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Facing Destruction without Representation?
Low-Power Groups in Climate Negotiations on Post-Kyoto CDM

Master's thesis at School of Geography and the Environment, University of Oxford by
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Abstract

Effective policy-outputs from current climate negotiations are vital for poor countries in the South since they are most vulnerable to rising average temperatures. Therefore these low-power groups try to engage in the climate forum, but their activities are strongly linked to G77&China, a heterogeneous group speaking on behalf of most developing countries. In form of a case study, this thesis analyses the pre-negotiations on Post-Kyoto CDM and asks what the potential is for low-power groups to influence current negotiations in order to promote their interests and foster their role within G77&China. To analyse this, a regime theoretical approach is applied here. The findings are that the potential to influence the negotiations is limited by the decision-making procedures of the UNFCCC, the dependence on other G77&China members' priorities and a lack of joint strategy among low-power groups themselves.

Keywords: Low-power group; Negotiations; Climate Change; G77&China

Contents

Abbreviations

AOSIS	Alliance of Small Island States
AWG-KP	Ad Hoc Working Group on Further Commitments by Annex I Parties under the Kyoto Protocol
AWG-LCA	Ad Hoc Working Group on Long-term Cooperative Action under the Convention
CCS	Carbon Capture and Storage
CDM	Clean Development Mechanism
COP	Conference of the Parties
COP/MOP	Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol
IPCC	Intergovernmental Panel on Climate Change
LDC	Least Developed Countries
LULUCF	Land use, land-use change and forestry
NAMA	Nationally appropriate mitigation action
NIC	Newly Industrialized Countries
OPEC	Oil Producing and Exporting Countries
REDD	Reducing emissions from deforestation and forest degradation in developing countries
UNFCCC	United Nations Framework Convention on Climate Change

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1. Introduction

"AOSIS will face destruction without representation". This striking scenario was predicted by the Alliance of Small Island States (AOSIS) at the Second World Climate Conference when asking for a principle of representation in negotiations that is proportionate to the risks which parties face. According to the World Development Report (2008), not only members of AOSIS but the poorest countries in general are "disproportionately vulnerable to climate change because of their dependence on agriculture and their lower capacity to adapt". Alone in Africa, up to 250 million people are facing forced migration due to increased water stress. While the international community has acknowledged this menace, the mechanisms set up under the climate convention have meant little for the poorest so far. One explanation is that "one size fits all" policies for developing countries overlook the heterogeneity among them. At the upcoming climate conference in Copenhagen parties to the convention will decide on possible improvements to these mechanisms. This triggers questions about the role and participation of the poorest developing countries as low-power groups in the decision-making process. Will the prediction of AOSIS come true?

Designed as a case study, this thesis traces the pre-negotiations on the Clean Development Mechanism (CDM) that took place from December 2006 until August 2009. The research question asks what the potential is for low power groups to influence negotiations on Post-Kyoto CDM in order to promote their interests and foster their role within the group of G77&China. In this thesis, low power groups are defined as the groups encompassing mostly low-income countries that suffer from long term handicaps to growth or structural weaknesses. These are namely the African Group, AOSIS and the group of Least Developed Countries (LDC). The objectives of the thesis are to gain insights into the interests of low-power groups and their interdependence with other developing countries, as well as to examine the institutional dimensions of this. To approach such a complex and dynamic field, a theoretical framework from Neoliberal Institutionalism is applied.

The first chapter of the thesis leads into the academic literature, the theoretical framework and the methodological approach used. Building on this foundation the subsequent three chapters analyse results from primary data in relation to the climate regime's decision-making procedures (Chapter 2), the interests and strategies of low-power groups (Chapter 3) and their interrelations with other developing countries (Chapter 4). Three main arguments are therefore made: firstly, low-power groups' participation in negotiations is negatively

discriminated against the decision-making procedures of the regime. Secondly potential synergies from cooperation between low-power groups are left out because of their divergent interests. Finally low-power groups have to compromise on their priorities because of their dependence on other developing countries' interests. Against this backdrop, the overall argument is that although low-power groups play an important role in the regime by promoting relevant issues, their potential to influence the effective outcome of a Post-Kyoto CDM is restricted. The thesis concludes with a thought-provoking initiative and a set of continuative research questions.

2. Literature Review

Climate negotiations can be compared to a puzzle game where multiple players try to match a myriad number of pieces through an iterative process of trial and error. This chapter, based on academic literature, describes the broader picture of what the puzzle should look like in the end. Therefore the first section provides an overview of the core problems, the relevant actors and the case study. Subsequently it assesses what the current state of negotiations is and finally the decision-making process of the climate regime is embedded in a theoretical context.

2.1 The broader picture

Climate change is a phenomenon of multiple dimensions. Not only does it refer to the accumulation of a set of gases in the upper atmosphere but also embodies a fundamental entanglement at the human-environment interface. There is scientific agreement that an increase in global average temperature will seriously threaten development efforts in the South and particularly in least developed countries (Simms, 2005; UNDP, 2007). Therefore a challenging paradox is that development often is the very driver of Climate Change, confronting policymakers with fundamental trade-offs over the two issues (Metz&Kok, 2008, Morita, et al., 2001). However effective mitigation and adaptation policies are vital now to curb additional impacts in the future. What renders the policy-making process into a highly political controversy is the fact that both, cause and impact of climate change are distributed unequally in a temporal and geographical perspective.

This unequal distribution has created a hiatus between developed and developing countries, which follows through 15 years of negotiations. In a nutshell, developed countries are committed to reduce their emissions but ask for potentials and the respective means to do so. Additionally there is demand for reduction efforts by major developing countries. In turn members of G77&China, the group that represents most developing countries in the negotiations call for deep emission cuts exclusively by developed countries arguing with their right to develop now. They also link climate change to the agenda of sustainable development by asking the North for financial and technological support for adaptation measures. Snow (1986) has described this tactic as "frame extension". These conflicting frames of climate change, weak implementation of current climate policies and thorny discussions have led to disappointment among developing countries and a negotiation process that is earmarked by mistrust (Depledge, 2008).

2.2 Low-power Groups at the Negotiation Table

Reducing the negotiations to a dichotomous dispute between South and North however would overlook distinct patterns of relations within the respective groups. With its numerous constituents, G77&China is the most diverse formal group in the climate forum that Najam (2005) describes aptly as "a weak unity but resilient collectivity" (Fig. 1). Speaking on behalf of this large group not only increases leverage, but also blurs the evidence of internal heterogeneity, while the name of the group alone already implies that they do exist.

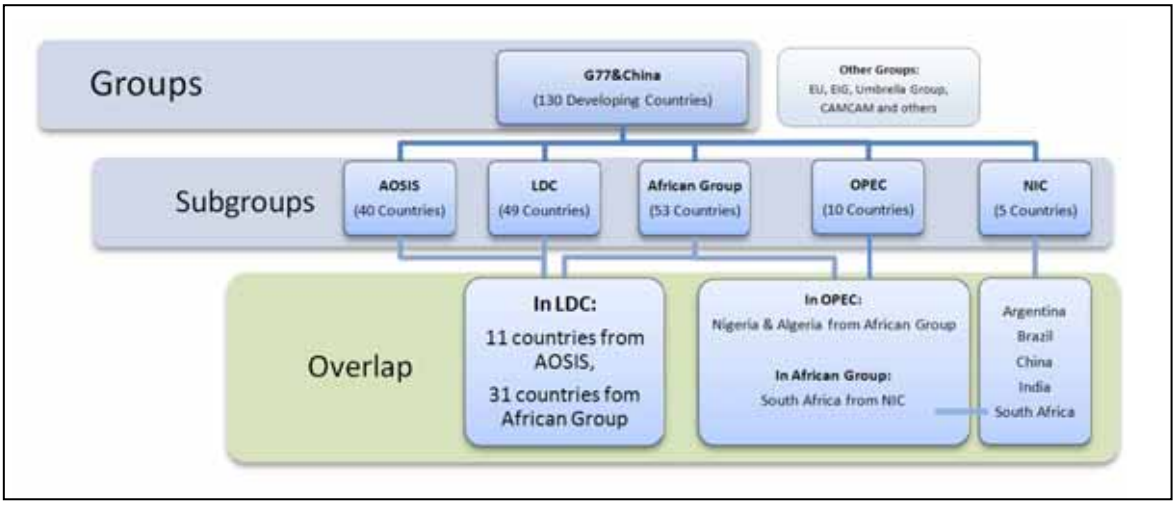

Figure 1: Overview of Groups under UNFCCC (source: author)

Boyd, Corbera and Estrada (2008) acknowledge this in their study on CDM-sinks in negotiations, by taking the various subgroups of G77&China into account. This comprises BRICS, OPEC, AOSIS and LDC amongst others. For a member list of the relevant groups for this thesis see Appendix 1. Yamin & Depledge (2004) highlight that because of the multiplicity of its members, G77&China is a dynamic group, in which new alliances could result at any time purely out of demand. Against this background, Kasa, Gullberg & Heggelund (2007) find a strong and even increasing heterogeneity behind the ostensible accordance of G77&China.

In spite of its heterogeneity, the group has managed to keep united in the climate forum. So far there is no explanation in unison to this challenge. From an International Relation perspective, Williams (2005) argues that being within this group is the only possibility for most developing countries to participate in the negotiations, thus they accept not to set the agenda within the group as the lesser evil. Furthermore he links the coherence of the group to the "institutionalisation of the Nord-South divide". According to Jackson (1993) this institutional aspect was essentially present since the establishment of G77&China. A more interest-led argumentation is given by Yamin & Depledge (2004) and Depledge (2002) saying that members of G77&China share the same unifying principles and concerns, such as the right to develop and respect of sovereignty or aspects of poverty alleviation. For Kasa (2007) this argumentation does not reach far enough. Above these interests, she identifies the motivation to gain relative advantages by G77&China members in the international community, such as support by the UN or exemptions from international obligations, as a determinant for the cohesion.

Yet lack of studies that examine the role of low-power groups within G77&China is striking and their presence in the literature is mainly restricted to adaptation related discussions (e.g. see Huq et al., 2003). Rather when it comes to climate negotiations, they are mentioned as an aside in studies that examine the "big players" such as Newly Industrialised Countries (NIC) and the Oil Producing and Exporting Countries (OPEC) (Depledge, 2008). In such a study, Dessai (2004) analyses the role and interests of OPEC, mentioning that it has substantial influence on low-power groups' behaviour. Overall Kasa (2007) finds that the current power situation within G77&China does not allow them to raise sufficient awareness of their vulnerability and particular needs. On the other hand occasionally studies highlight the importance of AOSIS because of its progressive role in climate negotiations (Larson, 2003; Ash, Van Lierop & Cherian; 1999). Yet a former negotiator laments that "AOSIS is vocal, but more people live on river islands in Bangladesh than in all AOSIS countries

combined (Ahmed, 2009). Consequently although these studies shed some light on the "interieur" of low-power groups, more research is needed to illuminate their characteristics, dynamics and influence in G77&China.

2.3 CDM, a Critical Piece of the Puzzle

CDM is one of the three flexible mechanisms under the Kyoto Protocol and has a dual aim. Designed as a market instrument, developed countries can offset their emissions abroad in a cost effective way, while CDM should facilitate sustainable development, foreign investment and green technology transfer to developing countries in turn. Therefore there is potential for low-power group members to benefit from CDM.

A voluminous amount of studies has analysed the efficacy and weaknesses of CDM from past years. On this note Olsen (2005) has composed a capacious review of literature that addresses linkages between CDM and sustainable development. The literature depicts that initial optimism of CDM has gradually turned into serious concerns. Projects are weak in delivering sustainable development and they have become unequally distributed among host countries, both with negative implications for low-power groups (Sutter & Parreño, 2003; Barrera & Schwarze, 2004; Cosbey et al. 2005; Michaelowa & Umamaheswaran, 2006; Lohmann, 2006; Schneider, 2007). Given this recognition, there is a contentious debate about the causes of these deficiencies and how they should be addressed. Some authors see the very conceptualisation of the CDM as a market mechanism as the main reason for its weakness (Corfee-Morlot et al. 2004, Pearson, 2004). Other studies highlight financial barriers, high transaction costs or the uncertainty of Post-Kyoto negotiations as origins of the weak performance and unequal distribution (Cosbey et al., 2005; Brunt and Knechtel, 2005). Ellis et al. (2007) conclude that in Africa a difficult market environment is the primary reason for the small number of CDM projects launched so far.

Discussions about possible Post-Kyoto mitigation policies have been around for several years. Bodansky et al. (2004) descriptively present more than 40 proposals that evolved in the early period of Post-Kyoto discussions. From a functional perspective, Cosbey et al. (2007) categorise a selection of proposals into four themes (targets, differentiation, transition and governance). Trends become visible as an expansion towards sectoral, programmatic or policy CDM is favoured (Figueres&Philips, 2007; Sterk&Wittneben, 2006; Stripple&Falaleeva, 2008). Finally Boyd et al. (2007) analyse what the role of CDM would be in the options analysed by Michaelowa (2006). A seminal finding therefore is that several of these options

might diminish the relevance of a CDM in future and thus undermine the current market that is “just about to become dynamic”.

However, an untouched realm so far is the analysis of links between these new potential policies and the negotiations from which they will actually result. CDM has proven to be more than a mere mechanism. It was a critical piece of the puzzle that facilitated agreement on the Kyoto Protocol, and has been highly politicised for its attempts to bridge “the developed and developing world” (Matsuo, 2003) ever since.

2.4 The Climate Regime

Whether the UN Framework Convention on Climate Change (UNFCCC) and its protocol as a regime are effective in tackling climate change or even represent a bridge across the divide between South and North is a contentious question. In the literature, effectiveness of environmental regimes is mainly examined in the realm of political studies. The approaches therefore begin by assessing the changes in parties’ behaviour (Young, 1999), tracing increase of the regulatory outputs (Bernauer, 2002) or analysing the structural interdependencies that result from environmental regimes (Escobar, 1995). The relevant bottom line from most of these studies is that there is no standard approach to analyse the distinct regimes (Young, 2003).

When it comes to the UNFCCC, performance of negotiations oscillated several times between a story of success and failure. Proponents would argue that the climate regime constitutes the institutions required to facilitate collaboration on an issue of such scale and complexity (Dietz, Ostrom & Stern, 2003). A series of successful agreements, namely the Kyoto Protocol (1997), the Marakesh Accords (2001) and the most recent Bali Roadmap (2007) demonstrate its effectiveness.

More sceptical voices will highlight the political tensions, by which each of these agreements is earmarked (Victor, 2001). Several times disagreement on “Who has When the right to emit How and How Much Carbon Dioxide” into the atmosphere has brought negotiations almost to a halt. Negotiations in The Hague in 2001 initially failed, while the Bali Roadmap was a forced delivery under contested conditions. Furthermore, Depledge (2006) observes an ossification of the regime’s progress and effectiveness. Another aspect is the political limitations of the supranational agreement to trigger effective and substantial environmental performance. The withdrawal of the US from the Kyoto Protocol in 2001, the most recent G8 Summit in Aquila and the currently modest reduction commitments by Annex I countries resize the regime’s reach in relation to decisions from high level politics.

2.5 Overview of current Negotiations

Talks about the future climate regime take place in multiple forums among different audiences and also overlap. Since this causes confusion even among negotiators this section localises the Post-Kyoto CDM related discussions within the current negotiations.

As decided in Bali 2007, negotiations currently run on two major tracks within two working groups. All members to the convention (including the US) hold a dialogue in the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) on how the climate convention could be redesigned in a long term perspective. The Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) on the other hand is in charge of amendments to the Kyoto Protocol, whose first commitment period will end in 2012. This group has met in nine sessions so far. The aim of both AWGs is to provide a negotiation text for the Conference- and Meeting of Parties at Copenhagen in December 2009 (COP15). Given the topicality of negotiations, no research that has analysed the work of the groups is available so far. Therefore Figure 2 on the next page tries to capture who currently discusses which topics under what mandate. Furthermore an overview of progress and decisions of AWG-KP sessions 1 to 9 can be found in Appendix 2.

