2002). Under this principle, calls for proportionally equal burdens or convergence of emission reduction targets would be likely (Albin, 1995). However, given that most international climate negotiations and also EU-internal negotiations start from a principle of differentiation and equity, it was not expected to rank high among the Member States (Münnich Vass et al., 2013; Capros et al., 2011). Indeed, it is not among the

most invoked fairness principles, but still surprisingly often cited, making up 5.4% of all used frames. But who invokes this principle, and how is it framed?

Not having shared in the discourse of capacity and need, it is the majority of the eight more affluent Member States already mentioned above that raise the principle of equality – Austria, Belgium, Denmark, the Netherlands, Luxembourg, and Sweden. While they do not go as far as calling for (proportionally) equal emission reduction targets, their arguments mostly revolve around the benefits of converged targets. The diagnostic element for this frame is generally a worry of not being on track for climate neutrality by 2050. It is reasoned that by setting targets only until 2030, with a reduction gap of currently 40% between the Member States, it will be harder to reach climate neutrality collectively in the twenty following years. This is exemplified by a Dutch statement:

> In our view, the package needs to be not just Fit for 55, but also Fit for 2050 with a view to climate neutrality. This means convergence must play a larger role in the ESR target setting, otherwise, some Member States will face extremely steep reduction paths after 2030. (Netherlands, ENV1, pos.202)

Thus, the major concern here is achieving climate neutrality, the prognostic solution is the convergence of targets, and the motivation is ambition. This framing is congruent with the higher ambition of those Member States reflected in their capacity frames and points to the different starting points and environmental agendas of the Member States.

A slightly different frame is used by Sweden and Belgium. In the diagnostic element, they problematize the lower targets for some Member States and propose more convergence as a solution in the prognostic element. The argument is motivated by the wish of not having to compensate for other countries' lack of action: "The legislation should not be designed so that ambitious Member States are made to compensate for lower conditions in other Member States or other sectors" (Sweden, AGRIFISH, pos.86). Thus, while one equality frame revolves around the worry of not reaching the collective target by 2050, the other frame is more closely related to perceptions of fairness and not having to shoulder others' burdens. In addition to those frames, Portugal and Estonia both refer to equality in their arguments once. However, their contributions are very topic specific and revolve around a wish for a level playing field in the roll-out of synthetic fuels and maritime emission counting to not be disadvantaged. Thus, it might still be argued that congruent with previous literature, equality considerations in the sense of equal emission reductions do not play a (substantial) role in EU-internal climate

negotiations (Ringius et al., 2002). Yet, the fact that most of the more affluent Member States refer to it in some way shows that it cannot be discarded as irrelevant.

6.1.5. Equal burden within the EU and concerning third countries

A principle related to equality, but adapted to include aspects of equity, is that of equal burden. Originating from a horizontal understanding of fairness, it means that all states should *suffer* equally from the measures, i.e. incur proportionally equal welfare losses (Rose et al., 1998). Thus, depending on national circumstances, equal burdens can result from vastly differing emission reduction targets. Upon the conception of the coding frames, the principle of equal burdens was mainly expected to revolve around equal burdens within the EU, but the analysis shows that equal burdens with third countries play an even larger role in the debates.

Starting with equal burdens within the EU, the most often used diagnostic element is disproportionate burdens or financial repercussions for Member States. For example, Greece states that the increased costs of flying, resulting from a higher cost of synthetic fuels, would disproportionally affect it, given its many islands and its reliance on (air-bound) tourism for income (Greece, TTE2, pos.179). Relatedly, Malta states that the targets would result in "aggravating socio-economic obligations, particularly on small island states at the periphery of Europe such as Malta, which are dependent on shipping" (Malta, TTE2, pos.205). As a prognostic element, impact assessments, reduced targets, or financial compensations for the Member States are proposed. Relatedly, the idea of proportionality, financial burden sharing, and avoiding detrimental effects on the national economy are the motivational elements of the equal burden frames.

The equal burden principle is used mostly by Cyprus, Malta, Greece, Spain, and Portugal. All located in the Mediterranean, they share a common feature: water and air travel play a large role to reach (part of) their territory. Since two of the eight debates explicitly revolved around emission reductions in the aviation and maritime sectors, it is not surprising that it is these five countries that perceived emission reductions in those sectors as particularly burdensome. Here, the limitation of having analyzed only eight Council debates reveals itself. Had the debates explicitly included other topics, such as energy sources, the pattern might have looked different. Nevertheless, emission reductions from air and water travel are vital to reaching the EU's climate targets, thus including them in the analysis was inevitable (European Parliament, 2021).

Turning to equal burdens concerning third countries, it is noticeable that this fairness principle is, to varying degrees, invoked by almost every Member State. Contrastingly to the

diverse framing of other fairness principles, the framing of equal burden sharing with third countries is strikingly similar within the union. The diagnostic element is unanimously considered to be the danger of losing competitiveness by having more stringent environmental protection than non-EU countries. This might result in carbon leakage, i.e. the situation in which a company or investments move from a country with stringent environmental regulations to a country with less stringent measures to save costs (German Environment Agency, 2021). As a remedy, the prognostic elements invoked reach from keeping free allowances in the ETS sector, (financially) supporting European firms, strictly implementing the proposed Carbon Border Adjustment Mechanism, or joining forces with other major institutions such as the World Trade Organization (WTO) to agree on more universally binding targets. While the proposed solutions differ, the motivational element is again strikingly similar: to prevent the distortion of competition between the EU (Member States) and third countries by leveling the playing field of burdens.

Although the equal burden argument with third countries is important for a majority of Member States, its relevance for the analysis of internal burden sharing is limited. Furthermore, the fact that it concerns almost all Member States does not allow for a meaningful differentiation of arguments. Rather, it demonstrates a major concern of EU environmental policy-making on a global scale.

6.1.6. Cost-Efficiency

Being the second allocation criteria for EU-internal emission reduction burdens next to capacity as measured by GDP per capita, cost-efficiency has a more utilitarian sound to it (Ringius et al., 2002). Attributing reduction burdens to those who can implement them more (cost-) efficiently also means that equity criteria are partly side-lined in this more market-mechanism-based approach (Muttitt & Kartha, 2020). Still, cost-efficiency can be fair from the perspective of achieving the overall well-being of the union in a utilitarian sense. Therefore, it merits closer inspection.

Cost-efficiency is framed as fairness mainly by four countries: Denmark, Finland, the Netherlands, and Sweden. The diagnostic element points out the problem of not accounting for national specificities and resulting reduction possibilities, thus possibly overlooking potential long-term reductions. For example, Sweden states that "active sustainable forest management in Sweden can better contribute in the climate transition [in the long term] than temporary increased carbon uptake in the forest" (Sweden, AGRIFISH, Pos.89). Hence, imposing cost-inefficient and binding (sub)targets is seen as unfair since they might undermine

the collective emission reduction effort and pose undue and unnecessary burdens on the countries. It is thus not the burden *per se* that the Member States find unfair, but the disproportionate or unnecessary costs accompanied by them. Consequently, in the prognostic frame element, they propose the extension of tools that aid cost-efficient allocation of emission reductions, such as emissions trading: "a strong ETS is key for reaching the EU climate targets cost-effectively while ensuring a level playing field" (Netherlands, ENV3, pos.88). Economic incentives and ambition stand behind these arguments as motivational elements.

The reason for the argumentative clustering of this fairness principle in the more Northern Member States might be found in the literature on welfare states. Located mainly in the social-democratic welfare state system by Esping-Andersen (2000), the Scandinavian welfare states extend the principles of universalism and de-commodification of social rights beyond all other types of welfare states. By creating this universal solidarity, "all benefit; all are dependent; and all will presumably feel obliged to pay" (Esping-Andersen, 2000, p.163). Thus, the focus lies on the collective societal effort rather than the individual contribution If this reasoning is transferred, seeing the EU as a society, it might be that the four Member States prefer a utilitarian, cost-efficient emission reduction to further the universal well-being of the union. Alternatively, it could be that being affluent yet relatively small Member States, they have established cost-effective ways of reducing emissions that they wish to transfer to the EU and not have them undermined by *Fit for 55*. This explanation would be supported by the goodness of fit literature, which holds that some Member States' national institutions and policies provide a better ground for implementation of certain measures than others' (Mastenbroek, 2005).

Thus, it seems as though the EU's two target allocation criteria capacity, explicitly focusing on equity criteria, and cost-efficiency, resulting from a more utilitarian approach, cater to different groups of Member States. This compromise reflects how the EU balances Member States' approaches, considers their different starting points, and therefore puts national differences at the center of attention in all decisions (Runge-Metzger & Van Ierland, 2019).

