

*Abu Salah Md. Yousuf***NON-STATE ACTORS IN GLOBAL CLIMATE NEGOTIATIONS: POLICY INFLUENCING STRATEGIES AND CHALLENGES****Abstract**

Non-State Actors (NSAs) are regarded as important stakeholders in global climate negotiations to uphold the views of climate change victims all over the world. Defining NSAs and why do state actors allow them to participate in the negotiation process are drawing academic interest. During the Conference of Parties (COP), under the United Nations Framework Convention on Climate Change (UNFCCC), NSAs try to influence policies by sharing knowledge and enforcing pressure on state actors in order to adopt effective policies. In contemporary climate change negotiations, NSAs' policy influence can be understood in two ways: first, as "outsider", when they put pressure on state actors without participating in the negotiation; an second, as "insider", when they directly participate in the negotiation process. In this respect, the main objectives of this paper are to evaluate policy influencing strategies of NSAs in the negotiations and what are the challenges they face to influence the policies.

1. Introduction

The influence of Non-State Actors (NSAs) in global climate negotiations is receiving global attention considering their emerging role in addressing climate change challenges. In global climate negotiations, particularly in the Conference of Parties (COP) under the United Nations Framework Convention on Climate Change (UNFCCC), NSAs play important role in the process of agenda setting, policy formulation, framing implementation mechanism and measures to monitor and evaluate implementation process. NSAs have critical opinions, where in many cases, they differ with state actors.¹ However, how could NSAs be defined in the context of global climate change negotiations is a debate in academic forums. Why do state actors allow NSAs in the negotiation process and what are the strategies used by the NSAs to influence negotiation process are also receiving academic attention.

This paper is an endeavour to understand NSAs in the context of global climate negotiations and evaluate policy influencing strategies used by the NSAs to achieve their goals. The policy influencing strategies of NSAs can be understood in

Abu Salah Md. Yousuf is Senior Research Fellow at Bangladesh Institute of International and Strategic Studies (BIISS), Dhaka. His e-mail address is: yousuf@biiss.org

© Bangladesh Institute of International and Strategic Studies (BIISS), 2015.

¹ A state is a political unit that has sovereignty over an area/territory and the people within it. State actors mean the legitimate body that represents the state. However, state actors refer to the government apparatus which represents a state in the global climate negotiations.

two ways: “insider” and “outsider”.² The paper also focuses on the existing challenges NSAs are facing in global climate negotiations. The paper consults published books, journal articles and studies by different research institutions to realise conceptual debates on NSAs and their policy influencing strategies.

The paper is divided into seven sections. First section is introduction. Section two deals with definitional debates on NSAs. Section three is about why do state actors allow NSAs in climate negotiation processes. Section four highlights participation mechanism of state actors and NSAs in global climate negotiations. Section five focuses on policy influencing strategies used by NSAs in the negotiations. Section six discusses challenges that are faced by NSAs. Section seven concludes the paper.

2. Defining NSAs

The importance of NSAs is increasing in compliance with levels of interdependence in international settings.³ Increasing transactions, emergence of transnational issues, environmental degradation and common concerns for regional and global problems require collaboration among nation states, transnational organisations and communities. In short, NSAs have emerged as essential instrument within international system today. During 1980s and 1990s, at least three important developments affected international politics. First, expansion of Information Technology (IT) from developed to developing world introduced a new order of connectivity among people beyond the state surveillance.⁴ Traditionally, state was the only dominant force for any connection outside its boundary. But the IT revolution challenged the authority of the state. Several NSAs have emerged as influential force in global arena. Second, the debate over collective action framework after the Cold War affected state actors’ role in international politics.⁵ During the Cold War, the collective action was dominated by the United States (US)-led capitalist bloc and Union of Soviet Socialist Republics (USSR)-led Soviet bloc. The end of the Cold War introduced new debates in the world politics. Huntington predicted that the international order would be dominated by the “Clash of Civilisations”.⁶ He argued that not the states, rather civilisations would dominate world politics. Kaplan in his book *The Coming Anarchy: Shattering the Dreams of the Post Cold War* asserted that the issues of poverty and environmental degradation would overwhelm the capacity of the state to undertake global decisions.⁷ Jessica T. Mathews argues that the information revolution

² Wyn Grant, “Pressure Politics: From ‘Insider’ Politics to Direct Actions?”, *Parliamentary Affairs*, Vol. 52, No. 2, 2001, pp. 337-348.