The mandate of the AWG-KP is to "focus on the consideration of further commitments by Annex I Parties, to be established in amendments to Annex B to the Kyoto Protocol" (UNFCCC, 2006). At the first session of the AWG-KP, Officer-in-Charge of the secretariat, Mr. Richard Kinley, highlighted in his speech the importance of the CDM to further growth and the need to send a strong signal to the markets by the group. Three years down the road now, Post-Kyoto CDM related topics are not only discussed in economic terms, but are also intrinsically linked to both, the commitments by Annex I parties and issues discussed in AWG-LCA (in particular paragraphs 1(b) I-VI). On the other hand, what is concluded in AWG-LCA will impact AWG-KP discussions since the long term goal will be forestalling short term measures.

Currently a set of more than 25 options for a Post-Kyoto CDM are compiled in the negotiation text that can be categorised to "Improve CDM Rules", "Upscale CDM" and "Sectoral Approaches to CDM". It will be the task of AWG-KP now to first agree on a selection of them and second to elaborate specifications of the options chosen.

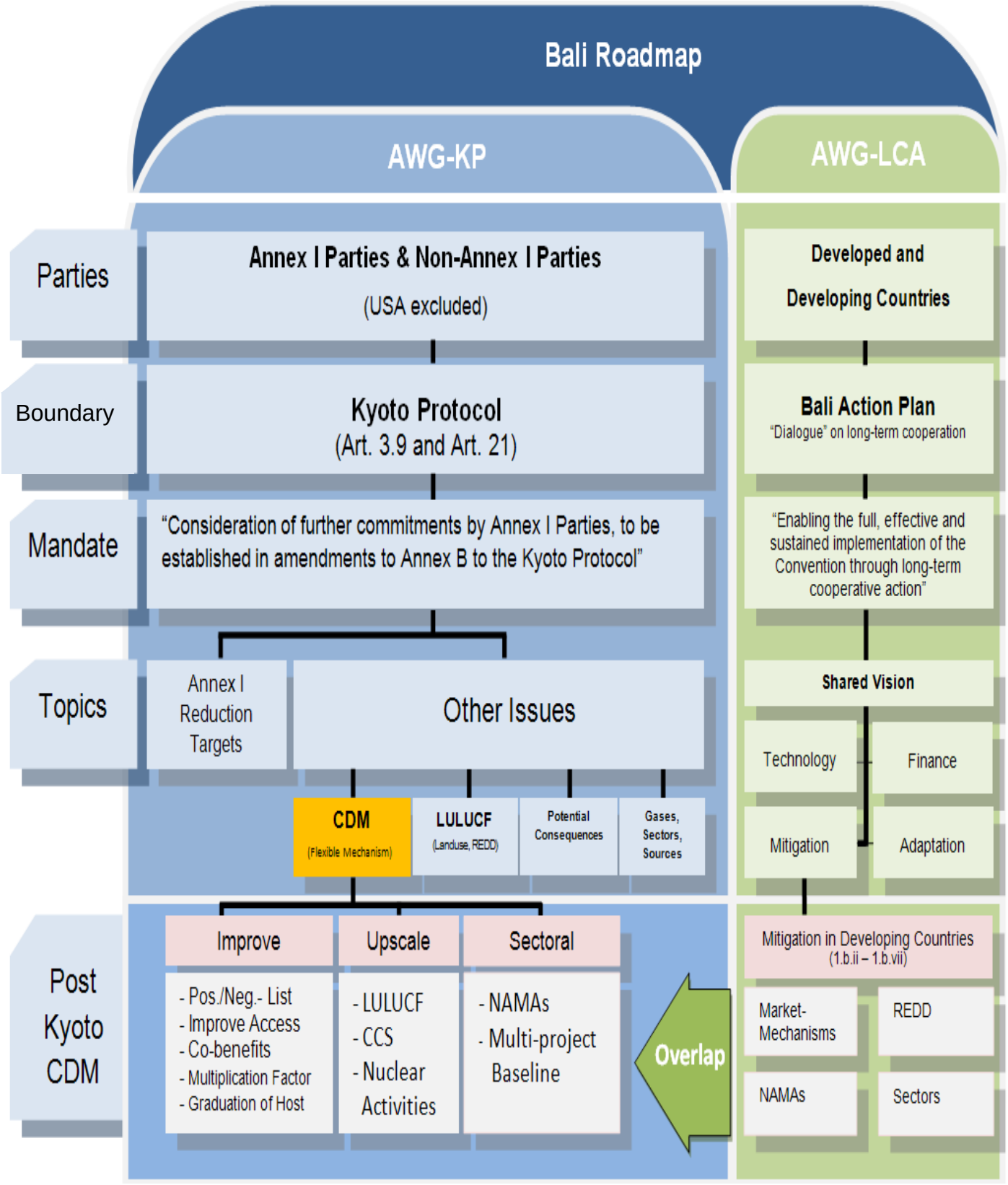

Figure 2: Overview of current climate negotiations (source: author)

3. Theory

3.1 Choice of Theory and Justification

Negotiations under the climate convention now have almost become as complicated as the phenomenon of climate change itself. In order to analyse such a complex process a theoretical framework is helpful to facilitate its conceptualisation. The focus of this thesis is on politics among actors (members of G77&China) that pursue their interests in a particular policy (CDM) within an international polity (the climate regime). Since International Relations Studies provide a mature body of theories that have tried to conceptualise such a constellation, a regime theoretical lens is applied to this thesis.

3.2 Neoliberal Institutionalism

With their origins reaching back to the 70s, there is now a variety of theoretical approaches that examine international regimes. Neoliberal Institutionalism is one of them and assumes that, although states are the sovereign entity in an archaic world, their common interest in addressing a particular international problem can lead to cooperation among them. Keohane (1984) describes that states cooperate when "they adjust their behaviour to the actual or anticipated preferences of others, through a process of policy coordination". Consequently rational acting states are willing to restrict their sovereignty to a certain extent, when they mutually perceive that their individual interests are better represented by such cooperation rather than by its absence.

These interests are linked to the states' aim for absolute gains, thus they do not compare their benefit from cooperation with gains that result for other parties (relative gains). According to O'Neil (2009) "Neoliberal Institutionalist perspectives are the most influential in the field of International Environmental Policy and they are powerful for understanding why states cooperate". Overall, assumptions from Neoliberal Institutionalism can be applied to the focus of this thesis as follows: the relevant actors are states that are member to G77&China including the low-power groups. Of vital interest to them is to "prevent dangerous anthropogenic interference with the climate system", and to enhance their capacity for a sustainable economic development (UNFCCC, 1992). The absolute gains from a Post-Kyoto CDM therefore are foreign investment, technology transfer and contribution to sustainable development from hosting CDM projects. For low-power groups an effective

climate policy to curb global warming is – literally - of vital interest. Cooperation for them is the most feasible option since they have least capacity to adapt to the threats on their own.

3.3 The Functionalist Perspective and Extensions

Within Neoliberal Institutionalism again there is a plurality of nuanced approaches to how cooperation in a regime can be examined. A functionalist approach by Keohane (1984) on this question is still influential, stating that international regimes facilitate negotiations by providing information, reducing transaction costs, raising expectations of compliance and finally reducing uncertainty about other parties' preferences (Whittington, et al., 2008).

A regime is defined as a set of principles, norms, rules and decision-making procedures around which actors' expectations converge (Krasner, 1983). In the climate convention, examples for principles are the ones for precaution or common but differentiated responsibilities. Norms are embodied by the Kyoto Protocol and rules for CDM are specified in the Marrakesh Accords for example. For this thesis however, the relevant component is the decision-making procedures that determine how parties approach the problem during negotiations. Under the UNFCCC, the decision-making practices are the negotiation procedures as prescribed by the United Nations, where parties meet at sessions to elaborate jointly on a negotiation text, which is then decided on in a COP/MOP session.

Although cited across all domains of regime theory, this definition of regimes was also criticised for being too vague (Kratochwil, 1984). Therefore Krasner (1986) specified that decision-making procedures are prevailing practices for making and implementing a collective choice. Finally Hasenclever, Mayer & Rittberger (1997) specify that regimes have two properties: effectiveness and resilience. The first refers to whether parties abide to norms or rules of the regime and whether it fulfils its purpose. On this point, Young (1999) stresses the need to focus on the behaviour of actors. The second property can be assessed by asking whether the regime is resistant to exogenous challenges and to what extend prior institutional choices constrain collective decisions and behaviour in later periods".

Most political scientists have sought to explain under what conditions regimes are created. However the process of regime formation does not stop with its initial act (Zartman, 1994). What is at stake now on the road to Copenhagen is how the climate regime should mature by modifying the convention and eventually amending its protocol.

When it comes to institutional changes Young (1989) has developed an analytical framework. He distinguishes between alteration of constitutive attributes of a regime and changes of its operational elements. While the first type encompasses changes in framing the

problem, membership fluctuation or the regime's functional scope, the latter includes alterations in regulatory provisions, procedural mechanism or programmatic activities of a regime. In terms of Post-Kyoto CDM, both types of changes currently are under discussion. Proposed options that require no formal amendment to the Kyoto Protocol refer to its operational elements, while modifications that require such amendment would alter the regime's functional scope.

3.4 Restrictions to the Theoretical Approach

As with any theoretical concepts there are also restrictions to this approach. Neoliberal Institutionalism is taking a positivist approach, thus working with an abstract and narrowed analytical world view. At least two drawbacks for this thesis result from this. First, when it comes to climate negotiations, many more actors than merely states are involved. As O'Neil (2009) highlights, there is currently a hybridisation of the topic, where bottom up approaches, such as global governance, also stress the importance of non-state actors. However this thesis exclusively examines the decision-making process within the UNFCCC, where states are the only sovereign actor at the table (UN, 2004). A second shortcoming is the theory's constraints to assess the parties' strategies and behaviours "behind the scene". An Actor Network approach, such as proposed by Latour (2005) or the concept of Governance by Rhodes (1997) could offer better insights to these relevant domains.

4. Research Design

4.1 Aim and Objectives

The overall aim of this thesis is to enhance the understanding of low-power groups' role and potential in the decision-making process for an improved market mechanism of the climate regime. The objectives to reach this aim are threefold. The thesis firstly illuminates the functionality of the climate regime from a low-power group perspective and thereby aspires to add to the theoretical concepts of Neoliberal Institutionalism. Against this institutional backdrop, the second objective is to assess the strategies and behaviours of low-power groups in promoting their interests, which will address the lack of studies in this field. Thirdly in the context of G77&China, the thesis aims to provide an explanatory outlook of how and to what extent low-power groups will be able to enhance climate policies. Finally a set of continuative research questions will be provided in order to form a basis for further research.

4.2 Relevance

The assessment of low-power groups' role and potential in the UNFCCC is relevant for several reasons. CDM has the potential to deliver entry points to a low-carbon and sustainable development for its host countries. But for low-power group countries, access to this opportunity will depend on outputs from current negotiations. Accordingly the thesis provides important insights into what low-power groups themselves propose for improvements and how this is challenged within the regime. Furthermore the analysis of the functionality of the regime can give insights into how participation of low-power groups in the UNFCCC could be fostered.

In addition, some low-power groups have proven to creatively contribute to conflict resolution in the climate forum (Larson, 2003). Given that current negotiations have slowed down due to conflicts among major parties, the thesis captures the situation from a new perspective, which might depict such an innovative role of low-power groups again. Finally, results of this thesis will provide a snapshot of the road to Copenhagen that provides a starting point for future studies for comparison with actual outcomes from the conference.

4.3 Questions and Hypotheses

Research Question:

What is the potential for low-power groups to influence negotiations on Post-Kyoto CDM in order to promote their interests and role within the group of G77&China?

Sub-questions

- How do decision-making procedures of the climate regime facilitate or exacerbate low-power groups' participation?

- What are the preferences of low-power groups for an improved CDM and how do they try to promote them?

- What are the implications from convergence and divergence of positions from other groups within G77&China?

Hypotheses

Using a positivist research approach and with reference to the literature review, the following three null hypotheses are defined in a deductive manner (the strongest argument from hypotheses can be made when they are proved wrong, therefore null hypotheses state what is *not* expected to be the outcome of the analysis).

- Decision-making procedures of the climate regime reduce low-power groups' potential to improve a Post-Kyoto CDM.

- Despite sharing common interests, low-power groups do not collaborate in the regime

- Low-power groups can successfully promote their interests over the other groups' priorities of an improved CDM.

5. Methodology

The purpose of this section is to render the procedures that facilitated the analysis of the research questions transparent. Therefore the first section describes the methodological approach applied and justifies its choice. Secondly the concept elaborated for data collection, classification and analysis is explained according to a schema provided by the methodological approach chosen. Finally the assumptions made and potential shortcomings of the method are discussed.

5.1 Choice of Method

To approach the research questions of this thesis the method of Content Analysis is deployed. The two seminal authors therefore are Krippendorf (1980) and Berg (1989) with their respective introduction to the methodology. Krippendorff (1969) defines content analysis as “the use of replicable and valid method for making specific inferences from text to other states or properties of its source". In sum, Content Analysis is the critical analysis of any type of text by coding raw material through a classification scheme. This approach has become a conventional method in social and political studies and a variety of conceptions have evolved for respective purposes (Berg, 1998; Oevermann, 1993; Patzelt, 2003). Although the fundamental ideas of the two authors remain valid, newer concepts have evolved in order to improve the method. Mayring’s (2000) approach to Content Analysis is distinct in so far as it follows a systematic, theory- and rule guided approach to enhance reliability and validity. In order to achieve this, Mayring (2000) prescribes a structured procedure containing eight steps that are followed in this thesis.

5.2 Justification

Content Analysis has the capacity to firstly facilitate answering the research questions, second to reflect the concepts of the underlying theory and finally to suitably deploy the sources and data available. The question types for this thesis are inherently of different characteristics. The first requires a theory guided analysis, the second necessitates a descriptive explorative approach and the third question finally asks for an interpretative analytical frame. Content Analysis is adaptive to such a spectrum, since it first can be deployed for qualitative and quantitative analysis, second allows distinct creation of categories through induction or deduction, and finally facilitates the search for both manifest

as well as latent content. Furthermore assumptions made by Neoliberal Institutionalism, such as rationality of actors, can be incorporated and kept apart from other domains such as a constructivist's frame of discourses. Finally, different types of sources are used for the analysis (official documents, transcribed texts and video) and according to Kondracki et al. (2002) Content Analysis is applicable to any such type of recorded communication.

For several reasons other methods such as interviews, surveys or focus groups are not feasible for this analysis. First and foremost access to key stakeholders is restricted because they are currently engaged in negotiations that run simultaneously to the duration of this thesis. All relevant textual documents on the other hand are accessible through the internet. Furthermore relevant actors are numerous and highly heterogeneous, thus individual opinions would not accurately reflect what is of interest. Textual comments during negotiations in turn are made on behalf of the respective country or group and thus match also with assumptions of Neoliberal Institutionalism. Finally, other methods are mainly restricted to either quantitative of qualitative analysis while, Mayring's (2000) approach can link the two in order to take advantage of their synergies.

5.3 Eight Steps of Procedure according to Mayring (2000)

1. Scope of information to be analysed

The two relevant sources assessed are the written submissions of parties to the chair of AWG-KP and their oral statements during negotiations. The submissions can further be differentiated in proposals of new ideas and expressed views on submissions by other parties Written submissions are given higher priority during the assessment because they are official documents while oral statements have no such status[1].