6.1.7. Flexibility

Being the second most invoked fairness principle, flexibility was inductively coded and not derived from literature. In the context of fair emission reduction burden sharing, flexibility mechanisms can "reduce compliance costs and, simultaneously, increase fairness between low-income Member States and high-income Member States" (Vielle, 20, p.1). Although the EU's allocation criteria mention the need for flexibility mechanisms, it was not anticipated that the

flexible approach to targets would feature as prominently in the results. A reason for its prominence in arguments could be that the Transport, Telecommunications and Energy Council (December 2, 2021) explicitly asked how *Fit for 55* strikes a fair balance between ambition and flexibility. Nevertheless, as each Member State had an answer to this question, it should be analyzed in more detail.

In invoking flexibility, it is mostly problematized in the diagnostic elements that emission reduction targets are (too) ambitious, too stringent in time, or do not account for national specificities. As a prognostic solution, flexibility is often seen as a way to ensure reaching the targets in a fair way and accounting for the different starting points of the Member States: "[targets] need to take into account national realistic efforts and possibilities for flexibility between Member States to achieve climate neutrality for the economy as a whole by 2050" (Netherlands, ENV2, Pos. 61). The motivation behind the wish for flexibility is mainly to reach targets and to ensure an equally burdensome transition for all Member States. Thereby, the flexibility frames can cater both to Member States with more ambition and a wish for cost-efficiency and Member States who wish for less ambitious targets and focus their fairness arguments more on capacity and need. For example, Belgium, which is strongly in favor of cost-efficiency, frames flexibility as a way for Member States to reach their above-average targets fairly: "Some Member States which are very ambitious compared to others may run into greater difficulties to achieve these objectives. So it is essential to reinforce flexibility" (Belgium, ENV1, Pos. 67). On the other hand, Estonia problematizes its high targets and resulting burdens and argues that its "new target means great challenges for all sectors […]. Therefore, we need as much flexibility as possible to reach the new targets" (Estonia, ENV2, Pos. 217).

Thus, flexibility can be seen as a solution for reaching targets, but the principle allows for framing in terms of ambitious and cost-efficient action (Rhodes et al., 2021) and in terms of capacity and need (Vielle, 2020). Therefore, when analyzing the frames, it could be argued that flexibility is not an independent fairness principle to the degree of the ones discussed above, but rather a mechanism to reach or assure other principles, such as need and capacity. This is also concluded by Chan (2016), who states that in striving for a bottom-up inclusive approach to climate agreements, "national flexibility extends to the way that fairness, equity, and ambition are considered" (p.299). Hence, it seems fitting that flexibility mechanisms accompany the EU's target allocation but are not part of their decisive criteria.

6.1.8. Historic credit

Another fairness principle that flowed inductively from the data is historic credit. While responsibility in this study refers to having historically caused emissions, credit here means the historic effort that countries have made to reduce their emissions or pay for compensation. It thereby reflects compensatory fairness as outlined by Albin (1995). Although the notions are related in the sense that they consider a country's past actions, the use of the principles in arguments varied sufficiently to merit a new category.

Albeit not used frequently, historic credit is invoked by a range of argumentatively diverse Member States - Austria, Belgium, the Czech Republic, Croatia, Ireland, and Sweden. It is mostly problematized in the diagnostic elements that current targets are disproportionate and proposed in the prognostic elements to take past achievements into account by crediting them to Member States' targets. The motivational element points to the wish to not punish countries for having achieved emission reductions previously. For example, Czechia argues that "greenhouse gas emissions dropped in the Czech agriculture by 48% compared to the reference in 1990, and these efforts have to be taken into account" (Czechia, AGRIFISH, pos.95). Similarly, Belgium states that "we shouldn't penalize those Member States who have moved forward more quickly" (Belgium, AGRIFISH, pos.111). Thus, historic credit is related to the notion of fair burden sharing in the sense that already shouldered burdens should be taken into the equation when calculating new shares. As Figure 4 shows, it is closely related to responsibility, which rests on the same notion. Still, the limited mentions do not portray ihistoric credit as a key principle.

6.1.9. Just Transition & Generational Justice

Lastly, although not directly part of the debate on inter-state burden sharing, two notions closely related to the fairness of emission reductions are the concepts of just transition and generational justice (Galgóczi, 2018; Schuppert, 2011). Just transition, defined as "a fair and equitable process of moving towards a post-carbon society" (McCauley & Heffron, 2018, p. 2) rests mainly on equity as a prerequisite for public support (Newell & Mulvaney, 2013). In the eight debates, just transition was the third most mentioned fairness principle, invoked by all Member States except for Estonia, Ireland, Malta, and Sweden. Their lacking use of just transition arguments could result either from having sufficient other fairness arguments to turn to or from the fact that country-specific reallocation measures are already in place to

alleviate most burdens, as stated by Ireland and Sweden in the Environmental Council in October 2021 (pos. 301; pos.72).

Where invoked, the diagnostic element of the just transition frames revolves predominantly around the financial and psychological burdens of a green transition on the most vulnerable population of the Member States. Especially increasing energy prices feature prominently in arguments, but also social acceptability of measures. As a prognostic element, it is proposed to account for vulnerabilities in targets and to support citizens with compensatory measures such as the Social Climate Fund (SCF), motivated by achieving social equality and preventing detrimental effects on society. Besides this common frame, Luxembourg and the Netherlands invoke just transition as the motivation behind ambitious *Fit for 55* targets, arguing that these measures help overcome high energy prices and dependency on fossil fuels and thereby increase social justice. Thus, the just transition frames revolve mostly around the notion of energy justice, not around environmental or climate justice (McCauley & Heffron, 2018). This could be because energy prices are currently high on the agenda, or because inequalities and vulnerabilities resulting from exposure to environmental risks are not as divergent within the EU (Moens & Barigazzi, 2022).

Interestingly, opinions about the SCF are extremely divided within the EU.[5] Those who support it frame it as overcoming problematic social burdens by providing financial resources to the Member States' population: "As for the social climate fund. This is a significant part of the solution. It will partly cover substantial social costs. We believe that the fund should be effective, quick and accessible" (Romania, ENV3, Pos. 217). Those who oppose the fund, on the other hand, do so in two ways. One group frames the SCF as an administratively burdensome and redundant tool whose purpose is already fulfilled by other funds:

> We have dedicated historical amounts to climate measures and solidarity in the recovery funds, the modernization fund, the ETS Solidarity mechanism, and the MFF, including the Just Transition Fund. With that in mind, we do not see any need for a new budgetary instrument, and we are hence critical towards the proposed Social Climate Fund. (Sweden, ENV3, Pos. 37)

The other group of opponents welcomes a redistributive fund but disagrees with their calculated shares or the funds' origin in revenues from the renewed ETS system: "The current proposal for social climate fund does not sufficiently reflect the socio-economic circumstances

[5] For an overview of Member States that support and oppose the Social Climate Fund, see Table 5, Appendix I

of Member States and is not aligned with own resources proposal" (Lithuania, ENV1, Pos. 222).

In the case of the SCF, the previously found divergence between more needs/capacity-based and more equality/cost-efficiency-based Member States does not hold. This finding is congruent with media reports on the Councils' support for, or rather opposition to, the SCF which is seen as coming from various directions (Taylor, 2021). Interestingly, the issue is debated differently in the European Parliament, where parliamentarians are largely in favor of the fund (Taylor, 2022). Further analyzing where support for or opposition to the SCF originates could be interesting in future research.

While just transition is a commonly used principle, generation justice is only mentioned by Austria, Malta, and Portugal. In all instances, non-action is identified as a problem in the diagnostic frame elements, and acceptance of *Fit for 55* and its related targets is seen as the solution in prognostic elements, motivated by the wish to leave a livable planet for future generations. Rather than dwelling on who has invoked generational justice and why, it can be concluded that the principle does not play a role in EU-internal burden sharing negotiations. Given the increasingly rich literature on the topic, this is surprising and might hint at a lack of consideration for a justice realm that will affect the future generations significantly (Schuppert, 2011).

