Research Square

Preprints are preliminary reports that have not undergone peer review.
They should not be considered conclusive, used to inform clinical practice,
or referenced by the media as validated information.

# Climate Justice or Green Protectionism? A Critical Discourse Analysis of the EU's CBAM and the Silencing of African Agency

**Dev Kumar (Roshan) Boojihawon**

d.k.boojihawon@bham.ac.uk

University of Birmingham Edgbaston campus: University of Birmingham https://orcid.org/0000-0003-0117-5657

**Research Article**

**Keywords:** EU, CBAM, Africa, legitimacy, governance, global value chain

**Posted Date:** May 18th, 2026

**DOI:** https://doi.org/10.21203/rs.3.rs-9576430/v1

**License:** This work is licensed under a Creative Commons Attribution 4.0 International License. Read Full License

## Abstract

The European Union's Carbon Border Adjustment Mechanism (CBAM) attempts to merge climate goals with global trade governance. However, its legitimacy is contested by Global South actors, who assert that fair climate governance requires justice, responsibility, and mutual acknowledgement. Using a critical discourse analysis of EU policy documents, consultancy reports, and African stakeholder comments, this paper explores the legitimation strategies (such as authorisation, rationalisation, moral evaluation, and mythopoesis) employed by EU actors and the counter-discourses presented by African stakeholders. The paper argues that EU representatives present the CBAM as WTO-compliant and as an instrument that enhances fairness and sets a good example for global climate diplomacy, while African stakeholders denounce it as racist, punitive, and failing to adhere to the Common But Differentiated Responsibilities (CBDR) principle. This study extends its analysis to examine how the CBAM might reshape production structures, firm strategies, and the participation of African exporters in carbon-intensive sectors, including steel, aluminium, fertilisers, and cement, in the global value chain (GVC). Theoretically, it extends legitimacy theory in the international business (IB) literature by highlighting conflicts among pragmatic, moral, and normative validity in an unequal North-South context, where claims of justice and credibility are unequally distributed. From a policy perspective, the analysis suggests that procedural inclusivity and fairness are vital prerequisites for new trade tools, such as the CBAM, to support a just climate transition in the Global South.

## 1. Introduction

CBAM is one of the world's most influential and debated climate policy tools that has emerged in global climate governance (Clausing, Houtan, and Goulder 2024). Touted as one of the leading initiatives in the European Union's Green Deal, the policy requires the import of six carbon-intensive goods into the EU: cement, iron, steel, aluminium, electricity and fertilisers, to be priced by tariffs that correspond to the carbon costs imposed on the production of the same goods within the EU. The policy is portrayed as a pragmatic way to combat carbon leakage and shore up climate ambition; however, it has generated intense global controversy, especially regarding the position taken by countries in the Global South (Mehling, van der Ven and Van Nieuwenhoven 2024). CBAM threatens to create several compliance hurdles and market limitations for African economies, along with raising larger concerns about environmental justice, national autonomy over regulations and ongoing postcolonial marginalisation (Amendola, 2025; Magacho and de Almeida Leão, 2023; Olabisi and Wei, 2025). Several researchers argue that developing countries are most heavily impacted because, generally speaking, they do not have the ability to decarbonise industries quickly (Amendola 2025). This has led to accusations of "green protectionism" and concerns that the policy may violate World Trade Organisation rules (Mehling et al., 2024). Consequently, some African nations are exploring alternative strategies, such as regional carbon pricing schemes and green industrialisation initiatives, to mitigate the potential impacts of the CBAM on their economies (Meng, 2024; Magacho et al., 2023).

Beyond this discursive level, CBAM imposes material pressures on African firms, sectors and countries engaged in global value chains (GVCs). Many African countries exporting steel, aluminium, cement and fertilisers, the specific sectors covered by the CBAM, must confront the burden of complying with stringent rules, measuring their emissions with rigorous standards and appeasing EU clients who increasingly turn towards low-carbon suppliers (Gereffi et al., 2005, Humphrey & Schmitz, 2002, Ponte & Sturgeon, 2014). For many African firms from Least Developed Countries (LDCs), these new rules essentially constitute a hurdle to participation in low-carbon GVCs, acting more as an obstacle than a motivator to improve their climate actions. This intersection of governance, legitimacy and industrial organisation is the main analytical space of this study. Throughout this paper, we treat CBAM not as a unidimensional policy instrument but as operating simultaneously in three registers: (i) a discursive site where legitimacy and justice claims are contested; (ii) an extraterritorial green industrial policy that reshapes incentive structures for African producers; and (iii) a governance mechanism that restructures EU-Africa global value chains by changing lead-firm sourcing decisions and supplier upgrading trajectories.

In essence, this paper critically interrogates CBAM as a contested discursive terrain where climate justice claims are simultaneously mobilised to legitimise trade protectionism and silence African agency. Although the EU frames CBAM as a rule-based and morally defensible instrument of climate fairness (André & Pirlot, 2024), its operational logic reveals a highly asymmetrical distribution of voices, risks, and authority (Bassi et al., 2024; Meng, 2024). Africa, a continent with negligible historical responsibility for climate change, is subjected to externally defined standards of carbon reporting, institutional capacity, and trade compliance (Brandi, 2021). However, African actors are largely absent from the design of these frameworks, rendering CBAM less of a participatory mechanism and more of an act of green conditionality. This imbalance highlights the urgent need for inclusive dialogue and equitable frameworks that genuinely incorporate African perspectives, voices, and interests into global climate governance and trade.

To analyse how CBAM legitimacy is constructed and contested, this study adopted the Critical Discourse Analysis (CDA) approach (Fairclough, 1995; Leitch & Palmer, 2010; Chouliaraki & Fairclough, 2010) of over 40 policy and related texts produced between 2020 and 2025. The corpus of texts consists of three domains: i) EU CBAM policy and implementation texts, ii) expert commentary, panel discussions, and media framing, and iii) responses from a diverse set of African countries. These consist of speeches by heads of state/government, position papers from various entities, including governments, think tanks, and NGOs, as well as interviews with regional leaders, trade experts, and sustainability analysts. Through a mixed deductive-inductive coding process (Miles &amp, Huberman, 1994), the analysis examines five thematic categories: Representations of Africa, legitimation strategies, climate justice discourse, strategic silences, and signalling tensions. By applying this coding strategy, we analyse both the institutional narratives presented by the EU and the counter-discourses emanating from African countries (Wodak, 2006).

This research's central argument is that CBAM seeks to both legitimate the EU as a leader in climate action by leveraging the rhetoric of fairness and ambition and to perpetuate structural inequalities by ignoring historical emissions, disregarding the principles of CBDR (Rajamani, 2012), and marginalising Africa's developmental and trade realities. Moreover, the paper asserts that CBAM functions as a form of extraterritorial green industrial policy that reshapes the geography of global production, creating new barriers to entry for African firms in low-carbon value chains while potentially accelerating supplier substitution by multinational enterprises (MNEs) towards lower-carbon sourcing locations. These silences may be accidental but constitutive as they are the conditions through which CBAM maintains its institutional coherence and moral authority (Fontana, 2023). African actors challenge the instrument and argue for alternative frameworks, ranging from protests over procedural exclusion to CBAM as an opportunity to bargain for climate finance, support green

industrialisation, and advocate for co-governance models (Leturcq, 2022). They question the epistemic closure of CBAM and call for more pluralist and historically grounded approaches to climate justice and sustainability.

This study contributes to three overlapping areas of literature. First, it adds to the research on organisational legitimacy by showing how legitimacy is discursively constituted and relationally contested across policy regimes. Second, it contributes to climate justice scholarship by shedding light on the crucial role of recognitional and procedural justice in shaping trade outcomes in global climate governance. Third, it engages directly with international business and GVC scholarship by examining how CBAM, as a regulatory instrument with extraterritorial reach, affects lead-firm governance, non-market strategy, and the upgrading trajectories of African suppliers in carbon-intensive sectors (Gereffi et al., 2005; Strange and Zucchella, 2017; Narula, 2018). Fourth, it responds to recent calls to develop Southern theories of management and sustainability by foregrounding African agency, epistemology, and critique in a field largely governed by Northern institutional logics.

The rest of this paper is organised as follows. Section 2 provides the theoretical framework integrating insights from legitimacy theory, climate justice, discursive institutionalism, and postcolonial critique. Section 3 outlines the CDA methodology, corpus design, and analytical procedures. Sections 4 and 5 present the empirical findings from the analysis of EU policy discourse and African responses, respectively. Section 6 discusses the theoretical implications for global climate governance, and Section 7 concludes with observations on the future of pluriversal responsibility in transitions to sustainability.

## 2. Theoretical Background: Legitimacy, Justice and Postcolonial Governance and GVC Implications

CBAM represents one of the EU's most ambitious attempts to integrate climate ambition with global trade rules. As presented by the EU, the CBAM is to be a cornerstone of the EU's "Fit for 55" package and aimed at "fairness" to "prevent carbon leakage" and "show global climate leadership" (Aldeia and Cristina, 2025). From the perspective of many Global South stakeholders, however, CBAM constitutes a new form of green protectionism which could aggravate economic vulnerabilities and erode the principle of common but differentiated responsibilities (CBDR) (Djelloul, 2022, Ferris, 2023, Rajamani, 2012). Indeed, Africa argues that it faces unique climate-related vulnerabilities. Its economies bear a considerable share of the costs of the EU's CBAM despite being the lowest contributors to historic global emissions. As Africa's main trading partner (Stack et al., 2024), its asymmetric economic and institutional power relationship with the EU highlights the legitimising and silencing effects embedded in the CBAM discourse. Therefore, this study poses the following research question: How is legitimacy for the CBAM constructed, contested, and negotiated across North-South trading contexts? In doing so, we explore how CBAM, while potentially propelling global climate action forward, is also challenging because of its trade and GVC implications for compliance with World Trade Organization (WTO) rules.

Legitimacy is widely recognised as a critical condition for the acceptance of new governance instruments in international business and global trade (Suchman, 1995; Bitektine, 2011; Deegan, 2019). This reflects the perception that organisational actions are 'desirable, proper, or appropriate' within socially constructed systems of norms, values, and beliefs (Suchman, 1995:574). This study adopts Suchman's tripartite view of pragmatic, moral, and cognitive legitimacy while also attending to the dynamic, multilevel processes of legitimation and delegitimation identified in recent scholarship (Bauckloh et al., 2023; Bitektine, 2011; Tschiedel et al., 2025).

### 2.1. CBAM as an Extraterritorial Green Industrial Policy

A growing body of international business scholarship highlights how regulatory instruments designed in the Global North increasingly serve as a de facto industrial policy with extraterritorial effects (Narula, 2018; Buckley et al., 2017). From an IB perspective, CBAM exemplifies a growing body of Northern-designed regulatory instruments that operate as de facto industrial policy with extraterritorial impact (Narula, 2018; Buckley et al., 2017). Unlike traditional trade tariffs, which are negotiated, in principle, multilaterally, CBAM unilaterally imposes EU carbon expectations and standards on third-country producers. This triggers a new form of regulatory risk for African firms, not only compliance costs, but also the risk of being excluded from EU supply chains if they cannot signal conformance with EU carbon norms and standards. Such risks are unevenly distributed: African SMEs and firms in LDCs are the most vulnerable to the effects of such regulatory instruments as they face the highest barriers due to limited monitoring, reporting, and verification capacity. Thus, African firms face what Buckley et al. (2017) term 'institutional distance' not only in regulatory compliance capacity but also in their ability to signal conformance with EU carbon standards, with significant implications for lead-firm sourcing decisions (Strange and Zucchella, 2017; Boddewyn and Brewer, 1994).

