Multilateral consensus decision making:

How Pacific island states build and reach consensus in climate change negotiations.

A thesis submitted for the degree of Doctor of Philosophy of
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Statement of Originality

The work presented in this thesis is, to the best of my knowledge, my own original work, except where acknowledged in the text.

George Joseph Carter

Dedication

In loving memory of my dear father, a man of great humility and compassion.

Alōfa'aga e lē uma.

Faumui Harry Amos Carter

Tau lē mānava (Breathless)

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In building and reaching consensus, a key finding of this research is the presence of a core group of people that have vested interested and concern on an issue. I am privileged to have two core groups who have invested so much of their time and emotions on this project. I could not have asked for a more accomplished and thoughtful group of experts to guide this thesis than my first core group, my research panel. I am thankful to my mentors and friendship of Associate Professor Gregory Fry and Dr Ian Fry, and their families, who have grounded me in making sure that the voices of Pacific peoples come first. To the Ng Shiu family and Dr Roannie Ng Shiu, I am forever

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My second and inner core group, are my aiga. My extended families in Samoa, New Zealand, Australia and U.S. and *mātua fa'alēagāga* Rev. Faatafa and Sinuanua – *fa'afetai mo tou talosaga ma faamanuiaga*. E le galo le tapuaiga a aiga ma fanau- Molioo Tuiletufuga ma Falenaoti Julie, Leiataua ma Anne, Vaimaila, Tuiasau ma Lina, Gilbert ma Shona. My father, Faumui Harry Amos Carter, whom I dedicate this research would not be able read it in its completion. However, I have comfort that his grandchildren Lailara, Lemuel Ata, Leopold and Lomenya would be able to read these stories when they are little older. *E lē gālo le tou alofa ma outou talosaga i aso uma*, of my siblings Muliagatele David, Lailoa, ma lo'u tina peleina, Barbara. Thank you for in being patient, loving and allowing me to pursue studies away from home for such a long time. You all are the inspiration to this work, *fa'afetai mo mea uma. Alofa na o le alofa nei.*

Vi'ia le Ali'i ua taunu'u ma le manuia lenei faamoemoe. A toe manatu i lona agalelei ma lona alofa, e toe manatua ai nei upu, Tau lē Manava (Breathless)

Abstract

For over two decades, Pacific island states have been active participants in multilateral climate change negotiations. Yet little is known about how these small states perform inside multi party negotiations, far less their contribution in building and reaching a consensus. This thesis investigates the behaviour of fourteen Pacific island states, by examining their negotiators and their activities in international, regional and global negotiation processes. It uses global talanoa to trace their work in the making of the UN climate change Paris Agreement in 2015, by detailing the complexity of the structures, issues, actors, politics and decision making processes inside various multilateral forums: the Ad Hoc Durban Platform (ADP), Pacific Islands Development Forum (PIDF), Pacific Islands Forum (PIF), and the twenty first Conference of the Parties (COP21). Beyond the structural conditions (rules, formula, procedures, the Chair) and incremental stages of negotiations, this thesis finds there is a small core group of individuals in each forum that condition and precipitate the building and reaching multilateral climate change consensus. Underpinning the work of the core group of Pacific leaders and technical negotiators is their resilience and their successes in conducting cordial exchange of ideas, interests and building trust and respectful relationships in the coalitions they belong to, and amongst other parties in the negotiations.

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Acronyms

ADP	Ad Hoc Working Group on Durban Platform
AILAC	Association of Independent Latin American Countries)
AOSIS	Alliance of Small Island States
ASEAN	Association of Southeast Asian Nations
BAP	Bali Action Plan
BASIC	Brazil, South Africa, India and China
CARICOM	Caribbean Community
CDM	Clean Development Mechanism
CfRN	Coalition for Rainforest Nations
CHOGM	Commonwealth Heads of Government Meeting
CMP	Conference of Parties serving as Meeting of the Parties to the Kyoto Protocol
COP	Conference of Parties of the UNFCCC
CROP	Council of Regional Organisations in the Pacific
CVF	Climate Vulnerable Forum
ECOSOC	United Nations Economic and Social Council
EIG	Environmental Integrity Group
ENB	Earth Negotiations Bulletin
EU	European Union
FIELD	Foundation for International Environmental Law and Development
FIPIC	Forum for India-Pacific Islands
FOC	Pacific Islands Forum Officials Committee
G77	Group of 77 and China
GATT	General Agreements on Tariffs and Trade (now, World Trade Organisation)
GHG	Greenhouse gas emissions
HLSM	High-Level Support Mechanism
IMF	International Monetary Fund
INC	Intergovernmental Negotiating Committee on Climate Change
INDC	Intended Nationally Determined Contributions
IPCC	Intergovernmental Panel on Climate Change
LDC	Least Developed Countries
LMDC	Like-Minded Developing Countries
MLS	Micronesian Leaders' Summit
MSG	Melanesian Spearhead Group

OECD	Organisation for Economic Cooperation and Development
OPEC	Organisation of the Petroleum-Exporting Countries
PALM	Japan-Pacific Islands Leaders Meeting
Pacific SIDS	Pacific Small Islands Developing States (at COP21)
PSIDS	Pacific Small Islands Developing States (New York)
PCCR	Pacific Climate Change Roundtable
PIDF	Pacific Islands Development Forum
PIF	Pacific Islands Forum (formerly South Pacific Commission)
PIF SIS	Pacific Islands Forum Smaller Islands States
PIFACC	Pacific Islands Framework for Action on Climate Change
PLG	Polynesian Leaders Group
PNG	Papua New Guinea
REDD	Reducing Emissions from Deforestation and Degradation
SBI	Subsidiary Body for Implementation (of the UNFCCC)
SBSTA	Subsidiary Body for Scientific and Technological Advice (of the UNFCCC)
SIDS	Small island developing states
SPC	Secretariat of the Pacific Community (formerly Secretariat of the Pacific Commission)
SPREP	Secretariat of the Pacific Regional Environment Program
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
USP	University of the South Pacific
WB	World Bank
WMO	World Meteorological Organisation
WTO	World Trade Organisation
WCC	World Climate Conference
WIM	Warsaw International Mechanism for Loss and Damage
WMO	World Meteorological Organisation

Chapter One: Introduction

> Today, we stand here facing one of the greatest challenges of humankind, climate change. We are at a critical point of history...For a country like Tuvalu, our survival depends on the decisions we take at this Conference. Let me emphasize this point. Our survival as a nation depends on the decisions we take at this Conference. This is not simply a stepping-stone to a better future. We stand on a cliff edge. Either we stand united and agree to combat climate change or we all stumble and fall and condemn humanity to a tragic future.
>
> *Enele Sopoaga, Prime Minister of Tuvalu*[1]

For more than two decades, the United Nations Framework Convention on Climate Change (UNFCCC or the Convention) has been addressing one of the greatest challenges of humankind, climate change. The Convention is a multilateral process to find global solutions for the global problem of climate change. This diplomatic endeavour of multiple states interacting simultaneously created a complex climate change regime of prolonged negotiations that exists to the present day. An intrinsic feature of modern-day multilateral diplomacy embedded in these negotiations is the ability of states to conform and innovate in a regime that promotes consensus decision making. The ability of the 196 signatory parties, each with unique national interests and ideological backgrounds, to reach consensus on an annual basis is a feat of international politics and diplomatic finesse.

Since the establishment of the UNFCCC in 1992, fourteen Pacific island countries have joined the multilateral negotiations[2]. These island states are some of the most vulnerable frontline states to climate change impacts. Despite their vulnerabilities, they have actively participated in these climate change multilateral consensus decision making

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[1] Enele Sopoaga, "Statement by Prime Minister of Tuvalu Hon Enele Sopoaga at Leaders Event Opening of COP21," UNFCCC https://unfccc.int/process/conferences/past-conferences/paris-climate-change-conference-november-2015/statements-and-resources/statements-made-during-the-leaders-event.

[2] Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

negotiations, their efforts have received little attention and it is this subject that this thesis is concerned with.

The Puzzle

This thesis examines how states behave inside multilateral negotiations, in particular, negotiations that utilise decision making by consensus. How do states build and reach consensus in multilateral diplomacy? Multilateral diplomacy is the management of international relations by negotiations among three or more states through diplomatic or governmental representatives. Multilateral consensus decision making is not unique to climate change negotiations. In fact, consensus decision making by many states has been well studied in economic and trade forums like the European Union (EU), World Trade Organisation (WTO), International Monetary Fund (IMF) and the World Bank (WB)[3]. The small and limited studies on consensus decision making in climate change negotiations have pointed to alternative decision making processes[4]. A common thread amongst all these bodies of work, despite prolonged and continuous negotiations with many impasses throughout the years, is that multilateral consensus decision making forums do work. The very existence of the UNFCCC is a sign that consensus in multilateralism does work. For international relations, the ability of states to advance their interests through dialogue to find common solutions by consensus is a cornerstone of international politics. For diplomatic studies, the fascination with consensus decision making follows the practices and activities that state practitioners employ in conducting negotiations. In providing insight into how states have sought to define and advance their interests in these international negotiations, this thesis ultimately puts a microscope on who the state practitioners are, and their activities that build and reach consensus.

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[3] Dorothee Heisenberg, "The institution of 'consensus' in the European Union: Formal versus informal decision-making in the Council," *European Journal of Political Research* 44, no. 1 (2005). I William Zartman, *International multilateral negotiation: Approaches to the management of complexity* (Jossey-Bass, 1994). Miles Kahler, "Multilateralism with small and large numbers," *International Organization* 46, no. 3 (1992). Heisenberg.

[4] Robyn Eckersley argues in favour of minilateralism through regional climate councils, and Luke Kemp suggests to institutionalise voting into the decision making for the UNFCCC as Critical Mass Governance. Robyn Eckersley, "Moving forward in the climate negotiations: multilateralism or minilateralism?," *Global environmental politics* 12, no. 2 (2012). Luke Kemp, "Framework for the future? Exploring the possibility of majority voting in the climate negotiations," *International Environmental Agreements: Politics, Law and Economics* 16, no. 5 (2016).

This research is concerned with the behaviour of a particular group of states in climate change negotiations. The discursive nature of multilateralism, or "the practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions "[5] offers a paradoxical dilemma. For great powers the benefits of multilateralism come from controlling the behaviour of another great power or rising power; while for small states, international institutions offer a platform to influence international policy decisions[6]. Much of the scholarship on multilateral negotiations is geared towards understanding the role of a few big states, with only a handful exploring what scholars call the 'Lilliputians'[7]or 'dwarfs'[8]. In main multilateral institutions like the United Nations (UN) where small states outnumber great states, little is known about the activities of small states and how they influence outcomes[9]. How do small states influence negotiations, and what are their contributions to the negotiations?

In the climate change regime, some of the smallest and most vulnerable countries that participate in the negotiations are from the Pacific region. These small island states are not only vulnerable as frontline states to the impacts of climate change; they are also vulnerable in their limited capacity in terms of diplomatic representation and technical expertise in negotiations[10]. Despite these challenges, Pacific states, along with other small island states around the world, have had a long and successful history since the early days and continue to remain the moral conscience of the Convention[11]. While

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[5] Robert O Keohane, "Multilateralism: an agenda for research," *International journal* 45, no. 4 (1990): 731.

[6] Robert O Keohane, "Lilliputians' Dilemmas: Small States in Internatinal Politics," *International organization* 23, no. 2 (1969).

[7] Ibid.

[8] Diana Panke, "Dwarfs in international negotiations: how small states make their voices heard," *Cambridge Review of International Affairs* 25, no. 3 (2012).

[9] Christine Ingebritsen, Iver Neumann, and Sieglinde Gsthl, *Small states in international relations* (University of Washington Press, 2012).

[10] George Carter, "Establishing a Pacific voice in the climate change negotiations," in *The new Pacific diplomacy*, ed. Gregory Fry and Sandra Tartte (Canberra: ANU e-Press, 2016). Carola Betzold, "'Borrowing'power to influence international negotiations: AOSIS in the climate change regime, 1990–1997," *Politics* 30, no. 3 (2010).

[11] Inés de Agueda Corneloup and Arthur PJ Mol, "Small island developing states and international climate change negotiations: the power of moral "leadership"," *International Environmental Agreements: Politics, Law and Economics* 14, no. 3 (2014).

studies of small island states exist especially on the negotiating bloc of the Alliance of the Small Islands States (AOSIS) in the UNFCCC that include Pacific states, there is no substantial research that focuses on their particular contributions or detailed analysis of how they influence consensus decision making.

The remarks by Tuvaluan Prime Minister Enele Sopoaga cited at the beginning of this chapter, reflect the significance of climate change multilateralism for the people of the Pacific, let alone the survival of a nation. These words were shared by other Pacific leaders at the opening of the UNFCCC twenty first conference of the parties (COP21) in Paris 2015. For Pacific island states, climate change is more than an energy or economic issue, it is an existential threat. The UNFCCC is the main multilateral forum that allows their voice to be heard and influence a global solution.

These collocations in the gap in the literature on multilateral consensus decision making, the unexplored contributions of small Pacific island states in international negotiations, and the significance of climate change to the states and people of the Pacific provide the empirical and theoretical underpinning of this thesis. This research asks:

> **In multilateral climate change negotiations, how do small Pacific Island states build and reach consensus?**

The main research question is framed around understanding how Pacific island states behave and engage inside multilateral climate change negotiations. As Chapter Two will explain, consensus is both a process and an outcome. During negotiations there is a process of debates, discussions, and compromise amongst multiple parties that attempt to achieve an outcome(s). Furthermore, the process assumes that Pacific island states are active members in the negotiations, where they assist in building and reaching that consensus. By tracing consensus both as a process and outcome, the research will illuminate two key elements of diplomatic studies' investigation: the actors and their activities in conducting negotiations. This informs the two sub-questions of this research. Who are the actors representing the Pacific island states in consensus decision making? What activities do they employ in building and reaching consensus?

Research Design

In 2015, the UNFCCC successfully negotiated the Paris Agreement or the Accord de Paris[12]. The agreement set forth new targets for global action and responses to climate change after 2020, at the conclusion of the Kyoto Protocol. This global consensus came after more than three years of negotiations amongst the 196 parties. Following the failures of the climate change negotiations in Copenhagen 2009, an Ad Hoc Working Group on Durban Platform (ADP) was established in 2012 with the mandate to "develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties, which is to be completed no later than 2015 in order for it to be adopted at the twenty-first session of the Conference of the Parties (COP) and for it to come into effect and be implemented from 2020".[13] The mandate would establish a multilateral negotiation process premised on consensus decision making, whereby states were called upon to build and achieve an outcome within a certain timeframe. Although the first two years of the ADP talks concentrated on guidelines, the actual negotiations would intensify from January until December 2015. These diplomatic negotiations are the focus of this research. Climate change negotiations are seen here, as in the case of 2015, as operating within a particular timeline, but more importantly occupying and operating at multiple levels. While it is important to acknowledge that climate change discussions do occur in local community and national levels that determine national interest, the emphasis of this research is to explore multilateral negotiations of three or more party states. This leads the study to explore particular multilateral negotiating processes at the regional, international and global levels.

This thesis will explore and trace the involvement of Pacific island states not only in the global Paris Climate Change Conference (December 2015), but also in the international negotiations of the ADP (June 2015) and regional forums of the Pacific Islands Development Forum (PIDF) and Pacific Islands Forum (PIF) (September 2015) leading up to the conclusion of the Paris Agreement. By explaining the behaviour of Pacific

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[12] UNFCCC, "Paris Agreement," ed. United Nations Framework Convention on Climate Change (Paris: United Nations Framework Convention on Climate Change, 2015).

[13] "Report of the Conference of the Parties on its seventeenth session, held in Durban from 28 November to 11 December 2011," in *FCCC/CP/2011/9/Add.1*, ed. United Nations Framework Convention on Climate Change (Durban2011), 2.

island states in multi-level multilateral forums, it will reveal the actors and their activities involved in consensus negotiations. These explanations in turn provide building blocks in what can be termed and explored in detail in the concluding chapter: international consensus, regional consensus and global consensus.

International Negotiation Process

The ADP process was conducted over 12 sessions of negotiations ranging from procedures to compiling a text to actually touching and negotiating text. In 2015, the ADP negotiations started with the eighth session (ADP2-8) in Geneva where a draft text was formulated which would serve as the basis in the following sessions in Bonn (ADP2-9, ADP2-10, ADP2-11) and in Paris (ADP2-12). The ADP mandate and expectations of states was that the negotiations of the text would be completed by ADP2-12; but this would not be the case. The ADP sessions were preparatory negotiations, an international process that was state-centric driven by party delegations to streamline and synthesise the various national positions. These international preparatory meetings were deemed essential in garnering the various positions and their limitations, or red lines, of states essential in finding a compromise. This research will take an in-depth description and analysis of the Bonn ADP2-9 in June. This international conference was the first meeting in which the draft of the then Geneva negotiating text would be open to parties to be streamlined. With a timeline ending in December later that year, there was no expectation amongst the parties that negotiations would end here. Therefore, for negotiators and the purpose of this research, what mattered was relationships, consent on process and more importantly consensus.

Regional Negotiation Process

The formal international negotiations process of the ADP throughout the year, would not be obvious from the attention of states and their governments in the Pacific region. In parallel to the international process, many regional and sub-regional organisations in the Pacific held with their annual meetings their own preparations for both the international ADP process and the global forum of the Paris Climate Change Conference. The regional process would see the issue of climate change negotiations elevated in the agendas of sub-regional organisations such as Melanesian Spearhead Group (MSG), Polynesian Leaders Group (PLG), Micronesian Leaders Summits

(MLS), and regional organisations like the Secretariat of the Pacific Regional Environment Program (SPREP), PIDF and PIF. Even regional partner-regional meetings with donor countries like Japan's Pacific Islands Leaders Meeting (PALM), Forum for India-Pacific Islands Cooperation (FIPIC), Commonwealth Heads of Government meeting, U.S.-Small Islands meeting, and France-Oceania Summit included in their dialogues common understanding on issues discussed at the UNFCCC. In the communiques and political declarations that would come out of the multilateral forums, there was a common call both implicitly and explicitly for Pacific state solidarity. From these regional meetings, the project will explore decision making in two multilateral regional forums: PIDF and PIF. Both these diplomatic forums took place within a span of 12 days; and the practice of consensus took on varied forms. The PIDF viewed consensus as inclusive in the participation of non-sovereign states, private and civil society, premised on principles of talanoa, while the pre-eminent political organisation PIF's Pacific Way consensus tended to revolve around the decisions of leaders. This research traces the making of two key climate change declarations that emanated from these forums: the PIDF Suva Declaration on Climate Change, and the PIF Port Moresby Declaration on Climate Action.

Global Negotiation Process

The Paris Climate Change meeting or COP21 is determined here as the global process of negotiations. A global consensus was mandated to be reached at this final meeting. At this level not only would the international and regional negotiation processes converge, but so would the plethora of interested actors from state governments, NGOs, private industries and individual citizens. The COP21 was a megaconference of ideas, interests and political will that was expected to rectify the diplomatic failures of the 2009 UNFCCC Copenhagen COP15, where consensus was not achieved. Not only was it to be a testing ground to regain the faith of the global community on multilateralism to provide a global solution, it would test the faith of states on the practice and vitality of consensus decision making.

Consensus was achieved amongst the parties with the advent of the Paris Agreement 2015. Every party in the negotiations played a vital role in their respective way, through compromise to reach global consensus. So too, did the fourteen Pacific island states. In this multilateral forum, the research explores how Pacific states navigated the complex

structures and political dynamics of global negotiations. It accentuates how Pacific solidarity and relationships were built through international and regional processes in delivering a Pacific voice in the negotiations. Most importantly, in the most pivotal moments of negotiations or the consensus point, it explores whether Pacific states and their actors could influence a final agreement.

Having identified the puzzle, the main research question and the design of the research project, the next section will focus on the contributions and context of the research. It will provide an overview of the literatures on multilateral consensus decision making, climate change negotiations, and small states. It will identify a lacuna in the discipline's understanding of how small states influence climate change negotiations, and especially the subjects of this investigation, Pacific island states. The final section will detail the methodology used in the research, Global Talanoa, that is, a hybrid of methods from process tracing, global political ethnography and talanoa. The chapter will then conclude by providing a summary of the structure of this research and the chapters that follow.

Contributions and Context

This thesis offers three key contributions to the disciplines of international relations and diplomatic studies. Firstly, the purpose of this research is not to test theory, but rather to substantiate conditions for theory making. These conditions provide building blocks to create new theories and broadening the scholarship on consensus decision making. It suggests a new analytical framework to explore the internal dynamics of multilateral negotiations through phases as they occurred in real time, to formulate theoretical conditions for multilateral consensus decision making. This research is concerned with micro-processes of negotiations, that is the internal or inside dynamics of processes and actors within negotiations. While the main unit of analysis remains the state, the analytical framework identified here goes beyond this. It specifies and differentiates propositions that apply to individual negotiators, states' positions, coalitions, and explore links among them. This study uses the theoretical underpinnings of multi-disciplinary scholarship from psychology's literature on meeting science; international relations decision making theories and studies on multilateralism; and from diplomatic studies approaches to integrative negotiation analysis. These hypotheses or propositions

of state behaviour in consensus decision making are examined against a framework which goes inside negotiations and traces them through the following phases: from pre-negotiation, negotiation, and agreement phase.

A major methodological challenge in understanding international negotiations is typically that they are secretive and much of the complex process is informal, and not recorded[14]. This is compounded by a further empirical challenge that any experimental findings need corroboration with observational studies[15]. To meet these challenges, the second contribution of this research is through its methodological approach of global talanoa. To understand the nature of consensus decision making, and the practice of negotiations more generally, this research will take an in-depth approach by unpacking negotiations as they occur in real time. For global talanoa to take place, the researcher needs to act as a participant negotiator-observer with negotiations to build *thick ethnographic descriptions* or *insider accounts* of people, structures and events as they unfolded. The thick descriptions will then be corroborated with the propositions or hypotheses of consensus decision making part of the analytical framework. The concluding section of this introductory chapter will further explore the methodology of global talanoa.

Thirdly, the empirical contribution of this thesis is to shed light on the remarkable story of Pacific island states and their diplomatic endeavours in multilateral climate change negotiations. The recent scholarship on new Pacific diplomacy[16] with Pacific scholars[17] and negotiators[18] have undertaken the first steps to address these lacunae. The work by

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[14] John Odell, "Negotiation and Bargaining," in *Handbook of international relations*, ed. Walter Carlsnaes, et al. (London: Sage, 2002), 394.

[15] Ibid., 395.

[16] Greg Fry and Sandra Tarte, *The new Pacific diplomacy*, ed. Greg Fry and Sandra Tarte (Canberra: ANU Press, 2016).

[17] Nicollette Goulding, "Marshalling a Pacific response to climate change," in *The new Pacific diplomacy*, ed. Gregory Fry and Sandra Tartte (Canberra: ANU Press, 2016)., Fulori Manoa, "The New Pacific diplomacy at the United Nations: the rise of the PSIDS," in *The New Pacific Diplomacy*, ed. Sandra Tarte and Greg Fry (Canberra: ANU e-press, 2015).

[18] Ian Fry, "The Paris Agreement: An Insider's Perspective-The Role of Small Island Developing States," *Environmental Policy and Law* 46, no. 2 (2016)., Espen Ronneberg, "Small islands and the Big Issue: Climate Change and the role of the Alliance of Small Island States," in *The Oxford handbook of international climate change law*, ed. Cinnamon Piñon Carlarne, Kevin R Gray, and Richard Tarasofsky (Oxford: Oxford University Press, 2016).

Ashlie Denton explores the power, knowledge and the contestation of global and local narratives, in effectively building a climate empire in the Pacific[19]. Moreover, it fills a crucial deficit in the disciplines that tends to study Pacific island states as mere objects or passive players in regional and international politics[20]. The empirical contributions of this research emphasise the agency and collective active participation of states, that situates them as subjects of international relations theory making.

Multilateral Consensus Decision Making

The main concept this thesis is concerned with is multilateral consensus decision making. It is defined here as the *outcome agreement that is achieved from a non-voting decision making process that involves negotiating disagreements of interests, values and ideas among three or more party states collaboratively.* There are two reasons why consensus decision making needs to be clarified. Firstly, it is frequently observed in international organisations. Secondly, it is viewed as more democratic than decisions made by majority rule. Decisions that are agreed to by all parties will gain higher levels of legitimacy. For climate change negotiations this is vital; as legitimacy will pave the way for collective action on implementing the decisions.

As both a norm and procedure in multilateral conferences, consensus is achieved when multiple parties agree to common decisions without casting a vote. It is important to acknowledge decisions by consensus is not the only form of multilateral decision making utilised. Learning from the failures of decisions by unanimity in the early half of the twentieth century, international organisations established after World War II experimented with various forms of voting. From unit veto as in the UN Security Council, or weighted voting in the Boards of the WB to majority rule within the UN General Assembly; voting was preferred for its quicker results. But this was at the expense of creating binaries and divisions amongst disapproving parties that would prove detrimental when it came to implement these agreements. In effect consensus

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[19] Ashlie Denton, "Voices for environmental action? Analyzing narrative in environmental governance networks in the Pacific Islands," *Global environmental change* 43 (2017)., and Ashlie Denton, "Building Climate Empire: Power, Authority, and Knowledge Within Pacific Islands Climate Change Diplomacy and Governance Networks," (2018).

[20] Elise Huffer, "Canoes v. carriers: International relations in the South Pacific," *Journal of Commonwealth & Comparative Politics* 36, no. 3 (1998).

decision making allowed each party to have a veto during the negotiation process, and although the talks were laborious there was a higher assurance that agreements would be implemented. Decisions by consensus continue to enjoy favour today: in forums that exercise voting there is a preference that negotiations be achieved by consensus to avoid voting as much as possible.

The existing literature on multilateral consensus decision, although small, has been focussed on the behaviour of great powers or regions of economic integration like the EU[21]. Studies have compared and quantified multi-issue negotiations across various conferences and times, in order to tease out common features of this form of decision making. These studies tend to explain consensus based on the outcome, and through historical and retrospective accounts attempt to provide convincing arguments on conditions of how states build and reach consensus. The purpose here is to examine both the outcome and process of negotiations. To explore the purported benefits of consensus decision making, it is best to examine the exact nature of the practice and how it takes place in negotiations. The research uses an 'insider approach' to detail how negotiations take place within the rules of consensus procedures, and more importantly within a particular time.

Climate Change Negotiations

Climate change negotiations like many multilateral negotiations are complex. The UNFCCC is both the source of the international regime complex for climate change[22], and the main site for multilateral forums on climate change. The level of complexity is far greater in a multilateral conference where negotiations are characterised by "multi-parties, multi-issues, multi-roles, and multi-values"[23]. It is an arena involving seemingly endless and prolonged negotiations with wide ranging issues, a plethora of actors (state, civil society and private businesses) and coalitions with the aim of reaching global consensus and solutions to address climate. For over two decades member states on an

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[21] Arzu Hatakoy, "The effectiveness of decision making in European Union treaty negotiations," (2009).

[22] Robert O. Keohane and David G. Victor, "The Regime Complex for Climate Change," *Perspectives on Politics* 9, no. 1 (2011).

[23] James P Muldoon Jr et al., *Multilateral diplomacy and the United Nations today* (Westview Press, 2009), 11.

annual basis have continually negotiated on various issues and measures on the objective for the "stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system"[24]. In this highly political forum, negotiating climate change has three main challenges. First, climate change is a global issue that prompts a need for a collective international response in lieu of national interest. Second, for most countries the impacts are either not noticeable, or inter-generational, and not severe enough to create collective political will by state leaders for action. Thirdly, any international solution requires a habitual change, with policies to alter behaviour change for billions of people[25].

Climate change is viewed by parties from various vantage points. For all states, and especially larger developed and emerging economies, climate change is an economic issue. Any measures around curbing mitigation[26] constricts these states to control and regulate their energy sectors. For many developing states, adaptation[27] measures apply, and it is vital that negotiations address finance, capacity and technical assistance to cope with existing climate change impacts. These impacts are more pronounced in the smaller island developing states, like of those from the Pacific region. Pacific island states produce less than 1% of the world's greenhouse gas emissions, yet their economies and livelihoods are constantly under threat from natural disasters of extreme weather and sea level rise[28]. Compensation for the permanent loss of natural resources due to human induced climate impacts and establishing a global ambition for reducing emission to levels no more than 1.5°C above preindustrial levels, remain the core issues for islands from the Pacific.

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[24] UNFCCC, "United Nations Convention on Climate Change," in *FCCC/Informal/84 GE.05-62220*, ed. United Nations (Rio de Janeiro: United Nations, 1992).

[25] Keohane and Victor, 7.

[26] Climate change mitigation consists of actions to limit the magnitude or rate of long-term climate change, generally involves reductions in human (anthropogenic) emissions of greenhouse gases (GHGs).

[27] Climate change adaptation are measures that seeks to reduce the vulnerability of social and biological systems to relatively sudden change and thus offset the effects of global warming.

[28] FRDP, "Framework for Resilient Development in the Pacific: An Integrated Approach to Climate Change and Disaster Risk Management (FRDP) 2017-2030," ed. Secretariat of the Pacific Regional Environment Programme (SPREP) Pacific Community (SPC), Pacific Islands Forum Secretariat (PIFS), United Nations Development Programme (UNDP), United Nations Office for Disaster Risk Reduction (UNISDR) and University of the South Pacific (USP) (Suva: Secretariat of the Pacific Community, 2016).

Small states and Multilateral Negotiations

Despite the limited research on small states' behaviour in multilateral negotiations, there have been notable studies that help frame the approach of this research. The growing literature of international political economy on small states participation in and dealings with the European Union is beginning to fill this gap. These studies explore the involvement of small European states and least developing countries which make up 75 per cent of membership in the global trade regime and their increasing impact despite their negotiation-resource deficit. More relevant to this research is a special edition of the *Cambridge Review of International Affairs* on small states in various multilateral negotiations. These focus on niche and coalition diplomacy in the International Criminal Court and UNFCCC[29]; compliance bargaining in the WTO[30]; and tariff negotiations in the EU[31].

Challenges in Multilateral Negotiations

These studies substantiate common challenges that small states encounter in multilateral negotiations, which all stem from limited financial resources. Small states tend to have limited diplomatic representation and research capacity. "Having an exceedingly high workload because the number of administrators, attachés or experts is limited can, in turn, lead to delays in the arrival of instructions in small states or to situations in which smaller states do not formulate national positions for all items on the negotiation agenda"[32]. Limited finance also leads to small number of delegates, who will find it hard to cover the breadth of negotiations meaning less time to develop compelling frames and conduct other argument-based strategies, or propose issue linkages positions. Thirdly, small states have limited options in bargaining as they cannot offer side payments, sequencing of demands, concessions and threats which great states employ in negotiations[33]. To overcome these challenges, Diana Panke summarises

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[29] Nicole Deitelhoff and Linda Wallbott, "Beyond soft balancing: Small states and coalition-building in the ICC and climate negotiations," *Cambridge Review of International Affairs* 25, no. 3 (2012).

[30] Ibid.

[31] Diana Panke, "Being small in a big union: punching above their weights? How small states prevailed in the vodka and the pesticides cases," ibid.

[32] "Dwarfs in international negotiations: how small states make their voices heard," 316.

[33] Ibid.

research on small states in negotiations by suggesting two key strategies small states can employ. They are strategies in improving the capacity of state delegations, and strategies to shape the conditions of negotiations.

Table 1. Small states strategies to build capacity in multilateral negotiations

Strategy	Type of Expertise
Institutional actors; contacting secretariats and chairs.	Increase expertise on subject matter and knowledge about positions of others
NGOs: working with scientific, legal and industry lobbyists	Increase expertise on subject matter
Institutional knowledge: learning from past experiences and creating an institutional memory	Increase expertise on how negotiations work in a particular setting; strengthen network

Source: Diana Panke, "Dwarfs in international negotiations: how small states make their voices heard," *Cambridge Review of International Affairs* 25, no. 3 (2012).

Small states can increase their cognitive capacity by obtaining information from institutional organisations' secretariats and chairs on background information and processes of how negotiations would operate. This background information will inform small states of the political dynamics and positions of other states. A second strategy that small states can employ is working with non-state actors. Ranging from NGOs, epistemic communities or industry lobbyists, these actors can "provide inexpensive scientific insights, information about the situation on the ground and additional information about risks and opportunities of different policy options"[34]. And thirdly, learning from past experiences in negotiation setting, and the consistency of negotiators' participation and policies help counterbalance size-related disadvantages. The longer a state is a proactive member in negotiations, the more institutional knowledge and memory they possess in building their capacity effectiveness.

Table 2. Small state strategies in shaping multilateral negotiations

Strategy	Type of influence

[34] Ibid.

(Re-)framing	Influencing negotiation processes; changing the range and type of persuasive or bargaining based strategies that can be effective
Causal arguing/ technical arguing	Influencing negotiation outcomes via persuasion of other actors on the basis of scientific expertise
Moral arguing/shaming	Influencing negotiation outcomes via persuasion of other actors on the basis of moral arguments
Legal arguing	Influencing negotiation outcomes via persuasion of a third party on the basis of legal expertise
Coalition-building	Increasing the collective leverage (regarding bargaining power or regarding discursive power)
Bargaining	Influencing negotiation outcomes via demands/ threats/concessions/offers
Value-claiming	Influencing negotiation outcomes via first-mover advantages in distributive bargaining situations

Source: Diana Panke, "Dwarfs in international negotiations: how small states make their voices heard," *Cambridge Review of International Affairs* 25, no. 3 (2012).

States may indirectly manipulate negotiations by framing or re-framing debates. Frames influence how an issue is perceived in negotiations; the use of moral or normative arguments can turn the direction of debates that may be inclined for technical outcomes that favour bigger states. The second condition on causal or technical arguments refers to small states prioritising one or few policy issues of high importance to a state. Their investment on a particular issue can systematically build expertise for effective technical and causal augmentation. "Moral and normative arguments refer to institutionalized logics of appropriateness, used to delegitimize positions contrary to incorporated norms and values (thus, to shame actors representing 'inappropriate' positions) while strengthening positions in line with shared beliefs of what is normatively right and proper".[35] Their smallness can be used as a card to argue that positions by bigger states are less impartial and do not take into account the needs of a minority. Small states also need to prioritise legal capacity. Multilateral negotiations are generally geared towards creating some form of international legal agreement; thus, the necessity of having legal skills in delegations are vital. In order to maximise their positions in negotiations states will have to join or form bargaining blocs with likeminded states. "States can influence outcomes if they form winning coalitions or blocking minorities". [36]Despite small states having limited options in bargaining, they

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[35] Ibid., 317.

[36] Ibid.

can still voice their red lines by implicitly and explicitly hinting threats to leave the negotiations. Furthermore, small states can act as 'neutral mediators' or 'honest brokers', introducing their own interests through the back door by mediating towards their own position[37].

Although these strategies were found in the behaviour of small states from Europe and the Caribbean region, as well as negotiating blocs of small island states and least developing countries that include Pacific islands in their membership, empirical studies specifically focussed on Pacific states are limited[38]. These strategies in building capacity, and shaping negotiations are essential in this research as criteria to measure the effectiveness of Pacific island states in climate change negotiations. Moreover, this research will examine whether these criteria can also explain small states' behaviour in negotiating forums that specifically employ consensus decision making procedures.

Pacific Islands in Climate Change Negotiations

Pacific island states were part of climate change negotiations even before the UNFCCC was established. Yet only a handful of studies highlight the work of Pacific states in the UNFCCC, and they are primarily focussed on their participation in the Alliance of Small Island States (AOSIS). The work of Robert Ashe et al[39], Pamela Chasek[40] Eric Shibuya and Carola Betzold[41] have analysed the influence of AOSIS, especially in the

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[37] See Ivo Maes and Amy Verdun, "Small States and the Creation of EMU: Belgium and the Netherlands, Pace-setters and Gate-keepers," *JCMS: Journal of Common Market Studies* 43, no. 2 (2005): 344.; Anders Wivel, "The security challenge of small EU member states: Interests, identity and the development of the EU as a security actor," ibid.: 408.

[38] The work by Rebecca Gruby and Lisa Campbell on Pacific island delegations in biodiversity negotiations provide insights for comparison in climate change negotiations. Rebecca L Gruby and Lisa M Campbell, "Scalar politics and the region: strategies for transcending Pacific Island smallness on a global environmental governance stage," *Environment and Planning A* 45, no. 9 (2013).

[39] John W. Ashe, Robert Van Lierop, and Anilla Cherian, "The role of the Alliance of Small Island States (AOSIS) in the negotiation of the United Nations Framework Convention on Climate Change (UNFCCC)," *Natural Resources Forum* 23, no. 3 (1999).

[40] Pamela S. Chasek, "Margins of Power: Coalition Building and Coalition Maintenance of the South Pacific Island States and the Alliance of Small Island States," *Review of European Community & International Environmental Law* 14, no. 2 (2005).

[41] Carola Betzold, "'Borrowing' Power to Influence International Negotiations: AOSIS in the Climate Change Regime, 1990-1997," *Politics* 30, no. 3 (2010).

early days of the regime and recent sources of internal disagreements.[42] While this body of work on AOSIS is useful in providing some insight in the work of Pacific Islands in negotiations, it does not fully uncover how the coalitions operate and the dynamics of their internal politics. In terms of negotiation analysis, this body of work would suggest small island states are effective in early phases of negotiations agenda setting, with little to no indication as to whether they can influence negotiations in the final moments. Can Pacific island states influence building and reaching consensus, and if so how?
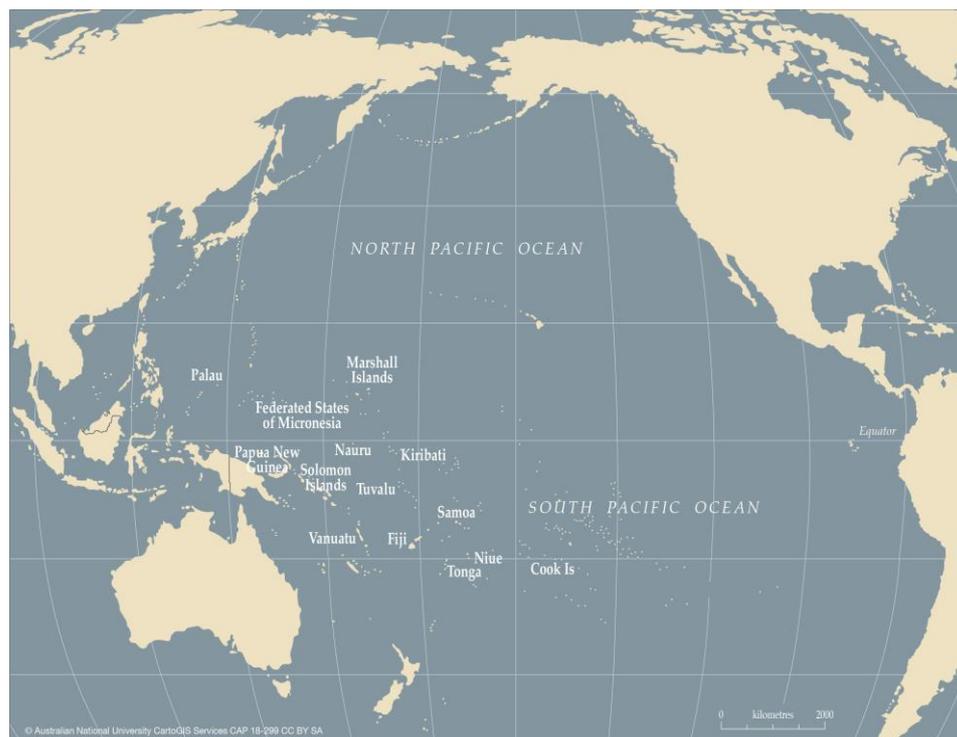
Figure 1: Map of the Pacific Islands.

Source: Map provided by CartoGIS Services, ANU College of Asia and the Pacific, The Australian National University.

This thesis will focus on the fourteen Pacific island states that are signatory parties of the Convention: Cook Islands, Fiji, Kiribati, Federated States of Micronesia, the Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu[43]. Eleven Pacific island states joined the Convention when

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[42]Carola Betzold, Paula Castro, and Florian Weiler, "AOSIS. in the UNFCCC. negotiations: from unity to fragmentation?," *Climate Policy* 12, no. 5 (2012).

[43] Although Cook Islands and Niue are self-governing states and observers to the United Nations, however, these states are able to sign on treaties with specialised UN agencies like UNFCCC. The European Union, Palestine and the Vatican (as an observer) are also recognised in the same way.

it was first opened for signature at the Rio Earth Summit in 1992, as evident in Table 1. Meanwhile, Niue and Tonga joined the cause in the late 1990's, with Palau as the most recent member in 2000 after it gained full independence. Pacific island countries like Vanuatu, Samoa and Tuvalu were instrumental in the leadership of drafting of both the UNFCCC and the Kyoto Protocol in 1997, which established the agenda and procedures of the regime. The notable accomplishments by these states were ushered in through the influence of and strategic alliances with other small island states in the formation of the negotiation coalition, the AOSIS. An in-depth history of Pacific island states participation in the regime is further explored in Chapter Three.

Table 3. Pacific island states: UNFCCC, population and physical geography

	UNFCCC Signatory	UNFCCC Ratified	Population Size (2014)	Number of Islands	Total area of islands (km^2)	Average Islands maximum elevation (m)
Cook Islands	1992	1993	15,000	15	297	73
Fiji	1992	1993	847,600	211	799	134
Kiribati	1992	1995	111,200	33	995	6
Marshall Islands	1992	1992	53,800	34	286	3
Federated State of Micronesia	1992	1993	102,800	127	799	45
Nauru	1992	1993	10,600	1	23	71
Niue		1996	1,600	1	298	60
Palau		1999	17,700	33	495	58
Papua New Guinea	1992	1993	7,587,200	437	67,754	135
Samoa	1992	1994	190,700	7	3046	504
Solomon Islands	1992	1994	611,500	415	29,675	88
Tonga	1998	1998	104,200	124	847	56
Tuvalu	1992	1993	11,000	10	44	4
Vanuatu	1992	1993	271,100	81	13,526	330

Sources: UNFCCC, "Status of Ratification of the Convention," UNFCCC, https://unfccc.int/process/the-convention/what-is-the-convention/status-of-ratification-of-the-convention; Patrick D Nunn et al., "Classifying Pacific islands," *Geoscience Letters* 3, no. 1 (2016).

Although geographically bound within the Pacific Ocean these states vary physically in land area and population size, not to mention their cultural diversity. Among the island states are larger continental or volcanic island states in the west that account for more than 90% of land area and population size of the Pacific: Papua New Guinea, Solomon Islands, Vanuatu and Fiji. The Pacific is also home to some of the smallest states in the world with populations less than 10,000 and total land areas no more than a couple hundred square kilometres. States such as Tuvalu, Marshall Islands and Kiribati are conglomerations of societies living on low atoll islands with elevation less than five metres. The impact of climate change on individual islands also vary.

> The effects of climate change on islands and the communities that live on them are likely to be highly differentiated: not all places will experience the same changes; where changes are similar the magnitude and timing of them will likely differ; the sensitivity of ecological and social processes to changes differs from place to place; the capacity of social systems to adapt to these changes is not homogenous; and the significance of changes to the social systems will also differ[44].

Despite the diversity in physical, cultural and the magnitude of climate change impacts on individual states, there is shared understanding that not one state is better off, or immune from sea-level rise, and frequent and extreme weather patterns[45]. All Pacific states are similar in the challenges they face, in terms of their small economies, geographical isolation and social development. Climate change impacts intensify these challenges and increase their vulnerability. This shared vulnerability of Pacific island states has meant that they have used moral and normative arguments in their constructed identity in the negotiations as frontline states[46]. As Chapter Three will explain, this identity as the frontline states or moral conscience of the climate change negotiations, has been used for strategic positioning to amplify their concerns in climate negotiations.

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[44] John Campbell and Jon Barnett, *Climate change and small island states: power, knowledge and the South Pacific* (Routledge, 2010), 22.

[45] The Pacific region has endured an increasing number and intensity, in natural disaster ranging from droughts, tropical cyclones, storm surges, heavy rainfall etc.

[46] M. Williams and D. McDuie-Ra, *Combatting Climate Change in the Pacific: The Role of Regional Organizations* (Springer International Publishing, 2017).

While they are most effective in the early phases of negotiations, this research will explore how valid this strategy is in the consensus point of concluding an agreement.

Methodology

The design of this qualitative research traces actors and their activities in various multilateral settings through an inductive approach of describing the different processes of negotiations and the perspectives of Pacific island parties. The methodology draws on talanoa a Pacific research method and global talanoa, a term that this research has coined to describe the use of process tracing[47] and global political ethnography[48] for this research.

Talanoa Method

The unique method used in this qualitative research is the application of talanoa method[49]. Talanoa is an existing cultural practice found in mainly Polynesian cultures[50] to depict formal and informal conversations, storytelling and experiences which has become a popular and prominent methodology to study Pacific communities[51] by

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[47] James Mahoney, Erin Kimball, and Kendra L Koivu, "The logic of historical explanation in the social sciences," *Comparative Political Studies* 42, no. 1 (2009)., Rosemary C. Reilly and David Walner, "Process tracing and causal mechnism," in *Case Studies and Theory Development in the Social Sciences* ed. Alexander L and Andrew Bennett George (Cambridge, Mass: MIT Press, 2005)., Rosemary C. Reilly, "Encyclopedia of Case Study Research," ed. Gabrielle Durepos & Elden Wiebe Albert J. Mills, *Encyclopedia of Case Study Research* (Thousand Oaks, California: SAGE Publications, Inc., 2010), under "Process Tracing."

[48] Finn Stepputat and Jessica Larsen, *Global political ethnography: A methodological approach to studying global policy regimes* (DIIS Working Paper, 2015).

[49] Some of the work around talanoa as a method of inquiry and methodology in social research include Mo'ale Otunuku, "How can talanoa be used effectively an an indigenous research methodology with Tongan people?," *Pacific-Asian Education* 23, no. 2 (2011)., Tamasailau Suaalii-Sauni and Saunimaa Ma Fulu-Aiolupotea, "Decolonising P acific research, building P acific research communities and developing P acific research tools: The case of the talanoa and the faafaletui in S amoa," *Asia Pacific Viewpoint* 55, no. 3 (2014)., Peggy Fairbairn-Dunlop and Eve Coxon, *Talanoa, Building a Pasifika Research Culture* (Dunmore Publishing, 2014)., Nāsili Vaka'Uta, "Talanoa: Building a Pasifika Research Culture ed. by Peggy Fairbairn-Dunlop," *the contemporary pacific* 29, no. 1 (2017).

[50] The concept and practice of talanoa are found across many Polynesia cultures in Samoa, Tonga, Cook Islands Fiji, Niue, Hawaii and Solomon Islands. See more Semisi M Prescott, "Using talanoa in Pacific business research in New Zealand: Experiences with Tongan entrepreneurs," *AlterNative: An International Journal of Indigenous Peoples* 4, no. 1 (2008).

[51] Trisia Farrelly and Uanasi Nabobo-Baba, "Talanoa as empathic research" (paper presented at the International Development Conference (3-5 December). Auckland, New Zealand, 2012), 2.

Sitieveni Halapula[52] and Timoti Vaioleti[53]. This research is more concerned with talanoa as a method of data collection and how it is used in academic studies to encompass the use of cultural-specific protocols, to conduct research with Pacific communities on particular issues.

In practice talanoa is an umbrella term to denote various forms of both individual and group interviews, which are either informal conversations (chatting or offload) or formal intensive interviews[54]. In defining the term, *tala* holistically intermingles researchers' and participants' emotions, experiences and knowing; while *noa* is the space and conditions[55]. These methods are explained in established humanities disciplines as face to face informal open-ended narrative interviews or an open dialogue[56]. However, what distinguishes talanoa from ethnographic methods of intensive interviews is the empathetic reciprocal relationship between the participant and the researcher. It is a relationship where the researcher recognises the complexity of cultural and political lived realities of participants: from notions of relatedness, expectation, assumptions, values, protocols and how they communicate with each other[57]. By opening the space for flexible opened-ended discussions, talanoa is effective once trust is built and participants not only reflect on questions prompted but share their personal stories and emotions[58]. Talanoa encourages reciprocity for the participant to create and formalise a relationship by asking the researcher questions on the project and its contribution to the knowledge imparted.

While participant observation allows the researcher to objectively detail the process of negotiations, talanoa is subjective. The method of participative observation is a mixture

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[52] Sitieveni Halapula, a Tongan researcher used the talanoa method in post-conflict and peace studies to facilitate dialogue among multi-cultural societies and organisations in post-2000 Fiji. Sitiveni Halapua, "Talanoa process: The case of Fiji," *East West Centre, Hawaii* (2000)., and

[53] Timote Vaioleti a Tongan researcher identified eight various methods of talanoa (talanoa vave, faikava, usu, tevolo, faka'eke'eke, po talanoa, talanoai, talanga) when engaging with Pacific, or distinctively Tongan communities. Timote Vaioleti, "Talanoa: Differentiating the talanoa research methodology from phenomenology, narrative, Kaupapa Maori and feminist methodologies," *Te Reo* 56 (2013).

[54] Timote M Vaioleti, "Talanoa research methodology: A developing position on Pacific research," *Waikato Journal of Education* 12, no. 1 (2006).

[55] Ibid., 24.

[56] Ibid., 21., Trisia Farrelly and Unaisi Nabobo-Baba, "Talanoa as empathic apprenticeship," *Asia Pacific Viewpoint* 55, no. 3 (2014): 3.

[57] Vaioleti, 21.

[58] Ibid.

of passive (researcher is only in the bystander role) and moderate participation (researcher maintains a balance between "insider" and "outsider" roles)[59]. Subjectivity is fundamental when using global talanoa as it establishes professional and cultural connection using multiple insider and outsider identities. Fieldwork involved ten months of access into various sites of negotiations, the researcher was able to gain the trust of Pacific leaders and negotiators who would share information with someone who was attempting to tell their story. This involved introducing the research first and foremost using an outsider identity of documentary researcher when they were informed of the ethics and main questions of the research. At the same time the researcher introduced the project by stating his insider identity as an advisor attending as many meetings as possible early in the year. Furthermore, it was important that negotiators were informed that the researcher was a Samoan national of Tuvaluan, i-Kiribati, British and Chinese ancestry, attempting to also find out if there were idiosyncratic features of cultural affinity in the negotiation styles of Pacific negotiators. These insider-cultural and outsider-professional identities of the researcher, and consistent participation in the multiple multilateral meetings gradually built trust and rapport with Pacific leaders and negotiators to share their stories and perspectives through talanoa interviews.

When participants were made aware of the ethics and questions of the research they were informed that did not have to talanoa with the researcher immediately. They were given the opportunity to choose the place and time throughout the year in the various meetings, and in as many occasions they would like to share. These led to talanoa akin to semi-structured interviews in the intervals during the negotiations, in hotel and airport lobbies, offices, restaurants and not to mention reflective discussions in the midnight hours during heated negotiations. In total 35 participants would offer their insights through 65 sessions of recorded talanoa throughout the year, as affixed in Appendix I. Participants were given the choice to be attributed, or if they prefer to be anonymous to be given a pseudonym in the study. These sessions did not include the rich information obtained through corridor talks that relayed both the relief, frustration, suspicions and predictions of actors during negotiations. In essence participants would

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[59] Kathleen Musante Dewalt, "Participant Observation," in *Handbook of Methods in Cultural Anthropology*, ed. H.R. Bernard and C.C. Gravlee (Rowman & Littlefield Publishers, 2014).

also lead or direct the researcher, using snowball tactics to identify other key negotiators in the meetings- and in many cases hand-hold the researcher to follow them to key side meetings that would prove useful in documenting both the complexity of the negotiation process and political dynamics in the multilateral forum.

Global Talanoa: process tracing through global political ethnography

Global talanoa is the term used to describe the use of process tracing and ethnography for this research design. Process tracing is a collective term[60] for numerous approaches that look at identifying, validating, and testing causal mechanisms within case studies in a specific, theoretically informed way. In Chapter Two, from the disciplines of psychology, international relations and diplomatic studies, various hypotheses on the extent of how consensus is built and reached in multilateral negotiations will be interrogated through ethnographic narratives. Global political ethnography allows students of policy studies to understand linkages and impacts of policy in its multiple levels from the global to the local. The methodology allows for collection and testing of data from multiple sites[61] of diplomatic conferences[62]. Together, they are useful in supplementing the data gathered from the talanoa method.

Document and Sources

This research collected documentary evidence from various sources. The official negotiation documents from UNFCCC, PIF and PIDF secretariats on the draft texts, negotiation procedures, official speeches or submissions by states and coalitions distributed before or during the conferences were pivotal in understanding the context and process of negotiations as they unfolded. Some of these documents were uploaded

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[60] The four distinctions of process tracing are linking conditions to outcomes of decision making; independent and dependent variables of causal mechanism; instantiating a mechanism schema by testing various phases, and verification of a single inference in a process. Reilly and Walner, 67.

[61] Multi-sited ethnography made famous George Marcus study of phenomena dispersed across borders and articulated in flexible networks. It broke with static mono-locational conceptualisations. See more E George Marcus, "Multi-sited Ethnography," *Multi-Sited Ethnography: Problems and Possibilities in the Translocation of Research Methods* (2011).

[62] Studies of conference ethnography are prevalent in the work of Lisa M Campbell et al., "Studying global environmental meetings to understand Global Environmental Governance: Collaborative Event Ethnography at the tenth conference of the parties to the Convention on Biological Diversity," *Global Environmental Politics* 14, no. 3 (2014). Catherine Corson, Lisa M Campbell, and Kenneth I MacDonald, "Capturing the personal in politics: Ethnographies of global environmental governance," ibid.

onto their official websites. The daily records of UNFCCC proceedings from Earth Negotiation Bulletin and ECO Newsletter were useful accounts in reflecting on how events unfolded, and a macro outlook of negotiations. These were compared with accounts from news media and academic blogs that captured day-by-day shifts at the negotiating conferences. However, the most vital documents were emails of issue position papers and strategies shared by Pacific delegates and coalitions during the negotiations. Access to these documents could come to me only because I participated in these negotiations both as a researcher and negotiator.

Participant Observation

Global talanoa explores multiple sites at different levels using participant observation. As indicated in the design of this research, the data is sourced from multiple multilateral forums of the UNFCCC COP21 and ADP2-9, as well as regional meetings of PIDF and PIF. This multi-sited and multi-level study took place in 2015, where the researcher undertook fieldwork in seven multilateral conferences over a period of ten months[63]. The researcher was able to gain special access from the governments of the Independent State of Samoa (PIF, ADP2-9, COP21), and Tuvalu (PIF Smaller Island States meeting) to attend these meetings as a pro-bono advisor[64]. In the process of attaining these special accesses, the researcher and the relevant ministries of foreign affairs agreed that under no circumstance would the researcher speak on behalf of these countries in the negotiations, but merely follow leaders and officials to document the process of the meetings. The access into these meetings as state official or 'pink badge' holder was beyond the access that media or NGOs had, which kept them outside of the closed negotiation chambers. The delegations also respected the circumstances of the researcher not to engage in any policy or strategy advice. The insights into the discussions of plenaries, coalitions, state delegation meetings, bilateral, informal side meetings, drafting meetings, high-level ministerial meeting, including access into

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[63] These included the Secretariat of the Pacific Regional Environmental Program's Pacific Climate Change Roundtable/High-Level Support Mechanism I in Apia (May), UNFCCC ADP2-9 in Bonn (June), Pacific Islands Development Forum Summit in Suva (August), Pacific Islands Forum Leaders' Meeting in Port Moresby (September), Secretariat of the Pacific Regional Environmental Program's High-Level Support Mechanism II in Apia (November), Pacific Small Islands Developing States negotiation bloc meetings in New York (November) and the Paris Climate Change Conference/COP21 in Paris (December)

[64] This practice of involving academics in delegations were not peculiar to Samoa and Tuvalu- in fact was a common practice with other Pacific and developing country delegations.

COP21 leaders holding room provided insights into the world of negotiators and negotiations process that are rarely analysed in academia. The access into these rooms informed the thick ethnographic narratives of description of place, actors, activities, relationships and political dynamics before and during the negotiations.

Conclusion and Outline

In multilateral climate change consensus negotiations, how do Pacific island states build and reach consensus? This chapter has put forth the broad contours of the research question, and the deficiencies in the multiple literatures that international relations and diplomatic studies seek to explain how Pacific island states, as small states, behave in consensus building and reaching consensus in climate change negotiations. Furthermore, this chapter has introduced the methodological basis of this qualitative global talanoa approach that structures this thesis.

The next chapter introduces the hypotheses of multilateral consensus decision making drawn from various literature and theories of psychology, international relations and diplomatic studies. These existing studies have explored consensus in various levels of human collective decision making: society, national, regional and international levels.

Chapter Three provides a historical context not only to the UNFCCC climate change negotiation process, but especially the history of Pacific island states in the regime. The structural and political history of the UNFCCC is essential to contextualise the complexity of the 196 party negotiations and the challenges it imposes on small island states. Meanwhile the complicated political history of the UNFCCC explains why the 2015 negotiations were pivotal not only for the purpose of a global consensus, but also for the very survival of the climate change regime. And at the very heart of the story of the regime, was the participation of Pacific islands and their leadership in AOSIS. The chapter will also introduce the complexity of the Pacific regional climate change regime, through the vested interests and contributions of regional multilateral organisations. The historical chapter will conclude by setting the contours of the politics and dynamics in 2015, and the timeline of multilateral meetings as they unfolded. Four of these meetings that occurred in 2015 would serve as the basis of the empirical chapters.

Chapter Four will explore climate change negotiations at the international level, with a focus on the ADP2-9 in Bonn Germany. These international negotiations were part of the UNFCCC mandate to draw up a draft text. It will explore the internal structure of the ADP process, by emphasising the role of coalition or negotiation-bloc politics in building multilateral consensus. It traces the dynamics of Pacific island states behaviour and their relationship with the various coalitions they are associated with.

Chapter Five will examine two multilateral meetings at the regional level, the Pacific Islands Development Forum and the Pacific Islands Forum. These multilateral meetings were held within 10 days of each other, amidst an environment and expectation for a Pacific collective voice on climate change. The chapter explores the structures of both organisations that were essential in building regional consensus on two political declarations: the PIDF Suva Declaration on Climate Change, and the PIF Port Moresby Declaration on Climate Action. The chapter also explores the concepts of Pacific Way and Talanoa[65] as specifically Pacific approaches and tools of diplomatic consensus decision making and how they are practiced or used in real time negotiations.

The decisive forum to conclude all global level negotiations was the Paris Climate Change Conference, will be explored in Chapter Six. The chapter goes inside the negotiations by detailing three key events in the negotiations that involved Pacific island states. The research explores the contributions of the Pacific Small Islands Developing States (Pacific SIDS) group during the negotiations, and the vital roles of Tuvalu and Marshall Islands in the final days of negotiations.

The concluding chapter will argue the key thesis arguments. It draws out the insights and substantiates conditions in understating, and future work in building a theory on multilateral consensus decision making. It identifies nine conditions of interactional behaviour on how states build and reach consensus in a multilateral negotiation setting. From these nine conditions of state behaviour, the research finds three overall guiding

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[65] Not to be confused with Talanoa as a research method.

principles in multilateral consensus decision making: the process is party driven, the process of negotiations occurs in incremental stages of consent, and more importantly is the active presence of a core group of negotiators from beginning to end. The final condition of a core group aptly describes the roles and significance of Pacific island climate change technical negotiators who are present in all four multilateral negotiations forum examined in this research. The chapter concludes with limitations of this research and questions for future research that this thesis has prompted.

Chapter Two: Multilateral Consensus Decision Making

Introduction:

This theoretical chapter has three key aims: to provide a conceptual understanding of consensus decision making, identify propositions of multilateral consensus negotiations, and establish an analytical framework to study multilateral consensus negotiations. Beyond the study of international relations, an eclectic literature from the disciplines of psychology (including sociology and anthropology) and diplomatic studies have all contributed to understanding this endeavour of human collective action. This multi-disciplinary approach is needed to help identify the lacunae in the consensus decision making literature in international relations. This is also an acknowledgement and reflection of the fact that consensus decision making is not a phenomenon peculiar to just multilateral forums. Decision making occurs in all levels of society from negotiations at the UNFCCC, a business board room, ministerial meetings, church groups, village *fono*[66], to even the family unit. Furthermore, a multi-discipline approach is informed by the eclectic methodology of global political ethnography and process tracing used here, which draws upon participant observations, talanoa interviews, and textual analysis on how states navigate multilateral negotiations.

This chapter is divided into five sections. The first section will provide a broad definition of the key terms under consideration. The discipline of psychology and its literature on meeting science will be explored in the second section; this body of work studies the behaviour of individuals at the local level, as in community and business meetings. The findings from understanding meetings at this level helps us to understand consensus decision making at the multilateral international level. Two sub-fields of international relations namely decision making theories and study of multilateralism substantiate the importance of actors. Consensus as a procedural rule illuminates how consensus has become a multilateral norm and will be discussed in the third section. The scholarship on multilateral negotiations in diplomatic studies that emphasises the

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[66] 'Fono' in Samoa means meeting place. In this context village fono denotes council of chiefs and elders-that decide on the matters social and economic well-being of villagers, where decisions are made by consensus.

importance of actors, activities and stages will be explored in the fourth section of this chapter. All these disciplines and their contribution to understanding consensus decision making culminate in the analytical framework discussed in the concluding section.

Consensus Decision Making: Outcome and Process

This thesis asks the question: in multilateral climate change negotiations, how do small Pacific island states build and reach a consensus? The general question then becomes: in multilateral negotiations, how do states build and reach consensus? It puts parameters around the enquiry of multilateral negotiations, and specifically negotiations by consensus. At the same time, the question rests on three assumptions:

1) Assumption that states are active in building consensus (process).
2) Assumption that states are active in reaching consensus (process).
3) Assumption that multilateral negotiations achieve or lead to a consensus (outcome).

This line of enquiry supposes that consensus is an outcome, that is achieved from a consensus process. There is no consensus on what the term consensus means; however, there is an understanding of where it takes place, in decision making situations. "When it is combined with words like *procedure, process* or *technique*, consensus denotes a specific form of decision making…but used alone consensus usually denotes the product of the process- outcome"[67]. Therefore, this research is concerned with consensus decision making as a product of process, and the ability of group actors (Pacific island states) to effectively participate in regional, international and global climate change negotiations.

Across the humanities and science disciplines, consensus is a concept used to explain the rationality of group decision making. Wherever and whenever individuals gather to make decisions, the sum decision is perceived to be the consensus: whether it is an agreement to conclude, continue or defer. Whether it be a group of friends deciding on what movie to watch, or a village meeting to decide a moratorium on fishing grounds, or states negotiating a treaty on conservation of forests – consensus decision making is a

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[67] Mary E Footer, "Role of Concensus in GATT/WTO Decision-making," *Northwestern Journal of International Law and Business* 17 (1996): 655.

practice of everyday life. Studies by anthropologists and historians have identified forms of consensus decision making that were present in societies throughout history and across the globe. From early hunter-gatherer societies[68], to village communities in Japan[69] Sierra Leone,[70] India[71], Vietnam[72] and Papua New Guinea[73]. The various disciplines differ in their approaches, not to mention the subjects at the focus of their analysis. For psychology the behaviour and mind of individuals in a group are key in their analysis; sociology and anthropology explore societal groups and their relationships, interactions and cultures of individuals in a decision making setting; while international relations and diplomatic studies focus on the behaviour of states in a multilateral setting. In other words, consensus decision making is present and studied at three levels: the individual, societal groups, and states. Despite these differences of unit analysis there is general understanding even as presented in the simplest of definitions: consensus is achieved (an agreed outcome), and what it represents (a group solidarity or belief in an idea or opinion)[74].

By exploring the process in which individuals, societal groups or states come together to make decisions, there is an added richness in understanding the complexity and management of this endeavour. Through tracing the complexity of actors and issues, and the management of activities in consensus decision making, this can help explain factors in building and reaching consensus. When unpacking the process or the negotiations that lead to universality, there are many differences in what consensus could be. In essence, this thesis attempts to understand consensus decision making in a multilateral setting: the outcome of regional, international and global climate

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[68] George Silberbauer, "Political process in G/wi bands," in *Politics and History in Band Societies*, ed. Eleanor Burke Leacock and Richard B. Lee (Cambridge [Cambridgeshire]: Cambridge University Press, 1982).

[69] Thomas C. Smith, *The agrarian origins of modern Japan* (Stanford: Standord University Press, 1959).

[70] Mariane Ferme, "The violence of numbers: Consensus, competition, and the negotiation of disputes in Sierra Leone," *Cahiers d'Etudes Africaines* 38, no. 2-4 (1998).

[71] Louis Dumont, *Homo hierarchicus: the caste system and its implications*, Complete rev. English ed. (Chicago: The University Of Chicago Press, 1980).

[72] Samuel L. Popkin, *The rational peasant: the political economy of rural society in Vietnam* (Berkeley: University Of California Press, 1979).

[73] Leo Marai, "The Psychology of Consensus in Melanesia," *Journal of Pacific Rim Psychology* 1, no. 2 (2007).

[74] Merriam-Webster, " Consensus," www.merriam-webster.com/dictionary/consensus.

negotiations that Pacific island states participated in 2015, and more importantly the processes of negotiations in these forums. With this in mind, the chosen literature from psychology, international relations and diplomatic studies helps us to understand state behaviour. These building blocks will form the analytical framework in order to unpack the various multilateral forums as explored in Chapters Four, Five and Six.

Defining Consensus Decision Making

Despite the differences across disciplines, there is an understanding of what consensus decision making is not. Consensus is and should not be seen as unanimity, where unanimity is a situation where all parties agree; it is one of many outcomes of group decision making. This is a common misunderstanding, as elaborated further in this chapter, where it is postulated that unanimity is an action that takes place in finalising a consensus process where a stalemate may occur. This usually is the form of a voting model that may be applied to affirm a group's agreement. Whether it be a small community group or international organisations, consensus is viewed as a substitute, or a decision made without having to use a vote.

The process of consensus decision making involves "reducing the uncertainty about the participants' future actions by jointly accepting a position that obligates them to act accordingly and thereby coordinates collective action"[75]. It is a political concept that yields to the practice of persuasion by parties to influence, compromise and agree on solutions.[76] At the same time, it is important to acknowledge that not all participants have an equal footing in terms of power. This power imbalance is more pronounced in multilateral negotiations where states are answerable to domestic constituencies with a wide spectrum of interests. Thus, the process of consensus decision making is not a discussion of straightforward *yes* or *no* questions; but rather a forum or situation of negotiating multiple options proposed by interested parties. Not all participants would

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[75] Christoph Haug, "What is consensus and how is it achieved in meetings? Four practices of consensus decision-making," in *The Cambridge handbook of meeting science.*, ed. Joseph A. Allen, Nale Lehmann-Willenbrock, and Steven G. Rogelberg (New york: Cambridge University Press, 2015), 562.

[76] Louis B. Sohn, "United Nations Decision-Making: Confrontation or Consensus," *Harvard International Law Journal* 15, no. 3 (1997): 441.

agree on one option or combinations; consensus decision making is a forum of disagreements.

Reaching an agreement can prove to be a time-consuming affair, and so the complex process has to be both dynamic and creative. Consensus decision making is used to avoid a process that either leads to a formal voting system, or where one or small number of parties make decisions on behalf of the rest of the group. This leads to what some may call consensus as an agreement not to disagree[77] or the lowest common denominator of residual possibilities[78]. Here we identify three key elements of this study: Consensus Decision Making, Building Consensus and Reaching Consensus.

This thesis finds a more useful definition of **consensus decision making**: as the *outcome agreement that is achieved from a non-voting decision making process that involves negotiating disagreements of interests, values and ideas among three or more parties collaboratively*. This definition underscores both the outcome and process of decision negotiations that involves two key critical phases: the phase of building consensus, and the phase of reaching consensus. This dual process is the main theoretical hypothesis for this research: multilateral consensus decision making is the sum of two processes of building and reaching consensus.

Before exploring the literature of consensus decision making in international relations and diplomatic studies, we should note that psychology uses approaches from organisational sociology and anthropology to explain how humans behave in small consensus decision making units.

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[77] Courtney B Smith, "The politics of global consensus building: a comparative analysis," *Global Governance* 5, no. 2 (1999).

[78] Pamela S Chasek, *Earth negotiations: Analyzing thirty years of environmental diplomacy* (United Nations University Press, 2001), 32.

Psychology: Interactional Consensus

From the discipline of psychology, infused with applications and approaches from anthropology and sociology comes the burgeoning literature on meeting science[79]. Meetings are an inevitable part of everyday life, just as multilateral meetings of three or more states are the reality of diplomatic life. Meeting science analyses organizational effectiveness of meetings by providing a window into the employees' experiences with the organization[80]. According to proponents of the subfield, its literature point to two forms of consensus: mental and interactional. Mental consensus[81] refers to individuals' cognitive agreement based on orientations through mental constructs, shared understanding, perceptions and attitudes[82]. These studies revolve around an individual's or small group preferences on conceptualisation of an idea, issue or problem. This is explored through surveys where a researcher determines the aggregate degree of agreement that exists among participants at one particular time of a process.