6.1.10. Summary and Evaluation

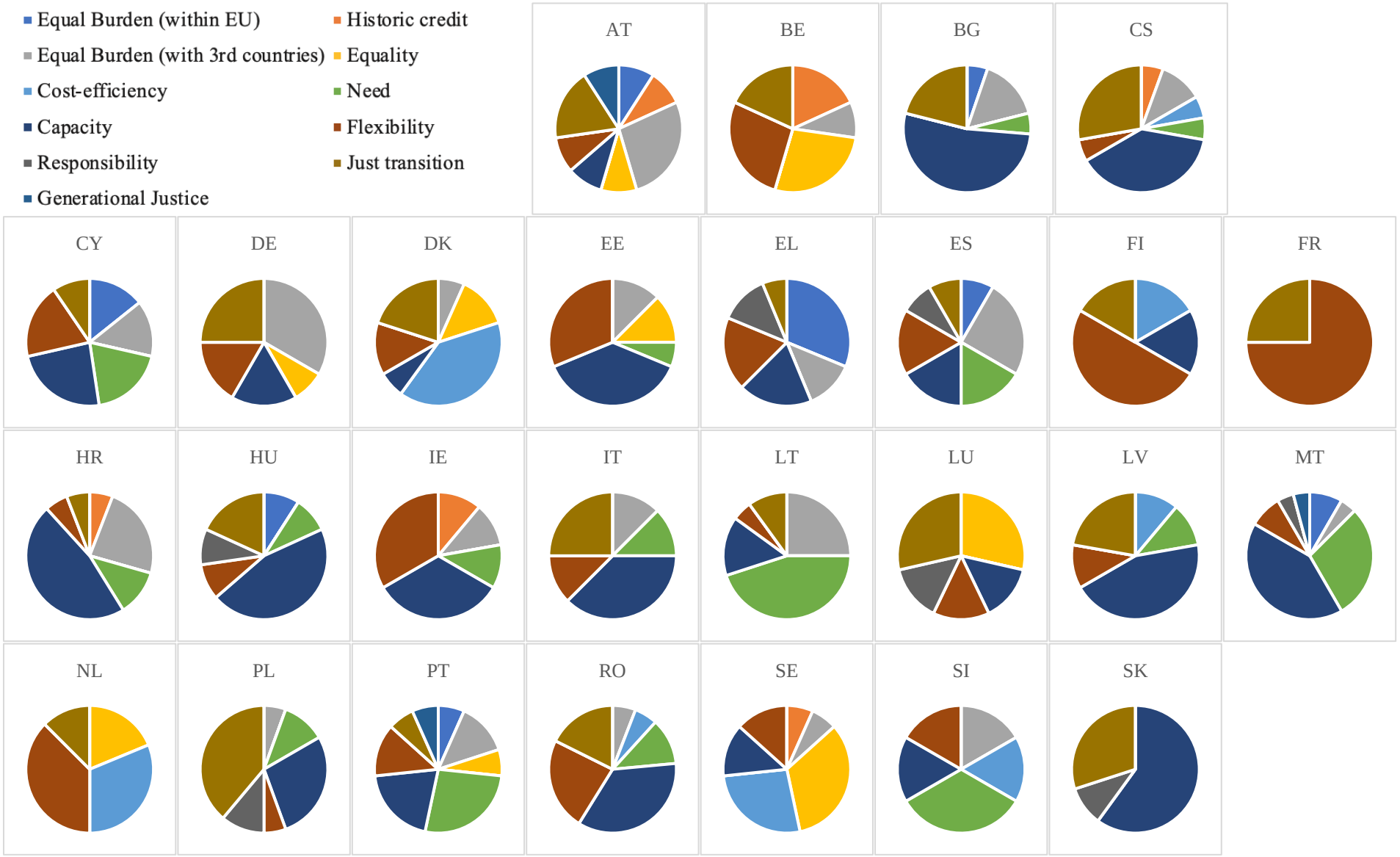
In summary, and concordant with previous literature on framing in the EU, different fairness principles are invoked to varying degrees by the Member States (Eising et al., 2015). The salience and use of each principle per country are visualized in Figure 6. Additionally, it is demonstrated above that fairness principles are framed diversely by those who raise them. Thus, the first expectation that the Member States invoke and frame fairness principles differently is confirmed.

Despite the variety of frames, argumentative patterns between the Member States become visible. For one, there is a clear divide between countries that refer to the more equity and need-based principles of capacity and need, and those that invoke the principles of equality and cost-efficiency. It could be argued that the former group raises fairness as a way to reduce or ease their burden, while the latter refers to fairness as a means to spur action in less ambitious Member States. This impression is congruent with the Member State's support for the targets as proposed under the new package (see Table 2). All countries wishing explicitly for more ambitious targets in the debates are part of the group invoking the fairness

principles of equality and cost-efficiency. Similarly, those countries wishing for less ambitious targets or more time to reach them are part of the capacity and needs group. Thus, a relationship between different fairness perceptions and support for *Fit for 55* is visible. This confirmes the second expectation that Member States' support for or opposition to the package is mirrored by their respective argumentative patterns.

Interestingly, those Member States that are relatively content with the targets and do not wish for more or less ambition are, with some exceptions, also those countries that have raised a smaller amount, a greater variety, or a less urgent framing of fairness principles compared to the other two groups. Thus, it seems that fairness serves, to some degree, as a justification for extreme opinions. For countries that are content with their target, the need to refer to fairness might be less prevalent. This discovery could be in line with the more rationalist literature on international climate agreements, where invoking fairness is used as a means to further own interests (Woods & Kristófersson, 2015). However, the repeated lecture of the debates reveals that most arguments refer to national concerns or preferences rather than being used as manipulative rhetorical means, thus (partly) contradicting the self-interest argument. This, on the other hand, is in line with what was expected from previous research on framing in the EU - in a repetitive setting such as the Council, it is expected that sincere preferences prevail and are not covered by power-play (Bailer, 2010). Still, revealing whether fairness is used as a means to an end (Schimmelfennig, 1995) or as revealing a true concern for justice (Risse, 2000) will need a more elaborate analysis and fact check of the arguments.

Figure 6. Share of fairness principles invoked per Member State



Note. Shares of the eleven fairness principles found in eight Council debates, broken down per Member State. For Member State abbreviations see Table 7, Appendix I. Author's work with MAXQDA and Microsoft Excel.

In conclusion, it could be that the truth lies in between and that different national circumstances influence who argues more sincerely and who uses arguments as rhetorical means with a more self-interested agenda to avoid emission reduction burdens. Especially the more ambitious countries such as Finland, the Netherlands, France, Ireland, and Denmark often reason not only from their national perspective but account for others' points of view as well: "Ireland understands that a number of Member States have concerns with financial aspects of this proposal […]. Our colleagues and EcoFin should therefore be given a chance to provide their opinion on this proposal" (Ireland, ENV2, pos.278). These positions might only be possible where economic means allow lenience. Additionally, the governments' preferences on EU integration could influence these positions, as well as the population's stance (Aspinwall, 2007). As the latest Eurobarometer reveals, 71% of the Irish population has a positive image of the EU, far more than the average 44% (European Commission, 2022). However, the same cannot be said for France (36%), whose considerate position might have been more influenced by its upcoming Council presidency in the first half of 2022 (French Presidency of the Council of the European Union, 2022). Another intuitive explanation, the amount of per capita emissions, seems implausible because members of both argumentative groups are among the top emitters (e.g. Luxembourg, Estonia, Finland, Czech Republic) (Ritchie & Roser, 2020). Thus, more research is needed on what drives countries' positions. In further examining the argumentative clustering among the Member States to answer the second research question, a tentative approach is presented below.