This regulatory risk urges African firms to invest in upgrading their environmental standards and reporting mechanisms to remain globally competitive. Failure to adapt may result in exclusion from key EU markets as trading partners, thereby compromising growth opportunities and access to international capital markets. Consequently, CBAM serves as both a challenge and an impetus for institutional development in African economies, shaping firm strategies and regional economic integration.

### 2.2. CBAM and Global Value Chain Governance

GVC theory provides a powerful complementary lens for understanding CBAM's structural effects of CBAM on African industries. Gereffi et al.'s (2005) governance framework distinguishes between market, modular, relational, captive, and hierarchical chain structures, each carrying distinct implications for how regulatory standards are transmitted from lead firms to suppliers. CBAM amplifies the role of what Ponte and Sturgeon (2014) term 'quality conventions': the standards and certifications that govern access to premium markets by adding a carbon compliance dimension. For African suppliers already in captive or hierarchical relationships with EU buyers, the CBAM represents an additional compliance burden that threatens to reduce supplier bargaining power further. Humphrey and Schmitz (2002) identify 'process upgrading' and 'functional upgrading' as pathways through which suppliers in developing countries can improve their GVC position; however, the carbon measurement, reporting, and verification (MRV) requirements embedded in CBAM may actually constrain such upgrading by redirecting firm-level resources towards compliance rather than productive capability development. The risk of

supplier substitution, where EU buyers shift sourcing towards lower-carbon suppliers in other regions, is particularly acute for African firms in aluminium (e.g. Mozambique, South Africa), steel (South Africa, Egypt), fertilisers (Morocco, Egypt), and cement, where carbon intensity per unit of output typically exceeds European benchmarks due to older capital stock and energy mix constraints (Magacho et al., 2023; Bassi et al., 2024).

## 2.3. EU's Non-Market Strategy and African Responses

International business scholarship on non-market strategy (Baron, 1995; Mellahi et al., 2016) is pertinent to understanding how African governments, regional bodies, and firms might respond to CBAM's structural pressures. Non-market strategies encompass political, institutional, and coalition-building actions that complement market strategies in shaping the regulatory environment. For African governments, coordinated responses through the African Continental Free Trade Area (AfCFTA) framework represent a potentially powerful non-market strategy, enabling collective bargaining leverage in EU-Africa climate-trade dialogues. For African firms, investment in MRV capacity and green certification, potentially supported through EU climate finance instruments, could serve both compliance and upgrading functions. The AfCFTA's emerging Industrial Policy, the African Union's Agenda 2063, and individual country green industrialisation strategies (e.g. South Africa's Just Energy Transition Partnership) provide institutional scaffolding for these responses, although their effectiveness depends critically on financial and technical support that CBAM revenues have not been allocated to provide (Brandi, 2021; Leturcq, 2022).

These repercussions become even more pronounced as climate governance increasingly intertwines with trade regimes, shifting the normative terrain from collective responsibility to competitive adjustment to climate change. However, as Newell and Mulvaney (2013) argue, mechanisms that ignore historical context risk perpetuating 'climate apartheid', where wealthier states green their economies while poorer ones are penalised. This resonates with Narula's (2018) analysis of how developing country governments face structural asymmetries in their capacity to respond to regulatory shifts initiated by advanced economies, highlighting the need for coordinated multilateral responses and capacity-building support as essential preconditions for equitable outcomes.

However, although the mechanism has environmental motives, critics consider the CBAM a unilateral regulatory measure that disproportionately burdens developing nations, especially African countries, due to their high dependence on exports and limited carbon pricing ability. To engage with these contestations, this study integrates climate justice theory (Schlosberg et al., 2025; Okereke, 2021), focusing on distributional justice (who bears costs and benefits), procedural justice (who is represented and how decisions are made), and recognitional justice (whose identity and history are recognised). Regarding these justice dimensions, stakeholders from the Global South have critiqued the CBAM for its effect on increasing inequalities, undermining the CBDR principle, and obstructing the development trajectories of African countries. According to Okereke and Coventry (2016), the lack of recognitional justice in current environmental governance frameworks means that the North universalises its assumptions, and Southern needs and lived realities are dismissed.

Since its proposal, research on CBAM has increasingly moved beyond its technical and legal analysis toward its geopolitical and justice dimensions in international climate policy (Eicke et al., 2021). This mechanism is significant because it could reshape trade patterns in profound ways, disproportionately affect developing economies, and influence global climate cooperation, with African countries regularly being highlighted for their economic vulnerabilities and minimal carbon footprints. Several quantitative analyses have predicted significant economic costs for African exporters, especially from carbon-intensive industries, thereby exacerbating inequalities (Morchid et al., 2024). Despite the existing detailed economic and legal analyses of the instrument, research on whether such legal frames accommodate or mask issues related to differentiated responsibilities and fairness is limited (Corvino, 2025; Bachmann & Nellen, 2025). Some scholars have supported the CBAM as an instrument to effectively advance climate action and achieve fair competition globally (Otto, 2025), while others have critiqued it as protectionist legislation that undermines the CBDR and risks exacerbating global inequalities (Do, 2025; Ren & Du, 2025). This is significant because the discursive framing of the CBAM may determine its legitimacy, affect the future of international climate cooperation, and shape the prospects for a just transition in the Global South (Morchid et al., 2024, Nixon, 2011). To address this gap, this study focuses on discourse as a site of legitimacy construction (Smith et al., 2024; Corvino, 2025). It argues that legitimacy does not rest solely on institutional rules but is actively produced through discourses of authorisation, moral evaluation, rationalisation, and mythopoesis (Zhong &amp, Pies, 2024, Suchman, 1995). Drawing on Critical Discourse Analysis (CDA), this article adds to the legitimacy literature by showing how discourses around CBAM make different claims about climate leadership versus climate injustice, pointing to the EU's strategic discourse and the counter-discourses that African actors deploy (Fairclough, 2013, Deeegan, 2019).

Therefore, CBAM legitimacy is a contested phenomenon which necessitates a comprehensive theoretical framework integrating perspectives from institutional legitimacy, climate justice and postcolonial governance (Mlambo, 2024). CBAM operates in the nexus of international trade regulation and environmental policy. Although the rhetoric of CBAM is centred on fairness, global applicability, and legality, these appeals often mask the structural inequalities and epistemic exclusions in global climate governance, especially regarding the historical relations of power that shape the current effects of climate policy.

For African countries, the impacts of CBAM on trade and GVCs, and the issue of legitimate governance, are not merely a theoretical matter but one of deep economic materiality, concerning future trade relations, developmental agendas, and socio-economic well-being. These consequences are magnified by climate governance moving increasingly into the sphere of trade regulation, thus pushing the dominant paradigm of shared responsibility towards that of competition and adjustment. However, mechanisms that disregard historical context may perpetuate 'climate apartheid, ' whereby wealthy states green their economies while poorer states are punished (Newell and Mulvaney, 2013). We read the disregard for CBDR as a deliberate discursive move, enabling Europe to universalise standards without considering its past. This missing element also limits the potential for a just transition to a climate-neutral future by disregarding historical inequalities and favouring equitable climate action across diverse global contexts. It is for this reason, that critiques frequently mention Africa's erasure within global climate governance frameworks, where the continent is positioned as an object of critique and failure, not an active subject, a case of 'slow violence' through epistemic marginalisation and the subordination of African developmental pathways to external green imperatives Nixon (2011). Meanwhile, normative critique rarely offers viable policy alternatives and the implementation of epistemic justice is underdeveloped, with insufficient evidence showing that epistemic justice can affect negotiation outcomes or drive any structural reforms of EU - Africa frameworks Magode

(2025). This often means that the discourse stays within normative ideals, sidestepping power relations in place. So, as well as being a policy, CBAM is analyzed as a tool to exacerbate environmental and economic injustices. This paper engages with these critiques from Global South academics who argue for greater attention to Africa, the Global South, and the Global East in global governance studies (Awa, 2024; Ren & Du, 2025) and that struggles over legitimacy and legitimacy-based arguments around global trade and governance mechanisms (mostly crafted in the Global North) inevitably transfer environmental and economic costs to the Global South and perpetrate climate-related injustices.

INSERT FIGURE 1 ABOUT HERE

## 3. Methodology

This study follows Fairclough's three-dimensional critical discourse analysis (CDA) to examine how the EU's CBAM is discursively constructed with respect to Africa. The transnational corpus of policy documents, official pronouncements, and news texts included in the sample allows for an exploration of how language is implicated in the construction and shaping of power relationships in international climate politics. CDA unveils not only content but also what is omitted and suppressed, thus revealing the mechanisms through which power operates via language, institutional framings, and policy justifications. CDA investigates how language is performative, how language practices construct identity, and how language use depends on specific perspectives and circumstances (Gee, 2011). A politician might, for example, employ ambiguous language to gloss over any potential discrepancy between actions and words. Even car manuals have structural constraints that we do not consider when reading them. Understanding the contexts of language use reveals its power and social effects. CDA shows how policy texts, institutions, organisations, practices, and events produce relations of power, reveal the interests of specific groups while marginalising others, and present the taken-for-granted knowledge as common sense. By understanding language, texts, and narratives, we can see how legitimacy, fairness, and credibility in global sustainability governance are produced Bauckloh (2023, Tschiedel, 2025).

The corpus was developed using purposive sampling, which involved selecting texts that explicitly contained African content or implicitly framed Africa as a key stakeholder in the CBAM policy. Text was collected between 2019 and 2024. (For a comprehensive list of all documents in the sample, see Table I.). The analysis uses a range of thematic and discursive codes to classify legitimisation strategies, power asymmetries, silence, and linkages with climate justice discourses. All coding was conducted reflectively, keeping in mind my own perspective and position in interpreting the discourse tensions that exist between the Global North and South. The documents analysed include the following: (a)EU institutional texts (e. g. European Commission proposals, consultation summaries, and speeches) (b) African stakeholder and consultancy reports (for example, AFC - LSE study, RIFS policy briefs and South African and regional responses) (c) Media coverage and transcripts of workshops and seminars held with stakeholders

INSERT TABLE I HERE

In total, 40 documents covering 784 pages composed the dataset, representing both actors who sought to legitimise the CBAM and those who challenged its fairness and implications for the African continent.

The analytical method used followed a hybrid deductive-inductive coding approach. Deductive codes were established based on legitimacy theory ( authorisation, rationalisation, moral evaluation, and mythopoesis) and climate justice principles (distributional, procedural, and recognitional). Inductive codes arose organically through reading the corpus, where categories such as "green protectionism", "new wall" and "level playing field" were identified. To enhance the rigour and transparency of the analysis, the codes were systematically refined by constantly confronting them with theoretical constructs and then checked across the various documents included in the dataset. Triangulation was employed to verify the findings by juxtaposing EU-origin documents with Africa-origin documents and by creating chains of evidence connecting specific dictionary terms to overarching themes.