On the other hand, interactional psychology explores what individuals or groups do to achieve consensus. It draws on research from sociology and anthropology that take an interest on the interactive construction of consensus in meetings from a wide range of groups: co-housing groups[83], the Religious Society of Friends (the Quakers)[84], political activists[85] an Aboriginal community in Australia [86], to multilateralism (the Council of

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[79] See Joseph A Allen, Nale Lehmann-Willenbrock, and Steven G Rogelberg, *The Cambridge handbook of meeting science* (Cambridge University Press, 2015). And Lawrence E Susskind, Sarah McKearnen, and Jennifer Thomas-Lamar, *The consensus building handbook: A comprehensive guide to reaching agreement* (Sage Publications, 1999).

[80] Allen, Lehmann-Willenbrock, and Rogelberg.

[81] See Simone Chambers, "Deliberative democratic theory," *Annual review of political science* 6, no. 1 (2003).

[82] Haug, 558-61.

[83] Mary Ann Renz, "The meaning of consensus and blocking for cohousing groups," *Small Group Research* 37, no. 4 (2006).

[84] Darcy K Leach, "'Why Just Go for 51%?'Organizational Structure in the Religious Society of Friends," (1998).

[85] See David Graeber, *Direct action: An ethnography* (AK press, 2009). and, Marianne Maeckelbergh, *The will of the many: How the alterglobalisation movement is changing the face of democracy* (Pluto Pr, 2009).

[86] Fred R Myers, "Reflections on a meeting: Structure, language, and the polity in a small-scale society," *American Ethnologist* 13, no. 3 (1986).

the European Union[87] and a study of plenary meetings of the World Trade Organisation[88]). Consensus decision making is observed through the behaviour of participants; where participants determine the object and conclusion of decision making[89]. Psychologists argue that it is vital for participants to know the object or aim of discussions in order to assess whether to oppose a proposal or not. This is important as Christophe Haug argues "[i]n order to be able to act according to the decision in an uncertain future, (participants) need to understand the spirit of the decision so that they can interpret the decision in coherent ways when the context changes unexpectedly"[90]. In this study, consensus is viewed as an interactional enterprise of state representatives in negotiations, and their activities to build and reach consensus. Needless to say, the data collected from individual talanoa interviews complements the observation of actual events and document analysis in 2015 that led to Pacific states reaching consensus. These personal views and interactions from Pacific negotiators provide a snapshot of personal aspirations and behaviour especially of key individuals.

The distinction between mental consensus and interactional consensus is summarised in Table 4. Adapted from the work of Christoph Haug, his observations on interactional consensus provides the basic propositions and hypotheses of consensus decision making to be analysed in this thesis. The interactions of states can be observed through characteristics of collective decisions, which are conscious acts of what participants or states decide. A consensus outcome is not when states agree on an agreement, but rather, when states agree not to disagree or object to when decisions are made. The present study looks at how states and their representatives participate in multilateral forums and consciously try to achieve consensus. Furthermore, it goes beyond the study of consensus decision making in one forum and follows a series of regional and international meetings that build towards a global agreement.

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[87] Stéphanie Novak, "The silence of ministers: Consensus and blame avoidance in the Council of the European Union," *JCMS: Journal of Common Market Studies* 51, no. 6 (2013).

[88] Richard H Steinberg, "In the shadow of law or power? Consensus-based bargaining and outcomes in the GATT/WTO," *International Organization* 56, no. 2 (2002).

[89] Haug, 576.

[90] Ibid., 577.

Table 4. Mental Consensus and Interactional Consensus

Defining Consensus	Mental Consensus	Interactional Consensus
What constitutes consensus?	Mental states (people's interactions)	Interactions (what people/states do)
How is it observed?	Inferred from individual behaviour (usually self-reports, surveys)	Directly observable collective behaviour
Who determines consensus exists and what its object is?	Exogenous: an external behaviour	Endogenous: only the participants themselves
Mechanism of scaling from individual to collective	Aggregation of individual data	Communication and negotiation among individuals/states
Type of observation	Snapshot of an ongoing process	Closure of deliberations
Temporality	Continuous	Discrete/incremental
Type of unity	Congruence	Absence of opposition
What consensus represent?	Social cohesion/integration	A collective decision
Result/consequence of consensus	Homogeneity of orientation	Obligation to collective action
Awareness of subjects?	Can be aware of pluralistic ignorance) falsely believe in consensus	Consensus is established by a conscious act

Source: Christoph Haug, "What is consensus and how is it achieved in meetings? Four practices of consensus decision making," in *The Cambridge handbook of meeting science.*, ed. Joseph A. Allen, Nale Lehmann-Willenbrock, and Steven G. Rogelberg (New york: Cambridge University Press, 2015)

Unanimity 'Vote' and Consensus 'Agreement not to Disagree'

The literature on meeting science also proposes explanations on what is not consensus decision making. Consensus and unanimity differ. An outcome by unanimous agreement is a result of decision making where a vote took place to affirm a decision[91]. While a decision may be viewed as unanimous consent/consensus, it does not necessarily mean that every participant agreed. In reality, a majority of participants may have approved a decision, and a minority voted otherwise. To achieve unanimity, it follows a logic of approval, where participants must actively agree on every step in the

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[91] Tim Barnett, "Consensus and Unanimity,"
http://www.groupfacilitation.net/Articles%20for%20Facilitators/Consensus%20&%20Unanimity.html.

decision making process. Consensus on the other hand is a situation when no disagreement is articulated. While unanimity means agreement in totality, consensus allows participants to let a position or decision of a group stand, while individually taking a different or no position at all at the later stages of negotiations[92]. Decisions by consensus tend to be ambiguous and susceptible to be re-opened for more deliberations, thus leading a process to continue. If participants are silent on a position on the table, it is assumed that they have no disagreement with the final option on the table.

This agreement not to disagree, or rule of non-opposition is a core principle. Consensus and voting models of collective decisions making are distinct. In a setting where voting is the norm, each participant will express their preferred decision option which is compared to others, and if all participants express the same preference then this chosen option is the unanimous decision. On the other hand, consensus decision making means the distribution of individual preferences remains unknown and changes overtime; however, it is not the expression of an agreement with an option but about the absence of expressions of disagreement[93]. Consensus is achieved when "participants observe the absence of expressed disagreement to the proposal (from other participants) which is thereby accepted as the collective position of the group" [94]. These distinctions between unanimity and consensus are highlighted in Table 5.

Table 5. Distinction between Unanimity and Consesnus

Unanimity	Consensus
Achieved through voting	Achieved without voting
Follows a logic of approval	Follows a logic of consent
Everyone expresses their preferences with regard to available options	Not everyone (possibly only a minority of the participants) expresses their preferences
The distribution of preferences among the options is observed by counting the votes	The distribution of preferences hence remains unknown; there is no counting involved.

[92] Margaret Gilbert, "Modelling collective belief," *Synthese* 73, no. 1 (1987): 579.

[93] Haug, 565.

[94] Ibid.

A quantitative decision rule is applied to determine which of the options becomes the decision. Commons decision rules are: simple majority, super majority (e.g. two-thirds, 90 percent, or 100 percent is equal to unanimity)	The decision is made once a proposal is no longer contested. i.e. when the absence of opposition is apparent
Aggregation individuals acts of acceptance	Letting the decisions stand as the decision of the group (joint acceptance)
Discontinuity between deliberation and decision	Continuity between deliberation and decision

Source: Christoph Haug, "What is consensus and how is it achieved in meetings? Four practices of consensus decision making," in *The Cambridge handbook of meeting science.*, ed. Joseph A. Allen, Nale Lehmann-Willenbrock, and Steven G. Rogelberg (New york: Cambridge University Press, 2015)

Decisions by consensus do not require every participant to express preference or agreement. The distributions of these preferences are unknown, and an outcome is reached when there is no more visible opposition. When participants observe the absence of expresses disagreement to the proposal, it is thereby accepted as the collective position of the group[95]. The propositions around interactional consensus and what distinguishes the practice from unanimity provide a useful starting point to build a framework. The scholars in this sub-field focus their analysis on multiple small meetings from activist groups, unions, business management meeting to small simulated student groups, in order to ascertain key traits found in these static face-to-face meetings[96]. The clues in this unitary level of consensus help narrow the definition and approach, when analysing interactional consensus of states in multilateral negotiations. This leads to the questions explored in the next section, why is consensus important at the multilateral level? How is it practiced, and more importantly analysed in international relations?

International Relations: Actors and Institutions

Consensus decision making is part of diplomatic life. A survey of the literature as summarised in the table below finds the concept is explored in two approaches of

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[95] Ibid., 570.

[96] See Gayle W Hill, "Group versus individual performance: Are N+ 1 heads better than one?," *Psychological bulletin* 91, no. 3 (1982)., Richard P Bagozzi and Utpal M Dholakia, "Antecedents and purchase consequences of customer participation in small group brand communities," *International Journal of research in Marketing* 23, no. 1 (2006). and David G Myers and Helmut Lamm, "The group polarization phenomenon," *Psychological bulletin* 83, no. 4 (1976).

inquiry of international relations: one focussing on decision making (actors), and another focussing on structure and institutions (process). The latter finds favour in the theories and approaches of liberalism, constructivism, functionalism, and global governance, that are interested in the study of international organisations or multilateralism. The actor-specific body of work looks at how consensus is studied within decision making theories, in particular decision making in foreign policy making.

Actor-Specific: Decision/Foreign Policy Making

The actor-based camp emphasises the scholarship on decision making and foreign policy making theories. A sub-field emanating from the work Richard Snyder, H. Bruck and Burton Sapin in 1954[97], who argue for the discipline to expand its level of analysis to include the people behind foreign policy decisions; a "perspective that suggested people matter in international affairs"[98]. The actor-based analysis argues that all that occurs between states and across states is grounded in human decision makers acting individually or in groups. Snyder et al continue to maintain that the nation-state is the most fundamental level of analysis in international relations but have discarded the state as a metaphysical abstraction. "By emphasizing decision-making as a central focus (the authors argue they) have provided a way of organizing the determinants of action around those officials who act for the political society"[99]. Decision making theories unpack the unit of the state, and by exploring "behaviour of policymakers as individuals, in groups, and in contexts of organisations"[100]. These individual actor-level

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[97] Richard C Snyder, Henry W Bruck, and Burton Sapin, "Decision-making as an Approach to the Study of International Politics," in *Foreign Policy Decision-Making (Revisited)* (Springer, 2002).

[98] Joe D. Hagan, "Does Decision Making Matter?," *International Studies Review* 3, no. 2 (2001): 5.

[99] Snyder, Bruck, and Sapin, 53.

[100] Paul't Hart, Eric Stern, and Bengt Sundelius, *Beyond groupthink: Political group dynamics and foreign policy-making* (University of Michigan Press, 1997), 6.

analysis in the scholarship gave rise to theories such as bureaucratic politics model[101], groupthink model [102] and cognitive approaches to governmental decision making[103].

Bureaucratic Politics/Organisational Model

Although the bureaucratic politics model was developed by Graham Allison to explain how foreign policy is created in times of crises like the Cuban Missile Crisis, it offers insights in how actors behave in bureaucratic systems and organisation process. Beyond the idea of the state as a unitary actor, the approach articulates a system of many internal actors (departments, agencies, politicians, organisational ethos) participating in a game of internal bargaining. Both bureaucracies and organisations put their own survival at the top of their priorities. These actors come to the game with varying preferences, abilities, and positions of power that negotiate and strategise for outcomes that best serve their organisational and personal interests. This is best explained by Miles Law in the formulation *where you stand depends on where you sit*[104].

The proponents of the model ask three key questions that also serve the purpose of this research. Who are the actors? What factors influence each actor's position? How do actors' positions come together to generate governmental/international policies? Inadvertently this line of questioning also asks what type of actor are they? Actors are influenced in many ways whether it be through the research information they receive, or by something as simple as the setting. "The venue in which bargaining takes place— cabinet room, boardroom, public news media, and so forth—may also privilege some actors and some interests over others"[105]. Although this study does not explore how climate change policy is created and negotiated at the state level, the basic foundation

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[101] Graham T. Allison, *Essence of decision: explaining the Cuban missile crisis* (Boston Little, Brown, 1971).

[102] Irving L. Janis, *Victims of groupthink: a psychological study of foreign-policy decisions and fiascoes* (Boston: Houghton, Mifflin, 1972).

[103] Robert Jervis, *Perception and misperception in international politics* (Princeton: Princeton University Press, 1976)., and Ole R Holsti, "Foreign policy decision-makers viewed psychologically: Cognitive processes approaches," in *Thought and action in foreign policy* (Springer, 1977).

[104] A term made famous by a US budget official Rufus Miles, that explained the U.S. Congress government budget crisis of 1950s that emanated by the party politics and polarisation of the Republicans and Democrats.

[105] Brent Durbin, "Bureaucratic politics approach," Encyclopædia Britannica, inc, https://www.britannica.com/topic/bureaucratic-politics-approach.

and questions around the role, background and place of actors in a decision making system are useful in this manner. "To understand the actions of a state indeed, of any large, complex organization, one must understand the rules governing its decision making processes and the motivations of actors participating therein. The result of such a process may well indicate a compromise point without any clear internal strategic logic and may even reflect the unintended consequence of a dynamic tug-of-war among actors"[106].

Small Group Politics

A second branch of decision making theories emphasises group dynamics or more specifically small-group contexts. These studies have identified a small group of elites that emerge to make the final decisions in foreign policy making. Drawing upon sociology and social psychology, scholars explore the apex group, such as a cabinet or special crisis management response group, by detailing their interactions. "Underlying these models are the premises that the group is not merely the sum of its members (thus decisions emerging from the group are likely to be different from what a simple aggregation of individual preferences and abilities might suggest), and that group dynamics can have a significant impact on the substance and quality of decisions."[107] Small groups often perform better than individuals in coping with complex tasks owing to their diverse perspectives and talents, an effective division of labour, and high-quality debates on definitions of the situation and prescriptions for dealing with it[108]. However, there is a challenge when there is too much cohesion in the small group. Irving Janis' seminal work on *groupthink* finds that defiance in a fraction of a group enhances performance in decision making. The motivation to maintain group consensus and personal acceptance by the group can cause deterioration of decision-making quality[109].

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[106] Ibid.

[107] Ole R Holsti, "Models of International Relations and Foreign Policy," *Diplomatic History* 13, no. 1 (1989): 27.

[108] Ibid., 28.

[109] Hudson Valerie M., "Foreign Policy Analysis: Actor-Specific Theory and the Ground of International Relations," *Foreign Policy Analysis* 1, no. 1 (2005).

In light of this research, small group theories prescribe consensus decision making is best when it is controlled by a small group. When canvassing the existing literature of UNFCCC multilateral negotiations, the research finds groups of likeminded countries that band together and negotiate in political grouping blocs[110] or inter-state coalitions[111]. These scholars have argued that coalitions are an integral part of the UNFCCC regime[112] as they manage complexity[113] inside the climate change negotiations. Inter-state climate coalitions have existed in the regime since its early years[114], but since the diplomatic failures of Copenhagen COP15 2009 coalition groups have fragmented[115] and formed new smaller regional and issue-specific coalitions[116]. Although small group theory explains foreign policy making especially in crisis situations, two propositions can be reached from small group theory to shed light on multilateral climate change negotiations. Firstly, are these country negotiation coalitions the small groups that are decisive in building and reaching consensus? Or will there be another small group of officials that decide on the actual outcome agreement in multilateral negotiations?

Individual Decision Making

The final branch of decision making theories focusses on the individual decision maker, or more explicitly state leaders. These theories analyse leaders' decision making through the classical model of rational decision making and the substantial body of theory and evidence on the constraints they may face in relatively simple choice situations[117]. "Drawing upon cognitive psychology, these models go well beyond some

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[110] United Nations Framework Convention on Climate Change, "Party Groupings," United Nations Framework Convention on Climate Change, https://unfccc.int/process-and-meetings/parties-non-party-stakeholders/parties/party-groupings.

[111] See Christophe Dupont, "Negotiation as coalition building," *International Negotiation* 1, no. 1 (1996). and Amrita Narlikar, *International trade and developing countries: bargaining coalitions in GATT and WTO* (Routledge, 2004).

[112] See Carter. and Joanna Depledge, *The organization of global negotiations: Constructing the climate change regime* (Earthscan, 2013).

[113] See Dupont.

[114] See Betzold, "'Borrowing'power to influence international negotiations: AOSIS in the climate change regime, 1990–1997."

[115] See Betzold, Castro, and Weiler.

[116] See Lau Øfjord Blaxekjær and Tobias Dan Nielsen, "Mapping the narrative positions of new political groups under the UNFCCC," ibid.15, no. 6 (2015).

[117] See Philip E Tetlock, "Social psychology and world politics," in *Handbook of social psychology*, ed. Daniel Gilbert, Susan Fiske, and Gardner Lindzey (Boston: John Wiley & Sons, 1998). and Jerel A

of the earlier formulations that drew upon psychodynamic theories to identify various types of psychopathologies among political leaders: paranoia, authoritarianism, the displacement of private motives on public objects"[118] to name a few. These studies attempt to explain how leaders deal in complex situations of half-truths and conflicting information. There are three common approaches when analysing individuals or leaders. The first approach looks at leaders as bounded rationalists that seek satisfactory information for optimal solutions. A leader is seen as a cognitive miser or "one who seeks to simply complex problems and to find short cuts to problem solving"[119]. A second approach views the decision maker as an error *prone intuitive scientis*t that is likely to commit a range of mistakes and at the core of this is the fact that the leader is a "victim of flawed decision rules who uses data poorly"[120]. The final approach view decision makers as those whose decisions cannot be calculated, however researchers look at their belief systems, images of relevant actors, perceptions, information-processing strategies, heuristics, and certain personality traits.

Individual decision making theories and approaches are not studied in climate change negotiations scholarship. There is little correlation, mainly because multilateralism does not depend on the decision of one person. It is an endeavour of multiple states. However, this branch of decision making theories leads to questions about key individuals that may emerge as essential players in climate decision making. Are these leaders' cognitive misers who actively seek or depend on information to form strategy to problem solving? Or are these individuals prone to mistakes?

Process Specific: Institution-oriented/Multilateralism studies

The second body of work in international relations that can assist in explaining multilateral consensus decision making can be found from the study of multilateralism, or more precisely the processes within multilateralism. One of the seminal works in this

Rosati, "The power of human cognition in the study of world politics," *International Studies Review* 2, no. 3 (2000).

[118] Holsti, "Models of International Relations and Foreign Policy," 30.

[119] Ibid.

[120] Ibid., 32.

area of study by Robert Keohane defines it as "the practice of coordinating national policies in groups of three or more states through ad hoc arrangements or means or institutions"[121]. This research focuses on international institutions and as noted below, the study of multilateral institutions came to the fore of the discipline with its necessity post World War II, with a renaissance after 1990 at the end of the Cold War emergence of multi-polar politics.

Both rational (neo-realists and liberal institutionalists) and reflectivist (constructivism, post-modernism and critical theories) schools of thought have sought to explain the phenomena of multilateral international organisations. Neo-realists argue that international organisations are a reflection of a state's power [122] and any agreement they enter must serve its national interest[123]. Institutions are part of systemic approach in international politics that create governance regimes that regulate state behaviour[124], through hegemonic stability[125], and mediating interests and outcomes[126]. Neoliberals and functionalism view international organisations as social organisations based on common interests and the needs shared by states through collective action. While rational theories favour institutions and their strategic design for decision making, they do not explain how actors within an institution have their own interests and identities which drive them to interact, and ultimately create new identities[127]. Reflectivist approaches have explanatory power in this case. From constructivism to post-modernism research the emphasis is on both actors and institutions that have norms, cultures, identities, knowledge which are created, and can create new forms. Despite

[121] Keohane, "Multilateralism: an agenda for research," 731.

[122] Hans Morgenthau, *Politics Among Nations: the struggle for power and peace (rev)* (New York: Knopf, 1954).

[123] Kenneth N Waltz, *Theory of international politics* (New York: McGraw Hill, 1979).

[124]Ibid.

[125] Robert Gilpin, *War and change in world politics* (Cambridge: Cambridge University Press, 1983)., Charles P Kindleberger, "Dominance and leadership in the international economy: Exploitation, public goods, and free rides," *International studies quarterly* 25, no. 2 (1981). Duncan Snidal, "Coordination versus prisoners' dilemma: Implications for international cooperation and regimes," *American Political Science Review* 79, no. 4 (1985).

[126] Stephen D Krasner, "Global communications and national power: Life on the Pareto frontier," *World politics* 43, no. 3 (1991): 765.

[127] Martha Finnemore and Kathryn Sikkink, "Taking stock: the constructivist research program in international relations and comparative politics," *Annual review of political science* 4, no. 1 (2001).and Alexander Wendt, *Social theory of international politics* (Cambridge University Press, 1999).

different approaches these main camps of the discipline look at analysing international institutions—they both explore common knowledge possessed by actors in an institution. Rational theories explore how common knowledge affects strategic decision making, while reflectivists look at how common knowledge is created[128].

In effect this basic understanding of these approaches, that is impacts on strategic decision making and how decision making is created, informs how the rest of this section will proceed. Despite the limited literature that specifically focuses on theorising consensus decision making[129] in international relations, there is a substantial body of work that explores the historical, organisational, and the institutional concept and norm of consensus as a multilateral meeting procedure.

Multilateralism

The study of multilateralism and international organisations follows the liberal institutionalist underpinnings of collective decision making to avoid war through diplomacy, trade, and resolving transnational problems. "The practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions" is what Robert Keohane defines as multilateralism[130]. International multilateral organisations have multiplied from only 37 in 1909, to 123 by the end of the second world war, to as many as 244 in 2006[131]. These institutions anchor the common aim of transnational cooperation and collective cooperation. "Whether their memberships are inter-governmental or non-governmental, (institutions) serve similar purposes: they lower transaction costs for members and produce information; they encourage members to think about their future ("lower their discount rate"); create

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[128] Hui Cao, "Do international institutions matter?," in *Working Paper Series on European Studies* (Chinese Academy of Social Sciences, 2014), 10.

[129] There is small but growing literature on consensus processes in international organisations as in Smith; Johan Kaufmann, *United Nations: Decision Making* (Martinus Nijhoff Publishers, 1980)., Smith.

[130] Keohane, "Multilateralism: an agenda for research," 731.

[131] Jean-Robert Leguey-Feilleux, *The dynamics of diplomacy* (Lynne Rienner Publishers Boulder, 2009), 102, 361.

linkages across issues; and they serve as agents that both create and diffuse ideas, norms and expectations"[132].

Multilateralism is discursive in nature as these institutions incorporate states from great powers to small states, that have interests in avoiding unilateralism. For small states, international institutions offer a platform to influence international policy decisions[133], while for great powers the benefits of multilateralism come from controlling the behaviour of another great power or rising power. Multilateral institutions have experimented with many forms of decision making, like consensus decision making, in order to keep these organisations relevant and effective for member states. The popularity of consensus decision making in multilateralism today is not coincidental. In fact, the pattern of decision making within international organisations is closely associated with phases of evolution of the international system in the past century.

Multilateral Unanimity to Voting

Prior to World War II unanimity was the main form of decision making in international organisations. Unanimity was considered the true embodiment of the Congress of Vienna 1815 principles of non-interference and the equality of states as primary units of decision making[134]. "Every state ha(d) equal voice in international proceedings, and that no state can be bound without its consent; … sovereign equality and sovereign immunity from externally imposed legislation' imply demanding unanimity in all decisions taken between states".[135] Ultimately, the preeminent international organisation after World War I, the League of Nations, utilised the rule in its deliberations. The intention of the procedural process of all must agree was to restrain a majority of states from making decisions that would be harmful to a minority. However, the pressure for compromise did not take into account the strength of the minority who have been forced

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[132] Dewesh Kapur, "Processes of Change in International Organizations," in *Governing Globalization: Issues and Institutions*, ed. Deepak Nayyar (Oxford: Oxford University Press, 2002), 338.

[133] Keohane, "Lilliputians' Dilemmas: Small States in Internatinal Politics."

[134] Autumn Lockwood Payton, "Consensus procedures in international organizations," in *Max Weber Programme Working Papers* (San Domenico: European University Institute, 2010), 11.

[135] Claude 1984, 119

to agree on certain issues[136]. This as Jenks and many other scholars attests to the failure of unanimity multilateralism and the ultimate demise of the League of Nations[137].

The enthusiasm for multilateral institutionalism returned post 1945 in Bretton Woods and San Francisco conferences as means to avoid another great war through collective security. For the most part, the multilateral institutions and conferences of post WWII were convened by major powers that focussed on issues of peace and war. The avalanche of institutions and conferences that came after WWII had a broader interest on economic, financial, social and cultural questions[138] that consciously considered the growing international society. The indecision and ineffectiveness of the League of Nations suggested the need for voting in its decision making procedures. However, designers of these new institutions still had to overcome questions of the voting formula, or the conundrum of what Stephen Zamora called the *equality before the law*, and *equality of participation and responsibilities* [139]. The former was associated to the one equal vote majority rules, while the latter preferred the weighted voting procedure.

With the failures of unanimity to produce decisive agreements, the early designs of multilateral institutions swayed in favour of weighted voting systems. The inclination by great powers to set the rules of decision making in favour of weighted voting was evident in the UN Security Council (UNSC) veto power and permanent seats or the World Bank (WB) and International Monetary Fund (IMF) shareholder contribution votes. "The idea of giving all nations an equal vote sounds decent and democratic, but it is not…it gives citizens of Iceland a voting equal to America and China…it is of course necessary for the great nations to have a veto".[140] The argument here was that equal

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[136] Footer, 659.

[137] Wilfred C. Jenks, "Unanimity, the Veto, Weighted Voting, Special and Simple Majorities and Consensus as Modes of Decision in International Organizations," in *Cambridge Essays in International Law: Essays in Honour of Lord McNair*, ed. Arnold Duncan McNair and Baron McNair (Cambridge: Stevens & Sons, 1965).

[138] Johan Kaufmann, *Conference Diplomacy: An Introductory Analysis*, vol. 62 (Martinus Nijhoff Publishers, 1988), 4-5.

[139] Stephen Zamora, "Voting in international economic organizations," *American Journal of International Law* 74, no. 3 (1980).

[140] Macintyre 1954, 494

voting was unjust for great powers as they had the added burden, responsibility, and contribution in these institutions[141].

Nevertheless, the procedure of majority voting was also introduced in other subsidiary bodies of the UN, WB and IMF as a means to give new states a place in the international system. The UN's General Assembly (UNGA) and the Economic and Social Council (ECOSOC), General Agreements on Tariffs and Trade (GATT), now the World Trade Organisation) utilised one vote-majority rules. To garner the interest and active participation of smaller and new states, the principle of sovereign equality through majority voting was the preferred choice[142]. For GATT the preference on majority vote system was a means to include developing countries in the decision making process of the institution[143].

Despite relative success in its early years, questions emerged about the weighted voting system in the 1960's with the emergence of new formed states in the period of decolonisation. As Barry Buzan states, the dilemma of "international decision making is the divorce of power from voting majorities resulting from the expansion of membership in the international system".[144] Proponents for majority rules came mainly from small states and "their professed fear was that the relative reduction of their representation would expose them to the rapacious impulses of a putative coalition of the large states".[145] It was not just weighted or majority voting, but voting as a procedure of decision making as a whole that was being questioned. The voting procedure started to be viewed as ineffective and useless in international rule making, given the prominence of the ideological divisions at the time: East and West, North and South, developed and less-developed states.

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[141] Lockwood Payton, 11.

[142] Herbert George Nicholas, *The United Nations as a political institution*, vol. 105 (Oxford University Press on Demand, 1975).

[143] Lockwood Payton, 12.

[144] Barry Buzan, "Negotiating by consensus: developments in technique at the United Nations Conference on the Law of the Sea," *American Journal of International Law* 75, no. 2 (1981): 326.

[145] Jack N Rakove, "The Great Compromise: Ideas, Interests, and the Politics of Constitution Making," *The William and Mary Quarterly: A Magazine of Early American History and Culture* (1987): 434.

Multilateral Consensus Procedure

The search for a new decision making technique that would enjoy broader-based support started to gain momentum; especially in a situation where "highly divided system (was) most apparent when decisions on the management of scarce natural resources and a range of economic transitions (were) considered"[146]. The voting system left scars, a sense of victory and defeat after the procedure of voting took place (overt confrontation).[147] T*he procedures of consensus decision* began to seem appealing. Scholars like Jonathan Charney writing in the 1960's stated:

> "The consensus system assures that decision making at a multilateral negotiation of a convention will not be dominated by the numerical superiority of any group of nations. Rather, procedural significance will be given to the variations in the power of nations. Since it is difficult to obtain acceptance of voting systems that overtly recognize the differences in nations' importance, the consensus approach permits the maintenance of an egalitarian procedure which in practice may assure that multilateral negotiations reflect the real geopolitical power of the participating nations"[148].

Though experiments on the consensus procedure were practised in the early days of the UN system[149] it was not until 1971 that it became formalised into UNGA rules of procedure. The UNGA Resolution 2837 (XXVI) approved the conclusion that the adoption of decisions and resolutions by consensus was desirable when it contributed to the effective and lasting settlement of differences[150]. The resolve was that the collective decision making approach would strengthen the authority of the UN. However, the procedural rule did allow without prejudice the right of every member state to set forth

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[146] Footer, 664.

[147] Ronald Walker, *Multilateral conferences: Purposeful international negotiation* (New York: Palgrave McMillian, 2004), 161.

[148] Jonathan I Charney, "United States Interests in a Convention on the Law of the Sea: The Case for a Continued Efforts," *Vand. J. Transnat'l L.* 11 (1978): 43.

[149] One of the first attempts in the UN system at utilising consensus as the sole procedure- without resorting to voting – took place in the UN Committee on the Peaceful Uses of Outer Spaces (created by UNGA Resolutions 1472 XV) in 1956. The Committee agreed that no work on substantial negotiations on the text would commence unless the members reconciled their disagreements on the method of work, and voting procedures. Though it the negotiations on methods and voting procedures took place, the members recorded their understanding that the negotiations could proceed - until none of them objected.

[150] UN General Assembly Resolution 2837, "Rationalising of the procedures and organisation of General Assembly," in *1971* (New York: UN General Assembly, 1971).

its views in full agreement with a proposition. Member states were given the right of reply to make their concerns known, despite their formal agreement or rejection to a proposal.

Soon after, subsidiary organs of the UN system, namely the World Conferences, started to incorporate the procedure in its decision making process. The UN Convention on Law of the Sea (UNCLOS) 1973 and the Economic and Social Council (ECOSOC) Population Commission 1974, agreed upon the necessity of decisions on important matters of substance shall be taken by consensus. The UNCLOS article 39 of its rules of procedures called this the gentleman's agreement that "before a matter of substance put to vote, a determination that all efforts reaching general agreement have been exhausted shall be made by the majority"[151].

Outside of the UN system, new multilateral institutions emerged during the 1970s-1990s in the form of regional, inter-regional or trans-lateral organisations that pursued the consensus rule over a voting system in its deliberations. The successful experiments of the procedure in the UN system led to consensus being the preferred system in the GATT[152], the Organisation for Security and Cooperation in Europe (OECD) and geographical regional institutions like the Association of South East Asian Nations (ASEAN), the Caribbean Community (CariCom), and the South Pacific Forum[153] to name a few. The procedure of consensus became enshrined in all their respective charters'. This was unsurprising as member states were also active UN members. Furthermore, the appeal for a non-voting system was that in most cases (other than the European Union), these new institutions did not have a mandate to create hard law or binding agreements.

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[151] United Nations Convention on Law of the Sea UNCLOS, "United Nations Convention on Law of the Sea," (New York: United Nations, 1982).

[152] Although the GATT started in 1947 as trade agreement it would later become known as the World Trade Organisation in 1993.

[153] Pacific Islands Forum (PIF) formerly known as the South Pacific Forum.

UNFCCC and the Pitfalls of Consensus Procedure

Not all UN conferences however, were successful in adopting consensus as rules of procedure. Of significance to this research and the climate change regime, the parties of the UNFCCC failed to adopt a decision in its initial conferences on the rules of procedure to govern future conferences. At the Intergovernmental Negotiating Committee on Climate Change (INC), the series of conferences from 1991-1995 that negotiated terms of the climate treaty, the Organisation for Petroleum Exporting Countries (OPEC) countries led by Saudi Arabia consistently blocked the option of voting[154]. When the issue was brought up again at the UNFCCC COP1 Berlin 1995, Saudi Arabia again blocked any form of decision making by voting, and there was no agreed procedure on voting for any substantial matters[155]. Rule 42 of the procedures provided two alternatives on majority voting which are indented as drafts. Dissident parties to the idea of voting were afraid that majority voting would compel them to accept further greenhouse gas emission reduction and believed a consensus would allow them to veto emissions and control progress.[156] In the absence of specific rules on decision making, there has been a general understanding amongst Parties that consensus is needed for the adoption of substantive decisions[157].

The consensus procedure became the default rule for UNFCCC negotiations, and in effect all decision making in the global climate change regime. There was widespread belief that consensus had greater political force than those resolutions which one or more delegations have refused to support in a vote[158]. It is desirable that a collaborative collective endeavour should proceed only with the consent of all participants. However, this does not mean that consensus has been overtly successful in all forms of UNFCCC decision making. The debates around the inefficiency of the consensus procedure and over false consensus will be explained in Chapter Three. Needless to say, the example

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[154] Kemp.

[155] Axel Michaelowa and Mari Luomi, "From climate antagonists to low-carbon protagonists," *The changing role of the Gulf OPEC States in the UNFCCC. FNI Climate Policy Perspectives* 6 (2012).

[156] Ibid.

[157] Farhana Yamin and Joanna Depledge, *The international climate change regime: a guide to rules, institutions and procedures* (Cambridge University Press, 2004).

[158] Walker, 161.

cited above on Saudi Arabia blocking the use of voting procedures for a preference on consensus, begs the question: which states benefit from consensus?

Who benefits from Consensus Procedure?

The literature on multilateral studies informs not only when and how the procedure of consensus was introduced in multilateral organisations, but also the question which states, or what type of states are more likely to benefit from consensus? Scholars such as Ngaire Woods[159] and William Gianaris[160] have argued that the prominence of the consensus procedure was a concession by great powers to the increasing number of new states in multilateral organisations. They argue that the consensus rule was promoted by less powerful states in order to influence international policy making. This influence, it is assumed, would be exercised by joining coalition blocs as evident in seen in the lobbying powers of the developing countries in multilateral forums like the UNGA and UNCTAD[161]. These coalitions of developing states[162] were united through shared experiences of low economic development and legacies of decolonisation when these newly established states joined the international system in the 1960's. Comprising just over two-thirds of the international system, developing states would form various coalitions to influence the decision making process. Yet while the numbers game may seem to benefit developing states, other scholars argue otherwise.

Great or major powers who were in a minority actually controlled the progression of negotiations by promoting consensus. Lockwood Payton analysed 250 international organisations' voting systems and found that 78% of international organisations that used the consensus procedure do so because of the rule enshrined in its respective organisational charter.[163] In all these organisations, major powers were present in the

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[159] Ngaire Woods, "The Challenge of Good Governance for the IMF and the World Bank Themselves," *World Development* 28, no. 5 (2000).

[160] William N Gianaris, "Weighted voting in the international monetary fund and the world bank," *Fordham Int'l LJ* 14 (1990).

[161] Zamora, 580.

[162] The UNCTAD conferences categorised states based on the development contexts and geographical regions- that gave rise to negotiation blocs like the G-77 (the original group of 77 developing countries in the 1960 that has expanded to 134 members) Least Developing Countries.

[163] Lockwood Payton.

prescription of the charters. The hypothesis Lockwood argues is that major powers would push for weighted voting before a consensus decision, with the preference for majoritarian voting as the final option; while developing countries would prefer majoritarian voting before consensus decision making, and lastly weighted voting procedures[164]. Majority voting procedures alienated the major powers, while weighted voting deterred participation of the developing states in these organisations. The consensus procedure became the middle ground for both camps. To prevent the majority from controlling decisions, major powers encouraged consensus procedures to block negotiations in order to re-negotiate terms, and influence decisions of smaller parties through side payment.

In both these conflicting arguments, whether it be the major states or the smaller less powerful states that benefit, there is at least one commonality. Irrespective of power or status in the international system consensus favours the state or group of states in the minority position. "Voting minorities will advocate in favour of consensus decision making"[165]. Multilateral decision making by consensus effectively gives each state a veto. This veto would allow any one state to derail, delay or leave negotiations at any time. Despite the popularity and usage of the consensus procedure, the fact remains that in the event of failure to agree by consensus the voting mechanisms will then be enacted. A state could hold negotiations at ransom until its conditions are met; but at the same time may also drop its position if a vote is provoked. The threat of a vote may also be seen here as a condition to building consensus[166]. Therefore, the literature on multilateralism supports and further develops Christoph Haug's observations of consensus. In multilateral institutions where consensus is the mode of decision making, a state with a minority position will be the more likely to express preferences. Or in other words states with a disagreement will control the process of negotiations.

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[164] See Daniel J. Blake and Autumn Lockwood Payton, "Balancing design objectives: Analyzing new data on voting rules in intergovernmental organizations," *The Review of International Organizations* 10, no. 3 (2015).

[165] Lockwood Payton, 16.

[166] Kemp.

Diplomatic Studies: Negotiations

With its origins in international relations, diplomatic studies offer a third perspective in understanding consensus decision making. This vantage point comes in the study of the actual practice of building and reaching consensus in multilateral settings, that is, through negotiations. As Jan Evensen argues "consensus is a state of art emerging from negotiations"[167]. There is a normative preference for decisions by consensus for its ability to have strong moral force; an impediment to allow for an agreement to be executed universally. The literature on negotiation studies and multilateral conference diplomacy provides a deeper perspective on the actual practice of consensus in multilateral meetings. Negotiation research normally explains process and outcome based on internal dynamics within a specific negotiation (e.g., interests, position, power, strategy)[168]. Negotiations revolve around the management of relations between governments and governments, and governments and international organisations that take places in international conferences[169]. Geoff Berridge views consensus decision making in this field of study as "an attempt to achieve an agreement of all participants in a multilateral conference without the need for a vote and its inevitable decisiveness"[170]. Avoiding the vote procedure is seen here as the ultimate purpose of negotiations.

Amidst the numerous definitions that speak to the purpose, nature, process and participants in multilateral negotiations, Johann Kaufmann's characterisation is relevant to the study at hand. Multilateral negotiations are "the sum total of talks and contacts intended to solve conflicts or to work towards the common objectives of a conference."[171] This encompassing view of negotiations considers disputes that arise before and during the sessions, but more importantly the intricacy of formal open plenary sessions, closed door meetings, and informal sessions before and corridor

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[167] Jens Evensen, "Three Procedural Cornerstones of the Law of the Sea Conference: The Consensus Principle, the Package Deal and the Gentleman's Agreement," in *Effective Negotiation: Case Studies in Conference Diplomacy*, ed. Kauffman Johan (Dordrecht: Martinus Nijhoff Publishers, 1989), 78.

[168] Larry Crump, "Negotiation process and negotiation context," *International Negotiation* 16, no. 2 (2011).

[169] Johan Kaufmann, *Conference diplomacy: An introductory analysis* (Houndsmill, Basingtoke: Macmillan Press, 1996), 2.

[170] G.R. Berridge, *Diplomacy: Theory and Practice* (Palgrave Macmillan UK, 2005), 24.

[171] Kaufmann, *Conference diplomacy: An introductory analysis*, 3.

meetings during a formal meeting to name a few. This leads to questions of how multilateral negotiations can and have been studied? How can these studies help us to understand how consensus is built and reached in multilateral negotiations?

Analysing Multilateral Negotiations

In one of the first seminal studies on post-Cold War multilateralism, I.William Zartman and scholars of diplomatic studies explore the notion of negotiation complexity[172]. They view modern multilateral negotiations as having six characteristics of complexity: *multi-party* and its diverse actors involved; *multi-issues* discussed sometimes not necessarily part of main objective; *multi-role* differentiation of parties involved; decision making frequently by *consensus*; the outcomes of negotiations as matters of *rulemaking*; and, the formation of *coalitions* to manage the sheer numbers and issues negotiated[173]. The multi-party, multi-issue and multi-role explain the context of negotiations, while coalition and rulemaking concern the outcome. Consensus they see is the most frequent decision rule used in modern day conference diplomacy, and voting is reserved for exceptional "cases of vital national interest"[174].

Zartman further develops the feature of consensus in contemporary multilateral diplomacy from his observations of multilateral negotiations. A consensus outcome is achieved from strategies of incremental participation[175]. These incremental strategies occur in multiple phases of a negotiation process. Where parties may not agree, the tendency by states to abstain would be perceived as an affirmative rather than a negative vote[176]. Or in other words an agreement arrived at consensus is an agreement where members agree without opposition. This consensus building exercise through multiple phases almost certainly results in *lowest common denominator agreements* that are without teeth[177]. Decisions that are reached by consensus create national socio-political

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[172] Zartman.

[173] Ibid., 3-6.

[174] Ibid., 5.

[175] "Common elements in the analysis of the negotiation process," *Negotiation Journal* 4, no. 1 (1988).

[176] *International multilateral negotiation: Approaches to the management of complexity*, 6.

[177] Ibid.

pressures, rather than legal obligation to conform[178]. Zartman offers three observations, two of which relate to what psychologists have called interactional consensus, and a third which will be explored further in this chapter. First is the notion of logic of consent throughout negotiations, second that outcomes will be the lowest common denominator, and third that negotiations occur in stages or phases.

Despite the many categorisations of the negotiation's literature, there are five central approaches commonly utilised to study multilateral negotiations: structural, strategic/decision, behavioural, process and integrative. *Structural analysis* looks at power-oriented explanations of international negotiations; closely associated with realist and neo-realist thought it analyses negotiations on the international distribution of power, on the behaviour of states and the role of power deciding political outcomes[179]. *Strategic/Decision analysis approaches* explain utility maximisation and models of decision making. From game theory to linkage and concession analysis, this body of work assumes a clear strategy for the best course of action and the best outcome for each party might receive in a negotiation. *Behavioural analysis* focuses on the negotiator; this literature explains individual negotiator actions and personality, especially focussing on roles of leaders and mediators. *Process analysis* addresses the context of international negotiations by focussing on the dynamics of process, by explaining outcomes through a series of concessions in stages and phases[180]. Utilising structural elements, process analysis attempts to predict outcomes by explaining fixed points: starting point of discord, end point of convergence. An *integrative analysis* utilises all four approaches of process, individual, power and strategy to analyse negotiations. Rather than seeing a process that works from fixed points of discord to a common point of convergence, integrative analysis emphasises the imprecision of parties' interest in their own minds[181]. For the purposes of this study, frameworks used in the integrative analyses are useful in unpacking how Pacific island states navigate regional, international and global level negotiations with a deeper understanding of the internal politics and cohesion amongst themselves. Such an analysis that looks at the

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[178] Ibid.

[179] Fen Osler Hampson and Michael Hart, *Multilateral negotiations: Lessons from arms control, trade, and the environment* (JHU Press, 1999), 8.

[180] Zartman, "Common elements in the analysis of the negotiation process," 35.

[181] Ibid.

actors and their activities in various phases of negotiations should consider the various aspects of process, individuality, power and strategy.

Integrative Analysis of Multilateral Negotiations

Integrative analysis emphasises the need to examine phases, actors, and their activities in negotiations. Similar to process analysis, the integrative approach considers that over a period of time, concessions on positions will be made during negotiations. These adjustments to initial positions turn multilateral negotiations from a zero-sum game into an endeavour or initiative with a positive sum[182]. The pre-negotiations process also matters.[183] This approach acknowledges that bargaining begins before official negotiations, but the crux of analysis focuses on the turning points and closure of negotiations. Integrative analysis explores negotiating actors and their conceptualisation of the problem under negotiation; it stresses that these positions will change over the duration of negotiations[184]. This allows for interpretation from the perspective of one or group of negotiators and the activities they pursue to comprehend the issues at various stages of negotiations. An integrative analysis considers negotiators' interactional and mental interplays at each phase of negotiations, and in doing so can detail issues where they are successful and issues where they cannot make a deal[185]. The literature on decision making theories inform this research approach studying the actors in multilateral negotiations. As indicated earlier, scholars who use an integrative approach have observed and emphasise the study of phases. The next section explores how these perspectives help build our understanding of multilateral consensus decision making.

Stages of Multilateral Negotiations

Integrative models of negotiations pay special attention to sequence of events during negotiations and detail possible stages or phases of negotiations. Essentially scholars view negotiations as an art of problem solving, where the outcomes are explained by the

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182 Ibid., 37.

183 See *International multilateral negotiation: Approaches to the management of complexity*; "Common elements in the analysis of the negotiation process."

184 "Common elements in the analysis of the negotiation process," 37.

185 Ibid., 38.

performance of behaviours at particular appointed phases of negotiations[186]. The stages model is a useful conceptual device for both negotiators and scholars as a means to chart progress and identify any disjuncture in a negotiation process. From this identification of progress and changes, a recognised pattern of expectation and behaviour will emerge. By predicting stages of negotiations and with experience from previous negotiations, stages allow practitioners to evaluate alternative agreements[187].

There is no one way to categorise stages in negotiations. Various studies explore stages from diverse types of international negotiations: whether it be the format (bilateral, multilateral, and multi-level), issue specific (security, trade, political, environmental) and temporal factors (pre-determined procedure or open timeframe). I.William Zartman's work on bilateral U.S-Vietnam talks identifies three stages: the first stage is negotiating a formula that is acceptable to both sides; with the second stage focusing on the search for detail that followed from the agreed image; the last is the endgame[188]. An elaborate eight stage model by Phillip Hugh Gulliver identifies a mixture of tasks and behaviour of negotiators as: search for an arena; composition of the agenda and the definition of issues; establishing maximal limits to issues in dispute; narrowing the differences; preliminaries to final bargaining; final bargaining; ritual affirmation; execution of the agreement. Needless to say, studying stages in negotiations (whether bilateral or multilateral) is synonymous with the concept of *turning point*.[189] Donald Druckman identified four stages in building a package; defining scope or agenda; a search for formulas or principles; flushing out the issues; and the search for implementation details, in negotiations[190].

Despite the differences in the scholarship of stages in negotiations, there is a degree of similarity. Stages occur in sequential progression in time; there exists alternating

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[186] Hampson and Hart, 8.

[187] P.H Gulliver, *Disputes and negotiations: A cross-cultural perspective* (New York: Academic Press, 1979), 177.

[188] I William Zartman, *The 50% solution: How to bargain successfully with hijackers, strikers, bosses, oil magnates, Arabs, Russians, and other worthy opponents in this modern world* (Anchor Press, 1976).

[189] Philip Hugh Gulliver, *Disputes & negotiations: A cross-cultural perspective* (Academic Press, 1979).

[190] Daniel Druckman, "Stages, Turning Points, and Crises: Negotiating Military Base Rights, Spain and the United States," *Journal of Conflict Resolution* 30, no. 2 (1986).

antagonistic and coordinative behaviour across the various stages of any negotiations; and stages are not rigid as some may overlap with each other. A simpler framework and model to study negotiations is one that Saadia Touval[191] promotes. In this model phases are divided in terms of the progression of international multilateral negotiations: pre-negotiation, formal negotiation, and agreement phase, by which interests of multi-parties are adjusted for a joint decision for reaching an agreement [192].

Pre-negotiations: this phase is characterised by informal contact among the parties. During this phase there are significant aspects of the negotiation typically addressed: the list of participants is agreed upon, and initial coalitions or political groupings emerge; role differentiation takes place among the participants (leaders, mediators); and substantiative and procedural issues are addressed. Parties will learn more about the problems, develop an agenda, and search for a formula or general framework.

Formal negotiations: this phase is where exchange of information, and the negotiation proper over the detailed terms of an agreement takes place. The parties explore various alternative packages, and may reach some tentative, conditional understandings.

Agreement phase: Parties will translate a tentative understanding into legally phrased agreements. Participants will often have second thoughts about the terms that they have agreed upon from the previous stages. Furthermore, concerns about the implementation of the agreement tend to increase. Such misgivings may prompt efforts to obtain new assurances about compliance and implementation. [193]

One important observation that Touval proposes in the agreement phase is the *last minute* scenario. He states in his description of multilateral negotiations that last minute

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[191] Saadia Touval, "Multilateral negotiation: An analytic approach," *Negotiation Journal* 5, no. 2 (1989).

[192] The analytical model that Saadia proposes views multilateral negotiations as a three-stage process: pre-negotiations, negotiations, and agreement phase. These three stages are also acknowledged and utilised by Lillian Randolph, with the exception of an additional stage of implementation. This final phase revolves around multi-party negotiations on implementing the Agreement.

[193] Touval, 162-63.

problems will arise that may prolong or delay the conclusion of multilateral negotiations. The introduction of any new proposal, or situations where participants press for adoption of proposals that thus far are unacceptable will occur. At this point, actors have considerable leverage by withholding consent at the last minute.[194] This description of a last-minute scenario is what this research identifies as the Consensus Point.

Actors in Multilateral Negotiations

Within negotiation studies literature there are three categories of actors analysed in negotiations: leaders, state delegations and coalitions. Membership of multilateral forums, or in this case the forums investigated in this research, are restricted to signatory states. Multilateral negotiations are *state-centred negotiations*; states play a major role as the initiator and host, and shepherd the negotiation process until there is an agreement[195]. States have and remain the most influential actors in international decision making. However, beyond states representatives there are a plethora of interested non-state individuals and organisations that participate in multilateral negotiations.

Despite this, there is no preconceived notion or rule on who these state delegates are and should be. State representatives are the prerogative of states themselves, whether it be government officials or non-state actors like NGO or business lobbyists. States decide who can be accredited and who would officially speak on its behalf. In terms of the UNFCCC accreditation classification system, state officials are accredited with *pink badges*[196]. Meanwhile heads of delegation are accorded with a *red badge*. The other actor most commonly acknowledged in the literature are the coalitions or like-minded political groupings. A feature of climate change and any other form of multilateral negotiations is the formation and bargaining presence of coalitions. States will form and

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[194] Ibid., 163.

[195] Pamela Chasek, "A Comparative Analysis of Multilateral Environmental Negotiations," *Group Decision and Negotiation* 6, no. 5 (1997): 457.

[196] In the UNFCCC and UN more generally, different colour badges denote different status. Red (Head of Delegation), Pink (National Delegate), Yellow (Civil Society Organisation), Green (Observer State), Blue (UN Agency Observer)

join one or many coalitions that best suits their interests in the negotiations. A more detailed examination of coalitions is highlighted in Chapter Three.

While the attention here on states, leaders and coalitions - and the focus of this research - is limited to those deemed accredited representatives of states. It is important, however, to acknowledge there are more actors involved in negotiations who will be described here as *procedural actors*. These actors are but not limited to the chair or president of proceedings, secretariats, heads of secretariats and their executives such as the UN Secretary General and other UN bodies.

Negotiations' scholarship utilising integrative analysis also provides clues about who are the actors, and their activities in multilateral forums. The state is not a unitary actor in actual negotiations. As with people/actor-specific approaches in international relations, integrative analysis encourages researchers to look within state delegations at negotiations. An important endeavour of this research is to unpack Pacific island state delegations and to identify who are the representatives, the skillset and knowledge they bring, and their influence in the politics of delegations and the wider climate change negotiations.

Activities in Multilateral Negotiations

Having identified who the actors in multilateral negotiations are, this thesis refers to evidence that may inform the question: what activities do actors perform in negotiations? Donald Druckman's analysis of stages and turning points, describes negotiators engaging in two general types of activities during negotiations: monitoring and strategising. By monitoring, negotiators determine the extent to which various parties maintain interest in the negotiation process[197]. The multiple parties involved, as well as the secretariat, chairman and observer organisations all have a stake in the outcome. The interest of these agencies in the negotiation are considered *feedback variables*. Negotiators must weigh all interests and coordinate a response and attempt to communicate them effectively in the negotiating process. These activities are dependent

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[197] Druckman, 334.

on the composition and capacity of its state delegations and coalitions, and their channels of communication. While monitoring and coordinating positions occur throughout negotiations stages, these are most commonly used in the early phases of pre-negotiation and negotiations. It is pre-supposed that during these stages, negotiators are more cautious, and "side searches for indication from other (parties) behaviour that negotiations are being conducted in good faith, and (all) sides are reluctant to entertain new proposals…".[198]

Communication is one aspect of strategy. This takes the form of actions to influence the course, including tabling a position, decomposing and aggregating relevant information, packaging issues, deciding on the order of discussion of an issue, and proceedings from point on point by reconciling different position of parties[199]. The main aim of strategic activities is to ensure negotiations move along. As negotiations continue, negotiators and their associated coalitions will engage one another in "polemical discourse intended to give shape to a framework from which details can be derived"[200]. Once these conceptual issues are laid out negotiators will engage in persuasive debating and bargaining of positions to refine issues and to work out details. The issue priorities intertwined with cultural and ideological differences heavily influence the persuasive debates of negotiators. During situations when bargaining is performed, negotiators would strategise to use a state's relative power position, or external events and issues as a means to influence other party positions. In doing so exchanges of concessions are made on tangible items and haggling over wording of the agreement. This explanation of activities processes that take place in multilateral negotiations are depicted in Table 6.

Table 6: Activties in multilateral negotiations

Activity	Process	Critical Influences
Monitoring and coordinating	Seeking feedback: is performance in line with instructions? Are they negotiating in good faith?	Team composition Channels of communication

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[198] Ibid., 335.

[199] Ibid., 334.

[200] Ibid.

Persuasive debates	Resolving conceptual differences toward an acceptable definition of purpose, or an agreement in principle	Issue priorities and objectives Cultural and ideological differences
Bargaining	Building a balanced package by trading on preferences of utilities; involves deducing the details from the agreed principle	Relative power Audiences External events

Source: Daniel Druckman, "Stages, Turning Points, and Crises: Negotiating Military Base Rights, Spain and the United States," *Journal of Conflict Resolution* 30, no. 2 (1986)

However, integrative analyses emphasis on phases, and in particular the focus on the interpretations of group of negotiators, belies the critique that it is ineffective to provide full description of negotiations, or convincingly provide pathways to a negotiation theory. Subsequently, a growing branch of this analysis focusses on precise mechanisms for identifying the best possible deal that each party can obtain given the differences in the nature of interests[201]. Studying negotiations using an integrative approach is an arduous process that involves mapping dimensions and identifying components to a party's interests that would provide the best trade-offs and greatest durability for an outcome. Although models from integrative studies of negotiations may have yet to be widely accepted they do not lack meta-narratives or empirical richness. This is what Olser Hampson identifies as the struggle between theory and empirical data in negotiation studies; where empirical richness is lost in the elegance of analytics while formal models of negotiations seek hypotheses and generalise negotiations across space and time[202]. But then again diplomatic studies scholars are wary of predictive models of negotiations as they do not necessarily account for change, where sweeping generalisation can also be useless. Having established how multilateral negotiations are studied and the usefulness of an integrative framework, this research looks more deeply into the building blocks of negotiations. More specifically, what does literature say about the conditions of building and reaching consensus?

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[201] Zartman, "Common elements in the analysis of the negotiation process," 38.

[202] Hampson and Hart, 8.

Building Consensus in Multilateral Negotiations

Understanding how states build consensus in a negotiation process requires understanding the complexity of each forum. Of high relevance to this thesis is Courtney Smith's seminal work that analyses the internal dynamics and processes in the UNGA[203]. The work follows how the UNGA makes decisions by comparing four separate issues, by identifying the internal politics of state delegations, lobbying by numerous non-governmental organisations, multinational corporations, and the work of the UN secretariat. More importantly, the research proposes a framework and blueprint of how consensus building might work through three key variables: formal institution, strategic interactions and informal networking.

Formal Institution

By formal institutions Smith refers to the internal structures of an organisation, and the procedures that would be used in making the decisions[204]. International organisations, like the UNGA, have specific characteristics: size, formal leadership, negotiating groups, procedures and goal convergence. By unpacking these features, he proposes that the likelihood of consensus is greater when: there is a smaller number of participants, formal leadership (chair) is sanctioned through procedures of negotiations, a formal ad hoc group is formed, there is flexibility in procedure and there is a greater convergence in the goals of actors[205]. It is important to note here the proposition made that formal ad hoc negotiation groups established during the process may act as *fire brigades* to manage complexity in negotiations.

Strategic Interaction

Strategic interaction explores on the interaction amongst actors, with a focus on the activities and characteristics of participants with in a decision unit. "The basic idea is that each actor in the organisation has linkages to the outside environment, and these linkages have an impact on the power and resources and actor has within the

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[203] Smith.

[204] Ibid., 177.

[205] Ibid., 177-78.

organisation."[206] The framework proposes that consensus building is greater in a situation when issues discussed are amenable to compromise and less salient to actors in the minority position, that there is a greater degree of autonomy, and greater use of strategies that focus on the substance of issues, and when a representative of actors are willing to serve as broker.

Informal Networking

Not all activities during multilateral negotiations operate in formal settings. Smith argues that behind the scenes there is informal networking process and relationships that form amongst participants. "The importance of informal patterns of interaction that make up the status systems, communication networks and working relationships" [207] play a pivotal role in ushering in consensus. In this view, there is a greater degree in building consensus when: there are informal contacts among members on a particular issue, where they form and have a trusting working relationship, participants have a high level of skills and reputations they offer, that ad hoc leadership is perceived as legitimate, and when members are willing to look beyond the narrow interests of actors. Of significance is the creation of informal contacts in regard to an issue and the more contact they have together with the skills and reputation they bring the more the likelihood of building consensus.

Ultimately the conditions and propositions that Smith presents, are a blueprint in how consensus is built during negotiations. The global consensus building framework is useful in analysing case studies through historical narratives, but not necessarily when tracing actual negotiations step by step. While it offers clues into actors' activities especially their role in informal networks, it does not offer convincing explanations of how consensus is reached. It does not address the stage in negotiations where an outcome is finalised. Or in other words, the situation whereby negotiations cross the final line, or what is termed here as the *consensus point*.

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[206] Ibid., 177.

[207] Ibid., 178.

Reaching Consensus in Multilateral Negotiations

What happens when an outcome is reached, and who determines when a consensus is achieved? In Saadia Touval's explanation of phases points to a third phase when analysing negotiations: the agreement phase. During the first two phases of pre-negotiation and negotiation stages, delegations and its participants form like-minded and issue specific coalitions. However, as Pamela Chasek argues that the final bargaining phase is strictly state-centred and characterised by "numerous consultations on the remaining peripheral details in the agreement"[208]. Coalitions will have a limited role where delegates engage in dialogue or *negotiations by representatives* where representatives or usually leaders of these coalitions represent their views[209]. The point of reaching a consensus often begins from a small core group who are most interested in a given issue and are able to reach agreement on it. This small coalescence group of a few select negotiators then proceeds to win the adherence of the other participant who are less concerned with that issue[210].

In this final phase, parties will conduct bilateral bargaining with each other on points of disagreement. One technique is narrowing an outcome to cover only the issues where there is an agreement and leaving out unresolved issues. Another technique is what William Zartman calls *commodity bargaining*[211] or counterfeit agreements where an agreement is produced with ambiguous and imprecise wording giving an illusion of an agreement, when little agreement actually exists[212]. However, this ambiguity has its benefits, "it is often better to arrive at an imprecise agreement (thus establishing a modicum of cooperation) than to use the continuing gap between existing positions to justify refraining from any cooperation. Ambiguity greatly facilitates the conclusion of multilateral agreements"[213].

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[208] Chasek, 459.

[209] Touval, 164.

[210] Ibid., 169.

[211] Zartman, *International multilateral negotiation: Approaches to the management of complexity*.

[212] Touval, 170.

[213] Ibid.

This scenario is explained by Ronald Walker as one of the vilest features of multilateral conference.

> The long hours spent in airless rooms late at nights, amending draft texts so that they mean less and less consequently are acceptable to a greater number of delegations. This process is readily disparaged as *watering down* the text; but that is an emotional and incomplete way of evaluating it. The essential purpose is to find a text that will attract the broadest possible support—that it is to say that will more correctly represent the view of the majority- or in other words, of the conference[214].

In this final phase of multilateral negotiations, agreement is facilitated when "none of the participants opposes the agreement, although the degree of support for the agreement among them may vary"[215]. Conclusion is often facilitated by the aversion of states to isolation, and while states may veto in multilateralism this is at the risk of exclusion. "Being alone while many agree is uncomfortable for governments - to avoid isolation states may withdraw their objections"[216].

Multilateral Consensus Decision Making: An Analytical Framework

What do all these juxtapositions mean? To explain how Pacific island states, participate in the multilateral enterprise of consensus decision making, this chapter has sought to source a definition, and hypotheses from various literatures and propositions in order to build an analytical framework. This framework would be corroborated with thick ethnographic descriptions of how negotiations took place the various multilateral climate change negotiations at the international, regional and global levels. The main question this research asks: in multilateral climate change negotiations, how do small Pacific island states build and reach consensus? The inquiry is thus divided into two sub-questions to form a simple hypothesis:

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[214] Walker, 162.

[215] Touval, 169.

[216] Ibid., 170.

Multilateral Consensus Decision Making = Building Consensus + Reaching Consensus

The main hypothesis of this research is that, multilateral consensus decision making is the process negotiations that involves states building and reaching consensus.

> **Building consensus** refers to processes in the early phases of negotiations that involve participants highlighting multiple interests, values and ideas of parties; and their attempts through negotiations to streamline them into viable options.

> **Reaching consensus** are processes in the final stages of negotiations that involve finalising a decision, where viable options are bargained to the point that parties agree not to disagree.

From the eclectic literature explored here, the following propositions will be explored in the four multilateral forums examined in this thesis.

Table 7: Propostions of building and reaching consesnsus in multilateral negotiations

Propositions: Multilateral Consensus Decision Making (Process A+B)
- Interactional process of states: what states do to achieve consensus - It is visible in the collective behaviour of states, and only states themselves can determine the rules, and when an agreement has been achieved - Although time consuming, it takes place incrementally (stages) in logic of consent;
Propositions: Building Consensus (Process A) - Takes please when there when there is discussion among states of multiple proposals - Only a minority inclined to express their preferences, with a disagreement: - Coalitions will emerge and differentiation of roles in the groups. - Only a few number of issues will be discussed, narrowing of issues - Participants provide consent, continuity between deliberation and conclusion
Propositions: Reaching Consensus (Process B) - Discussion by a smaller coalescent group - Dropping objections: achieved through bilateral bargaining, construction of packages, compensation and side payments - Last Minute Scenario - Decision is made once a proposal is no longer contested; unity is achieved through the absence of opposition

Table 8: Analytical Framework to observe how consensus is built and reached in multilateral negotiations

	Phases	Actors	Activities
Building Consensus	**Pre-negotiation** (Informal)	Leaders State Delegations Coalitions	Monitoring and Coordinating Informal Networking Participants agreed;

			Coalitions emerge
			Role Differentiation; leaders and mediators
	Negotiation Stage (Formal/Open)	Leaders State Delegations Coalitions Small 'Coalescence Groups'	Monitoring and Coordinating Persuasive Debates Bargaining Informal Networking Exchange of Information Explore Alternative Packages
Reaching Consensus	**Agreement Stage** (Formal)	Leaders State Delegations Small 'Coalescence Group'	Monitoring and Coordinating Bargaining Informal Networking Second thoughts Last Minute Scenario **Consensus Point**

In order to explain how Pacific states, build consensus in the respective forums, the research will trace Pacific states and their negotiators in the pre-negotiations, negotiations and agreement phases. For the pre-negotiations phase the hypotheses state that leaders, state delegates/negotiators and coalitions will emerge; and will participate in activities that revolve around monitoring and coordinating both in formal and informal forums. It is predicted that in the negotiations phase, bargaining will start to emerge as parties form packages and a tentative agreement. It is expected at this stage that small coalescence groups will emerge that will focus on particular issues. In reaching consensus, it is expected that negotiators will start to decrease with only those with disagreements becoming active in the negotiations. Within this phase, this thesis will pay special attention to the actors and activities that occur in the 'consensus point' or the last-minute scenario. At this most crucial point in negotiations, which states, and its negotiators will be present?

The analytical framework presented here is a guide only. Analytical frameworks are means to guide the data generation techniques and the analysis of this thesis. It is built around the conceptualisation of current literature that explore consensus decision making at all levels - individual, society and state from literature of psychology, international relations and diplomatic studies. At its core, the framework assists in this inductive research of explaining the actors, activities and issues pursued by Pacific

island states in climate change negotiations. More importantly, how these states and its representatives behave in multilateral consensus decision making will draw out conditions of consensus building and reaching consensus. These conditions will inform the necessary building blocks on a theory on multilateral consensus decision making. This will be examined in detail in the concluding chapter.

Conclusion

Despite the limited scholarship in international relations on consensus decision making, this thesis finds approaches on studying actors and institutions useful for this research framework. Decision making theories focus on the utility of the *actors of the state* and the interactions and cognitive abilities to behaving in group thinking processes. The approaches encourage such analysis when exploring actors in negotiations and take into account the role of leaders, small groups, and the motivations/influences of individual actors in bureaucratic/organisational complex. The study of international organisations is vast. In this study the focus is on how *consensus as a procedure rule* has become a *procedural norm* in multilateralism. When exploring studies predicting what type of state or actor benefits in this decision making process, the literature points not to whether it is a small or large state—in effect because of the multilateral veto that every member has, the state or group of states with a disagreement will control the negotiations. The minority, or state with disagreement matters.

The study of negotiations within diplomatic studies provide the final clues. In essence the research explores behaviour and states in various climate change multilateral forums throughout 2015, culminating in the Paris Agreement of December 2015. Negotiations studies thus provides the main backbone of the framework. The integrative approach of studying actors, process, behaviour and the cognitive dimension[217] is relevant to the ethnographic methods used and data collected in this research, but especially unpacking the phases of negotiations. Using the propositions from psychology on building and reaching consensus, and merging with scenarios negotiations studies on phases, actors

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[217] By cognitive here the research refers to data collected from Talanoa interviews where participants shared aspirations and expectation on the progress of negotiations.

and activities, the following rubric of analysis be will used to explore the four forums: UNFCCC ADP 2-8, PIDF, PIF and UNFCCC COP21.

Chapters Four, Five and Six are the empirical chapters focusing on formal UNFCCC ADP2-9, informal PIDF and PIF, and UNFCCC COP21 respectively. The chapters will follow the pre-negotiations, negotiations and agreement with a concluding section on consensus point. The next chapter will put into context and situate the year of 2015 in the history of UNFCCC negotiations, and a history of Pacific island states participation in international and regional climate change negotiations.

Chapter Three: UNFCCC and the Pacific island states

Introduction:

This chapter is a study of climate change negotiation processes at the global and international level of the UNFCCC, and the regional architecture of climate change governance in the Pacific. Climate change negotiations as this chapter will show are a complex phenomenon that transcends all levels of diplomacy. The purpose here is to provide context on the complexity of the issues and structures of the UNFCCC negotiations, and the collective regional responses by Pacific island states to address climate change over the past two and half decades.

The first section will explore the complex history and structural institutions of the UNFCCC from its inception up until 2014. The chapter will then detail a trajectory of Pacific island states' participation in both the UNFCCC and key moments at the regional level during this time, a history that is commonly paint-brushed over as part of AOSIS, and at times ignored in the literature. The concluding section focuses on the context of negotiations in 2015, which sets up the timeline for the next three empirical chapters. It will highlight the series of meetings under the formal international UNFCCC ADP process that is distinguished by the text diplomacy [218] for the Paris Agreement; as well as the timeline of multilateral regional, sub-regional and regional-partnership meetings that can be explained as collective diplomacy or *new Pacific diplomacy*.

The Climate Regime: A short but complex history of UNFCCC

Global Warming Consciousness

Although the current international climate change regime is associated with the signing of the climate change convention in 1992, global concerns can be traced back to as early as the 1960s. During this time various research networks were established to study the

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[218] Pamela Chasek and Lavanya Rajamani, "Steps toward enhanced parity: negotiating capacity and strategies of developing countries," in *Providing global public goods: managing globalization*, ed. Inge Kaul (Oxford: Oxford University Press, 2003), 255.

impact of concentrations of carbon dioxide in the atmosphere[219]. The climate research from various scientific centres was central to the World Meteorological Organisation (WMO) arguments to establish the first ever international conference in 1979 devoted to the problems of the climate, namely the World Climate Conference (WCC)[220]. Over the next decade, the impetus that came from this science collaboration was a need for political action; one of these calls came from the Villach Conference on Global Warming 1987[221]. Political action was needed to address "the rate and degree of future warming (would be) profoundly affected by governmental policies on energy conservation, use of fossil fuels, and the emission of some greenhouse gases".[222] The concern that anthropogenic increases of emissions enhanced the natural greenhouse effect, and would result on average in an additional warming of the Earth's surface, saw the necessity of the establishment of the Intergovernmental Panel on Climate Change (IPCC) in 1988.

A political congress of hundreds of scientists and specialists from around the world, the IPCC, collated scientific information related to the various aspects of climate change. The body would evaluate the environmental and socioeconomic impacts of climate change and formulate the response strategies for the management of climate change. The second WCC in 1990, adopted the first IPCC assessment report that substantiated a correlation between global warming and greenhouse gas emissions (GHGs). Its findings further underscored the need for understanding the science of climate change, and secondly, created a state-led diplomatic platform to craft an integrated and comprehensive regulatory system to manage a new situation where small

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[219] In the 1960s these research networks were wide and varied, ranging from Study of Mans Impact on the Climate (part of the 1972 UN Conference on the Human Environment), Lawrence Livermore National laboratories, the National Centre for Atmospheric Research, the National Oceanographic and Atmospheric Administration (NOAA), the UK Meteorological Office and University of California. Campbell and Barnett, 52.