³ Trevin Stratton, “Power Failure: The Diffusion of State Power in International Relations”, *Infinity Journal*, Vol. 1, No. 1, 2008, pp. 1-8.

⁴ Richard A. Higgot, Geoffrey R. D. Underhill and Andreas Bieler, “Introduction: Globalisation of Non-state Actors”, in Richard A. Higgot et. al. (eds.), *Non-State Actors and Authority in the Global System*, London: Routledge, 2000, p. 2.

⁵ Ann M. Florini, “Who Does What?”, in Richard A. Higgot et. al. (eds.), *op. cit.*, p. 15.

⁶ Samuel P. Huntington, “The Clash of Civilisations?”, *Foreign Affairs*, Vol. 72, No. 3, Summer 1993.

⁷ Robert D. Kaplan, *The Coming Anarchy: Shattering the Dreams of the Post Cold War*, New York: Random House, 2001.

has rendered a whole host of NSAs increasingly capable of making global decisions and thus undermining the power of the state.⁸ Third, the emergence of transnational issues in the world politics like environment, illicit networking, global terrorism, Non-Government Organisations (NGOs) networks and epistemic communities affected global policy making institutions to consider the role of NSAs. Higgot *et. al.* depict the rise and growth of NSAs in transnational issues.⁹ To address such issues, the role of NSAs has come forward as important phenomenon.

In such a milieu, some observers in international relations have concluded that the role of state actors is declining while NSAs are gaining status and influence. New theories of International Relations (IR) such as “Complex Interdependence” of Robert Keohane and Joseph Nye were shaped to explain new developments.¹⁰ Kegley and Wittkopf noted, “as the world grown smaller, the natural dependence of nation states and the other transnational actors on the other has grown”.¹¹ In the present world, NSAs are co-writing drafts of international treaties like the Amnesty International is contributing in the Anti-Torture Convention, scientists are determining how policymakers go forward on issues like global warming, business lobbies are placing their preferences in the World Trade Organization (WTO) negotiations, protestors are blocking the opening and continuation of WTO summits, terrorist networks are influencing the security doctrine of the most powerful countries, etc. Therefore, the role of NSAs is increasing in all areas of international negotiations. But the literature about NSAs is still diverse and fragmented and the field is characterised with ‘empirical and conceptual complexity’. Experts in this area like Arts¹² and Higgot *et. al.*¹³ define NSAs as actors that are not representative of the states, yet that operate at global level and are potentially relevant in international relations. The National Intelligence Council of the US defines NSAs as non-sovereign entities that exercise significant economic, political and social power and influence at national and international levels.¹⁴ Porte defines NSAs as “empowered by financial, political and technical resources, widely available in these global time”.¹⁵

Haas tried to define NSAs basing on their different types of role in international politics. He identified five categories of NSAs: a. Inter-Governmental Organisations (IGOs); b. International Non-Government Organisations (INGOs); c. Trans-National Corporations (TNCs); d. Epistemic Communities; and e. Remainder category like

⁸ Jessica T. Mathews, “Power Shift”, *Foreign Affairs*, Vol. 76, No. 1, January/February 1997.

⁹ Richard A. Higgot, Geoffrey R. D. Underhill and Andreas Bieler, *op. cit.*

¹⁰ Robert O. Keohane and Joseph S. Nye, *Power and Interdependence*, New York: Longman, 2001, pp. 20-32.

¹¹ Charles W. Kegley, Eugene R. Wittkopf and Charles W. Kegley Jr, *World Politics: Trend and Transformation*, Basingstoke: Palgrave Macmillan, 1997, p. 2.

