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# The evolution of climate justice claims in global climate change negotiations under the UNFCCC

Lina Lefstad <sup>a</sup> and Jouni Paavola <sup>b</sup>

<sup>a</sup>Center for Sustainability Studies, Lund University (LUCSUS), Lund, Sweden; <sup>b</sup>Sustainability Research Institute, School of Earth and Environment, University of Leeds, Leeds, UK

## ABSTRACT

A growing body of research suggests that the global conception of climate change is increasingly taking a justice-focus. However, the justice-framings of different actors in the UNFCCC process and their evolution have not yet been examined. We conduct a critical discourse analysis of climate justice claims of state and non-state actors in COP15, COP19, COP21 and COP24 which are key moments for climate justice under the UNFCCC. Our findings indicate that the UNFCCC has not delivered on climate justice, power stands out as a key issue in the negotiations, and the negotiations reproduce structures of climate injustice. We identified four new country groupings with different climate justice frames. The *Radicals* consider climate change an imminent threat, while *Opportunists* seek to benefit from it. The *Hypocrites* recognize their contribution to climate change but avoid responsibility through libertarian mechanisms. The *Evaders* construe justice a normative issue and block others' justice claims. These groupings help discern how justice framings have evolved and how they are used in strategic ways to advance interests in multilateral forums.

## KEYWORDS

Climate justice; UNFCCC; conference of the parties; non-state actors; climate change negotiations, critical discourse analysis

## 1. Introduction

Climate change is 'the largest, most pervasive threat to human societies the world has ever experienced' (UNEP 2015, 1). The Global North has contributed the most to its onset, but countries in the Global South are more at risk and have less capacity to deal with the impacts of climate change (Islam and Winkel 2017; Paavola 2011). This construes climate change as a justice issue (Harlan et al. 2015).

International cooperation on climate change is key, and the United Nations Framework Convention on Climate Change (UNFCCC) is the only forum where legally binding international agreements can currently be made (Eckersley 2012). However, justice has remained contested in the international regime (Pickering, Vanderheiden, and Miller 2012). Global power asymmetries increase the complexity of the situation (Thew, Middlemiss, and Paavola 2020), with parallels drawn between climate and trade negotiations (Lohmann 2008). Not only are the most powerful countries also the least vulnerable

**CONTACT** Lina Lefstad  [lina.lefstad@LUCSUS.lu.se](mailto:lina.lefstad@LUCSUS.lu.se)  Center for Sustainability Studies, Lund University (LUCSUS), Lund SE-221 00, Sweden

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(Bernstein 2020), but also economic interests are omnipresent in the quest for international solutions (Brulle 2014). The discourse on climate justice reflects these asymmetries (Gach 2019).

A growing body of research suggests that the global conception of climate change is increasingly focusing on climate justice (Gach 2019). A review of how justice claims are reflected in the UNFCCC outcomes has been made (Falkner 2019), and the key themes in the debate on justice and politics and how they shaped the Paris Agreement have been mapped (Okereke and Coventry 2016). Scholars have found how powerful actors produce discourses in decision-making processes, and how their technocentric approach to climate change concerns has produced many injustices (Sultana, 2021). However, the dynamics, manifestations and dominant discourses in decision-making on climate change has not been examined in terms of the *climate justice framings* of different actors and how they have changed over time (Abimbola et al., 2021; Newell et al., 2021; Schlosberg and Collins 2014). Doing so is important to understand the *meanings* given to climate justice and can help create pathways to redressing injustices (Abimbola et al., 2021). To address this gap, we explore how climate justice claims have evolved in global climate change negotiations. Our research objectives are to 1) systematically analyze how climate justice claims have evolved in global climate change negotiations, 2) identify how climate justice is defined by actors, and 3) establish areas of common ground between the actors.

This research contributes to the literature in two novel ways. First, it systematically investigates actors' climate justice framings using a modified version of the planetary justice framework (Biermann and Kalfagianni 2020). Second, it expands the analysis beyond nation-states to also include how Civil Society Organizations (CSOs) define climate justice. Though they are 'only' observers at negotiations, they represent the majority of people at the frontlines of climate crisis whom are often underrepresented by their states (Schroeder 2010). Understanding how these groups frame climate justice is central to addressing the inequalities, marginalization, and vulnerabilities they face (Sultana, 2021).

## 2. Conceptualizing climate justice

Justice issues have been raised since climate change entered the political arena, as the poorest and most vulnerable countries suffer the most from its impacts although they have contributed the least to its onset (Paavola 2011). Climate justice is 'fundamentally about paying attention to how climate change impacts people differently, unevenly, and disproportionately, as well as redressing the resultant injustices in fair and equitable ways' (Sultana, 2021, p118). What makes this particularly complicated is that 'the activity that constitutes the wrong [such as emitting greenhouse gases] is not wrong *per se*, such as genocide or slavery, but is only wrongful when done excessively' (Meyer and Roser 2010, 230). This leads to a divergence of the meanings different actors place on 'climate justice', and their capacity to influence outcomes. Going forward, we will use equity and justice interchangeably.

Newell et al. (2021) identify four dimensions of climate justice. These are procedural, distributive, recognition, and intergenerational. Procedural justice pertains to the processes for decision-making, that these processes should be fair and inclusive,

which includes access to information and meaningful participation. Distributive justice means fairness in sharing the burden of climate change (Falkner 2019), including how costs and benefits of goods and burdens are allocated both temporally and spatially, and deciding who gets to use what resources (Newell et al., 2021). Recognition is related to both procedural and distributional aspects but especially focuses on recognizing the differences faced between groups, and protecting equal rights for all, especially when facing uneven capacity to ‘exercise and defend those rights’ (Newell et al., 2021, p6). Lastly, intergenerational climate justice is about protecting future generations from harm, and holding those causing that harm accountable.