To analyse these tensions, this study follows the approach proposed by Dick and Cassell (2004:57), which is based on social constructionist epistemology, where discourse is understood as the means of creating identities through the forces of power (Dick2, 004). The methodology adopted here was influenced by narrative techniques and Critical Discourse Analysis (CDA) strategies (Chouliaraki and Fairclough, 2010). Given the many ways CDA can be understood and applied and the lack of fixed guidelines (Dick, 2004), certain micro discourse methods favour intensive focus on few texts (Fairclough, 2013). Alvesson and Kärreman (2011: 1128) maintain, though, that one can learn more and gain richer insights from reading accounts about how broad social phenomena appear and are treated. The interest was to discover how social actors construct narratives of worth by using micro-linguistic devices and discursive tools in local contexts and subjectivities as they're affected by ideologies or 'grand discourses' (Alvesson and Kärreman, 2011).

The CDA procedure involved following Fairclough's three - dimensional model - analysing (1) textual strategies, (2) discursive practices and (3) socio - political contexts - with the results placed into the broader International Business debate about legitimacy, global governance and climate justice. This CDA in this paper was conducted by the sole author of this paper, who holds full responsibility for the theoretical underpinnings, subjective interpretative judgment and analytic choices. To expedite working through a massive body of different types of textual content and allow for the retrieval and checking of textual support, the analysis employed AI-assisted tools, namely NotebookLM. These instruments offered assistance in the organisation, discovery, and criss-crossing of textual evidence, but were not used for coding or thematic content generation. In addition to discursive coding, a complementary layer of analysis was conducted to identify explicit or implicit references to value chain restructuring, investment patterns, and firm-level adjustments, drawing on a supplementary reading of quantitative assessments of CBAM's sectoral impacts on African exporters (Magacho et al., 2023; Bassi et al., 2024; Morchid et al., 2024). The coding of the texts, development of themes, and every theoretical claim made here have been developed, assessed, and confirmed by the author. In the interests of transparency and research ethics, the use of AI-assisted technology has been mentioned. While the technology assisted the organisation of the corpus and the checking of textual evidence, it never took the role of generating content, which remains the responsibility of the author.

This methodological approach enables the disclosure of the struggles of discursive dominance surrounding CBAM, as well as how the EU uses legitimacy strategies to secure internal authority and contestations based on justice principles by African voices. Centring African narratives in the discourse helps the Journal of Management Studies special issue on the Global South show the extent to which the EU's discourse has failed to address contested

responsibilities that devolve onto the EU as a major climate actor in shaping the international business environment. Therefore, this study proposes multifaceted readings of CBAM as a governance dispositif moulded by unequally shared voices, epistemic power, and institutional narratives.

## 4. Findings

Our analysis documents how European actors legitimise the CBAM within the EU through legal arguments and climate leadership claims, while African actors critique it as unjust and discriminatory. We present three interconnected themes: signalling strategies, climate justice contestations, and legitimacy struggles to capture how CBAM's meaning and legitimacy of the CBAM are built across transnational policy discourse.

# 4.1. Signalling Strategies: Cheap Talk or Costly Commitments

The EU narrative omits aspects of the mechanism that threaten its climate justice narrative: first, the EU has withdrawn from considering special treatment for LDCs; second, it plans to redirect CBAM revenues to its own Innovation Fund rather than to LDC climate finance; and third, it has done little to alleviate the CBAM's adverse economic impacts on LDCs, which pose no risk to CBAM's carbon leakage objectives. This narrative also downplays LDC burdens and historical emissions by ignoring the relevant context and opportunities to boost inclusivity and justice.

INSERT TABLE II HERE

The EU institutions frame CBAM as a signal that the EU is committed to climate leadership, acting fairly and in compliance with WTO law. As the AFC and LSE report notes, "The EU initially considered special measures for LDCs but has apparently retreated from them" (AFC - and - LSE - Report - Implications - for - Africa - of - a-CBAM - in - the - EU). pdf, 2023). For its part, the EU describes its climate proposal as "a climate - oriented environmental policy tool than a protectionist tax" (EU_CBAM_and_its_Implications_for_US_Companies, 2023) licenced by international climate law and legitimised through consistency with the EU Emissions Trading System (ETS). In response, one civil society report stated that "Leaving justice questions unaddressed means that the current iteration of the CBAM would in all likelihood disproportionately impact vulnerable countries, which will face immense challenges tracking emissions and pursuing rapid economic and structural change" (RIFS Policy Brief, 2023). The authors read theEU signals as "cheap talk" given practices, such as diversion of proceeds to the EU Innovation Fund, which contradict claims of equity and global solidarity. Indeed, dropping the LDC exemptions represented the EU moving away from the recognition that developed countries should not disproportionately burden developing countries in climate action. The use of "special measures" and "retreated" points to discursive withdrawal from equity considerations. While these omissions can be understood as attempts by the EU to focus on cohering its policy internally, the cost has been to increase its vulnerabilities to the charges of external injustice and discrimination.

Similarly, the EU's redirection of CBAM revenues, which earlier proposals had linked to funding LDC decarbonisation and adaptation, to its Innovation Fund represents a deliberate omission about redistributive justice, thereby contradicting promises that were key to selling CBAM to developing countries and the broader Global South. The framing of CBAM as an "own resource" for EU budgets erases all traces of distributive justice, despite explicit pleas from developing countries, a group of experts, and African stakeholders arguing that using revenue recycling to address adverse externalities is both a matter of equity and the way to ensure WTO compliance. This reflects the EU's emphasis on signalling the costs it bears (by moving toward the elimination of free allowances in its ETS) while omitting commitments about sharing the burdens of climate action and finance. This mismatch between signal and substance is a significant factor in why African stakeholders see the CBAM as a protectionist economic mechanism rather than an instrument of climate solidarity and an opportunity to create a fair climate order.

Theoretically, these omissions are about the selective production of legitimacy (Suchman, 1995; Bitektine, 2011; Bitektine & Haack, 2015; Deegan, 2019). The EU mobilises cognitive and pragmatic legitimacy by emphasising the technical efficiency of the CBAM and its coherence with the rules of the ETS. It downplays moral legitimacy discourses on fairness, CBDR, and climate justice. Such omissions "aren't passive silences but active and strategic efforts of legitimation aimed at deferring responsibility and externalizing costs" (Bitektine, 2011). Consequently, the EU finds itself in a legitimacy dilemma, solidifying its authority within the EU through claims to legal and rational coherence and leadership in the climate challenge while undermining its legitimacy at the global level among African economies, which feel unfairly threatened and thus see the CBAM not as a tool for a just global transition but as protectionism.

From an IB perspective, these signalling dynamics are consequential at the firm level. Lead firms in EU-Africa value chains are increasingly incorporating CBAM compliance signals into their supplier evaluation criteria, creating a new axis of supplier differentiation that disadvantages African firms that are unable to provide verified emissions data (Gereffi et al., 2005). The EU's shift from rhetorical inclusion (early proposals to support LDC decarbonisation) to institutional exclusion (allocation of revenues to the Innovation Fund) mirrors the shift from relational to captive chain governance that Humphrey and Schmitz (2002) associate with contexts in which lead firms perceive high supplier risk. For African suppliers, this trajectory increases dependency and reduces their upgrading potential. This dynamic reinforces power asymmetries within global value chains, limiting African firms' ability to negotiate favourable terms or access advanced technologies. Consequently, these firms face structural barriers to sustainable development and to economic diversification. Addressing these challenges requires coordinated policy interventions that enhance transparency, capacity building and equitable access to compliance mechanisms.

# 4.2. Climate Justice Contestations: Distributional, Procedural and Recognitional Dimensions

Africa's contestation of the EU's CBAM highlights the importance of climate justice arguments and spheres of distributive, procedural and recognitional injustice. While the EU claims that the CBAM represents global leadership in the fairness of climate action, the African continent views the mechanism as unfair in terms of the burden distribution it entails, the processes followed in its negotiation, and its lack of recognition of Africa's distinct challenges and historical role in climate change.

INSERT TABLE III HERE

*Distributional injustice*: "The South African Institute of Trade Union Studies and Steel and Engineering Industry Federation report argues that CBAM 'could dramatically reduce the space for developing countries to achieve growth and create jobs'" (Africa Business Report 2022). Similarly, reliance on default emissions values was viewed as punitive, disproportionately burdening countries with weak monitoring capacity. Quantitative assessments corroborate these concerns: Magacho et al. (2023) estimate that CBAM could reduce African exports to the EU by up to 5.5% in covered sectors, with Zimbabwe, Mozambique, and South Africa among the most exposed economies. Bassi et al. (2024) find that cooperative carbon pricing scenarios significantly reduce adverse impacts compared to unilateral imposition, underscoring the distributional stakes of governance design choices. At the sectoral level, African aluminium producers face particular exposure: South Africa's Hillside smelter and Mozambique's Mozal facility — among Africa's largest aluminium producers and significant EU suppliers — face carbon costs that could render their exports commercially unviable without significant green investment, which the current CBAM revenue allocation does not support. Relying on default values when importers cannot calculate their real emissions penalises them and thus disproportionately impacts developing countries lacking emissions tracking and monitoring capabilities.

*Procedural injustice*: African voices in civil society argue that the debate over the CBAM is dominated by the EU. South African Minister of Trade and Industry Joe Matsala noted that "The debate is designed by the EU, the agenda is created by the EU and the EU will finally decide" (South Africa Workshop, 2022). Recognitional injustice: African stakeholders argue that the EU has failed to recognise the vulnerabilities faced by least developed countries (LDCs) and the continent's limited historical contribution to global warming when it decided to remove exemptions for the most vulnerable countries. Combined, the three dimensions show how the principle of CBDR, a key pillar of climate justice, is disregarded by the EU in CBAM's design. This delegitimises it in the eyes of the Global South stakeholders.

"Earlier in the process of designing the CBAM, an exemption for least developed countries (LDCs) and vulnerable economies was considered; however, by May 2022, the LDC exclusion had been dropped" (AFC and LSE Report Implications for Africa of CBAM in the EU. pdf, 2023). The removal of LDC exemptions, despite the negligible risk they pose to carbon leakage objectives, represents a failure of recognitional justice. Given their unique vulnerabilities and limited historical role in climate change, these countries should have received preferential treatment. In a similar vein, CBAM's revenue allocation represents a failure of distributional justice, with proceeds earmarked for the EU Innovation Fund than for the LDC climate finance they were previously allocated, which throws doubt on the EU's commitment to address external impacts on Africa's economies. These dictionary terms and codes ("exemption", "Innovation Fund", "contradictory revenue use") reveal how the EU's rhetoric on fairness is undermined by its contradictory behaviour, broken promises, and shifting priorities. African stakeholders have repeatedly raised issues related to procedural justice. South African Minister of Trade and Industry Joe Matsala laments that "The debate is designed by the EU, the agenda is created by the EU and the EU will finally decide" (South Africa Workshop, 2022). They further expressed frustration that the Global South had not been fully represented in policy consultations on the CBAM. From the South African perspective, the CBAM is not merely an environmental policy but a "punitive measure that threatens the job prospects of workers, further increases poverty and exacerbates existing inequalities in South Africa" (Africa Business Report, 2022).