The population from which data is created are all comments made in the UNFCCC. Following the scope of the research questions, a subset of comments made in AWG-KP is taken as the sampling frame: exclusively comments, written and oral, which were made by members of AOSIS, OPEC, NIC, LDC or the African Group at AWG-KP sessions 1 until 8 on CDM- or regime-related topics are examined.[2] Comments by AOSIS or African Group members that also belong to LDC are only categorised as such when they speak on behalf of the latter. NIC is the only in-official group created for this thesis and its members are defined here to be Argentina, Brazil, China, India and South Africa given their shared economic

[1] This point was highlighted during discussions with a former negotiator

[2] For a list of countries contained in these groups see Appendix 1. For a list of CDM- and regime related issues see Appendix 2

dominance among developing countries. All text units that match these conditions are used for the analysis, thus no sampling procedure is applied.

2. Description of Sources

Two main sources are used for data collection. The first is the official website of the UNFCCC, where all written submissions and related documents are published in original wording.[3] The second source used is the Earth Negotiations Bulletin (ENB) that is published by the Institute for Sustainable Development (IISD) and tracks the climate negotiations in depth. Although not officially representing the negotiations, the ENB has a reputation for being objective and is also used in other academic works (Kasa, Gullberg & Heggelund, 2007; Boyd, Corbera & Estrada 2008). In order to establish additional reliability, random oral statements described in the ENB are double checked with video-taped material which is available from the official website and they have been found to match well.

3. Formal Characteristics of Text

The submissions follow the UN convention to be drafted in one of its six official languages, - but a majority of them is in English. However length and grade of detail varies broadly, since there are no other formal requirements. Oral statements described in the ENB typically come in an enumerative and summarized form as one or two sentences and are referenced to the country making the claim.

4. Focus of analysis

In this study the emphasis is on CDM related comments made by members of G77&China. Therefore thematically manifest and latent content is examined. In concrete terms the topic of the comment (what), the way it is formulated (how) and its reasoning (why) are assessed.

5. Theoretical Underpinning

This step is already discussed in the theory section of this thesis.

[3] The documents can be located from: http://unfccc.int/documentation/documents/items/3595.php

6. Procedures of Analytical Technique

Mayring (2000) offers a choice of three analytical techniques: *peroration* (reducing the text), *explication* (making meaning of the text more explicit) and *structuring* (search for structures by means of a categorisation scheme). Firstly a *peroration* is conducted on written submissions to condense the voluminous material. First a level of abstraction is defined to adjust the structure of the submissions to the reduced format of the ENB text. Accordingly relevant text passages are then selected according to the focus of the analysis (what, how, why) and reduced to simple sentences. This results in a compatible data set of the two sources.

In a second step for both written submissions and oral statements the process of *structuring* is deployed, which aims to "assess the material according to predefined categories that every text unit is assignable to" (Mayring, 1997). These categories are created deductively according to the appointed hypotheses. Hence three domains with respective categories are defined (Tab. 1).

Domain:	What	How	Why
Variables:	• Improve CDM • Upscale CDM • Sectoral Approach • Regime Related	• Stance to Topic • Collaboration • Expectation	• Explanation

Table 1: Domains and variables for categorisation; source: author.

The domain "What" aims to evaluate how often parties comment on what topics and refers to research question two and three. The sources always make explicit who makes the claim. Categories within this domain contain Post-Kyoto CDM related topics that currently are under discussion. They were derived from draft conclusions and compilations of proposals by the chair of the AWG-KP, the comments made by parties and a background paper by UNFCCC and UNEP (Olsen, 2009).

The two domains "How" and "Why" are linked to the claim of Institutional Liberalism, that regimes create behaviour expectations from other parties and enhance

collaboration in relation to the parties' interests. Categories for these domains are created inductively from a pre reading of approximately 10% of the entire material as suggested by Mayring (2000). In this pre-test the categorising scheme is built up iteratively while reading through the material.

Overall the categories aim to be simple, mutually exclusive and exhaustive. However, because of the inherent value load of language, this is not always feasible (Graneheim& Lundman, 2003). Therefore, and in order to render the coding process more transparent, Mayring proposes two further proceedings: to compose a code book and to list reference sentences that typically fall into a category. These documents can be found together with the classification scheme in Appendix 3.

7. Analysis of Text-Units and Coding

All texts are searched through by the classification scheme (Fig.3). Any sentence that fit into the "What" domain is eligible and further coded to variables of the other two domains. Any such coded sentence is defined here as a text-unit. Skimming for these text-units, relevant sentences are marked by different colours that represent the variables, and consequently the decisive words determine the categorisation. Both, oral statements and written submission can comprise several text-units. Eventually 334 text-units are coded, out of which 207 form the basic data set. The residual 127 text-units belong to a booster set of opening and closing statements and are used separately. Figure 4 depicts source and distribution of the text-units from the basic data set. Every coded text-unit is given a respective code-number to ensure that information can be traced back to the original sentence in its context. This is relevant in order to facilitate subsidiary qualitative analysis. Ultimately coded information is entered into the statistic program SPSS.

Domain	Variable	Category
What		
	Improve	
		Multiplication factors
		Graduation of host
		Access
		Pos./neg. list
		Co-benefits
		Governance
		Streamline
	Upscale	
		LULCF
		CCS
		Nuclear
	New sectorals	
		NAMAS
		Multi-project baseline
		Sectoral baseline
		No loose target
		Differentiate the eligibility
		Other
	Regime	
		Commitment Expectation
		Mandate
		Negotiations Progress
		Time
		Information
		Governance

Domain	Variable	Category
How		
	Stance	
		Pro
		Neutral
		Conditional
		Contra
	Collaboration	
		Cooperative
		Neutral
		Conflictive
	Expectation	Permissive
		Neutral
		Demanding

Domain	Variable	Category
Why		
	Explanation	
		Technical
		Economical
		Moral
		Regime/Procedures
		Environmental
		Time

Figure 3: classification scheme for content analysis; source: author.

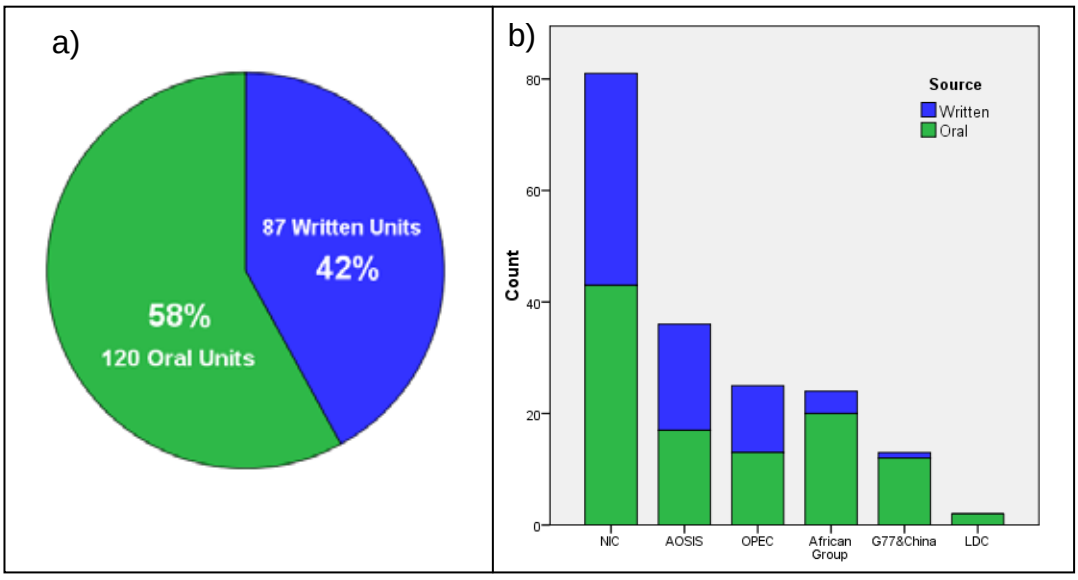

Figure 4: fraction of oral and written units (a), distribution among groups (b); source: data set.

8. Data Analysis

Data was analysed in an iterative two step process. Firstly in a quantitative manner statistics of coded text-units are calculated in SPSS, in order to detect interesting patterns or peculiarities. Data is mostly nominal and single categories rarely contain enough positions to run parametric tests. Therefore frequencies predominantly are calculated and compared. In a second step, crucial text-units are traced back to their original context in order to seek more qualitatively for possible explanations. These explanations in turn are underpinned by running further tests, in order to foster the interplay between the quantitative and qualitative analysis. In a final step, by including insights from discussions in AWG-LCA and other international forums outside the climate regime, linkages to the respective issue in AWG-KP are analysed if relevant.

5.4 Restrictions of Method

Assumptions

Two critical assumptions must be made here. Firstly, that the texts analysed represent the real positions of parties. Therefore it is assumed that personal commitment of negotiators (including activities of the chair) and strategies of parties to pursue their interest do not exist. The second assumption is that interests of parties are mirrored by the frequency with which they address a particular topic.

Ethical Concerns

Finally, all data used for this thesis is collected from information that is publicly available through the internet. According to Buddenbaum & Novak (2001) using this type of data collection does not imply any serious ethical concerns.

Potential Shortcoming of Method

Some weaknesses of the method need to be considered. In the first place, and related to the assumptions above, Wiederman and Whitley (2002) argue that inferences from qualitative Content Analysis can not be expected to reflect the authors' intentions comprehensively. Given the assumptions above, it can be countered that the text analysed here is explicitly meant to inform the chair and other parties of the author's intention. Furthermore Berg (1989) maintains that "choice of language can give insights to the

deliberateness of its author". When it comes to quantitative Content Analysis, main limitations result from ignoring the relevant context of text-units. In reaction to this, Mayring's approach aims to link quantitative and qualitative analysis.

A final concern of critics is the subjectivity of the coding process, putting reliability and validity of the qualitative analysis at risk (Berelson, 1952; Fühlau 1982; Buddenbaum & Novak, 2001). This problem can now be partially addressed by the methodological advancements of peer coding and stringent coding procedures.

Additionally one practical shortcoming is encountered while applying Mayrings approach. Since most options discussed in AWG-KP have a multiplicity of dimensions, parties can comment differently on the same issue. Since both coded text-units fall into the same category, results can be contradictory and require reference to its context. Thus there is a problem of abstraction when creating the classification scheme, since almost every text-unit could form an individual category.

Validity and Reliability

Validity of the "What" categories is given by the reference to other academic work. The other two variables (how and why) are legitimised by a pre-test on 35 text-units, which is conducted to ensure categories are valid and exhaustive.

Owing to lack of capacity, no peer coding is conducted to underpin reliability. However, choice of variables and categories are discussed with academics and the suggestions are incorporated.

6. Functionality of the Regime for Low-Power Groups

„The Chair has achieved a remarkable balance of concerns, leaving everyone equally unhappy" (ENB, 2006). The statement by G77&China triggers the question of how far the decision-making procedures under the UNFCCC influence the discussions among parties and ultimately any potential outcome. According to Neoliberal Institutionalism, the purpose of a regime is to leave everybody rather happy by achieving its absolute gains.

This initial chapter examines the negotiation procedures as one of the climate regime's elements[4] and their implications for low-power groups' participation in negotiations. Neoliberal Institutionalism assumes first, that a regime facilitates cooperation among its members and second, that resilience together with effectiveness is its fundamental property. Therefore the first section will capture how low-power groups interact within and respond to the boundaries of the decision-making procedures. The second and third parts examine the extent to which the robustness of the regime and its capacity to change predetermines the involvement of low-power groups into Post-Kyoto CDM negotiations.

6.1 Regime Effects on Negotiations

Three variables in the classification scheme aim to capture the stances on regime related issues by G77&China parties. Figure 5 depicts illustratively where the individual subgroups can be located in the domains of collaboration, expectation and satisfaction with negotiations. All groups are demanding, but only OPEC takes a rather conflictive position within negotiations while AOSIS and African group are neutral. Text-units of NIC members on the other hand tend to be more cooperative. However, together with African countries NIC is very critical on the progress of negotiations using strong rhetoric while AOSIS and OPEC are more balanced in their comments.

[4] Where the other three elements are principles, norms and rules (Krasner, 1983)

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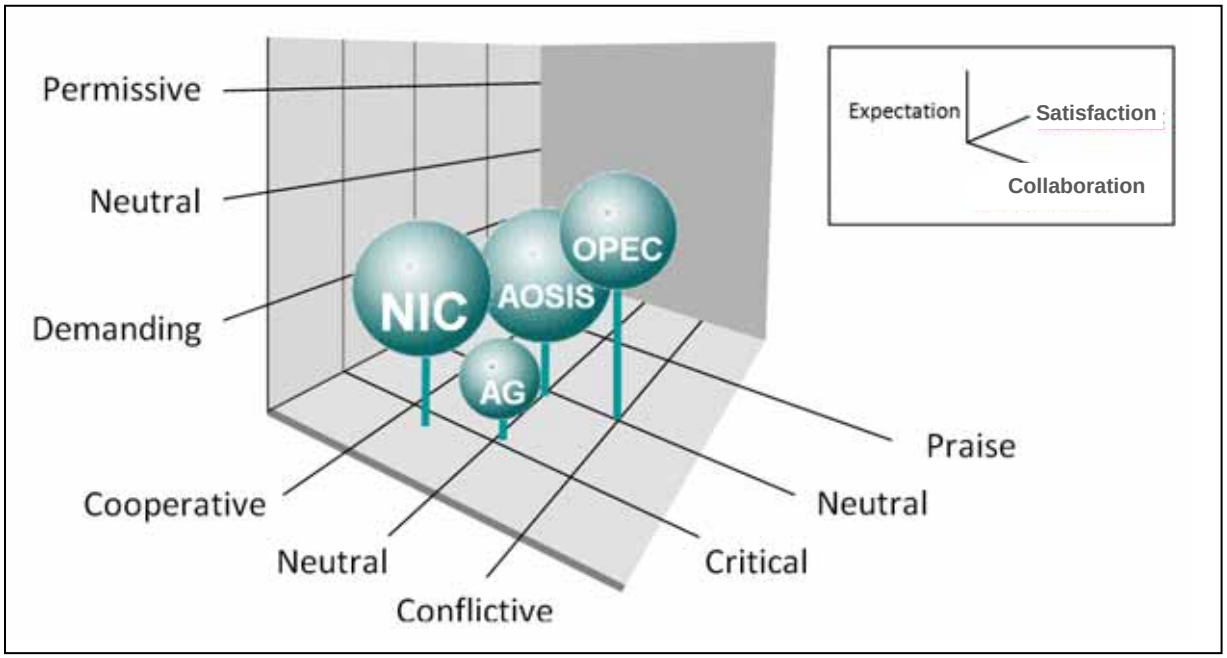

Figure 5: groups´ behavior in negotiations (variable: regime); source: main data set.

6.2 Collaboration despite of missing Voting Rule

The history of climate negotiations is earmarked by both success and failure of parties to cooperate on particular issues. One example of failure is that questions considering the voting rule within the UNFCCC, a highly important decision-making procedure, remains unresolved and consequently almost all decisions must be adopted by consensus (UNFCCC, 2002). In a forum where all 192 parties have the potential power to veto, this decision-making procedure anticipates a high degree of willingness to cooperate from all participants. Given the scarcity of conflictive text-units that denote a veto position, countries are very aware of the implication of this (Fig. 6). Low-power groups are no exemption to this but they do rarely indicate cooperation either. Overall China and Brazil are most cooperative while OPEC members and Argentina stand out with conflicting rhetoric[5]. Thus, although a permanent threat to negotiations, the consensus rule is not a major impediment to the Post-Kyoto CDM discussions. However this could change towards COP15 where parties' current positions need to be turned into decisions.

[5] This is in line with Depledges (2008) observations that OPEC is "well know for holding out".