Following Biermann and Kalfagianni’s ‘Planetary Justice Framework’, justice can be grouped around three main concerns: 1) *who* the subjects of justice are, 2) the *principles* of justice, as in, *what* is just, and 3) the *mechanisms* proposed to advance justice (Biermann and Kalfagianni 2020). How justice issues are considered pertain to different ethical traditions of what justice *is*. Some core ethical traditions in global (climate) change research have been identified by Biermann and Kalfagianni (2020). Three of these traditions are brought forward here as they stand out in the political documents analyzed as the main groups of thought under the UNFCCC. These are liberal egalitarian, cosmopolitan, and libertarian. Liberal egalitarianism tries to combine equality, personal freedom and personal responsibility and employ social institutions to distribute rights. Here, justice depends on how institutions, usually the nation-state, assign these rights and responsibilities, and subjects of justice would be citizens of that nation-state. Cosmopolitanism views justice similarly to liberal egalitarianism but on the global level, trying to specify ‘what constitutes a globally fair distribution of benefits and burdens in the context of a globalized world’ (Biermann and Kalfagianni 2020, 3). Here, the subjects of justice would be individuals with global interdependence. Lastly, libertarianism is more concerned with the rights of individuals to freedom and ownership and underpins market mechanisms, where the focus lies on whether the *process* is legitimate and lawful, rather than on the *outcomes*, as is the focus of cosmopolitanism (Biermann and Kalfagianni 2020).

Different ethical traditions have a different notion of what is just. For liberal egalitarians, this would be equality of opportunity, for cosmopolitans it would be a needs-based minimum floor principle for the global population, whereas for libertarians the principles of justice are to protect civil rights and free market exchanges (Biermann and Kalfagianni 2020), meaning that *how* justice is to be achieved would be different for each tradition since the outcomes sought are different. As (climate) justice can mean vastly different things to different people depending on their ethical traditions and lived experiences, a central issue in climate justice is power (Newell et al., 2021). A widely accepted definition of power is ‘the probability that one actor within a social relationship will be in a position to carry out [their] own will despite resistance’ (Weber 1968, 53). Three dimensions of power fit under this definition, as defined by Partzsch (2017): *power with*, where power serves the common good through learning processes and building new awareness; *power to*, an ability to get things done; and *power over*, influence of actors, structures and discourses over the actions and thoughts of others. Power asymmetries influence real outcomes (Thew, Middlemiss, and Paavola 2020), and may pertain to far-

reaching issues such as who gets to decide *how* costs and burdens are distributed and who gets recognized as having legitimate justice claims.

In this research we use a modified version of the ‘Planetary Justice Framework’. This framework was developed to ‘bring structure, clarity, simplicity and comparability among different interpretations of justice’ (Biermann and Kalfagianni 2020, 2). Even though planetary justice is a broader concept the framework can be applied to a issue-specific *climate* justice investigation. The three ethical traditions outlined above are applied to the three core justice concerns to structure the empirical data on what justice actually means to the different actors in global environmental politics. We also added a fourth core concern ‘Procedures’ to shed light on power relations, as procedures and representation have been highlighted as key to climate justice (Fraser 2010; Schlosberg 2007). Table 1 summarizes the views of each ethical tradition on these four core concerns and guides how we conceptualize climate justice in this research.

### 3. The international climate regime

Climate justice ultimately hinges on climate change governance. The UNFCCC is considered ‘the only body which can deliver a comprehensive, legally binding international treaty’ to address climate change (Eckersley 2012, 40). It was adopted to prevent dangerous human interference with the climate system, binding member states to act in the interest of human safety with the aim of stabilizing greenhouse gas emissions (GHGs) ‘at a level that would prevent dangerous anthropogenic interference with the climate system’ (UNFCCC 1992, Article 2). Article 3 to the Convention states that:

The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof (UNFCCC 1992, Article 3 paragraph 2).

The 197 member-states and countless observers meet in the yearly Conference of the Parties (COPs) to negotiate, review and implement agreements. In this multilateral space, international relations and diplomacy can be empirically examined, as actors pursue their interests within a regulated context (O’neill and Haas 2019). The negotiations are used strategically by both Party delegates, who have direct impact on the voting-stance of their country, and observer representatives of CSO or NGO networks, lobbyists, business, etc

**Table 1.** Climate justice framework (adapted from Biermann and Kalfagianni’s Planetary justice framework, Biermann and Kalfagianni 2020.).

Ethical tradition	Liberal Egalitarianism	Cosmopolitanism	Libertarianism
<i>Who are subjects of justice?</i>	National citizens	Individuals with global interdependence	Individuals
<i>What is considered just?</i>	Equality of opportunity	Global equality of opportunity, and/ or needs-based minimum floor principle	Protecting civil rights and free market exchanges
<i>Which mechanisms can achieve justice?</i>	Advancing the national welfare state and taking domestic actions	Global redistributive mechanisms based on equity	Free markets without limitations imposed by states

(Death 2011; Vadrot 2020). These multilateral spaces are recognized as contested grounds where unequal distribution of authority and power impacts on who can shape multilateral environmental agreements (Fischer 2019; Thew, Middlemiss, and Paavola 2020).

Notions of climate justice have been central to the UNFCCC from the start. Article 3 recognizes different starting-points and acknowledges the need for adjustments. The UNFCCC is based on cosmopolitan principles of justice, and the goal has been to establish a fair division of responsibilities to avoid harm (Newell et al., 2021). The Kyoto Protocol solidified the distributive justice-principle by adopting the concept of ‘common but differentiated responsibilities’ and acknowledging ‘developed’ countries’ historical responsibility (Kyoto Protocol, 1997). Procedural justice-concerns have historically been met through the one-country-one-vote structure of the UNFCCC (Okereke and Coventry 2016), though an added level of complexity is the need for consensus by all 197 member-Parties on every line of text in agreements (Eckersley 2012).

Justice principles such as the polluter pays principle, common but differentiated responsibilities and historic responsibilities, are ingrained in climate negotiations (Okereke 2010). Yet, no one has explained what these principles mean, nor has equity been defined, which caused the Kyoto Protocol to unravel once it was implemented (Falkner 2019). The division of countries into Annex I and non-Annex I is part of the justice discourse, as Annex I-countries’ wish for all countries to have emission reduction commitments has been voiced at COPs (Okereke 2010). Though this would share the burden, it places unfair responsibility on ‘developing’ countries who have less capacity and are already facing greater climate change impacts (Falkner 2019). Many countries are concerned about market mechanisms, lack of funding and historical responsibility in negotiations (Okereke 2010). The UNFCCC process included strong procedural and distributive justice-frames at the start, but is now perceived to lack procedural justice (Klinsky and Dowlatabadi 2009) and transparency (Gupta 2010).