Following Suchman (1995), such measures fail the moral legitimacy test because they ignore their disproportionately negative impacts on socio - economic livelihoods and national economies of developing countries. In this context, the concept of legitimacy is contingent on audience perception (Bitektine, 2011). From the EU perspective, the CBAM meets both cognitive and pragmatic legitimacy because it works with the logic of ETS carbon pricing and the rules of the WTO. For African stakeholders, on the other hand, the imposition of a uniform carbon price across all countries, coupled with its exclusion of any consideration for differentiated responsibilities, clearly violates CBDR and recognitional justice, generating accusations of discrimination and protectionism. In line with Deegan (2019), legitimacy depends on society's expectations. Because CBAM lacks principles that satisfy these expectations across Europe and Africa, it faces serious legitimacy challenges in the eyes of Global South stakeholders.

Overall, CBAM epitomizes a significant paradox of legitimacy. Domestically, it consolidates EU’s authority and leadership role by appealing to fairness and environmental rigor. Externally, it is contested by African countries and other Global South nations as a mechanism that is unfair, inequitable, and excludes their voices and concerns in policy design. The neglect of climate justice not only undermines trust between the EU and Africa but also runs the risk of perpetuating global inequalities, further casting the CBAM not as a fair tool of cooperative climate governance but as an instrument of "green protectionism”. "

Combined, these contestations show that CBAM is not accepted as a step toward just climate governance but as a regressive international trade measure that reproduces historical inequalities between developed and developing countries. This dynamic undermines the prospects for collaborative climate action and risks deepening the mistrust between the EU and African countries. Addressing these justice concerns is essential for fostering a more equitable and inclusive climate governance framework within international trade and GVCs. Without such reforms, CBAM may continue to be perceived as a tool of exclusion rather than a catalyst for global climate cooperation.

## 4.3. Legitimacy Struggles: Authorisation, Rationalisation, Moral Evaluation and Mythopoesis

Suchman's (1995) four ideal types of legitimacy are employed by both play. EU and African actors to legitimate or de-legitimate the CBAM. European actors employ legal authorisation by appealing to the WTO/GATT. They also deploy arguments of fairness, framing it as a "level playing field" for climate policy and instrumental justifications to "prevent carbon leakage and maintain competitiveness, " the policy goals behind the CBAM. African actors challenge the legal claims by pointing to likely violations of GATT Articles III and XI and dispute the fairness claims by focusing on the inequity of free allocations that continue for EU industries. In return, they resort to mythopoesis to cast CBAM not as an instrument of justice or leadership but as "green protectionism" and a "new wall" between Europe and Africa.

INSERT TABLE IV -

**Legal authorisation**

The EU argues that the CBAM is compatible with WTO law and complements the Paris Agreement commitments. European institutions reiterate that CBAM will be " 'WTO-compatible and can be defended" and serves as "an extension of the ETS and the Fit - for-55 packages, thus contributing to the coherence of EU climate policy" (ECLawyers, 2022). However, African actors refute this notion. They argue that CBAM violates GATT Article III (national treatment) and Article XI (elimination of quantitative restrictions), and that the free allowances that overlap with carbon payments make CBAM "a protectionist tariff on exports" and that "default values pose a significant discriminatory risk for countries with developing infrastructure. " They argue that even if CBAM can be classified under one of the GATT environmental exceptions in Article XX, it "falls short of the chapeau test that require exceptions to be applied in a manner that's 'not arbitrary or unjustifiable and not a disguised restriction on international trade'" given the disregard for LDC and CBDR considerations.

**Instrumental rationalisation**

EU actors and stakeholders argue that the CBAM is designed as a "workable instrument that.. Minimises the scope for circumventing its climate policies. " The EU maintains that CBAM avoids double protectionism by harmonising the prices of imported and EU products. EU stakeholders also argue that it includes specific compliance mechanisms for monitoring, reporting, and verification (MRV) and data systems. African analysts, in turn, highlight the disproportionate impact of CBAM on developing countries such as Malawi (GDP reduction of 13 percent in the pessimistic scenario of the IMF report)", arguing that "measuring and reporting emissions data will be technically challenging and the administrative burden on governments and businesses may be high. " Likewise, "Africa and third countries won't be able to fully participate in this decision - making process" (AfDB and AfCFTA secretariat, 2021). They dispute the proportionality between CBAM's benefits of CBAM in mitigating climate change and the negative impacts it could inflict on global trade and development.

**Moral evaluation**

European arguments promoting the CBAM as ensuring a "level playing field" have been widely dismissed in African discourse. They are interpreted as moral hypocrisy on the part of the EU because free allowances continue to be granted to EU industries. The EU narrative of fairness and equalising the CO2 costs of producers so that polluters pay is rejected. African stakeholders focus on unfair burden-shifting, arguing that firms with less accurate tracking systems, such as many African businesses, would be forced to accept high default values and be pushed towards unemployment and poverty, and that the EU has not kept its promise of transferring CBAM revenues to fund climate action in Africa. The credibility costs of such broken promises and continued free allocations make CBAM illegitimate in their eyes.

**Mythopoesis**

EU leaders portray the CBAM as a "landmark step" toward global leadership in the fight against climate change and inspire other countries to follow suit. Conversely, African commentators represent the CBAM as a "new wall" that isolates Africa from Europe or as a new form of protectionism in an already unequal world - new colonialism. Supporters of the CBAM narrative spin it as the initiation of a new era in global climate action that will catalyse global carbon markets and motivate similar climate measures to be implemented in the United States, United Kingdom, Canada, etc. Conversely, opponents paint CBAM as a "new wall", an instrument of "green protectionism", which will not only harm Africa but could potentially serve as a precedent for European countries to adopt trade measures that go far beyond tackling climate change and lead to continued unequal trade power. These struggles reflect a paradox where CBAM legitimacy is fortified within the EU through legal and climate leadership narratives, but is simultaneously eroded among African partners who frame it as an inequitable, exclusive, and unjust mechanism that reproduces colonial power dynamics. Overall, CBAM is a contested terrain of discourse where EU legitimacy is built and solidified within its borders through a legal and rational narrative focused on fairness and leadership in global climate governance, but where it simultaneously encounters resistance and delegitimisation outside its borders from African actors that contest its fairness based on justice claims, distributional inequities, lack of recognition, and procedural exclusion. These struggles reflect how the meaning of legitimacy is context-dependent, negotiated across different institutional contexts, and fundamentally linked to notions of fairness and justice.

From an IB and GVC perspective, these legitimacy struggles have practical implications for investment decisions and industrial strategies. EU actors' rationalisation strategies that emphasise CBAM's role in preventing carbon leakage and maintaining EU competitiveness implicitly signal to MNEs operating in EU-Africa supply chains that sourcing from high-carbon African suppliers increases regulatory risk exposure. This may accelerate the relocation of sourcing or direct investment away from Africa towards lower-carbon regions, a form of supplier substitution driven by regulatory rather than market forces (Strange and Zucchella, 2017). Conversely, African actors' mythopoesis of CBAM as a 'new wall' invokes a counter-narrative that could catalyse coordinated regional responses, including the development of African carbon pricing frameworks and regional certification schemes that might both reduce CBAM exposure and strengthen the continent's industrial upgrading position within emerging low-carbon GVCs.

## 5. Discussion: Theorising Legitimacy, Justice, and Global Governance

This study examined how the EU's Carbon Border Adjustment Mechanism (CBAM) is discursively legitimised and contested in European and African contexts. The findings illustrate how CBAM epitomises a broader trend of green technocracy, wherein legitimacy is constructed through institutional mechanisms that obscure underlying geopolitical asymmetries. CBAM functions not merely as a neutral climate instrument but as a governance regime that subtly enforces a Eurocentric vision of sustainability on the Global South. The predominance of EU discourse in multilateral forums constrains African actors from advancing alternative agendas or advocating for redistributive mechanisms. Despite this, African responses articulate counter-discourses rooted in fairness, sovereignty, and reparative justice.

Critically, the analysis reveals that CBAM's legitimacy struggles are not merely normative but have concrete structural consequences for international business and industrial development in Africa. Drawing on Gereffi et al.'s (2005) GVC governance typology, CBAM intensifies the shift towards captive governance structures in EU-Africa value chains, increasing information asymmetries and compliance burdens that disadvantage African producers. For African firms that have historically relied on cost-competitiveness in carbon-intensive goods, CBAM creates a structural inflection point: they must either invest in green upgrading (requiring capital and technology transfer they may not have access to), accept marginalisation from EU markets, or redirect their exports towards non-EU markets with less stringent carbon requirements. This trilemma is not adequately captured in legitimacy theory alone; it requires the complementary lens of IB and GVC scholarship to appreciate the full scope of CBAM's transformative potential and its risks for African industrialisation trajectories.

This CBAM-induced trilemma, upgrade, marginalise, or redirect, maps onto three classic IB strategic postures for managing regulatory risk in host or sourcing countries (Mellahi et al., 2016). *First*, compliance-led upgrading involves investing in internal systems and green technology, often requiring partnerships with EU buyers or MNEs to access capital and know-how. This alludes to a relational GVC governance mode. *Second*, market diversification, redirecting exports to non-EU markets with lower carbon requirements, reduces dependence on the EU but may mean sacrificing price premiums associated with ‘green’ certification. *Third*, collective non-market action through regional bodies (e.g., AfCFTA) seeks to renegotiate CBAM’s terms of application, for instance by advocating for common default values that reflect African energy mixes. These strategic choices are not mutually exclusive; many African firms will pursue hybrid strategies. However, the critical IB insight is that CBAM shifts bargaining power towards EU lead firms, increasing the likelihood of captive governance relationships where African suppliers bear compliance costs without commensurate upgrading benefits.

This structural and governance-focused analysis contrasts sharply with the normative objections raised by African stakeholders, who contest CBAM’s legitimacy on grounds of fairness, sovereignty, and reparative justice. While their counter-narratives, often ignored in global forums, challenge the EU's Green Climate Leadership claims by exposing its attempts to avoid responsibility for climate justice through the export of its green regulatory vision to the Global South (Brandi, 2021), the prevalence of EU discourse in multilateral venues limits their options to present alternative narratives and policy proposals for redistribution. CBAM operates not only as a climate policy instrument but also as a governance regime intended to impose a Eurocentric model of sustainable development on the Global South. The EU legitimises itself as a climate leader not only through policy rhetoric on trade, leakage, and transparency but also by downplaying the impact of CBAM on trade-exposed, low-capacity economies while asserting normative legitimacy. In this framing, the CBAM does not simply reflect a technical rationality to solve carbon leakage and prevent tax evasion in EU policy. It imposes a regulatory power imbalance, ignores the history of emissions, and shifts the responsibility for climate justice onto the Global South, thus eroding its legitimacy.