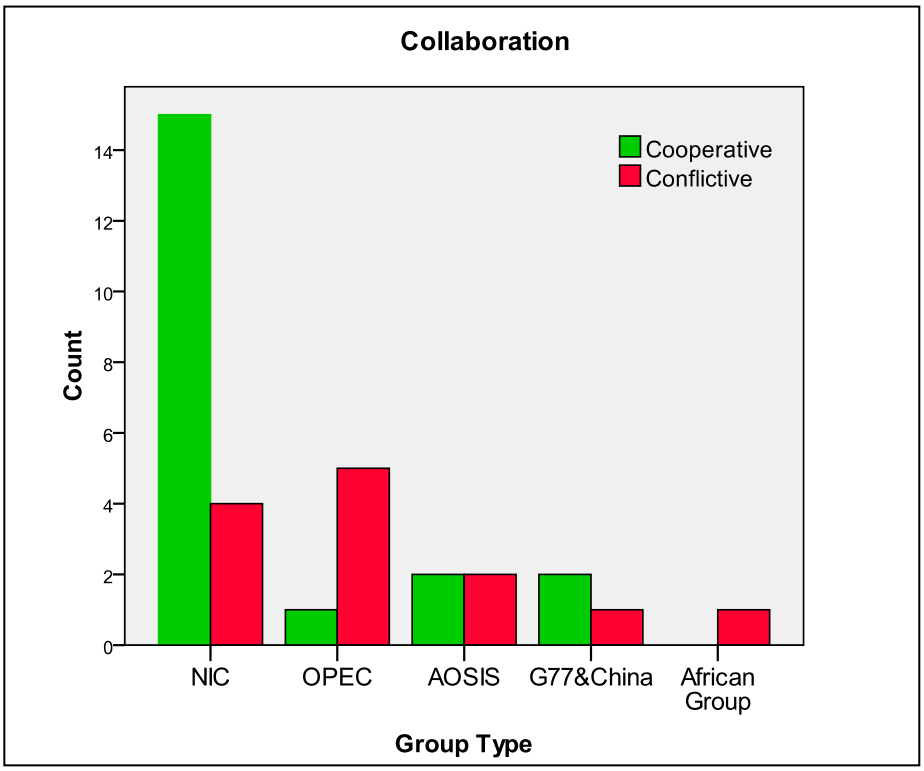

Figure 6: number of cooperative and conflictive text-units (variable: regime).; source: main data set.

6.3 Expectations raised in plenary sessions

In a functionalist's perspective, a regime can contribute to finding a common denominator through its four functions that are linked to the decision-making procedures (Tab. 2).

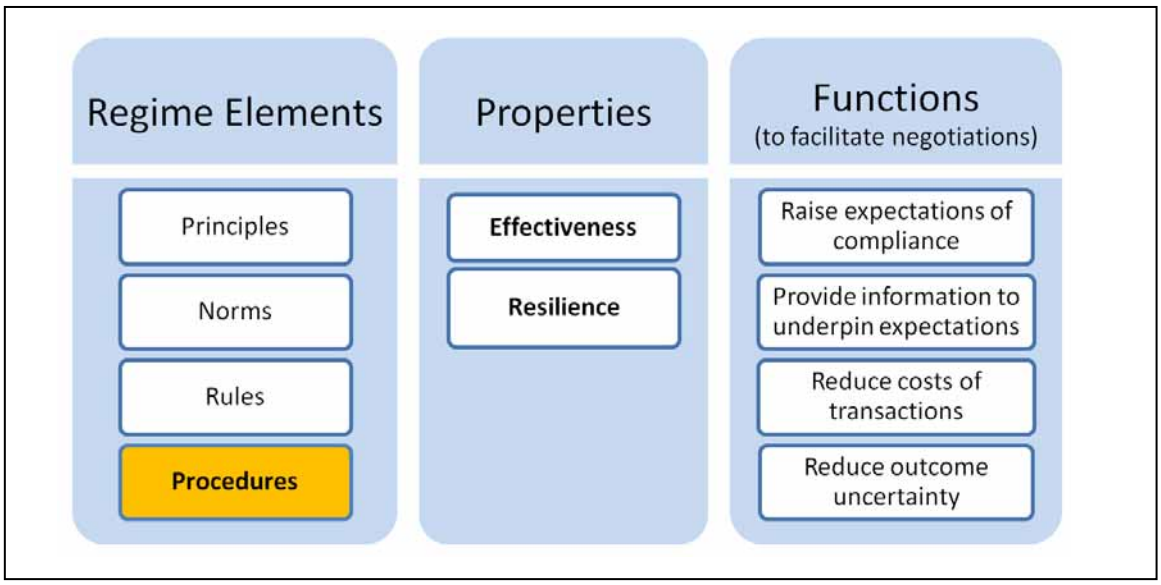

Table 2: elements, properties and functions of a regime; source: author.

The first is the regimes potential to raise expectations of compliance among its members. G77&China members repeatedly underscore their expectations of developed countries to demonstrate the leadership to which they committed. Low-power groups are very vocal on this topic since substantial efforts from other members are vital to them. However, what distinguishes their comments from other G77&China members is that they call on *all* parties to act and AOSIS in particular repeatedly also points towards larger developing countries.

When it comes to procedures of the regime that facilitate negotiations, low-power groups do profit from opening and closing sessions of the AWG-KP. In this prescribed procedure, the otherwise less vocal African group and LDC use the opportunity to prepare a text and share their expectations in the plenary (Fig. 7). However, their comments are usually aligned to positions of G77&China and do not raise any expectations from NIC or OPEC.

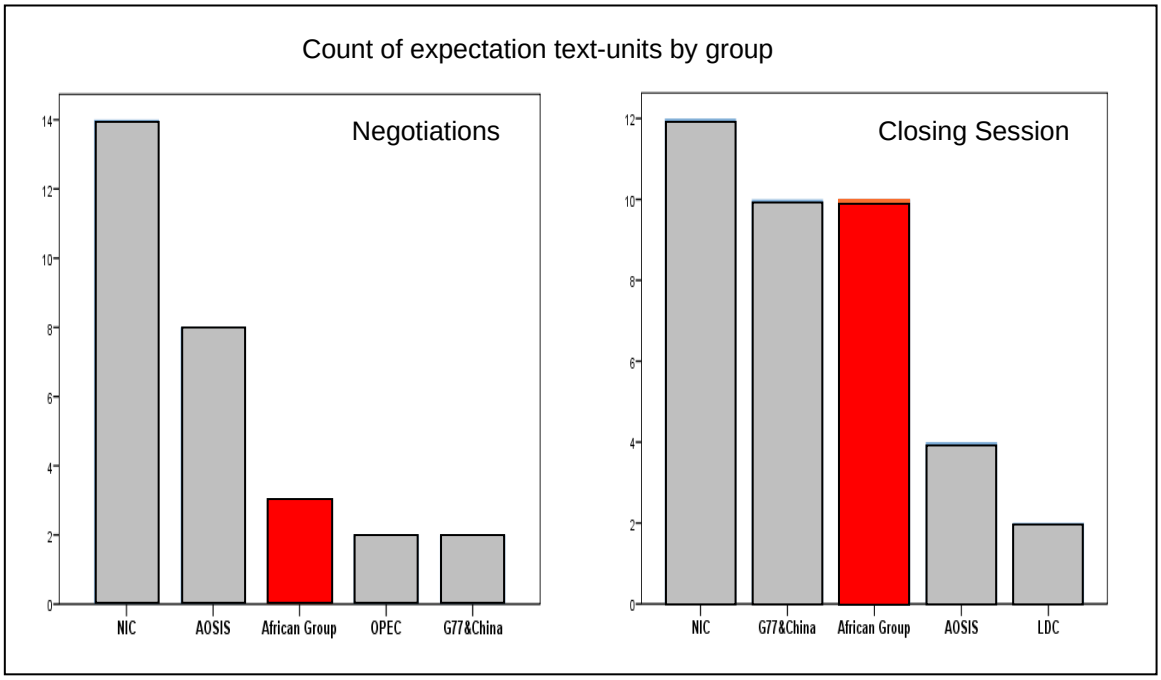

Figure 7: African Group during negotiations and closing sessions; source: booster data set.

The closing sessions of AWG-KP are generally used by all groups to reflect upon the progress of negotiations. A booster data set focuses on the reviews of G77&China parties and depicts that there is tendency of increasing discontent about the negotiations during time.

Under the climate convention there are currently 59 rules of procedure (UNFCCC, 1996). From the outset of AWG-KP, text-units that address these procedures have a conspicuously consistent presence during negotiations (Fig.8). All of them are linked in one way or another to the remaining three functions of the regime (provision of information, reduction of transaction costs and reduction of uncertainties among actors).

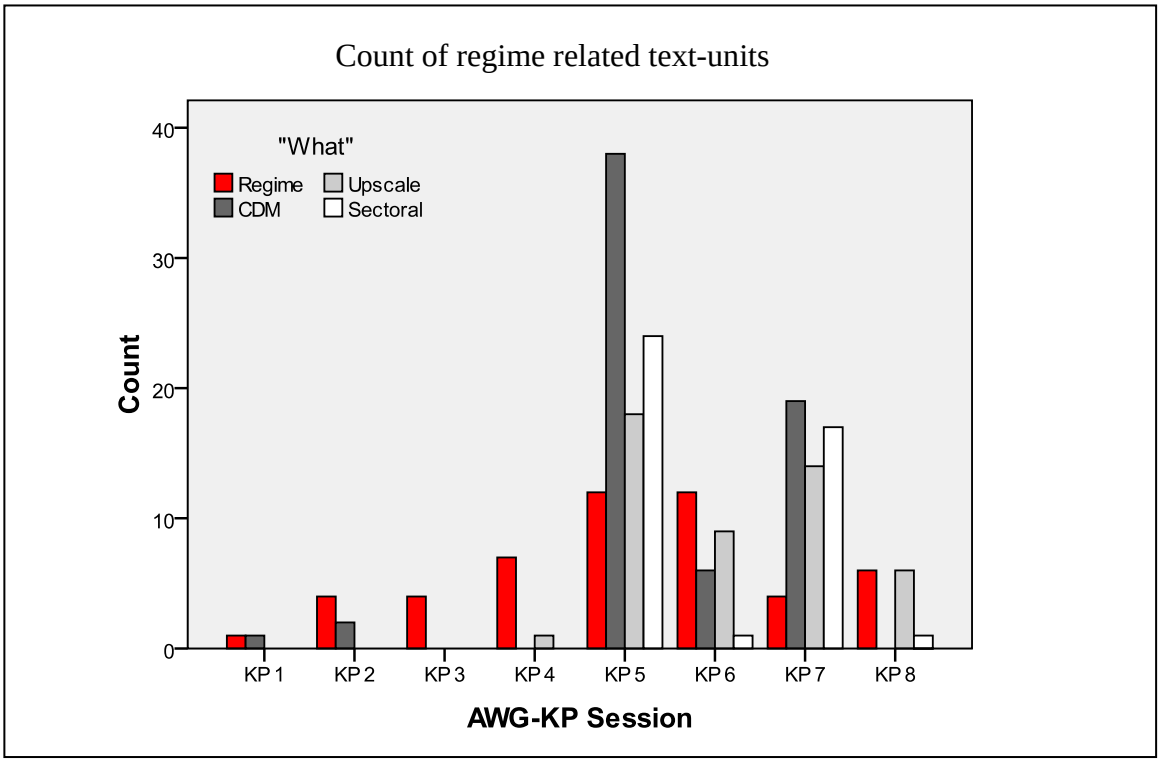

Figure 8: regime related issues (variable: Regime); source: main data set.

6.4 Provision of Information

The volume of information now available under the UNFCCC is overwhelming. Aside from the complexity of the issue, this is also a result of the UN "culture" to make decisions in a consultative manner where information and views to it are collected, shared and discussed among its members. Usually the chair of a UN working group asks parties to submit information, proposals and views on issues related to its mandate that he, together with the secretariat compiles into a text which in turn is discussed by parties during the following session. Such interactions are also foreseen by Article 2b to the Kyoto Protocol (UNFCCC,

1998)[6].Any party can, with agreement from other parties ask for more information in order to enhance comprehension. In AWG-KP this was the case on two issues: Annex I parties asked for evaluation of mitigation potential and respective means to achieve them. In turn OPEC and others demanded to assess potential consequences from such policies (spill-over effects). The request from Annex I parties was discussed for almost three years and the task to assess the consequences from policies is likely to take up as much time again. Consequently, although sometimes necessary, this integrative way to prepare information is time consuming and slows down progress leaving parties with only a few months left now to prepare a negotiation text. This is a situation that low-power groups but also China on behalf of G77&China tried to avoid since the very first meeting three years ago.

Another consequence from such process is that the variety of ideas and information needs to be made comparable and ultimately condensed into a manageable negotiation text.
Commitments by Annex I parties for instance refer to different base years or are based on different assumptions, what causes confusion and requires additional time for explanations during the sessions. A delegate commented at the most recent AWG-KP 9 that "without clarity on land use, land-use change and forestry rules (LULUCF) for the second commitment period, the national targets are just not comparable" (ENB, 2009a). Furthermore the split of discussions into two working groups that discuss related issues has lead to overlap and confusion, which challenges low-power groups, lacking capacity to follow two negotiation tracks at the same time.

Another example is what currently happens in AWG-LCA where parties need to downsize a 200 page strong compilation to a draft negotiation text of preferably 30 pages.
To sum up, procedures for creating information under the climate regime potentially can delay progress of negotiations and result in complex, voluminous texts that are not easily comprehensible for low-power groups.

6.5 Reduce Costs of Transactions

In this context transaction costs are expenses' such as finance or human resources resulting from efforts to maintain channels of communication. The climate regime can reduce these costs by providing a forum where all parties interact repeatedly in an organised domain according to decision-making procedures instead of maintaining bilateral interactions.

[6] *"Share experience and exchange information on policies and measures, including developing ways of improving comparability, transparency and effectiveness"* .

However for low-power groups the extent of this reduction is not sufficient to overcome major impediments for an effective participation.

One reason is that negotiation texts come in a dense format: mostly in English language, they are cryptically coded and cross-linked to other documents, and finally they are frequently altered, merged or deleted. Low-power groups lack the capacity to catch up with such complexity and dynamics.

Neither do they have the financial means to send enough delegates to follow the numerous double-tracked sessions that run in parallel, nor do they have the experience and skills required to impact international environmental negotiations. For example some delegates from Bangladesh are members of the civil society rather than negotiators (Ahmed, 2009). The median size of delegations of LDC countries at the last four COP/MOPs comprised three representatives. This is in sharp contrast to the nearly 50 delegates by China or even more than 130 delegates from Brazil.

Finally lack of capacity hinders low-power groups' ability to coordinate. LDC can meet only twice a year to discuss climate strategies, while the EU in contrast meets on a weekly basis.

Overall the decision-making procedure of the UNFCCC requires frequent meetings and discussion of complex issues under high time pressure. Transaction costs caused by this remain a major impediment to low-power groups' effective participation. Tuvalu, currently represented by Ian Fry, an Australian Advocate with a highly skilled team, is a striking example of what kind of difference the increase of negotiation capacity could make.

6.6 Reduce Uncertainty of Parties

Given the observations above, the decision-making procedure within the climate regime does not help to reduce uncertainty among low-power groups but rather puts them in a situation where efforts to participate are paralysed by obstacles that result from it. Thus low-power groups already come handicapped to the negotiation tables, if at all. Since this is a structural problem of the regime, it is not likely to change anytime soon. However a feasible remedy would be to provide additional legal and financial assistance in order to increase understanding of information and reduce transaction cost.

6.7 Resilience of the Regime and Institutional Path-Dependency

Ultimately CDM is a market mechanism and it has done well in performing as such by picking up from where the economic environment was most cost effective. As a result, the unequal geographical distribution of projects today also has implications for the patterns of interests within AWG-KP on the CDM of tomorrow. Although larger developing countries are willing to facilitate a better distribution of projects, they will make sure that their own potential for future CDM is not hampered (Karppoo et. al, 2009). Consequently, after twelve years of negotiations on CDM a certain lock-in can be observed. Experienced developing countries steer overall discussions on CDM related issues, and low-power groups focus on particular aspects of interest expressing limited expectations to get involved in the market on a larger scale.