¹² B. Arts, “International Policy Arrangements of State and Non-State Actors”, in B. Arts, M. Noortmann and B. Reinalda (eds.), *Non-state Actors in International Relations*, Aldershot: Ashgate, pp. 41-58.

¹³ Richard A. Higgot, Geoffrey R. D. Underhill and Andreas Bieler, *op. cit.*

¹⁴ “Nonstate Actors: Impact on International Relations and Implications for the United States”, National Intelligence Council (NIC), USA, 27 August 2007.

¹⁵ Teresa La Porte, “The Impact of ‘Intermestic’ Non-State Actors on the Conceptual Framework of Public Diplomacy”, *The Hague Journal of Diplomacy*, Vol. 7, Issue. 4, 2012, p. 446.

liberation movements, guerrilla organisations, mafia and terrorist networks, churches, professional organisations and scouts.¹⁶ In this respect, IGOs, though they are representatives of the government, enjoy autonomy in their actions.¹⁷ For example, Inter-Governmental Panel on Climate Change (IPCC), United Nations Environmental Programme (UNEP) and UNFCCC are composed of state actors. But at the same time, they enjoy autonomy in the agenda setting, policymaking, implementation and evaluation. In the global climate negotiations, NGOs try to ensure their representation and influence. Considering aforesaid arguments, Josselin and Wallace¹⁸ identify three types of organisations as NSAs:

- Largely or entirely autonomous from the central government funding and control, emanating from civil society or from the market economy or from political impulses beyond state control and direction;
- Operating as or participating in networks which extend across the boundaries of two or more states, thus engaging in ‘transnational’ relations, linking political systems, economies and societies; and
- Acting in ways which affect political outcomes, within one or more states or within the international institutions either purposefully or semi-purposefully, either as their primary objective or as one aspect of their activities.

Anne Peters *et. al.*¹⁹ identify NSAs as the global agenda setter but deny them as entities, saying that they “only have in common ...they are not the state and are not government”. Alan Boyle and Christine Chinkin recognise NSAs as sub-state entities e.g., NGOs, the corporate and business sectors, entities that deny statehood, etc. According to the second paragraph of Article 7.6 of UNFCCC, “Any body or agency, whether national or international, governmental and non-governmental, which is qualified in matters covered by the Convention, and which has informed the Secretariat of its wish to be represented at a session of the Conference of Parties as an observer, may be so admitted unless at least one third of the Parties present object.”²⁰ However, in the meeting of global climate negotiations, NSAs are those entities who have no direct link with governments but are keen to push their opinions in agenda setting and policy formulation. Nevertheless, in many cases, governments allow NSAs

¹⁶ P. M. Haas, “Epistemic Communities and the Dynamics of International Environmental Cooperation”, in Volker Rittberg (ed.), *Regime Theory and International Relations*, Oxford: Clarendon Press, pp. 168-201.

¹⁷ Alexander Andreev, “To What Extent are International Organisations (IOs) Autonomous Actors in World Politics?”, *Opticon 1826*, Issue. 2, Spring 2007, available at http://www.ucl.ac.uk/opticon1826/archive/issue2/VfPS_HS_International_Organisations.pdf, accessed on 25 June 2015.

¹⁸ Daphne Josselin and William Wallace, “Non-state Actors in World Politics: A Framework”, in Daphne Josselin and William Wallace (eds.), *Non-state Actors in World Politics*, Hampshire: Palgrave, 2001, p. 3.

¹⁹ Anne Peters, Till Foster and Lucy Koechlin, “Towards Non-State Actors as Effective, Legitimate and Accountable Standard-Setter”, in Anne Peters, Till Foster, Lucy Koechlin and Gretta Fenner (eds.), *Non-State Actors as Standard Setters*, Cambridge: Cambridge University Press, 2009, pp. 544-584.