Even though several scholars suggest that the UNFCCC and all of its decisions have justice implications (Okereke 2010; Shue 2014), others have argued that that normative ‘justice’ and ‘equity’ claims hinder negotiations (Pickering, Vanderheiden, and Miller 2012). UNFCCC negotiations have been called a ‘major work in progress’ because of their slow pace, due to the magnitude of needed change and the moral and geopolitical consequences at stake (Brulle 2014; Eckersley 2012). How actors influence the climate justice discourse is central, as it sheds light on the meaning and desirability of policies (Fraser 2010). The UNFCCC does not have mechanisms to address these challenges because climate change is framed as an environmental problem although emissions are driven by the global economy and energy system (Andresen 2014). This framing has led to questions about the willingness of states to sacrifice national economic interests in the name of ‘environmental protection’ (Eckersley 2016). A gap remains on how the discourse on climate justice has evolved in these processes, and what climate justice means for state and non-state actors. In this research we aim to use empirical data to demonstrate what climate justice actually means to the different member states.

## 4. Materials and methods

We focus on the UNFCCC's annual COP meetings to explore the evolution of climate justice claims. The COP reports of the Earth Negotiations Bulletin (ENB) were used as key material because they provide objective, apolitical summaries of who said what in the negotiations and offer coverage of many years (Calliari 2018). The legal texts of the Kyoto Protocol and Paris Agreement were also used to establish the direction of the negotiations over an 18-year period (Falkner 2019). To collect the material, first, a list of the most important COPs was developed by exploring when notions of justice and fairness appeared in negotiations. From this list, we identified COP15, COP19, COP21, and COP24 as key turning points for the climate justice discourse. The second data collection cycle complemented the documentary material with the voices of CSO, NGOs, and other actors present at those COPs, seeking to verify the most important COPs where major developments took place. The data was coded using the theoretical approaches (see Table 1). This involved coding statements reported in the data. For example: 'a disaster for the worlds' poorest' (FOEI, 2009d, p.1), coded as 'cosmopolitan subjects' and 'procedures' (context) at COP15. The aim is to understand who justice-subjects are, what justice is, and how justice is perceived to be achieved. The materials used can be found in the Appendix and are referenced in the text with *italic*. Only documentary material written in English were included, a limitation as views published in other languages are excluded. Using historical texts was challenging for earlier COPs as old online archives were incomplete. The texts were coded using Nvivo software. Global North/South or developed/developing-country terms are used interchangeably to convey the language used in the material. Full list of materials can be found in Appendix 2.

Discourse analysis has been used to examine climate justice in the context of COPs (e.g. Calliari 2018), but the evolution of climate justice claims, including the views of civil actors, has not been studied. Here, a critical discourse analysis (CDA) is applied. After all the data was coded, the statements were analyzed and compared using CDA. A CDA is fundamentally interested in analyzing structural relationships of dominance, discrimination, and control. The 'critical' aspect enters in the form of making political stances explicit, to create awareness about dominance and inequality, and to understand how power is exercised (Wodak and Meyer 2016). CDA seeks to establish a) what structures and strategies, e.g. texts or communicative events, play a role, b) the injustice and inequality that result from having power, and c) the processes responsible for reproducing dominance and inequality (Antaki 2012; Wodak and Meyer 2016). In this analysis, then, how discourses (re)produce power-relations and how climate justice is expressed, framed, constituted, and legitimized by and negotiated between the different actors (Mengibar 2015) are key. The notion of power with/over/to (Partzsch 2017) will help to carefully analyze who is marginalizing and marginalized in the COPs.

## 5. Results

The UNFCCC was founded in (1992) (1992) but the first COP of importance was COP 3 in 1997, when the Kyoto Protocol (KP) was adopted (Falkner 2019). KP began to fall apart when implemented in 2005 as the Annex I/non-Annex I burden-sharing did not reflect global emissions and economic realities and as industrialized countries – especially the US –



challenged its equity aspects (Falkner 2019). Our analysis begins with COP15 in Copenhagen in 2009, which aimed at replacing the Kyoto Protocol. [Appendix 1](#) offers an overview of the country-groups and their members mentioned in the following sections, following the original UN-wording of country-group terminology.

### **5.1. COP15 Copenhagen 2009: procedural fall-through of ‘chaoshagen’**

COP15 began with an expectation for a ‘fair, ambitious and equitable agreement’ to replace the Kyoto Protocol (ENB, 2009a, p.25). However, it was dominated by concerns over the procedures and power asymmetries because the ‘Copenhagen Accord’ was not written democratically. The ‘Danish Text’ was written by the US, China, India, South Africa and Brazil, but why these nations were chosen by the COP president was not disclosed. The other Parties were given one hour to read the Accord during the closing plenary (ENB, 2009a). The Copenhagen Accord included no legally-binding emission cuts nor criteria for calculating fair shares, and instead focused on the ‘measure, report and verify’ of developing country mitigation activities as a pre-condition for receiving climate finance (CAN, *ECO Issue No.10, 2009*). This created an atmosphere of distrust and the accord was only ‘noted’ instead of ‘adopted’ (CAN, *ECO issue No. 11, 2009*).

Participation in Copenhagen was highly unequal. The U.S. sent 194 delegates and China 233 while Chad sent 10 and Haiti 7 (Oxfam, 2009) meaning poorer nations were unable to cover and influence all the parallel talks, indicating how economic resources offer an advantage in this space. Papua New Guinea stated that an agreement based on the lowest common denominator is ‘*gravely negligent*’ considering the gravity of the issue at stake and proposed decision-making to be based on two-thirds majority vote (ENB, 2009a, p.4). The President simply ‘took note’. To demonstrate their dissatisfaction with the UNFCCC, Indigenous Peoples led a large group of climate activists, CSOs and some Party-delegates to a climate-march through Copenhagen on the last weekend of the COP (FOTEI, 2009b).

The discourse of the Umbrella Group and the EU evoked cosmopolitan principles but they proposed market mechanisms to achieve justice in disagreement with developing countries (ENB, 2009a). Saudi Arabia wanted compensation for future economic losses due to climate change mitigation policies (ENB, 2009a), framing climate justice purely in economic terms and attempting to gain. [Table 2](#) below shows that the most common statements entail Cosmopolitan Principles, Mechanisms and Subjects, frequently expressed by LDCs, AOSIS and CSO networks. Liberal Egalitarian and Libertarian statements were most common among the EU, U.S. and Umbrella Group. COP15 was hailed by some as an ‘unprecedented success’ as world leaders were willing to participate in discussions on climate change (ENB, 2009a) – while others considered it ‘a disaster for the worlds’ poorest’ (FOTEI, 2009d, p.1) based on an undemocratic process and leaving moral obligations unfulfilled (ENB, 2009a).