[220] The global conference would establish the World Climate Programme, jointly-organised under WMO, UN Environmental Programme and the International Council of Science.

[221] The World Commission on Environment and Development's (WCED) Brundtland Report's *Our Common Future* 1987 not only created and popularised the term sustainable development, but also the work of the Villach Conference on Global Warming.

[222] Campbell and Barnett, 86.

island states mobilised diplomatically, heeding the calls by scientists and the realities of sea level rise from global warming impacting their island nations[223].

The Need for a Treaty and Regime

Heeding the recommendations of scientists, the UNGA passed Resolution 45/212 establishing the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC). Supported by UNEP and WMO, the INC was mandated to prepare the skeleton of a possible treaty/conventions, agenda and bodies of a climate regime. In five negotiation sessions between February 1991 and May 1992, delegates from 150 states discussed the difficult and contentious issues of: binding commitments; targets and timetables for the reduction of carbon dioxide emissions; financial mechanisms; technology transfer; and *common but differentiated responsibilities and respective capabilities* of developed and developing countries[224]. The INC sought to achieve an ambitious task of consensus that could be supported by a broad majority, rather than drafting a treaty that dealt with specific policies that might limit participation[225]. By May 1992 the INC completed its work with a consensus text, which would become the United Nations Framework Convention on Climate Change.

At the UN Conference on Environment and Development, also known as the Rio Earth Summit in June 1992, the UNFCCC text was opened to parties for signatures. Considered the mother of all environmental meetings, the Rio Earth Summit encapsulated three key conventions: climate change, biodiversity and desertification[226]. From 155 signatories in 1992 it has since increased to 196 states and entities that have ratified the Convention (193 states of the UN, the regional entity of the European Union, and the non-state entities of Palestine, Cook Islands, and Niue). At the heart of the UNFCCC was the call for signatory parties to "stabilize greenhouse gas

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[223] Ibid.

[224] ENB, "Summary of the Eleventh Session of the INC for a Framework Convention on Climate Change 6-17 Febraury 1995," in *Establishment of the INC/FCCC*, ed. Earth Negotiation Bulletin (Berlin: Earth Negotiation Bulletin, 1995).

[225] Ibid.

[226] The three conventions from Rio were: UNFCCC: United Nations Framework Convention on Climate Change; CBD: UNFCCC. Convention on Biological Diversity; UNCCD: United Nations Convention to Combat Desertification

concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system".[227] While the ultimate call by scientists, and small island states, would have been to decrease GHGs, a compromise with industrialised countries led to the ambiguous aim of stabilising greenhouse gas emissions efforts. An intrinsic element of the treaty was the differentiation of the developed world into Annex I[228] categories, and non-Annex I for the global south based on the *principle of common but differentiated responsibilities*. It denotes that all states have a shared obligation to address climate change but have different responsibilities due to their development capabilities. Annex I countries who had benefited from industrialisation in the past had the specific aim to return emissions to 1990 levels by 2009. Furthermore, these countries had the responsibility to provide financial assistance and promote technology transfer to developing countries. This differentiation of countries has left a legacy of political polarisation within the negotiations,' of a firewall between the north Annex I countries and the south non-Annex I countries.

The treaty, after receiving its 50th signatory, came into force in 1994, and in the following year the first Conference of the Parties (COP) took place in Berlin. The tasks of COP1 were to complete the architecture of the climate regime and the rules of procedure and to affirm the new home of the secretariat in Bonn, Germany to carry out the work of the regime. However, at the end of COP1 participants concluded that the goals previously reached by those participating in the UNFCCC treaty were not sufficient to meet the challenge of global warming and needed to go beyond the year 2000[229]. The treaty did not provide a rule book on how states should decrease emissions, and mechanisms to channel funding for climate adaptation. The Berlin Mandate established an ad hoc process of negotiations for parties to establish a legally binding standards and emissions limits.

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[227]Ibid.

[228] Canada, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom, Australia, Japan, New Zealand, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Russian Federation, Slovak Republic, Slovenia, Ukraine.

[229] Originally, the UNFCCC had a goal of returning greenhouse gas emissions to 1990 levels by 2000.

Kyoto: A Protocol for climate mitigation and adaptation

The Kyoto Protocol was finalised after two years of negotiations that concluded at COP3 in Japan in 1997. It put forth a 'top-down' compliance system that committed industrialised countries and countries in transition (Annex I), to reduce their overall emissions of six GHGs by an average of 5% below 1990 levels in 2008-2012 (first commitment period). These mitigation targets varied from country to country. Recognising that developed countries were principally responsible for the high-levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol placed a heavier burden on developed nations under the principle of common but differentiated responsibility.[230] Adaptation, or adapting to climate change impacts became a key component for all countries, with specific financing and technology transfers to be endowed from developed Annex I countries.

Despite global optimism in reaching an agreement in Kyoto, it took more than a decade before it was implemented in 2008. The delay was in part a product of slow negotiations on implementing the Protocol that concluded in 2001, known as the Marrakesh Accords. One major setback was the refusal by the U.S. to ratify the Kyoto Protocol, fuelled by resentment of the U.S. Republican party government. The withdrawal of the world's largest economy and biggest GHG polluter led to anxiety that the Protocol would fall apart if countries follow the American stance. Nonetheless, Kyoto survived with Iceland and Russia's support, leading to ratification in 2004[231].

Before the start of the Kyoto Protocol commitment period, the Bali COP13 in 2007 marked another turning point in climate change multilateralism. The Bali Action Plan (BAP) set forth a mandate to initiate negotiations to include a focus on mitigation, adaptation, finance, technology; and a shared vision for long-term cooperative action. The latter was vital in situating concerns at this time for a global agreement post 2012

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[230] UNFCCC, "Kyoto Protocol Introduction," United Nationa Framework Convention on Climate Change, https://unfccc.int/process/the-kyoto-protocol

[231] The Protocol survived with Iceland (as the 55th state 2002) and Russia (ratification in 2004), it met Article 25 "the article enters into force" on February 2005. Article 25 states that the Protocol shall enter into force on the ninetieth day after the date on which not less than 55 Parties *[Iceland]* to the Convention, incorporating Parties included in Annex I *[Russia]* which accounted in total for at least 55 per cent of the total carbon dioxide emissions for 1990 of the Parties included in Annex I, have deposited their instruments of ratification, acceptance, approval or accession.

when the implementation period for Kyoto concluded[232]. Thus, parties consented on a ta mandate for negotiations to begin on a new form of the protocol, to be concluded in 2009.

Copenhagen: Diplomatic Failure

Deemed as 'Hopenhagen', the Copenhagen COP15 was the biggest global gathering with over 40,000 participants negotiating a new agreement on climate action[233]. The conference situated climate change prominently in the international agenda and became the largest diplomatic endeavour in history. According to Radoslav Dimitrov, negotiators believed in the "heads-of-state factor as a solid guarantee that something will be decided, since failure to produce any document would be a politically unaffordable scandal"[234]. COP15 started under a veil of conspiracy with a rumour of a secret 'Danish text', where select countries were invited by the Chair (Denmark) known as Friends of the Chair, and revisions were negotiated and put together to be tabled at the meeting. A draft document was subsequently leaked to the UK Guardian newspaper just as the Copenhagen meeting started[235]. As a result of this rumour, the Earth Negotiations Bulletin reported that many negotiating groups and ad hoc coalitions began working on their own texts, some of which were also leaked to the media[236].

The aftermath of Copenhagen was a devastating blow to the climate regime process and multilateral diplomacy. The rumours of a secret informal process of a select few spearheaded by the Danish Chair, gave way to protests in favour of process transparency, inclusive participation of all states and accountability both within

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[232] ENB, "Summary of the Geneva Climate Change Conference 8-13 February 2015," in *Establishment of the INC/FCCC*, ed. Earth Negotiation Bulletin (Berlin: Earth Negotiation Bulletin, 2015).

[233] "A brief analysis of the Copenhagen Climate Change Confernce: an IISD commentary," in *Copenhagen Climate Change Conference 2009*, ed. Earth Negotiation Bulletin (Copenhagen Earth Negotiation Bulletin, 2009), 1.

[234] Radoslav S Dimitrov, "Inside Copenhagen: the state of climate governance," *Global environmental politics* 10, no. 2 (2010): 19.

[235] John Vidal, "Copenhagen climate summit in disarray after 'Danish text' leak," in *The Guardian Weekly* (Sydney: The Guardian, 2009).

[236] ENB, "A brief analysis of the Copenhagen Climate Change Confernce: an IISD commentary," 1.

negotiation rooms, and civil society on the streets of Copenhagen[237]. These suspicions unfolded when more than 115 heads of governments arrived in the final days of Copenhagen, where an impasse had awaited them. Throughout the two-week conference, various coalitions under the G-77 and China or global South, staged various walkouts and the Annex I coalitions blocked progress citing procedural reasons[238]. The more than 200 pages of negotiated texts from the two years prior were 'trashed', as leaders frantically attempted to 'cover up the failure' with a new text agreement in the final 48 hours[239].

Away from the formal negotiations, the Friends of the Chair, 28 Presidents and Prime Ministers[240] drafted a two and half page, Copenhagen Accord text late in the evening of December 18, 2009. The text was subsequently submitted to the plenary at 2am for final debate in a heated and 13-hour marathon final plenary[241]. Tuvalu was the first state to openly object and renounce the Accord, followed by Venezuela, Bolivia, Cuba and Nicaragua as *untransparent and undemocratic*[242]. Given the lack of a consensus, the Copenhagen Accord was cited by parties to take note of in the COP decisions, with the mandate for negotiators to continue in 2010.

Climate Change Finance

Despite its diplomatic failure to achieve an outcome among parties, Copenhagen was a step forward in climate policy and global action. COP15 was the first occasion since the early days of the Convention that climate change received both high-level leadership support and wider global media and citizenry attention. In the months leading up to Copenhagen, there was an "avalanche of positive developments" by the EU, Japan, U.S.

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[237] Tom Zeller, "Thousands march in Copenhagen, calling for action," New York Times, https://www.nytimes.com/2009/12/13/science/earth/13climate.html.

[238] ENB, "A brief analysis of the Copenhagen Climate Change Confernce: an IISD commentary," 3.

[239] Dimitrov, 19-21.

[240] The Friends of the Chair consisted of the world's 80 percent of GHG polluters and some vulnerable states: U.S., China, India, Brazil, South Africa, U.K., France, Australia, Germany, the E.U., Japan, Ethiopia, Bangladesh, Russia, Mexico, Spain, South Korea, Norway, the Maldives, Columbia, and Indonesia Jake Schmidt, "Key countries agreed to Copenhagen Accord," in *Climate & Energy* (Grist 2009).

[241] ENB, "Summary of the Geneva Climate Change Conference 8-13 February 2015."

[242] Ibid.

Brazil, China and India in carbon emission target pledges[243], following years of careful diplomacy by UN Secretary Ban Ki Moon and the UNFCCC leadership to garner political will. It was the first time the emerging economies and other developing countries joined Annex 1 in pledging voluntary mitigation goals, where in 2010 more than 80 countries submitted mitigation targets[244] and more importantly established a global climate stabilisation goal of average temperature rise to 2°C above pre-industrial levels. "The 2°C target was officially sanctioned as essential policy guidance, with the hope that it may subsequently become a legal goal in a new climate agreement"[245]. Furthermore, mentioned under the Copenhagen Accord, and later adopted under the Cancun Framework the next year, a global fund was to be established for parties to pledge USD$30billion annually, expected to rise to USD$100 billion in 2012 to support parties' mitigation and adaptation efforts. However, the events in Copenhagen were a shock to many. The multilateral process was questioned over lack of inclusion, transparency and the decision making of the Danish Chair, and the collective actions of technical negotiators to draft a text over two years could not lead to a consensus. Political bargaining by leaders overshadowed the work of multilateral process at the last minute.

Rebuilding faith in the multilateral consensus process

Over the next three years, the negotiations would focus on saving the regime by restoring the faith of negotiators in the process, and its global legitimacy to provide international climate policy direction. Cancun COP16 saw the establishment of the Green Climate Fund to administer the USD $20billion/$100 billion global fund pledged in Copenhagen. However, Cancun still could not provide a consensus on the outstanding matter from COP15, a replacement protocol/agreement for post-Kyoto. The Durban meeting in the following year was more successful in cementing a guiding framework. Parties agreed to establish of the Ad hoc Working Group on the Durban Platform (ADP) to negotiate both a process and a text for a new agreement after 2020. Parties and the Secretariat, learning from the failures of 2009, needed a drawn-out

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[243] Dimitrov, 19-20.

[244] ENB, "Summary of the Geneva Climate Change Conference 8-13 February 2015."

[245] Petra Tschakert, "1.5 C or 2 C: a conduit's view from the science-policy interface at COP20 in Lima, Peru," *Climate Change Responses* 2, no. 1 (2015): 1.

process that was open and gave enough time for negotiators to absorb and negotiate the text.

The Doha Amendment to the Kyoto Protocol or Doha Climate Gateway 2012 encouraged states to ratify a second commitment period of the Kyoto Protocol. However this time Canada, Japan, New Zealand and Russia did not sign and joined the U.S. stance in ignoring to ratify the protocol. In Warsaw 2013, parties continued negotiations on two key issues by establishing two bodies. By the time negotiations had come around COP20 Lima 2014 and the ADP process was at the centre of attention. The Lima Call for Climate Action set in motion the negotiation process for an agreement to be concluded by the end of 2015. While over the previous four years progress had been made over contentious issues in the regime such as the Warsaw International Mechanism for Loss and Damage (WIM), mechanism for reducing emissions from deforestation and forest degradation in developing countries (REDD), and intended nationally determined contributions (INDC), [246]there were still apprehensions that history would repeat itself when it came to negotiate a protocol. Thus, as explored later in this chapter and throughout this thesis, negotiating climate change is far from an easy or straightforward process.

Institutional Process and Bodies of the Regime

The short history of the negotiations detailed above provides insights into the complexity of issues around international climate change policy leading up to 2015. However, this trajectory does not detail the intricacy of activities and actors that participate within the UNFCCC negotiating arenas. The purpose of this sub-section is to provide context for the structure of negotiations by looking at the bodies or institutions within the UNFCCC. Understanding the structures and bodies within the UNFCCC provides a framework to understanding how and where states and their delegations participate in the negotiations detailed in later chapters.

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The INC negotiations affirmed and established four key basic institutional structures: the COP, Subsidiary Body of Implement (SBI), Subsidiary Body for Scientific and Technological Advice (SBSTA), and to provide support in implementing decisions the Secretariat[247]. It is important to note that while the main bodies like COP, SBI and SBSTA are formal, their internal structure and operations have changed gradually over the years. In other words, while the COP, subsidiary and ad hoc bodies are identified as formal negotiating arenas, however, upon closer inspection these bodies operated with smaller informal bodies and groups.

Conference of the Parties (COP)

As the supreme body of the Convention, the COP is the forum where all 196 party members have an equal seat at the table during annual meetings at the end of each year. The role of COP is to "review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements".[248] The COP also served as the arena for the parties to the Kyoto Protocol- known in its official name as the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), where all party members are represented except U.S., Sudan and Afghanistan which are observers, considering these states have not ratified Kyoto. They participate as observers.[249] The COP/CMP confirms the decisions of the subsidiary bodies, and ad hoc working groups in its main plenary sessions, and attracts no fewer than 10,000 participants from states, observers, and media[250].

Subsidiary Body of Implementation

"The agenda of the SBI is shaped around the key building blocks of the implementation of the Convention and the Kyoto Protocol: transparency, mitigation, adaptation,

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[247] Depledge, 22.

[248] UNFCCC, "Conference of the Parties (COP)," United Nations Framework Convention on Climate Change, https://bit.ly/2Pn3pHj.

[249] "Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP)," United Nations Framework Convention on Climate Change, https://bit.ly/2NxzKL6.

[250] "About the Secretariat," United Nations Framework Convention on Climate Change, https://unfccc.int/about-us/what-is-the-unfccc-secretariat.

technology, capacity-building and financing".[251] The SBI is also considered important in the organisation of intergovernmental meetings or administrative, financial and institutional matters. In this forum, member states negotiate and suggest to COP for final approval, the establishment of specialised bodies and institutions that facilitate implementation of the key building blocks. In the years leading up to 2015, some of these specialised committees have been the Adaptation Committee, Standing Committee on Finance, and the Technology Mechanism. The "SBI has the responsibility of maintaining the political momentum and ensuring transparency on decision making on these matters"[252].

Subsidiary Body for Scientific and Technological Advice

The SBSTA focusses on the provision of timely information and advice on scientific and technological matters in relation to the Convention and Protocol. The body's key work includes the impacts of vulnerability to and adaptation to climate change, promoting the development and transfer of environmentally-sound technologies and conducting technical work to improve the guidelines for preparing and reviewing GHG emission inventories from Annex I Parties[253]. It promotes collaboration in the field of research and systematic observation of the climate system, especially the Convention's link to the scientific information provided by expert sources such as the IPCC and other relative international organisations.

There are multiple committees, institutions and working groups housed underneath each of the two permanent bodies. These sub-bodies are composed of elected representatives from regional or coalition nominees that meet throughout the year to discuss the agenda and issues. Not operating in silos, both the SBSTA and SBI work together on cross-cutting issues that include the vulnerability of developing countries to climate change and response measures, discussions under the Technology Mechanism, the Adaptation Committee and the Warsaw International Mechanism for Loss and Damage associated

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[251] "Subsidiary Body for Implementation (SBI)," United Nations Framework Convention on Climate Change, https://unfccc.int/process/bodies/subsidiary-bodies/sbi.

[252] Ibid.

[253] "Subsidiary Body for Scientific and Technological Advice (SBSTA)," United Nations Framework Convention on Climate Change, https://unfccc.int/process/bodies/subsidiary-bodies/sbsta.

with climate change impacts. The two bodies meet twice a year: firstly, in May/June usually at the secretariat in Bonn, and again during COP. The recommended decisions of the SBI and SBSTA are subsequently transferred for approval in the COP plenary.

Secretariat

With over 500 employees the UNFCCC secretariat provides organisational support and technical expertise to the UNFCCC negotiations and institutions and facilitates the flow of authoritative information on the implementation of the Convention and the Kyoto Protocol. Located in Bonn, Germany, the secretariat prepares the official documents for the COP and subsidiary bodies, the coordination of In-Depth Reviews of Annex I Party national communication, and the compilation of GHG inventory data, among various other functions[254]. The head of the secretariat is the Executive Secretary. In 2015 former Costa Rican negotiator, Christiana Figueres, held the post since 2010. The work of the secretariat is vital in coordinating at least two meetings annually.

The Chair and Bureau

The Presidency or Presiding Officer/Chair of the COP rotates among the five recognised UN regions - Africa, Asia-Pacific, Latin America and the Caribbean, Central and Eastern Europe, and Western Europe and Others regions. While the Presidency usually hosts the COP in their respective country, if this is not possible, the COP is hosted at the UNFCCC Secretariat in Bonn, Germany[255]. The Chair has the pivotal role in orchestrating the process, especially the conduct of final key moments in ushering a consensus from parties. Presiding countries employ various diplomatic strategies such as informal ministerial meetings throughout the year, conducting 'Friends of the Chair' or bilateral meetings with discerning parties on key issues, and emphatic declarations to members in plenary meetings, and in media. Similar to the role of the UN Secretary General and Executive Secretary of UNFCCC, these key individuals are responsibility of building political will not only amongst global media and leaders, but especially negotiators. Although the chair has a structural role (selected from its peers) it has the significant role of ensuring that all parties come to the table to negotiate.

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[254] "About the Secretariat".

[255] "Subsidiary Body for Scientific and Technological Advice (SBSTA)".

The Bureau composed of eleven delegates elected by the parties assisted the President of the COP. Similar to the rules of procedure for the presiding officer, it was decided at the INC negotiations that there will be two members from each of the five UN regions. However, unique to climate change negotiations is the eleventh seat, and as further detailed later in this chapter, this representative is a member of the Small Islands Developing States (SIDS seat). From the bureau or the Vice Presidents of the COP/CMP, two of its members are commonly selected as Chairs of SBI and SBSTA (these posts are not rotational amongst the regions) and one member as the Rapporteur of COP. Although no political negotiations take place in the bureau, the eleven members at times consulted with parties and coalitions of respective regions on certain issues[256]. They advise the President and keep an eye on the pulse of negotiations; they would be called at times to facilitate any contact groups and informal consultations during negotiations.

Complexity Within a Complex Process

With the growth of the regime so too are the issues that are impressed on the agenda of COP, SBI and SBSTA. To alleviate complexity, working groups, committees and numerous informal negotiations operate in parallel at one time. From the outside, meetings occurring during COP, SBI and SBSTA sessions may be seen as formal meetings of the climate regime. However as reflected in the work of Joanna Depledge, [257]and the findings of this thesis, within these meetings, there are an array of formal plenary/working groups, and numerous informal negotiating arenas. As Table 9 on the negotiating arenas shows, there are numerous informal arenas from contact and working groups, *friends of the chair* and unofficial negotiations behind the scenes.

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[256] "Bureau of the COP bodies," United Nations Framework Convention on Climate Change, https://unfccc.int/bureau-cop-bodies-page.

[257] Depledge.

Table 9. Main types of negotiating arenas in UNFCCC

Negotiating Arena	Category of Arena
Plenary meetings (COP and Subsidiary bodies) COP working bodies	Formal, Open
Informal groups (eg. Contact groups, working groups) Informal consultations Spin-off groups	Informal, Open/Closed (some open to observers if parties consent, but mostly closed
'Friends' groups, consultations	Informal, Closed (State delegates only)
Behind the scenes: internal coalition, bilateral communication	Unofficial

Source: adapted from Joanna Depledge, The organization of global negotiations: Constructing the climate change regime (Earthscan, 2013).

To put in perspective the complexity of multiple meetings occurring simultaneously, on the official agenda of December 3, 2014 (Day 3 of the Lima COP20) – at 10.00am there were at least 17 meetings under five bodies (COP, CMP, SBI, SBSTA, and ADP) taking place[258]. This count was only for the formal meetings on the UNFCCC agenda, this number did not include the closed meetings of spin off groups, coalitions and delegations, nor multiple side events, roundtables, meetings with NGOs and unofficial closed meetings that took place during the morning hours of December 3, 2014. However, this example foretells a challenge that all state delegations, especially small states, face in the climate change negotiations, that is coordination and ensuring there is a state negotiator represented in each negotiating rooms.

Formal Arenas: Plenaries

The plenaries of the main and ad-hoc bodies are the core arenas where formal decisions take place[259], with little to no negotiations. The exception here, are last minute huddles that take place in final plenaries and discussed in Chapter Six as the consensus pont. Similar to other plenaries of multilateral meetings, they are sites of diplomatic rituals. They "provide all parties with an equal and public opportunity to posture and stake out their positions, formally placing their views on the table and making a bid for their

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[258]UNFCCC, "COP20 Lima- Daily Programme Wednesday 3 December 2014," in *UNFCCC COP20 and CMP10*, ed. UNFCCC (Lima: United Nations Framework Convention on Climate Change, 2014).

[259]Yamin and Depledge.

preferences in the negotiations"[260]. The opening plenary of COP, SBI and SBSTA will confirm the agenda and then refer all matters to *informal contact groups* or facilitated working groups for negotiations. The main conference plenaries and plenaries of contact groups act as *stocktaking groups* where informal working groups report back to delegates, NGOs and non-Anglophones that could not attend these *states-only negotiations* to comment. The latter is important in deciphering if a meeting is formal or informal. The language of UNFCCC negotiations is English. From observation of negotiations in practice, informal negotiation groups usually do not have language translators in the room.

Informal Arenas: Negotiating groups

Informal working groups have been known in the UNFCCC meetings by various names: contact group, draft group, non-groups, cluster groups or even negotiating groups[261]. The names have changed from year to year according to the COP Presidency and if they have a specific mandate. However, as this research shows in Chapters Four and Six informal groups are the crux of where negotiations take place. They are established through a mandate by members or suggestions of the Chairs, for members to negotiate the details of the issue or text. In the likelihood of another impasse on a particular aspect or text language another informal group or spinoff may be established to iron out disagreements, before reporting back to the informal working group, which then reports back to the main plenary. Yamin and Depledge describe these various forms of informal negotiating arenas as 'open-ended' (as open to all state-delegate members) – where two facilitators (one from Annex I and one from non-Annex I) are suggested by the President of the COP or Chair of the Convening group approved by the parties. These informal negotiating groups are at times open to NGO observers, but may be asked to leave the room if requested by the facilitators)[262]. There are no set rules that guide the working group or are bound to meet at traditional times of UN meetings (10am-6pm), and so upon the approval of delegates may often meet into the night. However, there is established practice that no informal working group should take place at the same time as a COP plenary.

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[260] Depledge, 7.

[261] Ibid., 114.

[262] Ibid., Yamin and Depledge, 7.

To add to the complexity, the presiding officers may conduct informal consultations during the proceedings. The function of these private meetings is to forge consensus amongst certain parties and coalitions on issues that have an impasse, or where progress is stagnant. As Chapters Four and Six will detail they may be in the form of either a 'bilateral with the Chair' and at other times 'Friends of the Chair' for two contrasting reasons. Firstly, on more technical and procedural issues, where there is limited general interest, a full scale informal group is not warranted to be established. Alternatively, informal consultations are sometimes convened "on sensitive political issues, where it is feared that a more open group negotiation might give dangerous prominence to the issue or trigger unproductive confrontation". [263] In the literature of UNFCCC negotiations these meetings tend to escalate occurring in the 'finale' of each political segment of COPs, and in some instances, the Chair/President may appoint another party member delegate to facilitate the impasse/stagnation meeting. This scenario is significant in explaining what this research terms as the 'consensus point'

The bodies of the UNFCCC, and the informal working and consultation groups described so far, explain the structural complexity within a UNFCCC meeting. Whether established by the Convention, or via the mandate of members, or the suggestions of the Chair, these arenas of negotiations promote an atmosphere of bargaining and a sense of specialisation that leads to coherence of issues.

Coalitions and political groupings

UNFCCC is a party-state led system; states and their official delegates are the main actors in these negotiations. To navigate and manage this complexity in multilateral institutions, states form inter-state coalitions to coalesce around certain positions. The political groupings or coalitions amongst the parties are an integral part of the international climate change negotiations, that trace their ancestry to a period before the UNFCCC. The existence of coalitions, some of which speak with a common voice, help to streamline the negotiation process and transaction costs. At the same time, coalitions may block or slow progress in reaching agreement. The strategies and the dynamics that

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[263] Depledge, 115.

coalitions bring to climate change coalitions is seen by scholars as introducing a third level game for states - gaining both agreement of its domestic and fellow coalition members before negotiating at the table[264]. Their very presence leads to a dual structure in the climate change regime: issues are negotiated at the coalition level first, before common positions are presented in COP/SBI/SBSTA and their respective working groups. Coalitions inadvertently become clearinghouses or filters for key positions and rallying support for major submissions.

Like informal working groups and informal consultations, there are no fixed procedures in establishing rules of operandi in how coalitions are created in the regime. It is the prerogative of states to create or associate themselves to party groupings. A group of countries only need to inform the Chair of COP or informal working group of their existence, and their request to take the floor. Although ad hoc coalitions come and go, during the two-decade long negotiation process certain coalitions have become established almost as permanent fixtures to the regime. According to the work by Carola Betzold, Paula Castro, and Florian Weiler in Figure 2, states were not necessarily part of one exclusive coalition but associated with multiple coalitions depending on their preference of advocacy. These coalitions are based on traditional alliances, regional affiliations or issue-based groupings that are divided by the *firewall*—the Annex1 "North" developed countries, and the Global "South" under the G-77 and China group[265]. Coalitions started to form from as early as the drafting days of the Convention during the INC. The INC being part of the UNGA system, the negotiating styles and the coalitions of the UNGA would naturally replicate in the regime. The North and South divide emphasised the notion at the time of the North (Annex I) as the polluters, and the main position the South (non-Annex I) pursued was the polluter pays.

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[264] Ibid., 7.

[265] Blaxekjær and Nielsen, 752.

CACAM

Albania
Armenia
Georgia
Kazakhstan
Republic of Moldova
Uzbekistan

Turkmenistan

Cook Islands
Nauru
Niue
Palau

Kiribati
Tuvalu

LDCs

Dominican Republic
Fiji
Guyana
Papua New Guinea
Suriname

Samoa
Solomon Islands
Vanuatu

Bangladesh

Afghanistan
Bhutan
Cambodia
Lao P. D. R.
Myanmar
Nepal
Yemen

Coalition of Rainforest Nations*

AOSIS

Bahamas
Barbados
Micronesia
Grenada
Jamaica
Marshall Islands
Singapore
Saint Kitts and Nevis
Saint Lucia
Tonga
Trinidad and Tobago

Haiti
Maldives
Timor-Leste

Comoros
Guinea-Bissau
Sao Tome and Principe

Benin
Burkina Faso
Burundi
Chad
Djibouti

Argentina
Chile
Malaysia
Indonesia
Pakistan
Paraguay
Thailand
Uruguay
Viet Nam

Eritrea
Ethiopia
Gambia
Guinea
Malawi
Mali
Mauritania
Mozambique
Niger
Rwanda
Senegal
Somalia
Sudan
Tanzania
Togo
Zambia

SICA

Antigua and Barbuda
Cuba
Saint Vincent and the Grenadines
Dominica

Belize

Cape Verde
Mauritius
Seychelles

Costa Rica
El Salvador
Guatemala
Honduras
Panama

Nicaragua

Bolivia

Botswana
Côte d'Ivoire
Egypt
Morocco
Namibia
Swaziland
Tunisia
Zimbabwe

Central African Republic
D. R. Congo
Equatorial Guinea
Lesotho
Liberia
Madagascar
Sierra Leone
Uganda

Azerbaijan
The former Yugoslav
Republic of Macedonia
Israel
Kyrgyzstan
Montenegro
San Marino
Serbia
Tajikistan

ALBA

Cameroon
Congo
Gabon
Ghana
Kenya

African Group

Bahrain
Bosnia and Herzegovina
Brunei Darussalam
Colombia
D. P. R. Korea
Jordan
Lebanon
Mongolia
Oman
Peru
Philippines
Sri Lanka
Syrian Arab Republic

Ecuador   Venezuela

OPEC

Iran   Qatar
Iraq   Saudi Arabia
Kuwait   United Arab Emirates

Nigeria

Algeria
Libya

Angola

South Africa

Brazil
China
India

BASIC

G77 / China

Mexico
South Korea

Non-Annex I

Annex I

Liechtenstein
Switzerland

Environmental
Integrity Group

Australia
Canada
Iceland
Japan
New Zealand
Norway
Russia
Ukraine
United States

Austria
Belgium
Bulgaria
Cyprus
Czech Republic
Denmark
Estonia
Finland
France

Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta

Netherlands
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden
United Kingdom

Belarus
Croatia
Monaco
Turkey

Umbrella

EU

* countries in italics form part of the Coalition of Rainforest Nations.

Figure 2: Country groups in the climate change negotiations
Source: Carola Betzold, Paula Castro, and Florian Weiler, "AOSIS. in the UNFCCC. negotiations: from unity to fragmentation?," Climate Policy 12, no. 5 (2012)

In Nicholas Chan's work on the trajectory formation of southern coalitions in the UNFCCC, he notes by the time the Convention was established the North's coalitions of Economies in Transition, European Commission (Union) and Umbrella Group, and the South's traditional coalitions from the UNCTAD days of G-77 and China, and the Least Developing Group were in place[266]. Outside of these traditional UN coalitions, the Organisation for Petroleum Exporting Countries, and the newly formed small islands developing states coalition AOSIS were present in the agenda setting negotiations. Once the Kyoto Protocol and its implementation negotiations phase came around the UN regional groupings the African Group, Group of Latin America and Caribbean Countries and the Arab Group, although present from the beginning, started to have an assertive voice in the negotiations[267]. By the time of the Bali COP13, 2007, and Copenhagen COP15, 2009, scholars attest to the fragmentation and explosion of coalitions - that took on board advocacy of specialised issues like carbon sinks and clean carbon mechanisms, reforestation, and climate migration to name few[268]. As Lau Øfjord Blaxekjær and Tobias Dan Nielsen detail in their mapping of coalitions in the regime in 2013 in Table 10, the context of climate negotiations leading up to 2015 was also a coalition complex.

Table 10. Coalition Blocs in UNFCCC Negotiations

Annex I	non-Annex I	Both Annex I and non-Annex I
Economies In Transition (EIT)	African Group (AG)	Environmental Integrity Group (EIG)
European Union (EU)	Alliance of Small Island States (AOSIS)	Cartagena Dialogue for Progressive Action (CD)
Umbrella Group (UG)	Bolivarian Alliance for the Peoples of our America (ALBA)	Durban Alliance (DA)
	Central American Integration System (SICA)	
	Central Asia, Caucasus and Moldova (CACAM)	
	Coalition of Rainforest Nations (CfRN)	

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[266] Nicholas Chan, "The construction of the South: developing countries, coalition formation and the UN climate change negotiations, 1988-2012," Department of Politics and International Relations (Oxford: University of Oxford, 2013), 270-72.

[267] Ibid., 275-79.

[268] Ibid.

	League of Arab States (LAS)	
	Least Developing Countries (LDC)	
	G77 and China (G77)	
	Organisation of Petroleum Exporting Countries (OPEC)	
	Brazil, China, South Africa, India (BASIC)	
	Climate Vulnerable Forum (CVF)	
	Mountains Landlocked Developing Countries (MLDC)	
	Like Minded Developing Countries (LMDC)	
	Association of Independent Latin American and Caribbean Countries (AILAC)	

Source: Lau Øfjord Blaxekjær and Tobias Dan Nielsen, "Mapping the narrative positions of new political groups under the UNFCCC," *Climate Policy* (2014)

Notes: The list is attributed mostly to coalitions that arise after COP15 in Copenhagen 2009. The coalitions which the 14 Pacific states are a part of are coloured red (six out of 20 coalitions)

UNFCCC Procedures and Consensus

An idiosyncratic feature of the climate regime relates to its rules of procedure, and of significance to this research is the interpretation, application and creation of consensus among parties. The proceedings, basic structure and form decision making are detailed in written rules of procedure. [269]However, despite an extensive rules book, the parties have differences in opinion over the voting rule and concept of consensus. Since the early days of the INC and COP1, parties have held firm positions pertaining to decisions in the COP to whether or not to make decisions by majority voting. Saudi Arabia, representing Organisation of Petroleum Exporting Countries (OPEC) states, argued firmly on language that would not allow a voting mechanism to take place in the regime but only consensus[270]. The European Union suggested that all matters relating to the financial mechanism should be taken by consensus; while members of the G-77 agreed that all matters should be decided by consensus or, if no consensus is possible, by a three-fourths majority vote[271]. These differences in opinion on voting, have left 'Draft Rule 42' with two alternatives: on decisions by vote inadvertently leaving no

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[269] UNFCCC, "Status of Ratification of the Convention," UNFCCC, https://unfccc.int/process/the-convention/what-is-the-convention/status-of-ratification-of-the-convention.

[270] Kemp.

[271] ENB, "Summary of the First Conference of the Parties Framework Convention on Climate Change 28 March- 7 April 1995," in *Establishment of the INC/FCCC*, ed. Earth Negotiation Bulletin (Berlin: Earth Negotiation Bulletin, 1995).

opportunity for voting; or all matters to be decided by consensus. The Chair of COP1, Germany's Angela Merkel could not find agreement amongst parties and so the matter was referred to COP2 for further consideration. The practice of referring the rules for the next COP for discussion continues today, and the rules of procedures are agreed to parties in principle at the opening plenaries except for rule 42.

This absence of a voting procedure has led to the general understanding amongst parties that almost all decisions of importance are agreed to by consensus[272]. Although there were times in the history of negotiations where voting was suggested. One such case was during the negotiation of the Kyoto Protocol where COP Chair Raul Estrada-Oyuela, in face of numerous objections to the ruling that there was consensus on a decision, offered to put his ruling to vote, resulting in the dissenting Parties withdrawing their objections[273]. As one scholar argues, countries generally prefer to avoid conflict and reach consensual agreement rather than resort to a confrontational vote. "What voting rules should operate in the vacuum left by Rule 42 has been the subject of intense debate and speculation… most delegates seem to concede that, in the absence of a specified majority voting rule, decisions should be taken by consensus".[274] Furthermore, attempts by Mexico and Papua New Guinea since COP17 to reconsider the use of the voting system in decision making remains an ongoing agenda, and like the rules of procedure this agenda is referred to the next COP. For parties advocating the consensus system, it allows one country to essentially block negotiations if decisions are deemed unfavourable; rather than a process where a majority of states may impede or force commitments on economies.

Consensus as a default rule has not always worked and is seen by some as the main obstacle in actually reaching a final outcome[275]. The UNFCCC was adopted without

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[272]Yamin and Depledge, 444., Daniel Bodansky and Lavanya Rajamani, "The evolution and governance architecture of the climate change regime," in *International Law and International Relations* ed. Detlef Sprinz and Urs Luterbacher (Boston: MIT Press, 2012).

[273] Yamin and Depledge, 444.

[274] JD Werksman, "Procedural and Institutional Aspects of the Emerging Climate Change Regime: Improvised Procedures and Impoverished Rules?" (paper presented at the concluding workshop on the project entitled Enhancing Policy-making Capacity under the Framework Convention on Climate Change and the Kyoto Protocol, London, 1999), 6.

[275]See more in Frank Biermann and Aarti Gupta, "Accountability and legitimacy in earth system governance: A research framework," *Ecological economics* 70, no. 11 (2011)., Heike Schroeder, Maxwell

consensus in 1992, and negotiations at COP6 The Hague in 2000 collapsed due to an inability to reach consensus[276]. As indicated earlier, another example of where the lack of consensus led to a derailing of negotiations was famously demonstrated in the failure of Copenhagen COP15 and the inability of a small group of states to agree to the Accords.

Implications of Consensus Procedure on Regime

The lack of an agreement amongst parties to affirm a voting procedure on making decisions has ultimately made consensus the modus operandi for the climate regime. "The effect of consensus would be to give veto power to a single country."[277] Rule 42, of voting, is not applied at any session except under circumstances agreed under the Convention where voting is allowed for adoption of amendments and annexes.[278] Subsequently, the consensus procedure has bestowed on the regime both a sense of ambiguity, and more importantly a greater emphasis on procedure. The former revolves around the legal definition of where there are no stated formal objections to a decision. But as Depledge argues, in practice within the negotiations a state would agree in principle or give its consent, but argue in its final remarks at plenary its reservations to be noted in the final draft.[279] A notable example is the U.S. stance on the Kyoto Protocol, where the U.S. affirmed "it would not stop others from moving ahead" in ratifying and implementing the Protocol.[280] The ambiguity of when a decision can be seen as a consensus when ultimately a state or group of states have not agreed thus gives the President of the COP certain powers to exercise whether a consensus has been reached or not. "Ultimately, however, the presiding officer can only declare consensus with the acquiescence of the parties, and the meaning of consensus can thus become a struggle." [281]

T Boykoff, and Laura Spiers, "Equity and state representations in climate negotiations," *Nature Climate Change* 2, no. 12 (2012).

[276] Kemp.

[277] Ronneberg, 768.

[278] Depledge, 91.

[279] Ibid., 92.

[280] Ibid.

[281] Ibid.

The second impression of consensus on the climate negotiations has revolved around greater emphasis on process. Whether it be climate or other international regimes, consensus has become an accepted and integral part of decision making. Intrinsic in this decision making is procedural equity— where there is an attempt to accommodate the views of great powers and small minorities. Decisions by consensus have greater transaction costs and are time consuming, while decisions by vote move decisions faster. Consensus decision making creates a process where all viewpoints are accounted for, however at the expense of the delay occasioned by one state or group of countries deliberately filibustering. With the need to account and accommodate for all, a situation is created where decisions are themselves ambiguous or reflect the *lowest common denominator*.

History of Pacific island states' involvement in climate negotiations

Having identified the complex history and machinery of the UNFCCC, this next section answers the question: what has been the history of Pacific island states participation and involvement in climate change negotiations? The following account of Pacific islands involvement traces the story both at the UNFCCC level, and at the regional level. It traces key moments, state-delegates and leaders as represented in both existing literature, and accounts of negotiators. The first section focusses on the Pacific story at the UNFCCC level, especially their work in various coalitions. A pivotal coalition is the grouping of small island states, AOSIS. The section will then trace key moments within the work of two regional organisations, mandated by Pacific state member countries to support climate negotiators at the UNFCCC: the PIF and SPREP.

Small island states unity under the Alliance of Small Island States

Before the establishment of the UNFCCC in 1992, Pacific island states were actively lobbying and strategically paving the way for a climate convention. Despite their limited diplomatic and technical expertise capacities, both existing literature and accounts of negotiators emphasised their notable contributions in raising global

awareness on climate change and setting the agenda[282] and architecture of the climate treaty. Evidence of Pacific states and leaders zealous efforts can be found in the literature on the Alliance of Small Island States (AOSIS).

In 1987, the Indian Ocean low atoll nation of Maldives was hit with a series of flooding from storm surges and higher than normal moon tides caused by sea level rise. Determined to tell the world Maldives President Maumoon Abdul Gayoom made it his mission for climate change to be on the international agenda on three occasions: the Commonwealth Heads of Government (CHG) meeting in Vancouver, UNGA in New York and the South Asian Association for Regional Cooperation in Maldives[283]. A notable number of Pacific island states leaders were present at these meetings, and sharing similar environmental damages they brought the issue of climate change to the Pacific Islands Forum where climate change has become a longstanding regional priority.[284] Supported by The Commonwealth and Australia, the Maldives hosted the Small States Conference on Sea Level Rise in November 1989, to discuss possible international action, and more specifically small states action on the issue of climate change. From the onset of unfavourable predictions on the future of island states and sea level rise, the Male Declaration on Global Warming and Sea Level Rise became the calling point not only for global action, but also small states diplomatic agency.

> In light of the scientific consensus regarding the likelihood of climate change and global warming and deeply concerned over the changing global environment and its possible adverse effects, particularly the threat of sea level rise, the Small Island States gathered here declare their intent to work, collaborate and seek international cooperation to protect the low-lying small coastal and island States of the world from the dangers posed by climate change, global warming and sea level rise.[285]

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[282] John W. Ashe, Robert Von Lierop, and Anilla Cherian, "The role of the Alliance of Small Island States (AOSIS) in the negotiation of the United Nations Framework Convention on Climate Change (UNFCCC)," *Natural Resources Forum* 23, no. 3 (1999).

[283] Government of Maldives, "Conference Report" (paper presented at the Small States Conference on Sea Level Rise 14-18 November 1989, Male, 1989).

[284] Campbell and Barnett, 86.

[285] Small States Conference on Sea Level Rise, "Male' Declaration on Global Warming and Sea Level Rise," ed. Small States Conference on Sea Level Rise (Male': Small States Conference on Sea Level Rise 14-18 November 1989, 1989), 1.

Amongst the 14 small island states from the Indian, Caribbean and Mediterranean oceans present at the Male Conference oceans were the Pacific leaders and officials from Kiribati, Fiji, Tonga and Vanuatu. The declaration called for a need for "negotiations for framework convention on climate change",[286] and for "a campaign to increase awareness of the international community of the particular vulnerability of the small States to sea level rise"[287]. To pursue this the conference called upon the need for inter-regional collaboration and joint collaboration from the various ocean regions by forming a Male Action Group.[288]

By the following year states from the Pacific became prominent actors in the international arena on climate change. In what Jon Barnett recalls as Tuvalu's emergence as climate change *cause célèbre* at the second World Climate Conference (WCC) 1990, Tuvalu's then Prime Minister Bikeniu Paeniu famously stated the following.

> I can assure each and every one of you that I speak today from real experience because I live on one of the… smallest island groups in the Pacific. We are therefore, along with others, extremely vulnerable to environmental hazards and the dangers of Greenhouse Effect and sea level rise. These are the problems which we have done the least to create but now threaten the very heart of our existence.[289]

Together with the growing interest from international media reporting on the stories of small islands vulnerability, Tuvalu's Prime Minister and other leaders lobbied countries with larger emission profiles to cut emissions. Tuvalu acting together with other small island states in the Male' Action Group sprang to action to form a likeminded small negotiation bloc of 24 countries.[290] Recognising their common characteristic of extreme

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[286] Ibid., 5.

[287] Ibid., 3.

[288] Ibid.

[289] Campbell and Barnett, 87.

[290] *Members of AOSIS:* Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba, Dominica, Dominican Republic, Fiji, Federated States of Micronesia, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Mauritius, Nauru, Niue, Palau, Papua New Guinea, Samoa, Singapore, Seychelles, Sao Tome and Principe, Solomon Islands, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Timor-Leste, Tonga, Trinidad and

vulnerability to a range of external forces, especially climate change, the negotiation bloc of AOSIS was born. The name of the group was coined by environment minister Lincoln Mayers of Trinidad and Tobago[291], and together with the support of Tuvalu's Paeniu and the zealous efforts of top diplomats like Vanuatu's ambassador to the U.N. Robert Van Lierop the group was formed to represent the collective positions of small island nations. From small beginnings the group has grown considerably over the past two decades to become a formidable coalition within the climate regime with 44 state members and observers.

AOSIS members recognised that they did not enter UN negotiations with economic or political sources of power, nor did they have the technical resources to defend themselves from the erosion of coastlines, the contamination of freshwater resources and the variability of ocean trends.[292] This incapacity for bargaining power, and the realisation of facing climate change impacts first hand, motivated Pacific states to join other low lying and small island states from other regions under one coalition. Despite important differences in terms of culture, language and geography, their coalition was forged by common recognition of the disproportionate vulnerability of territories and populations to withstand the negative consequences of climate change as well as shared development and environment challenges and concerns.[293] This unity did not however mask the differences in priorities of Pacific states from Caribbean states as explored by Pamela Chasek in the negotiations of the Barbados Plan of Action[294].

Pivotal in AOSIS' work has been its commitment to climate change negotiations, but also its negotiation finesse extending beyond the regime to incorporate sustainable development. Throughout the preparatory phases and negotiations of the 1992 Rio de Janeiro Earth Summit, Pacific countries within AOSIS successfully pushed for recognition of Small Island Developing States (SIDS) and their special circumstances

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Tobago, Tuvalu, Vanuatu. *Observers*: American Samoa, Netherlands Antilles, Guam, U.S. Virgin Islands, Puerto Rico.

[291] Ronneberg, 763.

[292] Chasek, 131.

[293] Carola Betzold, "'Borrowing' Power to Influence International Negotiations: AOSIS in the Climate Change Regime, 1990–1997," *Politics* 30, no. 3 (2010): 135.

[294] Chasek.

within the Summit's Agenda 21. This *SIDS special consideration* would prove crucial as a safety valve for all future environmental and sustainable development conventions to consider the needs and the limited capacities of island nations[295]. Furthermore, the coalition was able to negotiate Chapter 17 in Agenda 21 - the protection of oceans, seas and coastal areas—where it highlighted the need for a special global conference on sustainable development of SIDS[296]. This led to the establishment of the first UN SIDS conference in Barbados 1994 that put forth a framework for planning and implementing development in island states known as the Barbados Plan of Action (BPOA). These frameworks would be renegotiated every 10 years, with Mauritius (and the Mauritius Plan of Action) in 2005 and most recently in Samoa in 2014 (S.A.M.O.A Pathway).

Framing and establishing special consideration

Beyond sustainable development forums, it was in the climate change arenas where AOSIS would become visible and recognised as a formidable political player in climate politics. AOSIS' first formal appearance in the climate negotiations started at the pre-negotiations of the INC 1, where the group of small island states focussed on recognition for specific needs of SIDS and attaining necessary representation for all its member countries[297]. Vanuatu's Ambassador Van Lierop, who became the first chair of AOSIS, passionately argued the case and used the term 'frontline states' to climate change[298]. Van Lierop was asked to join INC Bureau as the small islands representative and was tasked with leading the negotiations in drafting the text and initial body of the Convention[299]. This was heralded as one of the first occasions that a Pacific state was given a leadership role in UN climate negotiations[300]. During the INC negotiations, AOSIS successfully negotiated that an additional seat on top of the predetermined ten

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[295] Ibid., 132.

[296] Ibid.

[297] Ronneberg, 763.

[298] Ibid.

[299] Eric Shibuya, "" Roaring Mice Against the Tide": The South Pacific Islands and Agenda-Building on Global Warming," *Pacific Affairs* (1996): 551.

[300] Daniel Bodansky, "Prologue to the climate change convention" (paper presented at the Negotiating climate change: the inside story of the Rio Convention, 1994), 65.

seats of Bureau[301], be one from SIDS, under the small islands' special consideration argument of Agenda 21, and the fact that island states were frontline states to existing impacts of climate change. A notable feature of the SIDS seat also known as the Small Islands Vice President is that it has always been held by a Pacific state. As one AOSIS seasoned negotiator stated, there was an understanding within the "AOSIS caucus that the SIDS seat would be someone from the Pacific, as the Caribbean region was guaranteed under Latin American seats"[302]. As Table 11 shows, in all COP meetings there has always been a Pacific representative on one of the critical decision making bodies, the Bureau. One notable feat was in COP19 and 20, when Fijian ambassador Amena Yauvoli, became the first Pacific islander to chair a major body of the UNFCCC regime[303]. In all instances, each one of the Pacific representatives on the SIDS seat has been an ambassador or deputy permanent representative from one of the Pacific missions in New York.

Table 11. UNFCCC Vice President Representatives of SIDS Seat in the Bureau

1995 COP 1- Berlin	Tuiloma Neroni Slade, Samoa
1996 COP 2- Bonn	Tuiloma Neroni Slade, Samoa
1997 COP 3- Kyoto	Espen Ronneberg, Marshall Islands
1998 COP 4- Buenos Aires	Espen Ronneberg, Marshall Islands
1999 COP 5- Bonn	Tuiloma Neroni Slade, Samoa
2000 COP 6- The Hague	Tuiloma Neroni Slade, Samoa
2001 COP 7- Marrakech	Max Rai, Papua New Guinea
2002 COP 8- New Dehli	Enele Sopoaga, Tuvalu
2003 COP 9- Milan	Enele Sopoaga, Tuvalu
2004 COP 10- Buenos Aires	Masao Nakayama, Federated States of Micronesia
2005 COP 11- Montreal	Enele Sopoaga, Tuvalu
2006 COP 12- Nairobi	Ali'ioaiga Feturi Elisara, Samoa
2007 COP 13- Bali	Ali'ioaiga Feturi Elisara, Samoa
2008 COP14- Poznan	Colin Beck, Solomon Islands
2009 COP 15- Copenhagen	Colin Beck, Solomon Islands
2010 COP 16- Cancun	Phillip Muller, Marshall Islands

[301] The other ten seats of the Bureau were formed under the formula of two members from the five UN regions: Africa, Asia and Pacific, Latin America and Caribbean (GRULLAC), Eastern Europe, Western Europe and Others Group (WEOG).

[302] Pacific negotiator (Talanoa 5), in discussion-talanoa with the author, November 5, 2017.

[303] In 2016, Fiji successfully won the bid to be the chair/president of COP23 (2018-2019). This would be the first time a Pacific island state, let alone a small island state chair UNFCCC.

2011 COP 17- Durban	Jane J. Chigiyal, Federated States of Micronesia
2012 COP 18- Doha	Jane J. Chigiyal, Federated States of Micronesia
2013 COP 19- Warsaw	Amena Yauvoli, Fiji. *(Also Subsidiary Body on Implementation SBI Chair)*
2014 COP 20- Lima	Amena Yauvoli, Fiji. *(Also Subsidiary Body on Implementation SBI Chair)*
2015 COP 21- Paris	Colin Beck, Solomon Islands

Source: UNFCC, "Bureau of the COP bodies." United Nations Framework Convention on Climate Change, https://unfccc.int/bureau-cop-bodies-page.

Pacific leadership within AOSIS

Although AOSIS exists without any formal charter, or a regular budget, the coalition's work was primarily coordinated through their UN diplomatic missions in New York with major policy decisions taken at the ambassadorial-level plenary sessions[304]. The AOSIS Chair has traditionally been a UN ambassador that would rotate every three years between the coalition's three key sub-regions: Pacific, Caribbean and African-Indian-Mediterranean (AIMS). These three sub-regions would nominate one representative each to form the Bureau.[305] In more recent times, the three representatives would be selected from either a regional-political organisation representation roster or general agreement amongst UN ambassadors. For the Pacific, and discussed further in Chapters Five and Six, the Pacific SIDS collective comprised of UN Pacific ambassadors would select a head to represent the Pacific seat. In 2015, Tonga's Ambassador Mahe 'Uli'uli Sandhurst Tupouniua, would take up the leadership role of PSIDS and the Bureau representative for the Pacific. The Chair of the AOSIS would be selected from within the Bureau under a rotational roster of every three-four years. Although an unwritten rule, the general agreement was so that chairmanship would move in between regions in which Vanuatu, Samoa, Tuvalu and Nauru[306] would come to lead on various occasions. The preoccupation of UNFCCC procedures to give the chair of key coalitions speaking time at the plenary and last-minute negotiation talks

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[304] AOSIS, "About AOSIS," Alliance of Small Island States, http://aosis.org/about/.

[305] The AOSIS bureau consisted of three ambassador-representatives from the three regions: AIMS (Ahmed Sareer of Maldives); Pacific (Mahe 'Uli'uli Sandhurst Tupouniua of Tonga); Caribbean (Lois Young of Belize)

[306] AOSIS chairmanship 1991-2015: Ambassador Robert Van Lierop of Vanuatu (1991-1994), Ambassador Annette des Iles of Trinidad and Tobago (1994-1997), Ambassador Tuiloma Neroni Slade of Samoa (1997-2002), Ambassador Jagdish Koonjul of Mauritius (2002-2005), Ambassador Enele Sopoaga of Tuvalu (acting chairman 2005-2006), Ambassador Julian R. Hunte of Saint Lucia (2006), Ambassador Angus Friday of Grenada (2006 – 2009), Ambassador Dessima Williams of Grenada (2009-2011), Ambassador Marlene Moses of Nauru (2011-2014), Ambassador Ahmed Sareer of Maldives. AOSIS.

would give Pacific chairs and their state delegations access to final moments of negotiations. For Van Lierop it was the success of setting the agenda of the regime[307], for Tuiloma Neroni Slade of Samoa it was strengthening and keeping alive the Kyoto Protocol, for Enele Sopoaga of Tuvalu it was calling attention to alarming rise in global emissions and the need to reduce them, and for Nauru's Marlene Moses it was about ensuring a long-term agreement to be reached in 2015 by emphasising the 1.5 degrees long-term temperature goal and loss and damage[308].

To support the coordination role of the Chair and their respective UN missions, NGOs would play a vital back office role. During the Nauru AOSIS chair of 2011-2014, Ambassador Moses affectionately called her team the 'Pacific Chair' that comprised top women negotiators that were selected from around the Pacific and the New York based NGO, Islands First. The pivotal role of Islands First in coordinating thematic multi-country negotiator teams, providing coalition secretariat services, legal support and media/public diplomacy are further detailed in Chapters Four and Six. In fact, from the early days of establishment to the very composition of AOSIS country negotiators, there is a smorgasbord of NGO representatives. Carola Betzold argues one success of AOSIS has been its 'borrowing power' using third parties (non-state actors) in their strategies of negotiations.[309] In the early days, the Foundation for International Environmental Law and Development (FIELDS) lawyers were part of Pacific state delegations that provided legal expertise. According to one negotiator, "AOSIS were united with FIELD lawyers on the complicated issues of markets and carbon trade that needed expert approach".[310] Scientific and meteorological conservation NGOs like Greenpeace, World Wildlife Fund and a regional inter-governmental organisation like the Secretariat of the Pacific Regional Environment Program to name few, found a home in the coalition. Non-state actors became essential in assimilating leaders, diplomats and officials from island nations to quickly learn 'climate speak'.

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[307] Shibuya.

[308] AOSIS, *Alliance of Small Island States: 25 years of leadership at the United Nations* (New York: AOSIS, 2015).

[309] Betzold, "'Borrowing' power to influence international negotiations: AOSIS in the climate change regime, 1990–1997."

[310] AOSIS negotiator (Talanoa 13), in discussion-talanoa with the author, November 18, 2015.

AOSIS Contributions and Issues of Priority

The contributions of AOSIS both in UNFCCC's climate regime and diplomacy as whole is profound. As one scholar argues, "if the small island states had not been actively engaged in UN climate negotiations, it could be argued that preventative action, including UN capacity building (scientific research and skill building) would not emphasize lowland and small island concerns and transformative procedures, and dispute resolution mechanism in the Convention and the Kyoto Protocol would not have been incorporated in these arguments"[311]. During the discussions in 1994 at INC XI that negotiated options for a legally binding protocol AOSIS Chair Tuiloma Neroni Slade introduced a draft proposal. This draft protocol stated that Annex I Parties to the protocol were to reduce their CO2 emissions by 2005 to a level of at least 20% below that of 1990[312]; although that would later be watered down to 5%, AOSIS proved to set the bar high affirming an extreme to start negotiations. The issue on parity of mitigation and adaptation and the need for more support for developing countries were major issues for the coalition during the early 2000s. Leading up to and post-COP15 Copenhagen, limiting the global temperature increase to 1.5°C and support for up-scaling and access to climate finance, capacity building and technology, avenues or loss and damage have become pertinent issues for island states[313]. The issue of loss and damage has been a pillar argument of AOSIS ever since it was unsuccessfully introduced by Vanuatu's Van Lierop in the 1990's[314], the issue was vindicated two decades later with the establishment of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (Loss and Damage Mechanism) established at COP19.

Although Pacific state contributions in the UNFCCC are usually overshadowed by the AOSIS body of work, a closer analysis traces key Pacific individuals and activities within AOSIS that have made an impact in the regime. Many scholars and media discourses have linked "climate change, or at least its impacts,… with the small and

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[311] Chasek, 130.

[312] ENB, "Summary of the First Conference of the Parties Framework Convention on Climate Change 28 March- 7 April 1995."

[313] AOSIS, *Alliance of Small Island States: 25 years of leadership at the United Nations*.

[314] Shibuya.

apparently vulnerable nations of the Pacific"[315]. Low lying coral atoll nations like Kiribati, Marshall Islands and Tuvalu, and in effect the coalition have been affectionately known as the 'conscience' or the 'moral conscience' of the negotiations[316]. However, AOSIS while traditionally the main coalition body to which Pacific states are aligned, is not the only political grouping where they are active in the negotiations.

Pacific countries and UNFCCC coalitions

For small state delegations, association and active participation in UNFCCC coalitions allow them to manage regime complexity[317], and in return act as vehicles for positions to be negotiated to garner support for a louder voice. Among the records and literature of climate negotiations leading up to 2014, Pacific states have traditionally belonged to four groupings of states under the global South non-Annex I group of countries: G-77, AOSIS, CfRN and LDC. The divide of north and south country coalitions, or 'the firewall'[318], originated in the way the Convention and subsequent protocol of implementation was established, where developed countries led the way in cutting greenhouse gas emissions. The fifth coalition would be the Cartagena Dialogue group that consist of states from both the north and south, where only a handful of Pacific states were associated with.

Group of 77 and China (G77 China)

Considered the hub of global south coalitions, the Group of 77 and China coalition has been in existence in most UN meetings and conventions since the establishment of the UN Conference on Trade and Development in 1964. China did not associate itself politically with the Group of 77 for many years and does not consider itself a member state, however it is an active member in the work of the Group. With 134 members, this dynamic group is the main clearing house for its members and their respective coalitions from various regions - African Union, Arab League, Latin American

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[315] Campbell and Barnett, 87.

[316] W Jackson Davis, "The Alliance of Small Island States (AOSIS): The International Conscience," *Asia-Pacific Magazine* 2, no. May (1996).

[317] See Chasek., and Dupont.

[318] Blaxekjær and Nielsen.

(GRULAC and ALBA), small island states (AOSIS), least developing countries (LDC), oil exporting countries (OPEC), and to large (emerging BASIC) and middle-income nations. G-77 China, like AOSIS has been active since the early days of the UNFCCC. Samoa and Papua New Guinea under various occasions have been selected to chair subsidiary bodies, but the first Pacific state to ever Chair and convene the Group's positions in climate negotiations was Fiji in 2013. Despite being the largest grouping, only ten states[319] from the Pacific are part of the coalition. Cook Islands and Niue are not state members of the UN, Palau withdrew from the coalition. According to Campbell and Barnett, Tuvalu has preferred not to join the group citing differences in positions with bigger states in G-77 China[320].

Least Developing Countries (LDC)

The term Least Developed Country is a UN categorisation of countries from the 1970's, but the coalition itself became active in the climate negotiations in 2000. Concerned with the vulnerabilities and capacities of poorer countries to effectively report on requirements of the Kyoto Protocol, a coalition was created to ensure special consideration of least developing countries from around the world[321]. In a repeat of history as the initial head of AOSIS, Vanuatu would again become the inaugural chair of LDC by its members, when the coalition made submissions at subsidiary body meetings in 2000. Working together to defend the vulnerability of their states and claims to adaptation consideration[322], LDC have been instrumental in creating a special LDC Fund ensuring a permanent agenda in the subsidiary bodies to allow for discussion of special matters relating to LDCs. The LDC fund, on top of other UNFCCC mandated funds like Green Climate Fund and Global Environment Fund provided the 48 state members including the then five countries from the Pacific with more direct climate access. But before Samoa graduated from LDC in 2014, leaving Tuvalu, Solomon Islands, Kiribati and Vanuatu in the coalition, it benefited in high investment flows in its climate change projects especially through the LDC Fund. As one negotiator casually

[319] Fiji, Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu.

[320] Campbell and Barnett, 107.

[321] Chan, 190.

[322] UNFCCC, "Party Groupings," United Nations Framework Convention on Climate Change, https://unfccc.int/process/parties-non-party-stakeholders/parties/party-groupings

remarked, "Samoa had the brightest bunch, during LDC days they had the highest climate aid per capita".[323] As Chapter Four and Six will highlight, LDC with AOSIS would prove pivotal in taking the Loss and Damage issue all the way to the end of the Paris Agreement.

Coalition of Rainforest Nations (CfRN)

As the regime moved into negotiations around carbon markets, an issue-specific coalition was born in 2004. The CfRN led by Papua New Guinea and other tropical rainforest developing countries emphasised the need to reconcile forest stewardship with economic development. Fiji, Samoa, Solomon Islands, Vanuatu would be the other voluntary members of the coalition. The coalition operates as a forum to facilitate consensus among participating countries on issues related to domestic and international frameworks for rainforest management, biodiversity conservation and climate stability. The work of the bloc has been instrumental in the establishment of the Reducing Emissions from Deforestation and Forest Degradation (REDD) program, which was vigorously negotiated as an insert to the Bali Action Plan. This success of the REDD program owes much to the tactical skill of Papua New Guinea's lead negotiator Kevin Conrad in the Bali COPS 2007. Famously quoted as the breakthrough moment in the 'the mice that roared' incident, Conrad called out to the U.S. "if you're not willing to lead, then get out of the way."[324]

Climate Vulnerable Forum (CVF)

The coalition, founded a month before COP15 Copenhagen in 2009, is an international partnership of countries highly vulnerable to a warming planet. The Forum claims to be based around the idea of a South-South cooperation platform for participating governments to act together to deal with global climate change[325]. Within its 20-member country grouping are Kiribati and Vanuatu. The forum of highly vulnerable developing countries argue that they are already experiencing the negative effects of climate change. In 2010 Kiribati was the chair of the CVF and hosted the Tarawa

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[323] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

[324] Joseph E Stiglitz, "Heroes of the Environment 2008," in *Time* (New York: Time New York 2008).

[325] CVF, "Climate Vulnerable Forum- About," Climate Vulnerable Forum https://thecvf.org/web/climate-vulnerable-forum/.

Climate Change Conference. More importantly it brought together leaders[326] to witness first hand impacts and the vulnerability of island atolls like Tarawa to climate change.

Cartagena Dialogue for Progressive Action (Cartagena)

Established in 2010, the group was formed after the breakdown of Copenhagen and the need that then arose to rebuild trust between the developed and developing countries. The group continues to meet outside the formal UNFCCC negotiations. While its members claim it is not a political bloc, the dialogue provides a platform for delegates from developed and developing countries to have frank discussions to better understand each other's' positions and find areas of possible 'middle-ground'.[327] Membership is fluid, as developing countries apparently find it difficult to be associated too closely with developed countries in negotiations due to formal group memberships and a sense of loyalty to G-77[328]. Of the 30 plus countries involved in the dialogue, only Samoa and Marshall Islands have been actively involved. The 2014 Cartagena Dialogue was held in the Marshall Islands and focussed on opportunities to break the international deadlock and find common position for a 2015 binding agreement[329].

The trajectory and growth of climate change in the international arena were not immune to efforts at national and regional political forums. This research acknowledges that each of the fourteen Pacific island countries have elevated climate change policies as part of human security and sustainable development goals domestically. To the present day, mainstreaming climate change at national and community levels is a crucial element of policy formulation for most if not all states. The next section however, will focus on the regional level, how climate change has become a regional priority in both political and environmental technical forums. Of particular focus, are the place and role of the Pacific Islands Forum and the Secretariat of the Pacific Regional Environment Program.

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[326] The 12 signatories to this declaration were Kiribati, the Solomon Islands, Tonga, the Republic of the Maldives, Cuba, Brazil, Fiji, Japan, China, the Marshall Islands, New Zealand and Australia.

[327] Blaxekjær and Nielsen.

[328] Ibid., 4.

[329] Islands Business, "Cartagena Group Expresses Climate Action Optimism: Marshall Islands Foreign Minister," Islands Business, http://www.islandsbusiness.com/news/marshall-islands/5038/cartagena-group-expresses-climate-action-optimism-/.

Climate Change as Regional Priority

        Pacific Islands Forum (PIF)

Pacific leaders and policy makers were not oblivious to the attention on climate change at the international level in the late 1980's, especially in the region's premier political institution, then the South Pacific Forum (now known as the Pacific Islands Forum or PIF). A regional multilateral organisation that was established with a seven-state membership in 1971 that included Australia and New Zealand, over the years it has grown in capacity, membership, and purpose to cater for its now 16 member states[330] and territories. While the issue of climate change was lobbied at UNGA and CHG, Pacific state leaders canvassed the issue for regional political support. The PIF 1988 communique emphasised leaders' concerns on economic and social impacts from a changing environment, and Australia stepped in to take leadership in establishing a climate monitoring network for the region[331]. A communique is a record of agreed decisions by leaders, in this case one that sets the work agenda for PIFS and the Council of Regional Organisations in the Pacific (CROP), while a political declaration underscores a consensus agreement on policy, belief on a particular issue is shared by leaders. By 1989, the issue of 'climatic changes' was elevated with linkage to sea level rise, and the PIF communique impressed upon Pacific leaders and statesmen to "draw world attention to the way the environmental problem (of sea level rise) affected the South Pacific, and to represent regional views at appropriate international gatherings, possibly including by way of a resolution in the United Nations General Assembly".[332] Over the next two decades, climate change would become a consistent fixture of the PIF agenda as evident in its subsequent communiques and declarations in the 1990's and 2000's.

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[330] Although 16 full members in 2016, since 2016 PIF membership has increased to 18 with the involvement of French territories New Caledonia and French Polynesia. The PIF membership are: Australia, Cook Islands, French Polynesia, Fiji, Kiribati, Marshall Islands, Federated States of Micronesia, Fiji, Nauru, New Caledonia, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.

[331] PIF, "Forum Communique: Nineteenth South Pacific Forum Nukualofa Tonga," ed. Pacific Islands Forum (South Pacific Forum) (Nukualofa: Pacific Islands Forum 1988).

[332] "Forum Communique: Twentieth South Pacific Forum Tarawa Kiribati," (Tarawa: Pacific Islands Forum (South Pacific Forum), 1989).

Secretariat of the Pacific Regional Environment Program (SPREP)

Originally established as a section under the Secretariat of the Pacific Commission (SPC) in 1970's to overlook the work on various regional Conventions on Conservation of Nature, Protection of Natural Resources and Environment, Dumping and Pollution, the Secretariat of the Pacific Regional Environment Program (SPREP)[333] evolved into a separate inter-governmental regional body with headquarters in Apia, Samoa by 1993. A key governance arrangement and a vital link of SPREP to PIFS is the annual SPREP meeting, a gathering of environmental ministers to discuss, evaluate and establish environmental priorities of the region. In line with international progress and PIF leaders' mandates, SPREP's work program expanded from its convention obligations of the early 1990's as the principal intergovernmental environmental and sustainable development organisation to include climate change. Intrinsic in SPREP's regional support on climate and UNFCCC is its leadership role in providing technical advice in negotiation skills training for member states, and their UNFCCC national communication for adaptation work programs and global mitigation gas emissions.[334] SPREP was an integral actor in the early INC and UNFCCC negotiations, together with the Caribbean Community, in providing scientific and technical research support for member states[335].

Interplay and intensification of PIF and SPREP climate change efforts

SPREP's work program on climate change - capacity support for member countries on adaptation, mitigation and policy implementation - started to take shape in its first 10 years. However, it was not until 2005 when regional action and political response to international climate change work intensified. The PIF member states, under the auspices of SPREP, endorsed the Pacific Islands Framework for Action on Climate Change 2005-2015 (PIFACC), as the implementation guide for ongoing and planned activities to address climate change in the region[336]. In a way the PIFACC became both

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[333] The organisation went through a name change from the South Pacific Regional Environment Program, to Secretariat of the Pacific Regional Environment Program in 2004.