²⁰ United Nations Framework Convention on Climate Change (UNFCCC), United Nations, 1992.

in the negotiation process due to their in-depth knowledge and experience in issues relating to climate change mitigation and adaptation. On the other hand, NSAs create pressure to accommodate their views in the final outcomes of negotiations.

3. Why Governments Allow NSAs

NSAs have emerged as integral part of contemporary global climate change negotiations.²¹ Since the Rio Summit of 1992, an unprecedented growth of NSAs in multilateral climate change negotiations has been visible. During the annual COP summits of UNFCCC, hundreds of different NSAs from environmental groups to business associations, from trade unions to women groups, faith based organisations or farmers’ associations are participating with their respective agendas. The first COP summit was held in Berlin in 1995. Since then, the numbers of accredited NGOs are attending as observers have increased tremendously. Figure 1 shows participation of state actors and NSAs in the 20th COP Summit in Lima, Peru in 2014.

Figure 1: Number of Participants in the 20th COP in Lima, Peru in 2014

	States/Organisations	Participants
Parties	186	6291
Observer States	2	5
Total Parties + Observer States	188	6296
United Nations secretariat units and bodies	30	245
Specialised agencies and related organisations	19	197
Inter-governmental organisations	53	439
Non-governmental organisations	624	3104
Total observer organisations	726	3985
Media	434	904
Total Participation		11185

Source: Conference of the Parties (COP), Twentieth Session, Lima, 1-12 December 2014, United Nations.

Global climate change negotiations are inter-governmental mechanisms, where representatives from almost all countries participate to provide sufficient inputs for negotiation and try to secure their respective interests in the formation of global climate regimes. However, contemporary international negotiations on environmental issues formally began with United Nations Conference on the Human Environment, held in Stockholm in 1972. Almost 250 NGOs attended that conference, representing constituencies bound by common values, knowledge and interests.²²

²¹ Edward A. Pogarty, *States, Nonstate Actors and Global Governance: Projecting Politics*, New York: Routledge, 2013, p. 28.

²² Michele M. Betsill and Elisabeth Corell, "Introduction to NGO Diplomacy", in M. M. Betsill and E. Corell (eds.), *NGO Diplomacy: The Influence of Non-governmental Organizations in Environmental Negotiations*, Boston: MIT Press, 2008, p. 1.

These NGOs served as technical experts, helped develop rules for NGOs' participation, participated in the plenary sessions and committee meetings and engaged in several parallel forums designated to strengthen their connections with one another.²³ UN General Assembly in 1992 decided to accommodate NSAs in climate change negotiation considering their importance and utility in the process. The Rio Earth Summit of 1992 marked a relationship between governments and NSAs. The preparatory committees for the summit were followed in detail by hundreds of NGOs, who contributed to the development of Agenda 21.²⁴ There are 10,000 NGOs reported to have attended the Rio conference. Agenda 21 requested governments to recognise the NSAs because they "possess well-established and diverse experience, expertise and capacity in the fields...of particular importance to the implementation and review of environmentally sound and socially responsible sustainable development".²⁵ It also mandated NGOs "to contribute to policy design, decision-making, implementation and evaluation of IGOs' activities".²⁶

During the formation of Kyoto Protocol in 1997, NSAs' participation in the negotiation process was highly appreciated. More than forty organisations sent representatives to at least two of the negotiation sessions, with the largest delegation coming from Greenpeace, Friends of the Earth and the World Wide Fund for Nature. Environmental NGOs coordinated their participation in the Kyoto Protocol negotiation under the umbrella of the Climate Action Network (CAN). The business community was also active during the negotiation of Kyoto Protocol. Since the formation of UNFCCC, NSAs were always active in global climate change negotiation process. The Commission on Sustainable Development (CSD), responsible for implementing Agenda 21, classified NSAs into the following major groups: women, children and youth, indigenous peoples and communities, NGOs, workers and trade unions, scientific and technological community, business and industry, and farmers.