### **5.2. COP19 Warsaw 2013: (historical) responsibilities and mechanisms dispute**

After the failure of the COP15 to adopt a legally-binding replacement of the KP, the pressure was on Warsaw to lay the ground for the next agreement. Important decisions for climate justice were the inclusion of the ‘Warsaw International Mechanism on Loss





**Table 2. Justice-framings per COP. Actors highlighted expressed statements covering more than one theoretical justice-framing.**

THEORY		Climate Justice Claims		
COP	SUBJECTS	PRINCIPLES	MECHANISMS	
COSMO-POLITANISM	COP15	CAN, Oxfam, CSO, FOTE, African Group(L), LDCs, AOSIS; <u>G-77/China(LE)</u>	Umbrella Group, <u>EU(LE,C)</u> , <u>G-77/China(LE)</u> , CSO, LDCs, UNFCCC Leadership, Oxfam, CAN, FOTE, Australia, <u>ALBA(C)</u> , Tanzania, Japan, AILAC	SIDS, <u>EU(LE,C)</u> , FOTE, AOSIS, LDCs, Oxfam, Saudi Arabia, Umbrella Group, <u>G-77/China(LE)</u>
	COP19	CAN, CSO, Oxfam, African Group, G-77/China, ALBA, AOSIS, FOTE	Oxfam, CAN, CSO, <u>EIG(LE)</u> , G-77/China, ALBA, <u>Umbrella Group(LE,L)</u> , <u>EU(LE,L)</u> , UNFCCC Leadership, AOSIS, FOTE, LDCs, <u>Australia(LE,L)</u> , Japan	FOTE, LDCs, CAN, G-77/China, AOSIS, <u>EU(LE,L)</u> , UNFCCC Leadership, Oxfam, <u>EIG(LE)</u> , African Group, SIDS, Saudi Arabia, AILAC, <u>U.S.(LE,L)</u>
	COP21	CSO, Bolivia, AILAC, LDCs, AOSIS, Oxfam, EU, AILAC, Venezuela, Cameroon, Chad, Coalition for Rainforest Nations, FOTE	CSO, AILAC, EU, Oxfam, AOSIS, EIG, UNFCCC Leadership, LDCs, SIDS, Palestine, Venezuela, Romania, Comoros, Honduras, Nauru, Gabon, Brazil, Mauritius, Indonesia, Saint Lucia, Philippines, Equatorial Guinea, Niger, Umbrella Group, Chile, Nicaragua, CAN, African Group(LE), Australia, China(LE), India, Arab Group, Russia, Bolivia, Turkey, FOTE, <u>AILAC(LE)</u> , Oxfam, <u>LMDCs(LE)</u>	Brazil, Mauritius, Indonesia, Gabon, Saint Lucia, Philippines, Equatorial Guinea, Nicaragua, African Group(LE), China(LE), CSO, LDCs, Nauru, Venezuela, SIDS, Bolivia, FOTE
COP 24	CSO, IPCC, Developing Countries, Developed Countries, Oxfam, Saudi Arabia, Brazil, ALBA, AOSIS, BASIC, CAN, <u>EU(LE)</u> , Oxfam	CSO, Brazil, ALBA, AOSIS, BASIC, CAN, <u>EU(LE)</u> , AILAC, African Group, G-77/China, Russia, LMDCs, U.S., India, LDCs, IPCC, UNFCCC Leadership, EIG, Saudi Arabia	AILAC, African Group, LMDCs, LDCs, CSO, AOSIS	
LIBERAL EGALITARIAN	COP 15	<u>G-77/China(C)</u>	EIG	<u>EU (L,C)</u> , U.S.
	COP19		<u>EIG(C)</u>	<u>U.S.(L, C)</u> , <u>EU (L, C)</u> , <u>Umbrella Group(C, LE)</u> , <u>Australia(C, L)</u> ,
	COP21			Japan ( <i>cosmopolitan COP15+19</i> ), LMDCs(C), U.S., AILAC(C), China(C), African Group(C), <u>EU(C)</u> , Umbrella Group(C)
COP24			Arab Group, <u>EU(C)</u>	

(Continued)

Table 2. (Continued).

LIBERTARIAN	COP15	Annex I, International Chamber of Commerce, Australia(C), EU(LE,C), U.S, ALBA(C), African Group(C)
	COP19	EU(LE,C), Annex I, <i>Australia(LE,C), Umbrella Group(LE,C)</i> , U.S.(LE,C), International Chamber of Commerce, G-77/China(C), African Group(C)
	COP21	Business and Industry NGO, Ukraine, U.S., Developed Countries
	COP24	Business and Industry NGO

and Damage’, a novel cosmopolitan mechanism proposed by AOSIS back in 1991, recognizing how irreparable losses due to climate change felt by some were caused by others and holding them responsible (ENB, 2013a). During the opening plenary, it was clear that climate justice was becoming increasingly important with a focus on the moral obligation of ‘developed’ nations. The opening statement from the G-77/China group stressed that ‘the countries least responsible for climate change are those most affected’ (ENB, 2013b, p.1). The Philippines comment of ‘urg[ing] those denying the reality of climate change to descend from their ivory towers’ (ENB, 2013b, p.1) recognizes power differences, and India stressed equity ‘as an absolute and inalienable right’ (ENB, 2013a, p.27) to criticize the lax use of equity by ‘developed’ countries.