[334] SPREP, "Climate Change Current Programmes," http://www.sprep.org/Policy-and-Science/current-programmes.

[335] Ronneberg, 763.

[336] SPREP, "Pacific Islands Framework for Action on Climate Change 2006-2015," ed. Secretariat of the Pacific Regional Environment Programme (Apia: Secretariat of the Pacific Regional Environment Programme, 2006).

a response and strategic plan not only to assist islands but as a means to be active in international climate dialogues. The PIFACC[337] constituted the Pacific Climate Change Roundtable (PCCR) that would bring together public, private and civil sectors to meet bi-annually to discuss and share information on existing climate-change related projects at all levels.

Although climate change was prioritised in the communiques since the 1980's, the first first regional political declaration specifically on climate change came in the form of the PIF Niue Declaration on Climate Change in August 2008[338]. The Niue Declaration was a call for global action in support of the UNFCCC multilateral system by strengthening their contributions for adaptation projects and strong commitments for greenhouse gas emissions. PIF states were to "develop Pacific-tailored approaches to combating climate change, consistent with their ability to actively defend and protect their own regional environment, with the appropriate support of the international community".[339] It was no coincidence that the Niue Declaration came in the time of heightened global political attention in preparation for the Copenhagen COP15[340]. The urgent need for global political will was reiterated in the PIF Leaders' Call on Action on Climate Change annexed in the 2009 communique [341]. This time the declaration laid out key positions of convergence for the Pacific states to pursue at the talks, namely on climate finance and the capacity for adaptation and mitigation projects. The declaration highlighted the lack of negotiation capacity, thus reaffirming the necessity that SREP should continue its scientific and negotiator skills/training expertise support for Pacific negotiators at the UNFCCC.

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[337] The PCCR is a powerful conference- expo of climate change leaders, policy-makers, practitioners, scientists, community and individuals working within the climate change space in the Pacific.

[338] PIF, "The Niue Declaration on Climate Change," ed. Pacific Islands Forum (Niue: Pacific Islands Forum 2008).

[339] Ibid.

[340] The Pacific Islands in line with AOSIS and wider G-77 and China coalitions have traditionally been the loudest proponents on Adaptation to Climate Change planning, capacity and finance. As the frontline states facing current impacts of climate change, Pacific Islands since exception of the issue post Kyoto negotiations have argues for more support from polluting nations in order to deal with climate change negative impacts.

[341] PIF, "Pacific Leaders' Call to Action on Climate Change: Forum Leaders Communique ", ed. Pacific Islands Forum (Cairns: Pacific Islands Forum 2009).

With the diplomatic failure of COP15 Copenhagen, the top-down compliance structure that was the Kyoto Protocol was in jeopardy especially with the concerns by Annex I countries and big emitting developing countries. A compromise from the Durban COP was for parties to explore bottom-up voluntary system. The Pacific's regional response to this global exercise was the PIF Majuro Declaration on Climate Leadership in September 2013; a declaration that emphasised not only the political will and leadership of the region, but also the willingness and practicality of Pacific governments to experiment with the process at the regional level. Under the stewardship of Marshall Islands as the chair of PIF in 2013, the Majuro Declaration was an attempt by the PIF countries to carry out the ADP mandate. In demonstrating climate leadership, the then 16 member countries of PIF submitted nationally determined contributions and commitment targets (both adaptation and mitigation measures) that would contribute to a perceived global goal.[342] The declaration was heralded by Marshall Islands as the "Pacific's gift"[343] to the world, and was presented at the UN Secretary General Climate Summit in September 2013, to "catalyze ambitious climate action and mobilize political will for a universal, ambitious and legally-binding climate change agreement by 2015."[344] This declaration and its contributions would prove to be a helpful experiment for the region, in order to materialise and understand the process of achieving a global consensus, an agreement of post 2020 actions on climate change to be decided in Paris 2015.

Setting the Scene in 2015

This third and final section will set out the context of the processes of climate change negotiations in 2015 explored in this thesis: the formal international UNFCCC ADP process and the informal regional political process. The formal process traces the UNFCCC ADP mandate that set forth a negotiation process to build and negotiate text from 2012 to be finalised in 2015. At the same time this section will put into context the five key ADP meetings (ADP2-8 to ADP2-12) that occurred throughout 2015. The

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[342] "Majuro Declaration for Climate Leadership," (Majuro, Marshall Islands: Pacific Islands Forum, 2013).

[343] Kiery Manassah, "Accepting the Pacific gift," *Pacific Institute of Public Policy* 2013.

[344] PIF, "Majuro Declaration for Climate Leadership."

second half will focus on the key political regional, sub regional and partner-regional forums that took place in 2015. Although these political forums are not directly linked to the UNFCCC, they do play a pivotal role in explaining the mobilising of actors, prioritising of key issues, and strategising activities that would prepare Pacific states in the international negotiations. The year 2015 would see an explosion of political declarations from the region that prioritised and called for political support for a Paris agreement that accounted for the needs of frontline states.

The international UNFCCC ADP and global UNFCCC COP21

The formal negotiations in Paris 2015 did not operate in a vacuum or from a blank slate. To reiterate, it would take a four-year process of UNFCCC meetings that intensified in the last twelve months preceding the Le Bourget conference. The Ad Hoc Working Group on the Durban Platform (ADP) was created with the task of producing a protocol, another legal instrument or an agreed outcome with legal force, by COP21 in 2015[345]. In the final moments of COP17 Durban negotiations, dialogue centred on the need for a new agreement to guide the climate change regime after 2020. As highlighted earlier in this chapter, the procedural failures and last minute high-level political intrusion in Copenhagen, would be fresh on the minds of negotiators. Despite these many reservations, states established a mandate for ADP the new negotiating body, to come up with a new agreement.

In essence ADP would become a subsidiary body within the negotiations where all member states and observer organisations were invited to participate. In its first year parties were focussed on the 'bigger picture' on process and elements that could be discussed, these meetings were known as ADP1. Upon agreement of these terms in June 2013, the ADP2 process would then be divided into two purposes or workstreams. Workstream One would focus on establishing a process that would establish a protocol of another legal instrument with legal force under the Convention[346]. At the same Workstream Two negotiations focussed on a workplan to enhance member states

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[345] UNFCCC, "Report of the Conference of the Parties on its seventeenth session, Durban November 28-December 17, 2011," ed. United Nations Framework Convention on Climate Change (Durban: UNFCCC, 2011).

[346] "ADP Bodies," UNFCCC, https://unfccc.int/adp-bodies-page.

mitigation and explore options of actions that could close the 'ambition gap'. The ambition gap was the "significant gap between the aggregate effect of Parties' mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 and aggregate emission pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels"[347]. The work of the ADP was conducted through a series of in-session round table discussions, workshops, technical expert meetings and briefings that took into account submissions from both parties and observer organisations as invited by the subsidiary body throughout 2013 and 2014. By the Lima COP20 in December 2014, the work of ADP2-6[348] was elevated as parties negotiated the final process that would take place in 2015. After lengthy negotiations that concluded at 3am which was twenty-four hours after it was intended to end, the 'Lima Call for Climate Action' gave a mandate for ADP to establish 'negotiating draft text' to be drawn up before May 2015. This text was to be based on the skeleton frame or core issues identified by the previous ADP sessions to be included in the new agreement; these elements were annexed in the decision of COP 20/1[349].

Timeline of ADP 2015

With the mandate from Lima to develop a negotiations draft text, the work of ADP started two months afterwards in Geneva. Parties and especially via their coalitions, took on the task of filling in specific conditions or providing alternative text options for each of the core elements from Lima. There were little to no negotiations; the process was a shopping list of options from interested parties that were all put into brackets meaning open for debate. By the end of the one-week conference in February, the Geneva negotiating text would accumulate 86 pages that would be the basis of negotiations throughout the year[350]. Taking on board the surmountable work ahead, parties agreed that it would need four extraordinary sessions for ADP to remove the brackets in the text or the points where there was no consensus agreement.

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[347] Ibid.

[348] The acronym ADP2-6 denotes the sixth meeting of the ADP2 process.

[349] UNFCCC, "Lima call for climate action," in *UNFCCC twentieth conference of the parities 2014*, ed. UNFCCC (Lima: United Nations Framework Convention on Climate Change, 2014).

[350] ENB, "Summary of the Geneva Climate Change Conference 8-13 February 2015."

In June, ADP2-9 would convene with the task to streamline and consolidate clustering and conceptual discussions of the Geneva negotiating text, including on: preamble; general/objective; mitigation; adaptation and loss and damage; finance; technology development and transfer; capacity building; transparency; timeframes; implementation and compliance; and procedural and institutional provisions. A thorough explanation of events at the Bonn ADP2-9 with a focus on Pacific states participation in this negotiation forum is explored in Chapter Four. The meeting established a process of how the text is negotiated, where the main contact group will be the formal plenary while facilitated groups and spin-offs will negotiate key differences.

From August 31-September 3, parties reconvened in Bonn to continue streamlining the negotiated text. In the previous Bonn meetings, the member states allowed the two ADP Co-Chairs, to revise the text based on negotiations in ADP2-9. The work of negotiators continued in the contact group and facilitated dialogue and spin off groups. By the end of the five-day conference, there still was little movement on textual proposals, and parties were still engaged in conceptual discussions on key issues.[351] By the end, the Co-Chairs were again given another mandate to revise the text based on discussions made throughout the week, and the text was reduced to 45 pages.

By the October ADP2-11, the Co-Chairs produced a revised test and proposed text-based negotiations to begin. "However, when parties returned to Bonn six weeks later for ADP 2-11, they were in a considerably less hopeful frame of mind, following the release of a Co-Chairs' text that many found unbalanced and unacceptable as a basis for further negotiations".[352] While the hope was to increase the pace of negotiations, parties recompiled the text with some returning to original positions in Geneva and compromises made in ADP2-9 and ADP2-10. For coalitions from the global South there was trepidation that many of their positions on mitigation and adaptation were not

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[351] "Summary of the Bonn Climate Change Conference 19-23 October 2015," ed. Earth Negotiations Bulletin (Bonn: International Institute for Sustainable Development, 2015).

[352] Ibid.

reflected in the then negotiating draft. By the end of the conference, parties did not give the Co-Chairs a mandate to revise the text but were to continue the work in Paris.

The final ADP2-12 session would take place in the global negotiations in Paris during the first week of COP21. With only five days before the end of the APD mandate it seemed a completed text would not be possible. The ADP Co-Chairs were to produce a 'consolidated text' so that come December 5 the task of concluding the text negotiations would then become the main task of the French COP presidency.

The regional negotiations: climate politics of regional, sub-regional partner-regional forums

While international UNFCCC ADP negotiations focussed on text diplomacy, the politics of climate change and the necessity for a coordinated regional response would find itself on every agenda of the multilateral meetings taking place in the region. Signs of climate policy divergence emerged between the Pacific island states on the one side, and the more developed economies of Australia and New Zealand on the other. This deviation was symptomatic of the firewall from UNFCCC coalitional politics - where Australia and New Zealand priorities were aligned with Annex I coalitions, while the island states found their voice in the AOSIS and greater G-77 and China political groupings. In line with the SIDS S.A.M.O.A Pathway 2014[353] and through its membership with AOSIS, Pacific island states went into 2015 prioritising the perceived agreement: the status of special consideration of small islands developing states enshrined in a legally binding agreement; a long-term global temperature goal lower than 1.5 degrees; a standalone article and international mechanism to address Loss and Damage; and scaling up climate finance pledges before 2020 to support adaptation and mitigation projects[354]. These positions remained firm throughout the year, and were echoed in regional, sub-regional and partner-regional meetings.

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[353] SAMOA Pathway, "SIDS accelerated modalities of action outcome statement," ed. UN Economic and Social Affairs (Apia: United Nations, 2015).

[354] AOSIS, "Statement by Republic of maldives on behalf of the Alliance of Small Island States at the High-Level Event on Climate Change," news release, 2015.

Oceania 21-Lifou Declaration (April)

The first diplomatic setting in the region to discuss Paris COP was in April, under the auspices of the New Caledonia hosted third Oceania 21 Summit on Sustainable Development. The biennial summit brought together representatives of the 22 Pacific island states and territories. As France was the incoming chair of the Paris meeting later in the year, it was not a surprise that climate change was one of the main priorities at the French-Pacific hosted regional talks. The Lifou Ministerial Declaration on Climate Change asserted that "insufficient funding for mitigation and adaptation policy implementation, insufficient capacity building and transfer of technological advances, weakness of existing measures in terms of loss and damages as well as the lack of inclusion of civil society in climate negotiations"[355] needed to be addressed in Paris. The declaration itself was a reaffirmation of the key AOSIS positions, except discrepancies on the long-term temperature goal then included "limiting global warming to less than 2°C or even 1.5°C"[356], and did not explicitly support the creation of a new Loss and Damage mechanism. The participation of New Zealand, Australia and France officials in Oceania 21 highlighted policies of divergence amongst Pacific states: 1.5 degrees long-term temperature goal, and loss and damage.

SRPEP High-Level Support Mechanism 1 (May)

The next opportunity came a couple weeks later at the SPREP High-Level Support Mechanism (HLSM) held on the final day of the Pacific Climate Change Roundtable in May 2015[357]. The HLSM was part of the SPREP mandate in providing international climate policy advice. Since 2012 SPREP had utilised the services of a German based NGO Climate Analytics to update and train officials from Pacific states on the impending ADP process[358]. Held in a closed one-day session, officials and technical experts from the islands discussed the Geneva text, and updated on the state of play of political dynamics of countries and coalitions in the regime. This platform allowed

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[355] Oceania 21, "Lifou Declaration "Paris 2015:Save Oceania!" Lifou Loyalty Islands, New Calediania 30 April 2015- 3rd Oceania 21 Summit," (Lifou New Caledonia: Oceania 21, 2015).

[356] Ibid.

[357] There were two High-Level Support Mechanism meetings in 2015: one in May 15 (preparatory for ADP2-9) and November 4-6 (preparatory for COP21).

[358] Climate Analytics, "HLSM High Level Support Mechanism for for LDC and SIDS," Climate Analytics, http://climateanalytics.org/projects/hlsm-high-level-support-mechanism-for-ldc-and-sids-on-climate-change.html.

technical negotiators from the region to strategise on how to engage in the negotiations through coalitions, before the next meetings in Bonn. The training day utilised seasoned lead Pacific negotiators from the formal UNFCCC process that stressed a Pacific voice united under AOSIS[359].

Japan: PALM 7 (May)

Climate change especially adaptation and climate finance was a priority agenda for the seventh Pacific Islands Leaders Meeting (PALM7). The PALM forum is Japan's main diplomatic conference with Pacific PIF states, including Australia and New Zealand, and it allows Japan to dialogue both bilaterally with each state, as well as in a regional setting. In essence the forum allows for discussion and unveiling of Japan's cooperation packages for the region in the next three years. The outcome statement, Fukushima Iwaki Declaration[360] reflected agreement on more climate and adaptation by acknowledging Japan's contribution to the Green Climate Fund. At the same time Japan reaffirmed its commitment to the Pacific through assistance to build a Pacific Climate Change Centre at SPREP, and support for Adaptation Initiative and renewable energy. PALM7 would serve as the first opportunity for Pacific heads of governments or ministers of foreign affairs to meet on the issue in 2015. The politics of UNFCCC were never far away, as Japan is a member of the umbrella group with Australia and New Zealand. It was unsurprising that the controversial issues on support for 1.5 temperature goal, loss and damage were not discussed, or reached the outcome statement[361]. There was however, special mention of the Joint Crediting Mechanism (JCM), Japan's credit sharing mechanism through its overseas projects to offset its emission targets.

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[359] The author participated in both HLSM in May and November, as part of fieldwork. There was difference in mood of participants in both workshops: the earlier meeting focussed on aligning and supporting the work of the established of AOSIS, while the November session still keeping its relationship with AOSIS- there were more instances and calls for a Pacific voice and Pacific position. The participants stated the need for a Pacific coalition, or direct influence in the negotiations.

[360] Ministry of Foreign Affairs of Japan, "The Seventh Pacific Islands Leaders Meeting (PALM7) Leaders' Declaration- Fukushima Iwaki Declaration -"Building Prosperous Future Together"," Ministry of Foreign Affairs of Japan, https://www.mofa.go.jp/a_o/ocn/page4e_000261.html#section3.

[361] Ibid.

Micronesian Presidents' Summit- Boknake Haus Communique (July)

The Micronesian Presidents' Summit (MPS) established in 1990, became a forum that allowed for the three Presidents of Palau, Marshall Islands and Federated States of Micronesia to discuss issues of "working together to improve communication and planning on areas of common interest to their nations and to the region"[362]. Since the first summit in 2001, the UNFCCC negotiations was prioritised in the MPS agendas for 'a greater role and voice from Micronesia'. This was again reiterated in the 2015 Marshall Islands' Boknake Haus Communique[363]. Amongst many sub-regional initiatives agreed in the meeting, it emphasised the need for a plan of action for the three states and their role in the Road to Paris[364]. The three island states Presidents agreed upon the positions pursued by AOSIS especially the 1.5 degree issue. Furthermore, it was agreed that there would be joint coordination and communication in Paris, with Marshall Islands offering to provide a Micronesia Pavilion at the COP21 expo to showcase the vulnerability of the islands in climate change. More importantly and echoing the sentiments of the PIF Majuro Declaration 2013, it called for Micronesian leadership in climate action at home and its commitments in the international climate negotiation process[365].

Polynesian Leaders Group - Taputapuatea Declaration (July)

With the aim of providing a "systemic approach to cooperation amongst Polynesian countries to develop, promote, and protect common interests and objectives of the members of Polynesia"[366], climate change has been a priority for the Polynesian Leaders' Group (PLG) since its establishment in 2011[367]. A day after the Boknake Haus communique was released, the Taputapuatea Declaration on Climate Change was made public by the PLG on ancient 'marae' chiefdom grounds of Tahiti in French

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[362] Gallenm Suzanne Lowe, "Micronesia Sub-Regional Diplomacy," in *The new Pacific diplomacy*, ed. Greg Fry and Sandra Tarte (ANU Press, 2016).

[363] MSP, "Boknake Haus Communique: 15th Micronesian Presidents' Summit Majuro Marshall Islands July 14-15 2015," (Majuro Marshall Islands: Micronesia Presidents' Summit, 2015).

[364] Ibid.

[365] Ibid.

[366] Marieta Heidi Ilalio, "Polynesian Leaders Group Formed in Samoa," *Samoa Observer* 2011.

[367] Iati Iati, "Pacific Regionalism and the Polynesian Leaders Group," *The Round Table* 106, no. 2 (2017): 177.

Polynesia[368]. Taputapuatea reaffirmed the original red line positions of AOSIS for the 1.5 degree temperature goal and emphasis on mechanisms that addressed loss of territorial integrity. The Taputapuatea Declaration's P.A.C.T (Polynesia Against Climate Threats) revitalised an issue which was silent in the formal negotiations thus far—climate justice (population displacement, natural and cultural heritage) and the importance of oceans[369]. The PLG's use of cultural affinity and Polynesian identity as a rallying point, underpins the strong stance on the linkage of climate change to people and culture, and climate justice which was not evident in other declarations.

India-Pacific - Jaipur (August)

By late August, at the invitation of Indian Prime Minister Narendra Modi, Pacific leaders would meet in Jaipur for the second Forum for India-Pacific Islands Cooperation. This partner-regional forum followed Modi's visit to Suva in 2014. India's new diplomatic reach and cooperation with the Pacific underscores its 'Act East' policy of seeking support from smaller nations beyond the Indian Ocean region. Areas of cooperation focussed on support for a UN security council seat, space monitoring program in the Pacific to observe Indian satellites and rockets, site visits by Indian navy, and trade prospects[370]. The opportunity was used by leaders to gauge exchange of views on climate change. "India's position against mandatory carbon cuts for developing countries has been forcefully articulated, while the PIF countries have projected their concern over continuing growth in total carbon emissions into the atmosphere".[371] Except for Samoa and Palau, Pacific countries would soon afterwards converge on Suva for the first regional forum for the year.

Pacific Island Development Forum- Suva Declaration (August)

Under the theme 'Building Climate Resilient Blue Economies', the 500 plus attendees from government, civil and private sectors would take on the task of formulating 'key

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[368] PLG, "Taputapuatea Declaration: Polynesian Leaders Group- Polynesia Against Climate Threats (P.A.C.T) Papeete July 16 2015," (Papeete, French Polynesia: Polynesian Leaders Group, 2015).

[369] Ibid.

[370] Sreeram Chaulia, "For India, small is big," The Straits Times, https://www.straitstimes.com/opinion/for-india-small-is-big.

[371] Bhasker Balakrishnan, "Forum for India Pacific Islands Cooperation moves ahead," Institute for Defence Studies and Analyses, https://idsa.in/idsacomments/ForumforIndiaPacificIslandsCooperationmovesahead_bbalakrishnan_250815.

messages' or priorities for the Pacific in Paris COP21. The PIDF was the newest player in regional politics; climate change and more importantly the negotiations at the UNFCCC, would be the main focus of this third leaders' summit. The Suva Declaration on Climate Change would be the consensus outcome statement of these participating states. [372] The declaration returned to the key positions of limiting global temperature to less than 1.5 degrees, a standalone clause on loss and damage, and 100% financing for Pacific SIDS adaptation measure. In addition, the open participatory nature of the Summit saw not only prominence given to efforts that included the support and climate action from civil and private sectors especially, but also the areas of gender-based inequality and discrimination. The Suva Declaration sought to reflect the various sub-regional declarations to date as well as to reflect the hard-line position of small island states which AOSIS stated at the UNFCCC negotiations. It reaffirmed the positions on a long temperature goal, loss and damage and special consideration financing for adaptation, mitigation and capacity however, the declaration went even further. Suva stated that the Paris Agreement must include an approach on low carbon sea transport, a moratorium on extractive fossil fuel industries and mechanisms for the payment of ocean and ecosystem services. These three notable issues were not reflected in the final Paris agreement, as not only were they introduced late in the negotiating rounds but deemed to be outside the parameters of the climate change convention.

Pacific Island Forum's Smaller Island States- SIS Leaders Climate Change Action Declaration (September)

A week after PIDF issued its Suva declaration, the mood changed from optimism to one of uncertainty as leaders converged into Port Moresby for the Pacific Islands Forum leaders meeting. But before all PIF 16 leaders met, the special seven member[373] Smaller Island States (SIS) sub-group[374] meeting was convened on September 7. The sub-group had always been part of the PIF institution since the 1980's but were given teeth in 2006 with a formal structure, to advocate for the peculiar needs of this group within the

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[372] PIDF, "Suva Declaration on Climate Change," in *Pacific Islands Development Forum* (Suva: PIDF, 2015).

[373] Cook Islands, Palau, Nauru, Kiribati, Marshall Islands, Niue and Tuvalu

[374] PIF, "Smaller Island States," http://www.forumsec.org/pages.cfm/strategic-partnerships-coordination/smaller-island-states/?printerfriendly=true.

Pacific Islands Forum[375]. During the one-day meeting, leaders of the sub-group called for a climate change declaration that reflected smaller islands needs. There were concerns that "[Australia and New Zealand] will not water down our positions from the Suva declaration last week" that would be pursued in the main PIF Leaders declaration[376]. The SIS declaration was negotiated in less than two hours during the lunch hour of the meeting[377]. The description of events as they unfolded on the day, will be explored in detail in Chapter Five.

Pacific Islands Forum Leaders Meeting Port Moresby Call for Climate Action Declaration

The PIF Port Moresby leaders meeting would be the first testing ground leading up to Paris for Pacific island countries to find a compromise with its fellow regional Annex 1 partners, Australia and New Zealand. While the main plenary and photo opportunities with leaders was a grandiose and jovial affair, there was a slight uneasiness among climate change policymakers in Port Moresby, as the ADP2-10 had then just finished in Bonn over the weekend where there was a deadlock in the talks. The outcome was the Port Moresby PIF Leaders Declaration on Climate Change Action 2015; the list of climate change declarations from the region are summarised in Table 12. On the surface it seemed most of the key asks were listed including the 1.5 degrees and the loss and damage[378]. But upon close inspection of the text, the declaration was ambiguous as it upheld the Lima COP language, "holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels"[379]. However, for the first time there was compromise on the issue on of loss and damage as a standalone clause in the agreement. As detailed later in Chapter Five and Chapter Six, this compromise from Australia and New Zealand reflected manoeuvring by Tuvalu at the international negotiations.

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[375] Ibid.

[376] Smaller Island State official (Talanoa 27), in discussion-talanoa with the author, September 8, 2015.

[377] SIS, "Smaller Island States Leaders' Port Moresby Declaration on Climate Change," (Port Moresby: PIF SIS, 2015).

[378] PIF, "Pacific Islands Forum Leaders Declaration on Climate Change Action," ed. Pacific Islands Forum (Port Moresby: PIF, 2015).

[379] UNFCCC, "Lima Call for Climate Action Decision 1/CP.20," (Lima: UNFCCC, 2014).

Table 12. Regional and Sub Regional political declarations on climate change

Organisation	Declaration	Date	Participating Members
Melanesian Spearhead Group	MSG Declaration on Environment and Climate Change	2013	**Fiji, PNG, Solomons, Vanuatu**
Pacific Islands Forum	Majuro Declaration for Climate Leadership	2013	**Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu** *Australia, New Zealand*
Oceania 21	Lifou Declaration "Paris 2015: Save Oceania"	April 2015	**Cook Islands, Federated States of Micronesia, French Polynesia, Kiribati, Marshall Islands, Nauru, New Caledonia, Palau, Samoa, Solomon Islands** **Niue*, Palau*, Tokelau*, Vanuatu*** *Timor Leste, Wallis Futuna*
Micronesian Presidents' Summit	Boknake Haus Declaration	July 2015	**Marshall, Palau, Federated States of Micronesia**
Polynesian Leaders' Summit	Taputapuatea Polynesian Leaders Declaration on Climate Change	July 2015	**Cook Islands, Niue, Samoa, Tonga, Tuvalu,** *American Samoa, French Polynesia, Tokelau*
Pacific Islands Development Forum	Suva Declaration on Climate Change	Sept 2015	**Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu** *French Polynesia, New Caledonia, Timor Leste, Tokelau*
Pacific Islands Forum	Smaller Island States Leaders' Declaration	Sept 2015	**Cook Islands, Kiribati, Marshall, Nauru, Niue, Palau, Tuvalu**
	Pacific Island Forum Leaders Declaration on Climate Action	Sept 2015	**Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu** *Australia, New Zealand*
The 14 Pacific island states who are signatory to UNFCCC are emphasised in **BOLD**			
*Attended the Oceania 21 meeting but did not sign the final agreement. France, Australia and New Zealand representatives were also present as observers; ** Samoa, Niue and Palau did not join in the PIDF meeting			

SPREP – High-Level Support Mechanism 2 (November)

The outcome of the PIF Port Moresby declaration was vital in establishing a political mandate that called for unity at the COP21 negotiations and support from various regional agencies. The second HLSM held in Apia on November would be the site to

coordinate and train regional and national ministers and officials on the issues the Pacific states would present in Paris. Essential in this endeavour was the involvement and drive from technical expertise of CROP agency officials, as well as members of PIDF and PSIDS New York. In contrast to the May HLSM, the November meeting was an intensive three-day session of political negotiations and media training, in a secluded resort. This isolation tactic not only allowed countries to strategise and align coordinating positions before Paris, but essentially cemented negotiator relationships among state negotiators and regional organisation support teams. The participants involved and strategies discussed in this meeting effectively led to the establishment of the Pacific SIDS coalition, a regional coalition from the Pacific that were instrumental at the Paris Climate Change Conference. This will be explored fully in Chapter Six.

Conclusion

This chapter has sought to trace three contextual factors in the story of Pacific islands states participation in global, international and regional climate change negotiations: the history of UNFCCC negotiations, the participation of Pacific island states in the regime, and the politics of climate change negotiations in 2015. The history, structure and issues discussed at the international UNFCCC level are complex. In tracing how Pacific islands states have participated in negotiations, this research finds Pacific negotiators and their leaders have managed well. Despite the complex process of negotiations, the plethora of actors involved and the ambiguity of consensus; Pacific states and key individuals from the Pacific were at the forefront of climate talks. Most notable has been their involvement in inter-state coalitions. Coalitions like AOSIS, have allowed Pacific state delegates to mobilise and coordinate their positions, and at the same time be a part of leadership roles in the coalitions and the regime. What is not addressed in this historical analysis is what happens inside negotiations. First, Pacific states have a high level of cohesion within a coalition like AOSIS, or amongst other coalitions they are associated with. Secondly, while accounts show Pacific states are effective in agenda setting or the early phases of negotiations, they do not point out how and if small states can influence consensus decision making at the final moments or consensus point, of negotiations. In order to answer this more clearly and effectively, the research in the next three chapters will focus on what happens inside climate change negotiations. However, not satisfied with just the international UNFCCC ADP process

leading up to the global COP21 negotiations, this thesis will explore how states build and reach consensus in regional multilateral forums.

This chapter has also detailed the various diplomatic meetings in 2015 that pronounced the importance of canvassing political support before COP21. The UNFCCC ADP process, while simplistic in its description here, masks an unruly, strenuous and highly charged arena where states and their delegates are constantly trying to outmanoeuvre each other. As Chapter Four and Six will show, these heated forums of vested political actors require creative diplomacy and strategic relationships. The formal international UNFCCC ADP process follows the making of text diplomacy, and in all the remaining chapters, the thesis will explain the skill set of wordsmithing and pushing the 'red lines' at the final moments.

Since the issue of climate change entered the regional agenda-basket in the late 1980s, regional political forums and technical organisations, namely PIF and SPREP have made it a top priority. The regional and sub-regional meetings, and their respective declarations, may on the surface be forums to build and strategise positions; they were also socialisation sites of leaders, negotiators and observers to build relationships and networks that would prove helpful in Paris. The context of the informal regional negotiations resonates with ideas around collective diplomacy or the *new Pacific diplomacy*. It emphasises the newly "assertive attitude, the emphasis on Pacific Island control of the diplomatic agenda, the creation of new institutions, its appeal to regional identity, and its concern with negotiating global agendas that are impacting Pacific societies"[380]. The proactive approach thus far by Pacific states within UNFCCC and in the Pacific region is witnessed in their proactive leadership. This climate leadership has not been limited to just the international UNFCCC level, but more importantly is sourced from multiple sites of power, both regional and sub-regional.

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[380] Fry and Tarte, 3.

Chapter Four: International Negotiations - UNFCCC Ad Hoc Durban Platform Ninth Session (ADP2-9)

Introduction

The aim of this first empirical chapter is to explore multilateral consensus decision making at the international UNFCCC level. It traces the negotiations that took place within the ninth session of the Ad Hoc Durban Platform (ADP2-9) meeting in Bonn, Germany from June 1-11, 2015. With a specific focus on the behaviour of Pacific island states in this multilateral negotiation, the analysis here traces how these countries navigate complex negotiations through the inter-state coalitions they are associated with. This micro-negotiation analysis of coalition behaviour allows the research to unpack how states build consensus amongst likeminded countries, and specifically the challenges of cohesiveness. What happens inside these coalitions, and how do states make decisions by consensus? Who are the actors and who are the actors involved in the decision making? What is their input and can Pacific island states through coalition influence the final outcome?

In the context of UNFCCC negotiations, the ADP2-9 meeting was the half way point in the international negotiations. After years of multi-party discussions that led to draft negotiating text (the Geneva text) in January, this meeting would kick start text diplomacy negotiations – or the first substantive negotiations around streamlining and refining the draft agreement text. This meeting was not expected to reach a final outcome, but rather to build consensus amongst the 196 parties. With this scenario in mind, this chapter traces the mechanisms or the actors, strategies and issues, which the 14 Pacific island states utilised in order to build consensus. A second point of departure is the existing literature on small states in the climate change regime that promote the importance of inter-state coalitions arguing that they help states streamline and manage complexity in the negotiations.

This chapter is divided into three sections based on the analytical framework on multilateral consensus decision making phases: pre-negotiation, negotiation and agreement. However, the emphasis of the descriptive analysis here will be on building consensus or the pre-negotiation and negotiations phases. The pre-negotiations phase

describes the preparatory meetings of the various coalitions Pacific states were associated with, in the week prior to the start of negotiations. The second section of the chapter will explore the events that unfolded in the ten days of ADP negotiations from June 1-11, or the negotiations phase. The final section will touch upon the agreement phase of the international conference, which was based on the consent of party members for the negotiations to continue. The three sections are complemented by three 'inside' accounts into the work of Pacific delegates in international multilateral negotiations.

The three 'inside' ethnographic accounts or snapshots of certain facets of the negotiations, detail the vitality of Pacific negotiators and their coalitions. The first set of accounts detail the structure, politics and cohesiveness during pre-negotiations of four coalitions: the Alliance of Small Island States, G-77 and China, Coalition of Rainforest Nations, and Cartagena Dialogue. During the negotiations, coalitions not only become forums to achieve a compromise amongst likeminded states, but also become the main actors in the actual negotiations. This is evident in the second inside account following a day in the work life of a Pacific lead coordinator. The last inside account details the emergence of a Pacific SPREP-SIDS collective in the meeting born out of the need to be more active in the negotiation process. By following and tracing the work of Pacific negotiators inside the chambers of negotiations, these accounts highlight three significant political phenomena: internal coalition cohesiveness, bargaining amongst coalitions, and coalition formation.

ADP2-9 Context

Multiple Meetings

After more than three years of negotiating an agenda and a process that was acceptable to all 196 parties of the Convention, the work towards a text for a new agreement had started. This work began in February 2015 at the Ad Hoc Working Group on the Durban Platform's eighth session (ADP2-8) in Geneva, where parties started to insert options and alternatives thus creating the Geneva negotiating text[381]. The world's attention then turned to Bonn, Germany, the home of the climate change negotiations'

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[381] ENB, "Summary of the Bonn Climate Change Conference 1-11 June 2015," ed. Earth Negotiations Bulletin (Bonn: International Institute for Sustainable Development, 2015).

secretariat. The ninth session of the ADP was not the only meeting taking place at UNFCCC headquarters in June 1-11. Under the UNFCCC calendar, two of the three main bodies of the UNFCCC would also hold its regular meetings during this time, namely the 42nd session of the SBI and SBSTA. This meeting was reported to have attracted nearly 4,000 participants, representing parties and observer states, international organisations, NGOs, and media[382]. While the SBI and SBSTA were carrying out routine negotiations around the outstanding elements of the Kyoto Protocol and the Convention, "all eyes, ears and focus are on ADP"[383] as one negotiator stated.

The Geneva Negotiating Text

From Geneva, an imperfect text of 92 pages formed the basis of a working draft text to be negotiated. The text was a laundry list of options and alternatives proposed by the parties and their various coalitions. These options and alternatives were categorised under 12 key clauses: general/objective; adaptation and loss and damage; mitigation; finance; technology development and transfer; capacity building; transparency; preamble; definitions; time frames; implementation and compliance; and procedural and institutional provisions. The aim of the ADP2-9 session was simple: for negotiators to streamline and consolidate the text, as well as clustering and conducting conceptual discussions of issues from the Geneva negotiating text. This stage of negotiating a text was a normal practice in the negotiations regime of agreeing to procedures of "how to engage, touch and massage the text"[384]. On the surface it seemed like a simple task, but as the events unfolded during the three-week conference, finding a consensus among 196 parties to initiate this work proved difficult.

In the months leading up to the Bonn meeting, the UNFCCC secretariat had circulated the political and technical focal points of the program and agenda for the session. For the UNFCCC process, each party member nominates two representatives as a focal point, political or technical, who receives all communication and invitations to mandate sessions and workshops. For the ADP2-9 package, this also included possible options

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[382] Ibid.

[383] Pacific negotiator (Talanoa 11), in discussion-talanoa with the author, May 29, 2015.

[384] Pacific negotiator (Talanoa 11), in discussion-talanoa with the author, May 29, 2015.

for streamlining the Geneva drafting text where there were parallel options coordinated by the UNFCCC secretariat. All these packages were posted on the UNFCCC ADP2-9 session website one month prior to the meeting[385]. The generic information from the packages was also posted on the UNFCCC website and its Negotiator conference app. Additionally, in what had become a traditional fixture of the international climate change negotiations, the week prior to the ADP2-9 session was allocated for preparatory meetings of particular political groupings or coalitions. This took place between May 26-31 and specific details of this week will be presented in the following section, the pre-negotiations phase.

Politics Heading into Bonn

In the four months prior to Bonn, key international meetings with linkages to the UNFCCC had taken place. The chairs of COP20 Peru, and COP21 France, hosted informal consultations for lead negotiators from 49-member states, strategically invited as having strong positions in the text. The consultations in Lima (March) and Paris (May) were not negotiations, but a dialogue to find common grounds for agreement. From the Pacific, representatives from Marshall Islands and Tuvalu were invited to these forums. The informal consultation would be elevated into informal ministerial meetings that would meet four times later in the year leading up to Paris. The Major Economies Forum on Energy and Climate Change (MEF) would also meet in the months leading into Bonn. The MEF was an initiative established by U.S. President George W. Bush that would bring together leaders of 17 developed and developing economies[386] as a means for candid informal dialogue to generate climate change political will and understanding amongst the top economies. The MEF has since evolved to incorporate UNFCCC secretariat officials and key states in the process. The group's officials would be dubbed by climate change journalists as the who's who and the most influential climate diplomats that "play a part in developing an agreement that can be acceptable and applicable to all"[387]. When the group met in Washington DC in

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[385] UNFCCC, "ADP2-9," United Nations Framework Convention on Climate Change, https://unfccc.int/process/conferences/past-conferences/bonn-climate-change-conference-june-2015/adp-2-9.

[386] Australia, Brazil, Canada, China, the European Union, France, Germany, India, Indonesia, Italy, Japan, South Korea, Mexico, Russia, South Africa, the United Kingdom, and the United State

[387] Ed King, "Who's who in the world of climate change diplomacy?," Climate Home News, http://www.climatechangenews.com/about-us/.

April, Marshall Island's Tony de Brum would have been invited consecutively for the past two years. This was also the time when IPCC held its 41st session in Kenya, the Green Climate Fund held its ninth board meeting, and in New York, the negotiations on the post development agenda which would become the Sustainable Development Goals took place.

For Pacific states, the months leading into Bonn was filled with informal lobbying at the regional level and inter-state coalition networks, as well as mobilising policy processes within capital and respective diplomatic postings. At the regional level, the SPREP's Pacific Climate Change Roundtable meeting in April would initiate a one-day HLSM training for regional technical officials to study and strategise positions over the Geneva text. As explored in Chapter Three, this was followed by meetings of leaders and officials at the meetings in New Caledonia (Oceania 21), Marshall Islands (MPS) and Tahiti (PLG) where their respective declarations called for climate action.

At the national level, special climate change committees were reinvigorated to prepare state mandates for its negotiators. Such was the case of Papua New Guinea, where a special taskforce on climate change negotiations led by the Climate Change and Development Authority with membership of the attorney general, environment and conservation and finance departments had been meeting round the clock finalising red lines, streamlining and strategising with the text[388]. For Samoa, on top of regular briefings with AOSIS climate change negotiators in New York, its ambassador was constantly in touch with the country's technical focal point at the Ministry of Environment and Natural Resources and regional inter-governmental organisations in Apia, if the diplomat was not travelling to the region to train other climate negotiators[389]. For others like a representative from Tuvalu, as coordinators of the LDC, the months in between Geneva and Bonn June 2015, saw a schedule littered with skype meetings, email correspondence and text manoeuvre strategies with partners from Angola and Timor Leste[390].

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[388] Pacific negotiator (Talanoa 1), in discussion-talanoa with the author, May 13, 2015.

[389] Samoan negotiator (Talanoa 20), in discussion-talanoa with the author, June 3, 2015.

[390] Tuvaluan negotiator (Talanoa 5), in discussion-talanoa with the author, July 26, 2015.

Pacific island states participation at ADP2-9

Of the 4,000 participants attending the Bonn session, only 51 participants in total represented the 14 Pacific states[391]. The Bonn sessions were purely technical; there was the odd occasion where a state minister would be present, and this was case for the Pacific delegations. As in all UNFCCC meetings state officials were recognised by their pink coloured accreditation badges, with the brown coloured badges delineating the head of a delegation. As Table 13 shows, other than Niue, each Pacific state sent at least two delegates, which was also the minimum number of delegates funded by UNFCCC per party to attend the negotiations. While more than half of delegates were technical experts from respective countries' environment or climate change entities, there was also representation of diplomatic negotiators from New York missions. They included Marshall Islands climate work with a non-profit organisation, consultants from Independent Diplomat[392], and Palau's close association with members of the Berlin based organisation, Climate Analytics. Pacific regional organisations officials carried out their advisory role for the delegates while being accredited under the Cook Islands, Samoa and Fiji delegations—during these negotiations only SPREP and the PIDF were present in Bonn. Tuvalu's diplomatic association with Taiwan included two representatives from Taipei on their delegation, who were not directly engaged in the negotiations.

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[391] UNFCCC, "Provisional list of participant UNFCCC SBSTA SBI ADP 2-9 1-11 June," (Bonn: United Nations Framework Convention on Climate Change, 2015).

[392] Independent Diplomat a non-profit organisation of experienced former diplomats and international lawyers; their contributions discussed in detail in Chapter Six.

Table 13. Pacific island states official delegation composition at ADP2-9

	Govt Officials (Capital)	Govt Diplomat (NY)	Reg. Orgn.	Intl Consult NGO	Reg / Local Consult NGO	Media	Private Sector	Academia	TOTAL
Cook Islands	2		2*	1**					5
Fiji	1		1***						2
Kiribati	2	1							3
Marshall Islands	1	2		2"					5
Micronesia (Federated)	2								2
Nauru	1	2							3
Niue	0								0
Palau	3			4""				1^^	8
Papua New Guinea	5								5
Samoa	1	1	1*					1^^	4
Solomon Islands	1	1							2
Tonga	1	2							3
Tuvalu	4	1					2^		7
Vanuatu	2								2
	State Actors- 36		**Non-State Actors in Official Delegations- 15**						**51**

* members of Secretariat of the Pacific Regional Environment Program
** independent consultant
*** member of Pacific Islands Development Forum/ Chair of SBI
" consultants from Independent Diplomat
"" consultants from Climate Analytics
^ representatives from Republic of China/Taiwan
^^ researchers from Yale University and the Australian National University

Source: UNFCCC, "Provisional list of participant UNFCCC SBSTA SBI ADP 2-9 1-11 June," (Bonn: United Nations Framework Convention on Climate Change, 2015).

ADP2-9 Pre-Negotiation Phase

ADP Process

One defining feature in climate negotiations is the work of political groupings or coalitions in streamlining positions of likeminded member states. In acknowledging this role, and at the request of member states, the UNFCCC in its work allocated one week prior to any body meeting - COP, SBI and SBSTA - for member states to meet as groups. The UNFCCC calendar in this preparatory week has always been allocated to developing southern coalitions. The preparatory week for the Bonn SBI/SBSTSA/ADP

2-9 program was as follows: Least Developing Countries (LDC) would convene on May 26 and 27; Small Islands Developing States (under AOSIS) and African Group would meet May 28 and 29, followed by the G-77 and China (G-77) on May 30 and 31. Although not officially listed on the UNFCCC program, it was common practice that negotiators from other coalitions like the Umbrella Group, Independent Association of Latin America and the Caribbean (AILAC), Arab League, Likeminded Group, Cartagena Dialogue, Coalition of Rainforest Nations (CfRN) and the European Union would also use this opportunity for face to face consultation and planning. For Pacific state delegations, this week meant lobbying in multiple coalitions, some in parallel, to ensure that their key positions were reflected in the work of coalitions. The following accounts explore the internal monitoring and coordination that takes place within coalitions, especially in relation with the ADP2-9 process as seen through the AOSIS, G-77, CfRN and Cartagena Dialogue[393]. These preparatory meetings are not recorded and restricted to only member state delegations of each group. The following accounts are an insider's reflections on the work of coalitions in the preparatory phase, namely AOSIS, G-77, CfRN and Cartagena Dialogue. These accounts not only reflect the intricacies of building cohesiveness inside coalitions, but also their linkages and bargaining amongst the various political groupings.

Inside: AOSIS and small states' politics

Although on the official program the SIDS/AOSIS was allocated May 28 and 29, an email from Chair of AOSIS Maldives, was sent a week earlier notifying of an additional day of preparations on May 27. Changes to the schedule and additional matters to the agenda were a constant feature, it proved to be wise to be in the know, or better still to anticipate these changes. In the conference room of the Königshof Hotel around 50 delegates from the various ocean regions would convene to prepare for the upcoming ADP2-9. AOSIS was the historical home for Pacific island delegations, and this gathering would be the first opportunity to gauge areas of common ground on positions and continue to forge relationships with small island states from the Caribbean, Indian, Atlantic and Mediterranean oceans.

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[393] The researcher's access was restricted to these four coalitions which Samoa is associated with. The LDC held daily coordination meetings and were active in the negotiation throughout. The CVF were mainly active during the COP21 negotiations.

AOSIS Coalition Plenary

The participants organised themselves in their respective country delegations behind a table microphone. There was no set order as to where countries sat; delegates would simply collect their country plaque from the entrance of the conference room and place it where they sat. In this main coalition plenary, the heads of delegations or their representative would be given the opportunity to speak, by signalling gestures of tipping the flag plaque or raising their flag plaque to get hold of the Chair's attention. One of the first procedural rituals for the heads of delegations or their representatives was to email the AOSIS secretariat with their delegation contact list[394]. This confirmation of participants to the AOSIS secretariat, in this case the Maldives, would ensure members would receive all coalition negotiation information.

The first order of business would be given to state representatives to present any updates on high-level meetings, or UNFCCC committee meetings that took place between Geneva and Bonn. The delegations from Marshall Islands and Singapore would apprise the group of the MEF Washington and the Petersburg Dialogue focussing on areas of pre-2020 ambition and mitigation in the Geneva draft text. From the Caribbean, Belize informed the group of that regions' High-Level Support Mechanism[395] meeting and negotiator training. The same opportunity would be given to Samoa to detail the work from the Pacific from its Pacific Climate Change Roundtable and negotiator training. The coalition would also come to know the discussions around climate change adaptation partnership between Pacific countries and Japan, at the Japan-initiated Pacific Leaders Meeting (PALM 7).

Outside of the UNFCCC discussions, SIDS representatives in the various regime bodies would update the group on progress. Of key importance were the discussions around the Structured Expert Dialogue working group looking at the issue of the 1.5 degrees long-term temperature goal. The remainder of this first day of preparations was devoted to

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[394] Although the heads of delegations and some notable delegates did not need were automatically added on the email list, member countries were encouraged to re-introduce members present at the beginning of each negotiating session.

[395] The German based NGO Climate Analytics, as explored in Chapter Six, were influential in coordinating and leading training for SIDS and LDC countries. there would two HLSM for the Pacific, and two HLSM for the Caribbean states in 2015.

presentations of experts from the coalition involved in off-session workshops and dialogues around loss and damage, mitigation and adaptation. The issue of finance and the possible complications in the agreement for the Global Environment Fund and the Green Climate Fund was a particular priority and focus of discussions. The presentations and candid discussions from amongst the coalition members also looked at political profiling. By this, the group conducted a stocktake of possible country and coalition partners that may support or impede the groups' established positions, both within the G-77 China and wider Annex I countries.

AOSIS Coordination Groups and Coordination Leads

The second and third day of preparatory meetings for the AOSIS was divided into 'coordination' thematic groups. The coordination groups for AOSIS, and in all other coalitions in climate change negotiations, are the main wheels that drive the political groupings' vehicle forward. For AOSIS and its preparations for ADP, it had been determined at the Geneva conference as well as meetings at the UN Missions in New York that there would be four key coordination thematic groups for ADP2-9: Adaptation and Loss and Damage, Finance, Mitigation and Legal. During the four month interval, the Chair had put out a request for states to nominate and at the same time individually approach possible negotiators to lead the four coordination groups. There were two 'lead coordinators' for each thematic group; with an unwritten principle to try and have equal membership from the three ocean sub-regions[396]. At the time of ADP2-9, Marshall Islands had two delegates leading coordination in the mitigation and legal groups. Depending on instructions from their capital, some states chose to follow one or two issues, and some had delegates jumping from one coordinating group to the other. Parties with sizable delegations, like Singapore, had the luxury of having three to five negotiators following each of the groups in comparison to states like Samoa, where one person would follow two or three coordination groups.

During the coordination meetings, the *thematic group coordinators* would lead discussion amongst the group on who would follow what issue in the negotiations. For the Adaptation and Loss and Damage unit, discussions revolved around breaking the

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[396] Pacific negotiator (Talanoa 5), in discussion-talanoa with the author, July 26, 2015

team into two subgroups (adaptation group and the loss and damage group) with individuals following particular clauses or articles of the negotiations. Although state red lines are a priority for delegates, the information sharing, and tasks allocated provide a sense of belonging and building cohesion. By speaking on behalf of another state during the negotiations, not only provided a sense of responsibility to represent others, but also built an obligation to the group. The coordination groups shared intelligence and networks from other coalitions and strategised a way of working with them. In this political stocktake, similar to the stocktaking that took place at the coalition plenary level, there was a more personal or individual profiling. In one instance, the mitigation group identified the second lead negotiators from Japan and New Zealand as the key players from the Umbrella coalition whom they needed to follow and look out for in the corridor.

The monitoring of information and receiving up to the minute information is key to surviving in the negotiations - therefore it was vital for delegates to sign up not only to the emailing list of the coordinating group, but also its various social media platforms like WhatsApp, google drive, dropbox and skype chat groups. Similar to the way the main coalition emailing list was used, members of the coordination groups were encouraged to sign up again to reflect the active members of the group in the current session.

As indicated in Chapter Three, most negotiations take place within the various spin-off negotiation chambers. The main actors or negotiators that enforce both the positions of their countries and coalitions, are the coordination groups. To be exact, in the practice of AOSIS (and as practiced by other coalitions), the main spokesperson for the coalition in these spin-off chambers are the lead negotiators. They would make interventions on behalf of a coalition or yield the floor to a fellow coalition-coordination member to make the intervention. However, as one Pacific negotiator affirms, this does not mean that states cannot make individual interjections as "it is our sovereign right to speak, intervene or seek clarification"[397]. The same negotiator went on to state, "but this is a rare moment, because it will show to other coalitions that AOSIS is not cohesive, and

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[397] Pacific negotiator (Talanoa 7), in discussion-talanoa with the author, May 28, 2015.

we have no coalition consensus"[398]. Despite what seemed like clock-work operations, there were certain positions that the coordination groups could not agree upon. In one case, in the mitigation coordination a negotiator from Grenada did not agree to points raised by Singapore on the matter of review cycles and language on the 1.5 degrees long-term temperature goal. With the support of fellow Caribbean countries and Marshall Islands, the coordination leads sought an agreement from the group to refer the matter back to the coalition plenary and heads of delegations.

AOSIS Coalition Cohesiveness: managing differences and strategies

On the final day of preparatory meetings, the coordinators would make presentations to the caucus on key issues and what to expect in the coming week. The issues where there would be no agreement from the coordination groups were then brought up for discussion. By the time these grievances were raised, the members with differences would have already conducted informal talks; sometimes with their state lead negotiators or heads of delegations. In the case of Grenada and Singapore, the issue did not find an agreement and the Maldives Chair asked that the matter be referred to the heads of delegations meeting to follow in the next two days. This was a strategy in of itself for the Chair. By reassuring coalition caucus that all was not lost and there was another option to find consensus, the Chair bought himself time to approach the delegations with vocal grievances - Grenada, Singapore, St. Lucia and Marshall Islands, both bilaterally and as a group for a compromise on the language.

From finalising AOSIS key positions, the coalition-plenary discussed strategy, most importantly the strategy of working within the G-77 China bloc. Many scholars,[399] and negotiators,[400] have pointed to the increasing fragmentation of the southern-developing coalition group. With more than 13 regional, issue-specific, and economic coalitions all lobbying on the basis of a diverse set of interests, AOSIS needed to take into account a political stocktake of the group. The strategy that many negotiators in the room adopted

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[398] Pacific negotiator (Talanoa 7), in discussion-talanoa with the author, May 28, 2015.

[399399] See Betzold, Castro, and Weiler., and Lau Øfjord Blaxekjær and Tobias Dan Nielsen, "Mapping the narrative positions of new political groups under the UNFCCC," ibid. (2014).

[400] Four seasoned Pacific negotiators commented in separate talanoa sessions, the increasing number of smaller regional and issue specific groups within the G-77 over the years.

was the numbers game. By gaining the support of the 136 states G-77 on a position, there would be more weight on the position when negotiating with Annex I states. As ADP2-9 was not the last session before Paris, the more seasoned negotiators strategised that Bonn was a technical or procedural negotiation. There would be no agreement in Bonn but to streamline the text; for negotiators it was important to outreach, to rally as much support as possible, rather than negotiating the text[401]. During the plenary, the AOSIS Chair stressed to lead coordinators the need to garner the support of key countries like Saudi Arabia, China, Brazil, India, Bolivia and Indonesia to the coalition's cause.

The coalition plenary was also the site to raise any differences in regard to the AOSIS communication strategy. At the highest level would be the chair's formal speeches to the group during the ADP plenaries (opening, closing or during negotiations), as well as the plenaries of the G-77. Accompanying these official speeches would be a press statement from the group drafted by lead coordinators, affirming both its positions and any serious concerns (usually its red lines) in the negotiations. The practice for AOSIS, is that the Chair secretariat would circulate by email these statements one day or the night before the next plenary. Member states with concerns were invited to contact the chair directly or voice strong dissent within the group plenary. Silence or no communication for changes was perceived as consent from the group. Nevertheless, throughout the week, it would be a rare occasion that there would be a statement without any changes after circulation. As these speeches and press statements act as official records of the group's position, there was notable scrutiny amongst parties[402] of each line in the event the Chair misrepresented the compromises by states as agreed to inside AOSIS.

The coalition plenary also acted as a venue for a group bilateral: between AOSIS and the Co-Chairs of ADP2-9[403]. There were various forms of group bilaterals. Depending

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[401] Pacific negotiator (Talanoa 6), in discussion-talanoa with the author, May 27, 2015

[402] From observations during plenary and spin off sessions, negotiators from Marshall Islands, Solomon Islands and Tuvalu were constantly vocal in negotiations. This behaviour is not surprising, as they were lead coordinators/negotiators for AOSIS and LDC.

[403] The Co-Chairs for ADP were Dan Reifsnyder of U.S. representing Annex I countries, and Ahmed Djoghlaf of Algeria representing non-Annex I countries.

on the advice of the Chair the AOSIS representatives would be either heads of delegations only, or key negotiator coalition leads, with an open invitation to any state willing to attend, or in this case a full coalition caucus. The AOSIS bilateral with the Co-Chairs was an opportunity for the delegates and the coordinators to raise questions on procedural format and express their concerns on how negotiations should operate. Beyond the Co-Chairs, coalitions or states that may have a position standoff with AOSIS, may conduct a bilateral with the wider group in a plenary, or privately with selected representatives. These bilateral meetings with AOSIS were a common practice throughout the two week ADP2-9 session.

AOSIS Heads of Delegations Group

The most pressing differences in positions, affirming the strategies of AOSIS are raised in the heads of delegations group. Like coordination groups, the heads of delegation are an additional layer of authority that comes into play during negotiations. For ADP2-9 the majority of heads of delegations were at the UN ambassador or deputy ambassador level, with the rare instance of a permanent secretary from the capital attending. According to one Pacific head of delegation, because of the familiarity of the ambassadors with each other over the years, the discussions can range from friendly to tense[404]. The heads of delegation try as much as possible to iron out any differences, as in the case of the mitigation between Grenada and Singapore where only at the heads level was AOSIS able to find agreeable language on the five-year cycles. At the same time some of the most sensitive group issues are also raised. One of these issues raised by a particular member state, was the use of non-governmental organisation 'consultants' by states. According to one Pacific head of delegation, this issue questioned the use of scientific and legal experts and possible leaking of the AOSIS position, happens from time to time, "it leaves us with an awkward feeling, and mistrust among the group's technical negotiators".[405] States using NGO consultants was not peculiar to just Pacific states but applied throughout AOSIS and all member states in the climate negotiation regime. "It is always NGOs that drive [the UNFCCC process] … they were always on the negotiation table".[406]

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[404] Pacific negotiator (Talanoa 20), in discussion-talanoa with the author, June 3, 2015.

[405] Pacific negotiator (Talanoa 25), in discussion-talanoa with the author, June 8, 2015.

[406] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015.

AOSIS Secretariat: Maldives and Islands First

A notable arm in the work of the coalition is the Chair and its secretariat. The Maldives delegation were not only present in all coordination groups, but so too were its team of associated NGO experts. The Islands First, a non-profit organisation first came to be involved in AOSIS and climate change politics under the Nauru chair from 2011-2014. Their institutional knowledge in the UNFCCC and the previous AOSIS chair was key in Maldives retaining the work of Islands First into 2015; the group like all other NGOs in the process were accredited to Maldives.[407] With its mission to amplify and empower island voices by advancing their priorities in climate change and sustainable development forums[408], Islands First supported the Maldives mission in New York by providing research and information sharing capacity. The Chair's role in coordinating and monitoring the group's positions and maintaining cohesiveness required a strong secretariat. In the preparatory meetings and throughout the negotiations, the secretariat officials would constantly be on their toes compiling talking points, speeches, and press statements from thematic coordinators, before reporting back to the membership for consent. Vital to the consistency of the messages of the group was the planning of daily morning and evening AOSIS coordination meetings during the negotiations, as well as any necessary strategic meetings throughout the year.

Inside: G-77 and China 'balancing multiple coalitions'

For the final two days of preparatory meetings, the eleven coalitions[409] from the south would converge to find a common ground. From managing states in a coalition in AOSIS, G-77 had the double task of managing states and coalitions within a coalition. Premised on the notion of providing developing countries' solidarity for its 134 member states, in the climate regime this also meant managing and producing a coalition solidarity for the south. The straightforward but accommodating diplomatic style of South Africa would prove vital in its assumption of the role of chair. The structures and

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[407] AOSIS negotiator (Talanoa 13), in discussion-talanoa with the author, June 11, 2015.

[408] Islands First, "Islands First About Us," Islands First, http://www.islandsfirst.org/mission/.

[409] African Group, Arab Group, BASIC (Brazil, South Africa, India and China), Independent Association of Latin America and the Caribbean, Bolivarian Alliance for the Americas (ALBA), Alliance of Small Island States (AOSIS), Central Asia Caucasus and Moldova (CACAM), Coalition for Rainforest Nations (CfRN), Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs), Like-Minded Developing Countries (LMDCs), Organisation of the Petroleum Exporting Countries (OPEC)

procedures of AOSIS were similar to those of G-77, in fact it could be argued that AOSIS utilised the best practices of G-77. The procedural structures such as heads of delegations group, the chair and its secretariat, thematic coordination groups and lead coordinators and a coalition plenary were part and parcel of the political grouping.

The opening G-77 coalition plenary began with official remarks from the various coalitions affirming key positions and concerns they may see in the cohesiveness amongst the coalitions. These statements set the tone for the next task of the chair in which to confirm the lead coordinators for twelve thematic groups. However, before the G-77 coordinating groups would disperse for coordination of strategies, the coalition heard concerns from notable countries such as Saudi Arabia, China, Bolivia, India and Singapore. While reiterating the need for all coalitions to 'keep within the family' by not creating blocs outside of G-77, the statements pointed towards an underlying conflict within the great coalition. The issue of vulnerability had shaken the coalition, especially amongst the African Group, GRULLAC and ALBA countries all calling for African and South American countries to be listed as vulnerable countries. This was a contentious issue as Annex I countries had stressed over the years that they would not support any discussions to give special consideration for countries other than SIDS and LDC. In light of the Convention's special consideration for small islands and least developing states as vulnerable states, these states would have direct access to claim for climate finance. The South African chair of G-77 reminded member coalition heads and delegates during the plenary, that the issue of vulnerability divided the coalition, and requested members not to use term vulnerability in the negotiation rooms[410]. This would lead to a second issue, when these countries reminded both coalitions and delegates of the 'do no harm policy' which is a general understanding amongst states ensuring that outcomes under the climate change regime did not affect their 'right' to development[411]. It was stressed over and over again and negotiators were reminded that the principles

[410] The chair of the G-77 coalition was South Africa in 2015; throughout the ADP process the coalition was steered by Ambassador Nozipho Mxakato-Diseko. South Africa had a special interest in leading the climate change negotiations for the global south in order to complete the process for an agreement that started in Durban three years earlier.

[411] Fry, 106.

and objectives of sustainable development agreed in other conventions should not be watered down or hindered by climate change policies[412].

The work of the coordination thematic groups were in line with the sections of the current draft of the Geneva text[413]. Although there would be no delegate from the Pacific in a lead coordinator role, according to one Pacific negotiator, it was imperative for negotiators to maintain a presence in the groups and follow attentively the actions of the G-77 leads[414]. In the two days of preparatory, the coalition would be divided into the work of coordination groups to find a common ground amongst the delegate and coalitions positions. Like AOSIS, any issues of disagreement were brought to the plenary, or were to be raised in a special heads of delegations meeting. However, unlike AOSIS where a pathway was sought, in almost all instances of divergence with G-77, there would be no resolution.

This belied the challenge for the grand coalition of the south, for if there were one statement of opposition, whether it be from one of its coalition or from a member state, the proposal or position would not be taken up by the group. A state may wish to take this issue up separately in the ADP process. The coalition's position would only focus on the watered down and limited position. However, herein lies the greatest asset of the group. Once the 134 member countries had found agreement on a position, the coalition had a louder voice to situate it on the agenda for bargaining with coalitions from Annex I countries. In other words, a consensus amongst G-77 member was a formidable bargaining chip for any state. The Chair would coalesce the common positions from the coordination leads to draft the G-77 statement for main ADP plenaries.

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[412] Pacific negotiator (Talanoa), in discussion-talanoa with the author, November 5, 2017.

[413] general/objective; adaptation and loss and damage; mitigation; finance; technology development and transfer; capacity building; transparency; preamble; definitions; time frames; implementation and compliance; and procedural and institutional provisions.

[414] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015. The negotiator mentioned in past negotiations, the AOSIS coalition members would follow with interest a lead coordinator for Brazil suspicious in case they made national deals with the Umbrella group over the consensus of the G-77 membership.

Inside: Coalition of Rainforests Nations and maintaining REDD Plus

The Coalition of Rainforest Nations are part and parcel of G-77 and attend its coalition plenary sessions. During the coordination breakout sessions for G-77 on May 30, the CfRN convened in a separate location. Its membership comprised of over 42 tropical countries with vast rainforest reserves, however with only a handful of countries active in the negotiations. Born out the of pre-Bali COP conferences, Papua New Guinea led the diplomatic fight with support from the New York based non-profit organisation Rainforest Coalition[415]. By 2015, Panama had assumed leadership of the coalition with secretariat support provided by the Rainforest Coalition.

The coalition's preparatory meetings were held outside of the chambers of UNFCCC, with twenty negotiators from Papua New Guinea joining fellow comrades from South America, South East Asia and Africa. The group's work centred on one issue, the carbon credit mechanism of reducing emissions from deforestation and forest degradation (REDD Plus), and with one goal, that of ensuring it was cemented in the new agreement[416]. The group did not have any coordinating groups, the strategy of the group was to inform and to carry the positions of state and relative coalitions they were associated with. The CfRN divided its work around priority clauses and paragraphs of the Geneva drafting text through which it could strengthen ambitions for protecting rainforests and REDD plus mechanism. The group were successful in incorporating the issue in the text, the strategy therefore was to keep it from being removed. For Papua New Guinea, apart from finance and adaptation, market mechanisms utilising rainforests were a main priority. As one of its negotiators said, Papua New Guinea shared the same positions and was satisfied with the work of AOSIS and G-77 China in other areas. However, as a matter of delegation strategy it focussed the bulk of its work on the CfRN to represent the interest of the Pacific in conserving rainforests[417].

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[415] Coalition for Rainforest Nations, "Coalition for Rainforest Nations - About," Coalition for Rainforest Nations, https://www.rainforestcoalition.org/about/

[416] Pacific negotiator (Talanoa 7), in discussion-talanoa with the author, May 28, 2015.

[417] Pacific negotiator (Talanoa 1), in discussion-talanoa with the author, June 5, 2015.

Inside: Cartagena Dialogue bridging a divide

The Cartagena Dialogue Group was created in 2010 to bridge the divide between the north and south coalitions. The 40 plus group of countries would meet to "discuss openly and constructively the reasoning behind each other's' positions, exploring areas of convergence and potential areas of joint action."[418] By sharing state positions and progress amongst the various coalitions, the group hoped to find middle ground on areas of impasse on climate change negotiations. The non-political group would meet at the fringes of the UNFCCC negotiation sessions and was not open to observers. Prior to the Bonn sessions the 14th and 15th Cartagena Dialogue regional meetings were hosted by then Chair, Mexico, in Mexico City and Paris respectively[419]. In the evening of the final day of the preparatory week thirty plus negotiators convened in a hotel conference room just outside of the UNFCCC Bonn headquarters.

Having led the coalition and hosted one of its regional meetings in Majuro in 2013, Marshall Islands was a key player in the group. During the ADP2-9 Marshall Islands alongside Switzerland were key coordinators for the group[420]. With representation from almost every regional, economic and issue-specific coalition, members would express concerns on the process and modality of how negotiations would take place over the next two weeks, especially the flexibility of the chairs. Instrumental in the group's discussions were possible areas countries could agree on common language or landing zones of the negotiations text. There was no bargaining, but simply an appraisal of various parties' points of views. The group reiterated that it would not create a political bloc in the process and agreed to meet two more times over the negotiation session. Needless to say, it would be a group where countries from both divides would come to share constructive ideas, not to blame each other or the negotiating text—but to find a way forward.

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[418] http://sdg.iisd.org/events/13th-meeting-of-the-cartagena-dialogue-for-progressive-action/

[419] Pacific negotiator (Talanoa 28), in discussion-talanoa with the author, Nov 20, 2015.

[420] The group would meet in the conference room of the famous Derag Livinghotel Kanzler at 7.30pm, attended by Antigua & Barbuda, Australia, Bangladesh, Belgium, Chile Colombia, Costa Rica, Ethiopia, France, Germany, Guatemala Ghana, Indonesia, Malawi, Maldives, Marshall Islands, Mexico, Netherlands, New Zealand, Norway, Palau, Poland, Peru, Samoa, Spain, Swaziland Tanzania, Thailand, Timor-Leste, Uruguay, UK and the European Commission, United Arab Emirates, Honduras,

Coalition Consensus

These insights on the preparatory week on the work of coalitions reflect the significance of political groupings in garnering support from fellow states. Coalition blocs provided a platform for states to not only work with likeminded states that shared the similar positions, but more importantly compromises in the text of the agreement through each day of negotiations. These compromises reflected the 'daily consensus outcomes' coalitions created. These internal coalition bargaining events are vital in receiving the numbers to support and carry a position, before negotiations happen in the following two weeks. In using the framework of reaching consensus and consensus building, how was consensus built and reached within coalitions?

Building coalition consensus was determined by the structure of a coalition and the willingness of member state actors. As highlighted in all coalitions, especially the reflections on AOSIS, these groupings had a well-established machinery and structure that allowed internal bargaining to take place from coalition plenaries, heads of delegations, and coordination groups. These internal structures harnessed the cohesiveness of the groups through its activities by coordinating and monitoring key positions. For G-77 the focus was on all 12 key issues of the agreement; AOSIS prioritised their efforts on four issues (legal, mitigation, finance, and adaptation and loss and damage); for CfRN the focus was on maintaining REDD Plus; while for Cartagena it was more a case of coordinating information sharing. The respective coalition structures and their respective priorities also determined key actors in the process - that of the Chair and the lead coordinators as the mouthpieces of the groups.

Reaching coalition consensus was a daily task; and it was observed that a notable group of individuals were influential in the process. This core group comprised certain states with key interests in particular issues and were the most vocal. In the example of AOSIS, Singapore, Marshall Islands, Cook Islands, Grenada, Jamaica, St Lucia and Belize were the most vocal in the meetings, and unsurprisingly these states had technical negotiators as lead coordinators supporting the Chair of Maldives[421]. The lead

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[421] It is important to note here, that two other Pacific countries, Tuvalu and Solomon Islands were lead coordinators but in the LDC. Tuvalu was the lead coordinator for Mitigation and Loss and Damage, while

coordinators were instrumental in the detailed negotiation of texts, as the voice of member states in the negotiating chambers of the informal facilitated groups (to be detailed below). The chairs of coalitions have a representational and influential role in the overall politics. By this, in any impasse on key issues the chairs facilitate and voice the concerns of the group. This did not mean the other states did not have an active role, as all parties would continue to follow and support the role of lead negotiators throughout the process. However, the most influential individual was the lead negotiator or chair speaking on behalf of AOSIS. This small group would not only have coordinated the group's position by way of persuasive debates (speeches, press statements and during negotiations with other coalitions); their work very much depended on bargaining in informal settings and networking (using media, or bilateral meetings).