During the 13th COP Summit in Warsaw in 2013, more than 1,600 NSAs participated to raise their issues. Hence, questions may be raised: when NSAs lack traditional forms of power and why do states allow them in the negotiation process? The answer may be developed in two ways: capacity and legitimacy of NSAs. In the modern age, NSAs bear some specific capacities which are helpful for governments to formulate policies and implement government agendas.²⁷ Particularly, in the cases of climate negotiations, due to ground level experience, NSAs are capable of helping governments in framing policies. The epistemic knowledge of scientists and academia can help governments formulate policies. The IPCC Assessment Reports are

²³ *Ibid.*

²⁴ Agenda 21 is a non-binding, voluntarily implemented action plan of the United Nations with regard to sustainable development. It is a product of the Earth Summit (UN Conference on Environment and Development) held in Rio de Janeiro, Brazil, in 1992.

²⁵ Agenda 21, Chapter 27.

²⁶ *Ibid.*

²⁷ D. Green, *From Poverty to Power: How Active Citizens and Effective States can Change the World*, Oxfam: Practical Action Publishing Limited, 2012, p. 12.

helping governments to assess the risks of climate change. Epistemic knowledge is also helpful for formulating mitigation and adaptation policies.²⁸ Moreover, epistemic communities can play an effective role to generate green technologies, which would contain global Green House Gas (GHG) emissions. Governments consider epistemic communities for weighing and validating knowledge as well as a common policy enterprise associated with a set of problems to which their professional competence is directed. In this respect, NSAs bear special position to government actors to formulate climate regimes.

The epistemic communities, NGOs and Civil Society Organisations (CSOs) have developed a transnational network within state and beyond. It is easy for them to accommodate the view of different stakeholders. By using transnational networks, NSAs can link transnational issues and can put the issues in the negotiation tables. The transnational networks of NSAs are based on voluntary cooperation arrangements between actors from the public, business and civil society that display a minimal degree of institutionalisation, have common and non-hierarchical decision making structures to address public policy issues.²⁹ The Global Environmental Outlook of UNEP and the recently launched UN Millennium Ecosystem Assessment are good examples of formalised networking of NSAs. Indigenous communities are also considered as worthy to state actors. During negotiations, they can raise their issues and vulnerabilities due to climate change. Indigenous knowledge is effective for policy formulation.³⁰ By allowing indigenous people in the negotiation process, governments easily get inputs from them. Government actors consider NSAs as an important source of knowledge and information.

NSAs' organisational capacities as well as mobilisation power help government bodies to receive local demands in the negotiation process. Nevertheless, the legitimacy of NSAs is also increasing in global climate change negotiations. The legitimacy compels government actors to invite NSAs in the negotiations. Democratic norms suggest that governments should accommodate the views of people. Governments cannot deny the views of NSAs, since they have direct link with marginalised people. Moreover, NSAs know the field level demands. When they raise local demands in an articulated manner, governments cannot reject their arguments. The political commitments of governments also push them to allow the views of NSAs in negotiations. NSAs play a significant role to raise public awareness about the dangers of climate change. They receive support from the people on present views. Governments consider NSAs' view relevant for them due to public support. NSAs like Multi-National Corporations (MNCs) and business communities are important

²⁸ Clair Gough and Simon Shackley, "The Respectable Politics of Climate Change: The Epistemic Communities and NGOs", *International Affairs*, Vol. 77, No. 2, pp. 329-345.

²⁹ T. Risse, *Governance Without a State?: Policies and Politics in Areas of Limited Statehood*, New York: Columbia University Press, 2011.

³⁰ Heather A. Smith, "Disrupting the Global Discourse of Climate Knowledge: A Totonac Cosmopolitics", in Mary E. Pettenger (ed.), *The Social Construction of Climate Change: Power, Knowledge, Norms, Discourses*, Hampshire: Ashgate, 2007, p. 209.

stakeholders for climate change mitigation and adaptation. They have legitimacy to offer inputs in the negotiation process.