Although present in AWG-KP, low-power groups are less pro-active than they are in AWG-LCA. Aside from their focus on adaptation, one reason is that they see a greater chance to participate effectively in creating something new, such as policies from the long-term negotiation track, rather than to engage in a settled forum where actors have taken their roles[7]. Furthermore the Kyoto Protocol sets clear limits to what is possible for future CDM and for the parties involved. One essential procedure therefore is the mandate of AWG-KP, since it prescribes the scope of institutional change upon which the group should negotiate.

The mandate of AWG-KP is a good example of how the resilience of the climate regime has proven itself since it has now become the most contested issue within the group. Only three months ahead of the conference in Copenhagen, the fundamental discussion at AWG-KP 9 has centred around when and how issues that potentially fall outside the mandate should be handled. This is not the result of the mandate being not precise enough, but rather of being incomprehensive. But how legitimate is the argument from Annex I parties that their commitments can not be set apart from how they can be fulfilled? This depends on parties' agreement on the extent to which the narrow scope of the mandate should be broadened. It is the degree of agreed interpretation that embodies the resilience of the regime here.

In fact, if parties in both AWGs would comply with their mandates in a strict manner, changes to current CDM rules would not be legitimized for discussions in either of them[8]. Since this is not in any parties' interest, eventually discussions were broadened to also assess potential new policies. Although this is a form of resilience, the dispute has simply shifted to the question of which of the two types of the proposal should be eligible to be decided upon in

[7] Talk with a former negotiator of a developing country.
[8] The chair of AWG-LCA has declared that discussions on CDM fall outside the group's mandate.

Copenhagen. Thus the limit of the regime's resilience is marked along the line between what Young has labelled c*onstitutive and operational* changes. The latter implies modifications to existing rules only, while the first would come with proposals that require an amendment to the Kyoto Protocol which is defied fiercely by most G77&China members. A piquant detail is that in order for an amendment to the protocol to be made, there must be a three-fourths vote, a rule which was agreed upon eleven years ago (Kyoto Protocol, Art. 20. 3). Among other reasons, the conflict might have been so vehement because, as a consequence, opponents to such amendments do not have a power to veto.

From her observations of an ossification within the climate regime, Depledge (2006) has exempted the progress made on CDM and LULUCF topics. The discussion above does not contradict this finding, but rather depicts a stickiness of the institutional procedures themselves. Similar to the mechanism's performance in the market, enrolment of low-power groups in AWG-KP and potential outcomes from AWG-KP are geared towards a path-dependency, where prior institutional choices constrain collective decisions and behaviour in the later period.

In conclusion, Functionalists from within Neoliberal Institutionalism twenty years ago have set up an analytical framework that still can be applied to assess the current climate regime. However, contrary to their expectations, it is argued here that low-power groups profit only in part from its functionality when it comes to the regime's decision-making procedures. Firstly while the opening and closing ceremonies offer an opportunity to highlight their expectations, the bureaucratic approach within the UNFCCC to create and exchange information in a very interactive manner does rather increase transaction costs and uncertainties for low-power groups. Consequently low-power groups are systematically discriminated against a threshold of institutional bureaucracy within the UNFCCC that does not match with their resources and capacity to participate. Second, the decision-making process in AWG-KP has reached a settled stage where innovative engagement of low-power groups is limited now and the outcomes for them are forestalled by a weak resilience of the regime. Given these findings, the assumptions from Functionalists need additionally differentiation to whom and to what extent the regime provides these functions.

However this institutional disadvantage does not hinder low-power groups to engage as effectively as they can in order to pursue their interests. Therefore the next chapter assesses how they engage in the negotiations.

7. Positions and Behaviour of Low-Power Groups

In an AWG-KP session, Ghana highlighted that "the CDM methodologies should consider African needs" (ENB, 2007a). This is only one example of low-power groups trying to promote their agenda during negotiations. In order to flesh out their underlying motivations and strategies, this chapter firstly assesses the individual interests of low-power groups. Subsequently their behaviour during negotiations and the collaboration among them is examined.

7.1 AOSIS

Throughout discussions on Post-Kyoto CDM related issues, AOSIS stands out with a rather preservative stance. Under AWG-KP the group favours the CDM to remain a project based offset mechanism used exclusively by Annex I parties. In AWG-LCA negotiations AOSIS further disclaims any "mixing of market mechanisms from AWG-KP and AWG-LCA" (UNFCCC, 2008b). Submissions and oral statements during AWG-KP discussions leave no doubt that AOSIS is not sympathetic to any major changes to the protocol, as foreseen in submissions from other parties (Fig.9).

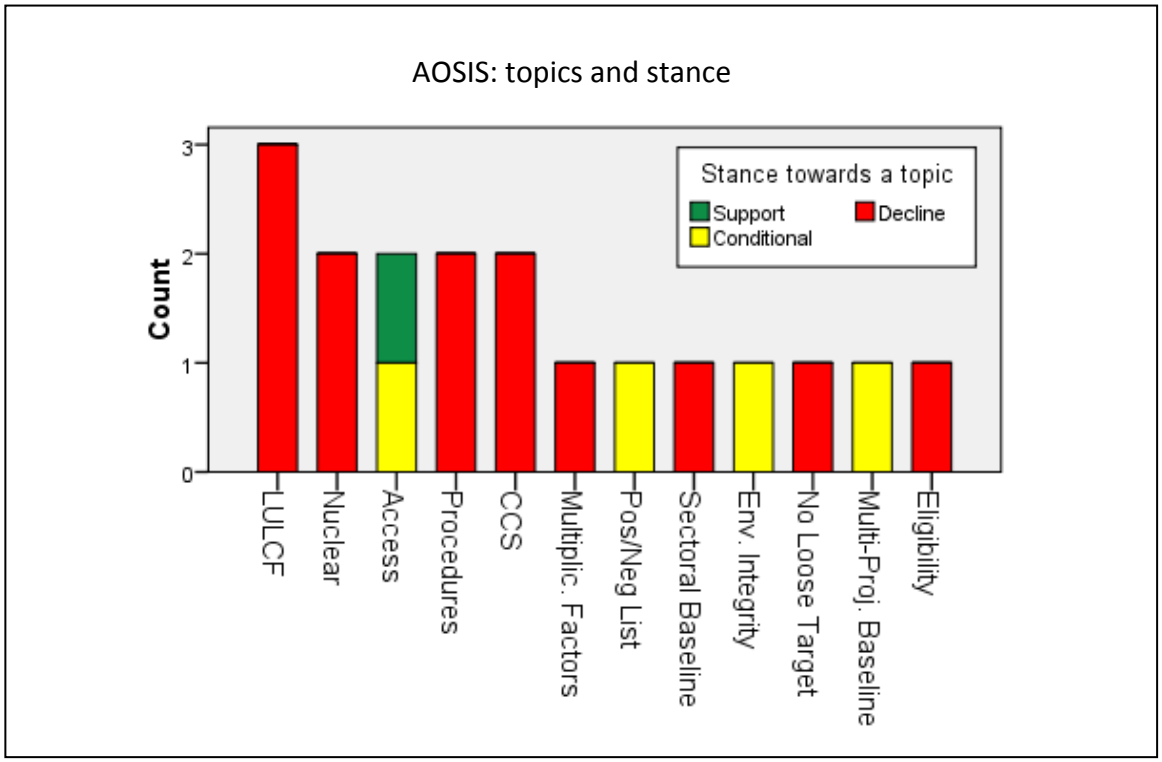

Figure 9: AOSIS stance towards topics (variable: stance); source: main data set.

In fact establishment of multi-project baselines in order to assess Additionality is the only proposal AOSIS favours, but only under some conditions. This is in line with its permanently repeated argument to ensure the environmental integrity of the mechanism that invariably goes with any of the groups reasoning. A second argumentation strand against major changes follows the very economic logic that additional regulations further hamper cost-effectiveness of the mechanism.

Interestingly AOSIS takes the floor in two distinct suits. Primarily AOSIS continues in its renowned role as an environmental alarmist, referring to most recent scientific evidence and demanding not only deep emission cuts from Annex I countries, but also substantial reduction efforts from major developing countries so as to protect the most vulnerable. Additionally they have become a preserver of the formal consistency and integrity of the protocols' architecture. By doing so, AOSIS manoeuvres itself into a situation where it has to favour environmental integrity and economic functionality of the mechanism over efforts to underpin its contribution to sustainable development or to balance geographical distribution.

A further explanation for AOSIS' preservative stance is its effort to expedite climate negotiations. In AOSIS' words: "time is running out and the Copenhagen outcome will determine survival of small island states" (ENB, 2009d). From this perspective, several text-units imply that it tries to avoid any modifications that inherently will cause lengthy discussions concerning technical or political questions, such as a definition of eligibility criteria would do. With the thorny discussions on LULUCF at the Marrakesh Accords in mind, this is also an indication for AOSIS' strong refusal to further upscale this particular project type. A final noteworthiness is Tuvalu's active presence in the negotiations and its dissenting positions within the group. Given its capacity to follow negotiations and submit elaborated texts, Tuvalu has not only become highly influential within AOSIS but also a renowned actor in the broader climate forum.

Overall AOSIS can be described as a rather strategic actor that tries to bridge the environmental improvement of a Post-Kyoto CDM by maintaining its consistency within the Kyoto Protocol and the Climate Convention.

7.2 African Group

Positions on Post-Kyoto CDM related issues from the African group are less frequent than from AOSIS and no overall tendency can be inferred from text-units of the individual African countries. Among them, three groupings of salient themes are distinguished (Fig. 10): first member countries as a group ask other parties to consider Africa's needs and to consider any implications of policies on poorer countries. Secondly and specifically on CDM, several African countries[9] individually request changes to its rules, in order to foster its contribution to sustainable development and facilitate a more balanced distribution of projects. Thirdly several countries[10] do request to upscale LULUCF and reject the concept of non-permanence of CER credits (red bulks in figure 10). Finally under AWG-LCA, the African group refers only once to CDM by favouring programmatic CDM as a possible NAMA project.

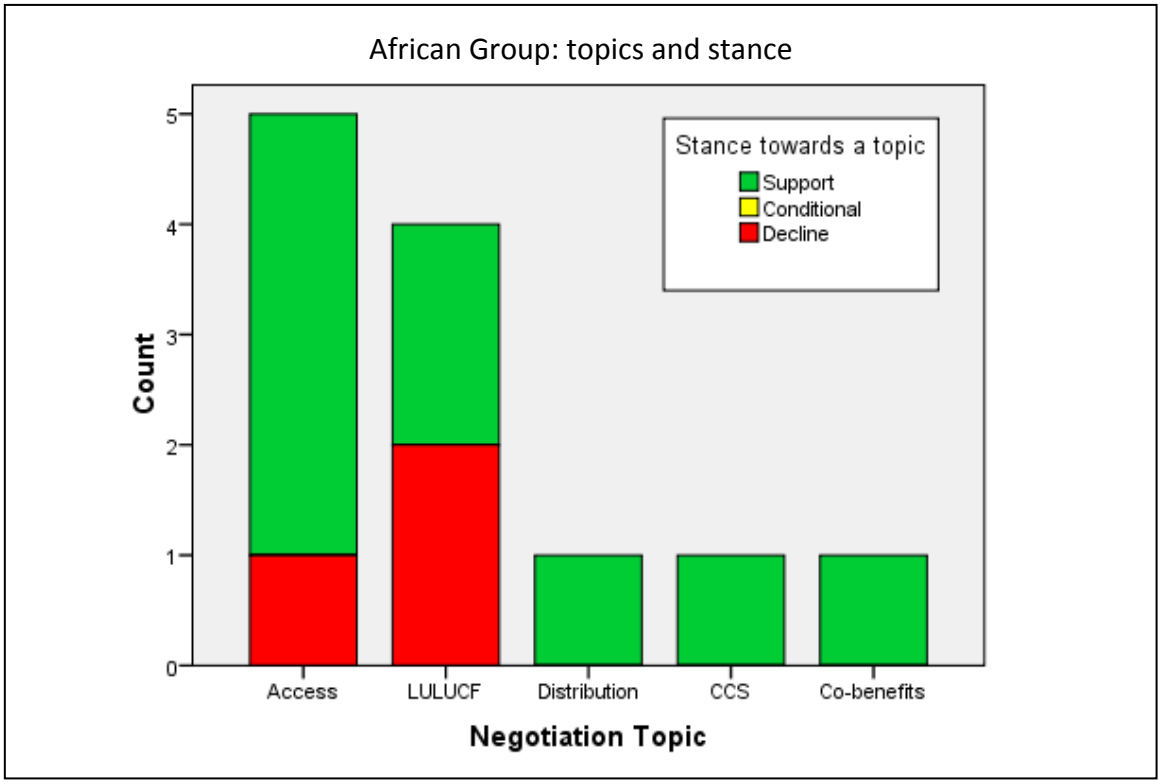

Figure 10: African Group's stance towards topics (variable: stance); source: main data set.

Unlike AOSIS, African countries neither address specific submissions as compiled by the chair nor do they state what potential outcomes would not be in their interest. As discussed in Chapter 1, this is predominantly due to a lack of capacity. At first glance no

[9] Burkina Faso, Benin, Senegal, Tanzania and Uganda
[10] Congo, Tanzania, Uganda, Benin, Senegal

common lines of reasoning are evident from individual text-units. Countries argue with a low CER price and economic impediments to launch projects when it comes to LULUCF. Overall the need to foster Africa's participation in climate markets through financial support, technology transfer and capacity building is highlighted.

Diversity of speakers and topics addressed would imply a rather individualistic approach from African states to pursue their interests in the negotiations. This assumption is underpinned by the observation that countries proposing to upscale LULUCF currently host most of the African afforestation and reforestation CDM projects (UNEP RISØ, 2009)[11]. Another indication of weak coordination between the countries is that the very same submission on "how to improve the flexible mechanisms" was handed in twice by two different African group members at AWG-KP 5 (UNFCCC, 2009a).

However there is one joint submission from eleven African countries that asks for inclusion of soil organic carbon restoration, indicating that some coordination does take place. One link could be made to assistance from International Organisations which in their Collaborative Partnership on Forests are greatly involved in discussions about soil carbon sequestration. Therefore a broader view beyond the UNFCCC sheds more light on underlying common motivations. In November 2008 the African Union has endorsed the Algiers Declaration on Climate Change with the primary aim to create a unified voice from African countries at negotiations in Copenhagen. The cornerstones therein are a focus on demanding deep emission reductions from Annex I countries, financial support for adaptation and enhanced technology transfer. The declaration has been hailed as being the first united position paper on climate change, reflecting acceptance of its importance in high level politics across the continent. In a follow up, the most recent special session of the African Ministerial Conference on the Environment in June 2009 resulted in a Nairobi Declaration[12], highlighting sustainable development and principles of the climate convention as the foundation for Africa's priorities. Specifically on CDM it asks for "*the improvement of the Clean Development Mechanism to ensure equitable geographical distribution of projects contributing to sustainable development efforts on the continent and for the expansion of eligible categories to […] include sustainable land use, agriculture and forest management*", thus exactly the themes identified above from individual text-units.

[11]Number of LULUCF projects: Uganda (6), Congo (2), Tanzania (1); with exception of Kenya (7)

[12] This should not be mistaken for the Nairobi Framework adopted in 2006.

From this perspective two observations can be made: first, although African comments on CDM are not made explicitly as a group, there is an underlying common strategy, and secondly unlike AOSIS, the African Union draws on Sustainable Development and distributional justice, as concepts for their reasoning.

7.3 Negotiation Behaviour and Collaboration of Low-Power Groups

There are striking differences between AOSIS and the African Group regarding their characteristic and the form of submissions made. AOSIS is not only most active among Smalls Groups but also competent in being responsive to the chair and other parties' stances. This is reflected for example by its extensive comments on compiled submissions from the chair (UNFCCC, 2009a). Furthermore the group is not a conflictive actor. Only once did AOSIS explicitly take a conflicting stance when it refused to proceed with negotiations in AWG-KP 6, because one of its main concerns, namely expanding the shares from proceeds, was not considered as a "big ticket" (ENB, 2008a).