While some African actors are increasingly challenging this discourse and questioning CBAM's fairness and the extent of transitional assistance, calling instead for capacity building and a transition based on genuine partnerships that reflect differentiated responsibilities, they remain a minority in EU policy circles. Such counter-narratives highlight the discursive divisions within the global debate and the increasing contestation of established norms. Bitektine and Haack (2015, p. 119) observe that legitimacy is 'not an absolute, fixed, and stable property but an ongoing, contested, sense-making process'. Utilising Suchman's (1995) three types of legitimacy (pragmatic, moral, cognitive), we illustrate its relational nature in the CBAM debate. The EU invokes pragmatic legitimacy on the grounds of preserving EU firms' competitiveness and preventing carbon leakage; however, African respondents contest its claim, noting that it imposed a higher price burden on vulnerable African economies and LDCs and undermined their right to develop (Brandi, 2021, World Bank, 2021). The EU promotes moral legitimacy by appealing to 'fair competition' between EU and non-EU companies, despite continuing to grant free allowances to EU companies, imposing a default value for EU and LDC exporters, and denying exemptions for LDCs in transition economies (Brandi, 2021). The EU's claim to cognitive legitimacy is reinforced in Europe through its institutional connection to the EU ETS, which makes it more easily understood by citizens, businesses, policymakers, and lawmakers in Europe. However, this linkage does not extend to Africa, where the CBAM is dismissed as "green protectionism. " As Bitektine (2011, p. 520) writes, '[A]n action is deemed legitimate because the audience has defined it as legitimate'. His work further explains how justice discourses in international relations impact audience legitimacy judgments (Bitektine, 2011). African contestations show how legitimacy judgments are ultimately formed through the lens of local audiences and contestation.

Climate justice discourse plays a central role in African contestations to legitimise the CBAM. Distributional justice is at stake when African countries are at risk of job losses in carbon-intensive export industries, losing revenue from tariffs on exported goods, being charged a default value of imported carbon embodied in their goods, and being unfairly burdened by the new EU regulatory costs that could push their goods out of a sensitive European market (see the example of South African platinum production above, World Bank, 2021, Brandi, 2021). African voices challenge the moral claim of 'fair competition' in Europe. Procedural justice is at risk when African countries are not part of meaningful consultation processes, thereby undermining the EU's claim to transparent and fair governance in the CBAM. Recognitional justice failures occur when the CBDR and historical emissions are disregarded by European negotiators, undermining any ethical claims behind CBAM and the EU's status as a climate leader. It reveals the extent to which power asymmetries influence global environmental negotiations and trade within GVCs, the contradictions between the EU's climate rhetoric and practice and the enduring inequalities between developed countries, with historical responsibility, capability and readiness to adopt climate action and developing countries. It necessitates a radical rethinking of global climate governance in favour of inclusive and shared approaches to tackling climate change in the context of international trade, focusing on solidarity, mutual respect and the right to development for all nations, acknowledging their differentiated responsibilities and providing the necessary support for mitigation and adaptation for global sustainability (Gottwald, 2021).

Connelly et al. (2025) framework of signalling theory demonstrates that the CBAM is positioned as a 'costly signal' of EU climate leadership on the world stage. However, the EU undermines the credibility of this signal and thus reduces its climate leadership to cheap talk by redirecting CBAM-generated revenues to the EU Innovation Fund, thus failing to allocate them to the urgent decarbonisation efforts of the LDCs and poorer regions, who are expected to disproportionately shoulder the costs of their own adaptation and mitigation with insufficient means. As African actors perceive these actions as protectionism and self-interest (see the above example of Nigeria) and thus fail to be persuaded by the EU's message, the effectiveness of the CBAM as a

signal of EU leadership becomes complicated, as audience heterogeneity leads to varied perceptions of the same signal. Thus, legitimacy in global climate governance is both multisited and contested, and justice plays a critical role in this debate.

## 6. Implications for IB Theory and Climate Governance

The implications of the CBAM are profound, potentially setting a dangerous precedent in which powerful actors leverage climate policy to reassert economic dominance. Instead of fostering international cooperation and developmental solidarity, it risks entrenching existing trade hierarchies and undermining the legitimacy of the global climate governance.

The analysis yields several concrete implications for firms and policymakers. For African governments, a coordinated regional response channelled through AfCFTA structures and the African Union would strengthen collective bargaining power and enable the development of pan-African carbon pricing or certification schemes that reduce exposure to the CBAM's unilateral standards. For African firms in CBAM-covered sectors, investment in MRV capacity and green technology, particularly where supported by EU climate finance partnerships, is not merely a compliance necessity but a potential strategic platform for repositioning within low-carbon GVCs. For MNEs operating in EU-Africa value chains, the CBAM creates both risks (regulatory exposure through high-carbon suppliers) and opportunities (partnering with African suppliers on green upgrading to secure diversified, resilient supply chains consistent with long-term decarbonisation commitments). For EU policymakers, the evidence presented here underscores that CBAM's credibility of the CBAM as a climate instrument is contingent on translating its revenue flows into genuine support for African decarbonisation, a reform that would simultaneously strengthen WTO compatibility and restore eroded international trust. Policy discussions require making more explicit what different actors might do in response. African governments should consider certification capacity building, green industrial policy, and regional coordination through the AfCFTA to avoid exclusion from low-carbon value chains.

Policymakers should consider reforms such as redistributing CBAM-generated revenues to support vulnerable communities, extending transition periods, and embedding CBDR principles into the implementation. Multinational enterprises must anticipate legitimacy risks not only from regulators but also from supply chain actors and trading partners. To establish the legitimacy of CBAM beyond Europe, it is imperative to reframe its foundational logic. A truly legitimate CBAM should not solely focus on carbon pricing but must integrate considerations of contextual justice, including historical emissions, trade dependencies, and developmental constraints. This necessitates a shift from imposition to co-creation and from superficial rhetorical inclusion to genuine consultation with African stakeholders.

Policymakers must listen to African concerns to salvage the CBAM's legitimacy in the eyes of the WTO and the international community. The revenues generated should be channelled to the LDC countries to support their green transition and adaptation capacities, they must have free, fair, and meaningful consultations with African policymakers, and they should explicitly acknowledge the differentiated responsibilities to refute claims that the CBAM is essentially a green protectionist measure. Similarly, African governments should use coordinated regional actions through platforms such as the AfCFTA to increase their collective bargaining power and confer collective legitimacy on their dialogue with the EU. Multinational firms involved in GVCs should assess and be aware of their legitimacy risks from regulators, as well as supply chain actors and trading partners.

This mindset is important to legitimise CBAM outside the European sphere, it is necessary to reform the fundamental assumptions underpinning its logic. This requires a move from imposing CBAM onto Africa to building CBAM with Africa, from rhetorical consultations to genuine dialogue with African policymakers. Such a shift paves the way for climate governance based on efficacy and justice - a just transition - and demonstrates that African actors do not only bear witness to the EU's climate policies but also reshape their boundaries. By highlighting the justice dimensions at the core of its legitimacy framework, this study adds a pluralist dimension to our understanding of transnational governance in the age of climate change.

Future studies should investigate how African actors and institutions use their counter-discourses to oppose and reconfigure the current global narratives of climate trade politics and encourage dialogue on justice and inclusivity for the well-being of all stakeholders involved. Climate action under the just climate framework should acknowledge past responsibilities and the unequal burdens imposed on marginalised communities. Therefore, a critical appraisal of the CBAM is necessary: does it support just decarbonisation for Africa, or will it enhance North-South divides through global trade and consolidate the Global North's dominance over Africa in GVCs? Such an appraisal must consider the socioeconomic realities of African countries and the role of the CBAM in either facilitating sustainable development or worsening existing inequalities within GVCs.

It is also worth noting that although the CDA approach provides rich insight into discursive legitimation and contestation, it does not empirically trace firm-level responses to CBAM directly. Future IB research could employ longitudinal case studies of African producers and suppliers in CBAM-affected sectors (e.g., Mozambican aluminium, South African steel) to analyse how they intimately navigate the trilemma identified here. Quantitative studies could test whether CBAM introductory effects have already altered MNE sourcing patterns from Africa. Additionally, comparative research across African regions (e.g., North vs. Sub-Saharan Africa) would unravel how differential institutional capacity shapes firm-level adaptation strategies.

## 7. Conclusion: Towards a Discursive Reframing of Climate Justice in International Trade

By portraying CBAM as a legitimate, rational, and morally defensible policy instrument authorised by the EU, a specific form of legitimacy is generated. By criticising CBAM on the grounds of distributional inequalities, exclusion from policymaking, and lack of recognition, African actors highlight its illegitimacy from their own perspectives. Such a perspective pushes the concept of legitimacy beyond policy-focused framing to include justice, audiences, and the Global South as key arenas for generating and renegotiating legitimacy. Through a climate justice lens, CBAM is not only an EU policy to which Africa is subjected, but an EU policy tool with which Africa can and should contest.

In this framing, Africa must act as a co-architect of an equitable framework of climate governance by advocating for redistributive, procedural, and recognitional reforms of the CBAM. In the absence of fairness in its conception and application, CBAM is not only potentially ineffective but also an illegitimate policy instrument. While the policy discourse portrays CBAM as policy neutral to notions of social responsibility, it implicitly relies on hidden omissions and hierarchies that recreate global inequalities. To treat Africa's voice as legitimate, one must listen to its alternative narratives on climate justice, solidarity, and sustainable development. As such, policymakers must consider implementing reforms, such as distributing CBAM revenues, extending transition periods, and institutionalising the CBDR principle in its implementation. This research confirms that critical discourse analysis (CDA) is a robust methodology for revealing hidden ideologies within sustainability policy instruments. While additional research is warranted, the findings presented indicate a future direction in which climate actors and institutions increasingly deploy discourses to rewrite the global politics of climate change from the bottom up.

This paper argues that while CBAM might be portrayed as an instrument that enhances fairness, it intrinsically carries the power to create inequality, silence voices, and deny recognition. This inequality will have its gravest impact on African countries and therefore demands new research on how climate instruments go beyond "technocratic" and "procedural legitimacy" towards relational legitimacy. Critically, this study demonstrates that CBAM's legitimacy struggles of the CBAM are not merely discursive abstractions; they have material consequences for the organisation of production, investment flows, and value chain participation in Africa. The mechanism functions simultaneously as a climate instrument, a form of green industrial policy with extraterritorial reach, and a governance dispositif that reshapes the structural conditions facing African exporters in carbon-intensive global value chains (GVCs). Future research should explore how African actors and institutions mobilise counter-discourses to challenge prevailing narratives in global climate trade politics, promoting a just and inclusive dialogue that reflects all stakeholders' needs.

A pluriversal future in climate governance demands not merely greener policies but those that are co-produced, accountable, and rooted in justice. It also demands that instruments like CBAM be evaluated not only for their environmental effectiveness but also for their effects on the development trajectories, industrial capabilities, and global value chain positions of the most vulnerable economies, precisely those who contributed least to the crisis they are now asked to help pay for resolving.