The emergence of transnational NSAs like civil society bodies, MNCs and transnational NGOs has made governments' activities comparatively easy and effective.³¹ Governments can find necessary inputs from NSAs to formulate policies as well as NSAs help government to implement its policies. Transnational networks and ground level experiences of NSAs make them capable of accommodating views of multi-level stakeholders in climate change negotiations. It is helpful for government actors to find sufficient recommendations in the negotiation processes.

4. State Actors and NSAs in Global Climate Negotiations

The UNFCCC is an international treaty developed by the United Nations Conference on Environment and Development (UNCED) in 1992. The objective of the treaty is to "stabilize greenhouse gas concentrations in the atmosphere in a level that would prevent dangerous atmospheric interference with climate system".³² The main concerted international action is to mitigate climate change and to adapt with its impacts. The Article 7 of the convention established COP, the apex body of the convention. It periodically evaluates the obligation of countries for achieving effective climate change mitigation and adaptation. At present, global climate governance issues are dominated by COP summits. There have been twenty summits completed till 2014. The Kyoto Protocol of 1997 and the Bali Road Map are considered as the major achievements of these summits.

COP meetings are the main negotiation framework for global climate change. The COP not only engages state actors but also NSAs in such meetings. UN member countries are divided in different parties and groups basing on economic development, geographical proximity, GHG emission data and global power balance. Developed countries offer for Clean Development Mechanism (CDM) for underdeveloped countries but developing countries emphasise that developed countries should reduce GHG emission. In global climate change negotiations, parties and groups are keen to promote their own ideas in the process.

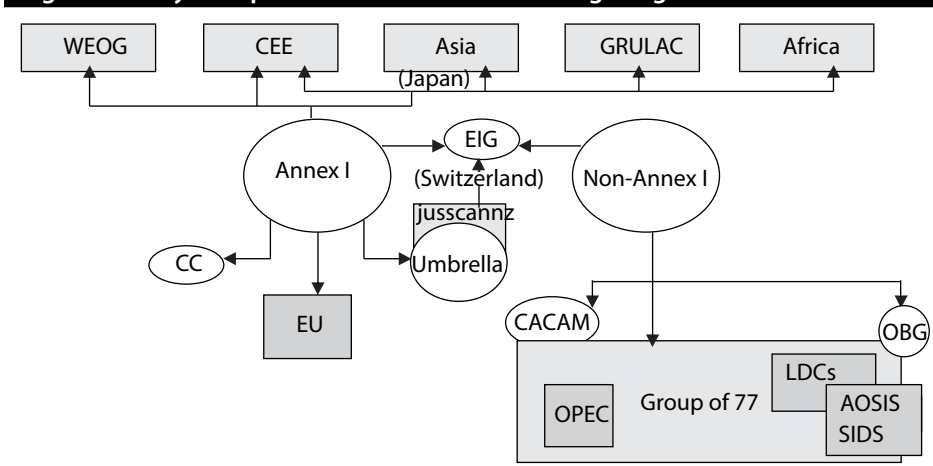
The UNFCCC divides countries into three main groups based on different commitments: ANNEX I parties include the countries of the Organisation of Economic Cooperation and Development (OECD) and Economies in Transition (EIT) countries, including Russia, Baltic States, Central and Eastern European countries. ANNEX II parties consist of ANNEX I but not EIT parties. Non-ANNEX I parties are mostly developing countries. They are mainly vulnerable to the adverse impacts of climate change, including countries with low-lying coastal areas prone to desertification and

³¹ David Lewis and Nazneen Kanji, *Non-Governmental Organization and Development*, London: Routledge, 2009, p. 91.

³² UNFCCC, United Nations, 1992, Article 2.

drought. The Least Developed Countries (LDCs) are also given special concentration under UNFCCC on account of their limited capacity to respond to climate change and adapt to its adverse effects.