A big controversy centered on fossil fuel sponsors of COP19. Fossil fuel companies had ensured their place at the negotiating table by sponsoring the talks which marginalized many CSO attendees due to capacity limits (ENB, 2013a). Still, cosmopolitan principles were most common (see Table 2). Libertarian mechanisms were popular among the EU, the Umbrella Group, Australia, ALBA and G77-China. A pattern is emerging around this group using cosmopolitan principles to recognize injustices but proposing inconsistent solutions as at COP 15. The ‘developed’ country discourse aimed ‘to stretch their ambition’ with private finance and market mechanisms (ENB, 2013a, p.28), whereas ‘developing’ countries underlined the inefficiency of market measures e.g. by highlighting the low price of carbon credits (ENB, 2013a). This was an attempt by ‘developed’ countries to use the private sector to avoid their own climate finance promises (Oxfam, 2013a). The Arab Group and LMDCs highlighted the historical responsibility of ‘developed’ countries to mitigate climate change (ENB, 2013b), suggesting that though their economies and emissions are growing, they view justice in light of historical responsibility to reduce their own responsibility (CAN, 2013). There was also a dispute on how to refer to intended nationally determined contributions (NDCs), which later became the bottom-up mechanism of the Paris Agreement. ‘Developed’ countries wanted ‘contributions’ – weaker legal language compared to ‘commitments’ sought after by the ‘developing’ countries (ENB, 2013a).

CSO and NGO observers were frustrated with the lack of political will and financial resources and established their own initiatives outside of the UNFCCC (Oxfam, 2013b), in contrast to ‘developed’ nations who hailed any agreement as a huge success (CAN, 2013). The Youth-delegation’s statement in the closing plenary set the scene for the justice-claims of those without voting-rights:

In these final hours, ministers and delegates, I beg: do not let Warsaw become a second Copenhagen. Greed and the petty interests of a minority should not rob us of what are inarguably inalienable human rights. (UNFCCC, Youth NGO, 2015)

### **5.3. COP21 Paris 2015: ‘Climate justice no longer taboo’**

COP21 was scheduled to accomplish in Paris what COP15 was unable to do: a new multilateral environmental agreement. It also marked a shift in the climate justice discourse. It was now framed as how ‘the weight of historical responsibility still rests on developed countries’ (ENB, 2015b,p.1) by most of the

'developing' world. Many advocated a legally-binding agreement based on equity and differentiation – a strong cosmopolitan focus (ENB, 2015a). But the Paris Agreement was to be based on Nationally Determined Contributions (NDCs) (ENB, 2015a) instead of commitments as the 'developing' world would have preferred (ENB, 2013a). All countries were expected to develop NDCs, a departure from the global difference-principle on which the UNFCCC was founded (ENB, 2015a). A main dispute during negotiations was over the temperature target, with 'developing' countries wanting a global carbon budget calculation for 1.5°C based on historical responsibilities and climate justice (ENB, 2015a). The textual agreement aims to hold the increase in global average temperatures to 'well below' 2°C above pre-industrial temperatures, and countries will 'pursue efforts' to limit temperature increase to 1.5°C (Paris Agreement, 2015, Article 2 Paragraph 1). However, there will be no legal repercussions should this not be achieved (FOTEI, 2015).

The preamble of the Paris Agreement 'Not[es] the importance of ensuring the integrity of all ecosystems (...), and ... the importance for some of the concept of 'climate justice', when taking action to address climate change' (Paris Agreement, 2015, Preamble). This explicit mention of climate justice prompted the Mary Robinson Foundation to conclude that 'Climate Justice is no longer a taboo in the UNFCCC' (MRFCJ, 2018, p.17). However, the wording is weak, only 'Noting' the importance 'for some', and climate justice was only included in the preamble and was excluded from the legally-binding part (Rosa Luxemburg Stiftung, 2016). Indigenous and human rights were also only included in the preamble (Movement Rights, 2015) and gender equity nowhere (Oxfam, 2015). The U.S. delegation made it clear that inclusion of any justice claims in the legal text would preclude an agreement (CAN, 2015), showing how much influence an economically powerful nation has on the talks compared to for example Papua New Guinea, whose objection at COP15 to the 'lowest common denominator' was cast aside.

Only market and flexible mechanisms are suggested in the legally-binding part of the Agreement, in conflict with the overwhelmingly cosmopolitan language of the plenary statements, principles guiding the preamble, and the general text (Paris Agreement, 2015). These mechanisms are well hidden, as markets are only explicitly mentioned when talking about non market-mechanisms (Heinrich Böll Stiftung, 2015). The Heinrich Böll Stiftung counted over 50 mentions of market mechanisms in the agreement, noting that:

The profits and markets of many corporations were secured, but a clear commitment to human rights, indigenous people, gender equality, inter-generational equity, a just transition, food security and ecosystem integrity were not included in the operative text (Heinrich Böll Stiftung, 2015,p.13).

The statements during COP 21 make frequent references to Cosmopolitan principles (ENB, 2015b, see Table 2). However, Liberal Egalitarian mechanisms remain popular with the EU and the Umbrella Group as in the past COPs, establishing the groups as hypocrites in the negotiations. Libertarian mechanisms are also popular with Business and Industry NGOs and the U.S., linking these mechanisms with those trying to capitalize on climate action. Fewer Libertarian mechanisms were proposed than in earlier COPs despite frequent mentions in the agreement text.

#### 5.4. COP24 katowice 2018: the establishment of a (unjust) rulebook

COP24 was to establish the rulebook for implementing the Paris Agreement (ENB, 2018a). The rulebook favors market mechanisms despite the cosmopolitan justice principles which are most frequently stated. Several 'developing' country groups wanted to operationalize equity in the Global Stocktake, the periodic assessment of progress toward the Paris Agreement (ENB, 2018a), as the main mechanism for transparency and accountability for the NDCs (Heinrich Böll Stiftung, 2018). Some 'developed' countries favored that 'Global Stocktake be conducted in light of equity', whereas some 'developing' countries and CSOs wanted equity included in each element of the Global Stocktake (ENB, 2018b, p.10). The former is a weaker solution because there is no agreement on what 'equity' means; the latter is stronger suggesting explicit solutions for how it could be included in information collection and technical assessment (ENB, 2018b). One 'developed' country stated that 'equity was not a defined concept' and thus resisted inserting it (ENB, 2018b, p.10), exemplifying how 'equity' is a house of cards which falls in concrete application in binding agreements.

'Noting' or 'welcoming' the IPCC Special Report on 1.5°C was another major dispute, though only the U.S., Russia, Saudi Arabia and Kuwait were against its welcome (ENB, 2018a, p.29): this demonstrates how nations act in their self-interest as welcoming the report would imply changes to their fossil fuel-dependent economies, as well as the weakness of the 'lowest common denominator'-procedure. Vulnerable 'developing' countries wanted to 'welcome' the report as it highlights the gravity of impacts from incremental increase in warming beyond 1.5°C (ENB, 2018a, p.28), relating back to the dispute on the temperature-goal in the Paris Agreement-text (ENB, 2015a).