Table 2. Support for *Fit for 55* among Member States

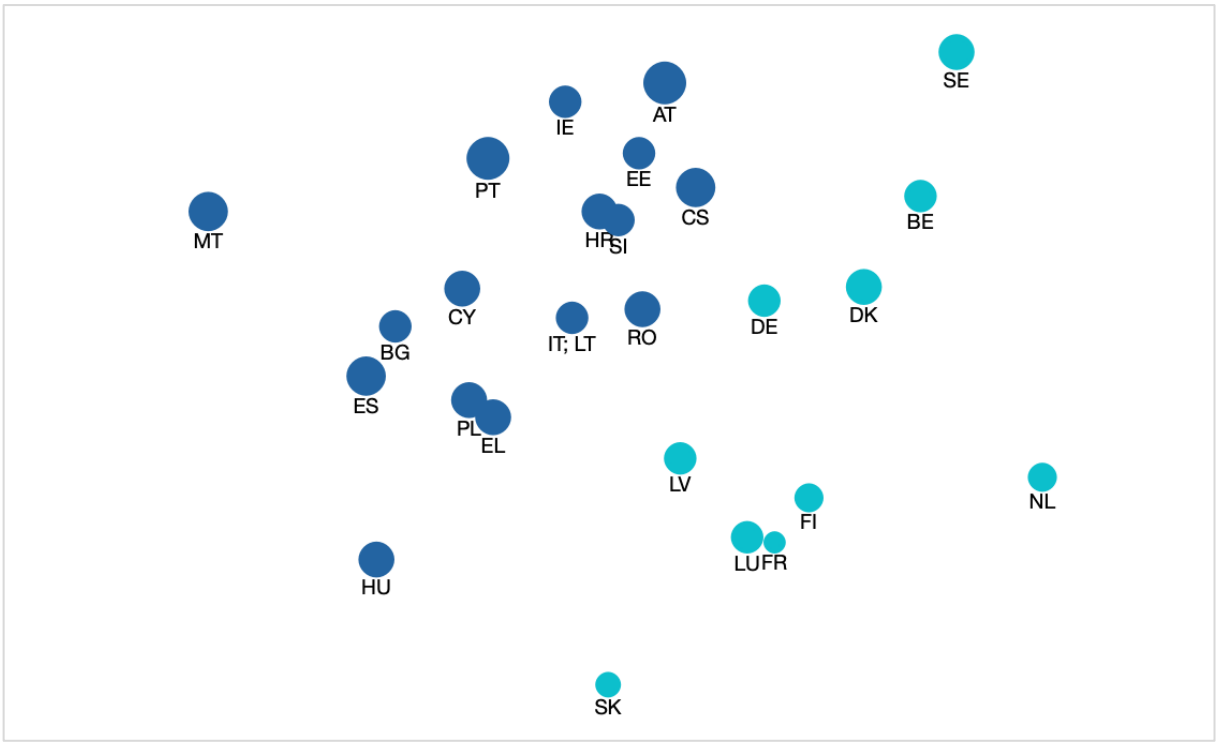
Member States that want more ambitious targets	**Member States that are content with targets**	**Member States that want lower targets /more time to reach them**
Austria	Denmark	Bulgaria
Belgium	Estonia	Czech Republic
Finland	France	Latvia
Luxembourg	Germany	Poland
Netherlands	Greece	Romania
Sweden	Hungary	
	Ireland	
	Italy	
	Lithuania	
	Malta	
	Portugal	
	Spain	

Note. Division into Member States that want more or less ambitious targets or are content with targets as proposed under *Fit for 55*. Cyprus, Croatia, Slovakia, and Slovenia did not voice clear opinions and are thus excluded. Author's work based on coding and evaluation of eight Council debates.

6.2. How do fairness principles and argumentative patterns cluster among the 27 Member States?

Turning to the second research question on argumentative patterns, a lot of insights can be drawn from the analysis of the first question. In examining the different fairness principles invoked by the Member States, argumentative patterns have been identified that suggest a division between more affluent Member States and Member States with a GDP per capita below the EU average. However, to see whether this division accurately reflects arguments, the patterns will be closer analyzed, aided by more quantitative means. MAXQDA provides a visualization tool that maps documents – which contain the speech contribution of one Member State each – according to the frequency of certain codes. In this case, the analyzed codes are the fairness principles identified in the countries' arguments above. Figure 7 shows the two groups that emerge when countries are mapped according to code occurrence.

Figure 7. Codemap - binary country clustering



Note. Argumentative clustering of countries according to the frequency of fairness principles that they invoke. Own work with MAXQDA (document map).

6.2.1. Argumentative clustering according to economics

One group in Figure 7 (light blue) consists of Belgium, Denmark, Germany, Finland, France, Latvia, Luxembourg, the Netherlands, Slovakia, and Sweden. Except for Latvia and Slovakia, these countries all have above average GDP per capita and relied mostly on the notions of

equality, cost-efficiency, and, to some extent, flexibility when arguing for fairness (Eurostat, 2022). Austria and Ireland, also belonging to this affluent argumentative group, are grouped within the second group (dark blue) that makes predominant use of capacity and needs arguments. Thus, except Latvia, Slovakia, Austria, and Ireland, Figure 7 confirms the impression from coding that economic affluence relates to certain fairness patterns.

This is further demonstrated by dividing the Member States into countries with above and below average GDP per capita and counting the respective fairness principles invoked.[6] Table 3 shows that frequencies diverge strongly. As elaborated above, capacity, need, and equal EU-internal burdens are especially invoked by countries with a below average GDP per capita. On the other hand, equality, cost-efficiency, and flexibility play a large role for more affluent countries. Since these concepts are based more on merit and utilitarianism than equity, it makes sense that only states with the financial means to meet their targets can call for them (Tørstad et al., 2020; European Commission, n.d.*b*). The use of capacity arguments in the above-average group can be explained by their different framing of the concept – instead of framing lacking capacity as a reason to do less, some of the more affluent countries framed their higher capacity as a reason to do more: "We need to make sure that some countries can move on faster by means of national objectives" (Sweden, ENV2, pos.67). Thus, the third expectation of argumentative clustering according to economic means is confirmed.

Table 3. Fairness principles - above and below average GDP

	Below Average GDP	Above average GDP
Capacity	33,9%	10,7%
Responsibility	3,1%	0,9%
Need	15,6%	0,9%
Equality	1,2%	15,2%
Equal Burden (within EU)	5,4%	0,9%
Equal Burden (with 3rd countries)	12,1%	9,8%
Cost-efficiency	1,6%	15,2%
Flexibility	11,7%	25,9%
Historic credit	0,8%	4,5%
Just transition	14,0%	15,2%
Generational Justice	0,8%	0,9%
N = countries	17 (63,0%)	10 (37,0%)

Note. Percentage of fairness principles invoked by Member State groups with above and below average GDP per capita. Countries belonging to each group can be found in Figure 8, Appendix I. Author's work with MAXQDA.

[6] For a division of Member States into countries with above and below average GDP per capita, see Figure 8, Appendix I.

The reasons for this argumentative clustering according to economic means can be manifold. For one, it seems intuitive that the Member States with a larger budget also have a greater discretion to finance and implement emission reduction measures. At the same time, less affluent Member States still rely more on fossil fuels and with their comparatively higher economic growth rate will be a stronger driver of emissions (Dunn, 2020, Tørstad et al., 2020; European Commission, n.d.*b*). Therefore, the proposed targets under *Fit for 55* can be taken more lightly by the wealthier Member States since no or less existential problems might arise from them. This would mean that equity-related fairness principles are invoked mainly by those who need them to be included to reach their targets, while the Member States that have the necessary means do not resort to them. Future research could further examine the relationship between a Member State's economic means and its support for or opposition to EU environmental policies in comparison to other independent variables such as Europeanized identity (Koenig-Archibugi, 2004). A tentative hypothesis to be tested could be that having more economic means leads to a more utilitarian understanding of fairness. If done quantitatively, this could also reveal whether economic affluence is a statistically significant factor in relation to other potential explanations.

6.2.2. Argumentative clustering according to emission reduction burdens

Meanwhile, the other possible explanation for argumentative clustering elaborated and expected above is that Member States group according to the increase in emission reduction burdens that they saw under the *Fit for 55* proposal. Given that reducing emissions is a burdensome process that requires the restructuring of major parts of a country's activities, increasing these burdens could influence how states argue for fairness (Siebold & Abnett, 2021; Sprinz & Vaahtoranta, 1994, as cited in Tørstad et al., 2020). However, this fourth expectation was not confirmed in the evaluation of the coding results above. To visualize this impression, Table 4 divides the Member States into countries with above and below average increases in reduction responsibilities and counts the respective fairness principles invoked.[7] It shows that fairness principles are much more balanced between the groups with above and below average reduction increases than is the case with above and below average GDP per capita (compare Table 3), meaning that argumentative patterns are not accurately depicted by this division. An explanation could be that the increases are, with the notable exceptions of Malta and Greece,

[7] For proposed reduction burdens under *Fit for 55*, see Table 8, Appendix II. For a division of Member States into countries with above and below average increases in emission reduction targets, see Table 6, Appendix I.

quite similar and range from 8 to 12 percentage points (see Table 8, Appendix II). Thus, many countries are close to the average 10.5 percentage points increase, meaning that the division is likely not notable enough to result in varying argumentative patterns.

Table 4. Fairness principles - above and below average reduction burdens increase

	Below average increase	Above average increase
Capacity	33,5%	20,7%
Responsibility	4,0%	1,0%
Need	10,8%	11,4%
Equality	4,0%	6,7%
Equal Burden (within EU)	6,3%	2,1%
Equal Burden (with 3rd countries)	9,7%	13,0%
Cost-efficiency	2,8%	8,3%
Flexibility	12,5%	19,2%
Historic credit	1,1%	2,6%
Just transition	14,8%	14,0%
Generational Justice	0,6%	1,0%
N = countries	12 (44,4%)	15 (55,6%)

Note. Percentage of fairness principles invoked per group of Member States with above and below average increase in emission reduction burdens under *Fit for 55*. Countries belonging to each group can be found in Table 6, Appendix I. Author's work with MAXQDA.