The preparatory week was only the beginning. The next section will look at what happened during the negotiation allocated to ADP2-9 during June 1-11. This section will then look at two insider accounts: first, on the day in the life of a negotiator in the negotiation chambers, and second, the work or attempts of Pacific state delegations to work in a regional group.

ADP2-9 Negotiation Phase

Timeline of ADP2-9 Process

On the first day of negotiations, the ADP Co-Chairs Daniel Reifsnyder of U.S. and Ahmed Djoghlaf of Algeria[422] convened the opening plenary where they explained how the negotiations would take place: there would be a main Contact Group that would act as the 'formal chamber', to be supported through the work of twelve informal negotiating groups. The Co-Chairs would divide their workload with Co-Chair Reifsnyder looking after six issues: general/objective; adaptation and loss and damage; technology development and transfer; transparency of action and support; implementation and compliance; and preamble. Djoghlaf chaired the negotiating group

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Solomon Islands, coordinated Capacity and Technology Transfer. An account for LDC is not listed here as the researcher, representing Samoa did not have access into this coalition and in its meetings.

[422] U.S. represented Annex I and Algeria representing non-Annex countries.

that addressed: mitigation; finance; capacity building; time frames; procedural and institutional provisions; and definitions. For most delegations, the heads or lead negotiators participated in the contact groups, which were deliberately scheduled not to coincide with any informal negotiating group.

Over the two-week negotiation period of ADP2-9, the main Contact group met four times: Monday June 1, Thursday June 4, Monday June 8 and Thursday June 11. The actual work of negotiations or 'touching the text' took place in separate informal facilitated discussion groups. The groups or negotiating chambers, undertook the first reading of these sections of the Geneva negotiating text identifying paragraphs that could be streamlined and consolidated. To guide the work in these informal sessions, the groups worked on the basis of the Co-Facilitators' inputs and the Co-Facilitators issued an output following each session. Working documents that captured the outcomes of discussions on specific paragraphs within the text were then issued on a regular basis[423]. There was no objection from member states to this proposal, and therefore from this consent of silence a mandate was given to establish the 12 informal negotiation groups.

The ADP Co-Chairs identified 24 facilitators, two per negotiation groups (one Annex I and one non-Annex I state) to lead the negotiations and tasked to report back to the main contact group.[424] There was no facilitator from the Pacific. However, according to one negotiator that was asked by the Co-Chairs to join the facilitator taskforce, "it was a strategy by UNFCCC to take us out of the process, so that our attention will be chairing and not pushing our state and coalition positions"[425].

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[423] ENB, "Summary of the Bonn Climate Change Conference 1-11 June 2015."

[424] There was no representative from the Pacific present in the list of the 24 Facilitators at this session. According to two Pacific delegates the ADP Co-Chairs had approached them to be facilitators, but they declined. One stated that they could not be present, and another said it would limit their delegation capacity as they would then concentrate on facilitating and not pursuing they country's positions. This was one way of the Co-Chairs taking out key negotiators and be present. A list of the 24 facilitators could be found on
http://unfccc.int/files/bodies/awg/application/pdf/updated_information_on_facilitators_and_co-facilitators.pdf

[425] Pacific negotiator (Talanoa 5), in discussion-talanoa with the author, July 26, 2015.

Upon establishment of the 12 negotiating chambers, the facilitated groups then undertook an exercise to cluster, unpack and consider the placement of text, with the help of tables. Some facilitated groups continued consideration of how to further streamline and consolidate the text, while others progressed to conceptual discussions.[426] As indicated earlier, in the preparatory phase states and coalitions had already identified key leads that follow these 12 issues. Within these meetings, the 'unwritten rule' and practice for these negotiations, was for member state negotiators to sit behind or nearby their lead coordinators who made positions on behalf of the group. This however did not limit the opportunity for states to make separate interventions outside of the position of the coalition during the negotiations. However, as indicated by numerous negotiators this approach of speaking outside party lines was not only frowned upon, but also a tactic seldom used in the final moments of the negotiations.

In the occasions during the week where there was an impasse in facilitated groups, one of the co-facilitators would convene a *spin-off group*. These spin-off groups allowed opportunities for parties with divergent issues on a position to focus on finding a compromise where it be on a particular clause or sentence from the text, before re-joining the facilitated negotiating groups. These spin-off groups were usually closed from observers, while the negotiating groups were open to all, but only state delegates could intervene.

The second Contact Group meeting on June 4 assessed the progress of discussions from the first three days. Delegates raised serious concerns "over the slow pace of the deliberations, lack of clarity on the method of work of the facilitated groups and limited coordination time for party groups".[427] Nevertheless, the Co-Chairs received the mandate from the parties to continue the modality of the 12 informal negotiating groups into the second week. On June 8, the third Contact Group assessed the outcomes of the first week of the facilitated groups where heads of delegations called for more consistency in the work across the 12 negotiating groups to capture the parties' inputs. During this meeting, the Co-Chairs introduced a revised text based on the work from the

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[426] ENB, "Summary of the Bonn Climate Change Conference 1-11 June 2015."

[427]Ibid.

first week. It employed the language of compromise, while still highlighting text with 'options' where there was disagreement. The revised text on June 8 had been reduced from 90 pages to only 86 pages.

The last contact group occurred, as per schedule on June 11. This would be the agreement phase or the final moment of negotiations for ADP2-9, which will be covered in the concluding section of this chapter. The following two accounts reflect the work undertaken by Pacific states at the negotiations. The first account follows a day in the life of Pacific negotiators, who on June 3 were following the issue of Adaptation and Loss and Damage. It follows how negotiators traversed the terrain of coalition politics and its structures, and how they engaged in the ADP process modality of 'informal negotiating group'. Closely associated with the events of this day was a meeting by the heads of delegations from the Pacific on the previous day to see whether it was feasible for the Pacific to make interventions in the negotiating chambers. This will be the focus of the second account. It highlights the attempts of the fourteen Pacific states to mobilise in Bonn, and to effectively voice their concerns inside the negotiations.

Inside: Informal Facilitated Negotiation Groups 'a day in the life of Pacific negotiators'

Coordination within AOSIS

At 8:00am on June 3, negotiators with membership to AOSIS would convene for the daily routine morning coordination meetings, just like the preparatory coalition meetings. It was the third day of ADP2-9 negotiations, and already there were signs of frustration from the slow process of the first two days in the informal negotiation groups. While members of AOSIS continued to press and make statements in the four groups they had identified to focus upon - Legal, Mitigation, Loss and Damage and Adaptation, and Finance – the membership had to divide to follow other facilitated groups. There was language in the negotiating text in other groups that had direct links to AOSIS priority issues. For example, matters of finance were negotiated in technology development and transfer; implementation and compliance; capacity building; and procedural and institutional provisions facilitated groups. The lead coordinators were

given the opportunity to report back on the progress of negotiations and state of play or politics from other groups, especially the Umbrella Group and European Union.

Pre-empting strategies on loss and damage

During the AOSIS coalition plenary, the lead coordinator for AOSIS Adaptation and Loss and Damage, Jamaica, informed that the G-77 Adaptation and Loss Damage cluster would meet 10.00am, before an ADP facilitated spin-off workshop at 12.00pm. An impasse to negotiations from the first two days had led to the creation of a spin-off group while focussing on adaptation clauses looked into loss and damage[428]. This early in negotiations, loss and damage were seen as a no-go zone; there were multiple options on the table signalling diverging views of parties. These ranged from options of deleting the clause to have no mention in the text, to the extremes of loss and damage with reference to compensation. In pre-empting this, the AOSIS adaptation coordination group met separately to swiftly identify a lead coordinator to speak on loss and damage. There was strong conviction amongst members that it should be a delegate from the Pacific nations. These sentiments flowed from a meeting called by heads of delegations a day earlier, from its negotiators to recalibrate and refocus on the issue of loss and damage. Unfortunately, due to national mandate constraints by Cook Islands and Tonga, who were originally requested to coordinate on the issue, these two countries were restricted in taking on the task. For Cook Islands their main experts in the area were consultants, and as per understanding in their delegations they could not make public interventions. This was further compounded by the fact that Cook Islands was only an observing member of G-77 and could not carry out this role effectively when AOSIS met within G-77[429]. For the Tongan delegate, instructions from its Nukualofa capital instructed its members to only follow the finance coordination group. Thus, the head delegate from Marshall Islands agreed to temporarily follow the issue of Loss and Damage for both the Pacific grouping and AOSIS, until another representative could be identified at a later date. Before meeting with G-77, the group mandated the lead

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[428] During ADP 2-9, the issue of loss and damage was attached under one clause of 'Adaptation and Loss and Damage'. Many Pacific states like Tuvalu, Marshall Islands and Caribbean states like St Lucia publicly made aware their position had remained firm that Loss and Damage should be a separate clause. The joint clause was a compromise to positions held by US and the Umbrella group at the time, for the issue to not be listed in the negotiations.

[429] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015.

coordinators to work with G-77 to streamline the text on common language - but to hold off on any deletion of text until the group was consulted.

Seeking support amidst G-77 politics

During the G-77 coordination group on adaptation and loss and damage, around 50 representatives would situate themselves around their coalition lead coordinators. Pacific representatives present (Cook Islands, FSM, Kiribati, Palau, Samoa and Vanuatu) with other AOSIS members would sit around those from Marshall Islands and Jamaica. Tuvalu and Solomon Islands would also situate themselves nearby, but their work was focussed on coordinating the positions for the LDC group, as Tuvalu was a lead coordinator on the issue of Loss and Damage. Not all representations from the various coalitions under G-77 were present, there was only AILAC, Likeminded, ALBA, African Group, Landlocked and BASIC. In the preparatory week, the work of the southern coalition would see members sign up to Gmail and google drive where documents of the group would be shared. At the same time some members of the group would have skype chat rooms and WhatsApp accounts in order for members to share information in real time while attending parallel informal facilitated and spin-off groups.

Under the G-77 lead coordinator from Bolivia, the group attempted to streamline language by identifying texts under the loss and damage text acceptable to all. If there was a wording where there was no agreement, the coordinating group would seek to find a compromise. This would then become the 'text for G-77' to be presented at the upcoming facilitated group. Any clauses or wording with no agreement were deferred. Only the coordinators of the individual coalitions would make interventions. However, the work of the group could not be completed in time before the spin-off facilitated group.

Negotiating in coalitions and amongst the parties

From a small meeting, the group including the Marshall Islands coordinator would convene with more than 120 negotiators from all parties for the ADP Adaptation Spin-Off. The chair facilitator introduced a work agenda that allowed members to explore all the clauses from 50 to 78 (that included loss and damage) which amounted to 13 pages

of text. At the pace negotiations were going in the first three days, it was doubtful that parties would even agree to one line. However, on good faith members quickly approved without objections to clause 51 (commitments under the Convention) and 65 (institutional arrangements); this would amount to around two pages completed. This nonetheless, would be the last compromise as the next two hours were spent in vain trying to find a compromise in other clauses. There would be a five-minute pause after every objection, where members of each coalitions moved into human 'huddles' to re-group and seek state delegates for instructions. Lead coordinators from the Arab Group, African Group and Likeminded Group would pace up and down the hall and act as 'runners' to privately speak with other southern coalitions including Marshall Islands for support or to object proposals made by the Annex I groups. From the Umbrella Group, it seemed like their lead coordinator, Canada, would make objections on their behalf to any proposals that may be rendered by any of the G-77 members. Although state delegates who were not lead negotiators would not make formal interventions in this meeting - it was in their best interest to make sure their objections were communicated to the AOSIS or G-77 coordinators via WhatsApp, text, email, hand written paper messages or face to face contact. Cohesiveness and trust between the lead coordinators and members of their group were vital. This alleviated any suspicions that the lead negotiator would be involved in making a special deal based on their national interests rather than the interest of the members of the coalition. This act would be seen as both relationship and career suicide and although it happened rarely, this has happened in the past, according to one Pacific negotiator[430]. The ADP chair facilitators would take the progress made in the group, and report back to the Contact Group, in this case the next day.

Inter-coalition consensus

These scenes illustrated above, although based on one particular spin-off group and internal coalition bargaining, were played out across more than a dozen informal negotiation groups and spin-offs, all operating in parallel to each other at the same time. This was the norm for the 10 days of negotiations during ADP2-9. It consisted of a daily program of coalition monitoring, coordination and bargaining of positions from the morning, and sometimes until the early hours of the following morning. The work

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[430] Pacific negotiator (Talanoa 14), in discussion-talanoa with the author, June 4, 2015.

of AOSIS' coordination groups were infused into the coordination groups of the G77. This inter-coalition relationship was based on trust and professionalism, amidst a complex web of national politics and individual egos. Despite the literature depicting AOSIS as moral leaders of the convention calling on their frontline states, according to negotiators they had to go beyond the normative narrative. "You cannot survive in the negotiations with emotions … you have to be professional and nothing is ever personal" said one seasoned negotiator[431]. Two other negotiators mentioned that people in the negotiations can also have big egos, which may lead them to stray from their national mandates[432]. To build and harness this working relationship amongst negotiators irrespective of coalitions required face to face meetings, as well constant real time communication during negotiations using social media platforms. The more official communications across the groups would be reserved for emails.

The attempts by AOSIS membership to mobilise and secure a lead coordinator to respond to a possible negotiation on the text of loss and damage clauses, were futile. However, this cautious strategy highlighted the ability of Pacific negotiators through the ad hoc role of Marshall Islands, to participate effectively in the ADP negotiations. The support of fellow Pacific state negotiators by situating themselves around the loss and damage ad hoc lead negotiator reflected their consent and legitimised a fellow islander to be their voice in the negotiations. Nevertheless, a more striking example of Pacific solidarity during the negotiation phase, was evident in the attempts by Pacific states to work collaboratively in a regional collective. The group would work under the guidance of their respective heads of delegations (who were usually Pacific ambassadors in New York accustomed to the PSIDS[433] negotiations bloc) and the technical support of regional officials from SPREP. Although the group did not have an official name, this research calls this working collective during ADP2-9 as Pacific SPREP-SIDS. This collective would later transform into the Pacific SIDS coalition at the global COP21 negotiations, and will be explored in detail in Chapter Six. However, the emphasis on

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[431] Pacific negotiator (Talanoa 34), in discussion-talanoa with the author, December 4, 2015.

[432] Pacific negotiator (Talanoa 7), in discussion-talanoa with the author, June 4, 2015, and, Pacific negotiator (Talanoa 9), in discussion-talanoa with the author, May 30, 2015.

[433] This thesis distinguishes three Pacific collectives described in this research. PSIDS New York refers to the collective based in New York, the Pacific SPREP-SIDS is the group at in Bonn at ADP2-10 and Pacific SIDS coalition is the group that was active in the COP21 negotiations.

SPREP was in light of the facilitative role of the regional organisation before and during the negotiations, and the historical role in providing technical and diplomatic support for Pacific island delegations.

Inside: Pacific SPREP-SIDS Collective

SPREP's technical mandate: mobilising a Pacific collective

Pacific island delegates had travelled to Bonn the after first SPREP HLSM of one-day meeting and training in Apia. The meeting was in part SPREP's mandate to support Pacific negotiators from the early days of UNFCCC negotiations and cemented in the Pacific Leaders' Action on Climate Change declaration in 2005. Amidst the final days of the preparatory week, the mechanics of a Pacific island states negotiators' collective started to emerge. On the last day of G-77 coordination an email was circulated from SPREP's officials[434] at the session for a special informal gathering of Pacific island countries at a café with "no agenda, but open to participants to bring concerns"[435]. This informal meet and greet session, which was seen by Pacific delegates as a ritual, was a means to seek consent from members whether or not to establish a working group for ADP2-9. In addition, the informal gathering was used to gauge if there was a need for technical support for the individual countries, and if there was a need to have an informal information sharing group amongst Pacific negotiators[436]. There was a resounding acclamation for consent for a collective to share information and coordinate positions, though SPREP officials reiterated it could only coordinate based on technical support. Any political support would need to come from their capitals, or amongst the political focal points, their heads of each delegations. This second level of responsibility was agreed to by heads of delegations present at the gathering, Kiribati, Marshall Islands, Samoa, Tonga, Solomon Islands, Tuvalu, Federated States of Micronesia, Cook Islands and Vanuatu. The informal gathering had become a collective; although the group consented to SPREP officials providing technical support, the question of political leadership for the group was still up in the air.

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[434] SPREP sent three officials to follow the following issues in the negotiations: one officer on adaptation and loss and damage; one officer on technology transfer; one officer on mitigation and finance.

[435] Espen Ronneberg, 'Meeting Sunday', email, 2015.

[436] Pacific regional organisation negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015.

Mobilising through pessimism and frustration

In a matter of hours, the Pacific collective reconvened for its first formal meeting. In one of the small negotiating chambers, SPREP officials opened the meeting informally by giving a presentation on the status on the negotiations and contextual information on the key issues. Although SPREP facilitated the meeting by prompting an agenda, it did not lead to any discussion. Rather, when the floor opened for general remarks, delegates did not hold back on their reservations, faults and challenges for the collective. The location and style of the previous informal meeting at the café was questioned. Some noted the lack of coordination at the Apia HLSM and lack of positions amongst members before coming to Bonn[437]. Some delegates remarked on the frustrations of the work with AOSIS and G-77 and China and the increasing political tension form the multiple coalitions in the negotiations. In the same breath, notable delegates compared the lack of Pacific coordination, with fellow Caribbean negotiators who since January were already participating as a formal group in the negotiations[438]. One delegate noted that the Pacific was running out of time, and still there was no discussion on the key positions for the Pacific[439]. The Caribbean were five steps ahead of the Pacific in the negotiations, and some questioned whether the Pacific should submit a position paper[440]. These pessimistic remarks highlighted the elephant in the room, the question of a political mandate and leadership for the group.

The problem of political leadership with no mandate

The highest form of instructions that guide negotiators actions and positions are national mandates. These political and technical instructions not only enable negotiators to bargain effectively, mandates are also the instructions which states or coalitions work. By Bonn, there was no regional political mandate to work as a group, and it was only natural that the collective sought guidance from established diplomatic systems. Palau which was also the chair of the Pacific Islands Forum was seemingly the natural choice. However, its Ambassador was careful not to take up responsibility as she had not

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[437] Pacific negotiator (Talanoa 9), in discussion-talanoa with the author, May 30, 2015.

[438] The Caribbean Group under Barbados as Chair of CARICOM made formal statements at the plenary and in breakout sessions of the Geneva negotiations.

[439] Pacific negotiator (Talanoa 6), in discussion-talanoa with the author, May 27, 2015.

[440] Pacific negotiator (Talanoa 25), in discussion-talanoa with the author, June 8, 2015.

received a mandate from the capital nor the regional organisation to convene such a group. Tonga had assumed the chair of the Pacific SIDS (PSDIS) New York collective of ambassadors. Nevertheless, the Ambassador was reluctant at the time to convene the meeting until he had sought an affirmation from fellow Pacific ambassadors in New York. One experienced delegate suggested one way around could be instead of making interventions acting on behalf of a Pacific collective, delegates may use the phrase 'I speak on behalf of the following countries…'. What was clear despite the need for political leadership, the heads of delegations who were representatives of institutionalised sources of regional leadership (Tonga and Palau) were careful not to misinterpret or assume mandates that may lead to a diplomatic fall-out. Despite the impasse, Tonga agreed to lead the group temporarily and to consult with the heads of delegations in a separate meeting. With this issue at bay, the group would then focus attention on its purpose and possible strategies.

The Pacific collective were present in at least five coalitions, and negotiators took the opportunity to share intelligence and updates on the progress of the various coalition coordination groups. Apart from Coalition of Rainforests (as Papua New Guinea representatives were not present) and the Coalition of Vulnerable Nations (who had not officially met), presentations on the work of the AOSIS, G-77 and the Least Developed Nations were made. There were increasing frustrations on the strategies of particular countries in AOSIS holding back positions in AOSIS and also in G-77. Tuvalu and Solomon Islands informed the collective of their work in LDC coordination groups, and lobbied for Pacific to maintain their stance on the 1.5 degrees long-term temperature goal. Others shared information on the U.S. lack of support on the loss and damage issues, and another informed of rumours in the corridors of the UN Secretary General's team of climate experts possibly preparing a special SIDS finance package. There were brick walls or states with the AOSIS and G-77 alliances that were stalling negotiations, and there was a need for Pacific states to have a voice.

Other than Marshall Islands, Tuvalu and Solomon Islands who had delegates that were lead negotiators in other coalitions, there would be a notable absence of other Pacific states in the actual negotiating chambers. As members shared information, the group quickly identified loss and damage and adaptation, finance, the 1.5 long-term temperature goal, and mitigation as key issues among the membership. Utilising the

same structural strategies of AOSIS and G-77, Pacific coordination leads were identified to follow the discussions and report back to the group.

The members of the Pacific collective gave the consent for the group to continue to meet throughout the ADP2-9 session. The Pacific collective met on five other occasions throughout the negotiations as a group, not including the meetings amongst the heads of Pacific delegations or in coordination groups. The delegates agreed that it would operate without an official name or referring to regional entities, in other words, the collective would be recorded in the negotiations as a Pacific Group. There would be no formal statements as a group during the formal ADP plenaries, but it encouraged members to speak out during the various facilitated groups and any necessary spin-off sessions in their national capacities. The collective established a skype and google gmail group that would be administered by SPREP officials. The group was to meet online and face to face periodically during the negotiations to share information and possible talking points. To go around the political abyss of speaking on behalf of a coalition negotiators would use their national capacity to speak on positions during the negotiations that were dear to the Pacific islands.

After the first formal meeting, the heads of delegations met separately, and overwhelmingly gave consent to Tonga as head of PSIDS to lead the political coordination of the group. This consent amongst heads of delegations provided the mandate the collective needed to coordinate, strategise and bargain in the negotiations. Although at this early phase the coming together of Pacific negotiators seemed trivial and for some late in the game, it would prove essential in events leading up to the final days of the Paris negotiations, to be discussed in Chapter Six. It became apparent from these initial meetings that there were many factors holding back Pacific delegates from working in a formal coalition. There was an air of pessimism amongst delegates from the Pacific as to whether such a collective and its enthusiasm would carry the voices of Pacific states and if it was better to focus on the traditional coalitions, or the work of individual delegations.

Expectations for SPREP to provide technical and political support

SPREP had a significant role in the climate negotiations supporting Pacific island states. "Like all other regional organisations, SPREP officials [were] an extension of our public service"[441]. The Climate Change Division's officials within SPREP were present in the negotiations since 1991. The organisation "convened a series of training workshops that addressed the details of the FCCC process, provide[d] insights into the workings of the COP, simulated negotiation proceedings using recent instances as examples, and also provides for opportunities to caucus on the issues pending in the negotiations"[442]. The organisation provided technical briefing packages for all its members, including the lead up to Bonn. One negotiator recalls SPREP had a strong presence in the lead up to the Bali COP and Copenhagen COP, where SPREP officials worked tirelessly in providing briefings in between the UNFCCC sessions and actual negotiations[443].

SPREP was mandated to provide technical support, although this was confused by some negotiators as including political coordination. Some held the sentiment that post-Copenhagen, it seemed SPREP started to hold off on providing any political advice[444]. Much of this was assumed to be the role of Australia and New Zealand as financial members of SPREP, in that it bequeathed advice to information sharing and technical and not political coordination[445]. The last time there was meaningful coordination under SPREP was at Doha 2012; and since then Pacific negotiators only communicated informally during the sessions, and worked collaboratively under AOSIS, LDC and G77[446]. Another negotiator pointed out that the Pacific states were united under SPREP's guidance in the Biodiversity Convention negotiations, however their

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[441] Pacific negotiator (Talanoa 20), in discussion-talanoa with the author, June 8, 2015.

[442] SPREP, "Conference of the Parties Support," Secretariat of the Pacific Regional Environment Program, http://www.sprep.org/Policy-and-Science/conference-of-the-parties-cop-support

[443] Pacific negotiator (Talanoa 11), in discussion-talanoa with the author, June 4, 2015.

[444] Pacific negotiator (Talanoa 10), in discussion-talanoa with the author, June 4, 2015.

[445] Pacific negotiator (Talanoa 11), in discussion-talanoa with the author, June 4, 2015.

[446] Pacific negotiator (Talanoa 11), in discussion-talanoa with the author, June 4, 2015.

delegation were frustrated with the lack of coordination under the climate change regime[447].

Lack of political mandate reflective of regional architecture

The instructions from respective capitals was political unity under AOSIS. Without a political mandate the regional collective was restricted to speaking on behalf of a group of countries at the frontline of climate change. This absence according to a veteran negotiator, "[t]he current regional architecture [was] not supporting [the work of negotiators] … member countries were denied to put [climate change as a] priority at all levels"[448]. The participation of Australia and New Zealand in the main regional organisations, PIF, SPC and SPREP restricted a tougher collective response from Pacific island countries in the negotiations. "Because the architecture [did] not allow them to talk freely- [a] space for leaders to deliberate in a sense of urgency… the Pacific Islands Development Forum was created to act a platform to address climate change in a manner that demands and commands consensus"[449]. There were promises that the PIDF meeting in Suva later in September would formalise Pacific positions in a way that was reflective and inclusive of governments, private sector, and civil society. The aspirations of PIDF devotees, would see the organisation garner regional support and that the PSIDS in New York would be the *mouthpiece* in the negotiations[450].

Capital/Regional expertise vs. Diplomatic UN expertise

The delegations from the Pacific at the ADP2-9 Bonn session were generally the same as other UNFCCC mandated meetings. These delegations were multi-actor; they comprised of government officials from capitals (usually from the foreign affairs, environment/climate change or finance ministries), diplomats from UN missions, and NGO expert consultants. While not all state delegations shared this problem, certain Pacific delegations identified an internal-delegation struggle between the diplomats in New York and officials from capital. One delegate attributed this difference to the

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[447] Pacific negotiator (Talanoa 23), in discussion-talanoa with the author, June 8, 2015.

[448] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

[449] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

[450] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

bigger tension that climate change negotiations took place in Bonn, whereas negotiators felt it should be far away from political intervention and diplomatic bargaining in New York. The New York based delegate argued that capital technical negotiators do not fully understand the political ramifications of climate change negotiations and their political linkages to diplomatic work in other treaties and conventions negotiated in New York[451]. From a capital-based negotiator's perspective, sometimes UN based diplomats do not realise the hard work officials do on the ground, and the trickle-down effect of policy whether it be finance or adaptation agreed at the international level[452]. Climate change negotiations are political, but so too were its impacts on people's livelihoods. Furthermore, the indifference between capital officials and diplomats was linked to a lack of communication amongst individual delegates before and during the negotiations. Some delegations would come to meetings without any preparations or political instructions or mandate for the negotiations from their own capitals[453]. For some delegations, they would only meet or communicate for the first time upon arrival at the negotiations. In one of the Pacific collective meetings, a delegate from capital openly remarked in front of their own head of delegation (who was based in New York) that there was little communication and any form of information sharing before coming to Bonn.

Negotiator Capacity and Inconsistency

Another challenge that became apparent and voiced by many negotiators was the lack of capacity and the consistency of participation by negotiators themselves. Except for a handful of key negotiators who had been a part of the negotiations for years (some from the very beginning of the regime) there was a high turnover from year to year. "You would work with one person in one year, and not see them next year… there are not enough people from the Pacific following the negotiations from year to year"[454]. With only two UNFCCC funded officials, it was difficult to ensure that the same two people would attend from year to year. The representation at these meetings were the prerogative of states, and negotiators would rotate for many reasons. Some had passed

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[451] Pacific negotiator (Talanoa 9), in discussion-talanoa with the author, May 30 2015.

[452] Pacific negotiator (Talanoa 34), in discussion-talanoa with the author, December 4, 2015.

[453] Pacific negotiator (Talanoa 19), in discussion-talanoa with the author, December 4, 2015.

[454] Pacific negotiator (Talanoa 34), in discussion-talanoa with the author, December 4, 2015.

away or moved to other ministries or posted to overseas missions, and others moved to regional organisations, drawn by the pay packages, that forbade them from interacting in the negotiations politically.

Consistency in the meetings also meant sustained participation during the sessions. As one negotiator remarked that they "would find that if [they] missed one session, [they] would be lost at the next".[455] Not all delegates would attend the meetings to participate in the ADP process; some held roles as facilitators in the SBI and SBSTA bodies and others concentrated on bilateral meetings with donor countries and financial institutions. Negotiator fatigue, especially among seasoned negotiators who have been part of the process. One way around this issue as one negotiator stated, was to follow the Singapore approach of rotating negotiators every three years so that they can acquire new skills in trade or security negotiations[456]. Others reflected on the inconsistency in the rhetoric of state leaders, and the work of their negotiators. While leaders would make grandiose announcements and highlight the plight of Pacific nations to climate change unfortunately, there would not be the same level of rigour and perseverance from officials in the negotiation's chambers. The smaller delegations like Tuvalu and Marshall Islands heavily invested resources to ensure that the same team of negotiators and supporting staff would always be present at each session[457].

Complex relationships with NGO consultants and advisers

The participation of non-state actors or NGOs in the regime and within AOSIS coalitions is well documented. The UNFCCC negotiations, as one negotiator stated, were not party driven, but driven by the influence and passion of NGOs present within delegations[458]. Like other AOSIS countries, Pacific states have had a long history of NGO involvement in the delegations acting as advisors or consultants. Some advisors had been part of delegations since the days of Kyoto Protocol negotiations and have consistently committed over the years providing both institutional and historical-context

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[455] Pacific negotiator (Talanoa 16), in discussion-talanoa with the author, May 28, 2015.

[456] Pacific negotiator (Talanoa 6), in discussion-talanoa with the author, May 27, 2017.

[457] Pacific negotiator (Talanoa 10), in discussion-talanoa with the author, June 4, 2015.

[458] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015.

capacity not just for their country delegations but for other Pacific states as well. "There are some that are genuine, their heart and soul are in Pacific", remarked one delegate[459].

For the negotiations in Bonn, Marshall Islands had used the services of Independent Diplomat, a non-profit organisation of former diplomats and international lawyers to coordinate their positions. At the same time Palau contracted experts from Climate Analytics in Germany to pursue its positions on climate finance and mitigation. They stood out in the negotiations from the Pacific being nationals from Western countries. During one of the AOSIS heads of delegations' meetings, one particular state questioned whether the coalition could trust non-indigenous negotiators. According to one Pacific head of delegate, "[they] felt an uneasiness in the meeting in having to defend [their] delegation; [they] trusted [their] delegates"[460].

In the Pacific, SPREP had contracted international lawyers and climate change experts from the Foundation for International Environmental Law and Development (FIELD), World Wildlife Fund, University of the South Pacific, UN Environment Program, and Climate Analytics over the years and have developed a negotiations skills training framework. They are integral to the operations of SPREP as previously mentioned the May HLSM preparatory work in Samoa was supported and led by Climate Analytics.

There would always be scepticism on the allegiance of NGO consultants to their organisation funders. "There is a lot of climate change funding around, if NGO want to make money they only need to participate in the negotiations". [461] There had been numerous instances in the past where advisers were fired during the negotiations speaking beyond their mandate, and some were let go after a change in political governments back at capital.[462] In essence, non-state consultants or advisers were at the mercy of the state preferences. "You have to be frank with them (NGOs) about their intentions and before acting on [their] behalf they needed to sign and abide to [their]

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[459] Pacific negotiator (Talanoa 9), in discussion-talanoa with the author, May 30, 2015.

[460] Pacific negotiator (Talanoa 25), in discussion-talanoa with the author, June 8, 2015.

[461] Pacific negotiator (Talanoa 9), in discussion-talanoa with the author, May 30, 2015.

[462] Pacific negotiator (Talanoa 10), in discussion-talanoa with the author, June 4, 2015.

contracts".[463] For Cook Islands and Palau, its advisers were only allowed to provide technical support, without any speaking privileges[464]. For Marshall Islands its advisers accorded privileges to speak in the negotiation chambers, and at the absence or invitation of the head of delegation, could speak on their behalf at the plenary sessions.[465]

ADP2-9 Agreement Phase

ADP Process: The Consensus Point

On the afternoon of June 11, the final ADP2-9 Contact Group took place with a stocktake of all the 12 facilitated informal negotiation groups. The plenary allowed discussions on specific sections of the Geneva negotiating text undertaken by the negotiating groups, where although there had been some progress, there continued to be an impasse on many options. When a consolidated text was produced based on other co-facilitators report, the final page tally had only come down to 85 pages. The chamber deliberated the work for the next three ADP sessions that had been scheduled before Paris in December. Despite the slow progress in the text negotiations, the main success of the ADP2-9 session was that it allowed parties to familiarise themselves with the mechanics of how the process of negotiations of the text would take place. The Bonn session would be the first substantial negotiations amongst the parties on the text, and it was evident there was a big divide amongst the states on all key issues. The task of the road ahead would not be an easy one.

In concluding the negotiations, the Co-Chairs of ADP put forth a request to parties for mandate to allow the UNFCCC secretariat to find common ground in the various options put forth by parties without omitting or deleting any of the existing options. This text would then be circulated to parties before the next ADP2-10 in August. Without any reservations, the parties put forth their consent to the proposal, and effectively continue the negotiations until Paris. Despite little progress in streamlining the text, as co-chair Djoghlaf highlighted in his final remarks, the success of the session

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[463] Pacific negotiator (Talanoa 25), in discussion-talanoa with the author, June 8, 2015.

[464] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, June 4, 2015, and Pacific negotiator (Talanoa 23), in discussion-talanoa with the author, June 8, 2015.

[465] Pacific negotiator (Talanoa 25), in discussion-talanoa with the author, June 8, 2015.

should be measured in the trust built and the fact that 'nobody was left behind'[466]. As negotiators in Bonn expected all along, there was to be no final agreement during the session with three other ADP meetings already planned to continue the work of refining the negotiation text. Although the events that unfolded in the agreement phase of final day of negotiations were an anti-climax, it was a necessary ritual for the Co-Chairs to receive the consent from parties for the international negotiations to continue.

Conclusion

This chapter has traced the work of Pacific island states inside the international negotiations of the UNFCCC ADP2-9. The conference was not expected to reach a final agreement on climate change. Rather it was part of a series of negotiations to negotiate a text agreement on climate change, projected to be completed at the end of 2015. The purpose of the international negotiations conference was for parties to streamline and negotiate the draft text. The ADP2-9 was a summit not only to build consensus for the purpose of producing an institutional text, but also to build the relationships among the parties themselves. This chapter has described the events and how they unfolded in the preparatory week and the ten days of negotiations based on the timeline of the conference.

In following the daily work of negotiators within international negotiations, this research supports the literature that inter-state coalitions are central to Pacific states participation. From the very first day of preparatory meetings to the final days of Bonn, states and their negotiators operated within the structures, conditions and politics of coalitions. There was no evidence that Pacific states worked in isolation from any of the established coalitions. As the ADP2-9 was deemed a significant summit to build consensus among parties, coalitions have a central role in facilitating this process. This claim is supported by three inside accounts detailed in this chapter, of how states operate inside coalitions that is coalition consensus, inter-coalition consensus and informal collective consensus.

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[466] ENB, "Summary of the Bonn Climate Change Conference 1-11 June 2015."

The first account was an in depth look into the structures of how states work and maintain cohesiveness inside the well-established coalitions such as AOSIS, G-77, CfRN and Cartagena, in what is deemed here as coalition consensus. These coalitions or negotiation blocs are central meeting points for likeminded states to gather information on issues, process and party politics of the negotiations. Coalitions allowed states to formulate and coordinate strategies to engage in the negotiations. The four coalitions examined here all operated under the rule of consensus, where states at a daily basis are constantly negotiating and bargaining amongst each other for a group position. For coalition consensus to be effective, states and their negotiators work within a structure of coordination groups where they identify lead coordinators to speak on their behalf during the closed-door negotiations. While disagreements amongst members inside coalitions were prevalent, there were mechanisms such as the heads of delegation meetings or private negotiations facilitated by the chair that tried to mitigate these problems.

To substantiate this claim on coalition consensus, the second inside account detailed how Pacific state delegates participated during the negotiations. The account traced a day in the life of negotiators by following the issue of loss and damage, from the AOSIS coalition plenary in the morning, until it reached the ADP spin-off negotiation chamber later that day. This daily navigation of room to room sequential meetings included the coordination and management of inter-coalition consensus. In this case, the Pacific negotiators within AOSIS worked collaboratively with the numerous coalitions under the G-77. Negotiators would not only have to manage the politics of one coalition, but at the same time lobby for the support of multiple like-minded coalitions. This routine task was made easy by the fact that most coalitions had a similar structure of thematic coordination groups, with lead coordinators initiating strategy and sharing information. While inter-coalition consensus gave a platform for states to reach out to parties who were not normally associated with small island states, working within and amongst multiple coalitions paradoxically drowned out the voices of Pacific states in the negotiation rooms.

The third account explored the aspirations and cohesiveness of Pacific negotiators during the negotiations. The various negotiators who shared their stories by talanoa all indicated a need for Pacific negotiators to work together. But implementing this Pacific solidarity or voice in the negotiations was challenged by the lack of a regional political mandate to mobilise as a group, which was linked to the politics of competing regional

architecture and the UN New York approach to the negotiations, the inconsistency and limited number of representatives attending the meetings, and to some extent the intention of NGOs involved in Pacific delegations. Despite these obstacles, the Pacific states as per practice over the years, worked together informally as an information-sharing collective facilitated by the PSIDS New York ambassadors and officials from SPREP. Although the group was not a negotiation bloc, it used similar coalition structures of thematic groups and coordinators to inform members of the daily progress of negotiations. At the same time the informal collective would also act as a filter of information on the positions and strategies pursed by multiple coalitions.

Overall, this chapter contributes to our understanding of multilateral consensus negotiations by emphasising the role of coalitions or small likeminded groups in building consensus. Small groups can be either established formal coalitions or informal collectives that help states not only manage the complexity of information and strategies, but also to keep up with the fast moving pace of negotiations. In order for states to perform effectively in negotiation rooms, they need to reach out and form small groups with common positions. The small groups would then identify a smaller coalescent group of individuals or lead coordinators that would not only speak on behalf of the coalitions, but in effect of the states themselves. The lead coordinators of small groups had higher levels of influence in the negotiation process with the amount of information and access. The observations inside spin off negotiation chambers and in plenary sessions, reveal that when an official makes an intervention in these settings they are not only pursuing their state position but a collective group stance. Conversely, if a state that does not speak inside negotiations, that does not mean they do not have a position or free riding in the negotiations. But rather they have already agreed to a common position with small groups they are associated with.

Furthermore, underpinning the behaviour of states to be associated with particular small groups was the creation and management of relationships at the individual level. Negotiations is a relational activity. The positions and strategies of small groups were managed and conditioned by the inter-personal relationships of negotiators. Inside negotiation chambers and coalition meetings, it was seldom to find a competitive or polarising atmosphere amongst negotiators; rather it was a cordial affair of information sharing. In order to build consensus, negotiators needed to reach out and listen to the views of other parties. There was not direct confrontation in the exchange of positions in the meetings or in the corridors, but rather flexibility to build common ground on

diverging. With constant contact over the years, negotiators have formed both professional and personal relationships that allowed for communication of issues.

Chapter Five: Regional Negotiations- Pacific Islands Development Forum and Pacific Islands Forum

Introduction

Beyond the international negotiations at the UNFCCC, and as Chapter Three highlighted, there was a flurry of diplomatic activity in the Pacific region in 2015. Regional, sub-regional and partner-regional forums prioritised climate change in their meeting agendas with the intention to make a strong stand and express their unwavering support for the multilateral efforts in Paris. These intentions were reflected in the political declarations that came out of various summits since 2013, as listed in Table 12, with an emphasis on the six declarations in 2015 that specifically addressed COP21 negotiations. These political declarations were signals of Pacific states' determination to assume climate change leadership and action needed globally and in the region.

The aim of this chapter is to explore multilateral consensus decision making at the Pacific regional level. It traces the negotiations that took place within the Pacific Islands Development Forum and the Pacific Islands Forum in September 2015. By returning to main question of this thesis, *how do states build and reach consensus in multilateral negotiations*, the analysis here traces how regional climate change political declarations were made. What happens inside these regional multilateral meetings, and how do states make decisions by consensus? Who are the actors and who are the actors involved in the decision making? What is their input, and how do they influence the final outcome?

This chapter explores the decision making processes, structures and politics of the PIDF and the PIF in 2015 by tracing three political declarations made by these organisations in August and September. For PIDF, with its Suva Declaration on Climate Change, it would be the coming of age of a new organisation attempting to find its feet amidst an overcrowded regional architecture, and to promote an inclusive voice for its people. As for PIF, while the anticipated PIF Leaders Declaration for Climate Change Action was geared to find a common ground or collective consensus amongst Pacific island states including Australia and New Zealand—there was also an uneasiness by the grouping of PIF SIS that a regional consensus would also mean a watered down response. The SIS collective took it upon themselves to make their intentions known by conceiving its SIS

Leaders Declaration on Climate Action. These three declarations would be negotiated within a span of 10 days of each other in a time of the year where regional political roadshow was at its highest peak.

The existing literature on the decision making process within these organisations emphasise the significant role of consensus[467]. This view of consensus is not only argued as the preferred procedure in deliberations, but its success rests with the cognitive decision making abilities and personality of leaders[468]. Whether it be the Governing Council for PIDF or the Leaders' Retreat for PIF, there was an assumption that consensus is a product of leaders' dialogue using the values associated with the Pacific Way and Talanoa. What the literature presupposes is that very little to no negotiations took place amongst the leaders, only political discussions. However, unless one is a state leader it is difficult to trace and analyse leaders' decision making in these closed-room leaders'-only meetings. Nevertheless, this chapter will explore interactional consensus in the meetings that occur before the leaders' meetings and point to the negotiations behind the scenes.

Both the PIDF Summit and the PIF Leaders' Meeting are multilateral forums, that do not necessarily focus on climate change but address a wide array of regional issues. This chapter deals with the discussions in the meetings that focussed on climate change, and specifically the impending UNFCCC negotiations in Paris. The chapter will first investigate the PIDF meeting and unpack the structures and politics of inclusive consensus diplomacy that incorporates government, private and civil sector. The second half of the chapter will then look at decision making in the PIF structure by concentrating on the work of two sub-bodies: Smaller Island States and the Forum Officials Committee.

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[467] See Eric Shibuya, "The problems and potential of the Pacific Islands forum," *The Asia-Pacific: A region in transition* (2004)., Stephanie Lawson, "'The Pacific Way'as Postcolonial Discourse: Towards a Reassessment," *The Journal of Pacific History* 45, no. 3 (2010)., Greg Fry, "Whose Oceania? Contending visions of community in Pacific region-building," *Pacific Futures* (2004). Sandra Tarte, "New regional Pacific voice? An observer's perspective on the Pacific Islands Development Forum (PIDF), inaugural summit, Denarau, Fiji, 5-7 Aguust 2013," (2013); "Regionalism and changing regional order in the Pacific Islands," *Asia & the Pacific Policy Studies* 1, no. 2 (2014).

The Pacific Way: Consensus Decision Making in the Pacific

Regional politics in the Pacific is synonymous with two interrelated concepts, the Pacific Way and consensus. The Pacific Way is an elusive term, that has been interpreted by leaders, regional organisations and scholars to mean various things. What is clear, is that term was first coined in a speech by Fiji Prime Minister Ratu Kamisese Mara at the UNGA 1970:

> We like to think that this is the Pacific Way, both geographically and ideologically. As far as we are authorised by our friends and neighbours, and we do not arrogate to ourselves any role of leadership, we would hope to be act as representative and interpreter of that voice.[469]

Mara never elaborated on what he meant by the Pacific Way, but it has been used to mean various tenets of consensus decision making in the region. For more than four decades the Pacific Way has been evoked to call for collective action and solidarity within the various regional policies, communiques and speeches by leaders. Regional organisations like the Pacific Islands Forum have used the term in their rhetoric and guiding principles as a basis for regional cooperation and regional identity[470].

The Pacific Way has also been used to describe a form of regional politics based on broad shared political values. In Jack Corbett's work with Pacific politicians, the term means "shared ideas about solidarity and reciprocity, the fostering and maintenance of kinship networks and relationships, attachment to land and ocean, respect dignity, consultation and shared leadership"[471].The Pacific Way has been described as regional decision making process that requires *unanimous compromise from all parties.* There was an underlying notion that a Pacific way of decision making meant no state was left out of the process; and while inevitably it involved long discussions and may involve frank disagreements, no resentment will be felt.

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[469] Ratu Kamisese Mara, *The Pacific way: A memoir* (University of Hawaii Press, 1997), 238.

[470] Williams and McDuie-Ra, 18.

[471] Jack Corbett, ""Everybody knows everybody": Practising politics in the Pacific Islands," *Democratization* 22, no. 1 (2015).

The Pacific Way has also been defined as a diplomatic norm of incorporating, among other things, consensus building through non-conflictual discussion[472]. It involved sitting and thinking about the process and getting that right as much as it does in trying to develop solutions; once the participants are happy with the process, solutions are likely to follow[473]. However, as Ron Crocombe and Stephanie Lawson attest, the Pacific Way originates and supports the decision making of perspectives and interests of elites[474]. A post-colonial critique, and consequence of the Pacific Way has since developed into an anticolonial frame of colonised and coloniser, where developed members of regional organisations of Australia and New Zealand have been criticised for their heavy handedness.

The existing literature on decision making in regional organisations has tended to focus on the instrumental role of leaders in building and reaching consensus. At best these studies describe assumption of what leaders do in closed PIF Leaders retreat, or a normative ideational account of when countries collectively choose to work together. Scholars have articulated the Pacific Way as a form of consensus decision making associated with leaders' respectful dialogue and discussion of issues to consolidate a *collective diplomacy*[475]. This idiosyncratic feature of regionalism decision making was not synonymous with negotiation or bargaining. But at the same time since the idea of Pacific Way was coined and introduced by leaders in the 1970's, its usage by Pacific leaders and description by academics has evolved into a regionalism discourse with strong postcolonial resonances[476]. However, a product of such analyses has created a dichotomy of 'insiders/islanders/colonised' and 'outsiders/developed neo-colonisers'

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[472] Michael Haas, *The Pacific way: regional cooperation in the South Pacific* (Praeger Publishers, 1989), 16-17.

[473] Jim Rolfe, "Peacekeeping the pacific way in Bougainville," *International Peacekeeping* 8, no. 4 (2001).

[474] See Ron G Crocombe, *The Pacific way: An emerging identity* (Suva: Lotu Pasifika, 1976)., and Lawson.

[475] See Greg Fry, "Climbing back onto the map? The South Pacific Forum and the new development orthodoxy," ibid.29 (1994)., and "Framing the islands: knowledge and power in changing Australian images of" the South Pacific"," *The Contemporary Pacific* (1997).

[476] Stephanie Lawson, "Postcolonialism, neo-colonialism and the "Pacific Way": a critique of (un) critical approaches," in *ANU School of International, Political and Strategic Studies Discussion Paper* ed. State Society and Governance in Melanesia (Canberra: The Australian National University, 2010), 5.

(Australia and New Zealand) engaged in regional forums[477]. This research acknowledges the validity of these arguments but offers another explanation in the way consensus decision making takes place within Pacific regionalism. Moving beyond the analyses of outcomes and focus on leaders' perspectives, it traverses the processes within the organisations. The purpose of this chapter is to explore the consensus decision making process by going inside regional organisations in high-level meetings and studying the processes, actors and activities as they occur. Based on the data collected from the PIDF and PIF meetings, this research will attempt to detail how consensus is built and reached inside multilateral meetings. These clues will hopefully inform and contribute to further understanding of Pacific Way as regional form of consensus decision making.

The Pacific Islands Development Forum

PIDF Context

A product of Fijian foreign policy

Established in 2013, PIDF was initiated by the Fijian government at a time when it was isolated from political multilateral institutions such as the Commonwealth of Nations and the PIF.[478] Ignored and sanctioned by its traditional international partners, the Fijian military government undertook foreign policy initiatives to legitimise its place in international and regional politics. Fiji increased its diplomatic relations and missions around the world and took on global leadership roles in the Non-Aligned Movement in 2011 and G-77 coalition in 2013 as part of its 'look north policy'. In its neighbourhood it adopted an activist approach to call out the failures of existing regional architectures.[479] This failure stemmed from a belief that 'outsiders interference' or Australia and New Zealand, could be countered through 'islanders only' organisations like the revitalised Melanesian Spearhead Group and the PIDF[480]. The PIDF offered, in what Sandra Tarte calls 'stepping outside the box' from 'business as usual', a new way

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[477] "'The Pacific Way'as Postcolonial Discourse: Towards a Reassessment." "Postcolonialism, neo-colonialism and the "Pacific Way": a critique of (un) critical approaches."

[478] Tarte, "Regionalism and changing regional order in the Pacific Islands."

[479] George Carter and Stewart Firth, "The Mood in Melanesia after the Regional Assistance Mission to Solomon Islands," ibid.3, no. 1 (2016): 18.

[480] Campbell Cooney, "Fiji shuns Pacific Forum membership unless Australia and New Zealand are expelled," ABC News, http://www.abc.net.au/news/2014-04-29/fiji-shuns-forum-membership/5418014.

of engagement at both the international and regional level.[481] These promises included harnessing an islander only negotiating bloc at the UN level with links to the Pacific Small Islands Developing States, and fostering relationships with non-traditional partners such as China, Russia and United Arab Emirates to name a few.[482]

Political Roadshow with notable absences

The third PIDF Summit on September 2-4, 2015 was strategically scheduled around the height of regional politics meetings, with the gathering of the PIF Leaders the following week. However, there was a disadvantage in hosting the meeting in the first week of September as it coincided with the tenth session of the UNFCCC ADP negotiations in Bonn. This took away many of the region's technical negotiators from Suva who were well versed and apprised of the issues negotiated at the international level. Furthermore, of the fourteen Pacific island states that were a party to the UNFCCC process, only eleven states accepted PIDF's invitation. The notable absence of three states from the fourteen signatories to the UNFCCC reflected regional political sensitivities: in part the history of dissonance towards Fiji and the PIDF by Samoa and Niue, and by Palau which at the time was the incumbent chair of the PIF[483]. This disadvantage of attaining a full house of political and technical players did not derail the efforts of the twenty-three Pacific island states and territories (including Timor Leste) that accepted the organisation's invitation. The annual summit would also draw delegations and observers from more than 32 countries and at least 50 civil society and private sector organisations willing to witness and participate in this new regional political endeavour.

The promise of Inclusive Diplomacy and Pacific voice

The curiosity in PIDF would be the promise of inclusive diplomacy, where private sector and civil society representatives had an equal seat at the table with states in political dialogue. Political regionalism in the Pacific, whether regional or sub-regional,

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[481] Tarte, "Regionalism and changing regional order in the Pacific Islands."

[482]Ibid.

[483] Samoan prime minister Tuilaepa Sailele Malielegaoi and Fijian prime minister Josaia Voreqe Bainimarama have had a history of open media tit for tat, that stem from calls for Fiji government to undertake democratic elections after the military coup of 2006.

was state-oriented. Participating states at the PIDF were encouraged to have non-state actor representatives in their delegations with at least one private sector and one civil society representative in their delegations. The inclusion of the private and civil society sectors on an equal footing with government officials in a multilateral forum was a novel idea in the state-centric Pacific. This idea of inclusivity was not limited to independent states in the Pacific, but also the commonality of developing island entities. PIDF promised the inclusion of territories like Guam, New Caledonia, French Polynesia and Tokelau, as well as Timor Leste, which is not traditionally seen as a Pacific state[484].

The annual Summit was the third meeting for the organisation. In its first two years, the themes of 'Leadership, Innovation and Partnership for Green/Blue Pacific Economies' in 2013 and 'Green Growth in the Pacific: Building Resilient Sustainable Futures and Genuine Partnerships' in 2014 were a response to global negotiations and discourse around sustainable development and green growth. It was unsurprising with attention focused on the UNFCCC Paris negotiations, that the organisation would premise its talks in 2015 on climate change, 'Building climate resilient green blue Pacific economies'. In the months prior to the Summit, the PIDF secretariat carried out a public campaign to build both political and public momentum amongst Pacific states on the issue of climate change. Pivotal in this public diplomacy campaign was the attraction of the UN Climate Change Envoy (and former Irish President) H.E. Mary Robinson, and to some extent the then Prime Minister of Thailand[485] as a drawcard. Nevertheless, it would be the call for a 'Pacific voice' in the international negotiations that would be the main attraction for governments, civil society and private sectors. The sub-regional political statements issued earlier in the form of the Melanesian Spearhead, Boknake Haus and Taputapuatea declarations articulated these voices. However, there was a gap for an inclusive regional political declaration. PIDF through its summit promised to be a platform to create a consensus voice of the Pacific in the COP21 negotiations in the form of a PIDF climate change declaration.

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[484] Timor Leste president Xanana Gusmao was the keynote speaker at the first PIDF inaugural summit. In 2016 Timor Leste officially signed the PIDF charter to become an official member of the organisation.

[485] The Thailand prime minister was not able to attend due to civil unrest and instability in the country However the Deputy PM General Thanasak Patimapragorn, represented the Thailand government.

PIDF Pre-Negotiation Phase

A PSIDS New York Draft Text

The notion of a possible PIDF climate change declaration was heralded from the beginning of the year[486]. According to the official report of outcomes of the PIDF 2015 meeting and statements during the summit, the initial text, which was then called the PIDF Leaders Declaration on Climate Change had originated from the Pacific Small Islands Developing States (PSIDS) negotiation bloc in New York.[487] From the board room table of the Fiji Mission to the United Nations, the ambassadors and senior diplomats in New York who worked directly with the wider membership of AOSIS drafted this initial text. "The direct involvement of PSIDS Ambassadors [was] to ensure the ownership aspects of the draft declaration [was] strengthened and [was] in synergy with the Sustainable Development negotiations happening at the same time… [that] would also enable our Pacific voice to be loud and clear within AOSIS, our negotiating block in the UNFCCC process at the global level"[488]. The draft text was then circulated by the PIDF secretariat to members of the PIDF senior officials via email prior to the September meeting.

Discussions and Negotiations in PIDF structure: Officials Committee, Ministerial Executive Board and Governing Council

The official program of the PIDF Summit identified three days of official meetings or plenaries between September 2-4, and two days of preparatory meetings took place on August 31 and September 1 as shown in Table 14. These preparatory meetings were divided into the three key bodies of the organisation: Senior Officials Committee, Executive Board and Governing Council.

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[486] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015

[487] Pacific negotiator (Talanoa 20), in discussion-talanoa with the author, June 8, 2015, and Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

[488] PIDF, "Pacific Isladns Development Forum Third Leaders Summit Outcome Document 'Building Climate Resilient Green Blue Pacific Economies'," (Suva: Pacific Islands Development Forum 2015), 8-9.

Table 14. PIDF 2015 official program and schedule of meetings

Date	Meeting
August 31	Pre-meetings: Senior Officials Committee and Executive Board
September 1	Pre-meetings: Governing Council
September 2	Official Plenary: Challenges, Leadership, Partners and Innovations
September 3	Official Plenary: COP21 Strategy and Talanoa Climate Migration
September 4	Official Meeting: Governance and Charter
	Final Plenary: Conclusion of PIDF Summit

The participating delegations were asked to nominate a 'tripartite delegation'- one government official, one private sector representative and one civil society representative to serve on the Senior Officials Committee, chaired by Solomon Islands High Commissioner to Fiji. The Committee was responsible for coordinating and approving the final agenda for the organisation. More importantly, the Committee would be the main site where the text of the climate change declaration negotiations took place, if there were any disagreements. The recommendations and approval of the committee were taken up to the next level of the organisation, the Executive Board. This was the ministerial level body that was chaired by the Fijian Foreign Minister. The ministers or senior ambassadors would check approve the decisions of officials, a forum that was more focussed on discussion and less on negotiations. Both the Senior Official Committee and the Executive Board met on August 31.

Once the ministers had approved the agenda, the supreme body for the PIDF, the Governing Council took place. The meeting was chaired by Fijian Prime Minister and reserved for heads of governments, plus two non-state member representatives: one from the private sector and one member from civil society. In the Council's deliberations, it approved the decisions made by the Board and Committee on items ranging from the new Charter of the organisation, a new Secretary General, to the operations and budget of organisation. More importantly they approved the latest version of the draft text, which was then renamed the Suva Declaration on Climate Change. But this was not the end of the process, it was only the beginning of deliberations around the Suva declaration. After months of email circulation and online draft negotiations, followed by two days of discussions by officials and leaders, the

revised text would go through a process of open public scrutiny. Before the start of the official meetings, delegates and observers received a revised draft of the Suva Declaration as approved by the Governing Council.

PIDF Negotiation Phase

Townhall style Plenaries

In the newly restored Grand Pacific Hotel, more than 300 leaders, government, civil society and private sector officials converged to "find a Pacific voice in climate change"[489]. The three day Summit was divided into three program plenary panels, with break out parallel sessions during some panels. The plenaries were styled similar to townhall meetings. Leaders and their official delegations were situated in reserved seating at the front of the plenary hall. Observer states and registered intra-governmental, private and civil society organisations were then allocated reserved seating in the next section; while the public and media were given access to the remaining half of the hall.

All sessions were open to all delegates and observers, to make interventions and raise questions after statements from leaders. The plenaries on the first day concentrated on the challenges, leadership, partnership and innovation implicit in the concept of Climate Resilient Green Blue Pacific Economies. Prominent government and civil society leaders were invited to make remarks in a seminar style panel with a delegate question and answer session towards the end. The sessions attempted to define synergies between sustainable development and climate change actions to realise 'Green Blue Economies'. According to the outcomes of the first day, climate resilient actions ought to be inclusive of Pacific peoples in a decision making process that was inclusive of civil society, women, youth and persons with disabilities as equal partners.[490] The underlying theme from sessions was the call for a "unified voice on climate change [which] must be a centre piece of meetings with world leaders… not deterred by size"[491].

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[489] Tanasak Patimapregorn, "Keynote Address By His Excellency General Tanasak Patimapregorn Deputy Prime Ministry of the Kingdom of Thailand," news release, 2015, http://pacificidf.org/wp-content/uploads/2015/09/DPM-Thailand-Speech-3rd-PIDF-Speech.pdf.

[490] PIDF, 28-30.

[491] Ibid., 26.

Inside: Consultative Open Process (Talanoa Diplomacy) - Strategy for COP21

The second day was the most anticipated day for many, and it proved to have more than 300 registered participants in attendance. The focus of deliberations would be on two key issues; strategy for COP21 and climate change migration. Unique in the format of PIDF deliberations was the use of a consultative open process or the talanoa diplomatic tool of consultation. Dialogue in the formal plenary, informal negotiations and all official meetings incorporated the ideals of the indigenous Fijian iTaukei (and also other Polynesian cultures) dialogue approach of *talanoa*. Talanoa is "*a traditional word used in Fiji and across the Pacific to reflect a process of inclusive, participatory and transparent dialogue*"[492]. The purpose of talanoa was to allow a space to share stories, ideas, skills and experience. By this practice of sharing stories participants would build empathy and make wise decisions for the collective good.[493] The traditional iTaukei concept of talanoa as a diplomatic tool of dialogue was adapted by PIDF. To be inclusive, it meant discussions needed to go beyond government officials and to provide a space for civil society and private sector to be engaged in the decision making process, and more importantly be a part of a consensus process where all sectors were on an equal footing.

The climate change and migration plenary invited Pacific leaders such as Kiribati's Anote Tong, Tuvalu's Enele Sopoaga, Tonga's Samuela Akilisi Pohiva, Marhsall Islands Tony de Brum and UN Climate Change Envoy Mary Robinson - to speak on the plight of frontline atoll island states and their policies towards environmental refugee status, sovereignty and resettlement issues. The open talanoa session from leaders univocally called for more concerted efforts from Pacific islands to work together in having clear messages and working together in the negotiations. As UN Climate Change Envoy Mary Robinson affirmed in her statement to the Pacific delegates, "[b]ecause of your lived experience, you understand climate change in a way a few do… you are witnesses to the human impact of climate change and know how lives and livelihoods

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[492] UNFCCC, "2018 Talanoa Dialogue Platform," United States Framework Convention on Climate Change, https://unfccc.int/process-and-meetings/the-paris-agreement/2018-talanoa-dialogue-platform.

[493] Ibid.

can be damaged; your voice and leadership matter, your knowledge and your insights are needed."[494]

A united Pacific voice

The COP21 strategy session was divided into two sessions: an open plenary followed by three parallel thematic sessions. The purpose of this plenary was to provide an update on the status of current UNFCCC ADP negotiations, "and to discuss possible strategies to ensure the (proposed) new agreement addresses core concerns of the region"[495]. Of priority from the panellists and responses from participants was the aspiration for a 'united Pacific voice' that was beyond the science of climate change, and for positions that enshrined a secure future for Pacific peoples. The idea of a united Pacific voice was not only a regional political declaration but also a mandate for Pacific countries to take action in the negotiations.

When the floor was opened for dialogue, participants urged leaders and negotiators to continue to demonstrate leadership on the narrative of Pacific states as frontline states "shaping solutions, and not just victims" of climate change[496]. This climate leadership from Pacific states encouraged Pacific states to submit Intended Nationally Determined Commitments that factored in decarbonised economies from the Pacific. In doing so, this message should not be restricted to just the formal UNFCCC ADP negotiations, but should include a Pacific voice in other multilateral forums later in the year. These forums included the COP21 French Presidency informal meetings, IMF-World Bank Annual Meeting, the UN General Assembly and the Commonwealth Heads of Government meeting (CHOGM). The initial joint plenary set the tone for the three parallel sessions (government, civil sector and private sector) would focus on.

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[494] PIDF, "PACIFICIDF News," news release, 2016, http://pacificidf.org/wp-content/uploads/2015/05/Pacificidf-News-Volume-4.pdf.

[495] "Pacific Isladns Development Forum Third Leaders Summit Outcome Document 'Building Climate Resilient Green Blue Pacific Economies'," 32.

[496] Ibid.

Civil Society Sector Panel

The session was led by a Fijian minister and a youth NGO advocate, which brought together groups such as the disabled, youth and women as well as addressing issues such as security, human rights and migration. The session discussed the role of civil society in advocacy, awareness and the conscience of the community in climate change discussions. Participants highlighted the need for climate change mitigation and adaptation actions to take into account civil society, youth and persons with disabilities. There was a demand that for every COP21 Pacific delegation there needed to be a youth delegate to voice these concerns in the global forum. Furthermore, gender equality and the effective participation of women and indigenous peoples were seen as important for effective action on all aspects of climate change. The session highlighted notable strategies on key messaging in COP21 to include 'Survival Message: Our Survival is not negotiable' and the intergenerational equity perspective of youth, women and indigenous communities expressed in the language of human rights[497].

Private Sector Panel

Moderated by Fiji's Attorney General and PIDF Climate Change Advisor the aim of the private sector session was to gauge the interest and participation of the private sector in private-public partnerships on climate change. This session allowed the private sector to discuss its role in dealing with climate change issues through investment, technology and pursuing low-carbon development pathways. The outcomes emphasised suggestions on how new agreements can foster private-public partnership and catalyse support for actions. Central to the outcomes of the group was to create a supportive business environment through partnerships and reduce structural barriers to incentivise private sector investment and engagement.[498]

Government Sector Panel

While the two previous panels centred on messaging and implementation of climate change partnerships on the ground, the discussion in the government panel was more focussed. The discussion led by the Tuvalu Prime Minister and interim PIDF Secretary

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[497] Ibid., 38-39.

[498] Ibid., 36-37.

General considered key issues to be included as part of the Paris agreement. He stressed the need for a protocol under the Convention with clear links to vulnerability of Pacific island states, mitigation and adaptation. As a legally binding agreement it should identify commitments for five year periods for ambitions to be reviewed, with commitments and high ambitions from all parties to the UNFCCC to be realistic. Participants also identified loss and damage compensation for land and ocean long-term damage to be embedded in the agreement, with financing as an integral part.[499] While these messages should be considered by Pacific negotiators in COP21, what is essential is a coordinated and united voice. The feedback from the three parallel consultative groups was presented to the Senior Officials Committee drafting group.

Inside: PIDF Senior Officials Committee - Drafting Group

The Senior Officials Committee with the assistance of the PIDF Secretariat were responsible for the main negotiating forum to incorporate public submissions on the proposed declaration. During the three day summit, the Committee met twice daily, in the morning and again in the evening to consider and negotiate these submissions. These proposals were in the form of individual email submissions, recommendations from the various plenary panels from the first two days, but most importantly the COP 21 Strategy sessions. In an email notification to all delegates and then again during the Summit opening presentation, delegates were invited to send comments or text considerations by 8.00pm, which the Committee would then consider and negotiate whether to include it in the text.

After months of email negotiations, and face to face deliberations by the PIDF hierarchy during the preparatory phase, the text draft that was circulated to the public on the first day was labelled 'Version 6'. This meant that the text had been negotiated and revised on six occasions since the original draft from PSIDS New York and reflected input from capitals and negotiations of officials. The PIDF interim Secretary General acknowledged that this process was vital for "PIDF to be the mouthpiece that connects

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[499] Ibid., 35.

the political negotiations of the Pacific with Caribbean and other AOSIS countries—with the leaders and officials in the Pacific islands"[500].

Upon receiving feedback from the various talanoa sessions on COP21 Strategies and Climate Migration the Committee drafting group met in the evening to re-draft and negotiate the wording. When the final version was circulated on the concluding day as 'Version 8', there were notable inclusions and changes to the text. Most obvious was the emphasis from civil society on the inclusion of gender, youth and disability to be part of the Pacific voice messaging and positions. The final version called on the development of a PSIDS regional taskforce to look into climate financing. There was stronger messaging on loss and damage and the long-term temperature goal of 1.5 degrees, it was agreed, should be cemented in the Paris agreement.

The Suva Declaration as affixed in Appendix II, proposed two key issues that were not necessarily part of current UNFCCC ADP negotiations. This included the establishment of mechanisms for the payment of ocean and ecosystem services, as suggested by key regional environment NGOs[501] whose officials were part of the drafting committee. The declaration also carried the position pursued by the leader of Kiribati and certain NGOs from Australia on a new global dialogue for an international moratorium on the development and expansion for fossil fuel industries, especially coal mines.

PIDF Agreement Phase

When the final text was circulated to the public the next day and a motion was carried in the final plenary to accept the text, there was no hesitation. This was after the Governing Council of Leaders had met in the morning to approve the final text from the work of officials the night before. According to anecdotal discussions, there were no

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[500] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, June 7, 2015.

[501] One of these environmental organisations was the Oceania branch of International Union for Conservation of Nature

major changes during the leaders' meeting, as the heavy lifting was completed in the negotiations by officials and the PIDF secretariat the night before.

In tracing the processes of consensus decision making in PIDF, the role of leaders was vital in approving and affirming consent. The open consultative plenaries brought together not only civil, private and government sector actors; but also, delegates and observers to suggest positions to consider for a Pacific united voice. The PIDF Summit provided a platform that would consolidate these declarations, and also include private and civil society to convey their messages and contributions for COP21 directly to leaders. Nonetheless, it would be informal backroom negotiations of a small group of officials and the PIDF Secretariat where decision making took place. The research could not identify who were present nor how many officials were present in the final drafting group when the text was finalised. What is clear, however, was the significant role of civil society members in the final outcome. According to Bainimarama, "We go from here to Paris with a clear signal in our Suva Declaration on Climate Change - of our determination to finally get the world community to act… the Suva Declaration is destined to be an historic document of an historic moment in which the Pacific came together as one"[502].

The Pacific Islands Forum

PIF Context

Regionalism and a Political Forum Legitimacy

The PIF was established in 1971 as the main political multilateral organisation in the region. Created out of the demand by Pacific leaders for a space to dialogue the 'high politics of the region', this 'inner circle of regionalism'[503] was conceived in the era of decolonisation. In part it was borne out of the frustration of newly independent states about colonial government administrations' unwillingness to discuss political issues in technical regional arrangements such as the South Pacific Commission on issues like

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[502] PIDF, "PACIFICIDF News," 2.

[503] Greg Fry, "The politics of South Pacific regional cooperation," in *The South Pacific: problems, issues and prospects*, ed. Ramesh Thakur (New York: Springer, 1991), 169.

self-determination and the French government's nuclear testing policy in its territories[504].

Over the next four decades, the Forum's membership had grown from the seven founding states Fiji, Tonga, Samoa, Cook Islands, Nauru, Australia and New Zealand[505] into a robust organisation that includes all the sixteen independent states in the Pacific region[506]. As the preeminent regional political body, the Forum's legitimacy is cemented in the recognition by states and intragovernmental bodies outside of the region. These partner relationships were visible in the PIF Dialogue Partners meeting, which was established in 1989 for its 18 observer partners to meet with its Pacific counterparts[507]. More importantly, the Forum's legitimacy was affirmed in the work of its highest council, the PIF Leaders Meeting. The Leaders Meeting allowed states to consider both international and regional politics. The communique sets out the annual priorities for the region. The Leaders Meeting was also responsible for approving political declarations or mandates of cooperation on shared regional issues of concern that ranged from security, law enforcement, development agenda, transportation, a nuclear-free Pacific to climate change.

Decision Making by Consensus

The PIF communique decisions and its subsequent political declarations serve as the instruments by which regional policies are developed and implemented[508]. The organisation has no charter, so judgements are reached by members at each Forum meeting by a process of discussion and those conclusions on which consensus has been

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[504] Shibuya, "The problems and potential of the Pacific Islands forum," 104.

[505] In the first meeting of the South Pacific Forum 1971 Australia and New Zealand participated as observers. The were elevated to full members in 1972.