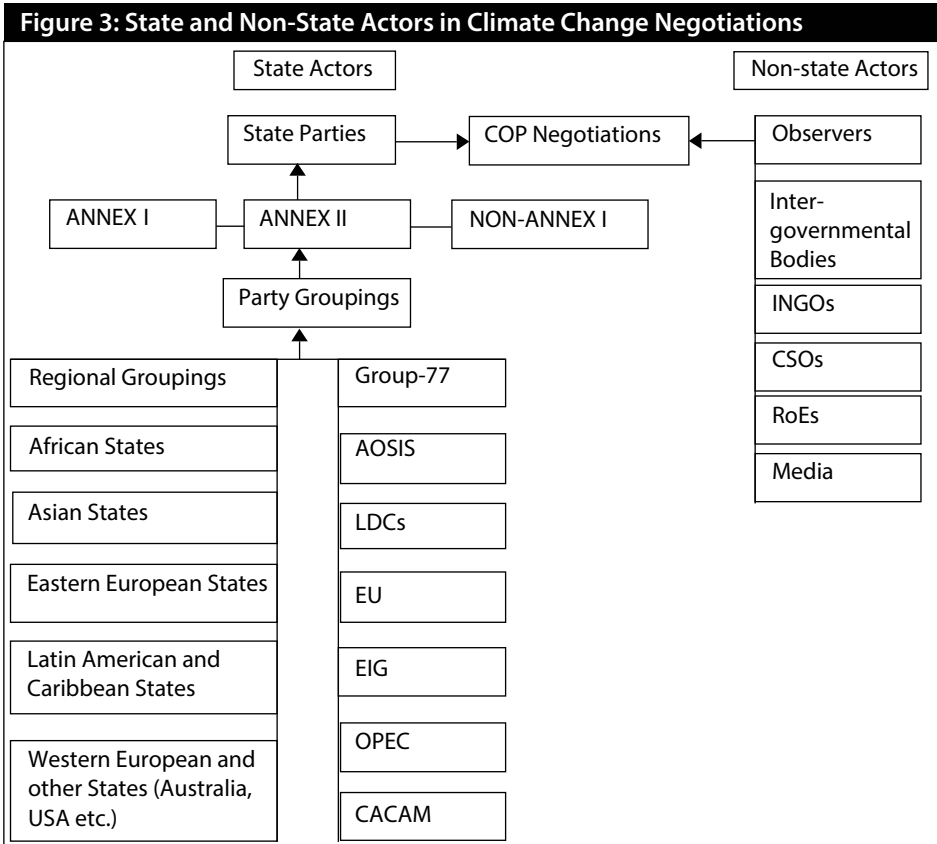
Figure 2: Party Groups in the Global Climate Change Regime³³



Note: JUSSCANNZ - Japan, US, Switzerland, Canada, Australia, Norway and New Zealand; OBG - Open Balkan Group; CG - Central Group; SIDS - Small Island Developing States; OPEC - Organization of Petroleum Exporting Countries.

However, each party is represented in the COP meeting by a national delegation. Based on UN tradition, parties are organised into five regional groups: Western European and Other Group (WEOG), Central and Eastern European group (CEE), Asia, Group of Latin America and the Caribbean (GRULAC) and Africa (see Figure 2). Such five groups are not always used to present the substantive interests of parties. Hence, there are different types of groups developed basing on the proximity of their interests. The Group 77 and China are the largest group. G77 selects a chair annually. It is a diverse group and the members intervene in the negotiations of other groups such as Alliance of Small Island States (AOSIS) and LDCs. AOSIS is a coalition of countries who pose survival threat for the cause of global climate change. The 50 LDCs group is becoming more active on their particular interests like adaptation and vulnerability to climate change. The EU speaks for its member countries as a regional economic unit. The Umbrella Group and Environmental Integrity Group (EIG) are also influential in the negotiation process. In addition, OPEC and Central Asia, Caucasus, Albania and Moldova (CACAM) group have their agenda in the negotiation. At present, such different groups have their separate agenda in the negotiation and want to ensure their position in the decision making process.