## References


1. Ahmad, I. (2025). Review of Content Analysis of EU's Carbon Border Adjustment Mechanism Concerning Consistency with WTO. *International Journal of Law and Legal Advancement*, *1*(1).
2. Aldeia, R., & Cristina, S. (2025). The European Union Carbon Border Adjustment Mechanism as a Green Tax Policy Instrument. *Central European Economic Journal*, *12*, 85–101. https://doi.org/10.2478/ceej-2025-0006
3. Alvesson, M., & Kärreman, D. (2000). Varieties of discourse: on the study of organizations through discourse analysis. *Human Relations*, *53*, 1125–1149.
4. Amendola, M. (2025). Winners and losers of the EU carbon border adjustment mechanism. *An intra-EU issue?Energy Economics*, *142*, 108–139.
5. André, P., & Pirlot, A. (2024). When are carbon border adjustment measures just? *Political Studies*, null,. https://doi.org/10.1177/00323217241238125
6. Bachmann, F., & Nellen, F. J. G. (2025). A Critical Analysis of the Carbon Border Adjustment Mechanism. *Global Trade and Customs Journal*, *20*(7/8).
7. Baron, D. P. (1995). Integrated strategy: Market and nonmarket components. *California Management Review*, *37*(2), 47–65.
8. Bassi, A. M., Calciolari, F., Costantini, V., D'Angeli, M., & Paglialunga, E. (2024). Carbon border adjustments or climate clubs: Impacts on african agricultural sectors under different cooperative scenarios. *The World Economy*. https://doi.org/10.1111/twec.13G43
9. Banerjee, S. B. (2022). 'Decolonizing Management Theory: A Critical Perspective'. Journal of Management, S. 59, 1074–1087.
10. Bauckloh, T., Klein, C., Pioch, T., & Schiemann, F. (2023). Under Pressure? The Link Between Mandatory Climate Reporting and Firms' Carbon Performance. *Organization & Environment*, *36*, 126–149. https://doi.org/10.1177/10860266221083340
11. Bitektine, A. (2011). Toward a theory of social judgments of organizations: The case of legitimacy, reputation, and status. *Academy of Management Review*, *36*(1), 151–179. https://doi.org/10.5465/amr.2009.0382
12. Bitektine, A., & Haack, P. (2015). The 'macro' and the 'micro' of legitimacy: Toward a multilevel theory of the legitimacy process. *Academy of Management Review*, *40*(1), 49–75.
13. Brandi, C. (2021). *Priorities for a development-friendly EU Carbon Border Adjustment (CBAM)*. https://doi.org/10.23661/bp20.2021
14. Buckley, P. J., Doh, J. P., & Benischke, M. H. (2017). Towards a renaissance in international business research? Big questions, grand challenges, and the future of IB scholarship. *Journal of International Business Studies*, *48*(9), 1045–1064.
15. Clausing, K., Elkerbout, M., Nehrkorn, K., & Wolfram, C. (2024). *How Carbon Border Adjustments Might Drive Global Climate Policy Momentum*.
16. Chouliaraki, L., & Fairclough, N. (2010). Critical discourse analysis in organisational studies: Towards an integrationist methodology. *Journal of Management Studies*, *47*(6), 1213–1218.
17. Corvino, F. (2025). The Compound Injustice of the EU Carbon Border Adjustment Mechanism (CBAM). *Ethics Policy & Environment*, *28*(1), 26–45.
18. Connelly, B. L., Certo, S. T., Reutzel, C. R., DesJardine, M. R., & Zhou, Y. S. (2025). Signaling theory: state of the theory and its future. *Journal of Management*, *51*(1), 24–61.
19. Das, K., & Bandyopadhyay, K. R. (2025). Impact of carbon border adjustment mechanism (CBAM) on steel decarbonization in India: a multi-stakeholder perspective on ambition vs. equity. *International Environmental Agreements: Politics Law and Economics*, pp.1–35.
20. Deegan, C. (2019). Legitimacy theory: Despite its enduring popularity and contribution, time is right for a necessary makeover. *Accounting Auditing & Accountability Journal*, *32*(8), 2307–2329. https://doi.org/10.1108/AAAJ-08-2018-3638
21. Dick, P. (2005). Dirty work designations: how police officers account for their use of coercive force. *Human Relations*, *58*, 1363–1390.
22. Do, T. N. (2025). Reimagining carbon border adjustment mechanisms: A path to climate and development synergy. *Global Transitions*, *7*, 144–147.

23. Escobar, A. (2011). *Encountering development: The making and unmaking of the Third World*. Princeton University Press.
24. Fairclough, N. (1995). *Critical Discourse Analysis*. Longman.
25. Fairclough, N. (2013). *Critical discourse analysis: The critical study of language*. Routledge.
26. Falkner, R., & Jaspers, N. (2012). Regulating the global carbon market. *Global Policy*, *3*(1), 59–70.
27. Fontana, O. (2023). Carbon Border Adjustment Mechanism: potential and critical aspects. *Taxation and the Green Growth Challenge* (pp. 54–68). Edward Elgar Publishing.
28. Fraser, N. (2008). *Scales of justice: Reimagining political space in a globalising world*. Polity.
29. Gereffi, G., Humphrey, J., & Sturgeon, T. (2005). The governance of global value chains. *Review of International Political Economy*, *12*(1), 78–104.
30. Humphrey, J., & Schmitz, H. (2002). How does insertion in global value chains affect upgrading in industrial clusters? *Regional Studies*, *36*(9), 1017–1027.
31. Leitch, S., & Palmer, I. (2010). Analysing texts in context: Current practices and new protocols for critical discourse analysis in organisation studies. *Journal of Management Studies*, *47*(6), 1194–1212.
32. Leturcq, P. (2022). The European Carbon Border Adjustment Mechanism and the path to Sustainable Trade Policies: From 'Coexistence ' to 'Cooperation'. *Cambridge Yearbook of European Legal Studies*, *24*, 67–87.
33. Magode, J. (2025). European Union and Africa Dialogue in Multipolar Era: Change and Maintenance of the Asymmetrical Cooperation Regime. *The Palgrave Handbook on China-Europe-Africa Relations* (pp. 623–643). Springer Nature Singapore.
34. Magacho, G., Espagne, E., & Godin, A. (2023). Impacts of the CBAM on EU trade partners: consequences for developing countries. *Climate Policy*, *24*(2), 243–259. https://doi.org/10.1080/14693062.2023.2200758
35. Mellahi, K., Frynas, J. G., Sun, P., & Siegel, D. (2016). A review of the nonmarket strategy literature. *Journal of Management*, *42*(1), 143–173.
36. Mlambo, V. H., Masuku, M. M., & Mthembu, Z. (2024). The new scramble for Africa in a post-colonial era and the challenges of inclusive development: a semi-systematic literature review. *Development studies research*, *11*(1), p.2306387.
37. Mehling, M. A., Dolphin, G., & Ritz, R. A. (2024). *The European Union's CBAM: averting emissions leakage or promoting the diffusion of carbon pricing? EPRG Working Paper EPRG2416 Cambridge Working Paper in Economics CWPE2459*.
38. Meng, H. (2024). Challenges and Controversies to the European CBAM from a Legal Perspective. *Advances in Economics Management and Political Sciences*, *81*(1), 201–206. https://doi.org/10.54254/2754-1169/81/20241752
39. Morchid, W., Haddad, E. A., & Savard, L. (2024). Measuring the Cost of the European Union's Carbon Border Adjustment Mechanism on Moroccan Exports. *Sustainability*, *16*(12), p.4967.
40. Narula, R. (2018). Multinational firms and the extractive sectors in the 21st century: Can they drive development? *Journal of Development Studies*, *54*(1), 1–8.
41. Newell, P., & Mulvaney, D. (2013). The political economy of the 'just transition'. *The Geographical Journal*, *179*(2), 132–140.
42. Nixon, R. (2011). *Slow violence and the environmentalism of the poor*. Harvard University Press.
43. Okereke, C. (2010). Climate justice and the international regime. *Wiley Interdisciplinary Reviews: Climate Change*, *1*(3), 462–474.
44. Okereke, C., & Coventry, P. (2016). Climate justice and the international regime. *Wiley Interdisciplinary Reviews: Climate Change*, *7*(6), 834–851.
45. Okereke, C. (2020). Equity discourses in climate governance. In J. Meadowcroft, et al. (Eds.), *What is Sustainable Development?* Edward Elgar.
46. Olabisi, N., & Wei, Y. (2025). Designing effective policy to achieve sustainable development impact of FDI: the case of Sub-Saharan Africa. *J Int Bus Policy*, *8*, 33–52. https://doi.org/10.1057/s42214-024-00203-5
47. Otto, S. (2025). The external impact of EU climate policy: political responses to the EU's carbon border adjustment mechanism. *International Environmental Agreements: Politics Law and Economics*, pp.1–18.
48. Ponte, S., & Sturgeon, T. (2014). Explaining governance in global value chains: A modular theory-building effort. *Review of International Political Economy*, *21*(1), 195–223.
49. Rajamani, L. (2012). The reach and limits of the principle of common but differentiated responsibilities and respective capabilities in the climate change regime. *Handbook of Climate Change and India* (pp. 118–129). Routledge.
50. Ren, Q., & Du, J. (2025). The EU's carbon border adjustment mechanism: theoretical dimensions, implementation challenges and WTO compliance. *Journal of International Trade Law and Policy*.
51. Rodrigues Aldeia, S. C. (2025). The European Union Carbon Border Adjustment Mechanism as a Green Tax Policy Instrument. *Central European Economic Journal*, *12*(59), 85–101.
52. Stack, M. M., Amissah, E. B., & Bliss, M. (2024). African economic integration and trade. *The World Economy*, *47*(5), 2122–2146.
53. Schlosberg, D., Rickards, L., Pearse, R., Della Bosca, H., & Moraes, O. (2025). Critical environmental justice in contemporary scholarship and movements: consensus and plurality of the discourse. *Environmental Politics*, *34*(3), 399–420.
54. Schmidt, V. A. (2008). Discursive institutionalism: The explanatory power of ideas and discourse. *Annual Review of Political Science*, *11*, 303–326.
55. Smith, I. D., Overland, I., & Szulecki, K. (2024). The EU's CBAM and its 'significant others': Three perspectives on the Political Fallout from Europe's unilateral climate policy initiative. *JCMS: Journal of Common Market Studies*, *62*(2), 603–618.
56. Strange, R., & Zucchella, A. (2017). Industry 4.0, global value chains and international business. *Multinational Business Review*, *25*(3), 174–184.
57. Suchman, M. C. (1995). Managing legitimacy: Strategic and institutional approaches. *Academy of Management Review*, *20*(3), 571–610.

58. Tschiedel, C., Feiter, T., & Kock, A. (2025). Engaging Paradoxical Tensions in Cross-Sectoral Collaborative Business Model Development for Sustainability: A Case Study in the Urban Energy Transition. *Organization & Environment*, *38*, 58–83. https://doi.org/10.1177/10860266241239350
59. Wodak, R. (2006). Mediation between discourse and society: assessing cognitive approaches in CDA. *Discourse Studies*, *8*, 179–190.
60. Zhang, W., & Sovacool, B. K. (2024). The Geopolitics of Net-Zero Transitions: Exploring the Political Economy of Carbon Border Adjustment Mechanism Implementation in the Global South. Available at SSRN 4853573.
61. Zhong, J., & Pies, I. (2024). The Fairness Controversy over CBAM and its policy implications. *Climate Change Economics*, *15*(01), p.2350029.