CSO observers expressed their dissatisfaction with the Rulebook, stating how '*it shows that financial interests still trump environmental integrity*' (CAN, 2018, p.5). The LDCs did not feel like all parties' views were equally included (FOEI, 2018), nor that climate justice can be operationalized with it (CAN, 2018). The Women for Climate Action Network rejected 'false solutions': market mechanisms that will not ensure fair distribution of wealth, resources and capacities (WECAN, 2018). The Rosa Luxemburg foundation said that the Katowice rulebook is *unjust* (Rosa Luxemburg Stiftung, 2019). The struggle of including human rights principles in the Rulebook was observed by many CSOs, highlighting the unequal distribution of power (Rosa Luxemburg Stiftung, 2019; CAN, 2018; Oxfam, 2018). Fossil Fuel Corporations were again major COP sponsors and were given inclusive access to negotiations (FOEI, 2018), while CSO observers were marginalized and many activists were detained, deported or refused entry to Poland (CAN, 2018), exemplifying power struggles around who are allowed to participate in negotiations (CAN, 2018).

As before, Cosmopolitan Principles were most often expressed by CSO observers and most vulnerable countries as seen in Table 2, as in the previous COPs. These groups have consistently tried to come up with radical solutions to ensure climate action, representing majority voices of people on the front-lines of climate change. Few countries referred to the Libertarian mechanisms in the plenary, raising the question whether the real negotiations were happening behind closed doors given that the libertarian mechanisms gained such a prominent role in the Rulebook.

## 5.5. In sum

Table 2 shows actors' justice statements grouped by theoretical approach. Actors marked in gray have made statements that align with more than one theory at that particular COP, in parenthesis which other theory (C= Cosmopolitan, LE=Liberal Egalitarian, L=Libertarian). We see a development from a slightly more diverse expression of justice at COP15 + 19 entailing also LE subjects and principles, toward a solely cosmopolitan focus except for mechanisms throughout COPs included here. Strategic framing appears as e.g. the EU are inconsistently framing justice at every COP except 21, the only COP they use only cosmopolitan statements.

The analysis reveals striking differences in takes on climate justice within the UN-defined 'developed'/'developing' country groups. Four groups that in part cut across the UN-defined country groups exist. The more radical CSOs and the most vulnerable countries at the forefront of the climate crisis advocating for systemic change and climate action employ a consistent cosmopolitan justice-framing. A group of developing country opportunists seek to frame responsibility on historical cumulative emissions so as to enable them to capitalize on the crisis and the proposed solutions. 'Developed' countries generally aim to avoid structural change yet fall into two distinct groups of hypocrites that *recognize* the issue with cosmopolitan justice-framings while promoting inconsistent 'more of the same' solutions, and a group attempting to *evade* and down-play climate justice. We characterize these groupings in more depth in the discussion.

## 6. Discussion

The past 25 years of UNFCCC have not delivered climate action consistent with climate justice even though it was founded on cosmopolitan justice principles (Falkner 2019; Fischer 2019). Countries such as the U.S. and Saudi Arabia have their voices heard and counted, whereas others, such as AOSIS, frequently speak up but their disapproval of certain mechanisms bears no fruit. Climate justice-claims are used strategically by those who can benefit from doing so, whereas those in urgent danger are not heard. The structure of the UNFCCC reproduces the structures of climate injustice through the way it operates. Power asymmetries account for this in light of our evidence and the literature

Table 3. New country groupings.

Climate justice frames	Climate justice claims		
	SUBJECTS	PRINCIPLES	MECHANISMS
RADICALS	Cosmopolitan		
OPPORTUNISTS	Cosmopolitan		Not expressed
HYPOCRITES	Cosmopolitan		Libertarian
EVADERS	Not expressed	Cosmopolitan	Libertarian / Liberal egalitarian

(Death 2011; Thew, Middlemiss, and Paavola 2020). An example is the temperature goal: fossil fuel producing countries; the U.S., Russia, Kuwait and Saudi Arabia, could prevent the ‘welcome’ of the IPCC Special Report on 1.5°C against the majority’s wishes (ENB, 2018a). Some actors have shown they have *power with* each other and have been able to move the discourse on climate justice to the front, exemplified by its mention in high level plenary statements and in the Paris Agreement’s preamble. However, those actors who have *power over* are the ones who also have the *power to* implement action, which is seen in pledges but does not materialize as climate action. We identified the climate justice framings of both state and non-state-actors involved in the UNFCCC process, which has been missing from literature. Going beyond the concepts included in the negotiations (Okereke and Coventry 2016) and policy outcomes (Falkner 2019), we identified four main actor groupings based on how they give meaning to and use justice claims. We established that justice claims are more complex than the developed-developing-country juxtaposition the UN uses, providing a novel contribution and an important insight into justice-claims and meanings given to justice framings. The four groups are as follows, and shown in Table 3:

The first group is the **Radicals** which includes country-groups such as the AOSIS and LDCs, as well as most CSO observers like the CAN-Network, youth-groups, women and indigenous peoples. Radicals have a lead role in the political struggle against climate injustices under the negotiations, questioning the interests of the powerful and advocating for a fundamental change in societies around the world (Rosa Luxemburg Stiftung, 2018; Fisher 2015), expressing *power with* through deliberation processes (Partzsch 2017). They consistently frame climate justice around fair shares and climate debt (Warlenius 2018) based on cosmopolitan justice principles, subjects and mechanisms in the course of all COPs analyzed here. A major development over time is increasing strategic use of the negotiation-space by the Radicals (Death 2011), most notably in the framing of climate change as an issue of justice rather than of environmental protection, and in the promotion of novel governance arrangements such as Loss and Damage (Calliari 2018). It is also exemplified in the proposal for the inclusion of equity into every stage of the Global Stocktake (ENB, 2018b), to overcome the resistance of equity claims because of their argued normative implications by the Evaders (see below). While the Radicals often take innovative foreground in negotiations, they have little *power to* act due to their dependence on mitigation by other countries and adaptation funds (Islam and Winkel 2017), nor *power over* outcomes due to little economic power (Barnett and Duvall 2005). This, in combination with growing distrust in the ability of the UNFCCC process to deliver meaningful outcomes, has led to the building of a parallel non-state actors’ movement outside of the UNFCCC (Bulkeley, Edwards, and Fuller 2014).