[506] The organisation in 2016 increased to 18 to include two French territories- comprises 18 members: Australia, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu

[507] Canada, People's Republic of China, Cuba, European Union, France, Germany, India, Indonesia, Italy, Japan, Republic of Korea, Malaysia, Philippines, Spain, Thailand, Turkey, United Kingdom and the United States

[508] PIF, "Forum Standing Meetings," Pacific Islands Forum https://www.forumsec.org/forum-standing-meetings/.

achieved are announced in a communique[509]. From its earlier work around self-determination and a nuclear-free Pacific, the organisation's agenda over time came to incorporate regional security, fisheries, ocean management, governance and opportunities for economic and political integration to name a few. This regional agenda and priorities were coordinated by the PIF Secretariat[510], under the leadership of the Secretary General, amongst the nine technical regional organisations that make up the CROP[511].

Beyond the implementation of leaders' decisions, it is vital to explore how decisions by consensus are created in the Forum. As indicated earlier consensus was believed to be a product of consensus discussion, and not consensus by negotiation which on the surface seemed straightforward. However, the process of discussions was also a source of uneasiness and frustration amongst members especially when regional good impinges on national policies and interests. As the PIF or the South Pacific Forum when it was known in its early years was established with no formal constitution to guide its work, it depended on the leaders' prerogatives year by year.

The Chair of the Leaders' Meeting (and the rotating host of the annual summits) and the Secretariat have considerable influence in suggesting rules of procedures for leaders to approve. This proved advantageous for member states to suggest agendas and priorities for the region leaders to consider. With no formal voting rules in the Leaders' council, the preferred and only rule of procedure was consensus.[512] According to Michael Haas the significance of consensus of the organisation meant working around the philosophy of the 'Pacific Way' or a system of 'unanimous compromise,' where everyone sacrificed something for the overall benefit of the whole and all decisions are made by

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[509] G Robin South and Joeli Veitayaki, *Global initiatives in the South Pacific: regional approaches to workable arrangements*, Asia Pacific School of Economics and Management (Canberra: Asia Pacific Press, 1999), 12-13.

[510] Formerly known as the South Pacific Bureau of Economic Cooperation,

[511] The nine agencies of CROP as of 2015 were: Pacific Aviation Safety Office (PASO); Pacific Islands Development Programme (PIDP); Fisheries Agency (FFA); Pacific Islands Forum Secretariat (PIFS); Pacific Power Association (PPA); Secretariat for the Pacific Community (SPC); Secretariat of the Pacific Regional Environment Programme (SPREP); South Pacific Tourism Organisation (SPTO); and University of the South Pacific (USP)

[512] Shibuya, "The problems and potential of the Pacific Islands forum," 105.

consensus.[513] However, this sacrifice would be a source of tension in what was perceived as the domination of former colonial power members Australia and New Zealand in the agenda setting[514]. "While the Pacific Way is supposed to bring about flexibility and compromise, the strong desire for consensus (at times for its own sake, it seems) gives each Forum member a de facto veto during the Forum meetings, thus weakening the collective unity and power of the Forum".[515] While members of the PIF have had a strong resolute and common understanding of social development in improving gender, health and education equity, there would be a sense of nervousness in discussing security, economic development, and of interest to this thesis - climate change.

Divergence on Climate Change: Australia New Zealand and Islands' states

From the outside, and as noted earlier in Chapter Three, climate change has been a regional priority since the late 1980's and is evident in the communiques and political declarations of the past twenty-five years. However, upon closer inspection within the Forum leaders' meeting, climate change as policy has not met all members' expectations. There was a wide range of views and different approaches in how Pacific governments approached climate change. While Pacific islands states, especially small low-lying states like Tuvalu and Kiribati, have impressed the need to address climate change as an existential and human security threat, for developed states of Australia and New Zealand the issue was a matter of economic security.

This divergence would be more pronounced in 1997 as Pacific island states were pushing for stronger ambitions and timetables in the negotiations leading up to the Kyoto Protocol, and many were expecting this position in a PIF declaration. However, former Australian Prime Minister John Howard famously remarked publicly on the eve of 1997 Forum leaders' 'Big Retreat', that he would not agree to any regional statement on binding targets for greenhouse gas reductions if they were to damage Australia's

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[513] Haas.

[514] Rosaleen Smyth, Nii-K Plange, and Neil Burdess, "Big brother? Australia's image in the South Pacific," *Australian Journal of International Affairs* 51, no. 1 (1997)., and Jim Rolfe, "New Zealand and the South Pacific," *Revue Juridique Polynesienne* 1 (2001).

[515] Shibuya, "The problems and potential of the Pacific Islands forum," 108.

economy[516]. When the communique was finalised it only noted 'deep concerns' and urged parties at the then forthcoming UNFCCC negotiations to 'pursue vigorously an outcome'[517]. This led to statements by leaders like Tuvalu Prime Minister Bikenibeu Paeniu to say "Australia dominates us so much in this region. For once, we would have liked to have got some respect"[518]. With the power of the veto in multilateral consensus vested in one state or in this case its leader, states needed to appease the demands and reservations of Australia and New Zealand. The consequential climate change declarations and communiques have since become calls for action, and apart from the Majuro declaration, they take note of the different views amongst members. Furthermore, with the differing perspectives and interests on climate change, a binary relationship was thus created between island states on one side (belonging to AOSIS) and Australia and New Zealand on the other (of Annex I).

Multifaceted politics of PIF 2015

The potential regional leadership and financial wealth of Papua New Guinea was on display, and scrutiny, as the nation hosted leaders from around the Pacific and observer partners from outside the region. In many ways the 46th PIF Leaders was a first. It would be the first official meeting of the new and first woman PIF Secretary General Dame Meg Taylor, who was also a proud Papua New Guinean. The Forum would experiment with its new regional strategy of process-driven agenda under the Framework of Pacific Regionalism, that replaced the shared goal outcome-oriented strategy of the Pacific Plan. At the same time, after five years of suspension from the organisation, the newly democratically elected Fijian government were invited to re-join the Pacific family.

Although the PIF meeting would take place only three days after the PIDF Suva gathering the mood changed from optimism to uncertainty. Climate change would not be the only issue raised with the leaders. From the new Framework of Pacific Regionalism process members identified an agenda that included West Papua's self-

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[516] Bernadette Hussein, "'The Big Retreat'," *Pacific Islands Monthly* November 1997, 11.

[517] PIF, "Forum Communique: Twenty-eighth South Pacific Forum Rarotonga Cook Islands," ed. Pacific Islands Forum (South Pacific Forum) (Nukualofa: Pacific Islands Forum 1997).

[518] Hussein, 10.

determination, women's health (regional response to cervical cancer), information and communication technology and fisheries. But it was expected that climate change would dominate political discussions. In the lead up to the PIF meeting in Port Moresby September 7-11, 2015, regional media and commentators expected a showdown in the dialogue around Pacific positions for the COP21[519]. There was an anticipation as in previous PIF meetings before a major UNFCCC meeting like the Kyoto and Copenhagen COPs, that a political declaration from regional leaders would be produced.

The traditional stance of the Annex I members over the years, that any international agreement on climate change should not jeopardise their economic development, would be paramount. In a way PIF provided a platform for Pacific states to lobby and convince Australia and New Zealand of their climate change positions. This attempt to affirm an ambitious regional declaration needed the cooperation of its 'big brother' or as Marshall Islands foreign minister argued "[a]s the world's biggest per capita polluter, what Australia decides to do is very important."[520]

PIF Pre-Negotiation Phase

The program, as outlined in Table 15, for the forty-sixth meeting of PIF Leaders Meeting from September 7-11 which included the meeting of SIS, the Pacific state members in the African Caribbean and Pacific group at the European Union, not to mention the various bilateral meetings with partner states participating in the PIF Post-Forum Partners Dialogue. However, the most significant of these dates where state delegations and media focussed much of their attention was on the 'closed' plenary and leaders' retreat on September 9 and 10 respectively. While the plenary included all delegation officials and invited organisation observers, the retreat was set aside for leaders only (and with prerogative of the Chair may include one official) where the final decisions or the communique by the leaders would be decided. In a setting like the

[519] See Greg Fry, 21 September 2015, 2015, https://www.aspistrategist.org.au/author/greg-fry/.and Liam Cochtrane, 2015, http://www.abc.net.au/news/2015-09-07/kiribati-urges-australia-nz-to-be-real-friends-on-climate-change/6755794.

[520] Pacific Beat, "Marshall Islands foreign minister Tony de Brum slams Australia's proposed 2030 carbon emissions targets," news release, 11 August 2015, 2015, http://www.abc.net.au/news/2015-08-11/marshall-islands-slams-australias-carbon-emissions-targets/6688974.

papal conclave, leaders would be situated in a room to dialogue for as much time as needed to reach a consensus or until the talks collapsed. Failure to achieve a common understanding was never an option and had not occurred in the forty plus years of the PIF's existence.

Table 15. PIF 2015 official program and schedule of meetings

Date	Meeting
September 7	Pre-meeting (Official): Smaller Islands States Leaders Meeting
September 8	Pre-meeting: Pacific ACP Leaders Meeting
September 9	Official Meeting: Pacific Islands Forum Plenary Session
September 10	Official Meeting Pacific Islands Forum Leaders Retreat
September 11	Official Meeting Pacific Islands Forum Post-Forum Partner Dialogue

The politics and assumptions on leaders' decision making in the 'closed room' arena of the retreat, has been the focus of many academic scholarship, media and anecdotal reports. However, this fascination with the outcome statements tends to overshadow the processes and the actors involved in building consensus before the retreat. The leaders retreat is the consensus point where decisions and agreements in one form are reached. Thus, the focus of subsequent sections trace the making of the two declarations that come out of the Port Moresby meeting: the PIF Smaller Island States Climate Change Declaration, and the PIF Leaders' Climate Action Declaration. The argument here is that while leaders engage in diplomatic discussions on the totality of these declarations, the more detailed negotiations in the texts of these political mandates are conducted in the two subsidiary bodies of the Forum: SIS meeting, and the Forum Officials Meeting. The crux of Pacific diplomatic negotiations were held in these informal chambers.

Inside: Smaller Island States meeting - The making of Smaller Island States Declaration on Climate Change

Representing the most vulnerable and smallest island economies in the region, SIS membership consists of Cook Islands, Kiribati, Nauru, Niue, Palau, Republic of the

Marshall Islands, and Tuvalu[521]. "Against a background of 'unique and particular' vulnerabilities linked to their small size, lack of natural resources, and remoteness, SIS face a range of development challenges that limit their capacity to ensure resilience and long-term sustainable development"[522]. The sub-group formed around PIF talks in the late 1980's[523], but were officially recognised at the 1991 Forum meeting with their special development needs that led to its first formal meeting in January 1992[524]. In advocating special consideration of the smallest nations in terms of regional policy making, the implementation of a special hub and spoke model was created in 2006 where officers from the seven countries were integrated into the structure of the PIF Secretariat in what was known as the SIS Unit[525]. Beyond the hub and spoke model, the main political discussions amongst members were facilitated in a dual structure: the SIS Officials Forum and the SIS Leaders meeting. The officials met alongside the Forum's Officials meetings in the months prior to a PIF meeting, while the SIS leaders traditionally met outside of the PIF meetings at some regional airport hub, either Suva or Auckland. However, in 2015 for the first time the SIS leaders meeting was incorporated into the official Forum program with a meeting on Monday September 7, 2015.

Smaller islands vulnerabilities and special consideration

The Laguna Hotel in Port Moresby would be the site of diplomatic flurry as six delegations of the seven-member countries of SIS met to discuss their particular regional political needs. Niue's absence was noted by the outgoing chair of the collective, due to flight schedules that did not allow the delegation to arrive before the September 7 meeting[526]. Before the chairmanship passed from the President of Palau to the Prime Minister of Tuvalu, the members agreed on the program of procedures for the one-day meeting. An open plenary from 10am-12pm, followed by lunch, and to be

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[521] In 2016, the Federated States of Micronesia officially joined the SIS group to increase the membership to eight.

[522] PIF, "Smaller Island States," Pacific Islands Forum https://www.forumsec.org/smaller-island-states/

[523] Ron Crocombe, *The South Pacific* (Suva: University of the South Pacific, 2001).

[524] PIF, "Smaller Island States".

[525] "Smaller Island States".

[526] However, one official commented in the corridors that there was some disagreement raised by Niue during the SIS Officials meeting that took place August 11- and could be another reason for their absentia.

concluded with a leaders' retreat with a leader plus one official from 1.30pm-3pm. In effect the six-hour meeting program was a condensed version of the PIF leaders meeting that would take place two days later. All sessions were closed from media and non-official observers - with exceptions made to invited non-member or organisation representatives. The plenary would only be allocated to leaders or heads of delegations to make interventions based on an agenda established at the meeting of the SIS Officials, one month prior on August 11. This preparatory meeting of officials meeting was vital in preparing the political agenda that required what PIF Secretary General Dame Meg Taylor called an exclusive focus on SIS, with the Forum Secretariat to be more 'in touch' with the regional needs of smaller island states[527].

During the plenary, it was clear which states sponsored an initiative to be taken up by the SIS collective from the leaders' interventions. Palau's emphasis on ocean conservation saw its President reiterate the importance of supporting international talks around ocean and sustainable development to increase marine protected areas and sanctuaries in the islands. Ocean conservation management policies were also shared by the Cook Islands leader who stressed the need for more marine park initiatives that supplemented the vision of Pacific islands as *large ocean states*. The Kiribati delegation prompted the leaders to revisit issues of regional transportation especially shipping and airspace (air travel) amongst the smaller island nations in the central Pacific. The head delegate for Marshall Islands pointed to the need for a special fund for SIS initiatives to be separate from the budget of PIF Secretariat. There was general feeling of consent that the issues around ocean management, fisheries, infrastructure, sea and air transportation should be incorporated into the workplan for the PIF Secretariat's SIS Unit. The plenary heard how the SIS officials were able to elevate the subgroup's priorities for fisheries and climate change in the agenda of the PIF Leaders meeting; however, as Tuvalu, Kiribati and Marshall Islands leaders noted in their remarks there was a need for SIS solidarity in the impending talks with the rest of the Pacific leaders around climate change priorities leading up to COP21. The leaders' remarks on the need for solidarity sparked a change in the tone of meeting. The intervention by leaders started to probe

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[527] Meg Taylor remarks cited in Freddy Mou, "Climate change threatens Forum solidarity," (Sydney: Loop PNG, 2015).

questions and calls for the group to mobilise politically and send a collective message for the upcoming PIF Leaders meeting.

The question of SIS political agency

Although SIS in the past met as a group to discuss political issues, there was no evidence that the group lobbied within the PIF leaders' meetings as a separate political coalition or collective. At best the grouping of seven countries identified certain issues for discussion, but never collectively held the PIF meeting to account for a SIS group position. However, the heightened atmosphere around a strong Pacific leaders' message on climate change for Paris led to the plenary entertaining discussions around SIS political agency. The outgoing chair of SIS and Palau President Tommy Remengesu remarked in his opening remarks that were reported in media, on the need for solidarity among small island leaders to fight climate change.

> Let us make our message in Paris a message that we (SIS) can be proud to bring back to our people, one that will protect our environment and our cultural heritage. Our countries may be seen as small but we are in fact pioneers and trailblazers in restoring balance to our earth[528].

This line of thought was shared by another leader that pushed for the membership to consider having, for the first time, a SIS meeting communique with the statement "it would be remiss of us not to make noise"[529]. But the idea of a communique would receive less traction as the six nations favoured a more powerful statement from the group in the form of a SIS political declaration. The Tuvalu chair then supplemented the motion that SIS officials should meet in the lunch hour to draft this political declaration. The officials were given instructions to complete a declaration draft by the time leaders met in the afternoon, which was to also reflect all the regional and sub-regionals declarations, specifically the outcomes that were mentioned in the PIDF Suva Declaration.

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[528] Tommy Remengesu remarks reported in ibid.

[529] Smaller island state leader remarks during SIS closed leaders plenary, September 7, 2015.

SIS Officials Drafting Team

Immediately during the lunch hour, the ad hoc group of officials converged in a separate room. The group invited special observers from CROP agencies including the PIF Secretariat, SPREP and SPC for technical and logistical support during the meeting. According to participants in the meeting, the group was chaired by a senior official from Tuvalu. But it would be the leadership by technical negotiators from Palau's climate change ambassador and representatives from SPREP who were familiar with the current state of UNFCCC ADP talks that would drive the talks. Anecdotal evidence pointed towards these key technical negotiators, and other climate change negotiators from the six participating states who at the time of the Bonn ADP2-10 talks were the drafters of the initial text in the weeks before Port Moresby. The small group had negotiated and revised a text through email circulation that was focussed primarily on the issues debated in the ADP talks. The final SIS text was concise and were more in line with key issues which pursued in the multiple coalitions like AOSIS, Least Developing Countries and G-77 the seven states were associated with. These hard-line positions were reflected in the text as follows:

> To this end we urge that COP21 must deliver a legally binding agreement, which will:
> a) Limit global average temperature increase to well below 1.5 degrees Celsius above pre-industrial levels;
> b) Ensure that human rights to exist as a people are protected;
> c) Uphold the polluter pay principle;
> d) Address all sources of greenhouse gas emissions including those from international transport;
> e) Carry out a review to conduct a major renewal of international mitigation commitments every five years with flexibility for Small Island Developing States and Least Developed Countries, to examine the most recent science, as well as pathways for higher ambition, and provide an opportunity to recommit to stronger action;
> f) Include a mechanism to address loss and damage as a stand-alone element of the agreement and within that mechanism create a facility to effectively support people displaced by the impacts of climate change;
> g) Ensure ease of access to adequate and predictable finance, technology and

capacity building to ensure that Small Island Developing States and Least Developed Countries can transition to fossil fuel free economies and to have the ability to adapt to the impacts of climate change; and

h) Recognise the special circumstances of Small Island Developing States and Least Developed Countries and direct additional efforts to assist them meet the challenge of climate change.[530]

The officials draft team took less than an hour to complete their work. With a focussed agenda that primarily highlighted positions of the UNFCCC, there were little to no negotiations amongst the parties with the drafting talks fixed on consensus discussions [531]. The final text as endorsed by the leaders, and affixed in Appendix III, reaffirmed the AOSIS and other previous regional declarations, while reminding everyone that the negotiations were more than just economic: they were at the very least about 'survival and security'[532]. As the SIS chair, President Remengesau of Palau stated in the media, "We need to be frank and honest with reality. And the reality is that it is upon us and whether it is 1.5 or 2 percent, we are already seeing the impact of climate change in Small Island Countries".[533] The urgency and fears of a watered down PIF text had already played out in the media and academic circles as the showdown of regional climate diplomacy[534]. Despite the numerous declarations from the Pacific, as one Pacific leader reiterated for the importance of a united voice from the Forum "it would be the PIF declaration that is read and circulated within the UN"[535].

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[530] PIF, "Smaller Island States Leaders' Port Moresby Declaration on Climate Change ", ed. Pacific Islands Forum (Port Moresby: Pacific Islands Forum, 2015).

[531] Ibid.

[532] The author participated in the proceedings of the meetings as part of fieldwork. Half way during the morning of September 7, there was a call from Palau and Tuvalu for an SIS Declaration, whereby key officials were then whisked to another room over lunch to draft and agree on text- before sending it back to the SIS plenary in the same afternoon for confirmation. Part of this account can be found in Freddy Mou, "SIS Leaders Demand 1.5 degree target," (Sydney2015).

[533] ibid.

[534] See Greg Fry, September 4, 2015, 2015, http://devpolicy.org/pacific-climate-diplomacy-and-the-future-relevance-of-the-pacific-islands-forum-20150904/. and Cochtrane.

[535] Pacific island leader remarks during SIS closed leader's plenary, September 9, 2015.

PIF Negotiation Phase

The PIF Leaders Meeting, September 9 and 10

The PIF Port Moresby leaders meeting would be the first testing ground leading up to Paris for Pacific island countries to reach a consensus with its fellow regional Annex 1 partners, Australia and New Zealand. In the days leading up to Port Moresby PIF Secretary General Dame Meg Taylor described the meeting as game changing, "it would be good to see that we [Pacific island states] come closer with the two OECD members [Australia and New Zealand] situated in the Pacific… they are members of the Pacific Islands Forum, but they are also developed economies [so] issues for them are different to those in the rest of the Pacific"[536]. Although the program for the PIF Leaders meeting would be set aside in a five day program the crux of regional agenda discussions and any necessary negotiations took place in the two days of Leaders Plenary and Leaders Retreat on September 9 and 10 respectively. Both these sessions were closed off from media and the general public, and with the exception of associated state and regional organisation observers only official delegations were present in these meetings.

PIF Plenary Session

While the main plenary and photo opportunities with leaders was a grandiose and jovial affair, there was a slight uneasiness among climate change policymakers in Port Moresby. The UNFCCC ADP2-10 had just finished over the weekend, and there was news of a deadlock in the Bonn talks where New Zealand and Australia had prominent roles in the Umbrella Group. The PIF formal plenary on September 10 allowed for frank discussions and interventions among leaders and regional organization heads on how it should conduct its work in Paris. The Premier of Niue compared climate change to a slow cancer and argued that instead of "making declaration after declaration, the region needs to be pragmatic". [537]This view was not shared by the Tuvaluan Prime Minister. The leader articulated the need for a robust regional diplomatic strategy to coordinate and share resources and know how to speak as one voice in Paris. In order for this to

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[536] Meg Taylor, 15 March 2016, 2015.

[537] Toke Talagi, 2015.

happen, the leaders argued for a strong declaration from PIF, from words to action that clearly sets out the Pacific's marching orders for COP.

During the plenary, the leaders were informed by heads of SPREP and the SPC on regional preparations for COP21. As the organisation tasked with providing technical support for Pacific negotiators, the head of SPREP reassured leaders of the One Team approach of CROP personnel to travel and support the country delegations, and the upcoming negotiator training for ministers and officials at the SPREP HLSM in November. While the plenary meetings came to an understanding of shared support, it was also "not just one voice, but many voices with one message"[538].

PIF Leaders' Retreat

The following day, the Leaders' Retreat would convene in a meeting room of the Grand Papua Hotel. For over eight hours the 16 leaders plus their one official would meet in seclusion to decide the direction of the region for the next year. The conclave-style meeting of leaders and their top officials would also invite the PIF Secretary General plus her one official to record the final decision of leaders that would become the communique. As indicated earlier, the agenda of the leaders meeting would revolve around 20 regional and international political issues. And central to this discussion would be climate change, and the shared positions from the Forum members for the UNFCCC Paris meeting[539].

While both the Retreat and Plenary revolved around the decision making of leaders, it was not the only Forum subsidiary body to meet. Behind the façade of charismatic speeches, press conferences and jovial leaders' family photo in PNG traditionally inspired shirts, a separate informal process negotiation took place. For more than three

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[538] Pacific regional organisation head, remarks made during PIF plenary, June 9, 2015.

[539] The 2015 PIF agenda focussed on 20 issues: Framework for Pacific Regionalism, Fisheries, Information Communications Technologies (ICT), Cervical Cancer, West Papua, Hiri Declaration, Regional Governance and Financing, Forum Foreign Minister, Ministerial Meeting, French Polynesia, Regional Assistance Mission to Solomon Islands, Radioactive Contaminants in the Republic of the Marshall Islands, Strengthening the Post-Forum Dialogue, PACER Plus, Post-2015 Development Agenda/Sustainable Development Goals, Implementation of the Forum Compact, Pacific Leaders Gender Equality Declaration (2012), Smaller Island States Leaders Meeting, Civil Society Organization Dialogue and Climate Change.

weeks, and throughout the Leaders' plenary, the details of a PIF consensus on climate change were negotiated by the Forum Officials Committee (FOC). More specifically, this was the task of an ad hoc drafting group for the PIF climate change declaration. The FOC oversaw the work of the PIF Secretariat and in effect acted as the board of directors. Comprised of one representative per member state their work was to give general policy directions to the Secretary General, and to make reports and recommendations to the Forum Leaders' meeting. The Committee's chair was rotated annually amongst the membership and was not necessarily the same as the host of the PIF Leaders' meeting; in 2015 the head of the FOC resided with Tuvalu. According to the PIF Agreement 2005 that describes the powers of the sub-committee, all matters, wherever possible were decided by consensus, or if necessary by a majority of the representatives present and voting[540]. The subcommittee met at least once a year during the months leading up to the Leaders meeting[541].

Inside: Forum Officials Meetings: Drafting Group on PIF Climate Change Declaration

A PIF Secretariat Draft Text

On August 12 and 13 the FOC convened to prepare for the Port Moresby meeting, and for the first time deliberated an agenda derived from the public submission process of the Framework for Pacific Regionalism. During these discussions it was evident that the membership had recognised the need for a climate change declaration from the Leaders'- and a special ad hoc drafting committee was established to negotiate this statement. Like the PIDF Suva draft with its initial text originating from the Pacific SIDS group in New York, it was believed that the PIF text was drawn up by PIF Secretariat officials tasked with the mandate on climate change financing. The FOC climate change draft text was sourced from positions already approved in previous PIF climate change and sub-regional declarations as well as items identified as pivotal to member states currently debated in the ADP process.

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[540] PIF, "Agreement Establishing the Pacific Islands Forum," (Port Moresby: Pacific Islands Forum 2006).

[541] South and Veitayaki, 12-13.

The August FOC drafting group could not complete their task by finding consensus in the text. However, the group agreed to continue negotiations over the next three weeks over emails and online submission from their respective capitals. This online negotiation process would see the PIF Secretariat sending a revised word document attachment to the political focal points (usually Ministries of Foreign Affairs). The officials from the capital would make comments/submissions and insertions in the text via word document track changes, and then send a copy to all members. This process of making insertions or comments on a document online, was a common practice for many if not all regional policy documents and strategy plans. The changes would then be negotiated in person when the group reconvened in Port Moresby.

From online to face-to-face negotiations

While the elaborate opening ceremony for Leaders took place on the evening of September 6, in a separate venue the drafting group reconvened to continue their work. The group assessed the latest version of the negotiated text which had been recalibrated by the PIF Secretariat staff taking into account the notes emailed from officials. The first meeting was to check its consistency and wording with the SIS Leaders Climate Change Declaration, and the outcomes of ADP2-10. In this meeting only negotiators from Papua New Guinea, Australia and New Zealand who were present at the ADP2-10 were able to attend in time, while Palau and Tuvalu were represented by officials who were knowledgeable with the state of play in the negotiations given their involvement in the past. Other states sent officials who were not tied up with protocol work of the opening ceremony, usually staff from foreign affairs or Prime Minister's office officials. Observing the deliberations were regional organisation staff from SPREP and SPC for technical support. However, the group could not complete its work due to disagreements in the texts and the consent was for the group to meet the following day.

In similar circumstances as the previous day, away from the Leaders' Plenary in a separate room, fewer than twenty officials reconvened between 11.00am to 1.00pm to further flesh out the draft text of the declaration. This time, out of the sixteen states only eight states were present in the negotiations. The absence of officials from the previous day was apparently because they were needed to support leaders in the plenary meeting, or because they were involved in various bilateral meetings at the conference venue. For those present in the drafting session, there was a sense of urgency in completing their

task before the Leaders' meeting the next day. According to anecdotal accounts from those present in the meeting, there was a clear distinction in the strategy of officials who were also UNFCCC technical negotiators, and officials who had little knowledge about the jargon and wordsmithing of climate speak. On one side, Australia and New Zealand's lead climate change negotiators maintained the hard-line tactic of not agreeing to language that committed them to action on loss and damage, finance and mitigation. On the other PNG were mainly focussed on inserting language on REDD forest. Some officials were reported to have confused the issue of the 1.5 degree long-term temperature goal and failed to recognise the intricacies of agreeing to language that did not provide any concrete action. It was left to the Palau official to act as the mediator amongst the parties to provide some acceptable language to salvage key issues that were acceptable to all parties. As one observer official noted, "there was some wins and losses, you can see in the passion and willingness in some of the negotiators from the Pacific their willingness, but because they were not used to the UNFCCC lingo and wording tactics, they couldn't push as hard"[542]. By the end of the meeting the group had come to an understanding on common language but would reconvene one last time in the evening.

In the final drafting group meeting, after postponement from 5.30pm to 9.00pm only four states sent officials to the final meeting. Papua New Guinea, Kiribati, Australia and New Zealand were reported to have attended the final meeting to negotiate any final changes. It was believed that other negotiators were occupied with respective delegation responsibilities to prepare leaders for the Retreat, as well as various side events in the evening. Although there were anecdotal reports of suggestions for improvements to the language of the text and even the possibility of a new text altogether, this did not happen. The fact that officials from other Pacific states could not be present to provide consent meant that the old text from earlier in the day would remain. As some of the changes proposed included wording and paragraphs that were inserted by states in absentia, there was reluctance by some negotiators to touch the text without the political mandate of those that sponsored the wording. In the end, the version from the 1.00pm

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[542] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, September 9, 2015., Pacific negotiator (Talanoa 24), in discussion-talanoa with the author, September 9, 2015.

meeting, which was also the ninth draft version, became the final text. This research could not substantiate whether there were any changes to the text when delivered to the Leaders' Retreat for final consideration the next day. However, it was generally assumed by those involved in the negotiating of the text that the decision of Leaders was confined to agreeing to the declaration as a whole.

PIF Agreement Phase

Reflections on the Final Text

In the end, the Port Moresby PIF Leaders Declaration on Climate Change Action 2015 was received with mixed reviews when considering the binary relationship between the positions pursued by island states, and that of New Zealand and Australia. As one participant said in corridor discussions, "there were some wins and some losses in the negotiations"[543]. For some leaders, the Declaration did not fully deliver on what they had intended.

> It's not the best outcome that we would have liked but I think we must respect that whether we accept that or not is a different question but at this point and time we would like to be able to sit down as colleagues and agree on the range of numbers rather than one or the other and I think this is the way we have come out of this meeting[544].

Kiribati President Anote Tong's statement above could be explained by their position on a moratorium on fossil fuel and coal industries, which was not surprisingly vetoed by the Australia's Coalition Party government, reluctant to disestablish an industry its energy sector relied heavily on. Leading scholars called the diplomatic endeavour as an "exercise in creative ambiguity aimed at papering over the fundamental differences between Australia and New Zealand on one hand, and the Pacific Islands on the other".[545] The text was obscured under layers of text diplomacy manoeuvring. Such arguments were based on the 1.5 degrees long-term temperature goal text – although

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[543] Pacific negotiator (Talanoa 17), in discussion-talanoa with the author, September 9, 2015., Pacific negotiator (Talanoa 24), in discussion-talanoa with the author, September 9, 2015.

[544] Anote Tong quoted in Radio New Zealand, "Forum leaders agree to disagree on climate change," Radio New Zealand, https://www.radionz.co.nz/international/pacific-news/283881/forum-leaders-agree-to-disagree-on-climate-change.

[545] Greg Fry to The Strategist, September 21, 2015, 2015, https://www.aspistrategist.org.au/the-pacific-islands-forum-declaration-on-climate-change-consensus-at-the-cost-of-strategy-on-the-road-to-paris/.

listed in the declaration, the membership could only find common ground on the UNFCC COP20 decision 1/20 language that states: "holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels."[546] Furthermore, media reported that the New Zealand Prime Minister stated that "the Leaders did not agree to a single and unified position"[547].

Nonetheless, the fact that an agreement was achieved despite various strong oppositions and key asks reflects success of consensus decision making in the Forum. The final Declaration PIF Leaders Climate Change Action is affixed in Appendix IV. The statement by leaders in the plenary clearly articulated the expectation that PIF had to deliver on a declaration. Failure or no agreement was not an option. Unlike other regional negotiations like PACER Plus that had been ongoing for years, a statement from the Pacific countries on climate change was a must. The question that PIF delegations had to answer in their deliberations was how strong the language should be, or in other words, what positions could the developing island state members agree with their developed state partners.

PIF a turning point?

In effect the Forum meeting was the first real opportunity for Pacific states to lobby Australia and New Zealand on positions negotiated at ADP. Under the scrutiny of Leaders' commitments, as well as media and public expectation, the Forum became a site of negotiation lobbying. In the final clause of the Declaration, states found common ground on thirteen positions to be included in the Paris Agreement. These positions were watered down principles on adaptation, mitigation, REDD+, financing, loss and damage, technology transfers and special consideration of Small Islands Developing States and Least Developing Countries. They were expressed in amicable language generally agreed to in the UNFCCC negotiations. Although media and academic commentary post-meeting reported on the watering down or ambiguous language as part of the Australia and New Zealand heavy handedness, another argument can also be said of Pacific island officials. Pacific officials, in this case technical negotiators from

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[546] UNFCCC, "Lima Call for Climate Action Decision 1/CP.20."

[547] Fry Pacific Islands Forum: climate 'consensus' on the road to Paris.

Papua New Guinea, Palau and to an extent Kiribati and Tuvalu- were able negotiate directly with Australia and New Zealand and push for a position on some of sensitive issues in the ADP. The mediator role of Palau's climate change ambassador, Ngedikes Olai Uludong, in the negotiations to try and bring all parties to the table was in part her knowledge on the sensitivity of the issues at the international level and negotiator expertise as the former lead negotiator for AOSIS. In a surprising policy direction, Australia and New Zealand for the first time agreed to discuss and support the issue of loss and damage as a separate standalone issue in the agreement, as well as supporting an increase in climate financing, specifically vulnerable island nations. Throughout the ADP negotiations, these requests were not openly entertained by Australia and New Zealand as Annex I states. However, the PIF meeting affirmation would be the first signal of a compromise in international level negotiations.

Conclusion

This chapter examined regional multilateral consensus decision making in the Pacific region. It traced the work of the PIDF and PIF, more precisely during the ten days of regional high-level summitry in September 2015. Although far removed from the formal UNFCCC negotiations, the preparations for the highly anticipated Paris climate change COP21 meeting in December took centre stage in the agendas of the PIDF Summit and PIF Leaders' Meeting. Both these regional multilateral forums were perceived by most if not all of the fourteen Pacific island states as significant diplomatic arenas in which to craft a united Pacific voice.

For PIDF, the eleven-member states recognised the contribution of the new political organisation to foster a consensus amongst Pacific small island developing states and one that was inclusive of civil society and private sector. For six of the seven members of the SIS of the PIF, their annual meeting would serve as a platform to mobilise politically through a declaration that emphasised their special vulnerabilities and the urgency for an agreement in Paris. And finally, the PIF Leaders' Meeting was not only the main forum for all sixteen Pacific states to craft positions from the Pacific, but more importantly it was a unique platform for the fourteen island states to lobby the Annex I states.

Consensus Decision Making in Pacific Regionalism

This research finds that in 2015, consensus decision making on issues of climate change in regional multilateral organisations took place in complex structural layers that were not largely reliant on the leaders but lay mostly with a small group of officials. This thesis supports existing literature that leaders have the final authority to approve all decisions but dialogue for the Consensus Point rests within the formal closed chambers of the PIDF Governing Council for PIF, the SIS Leaders Meeting for PIF SIS, and the PIF Leaders Retreat for PIF. At the same time leaders play an important role in approving a framework and setting the political will in the early phases of negotiations. For PIDF this takes place in the Council's meeting of the last day of pre-negotiations, and for SIS and PIF Leaders this work is carried out in the early plenary sessions of negotiations. They affirm whether a consensus joint decision will take place, and in the case of the meetings in 2015 they mandated that an outcome was to be established, and failure was not an option.

Small Groups of Officials

While leaders were instrumental in affirming decisions, the task of negotiating the detailed language and wording of what the final outcome would like, took place in informal settings with a small group of officials. These small groups were the PIDF Senior Officials Committee, the PIF SIS Officials Committee and the PIF Forum Officials Committee. In all three climate change declarations examined here, officials representing the various participating states had met either face to face or virtually in pre-negotiation meetings. The process would start with an initial draft sponsor: for PIDF it was the PSIDS negotiation bloc in New York, for SIS it was a group of technical negotiators involved in ADP and for PIF it was the PIF Secretariat's staff working on climate change. The sponsored drafts would then be negotiated either or both in preparatory meetings and online email negotiations. The preliminary result from this process would be considered by Leaders and given the mandate to continue or to discontinue. Once the consent from Leaders was received, usually through affirmations in the opening plenary, negotiation bargaining and monitoring by officials would then take place.

This negotiation process took place in closed informal chambers, where participating states would take on board new or revised positions from national policies, or as in the case of PIDF submissions from civil society and the private sector. The positions of states pursued by the persuasive debates of its official negotiators present in the room during this stage is most vital. The ability of states to influence the outcome of decisions made in regional organisations rests heavily on the presence of representatives who can lobby other officials in favour of a compromise. This compromise or 'watering down' of positions involves states not agreeing to a common position, but in reaching a decision on language or text that officials and their states could live with. This agreement not to disagree is dependent on the interactional finesse and relationship of negotiators in the room. This was exemplified throughout the accounts of officials involved in the PIDF, SIS and PIF officials meeting. While officials present ranged from diplomats, foreign affairs people, environmental climate change practitioners, and the representatives of regional organisations and non-governmental organisations (as in the case of PIDF), there was a smaller coalescent group driving these negotiations.

Smaller Coalescent Group of Technical Negotiators

This subgroup of officials had in common the technical expertise needed in climate change diplomacy and were highly knowledgeable about UNFCCC ADP issues and process. For PIDF these were officials from Fiji and regional and non-governmental organisations, for SIS they were officials from Palau, Tuvalu and Marshall Islands; and for the PIF they were officials from Australia, New Zealand, Papua New Guinea, Palau, Tuvalu and to some extent Kiribati. Despite representing diverse views and priorities in the private closed meetings, these officials had built relationships and expertise from being involved and well versed in climate speak language. The manipulation of text language that can be acceptable to all parties is the product of this smaller group. Although this research does not list in detail the individual positions that states pursued through their key negotiators, central in protecting their positions was having the right technical negotiator to be engaged in the process to protect their key positions. Once the smaller coalescent group of technical negotiators had reached a consensus on a text or language, this text would then be delivered to leaders for final affirmation.

Pacific Multilateral Consensus: Pacific Way and Talanoa Diplomacy

The concepts of the Pacific Way and Talanoa Diplomacy have been constructed and incorporated in the process of decision making to depict a form of deliberation. From mapping the process, actors and activities of regional politics, this research finds that these concepts are used in practice at the different levels of consensus decision making. The Pacific Way describes the political dialogue of leaders in both consent for an agenda of negotiations to take place, and in agreement to conclude or affirm decisions. As mentioned above, the details of these decisions whether in the language of a final communique or political declaration are negotiated by a small group of officials, and in particular a smaller coalescent group of technical officials. Leaders invoke the concept of Pacific Way to initiate a process and to conclude an outcome.

On the other hand, the concept of Talanoa Diplomacy depicts a stage during negotiations. It involves dialogue among participating negotiators and is not solely state-centric but inclusive of the positions shared by non-state actors. There is no bargaining of ideas or positions, but rather a platform to gather different viewpoints to be strengthened or to be considered in the final outcome. This concept was mainly invoked and practised within PIDF, in an open forum. This proved advantageous in consolidating legitimacy for decision making that actually took place in closed small group officials' negotiations. However, while the practice is perceived as inclusive, Talanoa Diplomacy is also exclusive with the fact that only invited participants can contribute during the dialogue.

These concepts are incomplete. Pacific consensus is not just the product of dialogues of elite leaders or inclusive actor dialogue but is the product of the finesse and skill of a small group of officials. In analysing the climate change political dialogue in 2015, officials who were knowledgeable about climate change issues, had strong informal relationships with other officials and were equipped in the skill of manipulating text drove both the agenda and the conclusion of climate consensus in the Pacific.

Chapter Six: Global Negotiations - UNFCCC Paris Climate Change Conference

Introduction:

This final empirical chapter will explore the pinnacle of multilateral forums for climate change negotiations in 2015, the Paris Climate Change Conference, more commonly known as COP21. It was more than just the annual meeting of the UNFCCC parties; the mega conference completed four long years of climate negotiations for a new global consensus on the climate change regime post 2020.

As detailed throughout the preceding chapters, multiple multilateral processes at the international and regional levels prepared parties for what was to come in Paris. For Pacific island countries this came in the form of participating in the various UNFCCC ADP meetings throughout the year that concentrated in producing a draft text document. Meanwhile at the regional level, various sub-regional and regional organisation gatherings emphasised the need for a proactive and collective approach from Pacific states, especially in the main December conference.

What happened at the Paris COP21? How did Pacific states engage in the negotiations? Did the actions of Pacific states help build and reach a global consensus, or the Paris Outcome? Who were the actors from Pacific delegations most influential in the process, and what activities did they employ? What lessons can be learned in explaining how states create multilateral consensus? These questions are central to this chapter, which details how delegations from the Pacific islands participated in the final multi-party negotiations. The COP is a megaconference of not one, but many meetings and subsidiary processes happening at the same time. The focus here is to trace the particular negotiations around the drafting and conclusion of the Paris Outcome. It was a process in December that would begin with the negotiations in the twelfth session of the ADP (ADP2-12), before the Comité de Paris at the ministerial level would proceed with the final leg of negotiations.

The chapter opens by describing some of the political dynamics and preparations leading up to Paris, with special attention on the preparations by Pacific island states in the months prior. Before the official start of the conference, a week allocated to preparatory meetings for the various coalitions would take place within AOSIS and the newly established Pacific SIDS. In this preparatory phase of negotiations, the thesis explores the work of Pacific delegations in the negotiation phase where the leaders' High-Level Segment and the final ADP2-12 would conclude their work. Instrumental in this phase would be the role of coalitions, including Pacific SIDS. The main and final section focuses on the last week of negotiations during the Comité de Paris negotiations when the negotiations were officially controlled by the French government. This Agreement Phase that would come in the final week of intense negotiations at the ministerial level is described here as the Consensus Point; not just for the COP 21 meeting per se, but the consensus point on a global multilateral consensus on climate change. There were not one but multiple activities happening at the same time and for the Pacific states the work of Tuvalu on Loss and Damage, and Marshall Islands on the High Ambition Coalition were pivotal in ensuring Pacific priorities were entrenched in the final Paris outcome. The concluding section will analyse the contributions from Pacific island states and attempt to draw diplomatic lessons on consensus decision making from this global multilateral conference.

COP21 Context

Global multilateral conference, global participation

The medieval statement, *all roads lead to Rome,* to describe the linkages of the ancient Roman empire, aptly describes the climate change negotiations of 2015. Instead of Rome, all climate negotiation roads lead to Paris, the site for negotiations on a new global consensus on climate change. For four years the 196 parties of the UNFCCC undertook numerous domestic consultations. Regional multilateral forums in the Pacific, Caribbean, Africa, European Union and Latin America to name a few, sought a common understanding amongst their members. Intra-governmental arrangements and alliances, like G20, G-7, World Economic Forum, Commonwealth Heads of Governments, and APEC Economic Leaders meeting, which were traditionally accustomed to economic and trade talks, had prioritised the Paris climate change negotiations in their deliberations of 2015.

Beyond these state-centric entities, a conglomeration of private companies, cities and market capitals took part in climate partnership conversations. NGOs such as environmental activists, development delivery organisations, social justice movements and even climate change deniers, were spearheading public campaigns that drove momentum. Vital in calls for global climate citizenry to not only care but also call out states to act in the negotiations were the media, and individual celebrity activists such as former U.S. Vice President Al Gore and movie star politician Governor Arnold Schwarzenegger. All these informal processes and many more conversations on climate change negotiations mattered; these processes exemplified global political will and the expectation that the Paris negotiations would succeed.

French leadership and proactiveness

After an intensive year of negotiations, the work of the UNFCCC ADP was nearing an end. Time was running out with a mandate to finalise a text by December 2015. The Paris Climate Change Conference was expected to be a diplomatic showcase of global political will on climate change. French officials were engaged in various diplomatic innovations to encourage political will. France had co-led with the current chair of Peru various informal consultations; starting with lead negotiators in January, by June these meetings converted to informal ministerial consultations. "The goal of the 'informal ministerial consultations,' which (brought) together around 40 delegations including about 30 ministers, was to discuss the overall balance of the agreement, its level of ambition and the degree of differentiation that should be retained in order to take into account the situation and levels of development of the different UN member states".[548] These informal ministerial meetings intensified into the traditional Pre-COP meeting, where over 60 ministers convened from November 8-10 to explore possible compromises and general political momentum and prepare for resumption of negotiations at COP 21[549].

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[548] France Diplomatie, 15 March, https://www.diplomatie.gouv.fr/en/french-foreign-policy/climate/events/article/climate-opening-of-informal-ministerial-consultations-20-21-07-15.

[549] ENB, "Paris Climate Change Conference 29 November-12 December, Daily Report Monday 30 November 2015," ed. Earth Negotiations Bulletin (Paris: International Institute for Sustainable Development, 2015).

In all these meetings, France had identified two Pacific states and their influential role on key positions and in coalition networks. The Marshall Islands had built a formidable position and negotiation team around the issues of mitigation pursued through the AOSIS coalition. Meanwhile Tuvalu's strong stance on the issue of loss and damage on top of its leadership role in the grouping of states that belonged to the Least Developed Countries were pivotal reasons for their participation. The role of the Chair was not to isolate parties with differing interests, but rather to ensure that they had a seat at the table. The calls for an inclusive and transparent decision making process was a major reason for Tuvalu's reluctance to agree to the final terms of the Copenhagen Accord in 2009[550].

Learning from past mistakes

The ghosts of the diplomatic failure of the major climate change conference in Copenhagen 2009 loomed over the minds of participating delegates, the French Chair and the UNFCCC secretariat throughout the year, and especially in the days leading up to Paris. The legitimacy of UNFCCC process was under scrutiny, and many feared that history could repeat itself in a secret deal. Would France, despite its promises of an open and transparent process for all member parties, usher in a secret deal with the major economies? Would the global south countries be shut out of the room in the final days of negotiations? Could the major economies such as U.S., China and India refuse to sign on or even spoil the negotiations? Even if there were an agreement, would there be enough ambition from parties to actually make a difference in terms of decreasing, if not stabilising greenhouse gas emissions? Would there be enough financial contributions to help states transform economies and adapt to existing climate change impacts? These questions and more framed the narratives of media, and especially the politics amongst states heading into Paris.

Paris COP 21 was not just a political negotiation, but also a logistical negotiation. The scene was set in the one of Paris' northern suburbs at the Le Bourget Convention Centre with an estimated budget of €170 million to cater for the 12 days of multilateral

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[550] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, November 5, 2017.

negotiations November 30-December 11[551]. Two weeks before the conference, a series of terrorist attacks in central Paris killed 129. This led to an already tightened security operation at the conference venue and across France with over 30,000 police and military officers deployed in over 285 security points[552]. The fear of further attacks during the talks did not derail willingness as seen in the convergence of participants in the weeks leading up to the talks. With more than 36,000 participants from 196 parties, 2 observer states and over 1,236 observer organisations (ranging from UN bodies, specialised agencies, intragovernmental bodies and non-governmental organisations), and media it would become one of the biggest multilateral gatherings in history[553]. Among this multitude only a little more than 23,000 of the participants registered were officials or received pink badges. Not all officials were participating in the talks. COPs are mega-information sharing platforms that include exhibition zones for private and civil society sector initiatives, a media centre, and a public exhibition. The level of access to various zones depended on the accreditation badges, where official participants with the pink badges enjoyed access to all zones, and especially to the formal negotiation chambers for officials.

Pacific island states and COP21 Preparations

Regional Political Mandate

The urgency and importance of COP21 could be seen in the preparations by Pacific island states in the months leading up to Paris. As explored in Chapter Four through its delegations' participation in the various UNFCCC coalitions, there were amicable attempts to engage in the various preparatory ADP negotiations in June (ADP2-9), and again in August (2-10) and October (ADP2-11) sessions. While maintaining close linkages within traditional issue-specific political groupings (AOSIS, LDC, G-77, Coalition of Rainforest Nations and Climate Vulnerable), there was also an awareness and growing impetus that Pacific states should engage in the negotiations as a political collective. The result of these calls for a 'united Pacific voice' materialised in the

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[551] The Local, "The Paris COP21 climate summit in numbers," The Local https://www.thelocal.fr/20151130/cop-21-in-numbers-the-facts-and-figures-to-know.

[552] Justin Worland, "Paris Climate Conference to Proceed with Heightened Security After Attacks," in *World Climate Change* (Time, 2015).

[553] UNFCCC, "Provisional list of participant UNFCCC COP21 30 November- 11 December 2015," (Paris: United Nations Framework Convention on Climate Change, 2015).

various political declarations from regional organisations in the Pacific, which were highlighted in Chapter Five. The PIDF Suva, PIF SIS and PIF Port Moresby declarations not only substantiated shared positions amongst member states, but more importantly created a political mandate for leaders and their respective technical negotiators to work collectively. Furthermore, it was a mandate for greater unity and support from various regional agencies. This is reflected in the PIF Leaders' Climate Action Declaration stated as an operating instruction and affirmation of positions:

> [we] recognise the importance of amplifying the Pacific voice at all avenues possible with a view to influence the Paris outcome, and note the positions of the region as expressed in other meeting outcomes and declarations, including the *Smaller Island States Leaders' Port Moresby Declaration on Climate Change* in September 2015, the *Suva Declaration on Climate Change* in September 2015, the *Nuku'alofa Ministerial Declaration on Sustainable Weather and Climate Services for a Resilient Pacific* in July 2015, the *Polynesian Leaders' Taputapuatea Declaration on Climate Change* in July 2015, the *Lifou Ministerial Declaration on Climate Change* in April 2015, the *SIDS Accelerated Modalities of Action (SAMOA) Pathway* in September 2014, the *Majuro Declaration on Climate Leadership* in September 2013, and the *Niue Declaration on Climate Change* in August 2008"[554]

Although the PIF declaration was a consensus non-binding agreement that included Australia and New Zealand, it would be the 14 island state members that were more inclined to carry out these instructions to engage in the negotiations as a collective.

One CROP Team Plus: regional organisations support and preparations

Conveniently, the various declarations in turn provided the opportunity for regional intra-governmental organisations and their technical staff to support member states and influence the process. For the CROP agencies such as PIF, SPREP, SPC and the University of the South Pacific the political declarations affirmed their existing scientific and technical-negotiator support roles. On the other hand, for organisations like PIDF, the Suva Declaration provided the necessary recognition for both the

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[554] PIF, "Pacific Islands Forum Leaders Declaration on Climate Change Action."

organisation and its networks like the PSIDS New York negotiation bloc and various regional NGO groups.

Even before the days of the 2009 Copenhagen COP, the University of the South Pacific would offer to member states the opportunity for students studying in their climate change program to be a part of their delegation by providing research capacity during the COP negotiations. The success of the intern program would be seen in the fact that many negotiators and some lead negotiators from the Pacific were past students of the USP climate change program[555]. Supported with funding from the European Union and the university itself, the program would send eight students and two lecturers with expertise in climate science, climate finance, law, as well as rapporteur experience supporting national and international meeting not only for six countries, but for the regional exercise. As the head of the USP contingent to COP21 Professor Elizabeth Holland described their contribution in the media, "[w]e are there to strengthen the Pacific voice at COP21 and help our regional delegations negotiate a better future for the Pacific".[556]

The capacity provided by SPC and SPREP were informed by their roles as technical implementing agencies of various climate change projects in the region. Their advice during negotiations would prove useful in determining language in the new global agreement that would open new opportunities for financing, and a broadened agenda on climate change that was not limited to existing projects around adaptation and mitigation. Leading up to both the PIF Leaders Meeting in Port Moresby and again before COP21 negotiations, SPREP had circulated fifteen briefing papers on the different issues. These papers were produced to help the Pacific islands prepare their national stances by providing them with an overview of the current status of the negotiations leading into Paris[557]. However, the most important contribution regional organisations offered Pacific island states was the institutional knowledge on the processes and issues of the COP, and the strategies by which negotiators and leaders can

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[555] USP, "USP students in COP 19 meeting," University of the South Pacific https://www.usp.ac.fj/news/story.php?id=1386.

[556] "USP's emerging Climate Leaders to support the Pacific at COP21," University of the South Pacific https://www.usp.ac.fj/news/story.php?id=1976; ibid.

[557] SPREP, "Secretariat of the Pacific Regional Environment Programme Annual Report 2015," ed. SPREP (Apia: Secretariat of the Pacific Regional Environment Programme, 2016), 13.

engage effectively. In a timeline of international and regional meetings that seemed serendipitous, the pronouncement by leaders for states to work together would give teeth to the pre-scheduled SPREP organised HLSM in Apia of November[558].

The Pacific High-Level Support Mechanism (SPREP and CROP Plus)

The HLSM training provided a platform for delegations from the Pacific to develop their joint plan of action, in collaboration with various CROP regional organisations. This was of vital importance as a similar training session held earlier in May helped prepare negotiators for the Bonn ADP sessions. The November meeting would not only focus on training for negotiators but more importantly ministers that will attend the upcoming COP in Paris. The German based and funded NGO, Climate Analytics, provided UNFCCC negotiation training and political briefings, a service not only for the Pacific, but other small island states such as the Caribbean and states under least developing countries[559]. For Climate Analytics it was a role that cemented their leadership and influence in both the AOSIS and LDC coalitions.

However, the November meeting was run as an intensive three-day session of political negotiations and media training, in a secluded resort. This isolation tactic not only allowed countries to strategise and align coordinating positions before Paris, but also fostered close and trusting negotiator relationships among state negotiators and the regional organisation support team. This joint plan of action to work together would become known as the One CROP Team[560]. Beyond CROP agencies, there was also the inclusion of partners like PIDF and various UN agencies based in the Pacific, and some thought the name of One CROP Team Plus seemed more appropriate. On top of the negotiation simulation exercises, a communication campaign initiative, Pacific Voyage to COP21, also known through the hashtag #4PacIslands, was established to promote Pacific voices in the negotiations. The strategy was coordinated through SPREP and was intended to include collaborations via press conferences, exhibition booths, as well

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[558] The HLSM initiative was also carried out at the national level throughout 2015 in training sessions were held in Fiji, Tonga, Vanuatu and the Federated States of Micronesia, which was also attended by Palau and the Republic of the Marshall Islands. This training provided Pacifi delegations with a 'feel' for how negotiations work.

[559] Climate Analytics.

[560] SPREP, "Secretariat of the Pacific Regional Environment Programme Annual Report 2015," 13.

as support for regional media journalists to attend and report on the conference through traditional and social media. Apart from the organisations associated with CROP and PIDF, outside of the region, the PSIDS New York chair and representatives played a pivotal role in the HLSM preparations

PSIDS New York

Heralded by one Pacific scholar as arguably the strongest example of Pacific collective diplomacy[561], PSIDS was the name given to a negotiation bloc of the 12 Pacific island states with permanent representative missions at the UN headquarters in New York. It had previously interacted in UN politics as the Forum Group, when it included Australia and New Zealand, while others referred to the group as the Black SOPAC group[562]. However, due to regional voting rules and differences in positions at the UN[563] the negotiation bloc concentrated on the affairs of island states. Since 2009, the work of the bloc revolved around the UN agenda in New York on security, human rights, and sustainable development. Except for Papua New Guinea and Fiji[564], all other missions were also active in the climate change negotiations in Bonn.

The PSIDS group of ambassadors provided both the leadership and the links between capitals and the work of AOSIS coalition, as well as the wider UNFCCC structure. With the AOSIS chair residing in New York, the collective would communicate key strategies and positions pursued by the small island states coalition to officials in the Pacific. With their knowledge and experience of the political processes of UN meetings, the diplomats in New York, it was expected, would guide technical negotiators and provide leadership during climate change negotiations. After all most of the ambassadors were accorded head of delegation status in the UNFCCC process. A pivotal strategy was ensuring there was Pacific representation in the allocated SIDS

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[561] Manoa.

[562] According to one Pacific official, before PSIDS a small informal of Pacific island negotiators worked independently from the PIF Group in New York, without New Zealand and Australia involvement in the UN sustainable development negotiations (that led to the Millennium Development Goals. The informal grouping mainly comprising of deputy permanent representatives were nicknamed the Black SOPACs.

[563] Manoa, 93.

[564] Diplomats from these missions were not involved in climate change negotiations. Officials from the capital Suva and Port Moresby took the lead in these discussions.

seats within the UNFCCC body. Some of these seats included the Vice President of the UNFCCC Bureau, and the Executive Board of the Green Climate Fund and were usually selected from within the group of ambassadors.

COP21 Pre-Negotiation Phase

One Conference, Five Meetings: COP21, CMP11, SBI43, SBSTA43, ADP2-12

The Paris Climate Change Conference was a mega-conference consisting of 12 days of multilateral negotiations, in which five meetings would take place (see Table 16). These meetings would take place most, if not all, at the same time. The program of the conference was divided into two weeks. In the first week of November 29-December 5, the 43rd sessions of the Subsidiary Body for Implementation (SBI43) and the Subsidiary Body for Scientific and Technological Advice (SBSTA43) met to finalise outstanding decisions and reports relating to the mechanisms under the Kyoto Protocol. The decisions from these negotiations were then finalised in the second week as part of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP11). Meanwhile, the process attempting to complete the negotiations of the draft text agreement for a post 2020 climate change agenda or ADP2-12 had until December 5 before handing over to the French chair of the 21st session of the COP in the second week. In amongst the COP21 session, the French presidency scheduled a special High-Level Segment on November 30 where more than 150 leaders were confirmed in attendance.

Table 16. Paris Climate Change Conference 2015 official program and schedule of meetings

Nov 23- Nov 28	Pre-sessional (LDC (23/24), African Group (25/26), SIDS/AOSIS (25/26) and G-77 (27/28) preparatory meetings
Nov 29- Dec 6	Leaders High-Level Segment (Nov 30)
	SBSTA Meetings (Conclusion of agenda for COP/CMP)
	SBI Meetings (Conclusion of agenda for COP/CMP)
	ADP2-12 Meetings (Draft of Paris Outcome)
Dec 7-Dec 11	High-Level Segment of COP21 and CMP 11 (Finalise and approve work from SBSTA and SBI)
	Comité de Paris (Finalise draft of Paris Agreement from ADP)
Dec 12	*(extra day)* Comité de Paris

A seemingly straightforward and simple program of two negotiations process-

one that negotiated the current regime under Kyoto which ends in 2020, and the other negotiating a new regime for post 2020 - was in fact a complicated affair. The description in Chapter Three of the numerous structural layers of negotiating chambers during a COP would confuse and overwhelm any first time negotiator. Negotiations move at a rapid pace with negotiators having their own language that would prove difficult for those unfamiliar with the process. With so much information to absorb at one time, as one Pacific regional organisation official remarked during a leaders' meeting, it is like "drinking from a firehose…everyone is overloaded"[565].

Heading into the twelfth and final ADP session, there was goodwill and momentum in the negotiations after the ADP2-11 meeting in October. This was despite the slow pace of ADP 2-9 in June and major disagreements amongst parties in ADP 2-10 during August. In the October meeting, a revised text by the ADP Co-Chairs found favour amongst parties which allowed agreement to dramatically cut the text from 85 to 41 pages. This new draft text would be given the title 'Paris Outcome draft'[566]. Parties had consented to a new modality understanding that no new text would be inserted into the agreement; instead the focus was on finding a compromise in the options already identified in the text, and if there were any strong reservations ensuring that they be listed in a non-paper[567]. This meant that new agendas like that proposed by Pacific states under the Suva declaration of ocean payment mechanisms or a moratorium on fossil fuels would receive no welcome by other parties. The parties leading into Paris agreed to focus on the draft text at hand, as they feared opening the negotiation agenda. Furthermore, as a sign of negotiators goodwill and in part the urgency to finalise the draft text as much as possible, the ADP group agreed to add an extra day's negotiation

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[565] Pacific regional organisation head, remarks and presentation at the PIF leaders meeting, September 9, 2015.

[566] UNFCCC, "ADP2-12 Draft Paris Outcome " in *Revised draft conclusions proposed by the Co-Chairs*, ed. UNFCCC (Paris: United Nations Framework Convention on Climate Change, 2015).

[567] ENB, "Paris Climate Change Conference 29 November-12 December, Daily Report Monday 30 November 2015."

to convene one day earlier on November 29. But before negotiations took place, as per UNFCCC practice, a week of preparatory meetings for the various coalitions took place.

Inside: AOSIS Preparatory

At the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in downtown Paris, the multiple UNFCCC inter-state coalitions convened to undertake a stocktake of both common positions of each group, and also their negotiators. This would prove essential for AOSIS in its first preparatory meeting. In the most pivotal of all meetings, the Maldives Chair needed to ensure that its lead coordinators from throughout the ADP process would be present to continue their work. Fortunately, at least one of the two lead negotiators per coordination group were able to attend. The strategy for the coalition changed from the previous meeting. Instead of just focussing on the four priority issues of legal, adaptation/loss and damage, adaptation, mitigation and finance; the alliance's attention expanded to include new coordination groups – capacity, technology transparency and two additional specific group- preamble, and loss and damage. The latter reflected the separation of the loss and damage from the adaptation text in the new draft Paris outcome, an outcome that was a product of not just the LDC and AOSIS coalitions but the work of Tuvalu.

There was acute awareness that the final meetings in the coming two weeks would not only rely on the relationships and collaborations of technical negotiators but include the politics of leaders and their national interests. While negotiations focussed on the finer details of a proposed agreement, the involvement of 'political masters' meant balancing issues that were beyond the climate change regime, from trade and security to development aid. The dynamics of the negotiations would mean political leaders were apprised of AOSIS' common positions, with the hope that these positions were articulated in leaders' persuasive speeches and debates. During the two-day preparatory meeting for AOSIS on November 24 and 25, delegations were asked to say which political leaders were attending the leaders High-Level Segment of COP21, and especially leaders participating throughout the next two weeks of negotiations. Seasoned negotiators reminded the coalition plenary of past COP processes such as the Durban COP17 Indaba process and the Lima ministerial process, where at the final moments of decision making only officials with ministerial positions were allowed access to the room. In anticipation of a similar situation, the AOSIS coordination groups

were tasked to prepare daily briefing notes and talking points for leaders and heads of delegations.

The AOSIS coalition plenary would be the site not only for individual delegations to gather, but also the smaller sub groups with allegiance to the small islands collective to regroup. As indicated in Chapters Three and Four, AOSIS was a coalition bound by the shared identity of vulnerable island states. At the same time the islands grouping emanated from three inter-regional geographical regional subgroups: Pacific, Caribbean and AIMS (African, Indian and Mediterranean states). Throughout the year, the Caribbean island states under the regional political stewardship of the Caribbean Community were actively engaged in the ADP negotiations. The AOSIS preparatory meeting provided a platform for the chair of the group, Barbados, to inform the small islands grouping of their regional positions. Although there was no active association amongst the AIMS countries, there was a general understanding that the four Indian Ocean states of Maldives, Mauritius, Comoros and Seychelles collaborated on UNFCCC issues through their UN permanent representative offices[568]. As for states from the Pacific, the AOSIS preparatory meeting became the platform for the reinvigorated Pacific SIDS-CROP Plus collective to begin its work.

Inside: Pacific SIDS Preparatory

Confirming a Pacific negotiation strategy

In the Bonn ADP2-9 session six months earlier, attempts by Pacific delegates to work effectively as a regional group were challenged by the absence of a political mandate. This all changed with the various regional political declarations in September that called for a collective united Pacific voice in the negotiations. These declarations signalled collaboration by regional organisations under CROP, PIDF and the UN New York based negotiation bloc PSIDS to work under the CROP Plus enterprise to support national delegations. The preparatory meeting in early November at the SPREP HLSM in Apia initiated discussion on strategies for the group to take to Paris, but more

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[568] This statement was corroborated by three Pacific/AOSIS negotiators (Talanoa 9, 13, 20), in discussion-talanoa with the author, November 17 and 18, 2015.

importantly the consent amongst negotiators for the PSIDS modality of negotiations to lead the process.

During the lunch hour of the first day of AOSIS preparatory meetings, the chair of PSIDS and Tongan ambassador to the UN called for a special meeting for all Pacific delegates. In a corner of the plenary room, just under 50 negotiators huddled to confirm the process of how a Pacific SIDS-CROP Plus would operate in the next three weeks. Member delegates confirmed the discussions in Apia, and there was consent for Tonga to lead in the mobilisation of the Pacific group. Furthermore, it was confirmed in the meeting that PIF officials would act as the secretariat to arrange logistical support.

There was no disagreement in using Pacific SIDS as the identifier name for the group, as well as having meetings three times a week – Monday, Wednesday and Fridays. These meetings would be open to all delegates from the Pacific and act as the coalition plenary, while a separate process for heads of delegation meetings would take place ad hoc under the guidance of the Tongan chair. Needless to say, members acknowledged in the first preparatory meeting that the most immediate task for the small delegations would be to support leaders attending the upcoming High-Level Segment of COP21.

Figure 3 and Figure 4. Images of negotiators from the Pacific at the Pacific SIDS preparatory meeting on November 26, 2015. Photographs by author.

Uneasiness within the group

On the third day of the preparatory week, on November 26 the Pacific SIDS group met again during the mid-morning break, this time with a sense of urgency and panic amongst negotiators. The scheduled France-Oceania Summit would take place only a

few miles away, where the French President would indicate France's regional partnerships with Pacific leaders and heads of regional organisations. There were intermittent reports from the meeting that key issues discussed in COP21 were being discussed at the leaders' level. A draft of the France-Oceania Summit communiqué was negotiated by officials the night before, some of whom were involved in the UNFCCC negotiations. These negotiators would share with the rest of the Pacific SIDS network the fears that the communiqué did not have an ambitious text on 1.5 degrees, and there was not a strong stance on loss and damage. The request from those in the drafting room of the Summit was for UNFCCC negotiators to be part of the drafting team. The twenty-minute meeting discussed the fears of negotiators that leaders might be cornered into agreeing to terms that would jeopardise the red lines already in place. In a hastened but orderly fashion, key negotiators with high-level access to the summit left the UNESCO venue to provide guidance and support for leaders. This event illuminated the uncertainty held by negotiators of the involvement of political leaders, not just by Pacific delegates but by all parties to the UNFCCC process. There was uneasiness not only amongst parties, but also within delegations about what political leaders might agree to that could unravel the work of negotiators for the past three years. While little was to come of the final communiqué of the French-Oceania Summit[569], this example proved the point of how rumours of a possible secret deal could derail the process that negotiators agreed to.

Multi-actor Team

While overcoming the political sensitivities of a regional grouping the initial Pacific SIDS preparatory meetings highlighted a key feature shared amongst all Pacific delegations, who were all multi-actor and eclectic in their compositions. Delegations from the Pacific, as in many UNFCCC meetings, were not solely composed of government officials but included many non-state actors (see Table 17). In this most pivotal of all meetings, Pacific states sent their most influential negotiators, but also represented in the delegation were states' special partnerships with international, regional and national NGOs. Although 38,000 were registered to attend COP21, only 15,000 were state officials with direct access inside the negotiations from the 197

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[569] France-Oceania Summit, "Declaration of the Fourth France-Oceania Summit, Paris 26 November 2015," (Paris: France-Oceania Summit 2015).

participating parties. However, only 375 officials or 'pink badge' negotiators would represent the 14 Pacific island states. Papua New Guinea, Fiji, Palau, Marshall Islands and Tuvalu would send the most officials with more than 35 delegates each; while Niue would not be represented by a state official but by the international NGO Climate Policy Watch. Most Pacific states were represented by their leaders, except Solomon Islands, Vanuatu and Tonga who were represented at the High-Level Segment by their ministers.

Most government official delegates were limited to the two UNFCCC paid delegates and were mainly from government departments or agencies that carried out climate change policy and projects on the ground. There was a notably high number of foreign affairs officials and state diplomats posted at missions in Geneva, Brussels and New York, where the majority of their work focussed on protocol support for leaders and their bilateral meetings during the multilateral forum.

Contributions and the permanence of NGOs

The most notable feature of the delegations was the strong presence and lobbying capacity of NGOs. As indicated in Chapter Three and Four, NGO representatives have been part and parcel of Pacific delegations since the early days of the climate regime. They have worked alongside government officials in providing the essential scientific and issue-related research during the negotiations. During the ADP negotiations throughout the year, a handful of NGOs were consistently part of the process: Climate Analytics, Independent Diplomat, Islands First, Environmental Law, and for the regional organisations SPREP and USP, as outlined in Table 18.

By the time of the Paris meeting there would be a stark increase in the number and type of NGOs attending. According to delegates the majority represented special relations these NGOs had with Pacific governments or their leaders. This included Kiribati's President special relationship with Climate Institute and The National Conservatory; the Palau government had a special affiliation with ocean management/biodiversity NGOs like Conservation International and Mission Blue to name a few; while Marshall Islands (most notably its Foreign Minister Tony de Brum) throughout the years had maintained a close working relationship with international climate change lawyers from the firms

Independent Diplomat, Track 0 and Energia. Scholars and students from universities including USP, the University of California, Yale University and the Australian National University found their way into the delegations because of their research. Pacific delegations, notably Palau and Tuvalu, would also be the door through which Taiwanese government officials were able to participate in the negotiations without the interference of China. Meanwhile the notable private sector participation from the PNG delegation were cooperatives and individuals involved in the REDD Plus initiatives and forest conservation projects who mainly attended side events.

Other than financially supporting their own delegates, governments relied on the generosity of other states (like Taiwan) and NGOs to help fund their participation. Most if not all NGOs were self-funded to attend the meetings under the flag of Pacific states. This multi-actor feature in delegation teams, was not unique to Pacific state delegations but applied to many developing states. In the coalition plenaries of AOSIS and G-77, as well as anecdotal reports from LDC meetings, it was not unusual for someone of European descent to be speaking on behalf of a Pacific or African state.