6.2.3. Other options for argumentative clustering

Besides the binary division into more or less affluent groups, the EU Member States are so diverse that this split might seem somewhat artificial, without accounting for more variation within those groups. Indeed, Figure 7 shows that some countries are located quite far from others within their group, indicating that their use of fairness principles stands out. Two such examples are Malta and the Netherlands.

For Malta, the focus is very explicitly on capacity and need, both framed in terms of national circumstances. Malta predominantly problematizes its island position its diagnostic frame elements, bringing with it a lack of connectivity, a lack of space for renewable energy, a specific social tissue, and a high dependency on other countries: "[L]imited landmass and natural resources pose a different level playing field from Europe's mainland" (Malta, TTE1, pos.39). As a result, "Malta is substantially hampered by its inherent lack of opportunities to reduce emissions" (Malta, ENV1, pos.235). Thus, in the frames' prognostic elements, it is often suggested to take these national circumstances into account when planning for emission reductions and funding: "The minimal allocation for Malta in the fund is detached from the

reality we face and the investment needs that are required" (Malta, ENV3, pos.188). The frames are usually motivated by national needs and a wish for (financial) burden sharing.

Interestingly, Malta is the only country that did not see any increase in emission reduction responsibilities under the proposed *Fit for 55* package. But why are they so intensely framing capacity and need? One reason could be to defend their lacking emission reduction burdens before the other Member States. After all, it might seem unfair to the others that Malta is the only country exempted from increases. Another reason might be that they do face high abatement costs, are ecologically vulnerable, and need more support (Sprinz & Vaahtoranta, 1994, as cited in Tørstad et al., 2020). To examine the reasons behind Malta's diverse argumentative patterns, future research could investigate its national circumstances more closely to evaluate whether the claimed lack of reduction responsibilities reflects reality or whether Malta uses them as a rhetorical means to alleviate its burden in self-interest.

For the Netherlands, on the other hand, a strong focus on cost-efficiency and flexibility differentiates it from the rest of the affluent Member States that usually invoke both concepts less frequently. Both concepts are framed as bringing along the transition towards a climate-neutral Europe while ensuring the least burden:

> We see potential benefits as part of a balanced policy mix, such as its contribution to a cost-effective transition in these sectors across the EU. […] This needs to take into account national realistic efforts and possibilities for flexibility between Member States to achieve climate neutrality. (Netherlands, ENV2, pos.57-60)

Why does the Netherlands focus on these two concepts more than others? Although they also have ambitious national climate politics, their goal of reducing 95% of emissions by 2050 is less ambitious than, for example, Germany's goal to be climate neutral by 2045 (Federal Government of Germany, 2021; Government of the Netherlands, 2019). Thus, it could be more national politics that influence this rhetoric. Being one of the most low-lying countries in Europe, the Netherlands is particularly vulnerable to increasing sea levels. As a result, the Dutch government is facing enormous expenses and cost-benefit calculations to keep its territory from disappearing into the North Sea (O'Leary, 2019). Coming from this exposure to extremely high costs in adaptation to climate change, they might focus their arguments on cost-efficiency and flexibility as a way to be ambitious at the lowest budget possible and to ease the burden also on other Member States when increasing their commitment. Alternatively, subjective citizens' views or interest groups might explain their diverging argumentative pattern (Bailer, 2012 and Weaver, 2008, both cited in Tørstad et al., 2020).

However, alternative explanations are possible, and further research would be needed to identify the exact reasons behind arguments.

6.2.4. Summary and Evaluation

All in all, it has become evident that the Member States do cluster argumentatively, and that this clustering shows stark overlaps with the economic background of countries. As emerged from the analysis of the eleven fairness principles, affluent countries refer mostly to the principles of cost-efficiency, equality, and, to a certain degree, flexibility. Less wealthy countries, on the other hand, mostly raise the principles of capacity, need, and equal burdens. This finding is substantiated and visualized by mapping countries according to fairness codes and counting the frequencies of codes used in the below and above average GDP per capita groups. The other potential explanation of clustering, above and below average increases in emission reduction responsibilities under *Fit for 55*, does not produce similarly clear patterns. Thus, it seems likely that economic means stir the fairness debate when it comes to mitigation burdens in the EU.

This result means that attributing reduction responsibilities based on GDP per capita and cost-efficiency, as done by the EU currently, caters to the wishes of both economic groups. However, it could also be that this practice further fuels the divide in argumentative patterns. Still, it currently seems to be the method perceived as most fair by all, although it is increasingly called into question by the Member States with higher reduction burdens (Siebold & Abnett, 2021). Moreover, although economic divides seem to reflect argumentative patterns well, other possible explanations such as national politics, European identity, or the population's engagement with green topics have not been considered here (Tørstad et al., 2020). Further (quantitative) research could confirm whether this tentative clustering has statistical significance.

7. Discussion

Now, what do these findings mean and how can they be evaluated and integrated into previous research? First of all, the results show that 25 years after the Kyoto negotiations and the subsequent Burden Sharing Agreement, debating fairness still matters for EU Member States. Congruent with ethical scholarship, unfair mitigation burdens are considered unacceptable, but the reasons behind this perception differ (Duus-Otterström, 2021; Shue, 2011).

Accordingly, this work has found that the Member States view and argue for fairness differently (Castro, 2020; Tovanger & Godal, 2004; Ringius, 1999). Thereby, as predicted, the notions of justice and fairness are not differentiated according to the theoretical literature but used as interchangeable terms (Albin, 1993).

The fact that the principle of capacity features most dominantly in debates reflects the EU's strong focus on equity (Chan et al., 2018; Peters et al., 2015). It considers the Member States' different starting points and reflects the union's core principles of solidarity, burden sharing, and "indemnifying each other against the risks and losses implicit in integration" (Sangiovanni, 2013, p.241). The strong focus on capacity also mirrors the global discourse in which capacity is among the core determinants of fairness (Holz et al., 2018). However, it also reveals that capacity cannot only be framed as a reason to do less but as a motivation to do more by more ambitious Member States. This framing is notably absent from current literature and evaluating it further might provide an interesting approach for future research, potentially also at UN level.

Surprisingly, unlike capacity, responsibility does not play a significant role in EU-internal debates, although globally, it is the most strongly institutionalized notion of climate justice (Audet, 2013). Possibly, coming from the burden sharing perspective of the union, the historic responsibility is accepted as a collective burden, in addition to a relative closeness of historic emissions (Ritchie, 2019; Olausson, 2009). Alternatively, it might be a strategic choice to bypass the global blame-game by sidelining an argument that would draw attention to the EU's historic emitter role. This latter option could also explain why other Member States refrain from targeting Germany as the most notable historic emitter. Thus, although it could have been expected that the EU represents a microcosm of the global debate on fair emission reduction burden sharing, it seems to be a *sui generis* case also in climate negotiations, meaning that research on UN-level has to be adapted with care to the European context (Øhrgaard, 2018). Conversely, it might be interesting for further research to see whether the additional fairness principles found in this work are also invoked at UN-level.

According to the use of fairness principles, argumentative groups of Member States are identified in this study. While the amount of assigned reduction burdens under *Fit for 55* is not reflected in argumentative patterns, the debates show argumentative groupings between more and less affluent Member States. Although detecting the exact reasons for each Member State's perception of fairness is beyond the scope of this work, it seems reasonable to assume that economic means play a crucial role in perceived fairness – less capacity to reduce emissions also means less lenience for targets and more existential burdens necessitating equity-related

arguments. At the same time, a higher capacity to reduce emissions means that Member States can afford to call for more ambitious goals and the conversion of reduction targets across the union, thus relying more on notions of equality and cost-efficiency (Tørstad et al., 2020). Thereby, the debates also reveal a more utilitarian understanding of justice in the Northern European social-democratic welfare states (Esping-Andersen, 2000) and a more individual Rawlsian understanding in other Member States (Theunes & Zala, 2022).

Coming from these two groups, the EU's current distribution criteria of GDP per capita and cost-efficiency seem to reflect Member States' perceptions of fairness to the highest degree. This established compromise could be the reason why attempts to change the allocation mechanism have failed so far (Siebold & Abnett, 2021). Furthermore, it shows how domestic politics and national circumstances shape Member States' actions on the international stage in a two-level game (Putnam, 1988). This clustering according to economic means and the underlying reasons could be further examined by future research.