However, AOSIS is making an effort to press not only Annex I countries to reduce their emissions but also large developing countries. Self-assured, AOSIS even indirectly criticised China for hoarding most CDM projects (UNFCCC, 2009a), despite the fact that such behaviour is rarely apposite in diplomatic forums (Depledge, 2008). Probably the most conspicuous peculiarity of the group's behaviour is to repeat and propagate, similar to what Depledge (2008) observes to be a tactic by OPEC. AOSIS misses no opportunity to highlight its main positions and demands on reduction targets, funding and timeline, even if they do not fit thematically into ongoing discussions. The repetitive element in AOSIS' comments is a constant in its role in climate negotiations, and thus deems it to be a promising strategy.

The African group on the other hand is less involved in a broader exchange of ideas on Post-Kyoto flexible mechanism, but rather project focused. The few written proposals do not follow the chair's invitation to comment on his compilations of options. Rather they focus on particular aspects of up-scaling LULUCF and improving CDM that are in their specific interest. Consequently it neither opposes other parties' proposals nor takes any conflicting positions during negotiations. Aside from repeatedly asking for deep emission cuts from Annex I parties, African group members are modest with demands, and do not refer to any obligations from larger developing countries' on this point. Overall African countries strike by using passivity within AWG-KP. As highlighted in the first chapter, lack of capacity to engage is the most likely explanation since these countries focus on adaptation rather than mitigation. Further possible reasons for this, such as influence by other countries are discussed in the next chapter.

Given these differences, there are only few efforts between the groups to team up on CDM related issues. In fact the single co-elaborated submission, together with many parties from other groups, is on setting reduction targets for Annex I parties. There is no bilateral written submission of the two groups. However, once during negotiations, Tuvalu and Congo jointly opposed a proposal made by G77&China to relax Additionality criteria and argued with environmental integrity of the mechanism (ENB, 2008b). A second joint unit is found on paying consideration to spillover effects on poorer countries. Accordingly, vulnerability to climate impacts and dependence on financial and technical support is the strongest linkage between the two groups. When highlighting this particular point, both often mutually refer to each other. One topic that is absent in both group's text-units is governance of CDM, which can mainly be explained by their marginal procedural experience of hosting CDM projects.

Finally, the complete absence of text-units from LDC is striking but the above discussion can provide some explanation for this. CDM related topics, because of the already existing Kyoto architecture, inherently have a strong interest led component: major changes are restricted to the scope of the protocol and the group's mandate. Therefore, parties focus on shaping specific elements of the mechanism according to their interests, or as in the case of AOSIS hindering the implementation of these changes. Since interests differ largely between the two groups, least developed countries prefer to act within their respective group rather than together as LDC.

In summary, AOSIS is a vocal and self assured actor in the negotiations which pursues its role as environmental alarmist and preserver of a consistent framework agreement. It is involved in a dynamic exchange about a broad spectrum of topics, whereby it reiterates its demands with perpetual constancy, thus taking an interest based bargaining approach. This enhances its potentials to raise awareness in negotiations and thus the potential to influence them. The African group on the other hand is more focused on specific topics of interest and remains a neutral actor outside of this scope. As there is little interactive momentum with other parties, the group's negotiation behaviour reflects a rather positional bargaining approach that is less likely to influence other parties and thus policy-outcomes. Since the groups have diverse interests, collaboration is rare, which explains the absence of text-units by LDC. However both highlight important aspects of how to improve a Post-Kyoto CDM.
While this chapter has focused exclusively on low-power groups, the forthcoming analysis will consider these groups in the context of the umbrella group G77&China.

8. Low-Power Groups within G77&China

"While Tuvalu highlighted that revision of the CDM is linked to the AWG-LCA's work on developing country mitigation, Brazil, China and South Africa stressed that there are no links between AWG-KP and AWG-LCA" (ENB, 2008c). These conflicting stances in the broader context of G77&China highlight that text-units by low-power groups represent only a fragment among numerous other positions and views from larger parties. Accordingly this chapter will reconsider convergences and divergences of stances from a Small Group perspective and discuss the possible implications from that. Therefore the roles of the two other groups NIC and OPEC will be assessed first. Subsequently crucial conflicting and common stances are fleshed out, in order to ultimately analyse their implications for low-power groups.

8.1 Positions and Interests of G77&China and Other Group's Members

Although repeatedly vocal during negotiations, there is only one single written submission from G77&China. This submission was made at a very early stage of the AWG-KP and lays out a timeframe for its work programme. The absence of common G77&China positions submitted to the chair indicates that there is very little agreement among its members on how a Post-Kyoto CDM could be designed.

Brazil as the most active party predominantly takes a deprecatory position on virtually all proposals, with the exception of favouring a positive list for project types that are inherently additional[13]. Brazil is currently at third position in hosting hydro projects whereby only a third of them are of small scale (UNEP RISØ, 2009). Reduced transaction costs from this positive list could foster Brazil's interest to increase their number[14]. India, on the other hand exclusively comments on improving CDM, with a strong focus on CDM governance, such as procedures of the Executive Board's decision making. With almost half of its CDM projects not having passed the validation and registration process in past years[15], India has a strong interest in streamlining and clarifying these procedures for a better performance.

[13] Such as wind-, solar- and small hydro projects
[14] China has approximately balanced numbers of small and large scale hydro projects, while India's small scale hydro projects double the number of large scale.
[15] UNEP RISØ, CDM Pipeline 2009: 344 out of 793 projects were not registered.

In contrast to the former two countries, China's position is less evident but indicates that it is not averse to improving the economic efficiency of CDM and to minor changes to LULUCF rules. Inversely, any amendment to the protocol would not be tolerated, thus China has rejected proposals for sectoral CDM. On this note, with a myriad number of projects in the pipeline waiting for registration, China has similar interests with India to reduce transaction costs from project requirements and to remove bottlenecks for project registration. At the other end of the spectrum Argentina takes a very pragmatic approach by supporting all proposals except for CCS and nuclear activities. It explains this stance by the need to exploit the mechanism's full potential to achieve the long term goal of the convention. Finally, there are no written comments submitted by South Africa on other parties' proposals.

Consequently, stances towards the CDM options diverge significantly among NIC. Ironically the very reason for this divergence is mainly the shared economic interest in improving the performance of projects hosted. (Fig. 11)

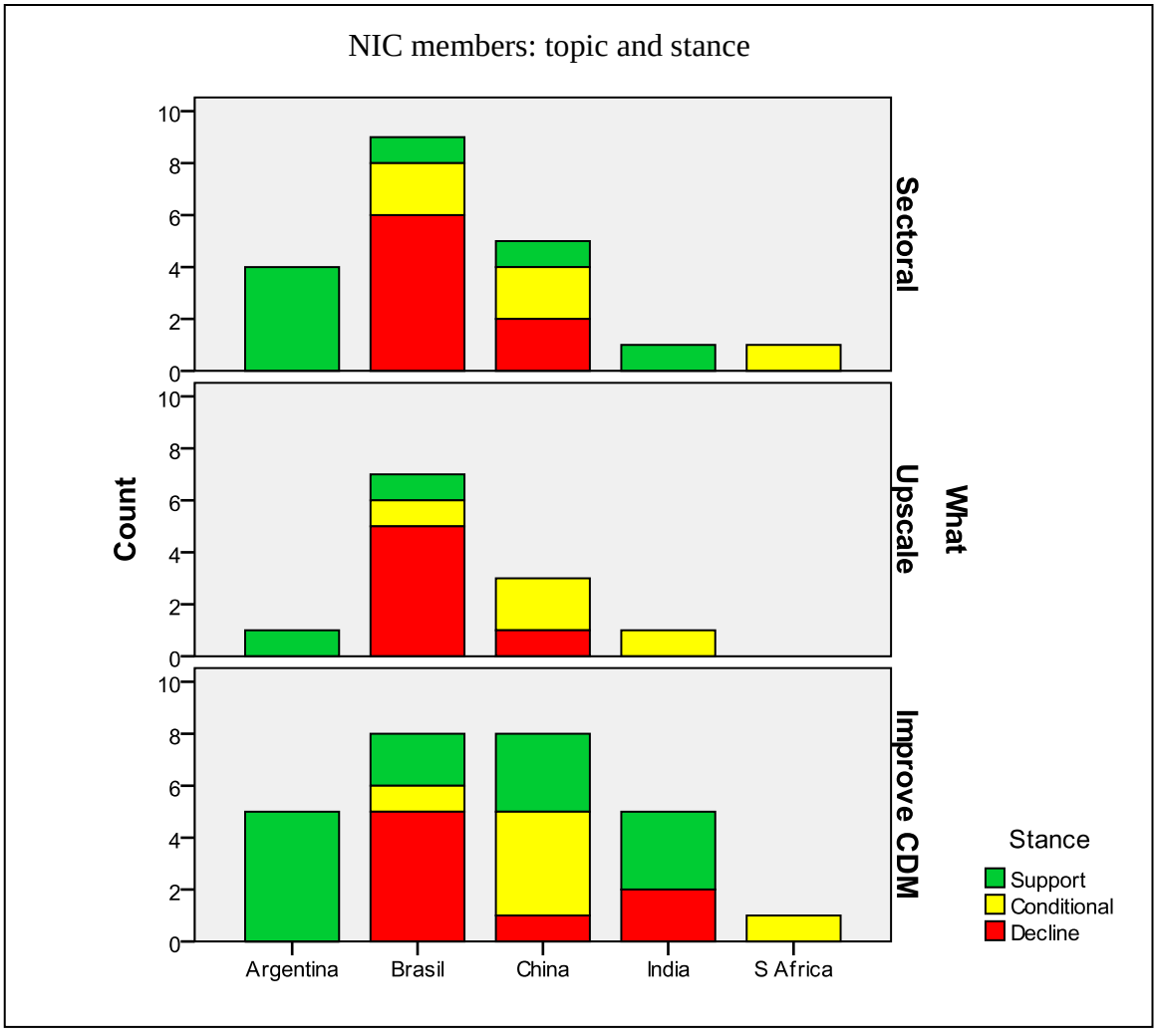

Figure 11: NIC member's stance towards topics (domain "What" and "How"); source: main data set

OPEC countries narrowly focus on two issues: first they promote inclusion of CCS technology under CDM. One reason, therefore, is that exploited oil fields are suitable locations for storing sequestred carbon. And secondly they continually ask for consideration of negative spillover effects from new mitigation policies that are likely to affect OPEC's economies. This sensitive issue is included in the "potential consequences" topic on the chair's agenda. OPEC clearly has the lead on this issue. During the in-workshop on potential consequences at AWG-KP 7 for example, four out of six presentations were given by OPEC member states. Spillover effects also are the reference point for OPEC's stances on the proposals by other parties: OPEC strongly opposes sectoral approaches (with the one exception of NAMA), since they are likely to affect fuel-coupled domains such as transportation. Furthermore LULUCF should be up-scaled, with the argumentation that it is "the sector that has the least spillover effects on developing countries" (UNFCCC, 2008b). Finally OPEC supports a more equitable project distribution which is in the interest of low-power groups. In sum, text-units by OPEC are predominantly based on economic arguments, and because of shared interests the group can jointly focus on its key issues.

Shared concerns of all developing countries finally are proposals for a sectoral approach under CDM that are pushed hard by the EU. Some of the larger developing countries fear that broadening the mechanism on sectors under AWG-KP is the first step to binding them under the protocol. Thus they would prefer to see these discussions only in the AWG-LCA track.

In spite of the positional differences, it follows from the submissions that individual countries and groups have particular roles within the G77&China in order to cover the group's overall interests in the process of negotiations. Brazil and AOSIS focus on environmental integrity of potential CDM projects, while India is devoted to elaborating on solutions to issues of governance. South Africa repeatedly asks for preparation, exchange and discussion of additional information while OPEC assesses the potential consequences from policies. Finally China, from the very first meeting onwards, consistently calls for proper time management and expedition of discussions towards finalising the group's mandate. On this point, the mandate of AWG-KP and hesitant reduction commitments from Annex I parties are the salient concerns that unify the diverse groups to one strong voice under G77&China in this negotiation track. This is reflected by the most recent proposal by 37 developing countries, asking jointly for a 40% reduction of aggregated emissions from Annex I parties.

8.2 Lines of Consensus and Conflict of Low-power groups and G77&China

Any comment by G77&China is weighty in the negotiations, since it represents the united position of more than 130 countries from the developing world. There is a bottom line of interests outside the CDM discussions that is marked by the members' demand for commitment of Annex I parties and finance or technology transfer. However given the heterogeneity of interests within this group, it is rather astonishing that some oral statements on behalf of G77&China also take a clear position on contested proposals for a Post-Kyoto CDM. Accordingly some members must have the capacity to trigger comments on behalf of the group although they might not reflect other members' stances.

For low-power groups, this is the case when it comes to further differentiation among developing countries. The announcement by G77&China that discriminating treatment of parties under the CDM shall not be discussed in AWG-KP undermines the efforts by LDC and African Group members for a more equitable distribution of the projects. G77&China further speaks out in favour of defining criteria for cobenefits, which is against AOSIS' view that they will "only hamper operation of the CDM" (UNFCCC, 2009a). A final conflicting domain is LULUCF, where G77&China is hesitant about expand the flexible mechanisms beyond afforestation and reforestation. African countries which strive to make additional categories eligible under LULUCF are left out by this position. On the other hand, G77&China also speaks out for further enhancing implementation of LULUCF projects and lists energy efficiency projects as co-benefiting criteria, thus highlighting relevant agenda items of low-power groups. Furthermore, like AOSIS, the group repeatedly speaks out to streamline and expedite any discussions among parties.

When matched to the positions of other groups, it could be inferred that these particular text-units by G77&China reflect the interests of individual NIC. For example, both China and India host the majority of energy efficiency projects (UNEP RISØ, 2009) [16]. It is a prioritised project type in the sustainable development assessment by the Chinese DNA and is also a major pillar of China's and India's development strategy. However this project type has been identified as contributing considerably little to sustainable development (Olsen & Fenhann, 2008), thus the eligibility of energy efficiency projects is questionable. If listed as a co-benefitting project type, this would sustain its continuity under the CDM as envisioned by these two NIC. G77&China's caution about changes to LULUCF can be attributed to Brazil's opposition to include REDD because of its concerns of leakage and permanence of credits. Finally, the discrimination of developing countries is neither in the interest of NIC nor OPEC,

[16] Both countries currently host approximately 340 energy efficiency projects

since they would be categorised as less eligible for projects. Consequently these ”big players” are very influential in setting the agenda of G77&China.

Overall the implications from these contrasting observations are twofold. First, the G77&China is not a “least common denominator group” but there are unequal power relations that are mirrored by some of the group’s text-units. Secondly and as a result from that, the Small Group’s membership in G77&China inherently urges them to accept a trade off between their interests. Therefore absolute gains from some of their views being promoted by this strong voice do outweigh the fact that other interests are undermined. The African Group in particular is entangled in this ambiguous area of interest. This observation is in line with the assumptions from Liberal Institutionalism that parties pursue absolute rather than relative gains. As evident from above, for low-power groups these gains are strongly linked to the interests of bigger players. Therefore the next section examines their collaboration strategies within the G77&China.

8.2.1 Low-power Groups’ Collaboration in G77&China

In the first instance, a comparison of low-power groups’ with other G77&China members’ views can give insight to possible collaboration among them. Therefore figure 12 shows a very similar profile of AOSIS and Brazil from NIC while lines of conflict emerge within the views of Argentina, China and OPEC. For the African Group no clear match with members from neither NIC nor OPEC was found. However, when using the entire data set, remaining countries from G77&China that do not belong to a specific group, appear to share interests with the African group (Fig.12)[17]. In a second step, an analysis of joint submissions and comments during negotiations underpin these observations. The only co-submissions by AOSIS are either together with Brazil to oppose upscale LULUCF and highlight environmental integrity or, together with Colombia and Bolivia on the extension of shares from proceeds. African countries in turn find their voices and submissions backed up by precisely the countries that belong to the group of remaining countries described above. There is one highly elaborated submission that resulted from such co-operations (UNFCCC, 2009c). It is striking however, that all their joint comments are exclusively on LULUCF.