The second group of Opportunists include e.g. LMDCs such as Saudi Arabia. They have *power to* frame climate justice around *historical* responsibilities of Annex-I Parties, make strategic use of claims in their statements and give limited attention to mechanisms. This is advantageous for their economies and voids their contribution to climate change and addressing it. Yet the moral credentials of their position are questionable as they have increasing *power over* climate action due their growing (fossil fuel) economies (Bradshaw, Van de Graaf, and Connolly 2019; Wiedmann 2016). As the Radicals increasingly frame climate action as a justice issue, it remains to be seen how the Opportunists will respond in terms of their willingness to sacrifice economic goals.



Many Business and Industry NGOs are also Opportunists because of their profit-maximizing-mentality, but they are more explicit about their preferred mechanisms: liberal markets.

The Hypocrites, which include the Umbrella Group and the EU, have contributed the most to climate change *and* recognize the problem, as demonstrated by their frequent use of cosmopolitan subjects and principles. They agree that something needs to be done and pledge billions for climate finance. Yet, only a fraction of promises are realized (Gueret et al. 2019). Hypocrites emphasize private finance and market mechanisms (ENB, 2013a) to avoid responsibility (Oxfam, 2018) and reducing luxury emissions (Shue 2014). They mention libertarian mechanisms in negotiations less and less over time, while they still remain the key mechanisms coming out of the process as evidenced by the Paris Agreement (2015). The Hypocrites slow the progress of climate action, despite recognizing the problem and offering to lead the response (Bernstein 2020), since they have *power over* outcomes as well as the *power to* act. They, together with the Evaders, were the strongest advocates for establishing legally-binding commitments to *all* countries under the Paris Agreement.

The fourth group are the Evaders. Its members deny the relevance of climate justice and have the *power to* frame it as normative to derail attempts by others to mainstream the concept. The U.S. is the best example. The Evaders take advantage of their *power over*, their social status and capacity to maintain and enhance them (Barnett and Duvall 2005), and their *power to* by rendering the injustices felt by others invisible e.g. by proclaiming ‘If equity is in, we’re out’ (Pickering, Vanderheiden, and Miller 2012). This led to the blocking of the IPCC Special Report on 1.5°C (ENB, 2018a) as well as to making clear that any inclusion of justice and equity claims in the text of the Paris Agreement would prevent agreement on it (CAN, 2015). The group advocates libertarian mechanisms, highlighting the complexity of issues at hand to continue to profit from the climate crisis (Gills and Morgan 2020) as what is creating the problem is not a wrong *per se* ‘but rather is only wrongful when done excessively’ (Meyer and Roser 2010, 230). Fossil fuel companies used their role as funders of COP 19 and 24 to marginalize CSO actors and to forward their own agendas (FOEI, 2018; CAN, 2018). Fossil fuel companies were among the first to recognize the risks associated with the burning of fossil fuels and its impacts on the planet, but hid this knowledge from the public and spread disinformation (Franta 2021).

These groupings help discern how justice framings have evolved, (in)consistencies in the conceptual approaches, and their strategic use to advance interests in multi-lateral forums. While climate justice has clearly evolved under the UNFCCC as can be seen by the concepts’ explicit mention in the Paris Agreement, the promotion of novel cosmopolitan mechanisms by the Radicals, such as the Warsaw International Mechanism on Loss and Damage (Calliari 2018) and greater frequency of cosmopolitan principles in plenary statements, it remains clear that outcomes lag behind the discourse. For example, although climate justice was explicitly mentioned in the Paris Agreements’ preamble, it was excluded from the legally-binding text (CAN, 2015). The Loss and Damage mechanism was also only symbolically included (Calliari 2018) and equity is still not clearly defined (Mayer 2015). This indicates that the UNFCCC still has not addressed climate justice and equity, as suggested

also by Calliari (2018). Climate justice advocates lack voting rights and do not have *power over* outcomes, though this analysis has shown they have some *power with* from which the prevalence of the justice discourse is a result.

Our findings resonate with the wider literature (e.g. Bernstein 2020; Brulle 2014; Schroeder 2010) in finding that the actors who have *power over*, through politics, economics, and other structures, end up informing the outcomes. The continuous dismissal by the Evaders of 'equity' due to its alleged normative nature fuels the view that Parties can continue to agree to disagree. This has created a window of opportunity for countries with growing power to voice their opposition to progress on climate justice. This is demonstrated by the Opportunists' contribution to the blocking of the IPCC Special Report, which could have rendered equity in climate change less normative as the impacts and vulnerabilities of countries to warming above 1.5°C were made scientifically less disputed. By blocking its 'welcome', the 1.5°C temperature goal did not become implement either. This poses less harm to countries who have capacity to adapt to the adverse effects of climate change, while those who have fought for the 1.5°C goal are left with very little – accomplishing *all* of the bottom-up pledges in the Paris Agreements' NDCs would lead to 3°C warming at best (Robiou du Pont and Meinshausen 2018).

The one-country-one-vote system underpinned the legitimacy of the UNFCCC in terms of procedural justice (Okereke and Coventry 2016). However, its legitimacy has diminished as powerful countries use their position to advance their own interests (Bernstein 2020), with the lowest common denominator described as 'gravely negligent' by 'developing'-country Parties (ENB, 2009a, p.4). Libertarians argue that we should accept outcomes of market mechanisms as just, but they do not address unequal starting points (Paavola and Adger 2006). Those most vulnerable are against use of market mechanisms. The Paris Agreement hid market mechanisms behind complex language, obfuscating them from the delegates of developing, vulnerable countries with limited capacity to interpret such texts. The focus on finance and market mechanisms has prompted a conclusion that 'developed' countries have walked away from their historical responsibility (Shue 2014). Furthermore, the wording of 'developed' and 'developing' countries as used in UN-fora may play a role in continuing the notion of *power over* through hidden and unconscious power via the social production of actors' *power to* (Barnett and Duvall 2005), and can be viewed as a way to keep 'developing' countries aware of their dependency on 'developed' ones, since the wording 'developed' automatically places those countries ahead. If climate change is truly an environmental issue, why is such economic language used in these arenas? COPs must start recognizing the underpinning social and economic structures present here, such as neoliberal trade policies and colonial histories (Sultana, 2021).