In comparison to argumentative patterns in previous EU-internal climate negotiations, there is no fundamental shift. In the run-up to the Kyoto negotiations, Ringius (1999) found three groups of Member States with different preferences regarding ambitions and reduction burdens: rich and green, rich and less green, and cohesion states with less economic means. Since then, the EU has almost doubled in size, and the groups have shifted slightly, although the cores remain grouped together. In the analysis shown above, the affluent green and affluent less green groups have, with the exception of Italy, merged into an affluent and very green group, wishing for more ambitious targets and calling for the fairness principles of equality and cost-efficiency. The previous cohesion states Spain, Portugal, Greece, and Ireland, together with Italy and some Eastern European countries, on the other hand, now arguably form part of the less affluent but equally willing group of countries that are content with the *Fit for 55* target (compare Table 2). The new group of cohesion states with countries explicitly wishing for a lower burden or more time to reach them is made up mainly of Eastern European countries – Romania, Czech Republic, Poland, Latvia, and Bulgaria. Thus, the EU now has to accommodate the same groups with different members to find fair solutions. Interestingly, it seems that these first and third groups also make use of fairness arguments most frequently in the Council, potentially because extreme positions necessitate more argumentation.

While the results are, for the most part, congruent with previous research, certain limitations should be kept in mind. The topicality of *Fit for 55* with negotiations still ongoing, the limited timespan considered, and the topical specificities of the eight analyzed Council debates might have resulted in different findings than had other choices been made. As pointed

out above, the two Councils' focus on air and maritime transport, as well as a specific question concerning flexibility preferences, might have influenced the results. This could also explain the dominance of the flexibility frames, which did not constitute a fairness principle in itself, but auxiliary mechanisms for other principles. Furthermore, looking at national or European parliamentary debates as well as media outlets might have revealed a wider range of fairness principles and could have allowed an additional clustering, for instance according to party membership. This is especially so since the arguments made within the Council might only display a share of those advanced beforehand in the working groups and COREPER. Additionally, despite the material's limitated rhetorical expressions and free speaking elements, relying on discourse analysis rather than content analysis might have yielded a deeper argumentative insight. Yet, the analytical framework applied in this study could serve as a first blueprint to identify fairness frames in other policy areas where fairness matters, such as in Councils debating financial allocation and foreign and security politics. Since the Council is mostly studied from a voting-choice perspective, this work has demonstrated the merit of looking closer at the arguments brought forward in this negotiation arena by studying frames. The analytical framework might also be employed in other institutions such as the European Parliament.

Thus, this approach to fill the research gap of how fairness conceptions influence EU-internal negotiations of GHG emission reduction burdens has successfully revealed that it is worth investigating Member State's justice preferences and related framing of fairness. Doing so is important not only for keeping an agreement (Zimm & Narkicenovic 2020) but also for reaching it in the first place. The revealed focus on capacity and need for one group of Member States and equality and cost-efficiency for the other group can give insights into what incentives and concessions can be made to overcome future negotiation deadlocks (Audet, 2013). Thereby, it also helps predict future negotiation strategies, set priorities in the EU's budget, and hint at what will be important elements for the EU in upcoming global climate talks, such as COP28 in the United Arab Emirates. Although the results are specific to the analyzed Councils and the debate around *Fit for 55*, it is plausible to assume that the economic and other national circumstances shaping Member States' arguments would result in similar preferences in other climate debates. Last but not least, it reveals where the Commission can intervene to nudge Member States into fulfilling their targets to reach the collective 55% of emission reductions and the global 2°C or even 1.5°C goals.

What do these findings mean for the research on the European Union more generally? When it comes to coherence on the topic of climate targets, it seems as though the EU speaks

with one voice, although in slightly different dialects. Overall, most Member States agree with the EU's ambitious target and understand that collective action and individual sacrifices are needed to reach it. The most essential disagreement is in who can and should make these sacrifices – only those who can afford it (capacity and need) or everyone collectively and cost-efficiently, possibly with the help of funds (equality and cost-efficiency)? While answers to this question depend on different fairness perceptions, they are not so far divergent to threaten the EU's coherent position on emission reductions. As also Delreux (2014) finds, "preferences of the member states do not have to be aligned per se in order to reach a cohesive position in internal co-ordination processes" (p.1026). By maintaining its internal coherence, the EU can also manifest its role as a climate leader. Established in Kyoto, disintegrated in Copenhagen, and rebuilt in Paris, the EU's environmental leadership is often threatened by internal quarrels (ibid.). Thus, finding that these internal quarrels revolve more around minor aspects than the EU's overall ambition paves the way for an increasing leadership role. At times of high energy prices, insecurity of energy supply, and crumbling relations with Russia, this leadership might be high in demand and welcomed by old allies such as the United States. Additionally, in maintaining this role, the EU can fulfill the requirement for being a normative power – leading by example (Manners, 2008).

Thus, within a union built upon burden sharing and solidarity, redistributive considerations will always have a fairness component. This thesis has aimed at overcoming the lacking research on this component within the EU. By providing an insight into a rarely studied institution and by applying frame analysis to Member State positions rather than agreed EU positions, it has found that different fairness principles matter for different Member States. In analyzing how those principles are framed, it has also revealed what issues and constraints matter most for the countries when discussing their emission reduction target. These insights might help allocate needed resources and provide technical guidance in the future but also point to areas where Member States need more flexibility to unfold their ambition. Thus, despite its limitations outlined above, this work might serve as a blueprint for fairness-related research in other policy areas or other negotiation arenas.

8. Conclusion

This thesis set out with the goal of identifying the role of fairness in EU-internal negotiations about emission reduction burdens in the context of the Commission's proposed *Fit for 55* package. Guided by frame theory, it aimed at answering the research questions which fairness

principles are invoked and framed by the Member States and whether these frames allowed a clustering according to argumentative patterns. By conducting a content analysis of the debates in the Council of the European Union, this study found that eleven fairness principles are, to varying degrees, invoked by the Member States. While the dominance of the capacity principle is congruent with literature on international climate negotiations, albeit framed partly to justify more ambition, the other usually invoked principle of responsibility is notably absent from arguments. Instead, the principle of need and equal burden sharing is referred to side-by-side with capacity. While most Member States raise those two principles, a small group of Member States instead invokes the principles of equality, cost-efficiency, and flexibility. This diverse use of fairness principles in arguments allowed the clustering of Member States according to their argumentative patterns. It was found that instead of clustering according to increases in emission reduction burdens under *Fit for 55*, the argumentative clusters represent a quite accurate divide into countries with above and below EU-average GDP per capita. Thus, it was concluded that economic means might influence how Member States perceive and argue for the fairness of their respective emission reductions. The remaining frames are divided equally between groups and did not play a significant role in the framing of distributional fairness.

The results point to the importance of considering fairness perceptions in analyzing Member States' positions on issues such as *Fit for 55*. By knowing which Member States argue for which fairness principles, the Commission might, after several failed attempts, adapt its allocation key and target Member States' needs and wishes more specifically (Siebold & Abnett, 2021). Thereby, the EU's overall ambition might be increased, pursuant to its role as a normative actor and climate leader. Future research could apply the framing approach to other policy areas that are intensely debated among the Member States, such as a fiscal union or the common security and defense policy. Additionally, it could examine other potential explanations for argumentative clustering such as welfare state types or varieties of capitalism. Since fairness is at the heart of a union built upon solidarity and burden sharing, considering fair shares will yield valuable insights also in the future.

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Appendix I

Table 5. Support for Social Climate Fund

Support for Social Climate Fund	**Opposition to Social Climate Fund**
Austria	Denmark
Belgium	Estonia
Bulgaria	Germany
Croatia	Hungary
Cyprus	Italy
Czech Republic	Ireland
Finland	Lithuania
Greece	Netherlands
Latvia	Sweden
Luxembourg	
Malta	
Romania	
Poland	
Portugal	
Slovakia	
Slovenia	

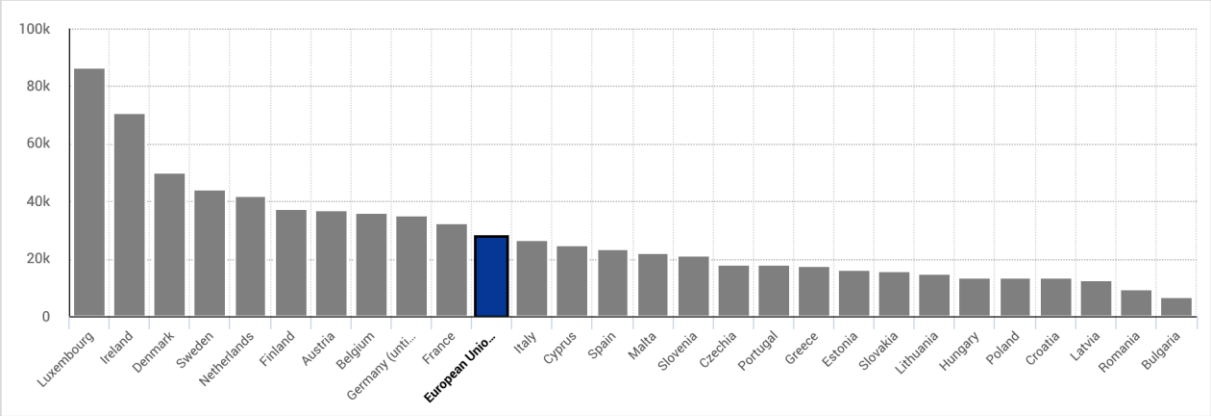
Note. Member States divided into those expressing their support and opposition to the Social Climate fund in the analyzed Council debates. Author's work. Spain and France did not voice clear opinions and are thus excluded.