## Tables

**Table I: Corpus Table**

| Document | Actor | Genre | Date/Phase | Mode | Context Dimension | Pa |
|---|---|---|---|---|---|---|
| Press Release – AUC Chairperson Encounter with Media (2025) | African Union | Press release | Transition 2023–25 | Spoken/Written | Africa | 3 |
| BCA Public Consultation Summary (2020) | EU Institutions | Policy/consultation summary | Pre-2023 design | Written | Domestic EU / Global governance | 42 |
| Analyst discusses potential effects of EU CBAM | Media/Consultant hybrid | Media article/interview | Transition 2023–25 | Spoken/Written | Africa/Global | 8 |
| CBAM design: Opportunities for international cooperation | EU Institutions / Consultants | Policy/consultancy report | Pre-2023 design | Written | Global governance | 21 |
| CBAM International Townhall (Operationalising CBAM) | EU Institutions | Speech/Transcript | Transition 2023–25 | Spoken | Global governance | 28 |
| CBAM Green Trade Webinar (CELS) | EU Institutions / NGO-hosted | Webinar transcript | Transition 2023–25 | Spoken | Global governance | 18 |
| CBAM – Reconciling EU climate ambitions with competitiveness | EU Institutions | Policy/position paper | Pre-2023 design | Written | Domestic EU / Global governance | 16 |
| EU CBAM Webcast Series: Event 2 – Reporting | EU Institutions | Webinar transcript | Transition 2023–25 | Spoken | Domestic EU | 25 |
| EU CBAM and its Implications for US Companies (2023) | Business/Industry | Industry guidance | Transition 2023–25 | Written | Global governance (US focus) | 27 |
| EU mandates importers to pay from Oct 2023 (Seutame Maimele) | Media (African) | Media article | Transition 2023–25 | Written | Africa | 6 |
| EU to begin implementing CBAM (2023) | EU Institutions | Policy announcement | Transition 2023–25 | Written | Domestic EU / Global | 9 |
| How CBAM might drive global climate policy momentum | Consultant / Think Tank | Consultancy/policy report | Transition 2023–25 | Written | Global governance | 36 |
| On the Borderline – CBAM and world of trade | Consultants | Policy/academic-style report | Pre-2023 design | Written | Global governance | 33 |
| Tackling CBAM's impact on supply chains | Business/Industry (Supply chain) | Industry report | Transition 2023–25 | Written | Global trade | 22 |
| Understanding the CBAM | Consultants / EU Institutions | Explainer/briefing | Transition 2023–25 | Written | Global governance | 19 |
| Opening Remarks by EU Ambassador – Africa Climate Talk (2025) | EU Institutions | Speech | Transition 2023–25 | Spoken | Africa/Global governance | 6 |
| Conversation with Akinwumi Adesina (AfDB President) | African Development Bank | Speech/interview transcript | Transition 2023–25 | Spoken | Africa/Global governance | 29 |
| AFC–LSE Report: Implications for Africa of CBAM (2023) | NGO/Academic (ACF & LSE) | Consultancy/think tank report | Transition 2023–25 | Written | Africa/Global governance | 65 |
| Africa sees new wall in EU's carbon border scheme (Business Afr) | Media | Media article | Transition (2023–25) | Written | Africa / Global | 6 |
| Carbon Border Adjustment Mechanism (CBAM) and Africa – CDA Annotated | African NGOs / Analysts | Consultancy / Analytical report | Transition (2023–25) | Spoken/Written (annotated transcript) | Africa | 14 |
| CBAM and its impact on Africa (Report) | African Governments / Consultants | Policy/Consultancy report | Transition (2023–25) | Written | Africa/EU | 20 |
| Carbon Border Adjustment Mechanism in the Caribbean (Seminar Transcript) | EU Delegates + Caribbean counterparts | Speech / Seminar transcript | Transition (2023–25) | Spoken | Global South / Regional (Caribbean–Africa parallels) | 17 |
| What is the impact on developing countries (CBAM Report) | NGOs / Think Tank | Policy/Analytical report | Transition (2023–25) | Written | Global South | 22 |
| CBAM and its impact on third countries (RIFS Policy Brief 2023) | Consultants / EU policy think tank | Policy Brief | Transition (2023–25) | Written | Global governance | 12 |

**Table I: Corpus Table**

| Document | Actor | Genre | Date/Phase | Mode | Context Dimension | Pa |
|---|---|---|---|---|---|---|
| South Africa CBAM Report 2022 (cbam_southafrica_report2022_web.pdf) | African Govt / Consultants | Country-level Policy Report | Pre-implementation (2022) | Written | Africa (South Africa) | 32 |
| Challenging EU CBAM and Africa's Carbon Tax with Innovation | African NGOs / Policy activists | NGO/Policy Brief | Transition (2023–25) | Written | Africa | 15 |
| Designing an African Response to CBAMs (Baker et al. 2022, AEC Conference) | Consultants (IEC Ltd.) + Academia | Academic/Conference paper | Pre-implementation (2022) | Written | Africa / Global governance | 34 |
| 44744-pr-Press Release – AUC Chairperson Encounter with Media (12 May 2025) | African Union (AUC Chairperson) | Press Release | Transition (2023–25) | Written | Africa / Global Governance | 6 |
| 20201125-BCA-Public-Consultation-Summary-v.7-final | EU Commission | Policy/Regulation (consultation summary) | Pre-2023 (Design phase) | Written | Domestic EU / Global Governance | 26 |
| Analyst discusses potential effects of EU CBAM (annotated transcript) | Media/Expert Analyst | Media/Interview | Transition (2023–25) | Spoken | Global / Africa focus | 12 |
| Carbon border adjustment design – Opportunities for international cooperation (annotated) | Consultancy/Think Tank | Consultancy Report | Pre-2023 | Written | Global Governance | 18 |
| CBAM International Townhall: Operationalising CBAM (annotated) | EU/Consultants/Industry | Speech/Panel Transcript | Transition (2023–25) | Spoken | Global / EU / Africa | 31 |
| CBAM from Concept to Action & Regulation in Trade Partner Countries (annotated) | Consultants/Academics | Policy/Expert Report | Transition (2023–25) | Written/Spoken (event transcript) | Global / Africa | 24 |
| CBAM, Border Carbon & EU Green Trade – CELS Webinar (annotated) | Academics/Think Tank (Cambridge + IEEP) | Academic/Policy Webinar | Pre-2023 | Spoken | EU / Global | 29 |
| CBAM Reconciling EU Climate Ambitions with Competitiveness (annotated) | Industry/Consultants | Consultancy Report | Pre-2023 | Written | EU / Global | 17 |
| EU CBAM Webcast Series Event 2: Getting Ready for CBAM Reporting (annotated) | PwC / Business Advisors | Industry Webinar | Transition (2023–25) | Spoken | EU / Global | 21 |
| EU Carbon Border Strategies for Exporters (annotated) | Business/Industry | Industry Guidance | Transition (2023–25) | Written | EU / Africa / Global Trade | 15 |

**Table II: A Selection of CDA Evidence Chains – Theme: Signaling**

| Excerpt | Dictionary Term(s) | Code/Category | Context Linkage | Source Document | Analytical Memo |
|---|---|---|---|---|---|
| "The CBAM is the EU's attempt to 'level the playing field' between carbon-intensive goods that are produced in the EU and those produced elsewhere…" | Level the playing field; Carbon price; Carbon leakage | EU Credibility Signal: Policy Rationale & Fairness | EU rationale framing CBAM as fair competition and anti–carbon leakage | pbrief_EC_AB_cbam_3.12.24.pdf | Clear articulation of rationale functions as a legitimacy signal, aiming to mitigate protectionism accusations. |
| "The c-bomb is a climate orientated environmental policy tool… open to international cooperation… fully compliant with WTO obligations…" | Climate-oriented environmental policy tool; International cooperation; WTO obligations | EU Credibility Signal: Commitment to International Norms & Cooperation | EU statement positioning CBAM as aligned with environmental goals and WTO law | Carbon_Border_Adjustment_ Mechanism_in_the_ Caribbean_Seminar_CD.pdf | Emphasizing alignment with international law and cooperation is a credibility signal designed to preempt legitimacy challenges. |
| "The phasing out of the ETS allowances is a key part of attempting to ensure that the CBAM is WTO compatible" | Phasing out free allowances; WTO compatible | EU Credibility Signal: Costly Commitment for WTO Compatibility | EU domestic policy change (removing free allowances) linked to CBAM | AFC-and-LSE-Report-Implications-for-Africa-of-a-CBAM-in-the-EU.pdf | Costly domestic reforms to meet WTO norms signal credible commitment beyond "cheap talk." |
| "CBAM charges will also be reduced when 'a carbon price has already been paid in the country of origin.'" | CBAM charges; Carbon price paid in country of origin | EU Credibility Signal: Non-Discriminatory Design & Incentive Mechanism | CBAM crediting mechanism for importers | How CBAM might drive global climate policy momentum_24 – 20.pdf | Crediting equivalent foreign carbon pricing signals fairness and incentivises others to adopt carbon pricing. |
| "A landmark policy by the European Union to whip polluting exporters into line could cut 25 billion dollars of Africa's GDP per year…" | Punitive; GDP losses | Receiver Interpretation: Negative Economic Impact & Punitive Nature | African media framing CBAM as punitive, economically harmful | Africa_sees_ new_wall_in_ EU_s_ carbon_border _scheme_ Business_Afr.pdf | External actors interpret CBAM as punitive, reinforcing perceptions of unfair burden despite EU's stated intentions. |
| "Requiring importers to procure higher-priced allowances based on default values limits the competitiveness of imports…" | Default values; Competitiveness; Discriminatory treatment | Challenge to EU Signal: Methodological Discrimination & Burden of Proof | Critique of CBAM's default value methodology disadvantaging exporters | AFC-and-LSE-Report-Implications-for-Africa-of-a-CBAM-in-the-EU.pdf | Methodological burdens undermine EU's non-discrimination signal; default values perceived as protectionist. |
| "Following the failure to uphold climate finance promises, trust levels are extremely low…" | Trust levels; Climate finance promises | Challenge to EU Signal: Lack of Trust & Inconsistent Behavior | South African policy critique linking CBAM to past broken promises | cbam_southafrica _report2022_web.pdf | Perceived inconsistency with past commitments erodes CBAM's credibility; undermines legitimacy signals. |
| "The introduction of the CBAM creates an important incentive for other countries to adopt carbon pricing." | Incentive; Carbon pricing | Audience Effect: Policy Spillover & Behavioral Change | Third-country uptake of carbon pricing as response to CBAM | How CBAM might drive global climate policy momentum_24 – 20.pdf | CBAM functions as an external incentive, signaling others to adopt carbon pricing. |
| "Evidence is growing that the EU CBAM is already leading to global spillovers… | Global spillovers; Carbon-pricing initiatives | Audience Effect: Quantitative Evidence of Policy Proliferation | Empirical evidence of CBAM's influence on | How CBAM might drive global climate policy momentum_24 – 20.pdf | CBAM acts as a strong external signal catalyzing policy adoption worldwide. |