[17] These countries are: Bolivia, Cambodia, Colombia, Costa Rica, Indonesia, Malaysia, Pakistan, Panama, Sri Lanka, Thailand and Venezuela.

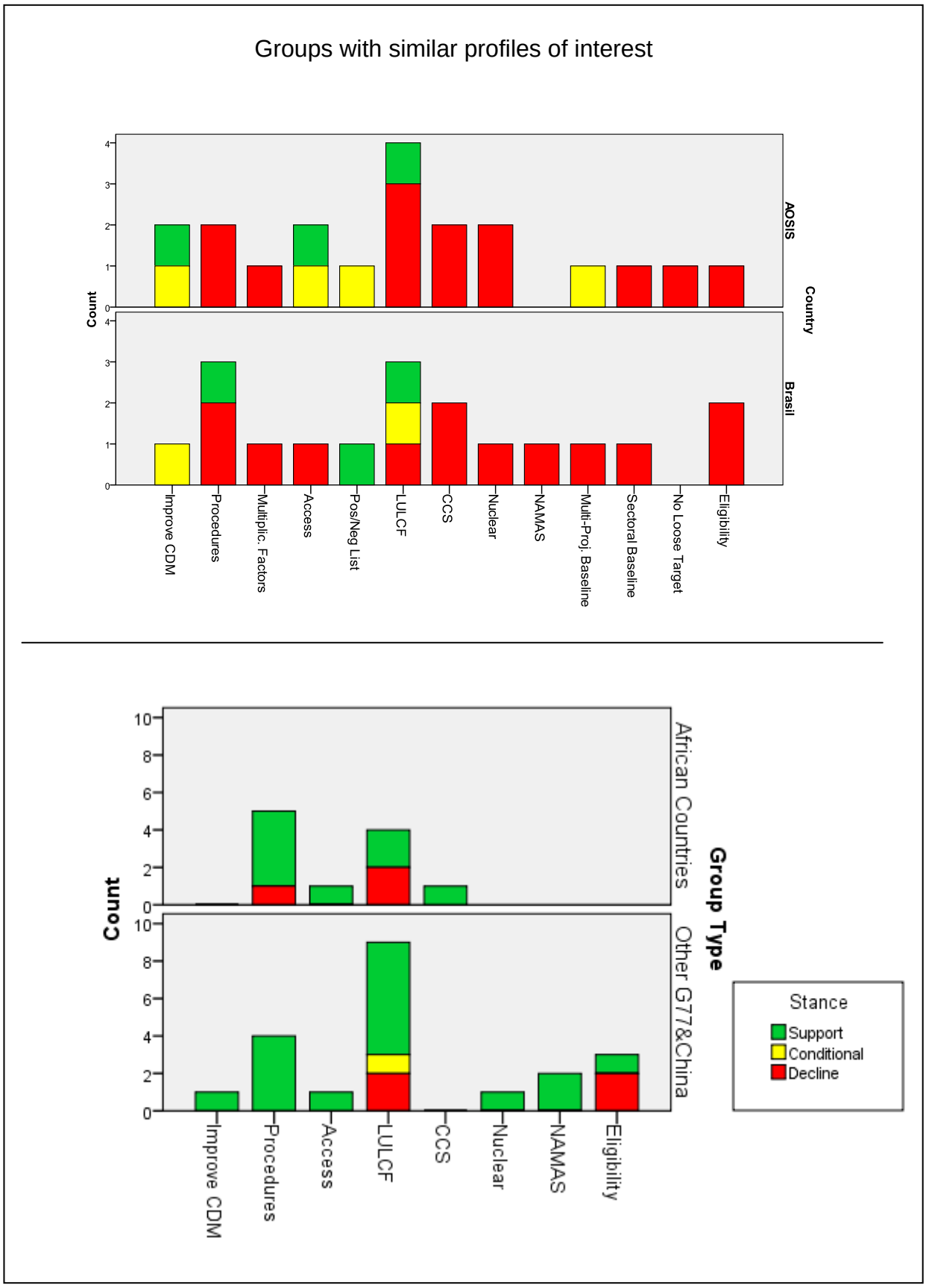

Figure 12: Similar profiles of AOSIS/Brasil and African Group/Other G77&China; source: main data set

Discussions in 2008 on extending the shares from proceeds can be taken as an example for how low-power groups can profit from teaming up with others. Since it is one of its key agenda topics, AOSIS vehemently insisted that the issue should be treated with privilege in AWG-KP 6. Although the group tried to push it during the session, in the end the sentence "maintaining current provisions for share of proceeds" was added to the chairs text. However at the resumed AWG-KP 6 the issue was picked up by Brazil again and was increasingly supported by others such as Argentina, Colombia or South Africa. Although there was no agreement ultimately, the topic has become a "big ticket" and made it with three new options into the chair's draft text.

Overall it can be inferred that, in order to sustain their voice in the negotiations, low-power groups aim to piggyback on comments from more influential countries or groups within the G77&China that share their interests. For the African group this is particularly the case for LULUCF issues where support from G77&China as a group is missing.

8.2.2 Degree of dependency

While collaboration with other G77&China members can help low-power groups to promote their aims, reversely these interdependencies can also restrict them in what they say and how. Depledge (2008) touches on this aspect when she mentions that "Saudi Arabia has offered financial incentives to poorer developing countries in return for their support in the negotiations". Since the LDC group was created with the aim to better represent the poorer countries' interests, it is of interest to know to what extent these countries still argue in favour of OPEC or other countries.

Dessai (2004) describes that the adaptation agenda, a key issue to LDC, has been "hold hostage" for years by OPEC by linking it to its agenda of adverse spillover effects. Low-power groups, and African countries in particular are very active in these discussions now, with nine text-units in only two AWG-KP sessions. Review of their comments mirrors the fact that they are dedicated to their demand that mainly negative effects on the poorest countries should be considered. Therefore they directly confront OPEC and even G77&China. On the other hand, the African group repeatedly highlights the importance of considering spillover effects which is also in the interest of OPEC. From this perspective it is conspicuous that Algeria and Nigeria, also both OPEC members, repeatedly speak on behalf of the African Group when it comes to spillover effects. This might imply that ties to OPEC on this issue still exist.

When it comes to other topics, there are further direct confrontations between low-power groups and the big players of G77&China. Tuvalu and the African Group at AWG-KP 5, for example, repeatedly express concerns over suggestions by China to streamline the CDM procedures by removing the Additionality test. Other examples are a Bangladeshi proposal to add a column for developing countries' quantified emission reductions to the protocol or Tuvalu demanding "transport" to be included in potential sectors which is a "poison pill" in view of OPEC. There was even a postponement of a contact group meeting at AWG-KP 4, when differences between AOSIS and Saudi Arabia prolonged a previous G77&China meeting (ENB, 2007b).

All these observations contribute to the conclusion, that there is tendency of low-power groups to strive for self-contained positions on contested topics, which is shaped by their needs rather than by other parties' influence.

8.3 Overall Implications

On a final note it would be of interest to investigate how successful low-power groups actually are with their negotiation strategies as indicated above. This could be done by assessing which key topics of low-power groups are included to the current negotiation text. However, when it comes to Post-Kyoto CDM it is too early for such analysis, because still a majority of the options submitted is contained in one form or another in the chairs text (UNFCCC, 2009e).

Consequently options that are favoured by low-power groups, such as "soil organic carbon restoration" for African Countries or the proposal from Tuvalu to "expand the shares from proceeds" are still on the table. Furthermore thirteen "other proposals" that AOSIS opposed disappeared from the agenda. However some of them would have been favoured by African countries and LDC, such as the proposal to "differentiate the eligibility of parties".
Overall however there is only one passage where low-power groups are mentioned explicitly as to be prioritised[18], and even this passage is vehemently defied by OPEC and G77&China members.

The analysis in this chapter implies that low-power groups can not expect the outcomes of a Post-Kyoto CDM to adequately reflect their interests. There are three points that support this argument: first, when it comes to CDM, strong economic interests from more influential members such as NIC are implicit and likely to trump the low-power groups'

[18] This is to improve their access to project activities.

voices. Secondly, low-power groups have restricted capacity to act independently and thus need to compromise within the broader group of G77&China and their allies. Finally, while teaming up with more influential parties, low-power groups fail to set up a united agenda among themselves thus not reaching the capacity needed to turn the corner on a Post-Kyoto CDM. This is a result of diverging interests between AOSIS and the African group, but also because mitigation is not at the centre of low-power groups' priorities.

To end with a speculative interpretation, AOSIS with its conservative stance on Post-Kyoto CDM could be more likely to "gain" since it has less on its agenda to lose. Not striving for a particular new policy but rather for procedural improvements (such as financial transfer, consistency of the protocol or environmental integrity) AOSIS' aims are less entangled in the battlefield of interests that comes with the potential policies. The African group on the other hand pursues an agenda that aims for such new policies. Asking for specific new categories under LULUCF, the improvement of regional distribution or more sustainable development benefits from projects do not match with other member's priorities to streamline existing rules. This is not to say that African countries will go away empty-handed, since other G77&China members have agreed to address distribution and sustainable development, but their voices compete with many others.

9. Conclusion

Following the climate negotiations sometimes reads like a play where actors have their characteristics and roles. The overall question for this thesis asks what the potential is for low-power groups to influence the negotiations in order to promote their interests. Highlighting environmental integrity, sustainable development or enhanced distribution, the common interest of these groups is to promote the improvement of a Post-Kyoto CDM. However, the thesis finds that low-power groups' potential to influence current negotiations is restricted by the decision making procedures of the climate regime and by the diverging interests among these groups. Interacting in negotiations and rather aiming for constitutive changes of a Post-Kyoto CDM, AOSIS has greater potential to promote its interests than the African group, which takes a positional approach and has project related interests that conflict with other parties. Furthermore, individual collaboration of AOSIS and the African Group with other members of G77&China is the greatest chance for them to see their interests discussed in the climate forum. Although low-power groups increasingly defend their interests against other voices of G77&China, this dependency however necessitates them to compromise over their preferences.

There are three sub-questions for this thesis that asked for the decision-making procedures in the climate regime, the interests and behaviours of low-power groups and finally their interdependence with G77&China parties.

To answer the first question, the hypothesis that decision-making procedures of the climate regime reduce low-power groups' potential to improve a Post-Kyoto CDM can not be refuted. Decision-making procedures within the UNFCCC are based on consultative interactions that inherently are at risk of slowing down progress of discussions, creating dense information and setting a level of transaction costs that hedge about low-power groups' involvement. In addition decision-making procedures foster lock-in patterns of the parties' involvement and thus diminish resilience of the regime. This contradicts assumptions by Neoliberal Institutionalism that functionality of the regime facilitates negotiations among all parties.

Consequently it is argued here that decision-making procedures in the UNFCCC discriminate low-power groups' participation in negotiations on Post-Kyoto CDM and even endanger the possibility that an agreement in Copenhagen could be reached. Therefore, assumptions made about the functionality of the regime's procedures should be differentiated according to its degree of accessibility for parties.

The second sub-question asks what options of a Post-Kyoto CDM low-power groups prefer and how they try to promote them. AOSIS takes the role of a conservative environmentalist that aims to bridge the institutional conformity of the mechanism with its environmental integrity. Rather, focused on topics of constitutive changes, AOSIS takes an interest based bargaining approach that encompasses vocal interaction with other parties and consequent repetition of its key demands. Within AOSIS, Tuvalu is a very pro-active actor that has the potential to add to negotiations in a creative manner. This enhances its potential to influence negotiations. In contrast, the role of countries from the African Group is to promote the concept of sustainable development and link it to the issue of geographical distribution. African countries pursue a rather positional bargaining approach, since their interests focus largely on operational changes that facilitate to host projects. In spite of rarely speaking as a unified group, they do have a common agenda. However engagement beyond this is restricted due to lack of capacity and thus the potential for influencing negotiations is low.

In spite of having common interests such as financial and technology transfer, divergence of individual strategic preferences between the two groups prevails. Therefore it is argued that potential synergies from cooperation between the groups to effectively influence Post-Kyoto CDM negotiations are left out. This argument is backed by the observation that LDC as a consortium of countries from both low-power groups do not comment on Post-Kyoto CDM. Hence against assumptions from the theory, the hypothesis that low-power groups do not cooperate in spite of their shared interests can not be rejected. Furthermore, the dominant role of Tuvalu and the effort needed to set up a common strategy among African countries depict heterogeneities within the respective low-power groups that further exacerbate potential cooperation.

The final sub-question asks for implications from low-power groups' convergence or divergence with positions of other G77&China members. Patterns of synergies and conflicts thereby become visible with parties that pursue individual economic interests to streamline the current rules, but also have particular roles when representing G77&China. Implications from convergent positions are that low-power groups collaborate with their pendants of interest in order to gain leverage, which is in line with the assumptions from Institutional

Liberalism. Rather than collaborate with other low-power groups, they prefer to `piggy back´ on influential parties, thereby accepting a trade off with their own preferences. Moreover low-power groups increasingly demonstrate integrity to speak out when they see their fundamental interests undermined and use the appropriate forum to do so. Yet it is argued here that the divergent positions from influential parties, the compromises with G77&Chinas' preferences and finally the absence of a strategic alliance amongst low-power groups indicate that potential to influence negotiations is restricted. This holds in particular for the project oriented preferences of the African Group. Consequently the hypothesis that low-power groups can successfully promote their interests over the other groups' priorities of an improved CDM can be refuted.

These underlying factors will exacerbate the low-power groups' potential to promote their interests in the play and also after the curtains will close in Copenhagen. From a distance, discrimination by the regime's procedures is probably the most salient issue that needs to be addressed. Major changes, such as replacing the regime by a permanent congress are not feasible given the complexity of restructuration needed and more problems would probably arise than be solved. A bottom up approach to lift low-power groups' viewpoint from the edge of the table by increasing their capacity is promising, but eventually it will become a question of how to finance such legal, strategic and personal assistance. On this point the work of international organisations and NGOs is currently taking the floor[19], but more coordinated support by them is needed to effectively foster low-power groups' negotiation capacities. In more practical terms, access to negotiation rooms could be enhanced through remote communication channels such as real time video conferencing.

A further aspect is how low-power groups can make more effective use of the potential that comes from group formation. Since they are organised in forums as well, conclusions on a lowest common denominator basis weaken their performance. Given the diversity within groups, a federal structure that follows the subsidiary principle could be applied to achieve a more institutionalised form of coherence, similar to approaches of the African- or European Union.

[19] Such as workshops by the IISD or UNEP aiming to prepare LDC for the negotiations.

These thoughts are only examples of how the results from this thesis could lead to further relevant research in this field. Therefore, by asking subsequent critical questions the end of this thesis represents a starting point at the same time:

- How can the decision-making procedures in the UNFCCC be streamlined in order to ensure a more equal participation?
- To what extent do networks “behind the scenes” within and outside the climate regime influence the effectiveness of negotiations and how do low-power groups profit from them?
- How do low-power groups benefit from the functionalities of other regime elements, such as the principles or rules?
- Comparing the situation before and after COP 15, what are the seminal mechanisms that led to the (un-)expected outcomes?