The UNFCCC and other multi-lateral environmental agreements are hanging on a thin thread. After 25 years the Parties still cannot agree on a global climate action strategy, leaving vulnerable countries to fend for themselves with NDC-policies. While the UNFCCC is supposed to be a universal way of governing (Eckersley 2012), it remains only one possible way to tackle climate change (Paavola 2011). As the discourse on climate justice still remains largely unchanged

and the same issues remain – just larger and more imminent – it is time to move beyond the state of denial, to recognize the problem for what it is; and to listen to the marginalized voices on how to generate lasting climate action and help achieve safe and just societies. Can the UNFCCC be redesigned to fit the job, or do we need new tools?

## 7. Conclusion

This research examined the climate justice claims made by Party and observer delegates in the UNFCCC COPs by applying a modified version of the Planetary Justice Framework of Biermann and Kalfagianni (2020). The findings indicate that justice claims have not changed much since the founding of the UNFCCC in 1992: historical responsibilities, climate debt, holding beneficiaries accountable and justice to vulnerable countries who have not contributed to climate change remain key issues. Preventing the global average temperature from increasing above a certain threshold has become a new focus. The analysis found that the juxtaposition of ‘developed’ vs ‘developing’ countries does not account for divergent views within these groups, and four new ones are identified. The Radicals include the AOSIS, LDCs and CSO observers for whom climate change is a real, imminent threat. The group draws from cosmopolitan concepts, advocate for a low temperature increase limit, propose novel mechanisms and focus on the real danger to subjects of justice. The second group of Opportunists consists mostly of LMDCs who frame climate justice around historical responsibility and their right to develop to avoid responsibility despite their growing emissions, economies and power. The third group of the Hypocrites includes the Umbrellas and the EU, who recognize their contribution to climate change and use cosmopolitan principles in their statements, yet avoid responsibility by proposing libertarian market mechanisms which means their pledges have not fully materialized. The last group are the Evaders led by the US. For them, ‘equity’ is too normative – although they played an active role *keeping* equity and justice normative by blocking the welcoming of scientific reports. This group is important because it blocks justice claims made by others.

The radicals’ notion of climate justice remains marginalized and libertarian mechanisms dominates policy outcomes, although cosmopolitan principles dominate the negotiations. The organization of climate negotiations under the UNFCCC *reproduce* the injustices as the vulnerable are not heard and the powerful continue with harmful practices without legal repercussions. We must ask: What can the current global climate regime achieve when 25 years later there is still no consensus on a universally agreed policy response to the justice-problem? It is clear that the voices of the marginalized should be heard and implemented in agreements for climate justice to materialize.

The UNFCCC is supposed to ‘*protect the climate system for the benefit of present and future generations of humankind, on the basis of equity*’ (Article 3). The time seems ripe to critically reflect on whether the UNFCCC have the tools to accomplish this task.

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## Notes on contributors

*Lina Lefstad* is PhD Candidate at Lund University's Research Center for Sustainability Studies, Sweden. Her main research area is the political economy of climate change mitigation. She focuses primarily on carbon capture and storage technology and its climate justice implications.

*Jouni Paavola* is Professor of Environmental Social Science in the School of Earth and Environment at the University of Leeds, UK. His research examines environmental governance institutions and their environmental, economic and social justice implications, particularly with regard to climate change adaptation, biodiversity, natural resources and ecosystem services.

## ORCID

Lina Lefstad  <http://orcid.org/0000-0002-1148-8641>

Jouni Paavola  <http://orcid.org/0000-0001-5720-466X>

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## Appendices

### Appendix 1: List of Parties belonging to the different country groups

*This list has been compiled based on information from the OECD (1998), the UNFCCC (no date) and the Carbon Brief (2015).*

**African Group:** Alliance of the African member states, 54 Parties: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé & Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Togo, Tunisia, Uganda, Tanzania, Zambia and Zimbabwe

**AILAC, Independent Association of Latin America and the Caribbean:** Chile, Colombia, Costa Rica, Guatemala, Panama, Paraguay and Peru

**ALBA, Bolivarian Alliance for the People of the Americas:** Antigua & Barbuda, Bolivia, Cuba, Dominica, Ecuador, Grenada, Nicaragua, St Kitts & Nevis, St Lucia, St Vincent & The Grenadines and Venezuela

**Annex I:** Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, European Union, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland (UK) and United States of America (U.S.)

**AOSIS, Alliance of Small Island States:** Antigua & Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba, Dominica, Dominican Republic, Fiji, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Mauritius, Micronesia, Nauru, Niue, Palau, Papua New Guinea, Samoa, São Tomé & Príncipe, Seychelles, Singapore, Solomon Islands, St Kitts & Nevis, St Lucia, St Vincent & The Grenadines, Suriname, Timor-Leste, Tonga, Trinidad & Tobago, Tuvalu and Vanuatu

**Arab Group:** 22 Parties: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen.

**BASIC:** 4 Parties: Brazil, China, India, South Africa

**Environmental Integrity Group:** 6 Parties: Mexico, Liechtenstein, Monaco, The Republic of Korea, Switzerland

**G77/China:** 78 Parties: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia & Herzegovina, Botswana, Brazil, Brunei, Burkina Faso, Burundi, Cambodia, Cameroon, Cabo Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Peoples Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-

Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kiribati, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, St Kitts & Nevis, St Lucia, St Vincent & the Grenadines, Samoa, São Tomé & Príncipe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syria, Tajikistan, Tanzania, Thailand, Timor-Leste, Togo, Tonga, Trinidad & Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe

**LDC, Least Developed Countries:** 48 Parties: Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Laos, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, São Tomé & Príncipe, Senegal, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sudan, Timor-Leste, Togo, Tuvalu, Uganda, Tanzania, Vanuatu, Yemen and Zambia

**LMDC, Like Minded Developing Countries:** 25 Parties: Algeria, Argentina, Bangladesh, Bolivia, China, Cuba, Ecuador, Egypt, El Salvador, India, Jordan, Iraq, Kuwait, Indonesia, Iran, Malaysia, Mali, Nicaragua, Pakistan, Saudi Arabia, Sri Lanka, Sudan, Syria, Venezuela and Viet Nam

**Umbrella Group:** 12 Parties: Australia, Belarus, Canada, Iceland, Israel, Japan, New Zealand, Kazakhstan, Norway, Russia, Ukraine and the U.S.

## Appendix 2: List of materials

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