**Table II: A Selection of CDA Evidence Chains – Theme: Signaling**

| Excerpt | Dictionary Term(s) | Code/Category | Context Linkage | Source Document | Analytical Memo |
|---|---|---|---|---|---|
| 57 carbon-pricing initiatives… now 75, covering 24 percent of global emissions” | | | global climate policies | | |

**Table III: A Selection of CDA Evidence Chain Table – Theme: Climate Justice**

| Excerpt | Dictionary Term(s) | Code/Category | Context Linkage | Source Document | Analytical Memo |
|---|---|---|---|---|---|
| "Negates CBDR… CBAM still requires African countries to pay" | CBDR; African countries; carbon emissions | Recognitional Injustice (CBDR Negation) | Challenge to EU approach | AFC-and-LSE-Report -Implications-for-Africa-of-a-CBAM-in-the-EU.pdf | Imposing uniform burdens undermines differentiated responsibility principle. |
| "African countries could bring WTO case" | WTO dispute settlement; discriminatory design | Procedural Justice (WTO Challenge Option) | Strategic legal avenue | AFC-and-LSE-Report -Implications-for-Africa -of-a-CBAM-in-the-EU.pdf | WTO dispute option highlights procedural justice gap. |
| "CBAM could be inconsistent with MFN principle…" | MFN principle; de jure & de facto discrimination | Distributional Injustice & Recognitional Injustice | Legal critique | AFC-and-LSE-Report -Implications-for-Africa of-a-CBAM-in-the-EU.pdf | Default values & exemptions discriminate, ndermining WTO legitimacy. |
| "Unlikely LDCs can provide verifiable data… default values… discriminatory" | Carbon accounting; default values; competitiveness | Distributional Injustice (Default Value Burden) | LDC capacity deficit | AFC-and-LSE-Report -Implications-for-Africa -of-a-CBAM-in-the-EU.pdf | Data gaps impose unfair penalties; discriminatory under GATT Art III:4. |
| "CBAM lacks flexibility… disregards CBDR" | Flexibility; developmental concerns | Recognitional Injustice (Context Disregard) | WTO Appellate Body jurisprudence | AFC-and-LSE-Report -Implications-for-Africa -of-a-CBAM-in-the-EU.pdf | Rigid design ignores national contexts, arbitrary discrimination. |
| "Measure is punitive… reduces growth & jobs" | Punitive; growth; jobs | Distributional Injustice (Developmental Constraint) | African media reaction | Africa_sees_new_wall_in_ EU_s_carbon_border _scheme_Business_Afr.pdf | CBAM framed as punitive constraint on development and employment. |
| "South Africa export-dependent… CBAM must address justice" | Export dependence; vulnerability; justice | Distributional Impact & Justice Integration | South African stakeholder views | CBAM and its impact on third countries_RIFS_Policy _Brief_2023_2_en.pdf | Export-dependent economies require justice integration for legitimacy. |
| "EU communications should address climate justice…" | Climate justice; distributional impacts; mitigation | Procedural Justice (Communication & Mitigation) | Policy recommendation | CBAM and its impact on third countries_RIFS _Policy_Brief_2023_2_en.pdf | Omission of justice discourse weakens legitimacy; calls for mitigation measures. |
| "Unequal power structures… disproportionate effects… Global South" | Unequal power; historical emissions | Recognitional Injustice (Power & History) | South African stakeholder critique | CBAM and its impact on third countries_RIFS Policy_Brief_2023_2_en.pdf | CBAM reinforces unequal power; disregards Global South's historical marginality. |
| "EU should involve civil society of third countries…" | Inclusiveness; local context | Procedural Justice (Inclusive Policy Process) | Policy brief recommendation | CBAM and its impact on third countries _RIFS_Policy_Brief _2023_2_en.pdf | Inclusion of local voices vital for legitimacy; current omission undermines process. |
| "South Africa should act on its own responsibility…" | $CO_2$ emissions; regional alliances; responsibility | Recognitional Justice (Shared Responsibility) | South Africa's role | cbam_ southafrica _report2022 _web.pdf | Recognition that emerging emitters share differentiated responsibility. |
| "Debate designed by EU… agenda EU… consultation not useful" | Debate design; EU dominance | Procedural Injustice (Imposed Consultation) | South African participant quote | cbam_southafrica _report2022 _web.pdf | Unilateral consultation erodes procedural legitimacy. |
| "Trust… failure to uphold climate finance… mixed signals" | Trust; climate finance; mixed signals | Procedural Injustice (Erosion of Trust) | South African stakeholder views | cbam_southafrica _report2022 _web.pdf | Past failures undermine trust, weakens legitimacy of CBAM. |

**Table III: A Selection of CDA Evidence Chain Table – Theme: Climate Justice**

| Excerpt | Dictionary Term(s) | Code/Category | Context Linkage | Source Document | Analytical Memo |
|---|---|---|---|---|---|
| "Just transition stops at EU border…" | Just transition; fairness; EU budget | Distributional Injustice (Confined Just Transition) | Workshop critique | cbam_southafrica_report2022_web.pdf | Domestic-only just transition undermines external legitimacy. |
| "Zimbabwe is most exposed… 80% of CBAM exports to EU…" | Zimbabwe; trade dependence; carbon intensity | Distributional Impact (Small Economy Vulnerability) | Country case study | pbrief_EC_AB _cbam_3.12.24.pdf | Small economies with high trade dependence face disproportionate exposure. |

**Table IV: A Selection of CDA Evidence Chain Table – Theme: Legitimacy Strategies**

| Excerpt | Dictionary Term(s) | Code/Category | Context Linkage | Source Document | Analytical Memo |
|---|---|---|---|---|---|
| "CBAM aims to position the EU as a global leader … Africa questions Paris compliance and impact on exports" | Climate action; Paris compliance; African exports | EU Claim to Leadership vs African Fairness Contestations | EU ambition vs external scepticism | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | Legitimacy strategy of climate leadership is contested; ambition undermined by fairness concerns for firm strategy |
| "Parliament's CBAM proposal to finance LDCs… final agreement absent… Innovation Fund" | CBAM revenues; Innovation Fund; contradiction | Distributional Injustice (Contradictory Commitments) | Early pledges vs final omissions | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | Contradictory commitments erode credibility and weaken trust. |
| "From the outset… negates CBDR, still requires African countries to pay" | CBDR; carbon costs; African exports | Recognitional Injustice (CBDR Negation) | Challenge to EU design | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | Uniform cost-imposition undermines moral legitimacy rooted in CBDR. |
| "Using CBAM revenues for developing country mitigation… strengthens WTO arguments" | CBAM revenues; mitigation; good faith | Distributional Justice (Revenue Use as Legal Defence) | Legal advice on WTO framing | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | Recycling revenues bolsters both distributive justice and legal legitimacy. |
| "EU industries receive protection… unclear phase-out… may violate national treatment" | Free allowances; protectionism; national treatment | Distributional Injustice (Temporary EU Advantage) | Overlap of ETS and CBAM | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | EU's domestic shielding erodes credibility of fairness claims. |
| "WTO Appellate Body… CBAM lacks flexibility for national conditions/CBDR" | Flexibility; discrimination; CBDR | Recognitional Injustice (Rigid Design) | Legal precedent critique | AFC-and-LSE -Report-Implications -for-Africa -of-a-CBAM-in-the-EU.pdf | Lack of flexibility delegitimises CBAM under WTO's fairness chapeau. |
| "Observers: CBAM punitive, reduces growth/jobs" | Punitive; economic growth; job creation | External Delegitimation Frame | African media framing | Africa_sees_new_wall_ in_EU_s_carbon_border _scheme_Business_Afr.pdf | Discursive delegitimation: framed as protectionism under climate guise. |

## Figures

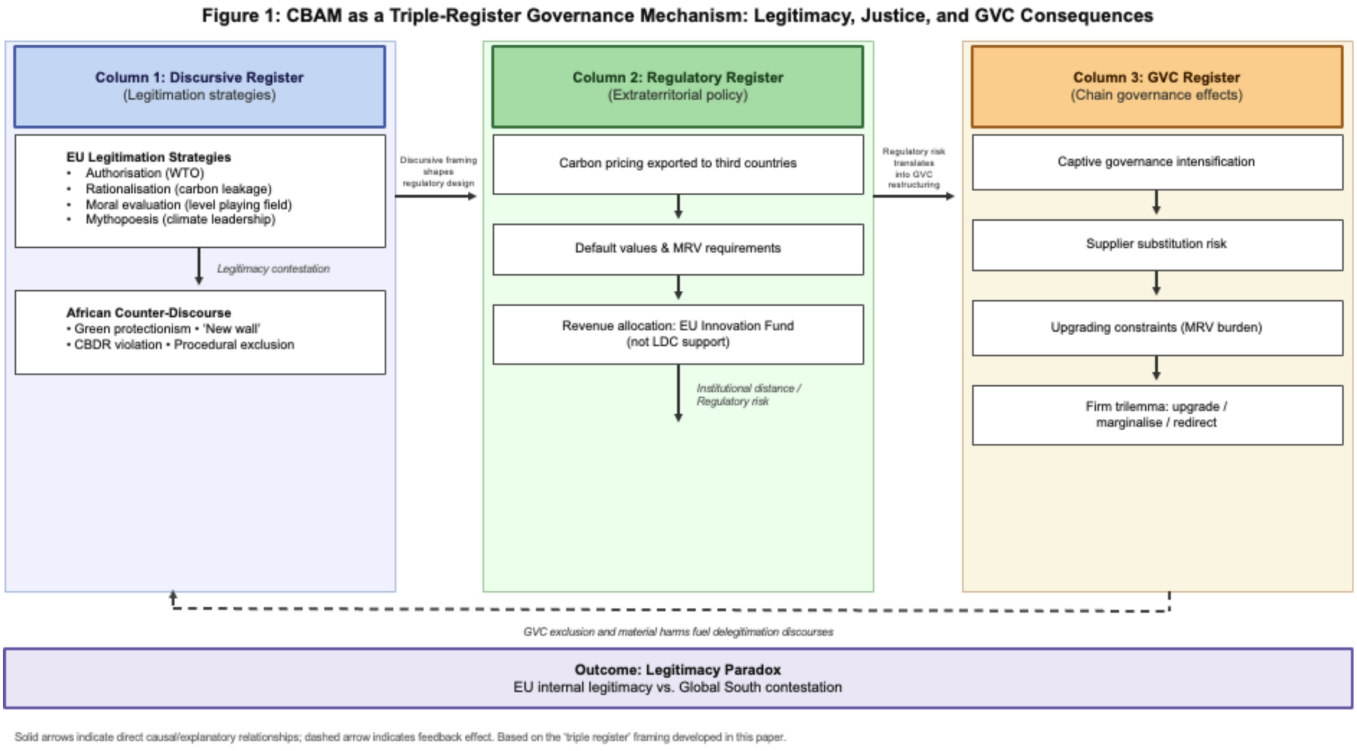



**Figure 1**

See image above for figure legend.

## Supplementary Files

This is a list of supplementary files associated with this preprint. Click to download.

- ResponsetoworkshopfeedbackBoojihawonApril302026.docx