Table 17. Pacific officials delegation composition at COP21

	Govt Officials (Capital)	Govt Diplomat (NY)	Reg. Orgn.	Intl Consult NGO	Reg / Local Consult NGO	Media	Private Sector	Academia	TOTAL
Cook Islands	8		3	1	1	1		1	15
Fiji	26	2	6		5	1		2	42
Kiribati	13			6	2	2		4	27
Marshall Islands	15	4		12	8				39
Micronesia (Federated)	9	2		8	2				21
Nauru	10	2			1				13
Niue	0	4		4					4
Palau	12	1		10			4	14	41
Papua New Guinea	44	1		3	1		6	2	57
Samoa	7	1	4					1	13
Solomon Islands	12	1	1				6	2	22
Tonga	10	1	2	2	1				16
Tuvalu	20	4					9	2	35

	Vanuatu	19		5	1	3		1		1	30
	State Actors- 224			**Non-State Actors in Official Delegations- 151**							**375**

Table 18. Pacific Delegations Breakdown of Ministers and Non-State Representation

	Total	Ministerial Representation	Non-state Representation
Cook Islands	**15**	Prime Minister	SPREP, Environmental Law, Media
Fiji	**42**	Prime Minister + 5 Ministers	SPC, PIDF, USP, Media
Kiribati	**27**	President + 1 Minister	Conservation International, Climate Institute (Australia), 4 students
Marshall Islands	**39**	Prime Minister + 2 Ministers	USP, Energia, Independent Diplomat, Track 0, Pacific 350
(Federated) Micronesia	**21**	President	Institute for Governance and Sustainable Development, The Nature Conservancy, Law of Nature Foundation
Nauru	**13**	President + 1 Minister	
Niue	**4**	*No officials attended*	Climate Policy Watch NGOs attended on behalf of Niue
Palau	**41**	President + 1 Minister	Taiwan, Mission Blue, Conservation Institute, Earth Justice, Climate Policy Watch, Climate Analytics, Islands First, Uni Carolina, Yale Uni
Papua New Guinea	**57**	Prime Minister + 4 Ministers	Rain Forest Coalition, PNG Forest Landowner Groups, Pogera Alliance, University of PNG
Samoa	**13**	Prime Minister	SPREP, Australian National University
Solomon Islands	**22**	Minister	USP
Tonga	**16**	Deputy Prime Minister	SPREP, UNDP Pacific, Red Cross
Tuvalu	**35**	Prime Minister + 1 Minister	Taiwan
Vanuatu	**30**	2 Ministers	PIF, USP, UN, Pacific 350

COP21 Negotiations Phase

Leaders High-Level Segment

There was an atmosphere of high anticipation to conclude years of hard toil in the official opening of negotiations on November 30. While ADP negotiations started a day earlier and had been conducted in smaller chamber rooms, the ceremonial proceedings of the Paris Climate Conference took place in the main plenary rooms of the Le Bourget venue. In accepting the invitations by UN General Secretary Ban Ki Moon and the French President François Hollande, more than 150 state leaders attended the special

High-Level Segment. This auspicious event would be the only time outside the annual UN General Assembly meetings to bring so many state leaders together.

The involvement of leaders at the beginning of the conference was essential in establishing political will and was an attempt not to repeat the failures of past diplomatic endeavours in the climate regime. Steering away from the infamous Copenhagen COP15 diplomatic formula where secret deals were made by leaders of developed economies in the final moments, the High-Level Segment at the beginning was seen by some as preserving the integrity of leaders if negotiations collapsed in the final days. At the very least leaders would only take part in setting the agenda of the negotiations and then leave Paris. This would leave ministers and lead negotiators to negotiate the details of the proposed agreement. Needless to say, the segment was more than a platform for the proclamation of climate policies and aspirations by leaders through persuasive speeches. It was a signal of global political will shared by the participating states: from small island states, to developing and emerging economies, to the more developed and industrialised countries.

Statements by Pacific Leaders

For Pacific leaders present at the High-Level Segment it was an opportunity to articulate key issues that were at the heart of the concerns of Pacific states. The Cook Islands' Prime Minister Henry Puna argued that "we didn't cause the environmental problem, but we want to be part of the solution…that is act with solidarity and unity as a global family, the time for action is now".[570] The impacts of climate change had brought danger to the small island states which prompted Federated State of Micronesia President Peter Christian to call on the UN to declare a global state of emergency due to climate change[571]. In noting the political choices that states had to make in the weeks of negotiations, the Fijian Prime Minister Josaia Voreqe Bainimarama described the conundrum as:

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[570] Henry Puna, "Statement by Prime Minister of Cook Islands H.E. Henry Puna at Leaders Event Opening of COP21," UNFCCC https://unfccc6.meta-fusion.com/cop21/events/2015-11-30-14-45-leaders-event

[571] Peter M. Christian, "Statement by President of the Federated States of Micronesia H.E. Peter M. Christian at Leaders Event Opening of COP21," ibid.
https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_micronesia.pdf.

It is whether to side with what I have called the *coalition of the selfish on climate change* – those nations bereft of vision, obsessed with short-term economic gain and betraying the long-term interests of their people. Or to side with us in the *coalition for action on climate change* – those nations led by men and women who are enlightened, bold and accept the irrefutable evidence. And who have the long-term interests of both their people at heart and the long-term interests of the planet we all call home[572].

On issues specific to the negotiations, Papua New Guinea's Prime Minister Peter O'Neill pursued what he called "the most effective mitigation option available in the world…to anchor the REDD Plus Mechanism and its accompanying decisions" in the new agreement[573]. Samoa's Prime Minister Tuilaepa Sailele Malielegaoi cautioned that despite achieving an agreement "it will take a long time to effect, and our countries will continue to suffer until climate change is reversed…that is the reason why we consider Loss and Damage an essential part of the Agreement"[574]. The consideration for loss and damage to be anchored in the agreement was more pronounced in the eloquent words of Tuvalu's Prime Minister Enele Sopoaga, who called for a permanent mechanism for loss and damage to be anchored in the 'treaty' with easy access to predictable finance[575]. Mitigation and the need for strong ambition from all parties in limiting warming to below 1.5 degrees, ratcheting up national targets every five years were central in Marshall Islands President Christopher Loeak's statement, which declared that "COP21 must be a turning point in history, and one that gives us hope".[576]And although its key issues were not part of the negotiations agenda, Kiribati President

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[572] Josaia Voreqe Bainimarama, "Statement by Prime Minister of Fiji Josaia Voreqe Bainimarama at Leaders Event Opening of COP21," ibid.
https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_fiji.pdf.

[573] Peter Paire O'Neill, "Statement by Prime Minister of Papua New Guiinea Peter O'Neill at Leaders Event Opening of COP21," ibid.
https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_papua_new_guinea.pdf.

[574] Tuilaepa Sailele Malielegaoi, "Statement by Prime Minister of Samoa Tuilaepa Sailele Malielegaoi at Leaders Event Opening of COP21," ibid.
https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_samoa.pdf.

[575] Enele Sopoaga, "Statement by Prime Minister of Tuvalu Hon Enele Sopoaga at Leaders Event Opening of COP21," ibid. https://unfccc.int/process/conferences/past-conferences/paris-climate-change-conference-november-2015/statements-and-resources/statements-made-during-the-leaders-event.

[576] Christopher J. Loeak, "Statement by President of the Marshall Islands Christopher Loeak at Leaders Event Opening of COP21," ibid.
https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_marshall_islands.pdf.

Anote Tong took the opportunity to remind the global audience of the plight of frontline states and a call from the Pacific for a global moratorium on new investments in coal mines[577].

Overall, the statements by Pacific and other world leaders affirmed their faith in the UNFCCC process and the need for a global solution that involved commitments and contributions by all parties. More importantly, these statements prompted a pre-condition that a consensus was expected by the end of the two weeks negotiations. But as Nauru's president Baron Waqa cautioned delegates about rhetorical affirmation,

> "we have grown complacent in our inspirational rhetoric and good intentions…But this all must change here in Paris. Vulnerable countries and communities alone can no longer be left to pay the price of climate change"[578].

With the pomp and ceremony of the High-Level Segment, and the protocol work of catering to leaders, the real work on negotiations would formally begin. As one negotiator was reported to have said, "nothing gets done while the leaders are here"[579]. As the majority of leaders departed, the focus for all remaining delegates would be in the finer details of the Paris Outcome draft.

ADP2-12: Technical Negotiators Refining the Final Text

From November 29 until December 5, the twelfth and final session of the ADP took place. There was a clear understanding amongst all parties, especially during the preparatory week, that the work of the ad hoc group would not conclude in a final agreed text. However, there was an earnest acknowledgement by technical negotiators, most of whom had participated in the ADP process for years, that the next seven days would be their final chance to control the conditions of negotiations. Any unresolved

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[577] Anote Tong, "Statement by President of Kiribati Anote Tong at Leaders Event Opening of COP21," ibid. https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_kiribati.pdf.

[578] Baron Waqa, "Statement by President of Nauru Baron Waqa at Leaders Event Opening of COP21," ibid. https://unfccc.int/sites/default/files/cop21cmp11_leaders_event_nauru.pdf.

[579] ENB, "Paris Climate Change Conference 29 November 12 December 2015, Daily Report Tuesday 1 December 2015," ed. Earth Negotiations Bulletin (Paris: International Institute for Sustainable Development, 2015).

disagreements in the draft Paris Outcome by the end of the week would be at the mercy of a higher political level where ministers, special envoys, ambassadors and heads of delegations would control the process.

During the first week more than 150 negotiating informal groups, mainly open to official delegates and not observers, met in parallel[580]. This presented an inevitable problem of coordination and communication, especially for small delegations seeking to follow and synthesise changes proposed in multiple venues. The traditional negotiation blocs or coalitions have over the years built systems and processes to try and minimise this problem. The daily coalition coordination meetings in the mornings and evenings (for AOSIS, LDC, G-77) and some in the afternoons (CfRN and Pacific SIDS) were useful in summarising and providing a bigger picture on the state of negotiations. But the most effective way to obtain up to the minute information was to join the various coalitions' coordination groups. Apart from face to face coordination group meetings, the marvels of technology and social media such as skype, WhatsApp, Facebook messenger and group email accounts revealed any blocks or potential breakthroughs from the informal sessions. Figure 5 is a snapshot image of the AOSIS Finance Coordination group WhatsApp account, that details the of information and strategising among members of the coordination group.

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[580] Peter Christoff, "The promissory note: COP 21 and the Paris Climate Agreement," *Environmental Politics* 25, no. 5 (2016): 773.
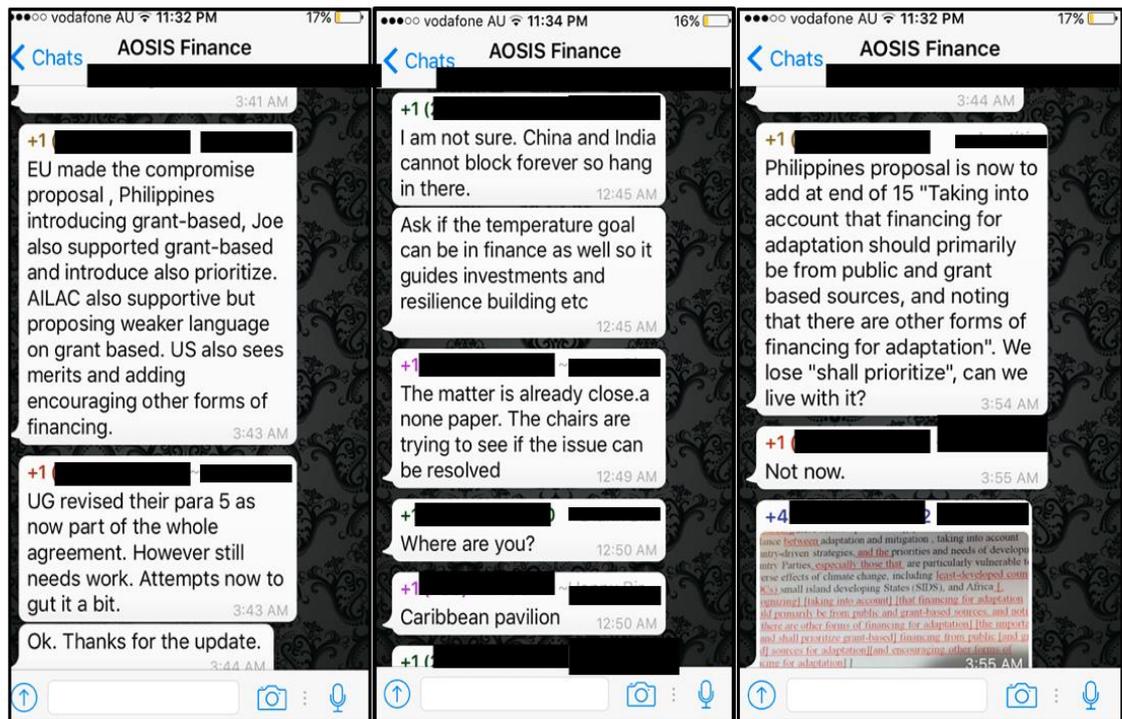
Figure 5. Image of WhatsApp AOSIS Finance Coordination Group during COP21 negotiations. Image provided by author.

The modality of negotiations in ADP2-12 continued as it had been in the Bonn meetings under the leadership of the Co-Chairs from Algeria and the U.S.. Negotiators and the UNFCCC secretariat struggled to reduce the text to manageable proportions. There were repeated attempts to incorporate references to aspects of sustainable development and rights discourses in ways that reflected the breadth of concerns captured in Agenda 21[581]. The ADP contact group persisted as the main plenary where the stocktake of all decisions from the twelve negotiating informal groups would be tabled. Each meeting of the contact group began with reports back from the co-facilitators of the spin-off groups. Unlike previous ADP sessions, because of the time pressure the negotiation process would see the contact group meet daily in the morning at 10.00am and in the evenings at 5.00pm. Meanwhile the various informal negotiating groups and the multiple informal spinoff negotiations associated to the ADP issues would occur throughout the day. Matters not assigned to specific spin-off groups were discussed in the contact group, including both decision and agreement text. Although the general rules of UN meeting times encouraged parties not to go beyond 6.00pm, if parties

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[581] Most of these elements were eventually cordoned off in the preamble to the Agreement.

consented, negotiations continued. This loop hole was used by many of the informal negotiating groups and the spin-off sessions to extend negotiations well into the night, with some finishing at 3.00am. Some notable meetings that took place after midnight in which Pacific negotiators were present included spin-offs in mitigation, adaptation and loss and damage.

By Friday December 4 the various informal negotiating groups and spinoff sessions had completed their work. Parties agreed that the ADP Co-Chairs would produce an updated, clean and streamlined text, with clear options, developed in consultation with spin-off group co-facilitators. The Co-Chairs in return would produce two documents, a revised draft agreement and decision text on workstreams 1 and 2, *the compilation text*, and a document containing the work of the ADP contact group incorporating bridging proposals by the co-facilitators, which was *the compilation text with bridging proposals.*[582] These two documents would serve as the outcome of the ADP process, adopted by the ADP on Saturday, 5 December, and subsequently forwarded to the incoming French presidency for the COP. By this point the draft of the Paris Outcome text had come down to 43 pages, but there were still 800 brackets of options that parties needed to resolve[583].

Established Coalitions and the ad hoc Pacific SIDS coalition in the Negotiations

Within the ADP modality of negotiations, coalitions and their lead coordinators would remain the most influential actors. Whilst Pacific delegates continued to support AOSIS, LDC, CfRN and G-77, there was also a growing consciousness that Pacific SIDS needed to have an active role. Cracks started to emerge in the G-77 in the African, ALBA and Landlocked Mountainous coalitions with disagreements on the issue of vulnerability and the *do no harm policy*. The latter referred to the principle in the G-77 that states should not pursue issues in the climate change regime that impinged or limited the development aspirations of countries, a position stonily pursued by emerging

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[582] ENB, "Summary of the Paris Climate Change Conference 29 November-12 December 2015," ed. Earth Negotiations Bulletin (Paris: International Institute for Sustainable Development, 2015).

[583] UNFCCC, "ADP2-12 Draft Paris Outcome ".

economies such as China, India, Brazil and the oil producing nation of Saudi Arabia[584]. The cohesiveness of the global south became shaky as the various coalitions attempted to assert special consideration status or special vulnerability as a way to gain special access to any new agreements on financing for mitigation and adaptation. Only small island states had been accorded special consideration from the early days of UNFCCC. While this continued to be a priority for AOSIS, Pacific delegations made clear that the Pacific SIDS coalition should be active in the talks.

Inside: Pacific SIDS and Negotiations

Despite the ecstatic atmosphere at the Pacific SIDS meeting in the preparatory week, when the group met for the first time during the negotiations on December 2 there was an air of uneasiness. With most Pacific leaders having left Paris, delegates were able to concentrate on the negotiations. As one delegate said in a statement during the meeting, "our Leaders have eloquently reaffirmed and conveyed our issues during the Leaders' segment yesterday and the onus is on us as officials and technicians to take (operationalise) these messages in the negotiations"[585]. The rapid process and multiple negotiation venues at one time were starting to take a toll. The meeting started with reservations of particular states about the benefit of another coalition when AOSIS was already making advancement on speaking on behalf of Pacific states. Senior officials spoke on duplication of interests and an added layer of work for negotiators; while others indicated that the work of Pacific SIDS was too late in mobilising positions in Paris. The negotiations were moving rapidly and there was little time to mobilise and write new positions. Many of the reservations made by delegates were not verbalised in previous discussion in the previous preparatory week coalition meetings or regional HLSM. Some delegates highlighted that the positions carried by AOSIS were originating and pursued by Caribbean negotiators, and in the same way there needed to be more Pacific negotiators if not speaking, then following the AOSIS and G-77 coordinators closely.

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[584] In numerous G77 meetings these states would reiterate the do no harm policy to remind member countries of obligations to the development agenda- over climate change demands.

[585] Pacific negotiator remarks during closed Pacific SIDS meeting, December 2, 2015.

However, after delegates were able to speak on uncertainties the focus of attention then shifted to what can be done. What was clear from the challenges raised by delegates was the need for visibility of Pacific negotiators in the current negotiations. "While the question of small delegation size is always an issue, however it is important that we step up and enhance our collective visibilities in the process now and into the future strategically positioning our region vis-à-vis the constraints/challenges we confront as island states"[586]. Although the group valued and supported the work of AOSIS, states felt that issues on loss and damage, 1.5 degrees and special consideration needed more emphasis. It was noted by negotiators who were present in the October ADP2-11 session that four informal coordination groups were established (Finance, Loss and Damage, Adaptation, Mitigation) and that they would be reinvigorated for the final negotiations. The CROP Plus organisations were encouraged to support delegate officials, and ministers in the coming week by providing technical support.

Figure 6. Image inside Pacific SIDS coordination meeting on December 3, 2015. Photograph by author.

A proposal by one of the states to confirm a negotiating team, with the Tongan chair as the lead negotiator and coordinators from the four groups to speak on behalf of Pacific SIDS, did not find favour among all parties. The membership were more in favour of having the points of contacts for the Pacific SIDS coordination groups collect and share information—and especially mobilise negotiators from the Pacific inside the various coordination groups of AOSIS, LDC and G-77. However, if there were positions the major coalitions pursued that were not in favour of Pacific states, the Pacific SIDS

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[586] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, December 3, 2017.

coordinators were encouraged to speak on behalf of the group. These occasions occurred mainly in the informal spinoff sessions, where Pacific SIDS coordinators made interventions on draft texts that were as seen as red lines for Pacific states.

Figure 7. Image of Pacific SIDS huddle during ADP 2-12 spin-off negotiations on adaptation December 4, 2015. Photograph by author.

The progress of the ADP negotiations process was dependent on the relationships of negotiators mainly formed from working within coalitions, but also the confines of working with parties from across the table. Despite representing various state and coalition interests, seasoned negotiators had formed special working relationships with counterparts throughout the years. This meant understanding that negotiators have a professional role in delivering the positions of their states or coalitions inside the chambers. As one Pacific negotiator testified,

> I have learnt to survive in the negotiations by leaving my emotions and personal views outside the room. In my early days after a long day, I would go to my hotel room and cry; confused as to why these countries support such a decision. But I realised my counterparts are only doing their job, just as I am. Once a negotiation session was complete, we would have coffee and learn about each other's work on climate change, and their families. It is through these personal exchanges that I am able to understand where they are coming from, and if possible find a compromise. But our resolve remains our countries' red lines[587].

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[587] Pacific negotiator (Talanoa 34), in discussion-talanoa with the author, December 4, 2015.

When the ADP process had come to an end, the focus of the various coalitions and that of the newly formed Pacific SIDS changed approaches. With ministers and lead negotiators expected to have a more active role in the negotiations, the role of coalitions was relegated to information sharing hubs. No longer would the unwritten rules of technical lead coordinators speak on behalf of a group; in the final week or consensus point of negotiations this opportunity would be the prerogative of individual states. While coalitions included NGOs within delegations, in the final stretch it would be the ministers or appointed heads of delegations who would pursue and iron out disagreements.

COP21 Agreement Phase: Global Consensus Point

The official start of COP21 in the second week December 7-12, when the chair changed from Peru to France, would prove to be the consensus point in the negotiations. The official program of the COP/CMP would be carried out during the day to finalise decisions approved by SBSTA and SBI. This official agenda did not, however, include the negotiations of the draft Paris Outcome. These negotiations would again take place in the Le Bourget plenary theatres. The finalisation of the Paris Outcome would be completed under the negotiation process of the Comité de Paris, or the Paris Committee.

Inside: Comité de Paris

French diplomatic flair

The French Foreign Minister Laurent Fabius was nominated as the COP 21 President, and along with the UNFCCC secretariat, given the responsibility of a diplomatic endeavour to complete the negotiations. When he accepted the ADP incomplete draft text of the Paris Outcome Fabius outlined an open-ended single-setting group, the Paris Committee, to make progress on the text and facilitate a compromise. The committee would work under the principle, inter alia, of "nothing is agreed until everything is agreed"[588] and where footage of the meetings would be transmitted to screens at the

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[588] ENB, "Paris Climate Change Conference 29 November-12 December 2015: Paris Highlights 7 December 2015," ed. Earth Negotiations Bulletin (Paris: International Institute for Sustainable Development, 2015).

conference site to facilitate transparency. An ambitious timeline was set where negotiations would take place and be completed within the first three days, that is, to remove all remaining 800 brackets in the draft text by Wednesday December 9, and to allow negotiations to be completed within the timeframe allocated of Friday December 11.

As the Committee was an extraordinary process and different from the usual COP/CMP program, its meetings were scheduled in the evenings after 7.00pm. This would prove testing for many, especially in the harsh winter nights of Paris. In the spirit of fairness and egalitarianism, each member party were given three tickets to enter the Committee room, irrespective of rank. Furthermore, the work of the Committee would be supported under four informal working groups facilitated by ministers to work on cross-cutting issues: support; differentiation in the context of mitigation, transparency and finance, including pre-2020 finance; ambition, long-term objectives and periodic review; and acceleration of pre-2020 ambition[589]. These facilitated groups would carry out consultations throughout the day with parties, and report back to the Committee. On the first two days, the Committee meetings finished just before midnight, with only some progress.

But it would be the French personal touch that held the negotiations together. The presidency took on an active role by carrying out numerous bilateral meetings with parties and coalitions to find compromises in the language text during the day. The diplomats were meticulous in making contact not only with parties with strong positions but also coalitions. This included three reported bilateral meetings with AOSIS, and a meeting with Pacific SIDS leadership. On the morning of December 9, COP President Fabius met with leaders, ministers and heads of delegations from the Pacific led by Tuvalu, Marshall Islands, Nauru, Fiji and Cook Islands.

[589] Ibid.

Indaba of solutions: A new process and timeline

The original timeline of the Committee to complete its work by Wednesday December 9 was in vain. Some parties were reported to be content with a revised clean text that was circulated in the late afternoon. One negotiator described the optimistic mood was a result of the Presidency "involving the ministers early and often in the process, which built relationships and facilitated constructive conversations on sticking points"[590]. Needless to say, there were reservations expressed by some states, and without a consensus the Committee reconvened in the evening with a new timeline and process proposed by the chair. This time there would be indaba or meeting of ministers and heads of delegations. States were given three tickets to enter the negotiation chambers at midnight on Wednesday and Thursday evening, but official interventions were reserved to the level of ministers. During the indaba, two parallel consultations took place, the first on differentiation, finance and ambition, facilitated by COP21 President Fabius; and the second on other issues still requiring work, such as loss and damage, response measures, cooperative approaches and mechanisms, and preamble, facilitated by COP20 President Manuel Pulgar-Vidal of Peru.

The midnight and evening sessions of COP21 would famously become known as the *indaba of solutions*[591]. The conditions in which the meeting took place were anything but comfortable. Only the seasoned negotiators and sizable delegations were prepared for the cold conditions. The thermostat temperature in the rooms dropped dramatically, as ministers were seen in the live telecast broadcast putting on extra layers of coats. Outside in the corridors, technical negotiators were seen pacing up and down, or huddling in corners trying to get compromises from fellow negotiators before reporting back via email or text messages to their political bosses in the main indaba chambers. In some corners negotiators who were awaiting instructions from inside would doze off for quick naps. The more endowed delegations had chambers in their country pavilions for ministers to rest and only come to the meetings when sticky issues were about to be

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[590] "Paris Climate Change Conference 29 November-12 December 2015: Paris Highlights 11 December 2015," ed. Earth Negotiations Bulletin (Paris: International Institute for Sustainable Development, 2015).

[591] Indabas is a tool of negotiation from the Zulu and Xhosa people of southern Africa, first introduced in climate negotiation talks in Durban in 2011. The practice adapted into the UNFCCC was restricted to high-level representation, usually ministers level, to negotiate on behalf of state.

discussed. These pavilion offices would also be the site in which these bigger states would carry their own bilateral discussion with other parties. The smaller delegations had to resort to the open café spaces around the entrances to conduct their bargaining.

The indaba of Wednesday midnight lasted until 4.00am. Throughout the Thursday, parties awaited the advice of the chair for the start of the second round of the indaba. Meanwhile the Le Bourget was abuzz from the afternoon as hordes of negotiators were seen moving from chamber to chamber, and from one country pavilion to another. Even the UN Secretary General Ban Ki Moon was reported to be engaged with parties in bilateral meetings to smooth the path towards an agreement. The various coalition coordination meetings were unusually quiet; with the focus now at the political level, it was more of a site of rumours on which delegation was meeting with who. But it would be the French Presidency and UNFCCC secretariat's unprecedented personal attention to consultations with key parties including small island nations that would prove key in concluding the negotiations.

When the indaba negotiations reconvened at 9.00pm on Thursday evening, there was optimism that a conclusion was near. The goal post for the conference to be completed by Friday December 11, was extended by twenty-four hours to allow for the work of legal and linguistic interpretation of the agreement. The key issues raised during the day by parties on differentiation, finance and ambition were the main and last issues to be negotiated in the final indaba[592]. After four hours of intense negotiations, the French chair thanked all ministers in attendance and called for an adjournment. Many were anticipating a longer session, but there were some differences which the chair had sought to meet with parties separately. The president promised that a revised text would be delivered on the morning of December 12.

In that final and pivotal week of negotiations, only a handful of ministers from the Pacific remained in Paris. Many leaders and ministers had returned to the Pacific, after a weary two months of global travel, while others like those from the Marshall Islands

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[592] ENB, "Paris Climate Change Conference 29 November-12 December 2015: Paris Highlights 11 December 2015."

were in the middle of elections. The ministers from Marshall Islands, Tuvalu and Nauru, who were in Paris, were pursuing key issues which in the absence of leaders would be watered down in the final agreement. Most notable and significant in these endeavours were Tuvalu's hard bargaining with the U.S. on loss and damage, and Marshall Islands' role in garnering a global partnership between the developed and developing nations divide through the High Ambition Coalition.

Inside: Tuvalu vs. United States of America - Loss and Damage

Throughout the ADP process, despite the multiparty negotiations, the language on loss and damage became synonymous with a tussle between the small island nation of Tuvalu and the world's biggest economy, the U.S. At the 2014 Lima COP20, the LDC and AOSIS argued for the agenda on loss and damage to incorporate some kind of compensation or redress mechanism for states that would suffer the permanent loss of environment or cultural resource due to inability to adapt to impacts of climate change. Not surprisingly this proposal met with stiff opposition from the Annex I parties, especially the U.S.[593]. As the ADP negotiations progressed throughout 2015, the LDC and AOSIS continued to pursue the issue, although it quickly became apparent that compromise would be the product of a David vs. Goliath battle, that is, the battle of Tuvalu and U.S.

The U.S. had a three-pronged strategy or options on the issue in the negotiations. Firstly, the U.S. pursued the extreme measure that the final agreement should not contain any text on loss and damage but be kept to the COP21 conference decisions. This strategy was pursued from the time of the January ADP2-8 Geneva conference, but failed when it did not receive sufficient support from LDC and AOSIS states. A second option was to incorporate loss and damage under the umbrella of the adaptation article. "Presumably they were of the view it would create significant and sufficient ambiguity over its context…. (and) direct discussions more towards risk avoidance rather than risk transfer or addressing permanent and irreversible losses and potential claims for

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[593] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, November 5, 2017.

compensation for such losses[594]". However, by the time of the ADP August and October sessions there was growing awareness and consensus by global south coalitions that loss and damage should be separated from adaptation. The final option, only relayed in the final days of the COP21, was to insist that the agreement include a clause explicitly excluding any consideration of liability or compensation[595].

While anchoring loss and damage in the agreement was a key position for LDC and AOSIS coalitions, leading this charge was Tuvalu. Tuvalu was not part of G-77, but as the lead negotiator for LDC its negotiators were invited to join the G-77 coordination group on adaptation and loss and damage at the August-September ADP Bonn session. This, as Tuvaluan Ambassador Ian Fry attests:

> "With strong leadership from Bolivia and careful text adjustments, including in relation to the concept of common but differentiated responsibilities, the G-77 and China agreed to a common text on loss and damage. This was agreed in the September session of the ADP. Loss-and-damage was no longer an exclusive issue for SIDS and LDCs. All developing countries were engaged and had an interest"[596].

The group successfully agreed on language to attain the consensus from all the smaller coalitions within the global south alliance. Tuvalu and the G-77 then agreed on the strategy that it would no longer negotiate on the text of loss and damage until the Paris negotiations[597]. With the support of the 130 plus countries behind Tuvalu, it was clear that the U.S. needed to reach out to Tuvalu. One such occasion was a special bilateral between Tuvaluan Prime Minister and U.S. Climate Change Special Envoy, Todd Stern, at the UNGA climate summit. The meeting addressed U.S. reservations of compensation in the text as a red line for President Obama's support.

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[594] Ian Fry, "Moving forward on loss and damage: Post-Paris. ," *Asia Pacific Centre for Environmental Law Climate Change Adaptation Platform* (2017), https://law.nus.edu.sg/apcel/cca/8.%20MovingForwardonLossandDamage.pdf.

[595] Ibid.

[596] "The Paris Agreement: An Insider's Perspective-The Role of Small Island Developing States," 108.

[597] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, November 5, 2017.

During the ADP2-12 sessions in the first week of December, there was only one informal meeting on loss and damage[598]. Although the informal meeting was late in the evening, there was no appetite from either Tuvalu or U.S. negotiators to move their red lines. "Undoubtedly, the French Presidency held the view that this was an issue that would be resolved by a small number of negotiators and broader discussions in a large group could easily unravel very sensitive negotiations"[599]. What was needed was a bilateral between the two parties at loggerheads, or with the most to lose/gain, Tuvalu and U.S.

The first attempt was on the evening of Tuesday December 7, where a special bilateral was organised between LDC headed by the Tuvalu Prime Minister Enele Sopoaga, and the U.S. led by its Secretary of State John Kerry. Despite some optimism at the beginning, the delegations could still not find a compromise on the language on compensation. Secretly the two leaders held a separate bilateral without the knowledge of supporting delegation negotiators. This meeting proved to be the turning point, as the leaders found a compromise for compensation to be removed in the text, while the U.S. supported loss and damage as a stand-alone article. The discussions of the leaders were then communicated to the COP presidency to initiate a second bilateral amongst selected negotiators from LDC, AOSIS, EU and Tuvalu. The bilateral agreed to create a task force for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change in the accompanying decision of the COP.

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[598] Fry, "Moving forward on loss and damage: Post-Paris. ".

[599] Ibid.

Figure 8. Image of U.S.-Tuvalu bilateral on loss and damage, on December 8, 2015. Tuvalu is led by prime minister Enele Sopoaga, and U.S. by Secretary of State John Kerry (Tuvalu is joined by Timor Leste of the LDC group).

Source: U.S. Department of State, "U.S. Secretary of State John Kerry and his team sit with Tuvaluan Prime Minister Enele Sopoaga before their bilateral meeting on the margins of the COP21 climate change summit in Paris," (Paris: US Department of State, 2015) https://www.flickr.com/photos/statephotos/22984110444/

The ability of a small country with limited negotiation resources, to push a country like the U.S. into a corner owes much to the resilience and diplomatic finesse of its negotiators. Led by their Prime Minister Enele Sopoaga, Tuvalu's negotiators pursued a careful strategy of holding on to its red lines until the final moment of negotiations. The country's leader and top negotiators were heavily invested in ensuring that loss and damage was to remain as a standalone article in the agreement with redress for compensation. Throughout the year, Tuvalu's Prime Minister proactively raised awareness on the issue in various international and regional meetings to gain political support. As a former diplomat and permanent representative to the UN (in which he was also the chair of AOSIS and part of the UNFCCC bureau before joining politics) Sopoaga knew the process and politics of climate change and where lobbying would be the most effective. In the region, he was consistent in his messaging in the Polynesian Leaders Group, PIDF and PIF meetings to elevate loss and damage in the various declarations, as a means not only to rally Pacific islands support, but also to put pressure on the United States negotiators. It was little surprise that Tuvalu's Prime Minister was famously dubbed as the 'champion of loss and damage'.

Tuvalu was consistent in sending its top two negotiators to all ADP related meetings to lobby and build momentum amongst the coalitions. This translated to Tuvalu becoming lead coordinators on loss and damage for the LDC coalition, and continuously lobbying inside the AOSIS, G-77 and even the Pacific SIDS coordination groups. On every committee that discussed the issue, such as the Warsaw Implementation Mechanism for Loss and Damage, Tuvalu would ensure that its representatives would have a seat at the table. One of them was its Ambassador for Climate Change and their lead negotiator, Ian Fry, who had a formidable reputation as a tough negotiator with a background from Greenpeace activism and with institutional knowledge dating back to the early days of the Kyoto Protocol[600].

Inside: High Ambition Coalition

One of the greatest stories and diplomatic feats to come out of the COP21 was the ability of another Pacific island nation to forge partnerships across the political firewall between the north and south countries. On the morning of Tuesday December 8, amidst the chaos of the Paris Committee talks, the Marshall Islands made an announcement with 79 other African, Caribbean, Pacific and European Union countries. They called for an ambitious deal by agreeing on the core elements of the Paris deal[601]. The group called themselves the High Ambition Coalition, which one day later increased its membership to 100 countries with the U.S. and Brazil joining. The like-minded ministers from different regions and groups were brought together under four goals. They wanted an agreement at Paris to be legally binding; to set a clear long-term goal on global warming that is in line with scientific advice; to introduce a mechanism for reviewing countries' emissions commitments every five years; and to create a unified system for tracking countries' progress on meeting their carbon goals[602].

The public show of solidarity by ministers walking side by side holding hands and speaking in union at various press conferences was carefully orchestrated at the time

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[600] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, November 5, 2017.

[601] Miguel Arias Cañete, "EU Climate Commissioner: How we formed the High Ambition Coalition," in *EU Climate Action and Energy Commissione Miguel Arias Cañete's speech in full after the COP21 climate conference* (Paris2015).

[602] Karl Mathiesen and Fiona Harvey, "Climate coalition breaks cover in Paris to push for binding and ambitious deal," in *Environment Climate Change*, ed. The Guardian (The Guardian, 2015).

when negotiations in the Paris Committee and again in indabas were tense. The Marshall Islands Foreign Minister Tony de Brum was reported as stating that the group had been waiting on the side-line for days to make the public revelation.

> This being the last three days of this meeting, there needs to be bridging. To reach out to those who still have doubts and maybe help convince them that the message that we are putting out is for real and it does makes sense and it has the support of a lot more people than may first meet the eye[603].

And while the group was a show of solidarity, it also indicated the countries that did not share the same views. It became a group that was against any watering down of positions that were led by China and India in the late evenings.[604]

The group of developed and developing countries first met in Berlin in May 2015, as a group of 15 ministers that included representatives from Angola, Chile, Colombia, Gambia, Germany, Peru, Saint Lucia, Mexico, and the UK; where it was reported that "De Brum was the brilliant mind behind it"[605]. Leading up to Paris the group met in secrecy five times, including at the side-lines of the UN general assembly in September[606]. These secret meetings coincided with the French-Peruvian hosted ministerial informal meetings for the Paris conference that took place throughout the year. While there was no report of French participation in the discussions, the ministerial coalition were very much in favour of supporting the French presidency to deliver the highest ambition deal in Paris. Foreign Minister de Brum was reported as saying as the role of the coalition, "(t)o do this, we are building the personal bonds between us as Ministers, and forging a joint resolve to fight together"[607]

It would be at another informal setting, at a restaurant in central Paris on the night of December 6 that the U.S. chief negotiator Todd Stern, would casually meet the group of

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[603]Ibid.

[604] Lenore Taylor, "Australia belatedly joins 'coalition of ambition' at Paris climate talks,"ibid.

[605] Karl Mathiesen and Fiona Harvey, "Climate coalition breaks cover in Paris to push for binding and ambitious deal,"ibid.

[606] Farhana Yamin, "How did we get a high ambition outcome in Paris & what's next?," (2016), http://track0.org/wp-content/uploads/2016/03/High-Ambition-Coalition-Paris-2016.pdf.

[607] Ed King, "Tony de Brum: The emerging climate champion at COP21," in *Politics*, ed. Climate Home News (The Guardian, 2015).

ministers. It was reported that the Sunday dinner became a meeting that converged on issues of common ground.

The work of the coalition came at a vital time. The final consensus point or moments of the negotiations were party-led negotiations, and the ability to have a network of ministers from across the various divides proved useful when timely political deals needed to be made. The Marshall Islands pavilion office became the hub for the alliance. Various state ministers who had joined the cause, including Fiji, Palau and Federated States of Micronesia from the Pacific, refined their positions during breaks from Paris Committee and indaba sessions. The hospitality from the Marshall Islands extended to kava bowl talanoa sessions in the less hectic moments in the second week of the conference.

The ambitious demands on which the group found a compromise eventually found their way into the Agreement. Of importance to the Marshall Islands and all other island states was the compromise on the language on long-term temperature goal. Inside G-77 China, India and Saudi Arabia were not convinced on the goal of 1.5, as with other Annex I countries. However, despite resistance by Annex I parties on 1.5 degrees goal, the final agreed text put forth an aspirational target of "…. pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels".[608] Many attributed this outcome to the persistence of Marshallese negotiators through various partnerships that included participation in the Cartagena Dialogue and the High Ambition Coalition. They found language which the major economies could live with.

Tony de Brum, Independent Diplomat and Track 0

Like Tuvalu's Sopoaga, Foreign Minister Tony de Brum was a veteran diplomat and activist. For decades he devoted his time to bringing awareness about the plight of Marshallese people after U.S. nuclear testing in World War II. For more than a decade the leader was zealous in his work in the island state, and at the same time become an outspoken advocate for global address on climate change . In part his charisma to build

[608] UNFCCC, "Paris Agreement."

trust and forge discussions amongst ministers was legitimised by his seniority and experience in various forums. However, despite de Brum's diplomatic mastery, it could not save his political career back in his home island. During the first week of negotiations in Paris, de Brum lost his seat at the general elections.

Two key non-profit organisations were supporting de Brum. Through the previous three years, the New York based organisation Independent Diplomat (ID) had provided technical negotiator and legal advice for small island nations. "Working carefully and deliberately over a number of years, ID helped position the Marshall Islands to such a point where they were able to form and then lead the High Ambition Coalition, and where they were increasingly invited into other small deal-making rooms" [609]. In all the negotiations throughout the year, representatives from Independent Diplomat would continually shadow the minister or lead negotiations on behalf of Marshall Islands. A second organisation that were also instrumental in providing legal advice and diplomatic support was the organisation Track 0. In essence the work of the Marshall Islands and the significance of the High Ambition Coalition are best explained in this description of Tony de Brum as the emerging climate champion at COP21:

> (The) coalition for ambition, a group of developed and developed countries that had agreed to target a 1.5 degree warming threshold – so beloved of island states – as well as regular reviews and a long-term climate goal. Significant because these talks are wracked with rich-poor divides. Significant because 1.5 degree has become a totemic issue in Paris. Significant because it took a veteran Pacific Islander to pull some of the world's top economies into shape. It may yet prove to be a tipping point at these talks, when countries came together for a common goal and to protect the most vulnerable.[610]

Inside: Moments of the Final Day

On Saturday December 12, at 11.00am, the COP21 French president released the final text of the Paris Outcome, calling on parties to reconvene later in the afternoon after

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[609] Independent Diplomat, "Tackling Climate Change: Republic of Marshall Islands," Independent Diplomat, https://independentdiplomat.org/project/rmi-climate-change/.

[610] King, "Tony de Brum: The emerging climate champion at COP21."

they had reviewed the text. In a flurry of activity negotiators were seen running from room to room to find printers to print copies of the text. The reconsolidated text that was once 92 pages in January, known as the Geneva text, became a meagre 16 pages eleven months later. With all alternative options and brackets removed the final text was given to the 195 parties to decide on its totality. The time for negotiations on terms or wording had ended. It was now up to the 197 participating parties to decide whether the agreement should stand or be vetoed. In this multiparty consensus process, it only needed one country to disagree for the four year negotiation process to fail. While awaiting instructions from the French chair for the final plenary to take place, anxious scenes unfolded in the coming few hours and rumours abounded. Within the negotiation chambers, individual delegations and coalition met to review the details of the final outcome.

Pacific SIDS coalition consensus

Huddled in the small office pavilion of the Palau delegation, members of the 14 Pacific island states convened to gauge comments from fellow negotiators. The Palau ambassador for climate change had taken over the leadership of the Pacific SIDS group after the Tongan chair had departed days earlier for other UN meetings. In a room with just under 50 negotiators, these individuals were the remaining vanguards of the united Pacific voice. By that time most negotiators had already sent electronic copies of the agreement to their capitals for further instructions. There was the notable absence of the Marshall Islands and Tuvalu delegations in the meeting, who were believed to be occupied in the High Ambition Coalition and the LDC coalition meetings taking place at the same time.

The group first focused on the text of the key issues that were pursued as common positions for Pacific SIDS: 1.5 degrees long-term temperature goal, mitigation finance, adaptation and loss and damage. Some members of the Pacific caucus relayed frustration on the vagueness and ambiguous language that would not prompt effective implementation. However, negotiators gave consent on the grounds that at least all the key priorities had made it on the agenda of the agreement. This was a victory and would be the source to progress future negotiations in implementing the agreement. The parties acknowledged the work of ministers and key negotiators especially the role of Tuvalu and Marshall Islands in the final stages of negotiations in pursuing the controversial

issues of loss and damage, and ambitions on the long-term temperature goal. As the meeting was coming to an end, anxiety grew among the negotiators as to whether the Caribbean states or the Maldives leadership in AOSIS would pull out of the agreement.

Figure 9 and Figure 10: Images inside the final Pacific SIDS coalition meeting as negotiators peruse and inspect the final text of the Paris Agreement on December 12, 2015. Photographs by author.

AOSIS coalition consensus

The negotiators from the Pacific SIDS quickly reconvened in a nearby room with fellow negotiators from the AIMS and Caribbean ocean states. This time the leaders and delegations from Tuvalu and Marshall Islands joined the collective. Foreign minister de Brum opened the proceedings by acknowledging the great contributions and coordination of the Maldives chair in pursuing a year long process of negotiations. These acknowledgements to the chair and the wider small island state grouping were similarly echoed by the interim Pacific chair from Palau.

Despite the fears of a Caribbean mutiny, there was sigh of relief in the room when the Barbados chair of the Caribbean community, and the St Lucia President relayed their consent on the final outcome. Many had anticipated that the AOSIS lead coordinators who for years passionately pursued both their state and coalition red lines would speak against adopting the text. Again, these fears were not realised. The atmosphere, instead, was jovial and celebratory; there was no more appetite for the negotiations to continue. One delegate in her intervention reflected on the process through poetry which she dedicated to her fellow negotiators. The words of the Samoan Ambassador during the meeting relayed the shared feelings in the room.

We should make the most of the Agreement. We were instructed to return with something; it's not perfect, life is full of imperfections. It is better to have one, than nothing at all[611].

Similarly, with the conclusion of the Pacific caucus meeting, the anxiety among negotiators returned. With the final G-77 meeting to take in the next hour, attention now concentrated on whether the great coalition would support the French text or veto the agreement. There were murmurs of a possible Chinese and Indian departure, and even the frustrations of African and Latin American negotiators were rumoured to be instigating a possible fragmentation of the southern coalition consensus. The corridors leading to the G-77 meeting were littered with negotiators in multiple huddles anticipating a possible showdown.

Figure 11 and Figure 12. Image inside the final AOSIS coalition meeting on reaction to the Paris Agreement text on December 12, 2015. Photographs by author.

G-77 coalition consensus

The final G-77 coalition meeting started with an uneasy silence in the room. Negotiators in their usual practice sat conspicuously behind the leaders and chairs of their respective coalitions. The South African chair of G-77 in her acknowledgements to open the gathering paid tribute to ministers and especially lead thematic coordinators who had led and carried out the wishes of the group in the last week. In reiterating the cooperation of parties to abide by the coalition's key principle of 'do no harm', the ambassador stated, "ministers fought a good fight, and should hold their head high; the agreement reflected the wishes of the G-77." The conclusion of the statement followed, and even more deafening was an awkward silence.

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[611]Aliioaiga Feturi Elisaia, 2015.

Suddenly, an eruption of loud applause and cheers echoed throughout the room. This was a signal from all developing countries and their coalitions of the acceptance of the final Paris Outcome. Negotiators who earlier anticipated a return to negotiations if a disagreement were to eventuate, sat back comfortably listening to the acknowledgements from ministers of various coalitions. The estimated 500 people in the room heard reports of the various deals and work undertaken by developing country coalitions during the final stages of negotiations. The African group reported on numerous consultations with the French presidency on their key interests, although some issues were not adequately addressed in the text, Africa "would generally live with what was on the table." Marshall Islands' Foreign Minister informed and thanked countries who were a part of the High Ambition Coalition that the 1.5 long-term temperature goal made it to the Agreement. The Maldives chair, speaking on behalf of AOSIS, reported on their contribution on the loss and damage bilateral and although not perfect, "no one was left behind". Venezuela speaking for the Group of Latin American and Caribbean countries were also part of various last minute consultations and reported on the sense of compromise amongst ministers and negotiators to capture in the Agreement the sensitive issues. The Philippines noted that Climate Vulnerable Forum accepted the text, and despite concerns they could live with it. These and many more statements from other heads of coalitions would continue until Nicaragua and Nigeria made interventions.

The representative from Nicaragua stated their delegation still had concerns over the language on loss and damage. This prompted delegates from Nigeria and Colombia to relay concerns that the issue of vulnerability was not forthcoming in the text to reflect climate change impacts on African and Latin American countries. The pendulum of uneasiness would return as negotiators started to remobilise and prepare for what might come. The South African chair in her attempts to settle the coalitions, reminded negotiators that outside the room the world was waiting on G-77, and their families were waiting for their return. In calling a motion to seek whether parties would like to reopen negotiations, there was silence in the room. But unlike the earlier rapture in the meeting, parties left the room knowing that although a consensus was agreed, there were parties with notable disagreements that could derail the final plenary.

Figure 13 and Figure 14. Image inside final G-77 coaliation as the southern coalition consent to the text of the Paris Agreement text on December 12, 2015. Photographs by author.

The Final Plenary

Just after 7.00pm, the doors of the main Le Bourget conference venue opened for all 195 parties to meet for the final time. Media livestreamed images throughout the world of the procession of ministers and their negotiators taking their respective places. The formalities of the final meeting accorded speaking privileges to the President of France, UN Secretary General and the UNFCCC Executive Secretary and gave them the opportunity to thank the parties and the arduous negotiation process. An individual who could not be more relieved that the multilateral process she oversaw for four years was coming to a conclusion was the head of the UNFCCC secretariat Christiana Figueres.

> We have made history together. It is an agreement of conviction. It is an
> agreement of solidarity with the most vulnerable. It is an agreement of long-term
> vision, for we have to turn this agreement into an engine of safe growth[612].

However, events turned when the U.S. Secretary of State John Kerry requested a point of clarification on the Article 4.4 on page 21 of the 31page final agreement. The text had inscribed the work 'shall' rather than 'should'. The request led to a postponement of the meeting, as the chair of the COP Laurent Fabius consulted with the UNFCCC secretariat in a separate room.

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[612] UNFCCC, "Historic Paris Agreement on Climate Change: 195 Nations Set Path to Keep Temperature Rise Well Below 2 Degrees Celsius," United Nations Framework Convention on Climate Change, https://unfccc.int/news/finale-cop21.

In a blink of an eye, ministers and negotiators were seen moving throughout the plenary hall in bedlam. Various huddles started to form around heads of coalitions, and key parties that were thought to have unresolved disagreements with the text. The Nicaragua delegation saw numerous negotiators including Tuvalu's Prime Minister consult on loss and damage. Meanwhile groups formed around Colombia and Nigeria with South African diplomats representing the chair of the G-77 moved in between the groups. The top envoys on climate change from China, United States and India joined in the pandemonium as they moved through the various groups bargaining with the various parties. The whole plenary hall was a sea of commotion. The point of clarification of 'shall' rather than 'should' was interpreted by U.S. lawyers as an obligation. The text of Article 4, "developed country parties shall continue"[613] would mean for the Obama administration that the Paris Agreement needed to be passed through the U.S. Senate. However, the consequence of changing the text would mean re-opening the negotiations. There was a risk that all countries with objections would be able to readdress the issues in more negotiations that could take days to resolve.

Needless to say, the COP Chair Laurent Fabius unwittingly saved the day. After a postponement of fifteen minutes, the chair and his entourage returned to reconvene the meeting. Using his diplomatic finesse and tactic, he declared that there was a typographic error in Article 4 and the 'shall' would become 'should'. There would be no more negotiations, and in the same breath stated in his final remarks the words many negotiators had waited for,

> I see the room, I see the reaction is positive, I hear no objection. The Paris climate accord is adopted[614].

Conclusion:

After four years of party negotiations, the conditions were right for a climate consensus. More than ever, in the lead up to the Paris Climate Change Conference the discussions were no longer about the science or existence of climate change, but the politics of dealing with climate change. Global citizenry and the unique climate change

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[613]"Paris Agreement."

[614]Laurent Fabius, 2015.

partnerships amongst states, private sector and civil society outside of the UNFCCC negotiations had expected nothing less than an agreement. The intensive year-long ADP negotiations that attempted to draft a text agreement would also contribute to the increasing political will and momentum amongst leaders, ministers, negotiators and their respective coalitions for an inevitable compromise. However, nothing was certain until all parties had gone through the process of multilateral consensus decision making at the COP21.

The success of COP21 was in part due to the finesse of the French chair in navigating the complexities of the UNFCCC structure and the political divide between the north and south countries. Innovative diplomatic initiatives such as the shuttle diplomacy of informal ministerial meetings, the egalitarian approach of the Comité de Paris, and the unprecedented micromanaged style of countless bilateral meetings during the meeting ensured that no state was left behind. Learning from the diplomatic mistakes of the infamous COP15 Copenhagen, the approach of the French chair was to ensure that the negotiations were as transparent as possible, with states consenting every step of the way in what naturally was a party- driven process. With fears of secret deals and closed back-room texts not eventuating, the COP Presidency restored the faith of parties in the UN multilateral system.

This chapter explored multilateral decision making in the UNFCCC COP21, more specifically the concluding negotiations that led to the Paris Outcome or Paris Agreement, the full version can be found in Appendix V. It paid special attention to the work of delegations from the 14 Pacific island states by augmenting the work of their actors: leaders, ministers, technical negotiators and their respective coalitions; and the negotiation activities they carried out during the three-week conference. In this multi-party meeting, this thesis acknowledges that many stories and perspectives from other non-Pacific countries were not covered or given the same attention in this chapter. Nevertheless, lessons about diplomacy and behaviour of states in multilateral consensus decision making can be drawn from the work of these small, poorly-resourced delegations of frontline states.

Consensus Decision Making in Global Multilateral Forums

Existing studies of decision making and negotiating do so from the vantage point of leaders. This research takes a different approach. State leaders have an influential role in multilateral conferences establishing political will and confirming an agenda of negotiations. However as witnessed in COP21, leaders were only present at the beginning of the conference. Their role was limited to motivating the initiation of negotiations and giving consent for an expected outcome. As evident in the remarks of Pacific leaders at the High-Level Segment with the promises that a transparent multilateral negotiation process was to take place in Paris, leaders realised that failure was not an option. But that would only be the beginning. The work of agreeing to the details of an agreement depended upon the skills and competence of their respective state delegations.

Coalitions-Traditional and Ad Hoc Negotiation Blocs

To ensure that negotiations considered all the views of the 196 parties, state delegations needed to work with like-minded groups on the issues that they held dear. Established negotiation blocs like AOSIS, LDC, CfRN, Climate Vulnerable Forum, Cartagena Dialogue and the G-77 and China group were necessary vehicles where Pacific delegates would find allies. Moreover, the structures and strategies employed by these coalitions conditioned the way delegates behaved and carried out their work. Coherence amongst the coalition membership was highly valued; but fragmentation into smaller coalitions was also highly probable. Despite their high value in the negotiations, the role of coalitions would diminish in the agreement phase. By the time ministers were involved in the consensus point of negotiations, allegiance to coalitions would become secondary to a state's national interests.

COP21 would see the emergence of a Pacific SIDS coalition. The group did not develop from disagreements in the traditional coalitions, but rather from the shared realisation by leaders and negotiators for delegates from the Pacific that they would need to have a louder united voice in the negotiations. Previous ADP negotiations in the year showed that the key roles inside traditional coalitions- i.e. lead thematic coordinators – were occupied by delegates not from the Pacific islands. With a political mandate from regional declarations to mobilise in the talks, an almost equal number of state and non-

state negotiators would be the ones who would participate in the talks under four coordination groups. These four groups substantiated the four-common position-issues shared by the 14 states: 1.5 long-term temperature goal, adaptation, finance and loss and damage. However, Pacific coordination teams would limit their interventions in the spin-off sessions in the first week of negotiations. The more fundamental task of the coalition was to act as the hub for the collection and sharing of information in the numerous negotiation chambers, with the support of CROP Plus regional organisations, to empower both technical negotiators in the ADP sessions, and the ministers in the Comité de Paris in the agreement phase of negotiations.

Technical Negotiators- consensus builders

Technical negotiators did the heavy lifting for negotiations in Paris. They were the main builders of consensus, they were the foot soldiers from beginning to end. In all phases of negotiations, from the spinoff rooms to corridor meetings to the concluding moments of the Comité de Paris, technical negotiators were also wordsmiths constantly bargaining over each word and bracket in the negotiating text. They were the first to arrive at the conference venue during the coalition coordination meetings and the last to leave the late midnight meetings. With the fast pace of negotiations occurring in multiple rooms, negotiators had to use innovative tools such as social media technology to communicate with fellow state delegates and members of their coalitions. Crucial in their work was the ability to create informal relationships with parties with differing positions to find compromises that would move the negotiations forward.

An intrinsic feature of the Pacific SIDS coalition was its multi-actor team. The 14 Pacific delegations were small in numbers with poorly resourced and under-trained officials. Apart from Niue which was absent, all delegations had at least two officials who consistently followed the negotiations and were knowledgeable in the process. To overcome these capacity constraints coalitions like Pacific SIDS and AOSIS were heavily reliant on partnerships with networks that aligned them with regional organisations and NGOs. These non-state actors were able to successfully lobby for their objectives and influence the negotiations through timely research support. Most NGOs in the Pacific delegations were equally accorded official technical negotiators; and with the small size of delegations most negotiators from the Pacific whether official or NGO were given a degree of freedom and autonomy to speak on behalf of states.

Furthermore, since NGOs were not bound by state politics there was another advantage of using them in delegations, as one NGO negotiator said, "NGOs are *rat cunning*, they know how to cut corners and strategise with their networks in other delegations and outside in the media to get the work done"[615].

Ministers part of the main smaller coalescence group

When the Comité de Paris and substantive indaba of solutions took place in the second week, a smaller coalescence group emerged. In part conditioned by a process introduced by the French COP Chair to quickly finalise the talks, the group of ministers and some heads of delegations were given the task of finishing the work that started four years earlier. But not all countries were represented in the talks. Although the invitation was for all parties to participate, the states that were active in their interventions were the ones with positions still unresolved. When one state official was asked why their country was not active in the talks in the second week, his response was,

> All our country's positions have been met and reflected in the text since week one. We no longer have to be involved aggressively in the talks, but we will support with silence from the background inside the room, behind our brothers from Tuvalu and Marshall Islands. In Pacific solidarity, they will deliver a much stronger text on the issues we hold dear on 1.5 and loss and damage[616].

A handful of ministers from the Pacific remained by the start of Comité de Paris, but only the Foreign Minister from Marshall Islands and the Prime Minister from Tuvalu had an active role in the final days. As the only head of government that remained throughout the three weeks of negotiations, Tuvalu's Enele Sopoaga was affectionately known as the champion of loss and damage. Tuvalu's delegation had maintained its red line and one position on the inclusion of loss and damage with a clause on compensation from the beginning of the year until the very last days of the talks. Its delegation throughout 2015 had successfully gathered enough momentum through its associated coalitions. This would force the U.S. who had differing views on the issue to reach out in last minute bilateral compromise. The one-position strategy paid off, and

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[615] Pacific negotiator (Talanoa 26), in discussion-talanoa with the author, November 5, 2017.

[616] Pacific negotiator (Talanoa 20), in discussion-talanoa with the author, December 4, 2015.

the issue of loss and damage would be anchored in the Paris Outcome. Meanwhile the persistence of Marshall Islands Tony de Brum in ensuring an ambitious agreement rested on the inclusion of 1.5 degrees in the long-term temperature goal. Unlike Tuvalu, de Brum reached out to ministers from countries with a disagreement on the ambitions targets six months earlier. In secret informal ministerial meetings, Marshall Islands would build the trust and confidence of these leaders to form the High Ambition Coalition and strike a deal that would see them amenable to the inclusion of 1.5 in the final outcome. Both Ministers and their delegations were consistent in their participation and their messaging throughout the year. While one stood firm on their red line, the other forged partnerships; Tuvalu and Marshall Islands were small parties but with big positions.

Small states with a disagreement matter

In the global multilateral forum that was COP21, it was easy to assume that the smaller states like those of the Pacific have little or no influence. Having limited resources and manpower in the negotiations, it was expected that like their sinking islands their delegations would drown in the sea of complex information and multiple fast paced negotiations. That would not be the case.

Small states do matter, they matter in building consensus when they act collectively as a group. Through coalitions like Pacific SIDS, AOSIS, LDC and G-77 the Pacific voices during the negotiations were echoed throughout the various chambers. Not only do coalitions help manage complexity but they provide capacity. On the other hand, coalitions build consensus but only to a certain point. In the consensus point where reaching an agreement is vital, only a small group will emerge, and in this case ministers. As the accounts of Tuvalu and Marshall Islands showed, there were common threads in how they were able to have louder voices in the talks and influence text in the end. Firstly, both states and their delegations, including their ministers, were involved in the negotiations throughout the year. In the six months they were consistently building relationships and deals with parties, whether it be G-77 for Tuvalu or the High Ambition Coalition for Marshall Islands. Secondly and more importantly, small states matter, more precisely, small states with a strongly held position of disagreement can influence negotiations and help reach consensus.

Chapter Seven: Conclusion

> In 2015, the Pacific Island Countries, being the frontline states in the fight against climate change, were instrumental in concluding one of the toughest ever global negotiations for the Paris Agreement. Collectively, the Pacific Leaders and their delegations doggedly pursued our region's priorities until we were able to make the world see climate change through our eyes, as the most vulnerable communities to climate change impacts.
>
> *Tuilaepa Aiono Sailele Malielegaoi, Prime Minister of Samoa[617]*

The achievement of a global consensus in Paris 2015 was a success for Pacific island states. After the disillusionment from diplomatic failures from Copenhagen, the faith of states in the UN multilateral consensus decision making process to deliver an agreement was restored. French President Francois Hollande said in his final statement of the Paris Climate Conference, "in Paris, we have seen many revolutions. The most beautiful, most peaceful has been achieved, a climate revolution"[618]. This climate revolution or consensus on climate change has many stories. The stories of the feats of Pacific island states at the COP21 have reverberated throughout the media in statements like those of Samoan Prime Minister Tuilaepa Sailele Malielegaoi. However, very little detail is known about how events unfolded in 2015 from the perspectives of Pacific island states.

This thesis has investigated the question: in multilateral climate change negotiations how do small states build and reach consensus? The question addresses an anomaly central to the discipline of international relations and diplomatic studies – how do states behave inside multilateral negotiations? The research has sought to address the scholarly gap in understanding multilateral consensus decision making in the specific context of climate change negotiations. Furthermore, it addresses the lacunae in the literature on the contributions of the fourteen Pacific island states inside multilateral climate change negotiations. The research uses a nuanced methodological approach of

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[617] Tuilaepa Aiono Sailele Malielegaoi, "Opening Address of the Second Climate Change Conference Victoria University Wellington by the Hon Prime Minister Tuilaepa Sailele Malielegaoi," in *Second Climate Change Conference Victoria University Wellingto*, ed. Government of Samoa (Wellington: Government of Samoa, 2018).

[618] ENB, "Summary of the Paris Climate Change Conference 29 November-12 December 2015."

Global talanoa based on the method of talanoa, and methodologies used in process tracing and global political ethnography. This methodology allows analysis of multilateral negotiations as they occur in real-time, from the vantage point of Pacific island states.

In Chapter Two, the thesis explored how the concept of multilateral consensus decision making could be examined with propositions extracted from the disciplines of psychology, international relations and diplomatic studies. Multilateral consensus decision making is an interactional non-voting process that involves negotiating disagreements by three or more parties, attempting to build and reach agreement. The literature from the three disciplines also pinpoints certain variables to construct an analytical framework to examine real-time negotiations in the phases of pre-negotiations, negotiations and agreement phase. The framework and its hypotheses are examined in detail later in this chapter.

Chapter Three was a contextual and historical chapter on the complex UNFCCC negotiations regime and the participation of Pacific island states in these negotiations from its inception until 2014. Pacific island states have been at the forefront of negotiations most notably in various leadership roles through the coalition bloc AOSIS. Pacific states were instrumental not only in establishing the structure of the regime but also in affirming special consideration for small islands as frontline states to impacts of climate change. This chapter also detailed the diplomatic meetings that took place in 2015 at the international and regional levels, before the global Paris Climate Change Conference in December. The global political momentum for an agreement to eventuate at COP21 in December, was prioritised in the summitry of a series of international ADP meetings and also in the regional and sub-regional forums in the Pacific. The level of heightened attention in the Pacific region was witnessed in the multiple political declarations on climate change that came from regional, sub-regional and partner-regional summits. The three empirical chapters of this thesis provide an in-depth description and analysis on four multilateral meetings pivotal to climate change that took place in 2015.

Chapter Four examined multilateral consensus decision making at the international level negotiations, specifically the UNFCCC ADP2-9 meeting. The chapter traced

negotiations by describing the daily movements and routines of Pacific delegates in the complex structures of multi-party meetings. These daily accounts emphasised the centrality of inter-state coalitions or negotiations blocs in conditioning the behaviour of small states in international negotiations. Pacific negotiators worked diligently in various small group decision making processes of coalition consensus (within one coalition of like-minded states), inter-coalitions (amongst various like-minded coalitions), and informal-collective (non-negotiation bloc of like-minded states). The latter reflected the informal information-sharing collective of Pacific islands states in the negotiations supported by the political leadership of PSIDS New York, and the technical science and negotiator support of SPREP. Through talanoa accounts, we know that Pacific delegates concurred on the need for a Pacific coalition but were challenged by the inconsistency and capacity of negotiators in the meetings, different perspectives of capital/regional and New York-based diplomats, and the lack of a political mandate from the region engaged in the negotiations as a united Pacific group. This obstacle of a regional mandate was explored in the next chapter.

Chapter Five concentrated on multilateral consensus decision making at the regional level during two crucial summits: Pacific Islands Development Forum and the Pacific Islands Forum. Held within ten days of each other, the meetings produced three political declarations on climate change. The chapter followed the making of these three declarations by tracing the behaviour of Pacific states in an islander only but inclusive forum, the PIDF, and the pre-eminent political organisation that included Australia and New Zealand, the PIF. The forums were synonymous with the ideals of Pacific Way and Talanoa that emphasised dialogue of leaders rather than negotiations amongst parties. However, this research finds otherwise. Consensus decision making was initiated and controlled by small groups of officials. In both forums small groups of officials that include foreign affairs officials, technical negotiators and regional organisation personnel drafted and negotiated the wording and terms of climate change texts, as well as communiques. Open plenaries and leaders' closed retreats which were believed to be the sites of consensus decision making were only a façade in front of the back room negotiations of small groups of officials. More important was the pivotal role of a smaller coalescent group of officials, who were also technical negotiators at the international negotiations, in ensuring that key priorities at UNFCCC level were also reflected in the declarations from the region. Evident in all three climate declarations

was the affirmation of a political mandate for Pacific states to work in the negotiations as a united voice.

Finally, Chapter Six detailed multilateral consensus making at the global level in the Paris Climate Change Conference or COP21. In this all-important global forum, the attention of parties was to reach consensus on a text for a Paris Agreement. The mega-conference would not only host more than 38,000 state, private sector, civil society and interested individuals, but at the same time see a convergence of the international and regional negotiation processes in which Pacific island states were involved in 2015.The international negotiations of the ADP held its final session within the first week of negotiations, while the outcome of regional declarations for a Pacific united voice saw the establishment for the first time of a Pacific SIDS coalition in the negotiations. The Pacific SIDS had limited interactions in the negotiation rooms, but their impact was in mobilising Pacific negotiators to underscore key demands of Pacific nations through established coalitions of AOSIS, CfRN, LDC, Cartagena and G-77. The most crucial agreement phase was the final week of negotiations, in which ministers and heads of delegations would push the final agreement. In this smaller coalescent group of ministers, two champions came from the Pacific. Tuvalu's Enele Sopoaga and his delegation held its red lines on loss and damage until U.S. were forced to have multiple bilateral meetings in the final days to create a package on loss and damage. Meanwhile Marshall Islands Tony de Brum championed the climate ambition goal of 1.5 long-term temperature goal by reaching out and building a High Ambition Coalition of more than 79 countries from both developed and developing countries.

This concluding chapter will now highlight the key thesis arguments. The first section draws out the insights in understanding and building theory on multilateral consensus decision making. The second focuses on small Pacific Island states in climate change negotiations. The third section turns to the limitations of this research and questions for future research that this thesis has prompted.

Conditions of Multilateral Consensus Decision Making

The purpose of this thesis was not to create new theory, but rather to draw out insights from studying multilateral climate change negotiations for possible conditions to assist in understanding multilateral consensus decision making. Chapter Two introduced the

main hypothesis of this research, namely that Multilateral Consensus Decision Making is the sum of two processes: building consensus and reaching consensus.

From the propositions identified as conditions of multilateral consensus decision, this research will now explain these conditions based on observations at the during the UNFCCC ADP2-9, PIDF, PIF and COP21 conferences.

Table 19. Conditions for Building Consensus

	Condition	Interactional Behaviour
Building Consensus	Communication	Takes place as states communicate among each other formally and informally
	Small Groups	Emergence of small groups of coalitions, and smaller coalescence groups of lead negotiators
	Minority Active Participants	Only a small number of states with strong interests and disagreements will be active; role as group 'chairs'
	Narrowing of Issues	Bargaining of multiple issues by narrowing to a few key issues, and options
	Consent for Continuation	Constant consent by parties for process to continue negotiations

Conditions for Building Consensus

Building consensus refers to the processes and activities that take place in the early phases of negotiations that involve states highlighting multiple interests, values and ideas of parties; and their attempts through negotiations to streamline them into viable options. Across all four forums analysed, consensus building occurred in both the pre-negotiation and negotiation phases. While the negotiation phase occurred in the days or weeks of formal negotiations; for the pre-negotiations phase, this ranged from the week of preparatory meetings for coalitions (ADP2-9 and COP21) to even months before the start of a meeting (PIF Forum Officials' Committee). This research finds five key

elements shared among all forums that explain the optimal conditions of building consensus, as shown in Table 19.