Table 6. Member States with above and below average emission reduction increases

Above average increases under *Fit for 55*	**Below average increases under *Fit for 55***
Austria	Bulgaria
Belgium	Croatia
Czech Republic	Cyprus
Denmark	France
Estonia	Greece
Finland	Italy
Germany	Luxembourg
Hungary	Malta
Ireland	Poland
Latvia	Poland
Lithuania	Romania
Netherlands	Slovakia
Portugal	
Slovenia	
Spain	

Note. Division of EU-27 Member States into countries with above and below average reduction increases (average increase: 10.7 percentage points). Author's calculations. Source: European Commission, 2021 (see Table 8, Appendix II).

Figure 8. Member States with above and below average GDP per capita



Note. Real GDP per capita in 2021 [online data code: SDG_08_10]. Source: Eurostat, 2022.

Table 7. Country Codes for EU Member States

Belgium	(BE)	Greece	(EL)	Lithuania	(LT)	Portugal	(PT)
Bulgaria	(BG)	Spain	(ES)	Luxembourg	(LU)	Romania	(RO)
Czechia	(CZ)	France	(FR)	Hungary	(HU)	Slovenia	(SI)
Denmark	(DK)	Croatia	(HR)	Malta	(MT)	Slovakia	(SK)
Germany	(DE)	Italy	(IT)	Netherlands	(NL)	Finland	(FI)
Estonia	(EE)	Cyprus	(CY)	Austria	(AT)	Sweden	(SE)
Ireland	(IE)	Latvia	(LV)	Poland	(PL)		

Note. Official country codes for the 27 EU Member States. Source: Eurostat, 2021.

Appendix II

Table 8. Emission reduction changes under *Fit for 55*

	Member State greenhouse gas emission reductions in 2030 in relation to their 2005 levels determined in accordance with Article 4(3)	
	Reduction burdens before *Fit for 55*	Reduction burdens after *Fit for 55*
Belgium	- 35 %	-47%
Bulgaria	- 0 %	-10%
Czechia	- 14 %	-26%
Denmark	- 39 %	-50%
Germany	- 38 %	-50%
Estonia	- 13 %	-24%
Ireland	- 30 %	-42%
Greece	- 16 %	-22.7%
Spain	- 26 %	-37.7%
France	- 37 %	-47.5%
Croatia	- 7 %	-16.7%
Italy	- 33 %	-43.7%
Cyprus	- 24 %	-32%
Latvia	- 6 %	-17%
Lithuania	- 9 %	-21%
Luxembourg	- 40 %	-50%
Hungary	- 7 %	-18.7%
Malta	- 19 %	-19%
Netherlands	- 36 %	-48%
Austria	- 36 %	-48%
Poland	- 7 %	-17.7%
Portugal	- 17 %	-28.7%
Romania	- 2 %	-12.7%
Slovenia	- 15 %	-27%
Slovakia	- 12 %	-22.7%
Finland	- 39 %	-50%
Sweden	- 40 %	-50%

Note. MEMBER STATE GREENHOUSE GAS EMISSION REDUCTIONS PURSUANT TO ARTICLE 4(1).
Source: European Commission. (2021). Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement (Annex).

Appendix III

Codebook

Code	Node Type	Inductive/ Deductive	Description	Example
Fairness Principle	Parent		Child notes are content codes inductively or deductively applied to frames	
Capacity	Child	Deductive	References to economic, social, political or other national circumstances that make a country more/less capable to contribute to emission reductions.	"For Ireland, the proposed target for the reduction of net land use emissions by 2030 will be extremely challenging. There are national circumstances that exacerbate these challenges." (Ireland, AGRIFISH, Pos. 214)
Responsibility	Child	Deductive	Pointing to other countries, large emitters or certain sectors for having caused emissions and thus having a resulting greater responsibility to reduce emissions now	"We are convinced that large emitters and major polluters should pay the bulk of the cost of measures to combat climate change within and outside of the European Union." (Hungary, COMPET, Pos. 98)
Need	Child	Deductive	Mentioning a country's financial, strategic, or other need in meeting the emission reduction targets or for compensating or supporting citizens in the transition	"What concerns Lithuania as the most sensitive issue is aligning the increased GHG reduction targets with sufficient additional financial resources in Lithuania. So far there is significant lack of balance between greenhouse gas targets and the mobilization of the new financial resources." (Lithuania, ENV2, Pos. 105)
Equality	Child	Deductive	Calls for a convergence of targets between Member States so that slowly, all Member States have proportionally	"Sweden considers that the target of a climate neutral land sector should be achieved in each Member State individually instead of collectively in

			equal reduction targets. Mostly refers to the wish of not having to shoulder the burden of others.	an EU wide land sector. The legislation should not be designed so that ambitious Member States are made to compensate for lower conditions in other Member States or other sectors." (Sweden, AGRIFISH, Pos. 86)
Equal Burden (within EU)	Child	Deductive	Wish that even if targets are not (proportionally) equal, Member States should shoulder the same burdens: all states should *suffer* equally from the measures, i.e. incur proportionally equal welfare losses. Results in the wish for considering national circumstances in calculating targets.	"The solutions to reduce methane emissions are not always straightforward, and they increase production cost. More specifically in countries where extensive agriculture is prevalent, like Greece, there will be more burdens [on farmers]." (Greece, AGRIFISH, Pos. 188)
Equal Burden (with 3rd countries)	Child	Inductive	Concern for a reduction in competitiveness in relation to non-EU countries due to a stricter environmental regulation in the EU (carbon leakage). Underlying reasoning: EU countries carry disproportionate burden with stricter environmental regulation	"Obviously the level playing field principle is very important, so this tax exemption for the fishery sector should continue because otherwise that would have a major impact on the operating costs of our fisheries fleet. And it would mean that we were open to unfair competition with those countries where they don't pay fuel tax." (Spain, AgriFish_21 _10_12, Pos. 203)
Cost-efficiency	Child	Deductive	Call for cost-efficiency as a way to reach high targets without putting additional burden on ambitious Member States. Emission reductions should be mainly located where they can be cost-efficiently achieved.	"Secondly, a strong ETS is key for reaching the EU climate targets cost effectively while ensuring a level playing field and the Commission 's proposals bare minimum of what is needed." (Netherlands, ENV3, Pos. 88)

Flexibility	Child	Inductive	References to the need for room to maneuver in reaching the targets, e.g. by having more lenient time frames or reduction responsibilities to avoid unnecessary burdens.	"In achieving these ambitious goals, Member States need sufficient flexibility to decide which cross cutting and sectoral targets should be set and how to achieve them. Achieving targets should not decrease the economic competitiveness of any Member, States or EU as a whole." (Estonia, COMPET, Pos. 186)
Historic credit	Child	Inductive	Reference to a historic effort that countries have made to reduce their emissions or pay for compensation. Arguments typically say that this credit should be taken into account for future targets.	"I would like to stress that greenhouse gas emissions dropped in the Czech agriculture by 48% compared to the reference in 1990, and these efforts have to be taken into account." (Czech Republic, AGRIFISH, Pos. 95)
Just transition	Child	Deductive	Reference to the need to consider social consequences arising from emission reduction efforts. Especially focusing on energy poverty (rising energy costs) and job loss, as well as social acceptability of measures.	"Assuring socially fair transition is the most important element for our success. I cannot but share the concerns of colleagues for the surge in energy prices and their negative consequences. We should tackle immediately these threats to vulnerable consumers and small business problem through a credible EU response so as to avoid citizens opposition to our green transition policies." (Cyprus, COMPET, Pos. 169)
Generational justice	Child	Deductive	References to the current generation's duty to reduce emissions to leave a livable planet for future generations.	"Finally, Minister addressing a fair and just transition in this challenging period is pivotal […] to ensure that every one of us is on board to guarantee that our children in the next