Appendices

Appendix 1: List of Group Members

Group Source	African Group UE (2009)	LDC UN OHRLLS (2009)	AOSIS UNESCAP (2009)	OPEC OPEC (2009)	NIC (own definition)
	Algeria	Afghanistan	American Samoa	Algeria	Argentina
	Angola	Angola	Antigua and Barbuda,	Indonesia	Brazil
	Benin	Bangladesh	Bahamas,	Iran	China
	Botswana	Benin	Barbados,	Kuwait	India
	Burkina Faso	Bhutan	Belize,	Libya	South Africa
	Burundi	Burkina Faso	Cape Verde,	Nigeria	
	Cameroon	Burundi	Comoros,	Qatar	
	Cape Verde	Cambodia	Cook Islands,	Saudi Arabia	
	Central African Rep	Cape Verde	Cuba,	United Arab Emirates	
	Chad	Central African Rep.	Cyprus, and	Venezuela	
	Congo	Chad	Dominica,		
	Dem. Rep. Congo (Zaire)	Comoros	Federated States of Micronesia,		
	Djibouti	Congo	Fiji,		
	Egypt	Djibouti	Grenada,		
	Equatorial Guinea	Equatorial Guinea	Grenadines, S		
	Eritrea	Eritrea	Guam		
	Ethiopia	Ethiopia	Guinea-Bissau, and		
	Gabon	Gambia	Guyana,		
	Gambia	Guinea	Jamaica,		
	Ghana	Guinea-Bissau	Kiribati,		
	Guinea Bissau	Haiti	Maldives,		
	Guinea	Kiribati	Malta		
	Ivory Coast	Lao	Marshall Islands,		
	Kenya	Lesotho	Mauritius, and the		
	Lesotho	Liberia	Nauru,		
	Liberia	Madagascar	Netherland Antilles		
	Libya	Malawi	Niue		
	Madagascar	Maldives	olomon Islands,		
	Malawi	Mali	Papua New Guinea,		
	Mali	Mauritania	Sao Tome and Principe;		
	Mauritania	Mozambique	Seychelles;		
	Mauritius	Myanmar	Singapore		
	Morocco	Nepal	St. Kitts and Nevis,		
	Mozambique	Niger	St. Lucia,		
	Namibia	Rwanda	St. Vincent and the		
	Niger	Samoa	Tonga,		
	Nigeria	São Tomé	Trinidad and Tobago;		
	Reunion	Senegal	Tuvalu, and		
	Rwanda	Sierra Leone	uriname, and		
	São Tomé and Principe	Solomon Islands	US Virgin Islands		
	Senegal	Somalia	Vanuatu;		
	Seychelles	Sudan	Western Samoa, S		
	Sierra Leone	Timor-Lesté			
	Somalia	Togo			
	South Africa	Tuvalu			
	Sudan	Uganda			
	Swaziland	Tanzania			
	Tanzania	Vanuatu			
	Togo	Yemen			
	Tunisia	Zambia			
	Uganda				
	Zambia				
	Zanzibar				
	Zimbabwe				

Appendix 2: Overview Negotiations AWG-KP

Authors compilation based on Earth Negotiation Bulletin (2006-2009)

Session	Date	Issues	Conflicts	CDM Relevant Decisions
1st Bonn	May 2006	Planning future work - Future commitments - Topics for the AWG's consideration - Length of the second commitment period - Information on potential, means & ambition of reduction - Scientific basis	- Linkage to article 9 of KP	• reaffirms that its discussions will focus on commitments by Annex I parties • recalls that AWG should aim to complete its work on time • observes that Annex I parties need to assemble and analyze information on scientific, technical and socioeconomic topics to enhance understanding of the ambition level of further commitments
2nd Nairobi	November 2006	- Annex I commitments in 2nd KP period - development work plan & schedule of meetings - In-session workshop on scientific basis for Annex I commitments and emissions trends and mitigation potential	- Linkage to article 9 of KP - Definition of a long term goal/vision	Work programme: gather information on • analysis of mitigation potential and ranges of emission reduction objectives • analysis of possible means to achieve mitigation objectives • consideration of further commitments.
3rd Bonn	May 2007	- analysis of mitigation potentials and ranges of emission reduction objectives of Annex I parties - review of AWG's work programme, methods of work and schedule of further sessions	- Shared vision - Mandate of AWG KP - Reduction commitments	•reaffirms focus on Annex I commitments • recalls that work should be guided by a shared vision • lists the key inputs: emission ranges, economic potential, mitigation policies and technologies, barriers, carbon price signals, co-benefits, spillover effects, and flexibility mechanisms and sinks • agrees to continue the analysis of mitigation potential at AWG 4 • agrees to analyze possible means to achieve mitigation objectives at AWG 5; invites submissions from parties.
4th Vienna	August 2007	- Timetable for determining commitments - Analysis of mitigation potential and possible ranges of emission reductions	- Reference to Convention Art. 2 - Need for further analytical work - Potential consequences of means - Domestic mitigation potentials - Flexible Mechanisms - Reference to the lowest stabilization scenario 450 ppm	• notes that mitigation potential is determined by national circumstances, evolves over time and that applicability of factors and indicators varies among parties • acknowledges that understanding mitigation potential is a complex process and notes that further analysis would help the AWG in completing its work • recognizes the need for further progress in conducting its work programme, Annex I parties continue analyzing the mitigation potential of policies, measures and technologies • AR4: indicates that the ranges would be significantly higher for Annex I parties if were to be undertaken exclusively by Annex I parties; • notes the mitigation potential of the flexible mechanisms in the context of sustainable development onsiderations

Session	Date	Issues	Conflicts	Relevant Decisions
5th	June 2008	- Means for Annex I parties to reduce emissions - Flexible Mechanisms (CDM, JI, ET) - LULUCF - Greenhouse Gases - Sectors and source categories - approaches targeting sectoral emissions - Methodological Issues	- narrow or broader view of mandate - eligibility of proposals - finalise the list of possible options: "shopping list" - preparation of the second review of the Kyoto Protocol	• agrees to continue its work on this issue, "within its mandate and according to its work programme" •Proposals listed in conclusion on CDM • modify the scope of the CDM • enhance the supervisory role of the CDM Executive Board; • differentiate the treatment of parties and project types • enhance the CDM's contr. to sustainable development • increase demand for afforestation and reforestation projects • increase the co-benefits of CDM projects • restrict CDM to bilateral projects • consider alternatives to global warming potentials (GWPs); • increase technology transfer. • Further conclusions on LULUCF and Sectors
6th	December 2008	- Means, Methodological Issues, Mitigation Potentials and Ranges of Emission Reduction Objectives, Consideration of Further Commitments - Potential Environmental, Economic and Social Consequences, Spillover Effects of Tools, Policies, Measures and Methodologies to Annex I Parties - Work Programme 2009	- commitment on mid-term range of reductions - overall conflicts on all options under consideration and only little progress	• emissions trading and the project-based mechanisms, as well as LULUCF, should continue to be available to Annex I parties, and recalls that use of the mechanisms should be supplemental to domestic actions; and • there could be both negative and positive potential consequences; recognizes that the level of impact of potential consequences will vary among parties and that attention should be given to the negative consequences on developing countries
7th	March 2009	- Emission reductions by Annex I - Legal issues (amendment to protocol) - Flexible Mechanisms - LULUCF - Potential Consequences	- scope of the negotiating text to be developed for the June session - stricter or broader interpretation of the AWG-KP's mandate - emission reductions - same discussions, little progress because waiting for progress in other forums	•CDM: continued deliberations on possible improvements identified in Annex I and Annex II FCCC/KP/AWG/2008/5), and that the progress during the deliberations is reflected in Annex I while Annex II remains under consideration • LULUCF: notes that the annex does not capture all of the proposals and options put forward by parties in their submissions • agrees to continue its deliberations taking into account the annex to the conclusions, as well as previous and new submissions, "in the context of the AWG-KP Chair's text,"; • encourages parties to share information, particularly data,
8th	June 2009	- Annex I parties' further emission reductions (individual & aggregate: discussion of proposals by Annex I parties) - other issues (LULUCF and Consequences) - legal matters - in depth discussion of proposals	- no agreement on reduction targets (6 month rule) - targets before rules vs. rules before targets: conflicts on all issues	• no conclusion on emission reduction targets • chair only prepares "documentation" and not a text to facilitate further discussions • no conclusions on LULUCF or Consequences

Appendix 3a: Code Book and Reference Units

Categories	Variables		
Topic			
	Improve	New Sectorals	Upscale
	sustainable development	NAMAS	LULCF
	distribution	multi-project baseline	CCS
	environmental integrity	sectoral baseline	nuclear
	procedures	no loose target	
	multiplication factors	differentiate the eligibility	Regime
	graduation of host	REDD	
	access	bunker fuel	mandate
	pos./neg. list	maritime	negotiations
	co-benefits	aviation	time
			information
			govenance
Stance			
	Support	Conditional	Decline
	support	done within context of	oppose
	propose	need to be reconsidered	deletion of section
	suggest	Preference given to	not spend efforts
	in favour	adequate rules essential	not eligible
	good means	treated in balanced manner	not appropriate
	belive that … must	but is not in favour of any	not agree
	should focus on	should be entitled	shall be deleted
	agree on	should be voluntary	does not contribute
	should continue	not be compromised	does not…nor
	call for	further develop to avoid	should be avoided
	refrain inclusion of	should not restrict	need not be assessed
	goals could be served	should be prioritised	belive that … erode
	considers .. improves	may help, however	not beleve that contribute
	coul boost	more properly	not take into consideration
	should introduce …	limited to	is not desirable
	croir important	must not undermine	do not support
	more promising	should be consistent with	maintain rules apply
	is needed	provided that	neither should
	not exclude	may include if	pas une mesure efficace
	welcome	the only	concerns with
	ask for	not linked directly	not include
	is highly appropriate	need further elaboration	no need for
	would be benefited	should not lead to	not be considered
	contribute greatly	should not delay	not suitable
	need to be changed	remain to be proved	not improve
	is desired outcome	However … should	would hamper
	is useful	any changes should	no additional … imposed
	should make use of	should occur within	not be introduced
	call for	should support not replace	there should be no
	hope for	but urged considering also	should be exempted
			should not be expanded
			warn against
			object
			reject
			question

Appendix 3a: continued

Interest

Technological	Moral / Social	Environmental
technological	equitable participation	environmental integrity
is a technical issue	liability	hot air
technical discussion	ethical aspect	carbon leakage
difficulties in data	historical responsibility	environmental exploitation
technological circumstances	principle of equity	postponing renewables
technology transfer	social circumstances	environmental impacts
issues of measurement	sustainable development	GHG mitiagion
issues of scale	project activity distribution	additionality criteria
non-permanence	urgency of challenge	environmental circumstances
security issues	spirit of Bali	environmental outcome
transparently measure	equitable burden sharing	limited climate benefits
comparability	socio economic development	lock-in fossil fuel dependent
win-win technological based solution	consider poorer countries	mitigation benefits of
20 - 40 % indicative range	consider africas interests	

Economical	Procedures / Regime	Time
trans action consts	methodological	in timely manner
destabilize carbon market	policy	need more time
economic	difficult to manage	consider dead line
CDM operate generally well	nature of the mechanism	establish working plan
cherry pick	central idea to CDM	proceed swiftly
loopholes	elements of complexity	time
potential for growth	Art. 12 of Kyoto Protocol	urgent progress
economic circumstances	through CMP decisions	
capacity building	ultimate objective of UNFCCC	
financing schemes	pursuant to article 3.9	
market biases	mandate	
distorsion des actions attenuation	in the context of convention	
perverse incentives	goals of convention	
flood CER market	monitoring and verification	
low-cost reductions	objectives AWG-KP	
hamper operation	effet négative sur autre UTCATF	
remove CDM barriers	architecture of Kyoto Protocol	
cost efficient	take place in LCA	
objectives at very low cost	administrative improvements	
ensure continuity	reduce transparency	
spill over effects	legal framework	
issuance of CER	principle of …	
market signal		
affect international trade		
energy prices		
world demand for oil		
high costs		
generate funding		
efficiency		
simplification		
create revenue for		
attractive carbon price		
carbon price at least 20$		
substantial CER		

Appendix 3a: continued

Collaboration

Cooperative	Conflictive
hypothetical new activities	Under no circumstances
open to discuss	should not in any way defer
when hypothetically	should not in any way retard
possible improvements could	further delays inappropriate
this may be an option	fundamental, unresolved issues
open to alternative	exchange only within
activity is eventually accepted	if ... then must
maybe elaborated in future	must focus on
much discussion is needed	differences of oppinions
mabe difficult to agree, so	delay could threaten outcome
issue may need to be revisited	outcome would kill possibility
will participate in discussion	... must not be diverted
possible to re-orient	object to proceed without
look forward exchanging views	
shall make further suggestions	

Expectation

Demanding
AWG-KP should focus
should not be used as excuse
we call on developed countries
call for further commitments
Annex B parties must
A I to meet their commitments
A I must demonsrate lead
reductions needed in Non A.I
in major emitting dev. countries
should involve dev. countries
EB should be guided
set more ambitous targets for A.I
should swiftly lead to A I submiss.
A.I targets should be substantially larger
should apply only to Annex B countries
consideration should be paid to LDC
A.I should focus on domestic reduction
A.I should commit to fund projects
More ambitious targets needed
call for 45% reduction
emphazised to specify reduction targets
point to lack of commitment by A.I
Call for at least ...
call on A I to demonstrate how ...
obvious lack of real commitment from A.I
fall short of whats demanded
A.I leadership needed
reluctance of A.I for ambitious targets
expect A I to take up responsibilities
stressed contribution from all parties

Appendix 3b: Reference Sentences

Category	Subcategory	Reference Examples
Improve	*SD*	Sustainable development principles need to be considered in the context of achieving real and measurable reductions in greenhouse gas emissions
	Distribution	
	Positve Negative List	it may be difficult for all Parties to agree on what to include and what to exclude from positive and negative lists
	Multiplication Factors	The introduction of multiplication and discount factors would reduce transparency
	Access	Argentina believes that a system of quotas to determine the maximum amount of emission reductions from each region allowed to developed countries to purchase could be further explored
	Procedures	Duan Maosheng, China, called for simplifying the CDM and enhancing the role of industry experts. He proposed removing the additionality test for some technologies
Upscale	*LULUCF*	BRAZIL said LULUCF rules should be improved but not fundamentally changed.
	CCS	AOSIS believes that CCS should not be considered for inclusion within the CDM
	Nuclear	nuclear activities are not suitable for inclusion as CDM project activities
Sectorals	*Namas*	support for NAMAs are more properly discussed within the AWG-LCA
	No loose target	establishment of a no-lose target would be an inherently political exercise
Regime	*Commitment*	was very concerned at the slow pace of negotiations and the obvious lack of real commitments from Annex 1 Parties
	Mandate	SAUDI ARABIA stressed that the AWG-KP's mandate did not include developing country action.
	Negotiations	Brazil lamented that "despite all efforts," the position of some Annex I countries prevented the AWG-KP from tabling text that will trigger the six-month rule for amending Annex B
Collaboration	*Cooperative*	Brazil is open to discuss criteria based on the primary technology employed in the project activity as well as the scale of the project activity.
	neutral	AOSIS is of the view that positive incentives and support for NAMAs are more properly discussed within the AWG-LCA.
	conflictive	Tuvalu, for AOSIS repeatedly objected to proceeding without inclusion of the issue of extending the share of proceeds as a "big ticket" item.
Stance	*Pro*	ARGENTINA supported controlling maritime and aviation emissions under the UNFCCC,
	Contra	He opposed sectoral approaches
Expectation	*Permissive*	Brazil believes that it's possible to improve access to CDM by specified host Parties through CMP Decisions
	Demanding	It said that Annex 1 countries could not deny or run away from their responsibility to reduce GHG emission and called on them to assume leadership by making ambitious reduction
Explanation	*Regime/Procedure*	South Africa reiterates the precautionary approach, that lack of full scientific certainty should not be used as a reason for postponing action
	Economical	criteria may restrict opportunities to achieve low-cost emission reductions through the CDM
	Moral	climate change is a weapon of mass destruction threatening the survival of LDCs
	Technical	limiting global warming to below 2°C, and called for a 45% reduction in Annex I emissions from 1990 levels by 2020 and a reduction of more than 90% from 1990 levels by 2050.
	Environmental	environmental integrity of the CDM should not be compromised through the development of special criteria to facilitate access

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