Communication Among States

The process of building consensus occurred as soon as states started sharing information with other parties. This may be informally as in the case of preparatory meetings in the HLSM or the PIF Forum Officials Committee, or during formal negotiations in the ADP spinoff sessions. The sheer quantity of communication, increasing as it does with the number of participants, is difficult to manage. Each participant is likely to experience difficulty orchestrating the different signals that are to be sent, sometimes simultaneously to different audiences, and interpreting the statements and signals made by the other participants[619]. Party negotiators communicate various proposals and most importantly their national red lines. As parties initiate formal and informal communication with each other, they entertain the multiple proposals or alternatives for later stages.

Small Groups/Coalitions and Smaller Coalescent Groups

Just as soon as parties start communicating information with each other, small groups or coalitions of likeminded states will also form. In the case of PIF and PIDF there were no visible coalitions active in the negotiations[620]. However, in both ADP2-9 and COP21 established coalitions like AOSIS, G77, Cartagena, LDC and CfRN antedate these meetings. Beyond established coalitions ad hoc small groups would emerge usually at the pre-negotiations phase, as observed in the Pacific SPREP SIDS collective in Bonn and the Pacific SIDS in Paris. From within these coalitions (coalitions consensus) and amongst coalitions (inter-coalition consensus like G-77) a smaller coalescent group would emerge. This smaller group were a few key individuals of lead coordinators/negotiators identified by coalitions to negotiate on their behalf during the negotiations. These lead individuals played the vital role of acting as 'chairs' of the groups that coordinated the group positions and its presentation in the negotiations.

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[619] Touval, 165.

[620] Although it can assumed that sub-regional groupings of MSG, PLG and MLS could potentially act as small grouping in PIF and PIDF—this however was not the case,

Minority will be Active Participants

While all interested parties will be present in negotiations, only a minority of states are active participants. State negotiators who were silent on an issue were not indicating they had no position, but rather that they did not disagree with the offer on the table. "Active participants usually have important interests at stake, while the passive ones may have joined the negotiation for reasons of status, rather than because of a strong concern about the substantive issues[621]". Only states with a strong disagreement would be more inclined to voice positions or lobby. This was clearly visible in the active roles of Marshall Islands and Tuvalu in the ADP2-9, and again during COP21. The more passive states adopt a flexible stance and tend to go along with arrangements developed by the more active participants[622].

Narrowing of Issues

Closely associated with communication and small group formation is the role of negotiators in narrowing issues to be negotiated. These issues and options have been identified in pre-negotiations phase where there is little disagreement. This was observed in the initial drafting of the Geneva text as well as the three climate change declarations from Suva, PIF SIS and PIF Leaders' meeting. Parties would communicate red line issues or options usually before pre-negotiations, and these were considered *no go zone areas*. This was seen on the issues of climate migration and fossil fuel moratoriums in the PIF meetings and UNFCCC negotiations where despite Kiribati preference for the issue to be discussed, Annex I countries requested that these issues be put on hold for future meetings, or another forum altogether. By providing options to parties to defer, this approach ensured that they would still remain in the talks.

Participants' consent to continue deliberations

Vital in the progress of negotiations is the ability for countries to continually provide consent for deliberations to continue. In every spin off session of the UNFCCC meetings, as well drafting group sessions in the PIDF and PIF, the chairs would ask member states for their consent to approve the discussion and give permission for

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[621] Touval, 167.

[622] Ibid.

suggestions for next meetings. The signs of silence in the room would be signals that process may continue, especially if it moved from deliberations at the pre-negotiations and negotiations phase into the agreement phase[623].

Table 20. Conditions for Reaching Consensus

	Condition	Interactional Behaviour
Reaching Consensus	Main Smaller Coalescent Group	Emergence of a main smaller group with strong points of disagreements that need to be resolved
	Dropping Objections	Persuasion and techniques for dropping objections: ambiguous agreements, package agreements, bilateral bargaining
	Consensus Point	Final moments of negotiations, manoeuvring for last minute results

Conditions for Reaching Consensus

The table above summarises the conditions for reaching consensus. Reaching consensus refers to the processes and activities that involve finalising a decision, where viable options are bargained to the point that parties agree not to disagree. In the four forums examined, only the PIDF, PIF and the COP21 meetings would undertake this process, as the ADP2-9 was part of series of meetings attempting to streamline the drafting negotiations text before Paris. The process of reaching consensus occurred in the agreement phase and in the Consensus Point before an outcome is resolved. In the structure of meetings, this phase would take place usually at a higher political level of ministers and head of delegations. A significant element in the structure of these meetings was their limited timeframe. In the case of COP21 negotiations were limited by the due date of December 12[624]; for PIF it was limited before the morning of September 11 before the leaders went into retreat to approve all meeting. This research finds three key elements that explain the conditions of reaching consensus.

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[623] This scenario was reflected in Chapter Four in the closure of the UNFCCC ADP2-9 meeting

[624] Initially in the official program negotiations were to conclude on Friday December 11. However, the recommendation by the French, was approved by member states to continue negotiations by one extra day to conclude the work of the Comité de Paris.

Main Smaller Coalescent Group

Although the various small groups of coalitions and smaller coalescent group of lead coalitions coordinators would emerge in the pre-negotiations and negotiations phase, a new smaller coalescent group would emerge in the agreement phase. Again, not all states would be active in this process, with only a minority number of states active at this level of negotiations. One differentiation between building and reaching consensus is the observed involvement of high-level political actors such as ministers or heads of delegations engaged in the negotiations. In the case of PIF and PIDF, it was not the leaders but rather the technical negotiators in the final officials drafting room. During COP21, the main smaller coalescent group was the Comité de Paris. For states with particular unresolved disagreements it was vital that they were represented at this level with the right form of representation. Although technical negotiators may have limited direct input in the formal meetings, the ministers or heads of delegations who were effective were experienced technical negotiators. This was certainly reflected in the skills and finesse of Tuvalu's Prime Minister and Marshall Islands Foreign Minister in the final days of Paris.

Dropping objections

The aim of the main smaller coalescent group was to finalise the agreement by finding compromises to any unresolved issues. The ministers or heads of delegations (or in the case of PIF – lead technical negotiators) would employ various techniques to persuade each other to drop objections. The first would be bilateral bargaining either by the chair and a particular state with an objection, or between states. The latter was evident in the three bilateral meetings between Tuvalu and the US on the issue of loss and damage. This bilateral bargaining together with creating package agreements explains the role of Marshall Islands forming the High Ambition Coalition. In the case of the final text of Paris agreement and the PIF Leaders declaration the technique was resorting to ambiguous and imprecise wording. Despite the disadvantage of an ambiguous agreement leading to conflicting interpretations, an imprecise agreement establishes a modicum of cooperation amongst the parties to continue[625]. A further technique as explored earlier would be to defer any unresolved issues for another negotiation. Other

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[625] Touval, 169.

techniques of dropping objections identified by scholars, of mediation, compensation and side payments, however were not observed by research inside these negotiations[626].

Consensus Point

The Consensus Point or last-minute scenario reflects the last hours or days of the negotiations. It is a situation of high political drama and emotions as leaders and negotiators rush to conclude the agreement. In some situations, like the PIF officials meeting the negotiations are in long closed meetings; while in the case of COP21, they occupied the whole week of deliberations of the Comité de Paris. Influencing the agreement meant being active in the negotiations and alive to the informal whispers and chattering of the corridors. The events that unfolded in Paris reflect the observation by Ronald Walker that this period is the vilest feature of multilateral conference of airless rooms late at nights, characterised by amending and watering down draft texts[627]. The final minutes of COP21 were halted over a question of 'shall' and 'should', by the U.S., however unity was achieved by the diplomatic finesse of the French chair to mark the insertion as typographical error. The conclusion of the consensus point and reaching consensus is seen through the absence of opposition, and when a proposal is no longer contested.

Overall Conditions for Multilateral Consensus Decision Making

Consensus decision making among multiple states takes place in a setting that is complex and multi-layered. Understanding multilateral consensus negotiations requires a comprehensive systemic perspective, one that recognises the variety of structures, sub-structures, and processes that are present, and how negotiators engage in that process[628]. The fundamental rule of multilateral consensus decision making is that all procedures are decided by consensus with no option of voting. This form of decision making is a diplomatic endeavour that involves a plethora of actors which are not only state officials, but also non-state actors that range from civil society, private sector to individuals. These multiple actors bring with them competing national, organisational

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[626] Ibid., 170.

[627] Walker, 162.

[628] Touval, 171.

and personal interests, priorities and resources. Table 21 below summarises the three overall conditions for multilateral consensus decision making.

Table 21. Overall Conditions for Multilateral Consensus Decision Making

	Condition	Interactional Behaviour
Multilateral Consensus Decision Making	Party-state Driven	States will decide the rules, formula and procedures of consensus decision making. States will decide when an agreement is achieved. The significant role of Chair.
	Incremental Stages	Multilateral consensus decision making takes places in incremental stages of consent: pre-negotiations, negotiations, and agreement
	Core Group	A core group of states and individuals with vested interests and disagreements, will drive negotiations from beginning to end, through the various stages of negotiations.

Furthermore, there is not one, but various cross-cutting issues negotiated simultaneously. It is not possible for one person to fully comprehend all issues, far less respond to different positions from multiple parties. The aim of multilateral conferences by consensus is not to solve issues, but rather to facilitate a process where three or more parties with points of disagreements can find compromises. These compromises do not necessarily result in a strongly worded agreement, but rather an agreement with a low common denominator. This research finds three key elements to explain the conditions of multilateral consensus decision making.

Party Driven: rules, formula, procedures, the Chair

Multilateral consensus decision making is party driven. States determine the rules, formula and procedures of how a process of negotiations takes place. In all four forums these factors predate the negotiations usually in the early days of the establishment of the regimes. For UNFCCCC it was in the period from 1990-1995 before COP1 and for PIDF it was before the its first meeting in 2013. Parties may also choose to change or amend such rules with the consent of parties, as evident through the various PIF Agreement on the Establishment of Pacific Islands Forum 1970, 2000, 2006. Needless to say, the agenda for each meeting is agreed to by parties at the beginning of formal negotiations. The most important rule is that all decisions are made by consensus, or where there is no alternative, by voting. This can prove difficult because consensus is time consuming, but parties can insist on a time limit. In the case of the UNFCCCC, the international ADP and global COP21 process was designed to reach a consensus by December 2015. Just as essential as the rules, formula and procedures of multilateral foums is the role and skill of the Chair. Chosen from among their peers, while a structural position- the skill and finesse of an individual/state acting can determine the outcome of negotiations. They not only facilitate an environment during the negotiations to bring members to the table, but as evident in role of France in facilitating discussions months if not years before the final conference.

Incremental Stages of Consent

To solve the issue of time-consuming negotiations, states would identify various stages of negotiations. Multilateral consensus decision making takes place incrementally. These stages may be within one meeting setting such as the preparatory meetings and formal negotiations phase for COP21 and ADP2-9, or with the various structures like PIDF (Grand Council, Executive Board, Officials Committee) and PIF (SIS Leaders meeting, Leaders Plenary and Leaders Retreat). At the same time these stages can also be in the form of a series of meetings like the ADP process. At all times there must be consent from parties at the conclusion of each stage, before the process of negotiations can begin.

The third condition in multilateral consensus decision making and the main finding of this research is the existence of a core group of individuals that are essential in building

and reaching consensus. This element is examined in detail in the next section on the contributions of Pacific island states in climate change negotiations.

The Core Group: Pacific Island Negotiators

In multilateral climate change negotiations how do small Pacific island states build and reach consensus? This thesis has explored this question through empirical data that not only traces the history of negotiations, but more importantly by actively participating in multiple negotiations to observe the behaviour of states.

The key finding is that there is a small core group of individuals in each forum that condition and precipitate the building and reaching of consensus in multilateral climate change negotiations. This core group are particular states and their negotiators who have the most vested interest on a given issue. They will actively participate and perform various activities of communicating and sharing information, initiate common positions and lobby within various coalitions, ensure their positions are on the table, and actively engage in processes of building consensus. A significant player amongst the small group is their lead negotiator, who acts as the 'chair' or 'proxy chair' of the group. At the same time, this core group of states and negotiators ensure their presence with a seat at the table with the right level of representation to be part of the main smaller coalescent group, so as to protect their priority issues from being watered down. Throughout this process, they will gain the support of negotiators who are less concerned with the issue[629].

At the international negotiations of the ADP2-9, while all Pacific island states were active in the negotiations more notable delegations had strong interests in the negotiations. This core group include the technical negotiators from Tuvalu (on mitigation and loss and damage), Marshall Islands (on mitigation and ambition), Papua New Guinea (on REDD plus), Samoa, Tonga, Palau (on finance), Solomon Islands (on

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[629] Ibid., 169.

capacity and technology transfer), and Cook Islands (on adaptation and loss and damage). For the regional forum at PIDF, Fiji's leadership role in the organisation was complemented with the concerns of Tuvalu, Marshall Islands, Solomon Islands and Cook Islands. At the PIF SIS summit Tuvalu, Marshall Islands, Cook Islands and Palau steered the ship in pursuing bold ambitions for the smaller island states. Meanwhile, during the PIF leaders' summit it was Palau, Tuvalu, Kiribati, Papua New Guinea that would attempt to lobby and negotiate with Australia and New Zealand to commit to sturdier language and ambition from its Port Moresby Declaration on Climate Change Action. By the time the final negotiations at the global level took place at COP 21, Tonga and Palau would become instrumental in leading the Pacific SIDS coalition, while the weight of the Pacific and its voice in the negotiations would lie on the shoulders of the negotiators and leaders from Tuvalu and Marshall Islands.

Beyond these states and their negotiators this research highlights the technical negotiators in UNFCCC negotiations. These individuals are the voice of the region, states and peoples of the Pacific in the closed room chambers of negotiations. They are ministers of states, climate change project practitioners, ministry officials, scientists, international lawyers, activists, media personnel, private sectors, church ministers, academics, and even students. This core group of technical negotiators not only condition global and international negotiations, but through their work in the Pacific region they greatly influence and control the climate change agenda.

Throughout the intensive negotiations in 2015, from observing the work of these climate change leaders, there were notable traits in the strategies of these countries and other Pacific island negotiators who supported their work in these multiple forums. These activities were in line with Diana Panke's suggestions of how smalls states can influence multilateral negotiations by using strategies to shape negotiations and build capacity.

Strategies in shaping negotiations

Pacific island negotiators influenced multilateral negotiations by employing strategies in shaping negotiations. Whether in regional, international or global negotiations, Pacific negotiators and leaders have continuously used moral and normative arguments as frontline climate change states to frame discussions and change the direction of debates.

This frame of the Pacific states as vulnerable reverberated in the regional declarations as well as leaders remarks at international forums, in order to ensure that Pacific states received special consideration for access to finance, adaptation, mitigation and capacity. These moral arguments were used to depict climate change as an existential threat rather than an economic issue. Negotiators were successful in influencing negotiations by narrowing their focus and building expertise on one or few key priority issues. Not only did individual countries prioritise issues like loss and damage, adaptation, finance and mitigation ambition; they also included in their delegations scientific and international lawyers to increase their expertise. For example, Tuvalu, Marshall Islands, Cook Islands, Palau and Papua New Guinea used both international NGO lawyers and national law experts in their delegations.

Although Pacific states may not be able to offer side payments, in consensus decision making small states have the advantage of veto to pull out of negotiations at any time. For the case of Tuvalu, although there were no open threats of the country leaving the negotiations, the country's leader and negotiators did have a record of using their veto to not join an agreement[630]. This gave them leverage to be perceived as blocking minorities and demand terms on loss and damage, when the U.S. were pushed to seek multiple bilateral meetings with the country's leader. This example of Tuvalu as a competitive player in the negotiations, is part of value claiming[631] where countries choose to be cooperative, competitive or both. By building a winning coalition of the High Ambition Coalition Marshall Islands as a cooperative player not only saved the issue of 1.5, but also the negotiations. Palau's negotiators were more inclined to be both cooperative and competitive as the mediators in the various talks. Palauan officials were pivotal in building outreach in bringing together Australia and New Zealand in the final PIF agreement, as well as their leadership in the Pacific SIDS coalition.

Strategies in building capacity

More importantly, acknowledging the limited capacity and resources that these countries have, Pacific delegations employed strategies to build capacity. Delegates worked closely with the secretariats and chairs of the various forums to ensure they

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[630] At the 2009 Copenhagen negotiations Tuvalu with Bolivia did not consent to the Copenhagen Accord.

[631] Value claiming, also known as *distributive negotiation* or single-issue negotiation, involves trying to get as much of the pre-existing value on the negotiating table for yourself—and away from the other party.

received adequate information if this was not already provided. For UNFCCC, the holding of the SIDS seat by at least one Pacific official in both the bureau and special committees ensured that, if not all states, at least one country would receive information. A defining feature of Pacific delegations was its multi-actor composition with scientific, law, diplomats, media, academics, project practitioners and even activists in the delegation as active negotiators. Most if not all non-state actors and some states officials also provided institutional knowledge on the issues and politics of the regime. Learning from the mistakes and successes of previous global, international and regional meetings greatly facilitated the capabilities and strategies of Pacific negotiators. This eclectic array of actors added to pooling expertise on particular subject matters and constituted a network of Pacific negotiators[632]. Throughout 2015, negotiators from the Pacific involved in international and global negotiations were also present if not leading the negotiations in regional forums. In between meetings, this network would continually share information and positions via their group email, WhatsApp, skype and other social media platforms in order to prepare for the next meetings. Furthermore, the various SPREP HLSM and PSIDS in New York preparatory meetings were vital in facilitating face to face meetings and training by seasoned negotiators.

Overcoming challenges for the Core Group

This thesis has identified numerous challenges that negotiators faced. From lack of a political mandate to operate a regional group, the capacity and expertise of negotiators, the politics of regional and New York priorities, lack of instruction and research from capitals, the frustrations of negotiators who were also climate change practitioners about messy politics and slow pace of negotiations, to the retention of negotiators who were finding greener pastures in organisations outside the climate change regime. As one seasoned negotiator stated, "take away the low income…. despite personal drive and passion to help my country, there are no opportunities to up-skill or be motivated in negotiating"[633].

These challenges and more require investment by both national governments and regional organisation for opportunities to harness the diplomatic capacity of this core

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[632] Carter, 214.

[633] Pacific negotiator (Talanoa 6), in discussion-talanoa with the author, May 27, 2017.

group of Pacific negotiators. The eclectic multi-actor delegations bring much needed expertise. However, the training opportunities that are needed are diplomatic or, to be precise, multilateral diplomatic training. The work of SPREP's HLSM in providing both regional and in-country technical negotiators trainings is fundamental and needs to be encouraged. Furthermore, beyond three days or one-week training programs, there needs to be investment in professional and tertiary long-term training programs where multilateral negotiating is not a part-time role, but rather a full-time profession. National and regional universities have a role, as in the case of the University of the South Pacific's diplomatic executive training which could serve as a vital conduit[634]. Overcoming negotiator fatigue in the climate change regime is a problem and the Pacific should look to other countries which rotate negotiators every three years so that they can acquire new skills in trade or security negotiations[635]. Some states have been successful in keeping key negotiators from the early days of the convention in their workforce; others continue to maintain relationships with officials who have moved to regional organisations and who can provide technical support or negotiate on their behalf.

Limitations and Future Directions

The methodology of global talanoa, that utilises the talanoa method and draws on process tracing and global political ethnography has provided this research with a broad perspective. It has provided a macro-analysis of the levels of multilateral diplomatic decision making, and more importantly an analysis of the work and lives of negotiators. There are limitations in the use of global talanoa. The researcher is a Pacific islander who observed the negotiations either as a Samoan or Tuvaluan government delegate. This research acknowledges that while it opens access to a secretive and closed room of negotiations it is also influenced by positionality in encounters, choice of processes and interpretation of outcomes[636]. It was not possible to fully describe the processes and activities in each negotiation chamber, or even as much as the work of all the fourteen delegations. The encounters and descriptions were selected based on the

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[634] USP, "School of Government, Development and International Affairs," The University of the South Pacific

[635] Pacific negotiator (Talanoa 6), in discussion-talanoa with the author, May 27, 2017.

[636] Mary Q Foote and Tonya Gau Bartell, "Pathways to equity in mathematics education: How life experiences impact researcher positionality," *Educational Studies in Mathematics* 78, no. 1 (2011): 46.

recommendations of Pacific negotiators, who said which issue or forum they wanted the researcher to follow. The purpose was to see the negotiations through their eyes.

A key limitation of this research is that it does not cover the perspectives of other parties in the negotiation, such as those of non-Pacific island states like Australia and New Zealand in the PIF, as well as the other 182 parties of the UNFCCCC. And for a more objective balance, the research depended on the textual analysis of conference reports from ENB, UNFCCC, media reports, and recent academic writing on the COP21. This empirical shortfall suggests opportunities for future research. First, we should re-examine events in a way that incorporates the perspectives of other parties such as U.S., Australia, New Zealand, not to mention the wider members of the coalitions like G-77 and AOSIS. The Pacific islands are not the only small island states in the negotiations. Future research could explore whether similar challenges and strategies were encountered by Caribbean and AIMS counterparts.

This research has offered an incomplete theory on multilateral consensus decision making. More research is needed. Research on Pacific island negotiators in the multilateral trade, health or even security regimes using the analytical framework and global talanoa is another way forward.

Pacific Negotiators and Multilateral Consensus Decision Making Continues

Negotiations is a relational activity. This research has highlighted how different Pacific actors and negotiators connect and develop relationships with those that share the same interests but also with those in opposition, to find the best outcomes and positions for the Pacific. These negotiators have demonstrated that although they maybe on opposite sides of a position, as in the case of Tuvalu and the U.S., the best way to negotiate is not necessarily through open confrontation but rather the cordial exchange of ideas, interests and building trusting and respectful relationships. Although this research highlights negotiations in one year, the relationships and connections were cultivated over two decades through the intention of parties to contribute to global problem solving on climate change. Beyond the conditions and strategies of the core group, there

is a deeper significance that can be interpreted in understanding how Pacific negotiators build and reach consensus. Underpinning the work and persistence of these state representatives was their ability to build and foster relationships amongst themselves as a region, within negotiating coalitions, as well as bargaining with other states.

The story of Pacific negotiators did not start and end in 2015. The Paris Agreement has established a new form of global climate change regime. Instead of a top-down compliance system, the world will now be looking forward to parties making voluntary contributions to combat climate change. This bottom-up approach requires partnership and commitments not just from states, but commitments from cities, business, non-state organisations and individuals. It will require a multilateral consensus decision making process that is inclusive of states and non-state partners.

The disciplines of international relations and diplomatic studies need to pay further attention to the work of Pacific island states. Today, the work of the Pacific SIDS coalition with its foundation in 2015, has become a robust negotiation bloc that has received both accolades and recognition within the UNFCCC negotiations. Regional organisations and their political declarations have identified the need to support the Pacific voice in climate change negotiations. Pacific states are no longer just party participants, but also procedural leaders. The appointment of Fiji as COP president in 2017-2018 is evidence of the growing finesse of peoples from the most vulnerable region and their capacity to take charge in finding global solutions.

In all four multilateral forums, there was an idiosyncratic practice which the core group used to build relationships and reach consensus, the diplomatic tool of talanoa. Talanoa or the practice of inclusive, open respectful and non-confrontational dialogue was observed in the relationships within delegations, inside coalitions as well as inside negotiation chambers. More explicitly this tool of diplomacy as practiced in the regional forums of PIDF has been elevated by Fiji to the global negotiations as part of the facilitative dialogue stocktake on contributions from parties since the Paris Agreement[637]. The UNFCCC Talanoa Dialogue which facilitates inclusive, open and non-confrontational dialogue amongst state and non-state parties during the negotiations has been embraced by negotiators and expected to remain a permanent feature of global

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[637] George Carter to DevPolicy Blog, 9 November 2017, http://www.devpolicy.org/the-island-cop-changing-the-negotiation-climate-20171109/.

climate change negotiations. These ongoing contributions, the lessons of how Pacific islands states contributed to building and reaching consensus in 2015, reflect the diligence of Pacific negotiators, and the contributions of Pacific diplomacy in international politics.

Appendix

Appendix I: List of Talanoa

This list is in chronological order by country.

Name	Position at time of Talanoa and other relevant affiliation
Teresa Mimetua Matamaki	Senior Environment Officer, National Environment Service of Cook Islands, head of delegation for Cook Islands
Diane McFadden	Climate Change Advisor for Secretariat of the Pacific Regional Environment Program, and negotiator for Cook Islands
Ewan Cameron	Climate Change Advisor for Secretariat of the Pacific Regional Environment Program and Nansen Initiative, and negotiator for Cook Islands
Pasha Carruthers	Climate Change Advisor for Secretariat of the Pacific Community, and former negotiator for Cook Islands
Amenatave Vakasavuwaqa Yauvoli	Ambassador for Climate Change for Fiji/ interim Secretary General of the Pacific Islands Development Forum/ Chair of UNFCCC Subsidiary Body for Implementation 2013-2015, head of delegation for Fiji
Francois Martel	Secretary General of the Pacific Islands Development Forum, negotiator for Fiji
Bradford Mori	Climate Change Specialist, Office of Environment and Emergency Management, negotiator for the Federated States of Micronesia
Makurita Baaro	Ambassador to the United States and Permanent Representative to the UN, head of delegation for Kiribati
Choi Being Yeeting	Climate Change Coordinator, Office of the President, negotiator for Kiribati
Deborah Lynn Barker-Manase	Deputy Resident Representative, Permanent Mission to the UN, head of delegation and negotiator for Marshall Islands
Caleb Christopher	Legal Advisor, Permanent Mission to the UN, negotiator for Marshall Islands
Rennier Gadabu	Attaché Permanent Mission to the UN, AOSIS Fellow, negotiator for Nauru
Malia Talakai	Advisor and former AOSIS Lead Negotiator on Loss and Damage, negotiator for Nauru
Ngedikes Olai Uludong	Ambassador to the European Union and Climate Change, former Chief Negotiator for AOSIS, head of delegation for Palau
Joseph Aitaro	Grants Assistant, Office of the President, negotiator for Palau
Gwen Sissou	Director REDD+ & Mitigation Office of Climate Change and Development, head of delegation and negotiator for Papua New Guinea
Rensie Xhira Bado Panda	Senior Policy Analyst-International Negotiations, Office of Climate Change and Development, negotiator for Papua New Guinea

Frank Aisi	Director of International Relations, Office of the Prime Minister of Papua New Guinea
Ali'ioaiga Feturi Elisaia	Ambassador and Permanent Representative at UN, former Vice President of COP SIDS rep, head of delegation for Samoa
Anne Rasmussen	Assistant Chief Executive Officer Climate Change, Ministry of Natural Resources and Environment, negotiator for Samoa
Vanda Faasoa-Chan Ting	Assistant Chief Executive Officer Renewable Energy, Ministry of Natural Resources and Environment, negotiator for Samoa
Ida Fuimaono	First Secretary, Permanent Mission to UN, negotiator for Samoa
Francella Strickland	Deputy Permanent Representative at UN, negotiator for Samoa
Espen Ronnenberg	Climate Change Advisor, Secretariat of the Pacific Regional Environment Program, former Vice President of COP SIDS Seat, negotiator for Samoa
Colin Beck	Ambassador and Permanent Representative at UN, former Vice President of COP SIDS rep, head of delegation for Solomon Islands
Scott Hook	Economic Infrastructure Adviser, Pacific Islands Forum, negotiator for Solomon Islands
Mahe'uli'uli Sandhurst Tupouniua	Ambassador and Permanent Representative to UN, Chair of PSIDS New York and Pacific SIDS, head of delegation for Tonga
Enele Sopoaga	Prime Minister, former Vice President of COP, former Chair and Chief Negotiator AOSIS, head of government of Tuvalu
Ian Fry	Ambassador of Climate Change and Environment, Lead Negotiator for LDC, negotiator for Tuvalu
Simalua Enele	Assistant Secretary, Ministry of Public Utilities, AOSIS Fellow, negotiator for Tuvalu
Brian Phillips	Manager Climate Change and Disaster Risk Reduction Unit, Department of Meteorology and Geo Hazard, head of delegation and negotiator for Vanuatu
Sylvain Kalsakau	Head of UN and Economic Relations Division, Department of Foreign Affairs and international Cooperation, negotiator for Vanuatu
Participants from non-Pacific Countries	
Mark Jariabka	Executive Director, Islands First and secretariat of the Alliance of Small Islands States
Carlos Fuller	International and Regional Liaison Officer, Caribbean Community Climate Change Centre (CCCC), and negotiator for Belize
Juwang Zhu	Chief of the Office of the Under-Secretary-General, UN Department of Economic and Social Affairs, United Nations

Appendix II: Suva Declaration on Climate Change

We, the Leaders of the Pacific Islands Development Forum following open, transparent and inclusive discussions with stakeholders undertaken during the Pacific Islands Development Forum Third Annual Summit held in Suva, Fiji between 2-4 September 2015 declare that we:

1. **Are gravely distressed** that climate change poses irreversible loss and damage to our people, societies, livelihoods, and natural environments; creating existential threats to our very survival and other violations of human rights to entire Pacific Small Island Developing States;
2. **Express profound concern** that the scientific evidence unequivocally proves that the climate system is warming and that human influence on the climate system is clear, but appropriate responses are lacking;
3. **See and suffer from** the adverse impacts of climate change, including but not limited to increased intensity of tropical cyclones, sea level rise, severe storm surges, more frequent and more extreme weather events, coral bleaching, saltwater intrusions, higher king tides, coastal erosion, changing precipitation patterns, submersion of islands, and ocean acidification, with scientific evidence clearly informing us these impacts will further intensify over time;
4. **Note with great regret** the suffering of our people from the effects of climate change as expressed in common existing statements, declarations and positions namely the 2015 BOKNAKE HAUS Communique of the 15th Micronesian President's Summit, the Melanesian Spearhead Group Declaration on Environment and Climate Change, and the 2015 Taputapuatea Polynesian Leaders Declaration on Climate Change;
5. **Are deeply disappointed** that current international pledges for action as contained in submitted Intended Nationally Determined Contributions (INDCs), to stabilize global average temperature increase to well below 1.50C above pre-industrial levels, remain grossly inadequate, with emissions of greenhouse gases (GHG) continuing to rise;
6. **Express grave concern** that the continued increase in the production of fossil fuels, particularly the construction of new coal mines, undermines efforts to reduce global GHG emissions and the goal of decarbonising the global economy;
7. **Highlight** that irreversible loss and damage caused by climate change goes beyond adaptation and is already a reality for PSIDS if there is inadequate mitigation action, and that climate change is already resulting in forced displacement of island populations and the loss of land and territorial integrity and further highlight that such loss and damage results in breaches of social and economic rights;
8. **Support** the establishment of a Pacific Small Islands Developing States regional task force on climate financing to ensure adequate funding for adaptation and mitigation actions to address, amongst other things:

    a. Our deep concerns about the continued lack of any clear roadmap for developed countries to provide USD 100 billion climate finance per year by 2020, as well as on substantially scaling up climate funding support after 2020;
    b. The implementation of a fully effective operation of the Green Climate Fund (GCF) with timely disbursement of funds in order to limit global temperature increases to below 1.50C above pre-industrial levels and transition towards a global, low emission, and sustainable climate

resilient development pathway. Pacific Small Island Developing States must continue to be represented and supported on the GCF board;

    c. Our deep concerns of proposals that adaptation funding be provided as loans or reimbursable grants rather than grants. As a consequence, Pacific Small Islands Developing States will either need to increase debt or divert resources from other development priorities to meet adaptation costs;

    d. The requirement for a portfolio of funding of bilateral and multilateral mechanisms;

9. **Welcome** the conclusion of the Structured Expert Dialogue of the 2013-15 Review under the UNFCCC, that the goal to hold the increase in global average temperature below 20C above pre- industrial levels is inadequate in view of the ultimate objective of the Convention. The latest science suggests that the 20C 'guardrail' concept is no longer safe for the survival of our Pacific Small Island Developing States;

10. **Emphasize** that scientific evidence indicates that limiting warming to well below 1.50C above pre-industrial levels will significantly reduce impacts, risks, adaptation needs, as well as loss and damage, and that actions to this effect will not significantly impact on economies;

11. **Reiterate our commitment** to the advancement of our national mitigation strategies and low carbon economies and net carbon sink status, as part of the global effort to reduce greenhouse gas emissions;

12. **Reaffirm** that the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol is the stabilization of greenhouse gas (GHG) concentrations in the atmosphere at a level that will prevent dangerous anthropogenic interference with the climate system;

13. **Urge** all parties to the Kyoto Protocol to ratify and implement the Doha Amendment to the Kyoto Protocol;

14. **Emphasize** that the global nature of climate change requires all countries to cooperate with a view to accelerating the reduction of global greenhouse gas emissions on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities, with developed countries taking the lead with respect to mitigation actions and the means of implementation for combating climate change;

15. **Emphasize** that the 2015 Paris Climate Change Agreement must provide in a balanced manner all the six elements identified in the Durban Mandate. Loss and damage must be included separately as the seventh element, and that the Agreement must ensure a truly shared global vision for a sustainable future;

16. **Recognize** that addressing gender based inequality and discrimination is essential for effective action on climate change;

17. **Recognize** the importance of engaging, as equal partners, civil society, women, youth and persons with disabilities, in all efforts towards building climate change resilience;

18. **Recognize** that a number of Pacific Islands Development Forum member states have submitted proposals to phase out Hydrofluorocarbons (HFC) under the Montreal Protocol. Leaders agreed that such action was a critical component of comprehensive climate change mitigation strategy and agreed to pursue a phase out of HFCs under the Montreal Protocol at its Meeting of the Parties in Dubai this year;

19. **We the Leaders of the Pacific Islands Development Forum following consultation with and the agreement of all stakeholders at the Pacific Island Development Forum Third Summit therefore call for:**

a. the 2015 Paris Climate Change Agreement to limit global average temperature increase to below 1.50C above pre-industrial levels in order to transition towards deep- decarbonization;

b. the 2015 Paris Climate Change Agreement to be legally binding;

c. the 2015 Paris Climate Change Agreement to establish explicit provisions that ensure the strongest possible efforts will be made to achieve and continuously enhance national and global mitigation action, including review of mitigation efforts every 5 years, with opportunities to recommit to stronger action as informed by science;

d. loss and damage to be anchored as a standalone element that is separate and distinct from adaptation in the 2015 Paris Climate Change Agreement;

e. a special provision in the 2015 Paris Climate Change Agreement to fast-track urgent action required to assist the most vulnerable countries that are already experiencing existential threats from climate change;

f. an integrated approach to transitioning Pacific countries to low carbon transport futures, in particular sea transport given its central role in providing connectivity for Pacific Small Island Developing States, including a regional strategy to advocate for and monitor implementation of sector targets through relevant UN agencies commensurate with the 1.50C threshold;

g. a new global dialogue on the implementation of an international moratorium on the development and expansion of fossil fuel extracting industries, particularly the construction of new coal mines, as an urgent step towards decarbonising the global economy;

h. increased support for adaptation measures that address all vulnerable sectors including health, water and sanitation, energy, agriculture, forestry and fisheries;

i. adaptation measures for Pacific Small Island Developing States to be 100% grant financed;

j. support the establishment of mechanisms for the payment of ocean and ecosystem services;

k. stronger regulations regarding climate proofing of infrastructure as well as revision or formulation of building and zoning codes;

l. the development of Pacific based research and technology capacity as an essential foundation for innovation in our response to climate change;

m. capacity building on formal and non-formal education, knowledge management, with a particular emphasis on national languages and communication of climate change;

n. support to enable the greater involvement of community, civil society (including women, youth and persons with disabilities) and the private sector, in our climate change responses and initiatives.

4th September 2015

Appendix III: Smaller Island States Leaders' Port Moresby Declaration on Climate Change

We, the Leaders of the Pacific Smaller Island States, represent the most vulnerable countries in the world and at the frontline to the impacts of climate change.

We are deeply concerned that the future of our nations is threatened by the impacts of climate change.

We are already suffering the impacts of climate change and call upon the international community to respond with a concerted and ambitious approach to address the greatest threat to humanity.

The world must rapidly transform its use of energy from fossil fuels to low carbon development, including renewable energy and other technologies that may become available to move to zero emissions.

At the end of this year, nations will come together in Paris for the COP 21 to agree on a new protocol, legal instrument or an agreed outcome to address climate change. This is our last chance to reach an outcome that must reverse the global warming pathway to ensure the future survival and existence of our nations, people and culture.

We reaffirm our call for a new and ambitious international climate change agreement that will be adopted in Paris. It must be comprehensive, forward looking, effective and legally binding in all aspects.

We, Leaders of Pacific Smaller Island States recognise and align with the positions expressed in the statements issued by other Pacific Summits on Climate Change, in particular the Suva Declaration on Climate Change in September 2015, the Nuku'alofa Ministerial Declaration on Sustainable Weather and Climate Services for a Resilient Pacific in July 2015, the Polynesian Leaders' Taputapuatea Declaration on Climate Change in July 2015, the Lifou Ministerial Declaration on Climate Change in April 2015, the SIDS Accelerated Modalities of Action (SAMOA) Pathway in September 2014, the Majuro Declaration on Climate Leadership in September 2013, and the Niue Declaration on Climate Change in August 2008.

To this end we urge that COP 21 must deliver a legally binding agreement, which will:

    a. Limit global average temperature increase to well below 1.5 degrees Celsius above pre-industrial levels;
    b. Ensure that human rights to exist as a people are protected;
    c. Uphold the polluter pay principle;

d. Address all sources of greenhouse gas emissions including those from international transport;

e. Carry out a review to conduct a major renewal of international mitigation commitments every five years with flexibility for Small Island Developing States and Least Developed Countries, to examine the most recent science, as well as pathways for higher ambition, and provide an opportunity to recommit to stronger action;

f. Include a mechanism to address loss and damage as a stand-alone element of the agreement and within that mechanism create a facility to effectively support people displaced by the impacts of climate change;

g. Ensure ease of access to adequate and predictable finance, technology and capacity building to ensure that Small Island Developing States and Least Developed Countries can transition to fossil fuel free economies and to have the ability to adapt to the impacts of climate change; and,

h. Recognise the special circumstances of Small Island Developing States and Least Developed Countries and direct additional efforts to assist them meet the challenge of climate change.

We, Leaders of the Pacific Smaller Island States also call on all nations, particularly the advanced economies in our region and beyond, to rise to the challenge of climate change and take transformational action to steer us on a path where climate change is no longer a threat to our planet.

As a first step in this direction we call for a global moratorium on all new coal mines. We cannot afford to lock in any further fossil fuel emissions. Green-Blue economies must be the way for now and into the future.

We, Leaders of the Pacific Smaller Island States are committed to a sustainable and resilient future. We call on all others to follow and to leave no one behind.

7th September, 2015

Appendix IV: Pacific Island Forum Leaders Declaration on Climate Change Action 46th Pacific Islands Forum Leaders Summit – Port Moresby 2015

We, the Leaders of the Pacific Islands Forum:

1.   are deeply concerned about the serious impacts of and growing threat posed by climate change to the economic, social, environmental and cultural well-being and security of Pacific Island Countries and Territories (PICTs), and our peoples.

2.   are alarmed at the current and projected impacts of climate change, coupled with the region's physical vulnerability and limited capacity, are exacerbating the challenges on the sustainable development efforts and future existence of Pacific Island Countries and Territories.

3.   reiterate that Pacific Island Countries and Territories are amongst the most vulnerable and least able to adapt and to respond; and the adverse consequences they face as a result of climate change, including the exacerbation of climate variability, sea level rise, ocean acidification, and more frequent and extreme weather events, are significantly disproportionate to negligible collective contribution to the global greenhouse gas emissions.

4.   are serious about reducing greenhouse gas emissions, and are committed to show leadership through ambitious submissions of Intended Nationally Determined Contributions (INDCs) to the United Nations Framework Convention on Climate Change (UNFCCC), implement commitments under the Majuro Declaration for Climate Leadership in 2013 to reduce emissions and reliance on fossil fuels, and promote low carbon development through supporting initiatives such as the Sustainable Energy for All (SE4All), SIDS DOCK and REDD+.

5.   are gravely concerned that we are already facing adverse effects of climate change with the current average global temperature increase of 0.85 degree Celsius, and any further warming could push many countries beyond their capacity to adapt.

6.   declare that an increase of 1.5 degrees Celsius would severely exacerbate the particular challenges facing the most vulnerable smaller island states of the Pacific and urge, all effort be made to stay within the global temperature goal, as noted by the Conference of Parties to the UNFCCC in its decision of 1/CP20.

7.   recognise the need to accelerate and intensify efforts to adapt to the impacts of climate change, and to further develop and implement policies, strategies and legislative frameworks, with support where necessary, to climate-proof essential physical infrastructure, adapt key economic sectors and ensure climate-resilient sustainable development for present and future generations.

8.   acknowledge that successful interactive action is achievable and note that the phasing down of hydrofluorocarbons(HFCs) under the Montreal Protocol has been important in mobilising action and, that such action has key benefits for climate change mitigation.

9.   reaffirm that the Paris Conference 2015 is crucial for all in order to deliver an ambitious, legally-binding agreement under the UNFCCC applicable to all, which reflects the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances.

10.   recognise the importance of amplifying the Pacific voice at all avenues possible with a view to influence the Paris outcome, and note the positions of the region as

expressed in other meeting outcomes and declarations, including the Smaller Island States Leaders' Port Moresby Declaration on Climate Change in September 2015, the Suva Declaration on Climate Change in September 2015, the Nuku'alofa Ministerial Declaration on Sustainable Weather and Climate Services for a Resilient Pacific in July 2015, the Polynesian Leaders' Taputapuatea Declaration on Climate Change in July 2015, the Lifou Ministerial Declaration on Climate Change in April 2015, the SIDS Accelerated Modalities of Action (SAMOA) Pathway in September 2014, the Majuro Declaration on Climate Leadership in September 2013, and the NiueDeclaration on Climate Change in August 2008.

11.   call for the timely conclusion of the negotiations under the UNFCCC to adopt a new, ambitious and legally binding international climate change agreement applicable to all Parties, in Paris at COP 21, and for the Paris outcome to include, inter alia:

    a. recognition of the special circumstances and vulnerability of Small Island Developing States (SIDS), particularly those in the Pacific, and Least Developed Countries;

    b. support for ongoing and improved weather, climate, water, and related environmental services, their analysis and modeling of impacts to inform political, economic and social policies in the Pacific;

    c. ambitious, clearly-defined and transparent commitments by all Parties to reduce greenhouse gas emissions through their INDCs, in line with the ultimate objective of the UNFCCC to stabilise greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system;

    d. provisions for regular review of mitigation commitments, in light of the most recent science, as well as pathways for higher ambition, and provide an opportunity to recommit to stronger action;

    e. acknowledgement of the importance of transparency and accountability to the environmental integrity and effectiveness of the new agreement;

    f. requirements that Parties will make their strongest possible efforts to achieve and progressively enhance national and global mitigation action;

    g. accelerated and effective delivery of international support for the design and implementation of adaptation and mitigation actions especially for the most vulnerable countries already experiencing existential challenges from climate change, in relation to capacity building, technology transfer, knowledge and information sharing, and improved access to climate change finance;

    h. a commitment to scale up the provision of financial resources, noting the commitment by developed country Parties, in the context of meaningful mitigation actions and transparency on implementation, to a goal of mobilising jointly US$100 billion per year by 2020 to address the needs of developing countries, from a wide variety of sources, and a request for Parties to continue to enhance their enabling environments and policy frameworks to facilitate the mobilisation and effective deployment of climate change finance;

    i. simplified access to financial resources to support climate change action and resilience that accounts for the particular circumstance of SIDS, especially those in the Pacific, and Least Developed Countries. The outcome should also encourage Parties to ensure improved effectiveness of existing and new support, and provide support for readiness activities for capacity constrained countries, such as Pacific Small Island Developing States and the Least Developed Countries;

j. inclusion in the Paris outcome of loss and damage as a critical and stand alone element for building resilience against climate change impacts, including responding to extreme weather and slow onset events, and builds on the ongoing work of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts in developing countries that are particularly vulnerable to the adverse effects of climate change;

k. inclusion in the Paris outcome relevant provisions to support further actions under the Warsaw Framework for REDD+;

l. recognition of the disproportionate impact of climate change on women, youth, the elderly, disabled, indigenous peoples and other vulnerable and marginalised groups, and acknowledgement of the contribution of these peoples to the effective implementation of the Paris outcome; and,

m. acknowledgment of the crucial role women will play in a global solution to climate change and the importance of gender responsive outcomes that encourage full and equal participation of women in all climate change actions, decision-making processes and improved accessibility to financial resources.

10 September 2015

Appendix V: Paris Agreement

The Parties to this Agreement,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as "the Convention",

Pursuant to the Durban Platform for Enhanced Action established by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,

In pursuit of the objective of the Convention, and being guided by its principles, including the principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

Recognizing the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge,

Also recognizing the specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, as provided for in the Convention,

Taking full account of the specific needs and special situations of the least developed countries with regard to funding and transfer of technology,

Recognizing that Parties may be affected not only by climate change, but also by the impacts of the measures taken in response to it,

Emphasizing the intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty,

Recognizing the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change,

Taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

Recognizing the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of the greenhouse gases referred to in the Convention,

Noting the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth,

and noting the importance for some of the concept of "climate justice", when taking action to address climate change,

Affirming the importance of education, training, public awareness, public participation, public access to information and cooperation at all levels on the matters addressed in this Agreement,

Recognizing the importance of the engagements of all levels of government and various actors, in accordance with respective national legislations of Parties, in addressing climate change,

Also recognizing that sustainable lifestyles and sustainable patterns of consumption and production, with developed country Parties taking the lead, play an important role in addressing climate change,

Have agreed as follows:

Article 1

For the purpose of this Agreement, the definitions contained in Article 1 of the Convention shall apply. In addition:

(a) "Convention" means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992;

(b) "Conference of the Parties" means the Conference of the Parties to the Convention;

(c) "Party" means a Party to this Agreement.

Article 2

1. This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by:

(a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

(b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and

(c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.

2. This Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Article 3

As nationally determined contributions to the global response to climate change, all Parties are to undertake and communicate ambitious efforts as defined in Articles 4, 7, 9, 10, 11 and 13 with the view to achieving the purpose of this Agreement as set out in Article 2. The efforts of all Parties will represent a progression over time, while recognizing the need to support developing country Parties for the effective implementation of this Agreement.

Article 4

1. In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.

2. Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions.

3. Each Party's successive nationally determined contribution will represent a progression beyond the Party's then current nationally determined contribution and reflect its highest possible ambition, reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

4. Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances.

5. Support shall be provided to developing country Parties for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions.

6. The least developed countries and small island developing States may prepare and communicate strategies, plans and actions for low greenhouse gas emissions development reflecting their special circumstances.

7. Mitigation co-benefits resulting from Parties' adaptation actions and/or economic diversification plans can contribute to mitigation outcomes under this Article.

8. In communicating their nationally determined contributions, all Parties shall provide the information necessary for clarity, transparency and understanding in accordance

with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to this Agreement.

9. Each Party shall communicate a nationally determined contribution every five years in accordance with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to this Agreement and be informed by the outcomes of the global stocktake referred to in Article 14.

10. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall consider common time frames for nationally determined contributions at its first session.

11. A Party may at any time adjust its existing nationally determined contribution with a view to enhancing its level of ambition, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

12. Nationally determined contributions communicated by Parties shall be recorded in a public registry maintained by the secretariat.

13. Parties shall account for their nationally determined contributions. In accounting for anthropogenic emissions and removals corresponding to their nationally determined contributions, Parties shall promote environmental integrity, transparency, accuracy, completeness, comparability and consistency, and ensure the avoidance of double counting, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

14. In the context of their nationally determined contributions, when recognizing and implementing mitigation actions with respect to anthropogenic emissions and removals, Parties should take into account, as appropriate, existing methods and guidance under the Convention, in the light of the provisions of paragraph 13 of this Article.

15. Parties shall take into consideration in the implementation of this Agreement the concerns of Parties with economies most affected by the impacts of response measures, particularly developing country Parties.

16. Parties, including regional economic integration organizations and their member States, that have reached an agreement to act jointly under paragraph 2 of this Article shall notify the secretariat of the terms of that agreement, including the emission level allocated to each Party within the relevant time period, when they communicate their nationally determined contributions. The secretariat shall in turn inform the Parties and signatories to the Convention of the terms of that agreement.

17. Each party to such an agreement shall be responsible for its emission level as set out in the agreement referred to in paragraph 16 of this Article in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.

18. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization which is itself a Party to this Agreement, each member State of that regional economic integration organization individually, and

together with the regional economic integration organization, shall be responsible for its emission level as set out in the agreement communicated under paragraph 16 of this Article in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.

19. All Parties should strive to formulate and communicate long-term low greenhouse gas emission development strategies, mindful of Article 2 taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Article 5

1. Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases as referred to in Article 4, paragraph 1(d), of the Convention, including forests.

2. Parties are encouraged to take action to implement and support, including through results-based payments, the existing framework as set out in related guidance and decisions already agreed under the Convention for: policy approaches and positive incentives for activities relating to reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries; and alternative policy approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests, while reaffirming the importance of incentivizing, as appropriate, non-carbon benefits associated with such approaches.

Article 6

1. Parties recognize that some Parties choose to pursue voluntary cooperation in the implementation of their nationally determined contributions to allow for higher ambition in their mitigation and adaptation actions and to promote sustainable development and environmental integrity.

2. Parties shall, where engaging on a voluntary basis in cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions, promote sustainable development and ensure environmental integrity and transparency, including in governance, and shall apply robust accounting to ensure, inter alia, the avoidance of double counting, consistent with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

3. The use of internationally transferred mitigation outcomes to achieve nationally determined contributions under this Agreement shall be voluntary and authorized by participating Parties.

4. A mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development is hereby established under the authority and guidance of the Conference of the Parties serving as the meeting of the Parties to this Agreement for use by Parties on a voluntary basis. It shall be supervised by a body designated by the

Conference of the Parties serving as the meeting of the Parties to this Agreement, and shall aim:

     (a) To promote the mitigation of greenhouse gas emissions while fostering sustainable development;

     (b) To incentivize and facilitate participation in the mitigation of greenhouse gas emissions by public and private entities authorized by a Party;

     (c) To contribute to the reduction of emission levels in the host Party, which will benefit from mitigation activities resulting in emission reductions that can also be used by another Party to fulfil its nationally determined contribution; and

     (d) To deliver an overall mitigation in global emissions.

5. Emission reductions resulting from the mechanism referred to in paragraph 4 of this Article shall not be used to demonstrate achievement of the host Party's nationally determined contribution if used by another Party to demonstrate achievement of its nationally determined contribution.

6. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall ensure that a share of the proceeds from activities under the mechanism referred to in paragraph 4 of this Article is used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

7. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall adopt rules, modalities and procedures for the mechanism referred to in paragraph 4 of this Article at its first session.

8. Parties recognize the importance of integrated, holistic and balanced non-market approaches being available to Parties to assist in the implementation of their nationally determined contributions, in the context of sustainable development and poverty eradication, in a coordinated and effective manner, including through, inter alia, mitigation, adaptation, finance, technology transfer and capacity-building, as appropriate. These approaches shall aim to:

     (a) Promote mitigation and adaptation ambition;

     (b) Enhance public and private sector participation in the implementation of nationally determined contributions; and

     (c) Enable opportunities for coordination across instruments and relevant institutional arrangements.

9. A framework for non-market approaches to sustainable development is hereby defined to promote the non-market approaches referred to in paragraph 8 of this Article.

Article 7

1. Parties hereby establish the global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, with a view to contributing to sustainable development and ensuring an adequate adaptation response in the context of the temperature goal referred to in Article 2.

2. Parties recognize that adaptation is a global challenge faced by all with local, subnational, national, regional and international dimensions, and that it is a key component of and makes a contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems, taking into account the urgent and immediate needs of those developing country Parties that are particularly vulnerable to the adverse effects of climate change.

3. The adaptation efforts of developing country Parties shall be recognized, in accordance with the modalities to be adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement at its first session.

4. Parties recognize that the current need for adaptation is significant and that greater levels of mitigation can reduce the need for additional adaptation efforts, and that greater adaptation needs can involve greater adaptation costs.

5. Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.

6. Parties recognize the importance of support for and international cooperation on adaptation efforts and the importance of taking into account the needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change.

7. Parties should strengthen their cooperation on enhancing action on adaptation, taking into account the Cancun Adaptation Framework, including with regard to:

(a) Sharing information, good practices, experiences and lessons learned, including, as appropriate, as these relate to science, planning, policies and implementation in relation to adaptation actions;

(b) Strengthening institutional arrangements, including those under the Convention that serve this Agreement, to support the synthesis of relevant information and knowledge, and the provision of technical support and guidance to Parties;

(c) Strengthening scientific knowledge on climate, including research, systematic observation of the climate system and early warning systems, in a manner that informs climate services and supports decision-making;

(d) Assisting developing country Parties in identifying effective adaptation practices, adaptation needs, priorities, support provided and received for adaptation

actions and efforts, and challenges and gaps, in a manner consistent with encouraging good practices; and

(e) Improving the effectiveness and durability of adaptation actions.

8. United Nations specialized organizations and agencies are encouraged to support the efforts of Parties to implement the actions referred to in paragraph 7 of this Article, taking into account the provisions of paragraph 5 of this Article.

9. Each Party shall, as appropriate, engage in adaptation planning processes and the implementation of actions, including the development or enhancement of relevant plans, policies and/or contributions, which may include:

(a) The implementation of adaptation actions, undertakings and/or efforts;

(b) The process to formulate and implement national adaptation plans;

(c) The assessment of climate change impacts and vulnerability, with a view to formulating nationally determined prioritized actions, taking into account vulnerable people, places and ecosystems;

(d) Monitoring and evaluating and learning from adaptation plans, policies, programmes and actions; and

(e) Building the resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources.

10. Each Party should, as appropriate, submit and update periodically an adaptation communication, which may include its priorities, implementation and support needs, plans and actions, without creating any additional burden for developing country Parties.

11. The adaptation communication referred to in paragraph 10 of this Article shall be, as appropriate, submitted and updated periodically, as a component of or in conjunction with other communications or documents, including a national adaptation plan, a nationally determined contribution as referred to in Article 4, paragraph 2, and/or a national communication.

12. The adaptation communications referred to in paragraph 10 of this Article shall be recorded in a public registry maintained by the secretariat.

13. Continuous and enhanced international support shall be provided to developing country Parties for the implementation of paragraphs 7, 9, 10 and 11 of this Article, in accordance with the provisions of Articles 9, 10 and 11.

14. The global stocktake referred to in Article 14 shall, inter alia:

(a) Recognize adaptation efforts of developing country Parties;

(b) Enhance the implementation of adaptation action taking into account the adaptation communication referred to in paragraph 10 of this Article;

(c) Review the adequacy and effectiveness of adaptation and support provided for adaptation; and

(d) Review the overall progress made in achieving the global goal on adaptation referred to in paragraph 1 of this Article.

Article 8

1. Parties recognize the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.

2. The Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts shall be subject to the authority and guidance of the Conference of the Parties serving as the meeting of the Parties to this Agreement and may be enhanced and strengthened, as determined by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

3. Parties should enhance understanding, action and support, including through the Warsaw International Mechanism, as appropriate, on a cooperative and facilitative basis with respect to loss and damage associated with the adverse effects of climate change.

4. Accordingly, areas of cooperation and facilitation to enhance understanding, action and support may include:

(a) Early warning systems;

(b) Emergency preparedness;

(c) Slow onset events;

(d) Events that may involve irreversible and permanent loss and damage;

(e) Comprehensive risk assessment and management;

(f) Risk insurance facilities, climate risk pooling and other insurance solutions;

(g) Non-economic losses; and

(h) Resilience of communities, livelihoods and ecosystems.

5. The Warsaw International Mechanism shall collaborate with existing bodies and expert groups under the Agreement, as well as relevant organizations and expert bodies outside the Agreement.

Article 9

1. Developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention.

2. Other Parties are encouraged to provide or continue to provide such support voluntarily.

3. As part of a global effort, developed country Parties should continue to take the lead in mobilizing climate finance from a wide variety of sources, instruments and channels, noting the significant role of public funds, through a variety of actions, including supporting country-driven strategies, and taking into account the needs and priorities of developing country Parties. Such mobilization of climate finance should represent a progression beyond previous efforts.

4. The provision of scaled-up financial resources should aim to achieve a balance between adaptation and mitigation, taking into account country-driven strategies, and the priorities and needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change and have significant capacity constraints, such as the least developed countries and small island developing States, considering the need for public and grant-based resources for adaptation.

5. Developed country Parties shall biennially communicate indicative quantitative and qualitative information related to paragraphs 1 and 3 of this Article, as applicable, including, as available, projected levels of public financial resources to be provided to developing country Parties. Other Parties providing resources are encouraged to communicate biennially such information on a voluntary basis.

6. The global stocktake referred to in Article 14 shall take into account the relevant information provided by developed country Parties and/or Agreement bodies on efforts related to climate finance.

7. Developed country Parties shall provide transparent and consistent information on support for developing country Parties provided and mobilized through public interventions biennially in accordance with the modalities, procedures and guidelines to be adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement, at its first session, as stipulated in Article 13, paragraph 13. Other Parties are encouraged to do so.

8. The Financial Mechanism of the Convention, including its operating entities, shall serve as the financial mechanism of this Agreement.

9. The institutions serving this Agreement, including the operating entities of the Financial Mechanism of the Convention, shall aim to ensure efficient access to financial resources through simplified approval procedures and enhanced readiness support for developing country Parties, in particular for the least developed countries and small island developing States, in the context of their national climate strategies and plans.

Article 10

1. Parties share a long-term vision on the importance of fully realizing technology development and transfer in order to improve resilience to climate change and to reduce greenhouse gas emissions.

2. Parties, noting the importance of technology for the implementation of mitigation and adaptation actions under this Agreement and recognizing existing technology deployment and dissemination efforts, shall strengthen cooperative action on technology development and transfer.

3. The Technology Mechanism established under the Convention shall serve this Agreement.

4. A technology framework is hereby established to provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of this Agreement, in pursuit of the long-term vision referred to in paragraph 1 of this Article.

5. Accelerating, encouraging and enabling innovation is critical for an effective, long-term global response to climate change and promoting economic growth and sustainable development. Such effort shall be, as appropriate, supported, including by the Technology Mechanism and, through financial means, by the Financial Mechanism of the Convention, for collaborative approaches to research and development, and facilitating access to technology, in particular for early stages of the technology cycle, to developing country Parties.

6. Support, including financial support, shall be provided to developing country Parties for the implementation of this Article, including for strengthening cooperative action on technology development and transfer at different stages of the technology cycle, with a view to achieving a balance between support for mitigation and adaptation. The global stocktake referred to in Article 14 shall take into account available information on efforts related to support on technology development and transfer for developing country Parties.

Article 11

1. Capacity-building under this Agreement should enhance the capacity and ability of developing country Parties, in particular countries with the least capacity, such as the least developed countries, and those that are particularly vulnerable to the adverse effects of climate change, such as small island developing States, to take effective climate change action, including, inter alia, to implement adaptation and mitigation actions, and should facilitate technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.

2. Capacity-building should be country-driven, based on and responsive to national needs, and foster country ownership of Parties, in particular, for developing country Parties, including at the national, subnational and local levels. Capacity-building should be guided by lessons learned, including those from capacity-building activities under

the Convention, and should be an effective, iterative process that is participatory, cross-cutting and gender- responsive.

3. All Parties should cooperate to enhance the capacity of developing country Parties to implement this Agreement. Developed country Parties should enhance support for capacity- building actions in developing country Parties.

4. All Parties enhancing the capacity of developing country Parties to implement this Agreement, including through regional, bilateral and multilateral approaches, shall regularly communicate on these actions or measures on capacity-building. Developing country Parties should regularly communicate progress made on implementing capacity- building plans, policies, actions or measures to implement this Agreement.

5. Capacity-building activities shall be enhanced through appropriate institutional arrangements to support the implementation of this Agreement, including the appropriate institutional arrangements established under the Convention that serve this Agreement. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall, at its first session, consider and adopt a decision on the initial institutional arrangements for capacity-building.

Article 12

Parties shall cooperate in taking measures, as appropriate, to enhance climate change education, training, public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement.

Article 13

1. In order to build mutual trust and confidence and to promote effective implementation, an enhanced transparency framework for action and support, with built-in flexibility which takes into account Parties' different capacities and builds upon collective experience is hereby established.

2. The transparency framework shall provide flexibility in the implementation of the provisions of this Article to those developing country Parties that need it in the light of their capacities. The modalities, procedures and guidelines referred to in paragraph 13 of this Article shall reflect such flexibility.

3. The transparency framework shall build on and enhance the transparency arrangements under the Convention, recognizing the special circumstances of the least developed countries and small island developing States, and be implemented in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and avoid placing undue burden on Parties.

4. The transparency arrangements under the Convention, including national communications, biennial reports and biennial update reports, international assessment and review and international consultation and analysis, shall form part of the experience

drawn upon for the development of the modalities, procedures and guidelines under paragraph 13 of this Article.

5. The purpose of the framework for transparency of action is to provide a clear understanding of climate change action in the light of the objective of the Convention as set out in its Article 2, including clarity and tracking of progress towards achieving Parties' individual nationally determined contributions under Article 4, and Parties' adaptation actions under Article 7, including good practices, priorities, needs and gaps, to inform the global stocktake under Article 14.

6. The purpose of the framework for transparency of support is to provide clarity on support provided and received by relevant individual Parties in the context of climate change actions under Articles 4, 7, 9, 10 and 11, and, to the extent possible, to provide a full overview of aggregate financial support provided, to inform the global stocktake under Article 14.

7. Each Party shall regularly provide the following information:

      (a) A national inventory report of anthropogenic emissions by sources and removals by sinks of greenhouse gases, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change and agreed upon by the Conference of the Parties serving as the meeting of the Parties to this Agreement; and

      (b) Information necessary to track progress made in implementing and achieving its nationally determined contribution under Article 4.

8. Each Party should also provide information related to climate change impacts and adaptation under Article 7, as appropriate.

9. Developed country Parties shall, and other Parties that provide support should, provide information on financial, technology transfer and capacity-building support provided to developing country Parties under Articles 9, 10 and 11.

10. Developing country Parties should provide information on financial, technology transfer and capacity-building support needed and received under Articles 9, 10 and 11.

11. Information submitted by each Party under paragraphs 7 and 9 of this Article shall undergo a technical expert review, in accordance with decision 1/CP.21. For those developing country Parties that need it in the light of their capacities, the review process shall include assistance in identifying capacity-building needs. In addition, each Party shall participate in a facilitative, multilateral consideration of progress with respect to efforts under Article 9, and its respective implementation and achievement of its nationally determined contribution.

12. The technical expert review under this paragraph shall consist of a consideration of the Party's support provided, as relevant, and its implementation and achievement of its nationally determined contribution. The review shall also identify areas of improvement for the Party, and include a review of the consistency of the information with the modalities, procedures and guidelines referred to in paragraph 13 of this Article, taking

into account the flexibility accorded to the Party under paragraph 2 of this Article. The review shall pay particular attention to the respective national capabilities and circumstances of developing country Parties.

13. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall, at its first session, building on experience from the arrangements related to transparency under the Convention, and elaborating on the provisions in this Article, adopt common modalities, procedures and guidelines, as appropriate, for the transparency of action and support.

14. Support shall be provided to developing countries for the implementation of this Article.

15. Support shall also be provided for the building of transparency-related capacity of developing country Parties on a continuous basis.

Article 14

1. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall periodically take stock of the implementation of this Agreement to assess the collective progress towards achieving the purpose of this Agreement and its long-term goals (referred to as the "global stocktake"). It shall do so in a comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support, and in the light of equity and the best available science.

2. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall undertake its first global stocktake in 2023 and every five years thereafter unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

3. The outcome of the global stocktake shall inform Parties in updating and enhancing, in a nationally determined manner, their actions and support in accordance with the relevant provisions of this Agreement, as well as in enhancing international cooperation for climate action.

Article 15

1. A mechanism to facilitate implementation of and promote compliance with the provisions of this Agreement is hereby established.

2. The mechanism referred to in paragraph 1 of this Article shall consist of a committee that shall be expert-based and facilitative in nature and function in a manner that is transparent, non-adversarial and non-punitive. The committee shall pay particular attention to the respective national capabilities and circumstances of Parties.

3. The committee shall operate under the modalities and procedures adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement at its first session and report annually to the Conference of the Parties serving as the meeting of the Parties to this Agreement.

Article 16

1. The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Agreement.

2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the Conference of the Parties serving as the meeting of the Parties to this Agreement. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.

3. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from amongst the Parties to this Agreement.

4. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall keep under regular review the implementation of this Agreement and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Agreement and shall:

    (a) Establish such subsidiary bodies as deemed necessary for the implementation of this Agreement; and

    (b) Exercise such other functions as may be required for the implementation of this Agreement.

5. The rules of procedure of the Conference of the Parties and the financial procedures applied under the Convention shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

6. The first session of the Conference of the Parties serving as the meeting of the Parties to this Agreement shall be convened by the secretariat in conjunction with the first session of the Conference of the Parties that is scheduled after the date of entry into force of this Agreement. Subsequent ordinary sessions of the Conference of the Parties serving as the meeting of the Parties to this Agreement shall be held in conjunction with ordinary sessions of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

7. Extraordinary sessions of the Conference of the Parties serving as the meeting of the Parties to this Agreement shall be held at such other times as may be deemed necessary by the Conference of the Parties serving as the meeting of the Parties to this Agreement or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the secretariat, it is supported by at least one third of the Parties.

8. The United Nations and its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented at sessions of the Conference of the Parties serving as the meeting of the Parties to this Agreement as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by this Agreement and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties serving as the meeting of the Parties to this Agreement as an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure referred to in paragraph 5 of this Article.

Article 17

1. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Agreement.

2. Article 8, paragraph 2, of the Convention on the functions of the secretariat, and Article 8, paragraph 3, of the Convention, on the arrangements made for the functioning of the secretariat, shall apply mutatis mutandis to this Agreement. The secretariat shall, in addition, exercise the functions assigned to it under this Agreement and by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

Article 18

1. The Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation established by Articles 9 and 10 of the Convention shall serve, respectively, as the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement. The provisions of the Convention relating to the functioning of these two bodies shall apply mutatis mutandis to this Agreement. Sessions of the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement shall be held in conjunction with the meetings of, respectively, the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention.

2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the subsidiary bodies. When the subsidiary bodies serve as the subsidiary bodies of this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.

3. When the subsidiary bodies established by Articles 9 and 10 of the Convention exercise their functions with regard to matters concerning this Agreement, any member of the bureaux of those subsidiary bodies representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from amongst the Parties to this Agreement.

Article 19

1. Subsidiary bodies or other institutional arrangements established by or under the Convention, other than those referred to in this Agreement, shall serve this Agreement upon a decision of the Conference of the Parties serving as the meeting of the Parties to this Agreement. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall specify the functions to be exercised by such subsidiary bodies or arrangements.

2. The Conference of the Parties serving as the meeting of the Parties to this Agreement may provide further guidance to such subsidiary bodies and institutional arrangements.

Article 20

1. This Agreement shall be open for signature and subject to ratification, acceptance or approval by States and regional economic integration organizations that are Parties to the Convention. It shall be open for signature at the United Nations Headquarters in New York from 22 April 2016 to 21 April 2017. Thereafter, this Agreement shall be open for accession from the day following the date on which it is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

2. Any regional economic integration organization that becomes a Party to this Agreement without any of its member States being a Party shall be bound by all the obligations under this Agreement. In the case of regional economic integration organizations with one or more member States that are Parties to this Agreement, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Agreement. In such cases, the organization and the member States shall not be entitled to exercise rights under this Agreement concurrently.

3. In their instruments of ratification, acceptance, approval or accession, regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by this Agreement. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence.

Article 21

1. This Agreement shall enter into force on the thirtieth day after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55 per cent of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval or accession.

2. Solely for the limited purpose of paragraph 1 of this Article, "total global greenhouse gas emissions" means the most up-to-date amount communicated on or before the date of adoption of this Agreement by the Parties to the Convention.

3. For each State or regional economic integration organization that ratifies, accepts or approves this Agreement or accedes thereto after the conditions set out in paragraph 1

of this Article for entry into force have been fulfilled, this Agreement shall enter into force on the thirtieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.

4. For the purposes of paragraph 1 of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by its member States.

Article 22

The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.

Article 23

1. The provisions of Article 16 of the Convention on the adoption and amendment of annexes to the Convention shall apply mutatis mutandis to this Agreement.

2. Annexes to this Agreement shall form an integral part thereof and, unless otherwise expressly provided for, a reference to this Agreement constitutes at the same time a reference to any annexes thereto. Such annexes shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character.

Article 24

The provisions of Article 14 of the Convention on settlement of disputes shall apply mutatis mutandis to this Agreement.

Article 25

1. Each Party shall have one vote, except as provided for in paragraph 2 of this Article.

2. Regional economic integration organizations, in matters within their competence,

shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to this Agreement. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 26

The Secretary-General of the United Nations shall be the Depositary of this Agreement.

Article 27

No reservations may be made to this Agreement.

Article 28

1. At any time after three years from the date on which this Agreement has entered into force for a Party, that Party may withdraw from this Agreement by giving written notification to the Depositary.

2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.

3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Agreement.

Article 29

The original of this Agreement, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary- General of the United Nations.

DONE at Paris this twelfth day of December two thousand and fifteen.

IN WITNESS WHEREOF, the undersigned, being duly authorized to that effect, have signed this Agreement.

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