				generations have a safe and sustainable planet to live on […]" (Malta, ENV3, Pos. 189)
Diagnostic frame element [Problem]	Parent	Deductive	Statements that point out a problem in relation to one of the fairness principles. Content dependent on fairness principle to which the frame belongs.	"We are already observing a very worrying situation regarding rising energy prices and the Commission's proposals may significantly worsen this situation (Poland, ENV1, Pos. 227)
Prognostic frame element [solution]	Parent	Deductive	Statements that point to a potential solution for the problems outlined in the diagnostic frame elements. Content dependent on fairness principle to which the frame belongs.	"We believe that large differences in economic opportunities between Member States should be taken into account and the GDP should remain the guiding criterion for setting national targets." (Bulgaria, ENV1, Pos. 279)
Motivational frame element [motivation]	Parent	Deductive	Statements that point to the motivation behind potential solutions to problems outlined in diagnostic frame elements. Since the motivational principles hint at the fairness principles invoked, they were further subdivided into motivational codes that emerged inductively	
Reaching targets collectively	Child	Inductive	Wish to reach the 2030 and 2050 reduction target in a fair manner by each contributing (equally). Typically related to equality.	"We should also strive towards increasing the convergence in the ESR regulation to make sure that all Member States and sectors contribute to the long term climate neutrality target." (Sweden, ENV3, Pos. 38)
Avoid detrimental effects	Child	Inductive	Refers to solutions that want to avoid severe negative effects on society, industries, companies. Typically related to equal	"One of the main challenges we foresee is safeguarding our farmers from exorbitant costs and additional administrative

			burden and just transition.	burden." (Malta, AGRIFISH, Pos. 124)
Proportionality	Child	Inductive	Measures must be proportional either in terms of costs, responsibilities, or social repercussions. Typically related to capacity or need.	"Furthermore, the regulation on the share of effort so should have a proportionate and realistic objective for each Member State." (Spain, COMPET, Pos. 91).
Protect competitiveness	Child	Inductive	Measures should not endanger EU or Member State competitiveness. Typically related to equal burden or cost-efficiency.	"SMEs, particularly mid-sized companies, family run companies in Europe, particularly in Austria, Germany and Spain, but also others account for a large part of our economy and of our GDP. They also provide an awful lot of jobs. We must avoid these industries continuing to leave Europe's shores." (Austria, COMPET, Pos. 46).
Increasing similarity	Child	Inductive	Calls for convergence are partially justified by an increasing similarity between Member States. Typically connected to equality.	"We regret that the current gap of 40% has been maintained in the Commission's proposal. Such a gap does not reflect the convergence of GDP per capita, which has been happening since the objectives were set […]". (Belgium, ENV2, Pos. 134)
Social equality	Child	Inductive	Avoid increasing inequalities between poor and rich by (mainly) avoiding energy poverty and other negative social consequences of transition. Typically connected to just transition	"Poland has consistently stressed that the climate transition must be fair. We need to pay attention to the uneven distribution of costs." (Poland, COMPET, Pos. 270)
Ambition	Child	Inductive	The ambition to reach or exceed targets. Typically related to cost-efficiency.	"We should be more ambition ambitious than we are today, as long as it is done in a cost efficient

				manner." (Belgium, TTE1, Pos. 45)
Solidarity	Child	Inductive	Solutions are motivated by the principle of solidarity that makes some Member States help overcome certain difficulties on others. Typically related to need.	"The principle of solidarity […] is key for us and must be preserved, especially in light of current soaring energy prices, which we will talk later about today." (Czech Republic, ENV1, Pos. 207)
National circumstances	Child	Inductive	Special national circumstances motivate action or non-action. Related to several fairness principles.	"We need to have a concrete discussion on the effort sharing criteria, taking into account national circumstances and the specificities of the agricultural sector and the potential impact they may have thank you." (Romania, AGRIFISH, Pos. 55)
Efficiency	Child	Inductive	Measures must be efficient. Often related to cost-efficiency.	"It should increase the emission reduction pace in an economically efficient way while also allowing an introduction of more ambitious national measures." (Sweden, ENV1, Pos. 79).
(Financial) burden sharing	Child	Inductive	Wish to have solutions based on (financial) burden sharing. Related to solidarity and fairness principles of need and equal burdens within the EU.	"Now I agree with the social climate fund and some Portugal has made an enormous effort. We'll only have 4% of this fund. Well, I don't agree with that, but that doesn't mean I'm against it and we need to come up with better proposals to make sure that there is a fair approach and equitable burden sharing." (Portugal, ENV2, Pos. 206)

Appendix IV

Table 9. Details of analyzed Council debates

Debate	**Date**	**Acronym**[8]	**Aspect of *Fit for 55* discussed**	**Duration**	**Speaking time per country**	**Speakers (in order of appearance)**	**Source**
Environmental Council	October 6, 2021	ENV1	*Fit for 55* in general	2h 23 min	4 min	SI, AT, PT, BE, SE, DE, HU, DK, RO, FR, FI, CY, ES, SK, NL, CS, LT, PL, MT, EE, EL, LV, BG, LU, IE, HR *missing: IT	https://video.consilium.europa.eu/event/en/24960?start_time=0
Environmental Council	December 20, 2021	ENV2	*Fit for 55* in general	2h 19 min	4 min	BG, AT, HR, DE, NL, SE, ES, CS, FI, LT, SK, CY, BE, LV, RO, MT, DK, HU, PT, EE, LU, IT, EL, PL, IE, FR	https://video.consilium.europa.eu/event/en/25340?start_time=0
Environmental Council	March 17, 2022	ENV3	*Fit for 55* in general	2h 30 min	4 min	SE, DK, DE, PL, NL, PT, FI, ES, BE, SK, CY, LT, HR, MT, LV, AT, RO, EL, IT, BG, IE, LU, HU, EE, SI, CS	https://video.consilium.europa.eu/event/en/25575?start_time=0
Agriculture and Fisheries Council	October 12, 2021	AGRIFISH	LULUCF + Effort Sharing Regulation + Renewable Energy Directive	1h 48 min	3 min	PL, SK, FI, RO, EE, DK, LT, LV, SE, CS, DE, BE, LU, MT, CY, AT, FR, PT, NL, BG, HR, HU, EL, ES, IT, IE	https://video.consilium.europa.eu/event/en/24950?start_time=0

[8] Based on official acronyms for the respective Councils (compare: https://www.consilium.europa.eu/en/council-eu/configurations/)

Competitiveness Council	September 29, 2021	COMPET	New Industrial Strategy	2h 56 min	3 min	AT, FI, DE, RO, BE, ES, HU, FR, CS, PT, IT, BG, SE, CY, DK, EE, EL, NL, IE, SK, LT, MT, LV, HR, LU, PL	https://video.consilium.europa.eu/event/en/24849?start_time=0
Economic and Financial Affairs Council	March 15, 2022	Ecofin	Carbon Border Adjustment Mechanism (CBAM)	42 min	1-2 min	DE, SE, BE, SK, PL, IT, NL, CS, HR, ES, FI, EL, LT, MT, SI, HU, PT, LU, IE, SK, RO *missing: AT, CY, BG, EE, LV	https://video.consilium.europa.eu/event/en/25536?start_time=0
Transport, Telecommunications and Energy Council (Energy)	December 2, 2021	TTE1	Energy Efficiency Directive + Renewable Energy Directive	1h 59 min	3 min	PL, PT, RO, BE, MT, DK, EE, NL, CS, LV, AT, FI, LU, HR, ES, HU, EL, CY, IE, SE, LT, IT, DE, FR, BG, SK	https://video.consilium.europa.eu/event/en/25223?start_time=0
Transport, Telecommunications and Energy Council (Transport)	December 9, 2021	TTE2	ReFuelEU Aviation + FuelEU Maritime	2h 58 min	3 min + 3 min (two items related to *Fit for 55*)	SE, IE, LU, NL, PT, DK, HU, HR, CS, FI, BG, LT, DE, PL, CY, AT, IT, EE, LV, MT, RO, ES, SK, BG, EL, FI + MT, DK, SE, IE, PT, CS, HR, CY, BG, LV, RO, LT, DE, PL, NL, IT, EL, BE, ES, EE, FI *missing: AT, HU, FR, LU, SK	https://video.consilium.europa.eu/event/en/25145?start_time=0

Note. List of the eight Council debates analyzed in this work with dates, topics, length of speaking time, participants and source. Usually, all Member States except for the presidency (in this time span: Slovenia and France) spoke. Exceptions outlined as *missing in the table.