³³ Farhana Yamin and Joanna Depledge, *The International Climate Change Regime: A Guide to Rules, Institutions and Procedures*, Cambridge, UK: Cambridge University Press, 2004, p. 32.



As Figure 3 shows, in addition to state actors, different NSAs are active in global climate change negotiations. Although it is not inscribed in any official document, climate regimes currently acknowledge five NGO constituencies: Environmental NGOs (ENGOS), Business and Industry NGOs (BINGOs), Local Government and Municipal Authorities (LAMA), Indigenous People Organisation (IPOs) and Research and Development NGOs (RDNGOs).

Moreover, a number of inter-governmental specialised agencies and related organisations are active in the negotiation process. Some IGOs are under UN framework. At the same time, several regionally active inter-governmental bodies are important stakeholders in the negotiation process. The Rosters of Experts (RoEs) and CSOs give the scientific and rational inputs in the negotiation process. Last but not the least, in today's world, the role of media is widespread. Media highlights the opinions of NSAs in different issues, which create pressure on state actors to consider the betterment of humanity. Under the COP, a number of subsidiary bodies are developed to address particular issues e.g., Subsidiary Body for Implementation (SBI),

Technology Executive Community, Compliance Committee, Adaptation Committee, etc.

5. NSAs and Their Policy Influencing Strategies

The policy influencing strategies of NSAs in global climate negotiations can be understood in two ways: “outsider” and “insider”. The “outsider” influence is when the NSAs do not participate in the negotiation directly and the “insider” influence is when they directly participate in the negotiation. However, some activities of NSAs have implications for the “outside” of the negotiation as well as for the “inside”. Their strategies include research and analysis, awareness building and mobilising public opinion, protest and procession, direct participation in negotiations and lobbying with state actors in the processes of regime formation. This section tries to summarise the strategies of NSAs in global climate change negotiations.

5.1 *Research and Analysis*

This is one of the most important policy influencing strategies used by NSAs. All over the world, epistemic communities undertake research to assess and understand the impacts of climate change. They generate knowledge and share local experiences at global levels which influence local as well as global policies.³⁴ Research and analysis cover the impacts of climate change, its causes and consequences, mitigation, adaptation and governance activities at national, regional and global levels. Such contributions can be termed as “outside” role of these communities. Nowadays, they directly work with IPCC to develop assessment reports where NSAs get the opportunity to influence global negotiation as “insider”.³⁵ The contribution of NSAs in research and analysis is well accepted by governments.

5.2 *Awareness and Mobilising Public Opinion*

NSAs make people aware and mobilise public opinion about the calamities of climate change as well as how such calamities are induced by human activities. Such awareness building is done through their writings, research, interview and discussion in media, arranging rallies and processions. It helps NSAs to mobilise public opinion to support their ideas and to raise voice against activities which are affecting climate.³⁶ In the modern world, NGOs and CSOs are considered as watchdogs of

³⁴ Kal Raustiala, “Non State Actors in Global Climate Regime”, in Urs Luterbacher and Detlef F. Sprinz (eds.), *International Relations and Global Climate Change*, Cambridge, Massachusetts: The MIT Press, 2001, p. 110.

³⁵ Simon Shackley, “Introduction to Part II: Governance”, in Nils Markusson, Simon Shackley and Benjamin Evar (eds.), *The Social Dynamics of Carbon Capture and Storage: Understanding CCS Representations, Governance and Innovation*, London: Routledge, 2012, p. 118.

³⁶ Binayak Roy, *Climate Change: IPCC, Water Crisis and Policy Riddles with Reference to India and Her Surroundings*, New York: Lexington Book, 2011, p. 15.

government activities.³⁷ NSAs take the responsibility of mobilising public opinion to prevent government activities which are harming the nature. It can be mentioned that in many cases, state actors face pressure from interest groups or from MNCs to support different projects that have negative impact on climate.³⁸ In such cases, NSAs can create public opinion and put pressure on governments to consider the greater interests of the society. In global climate negotiations, the mobilisation of public opinion influences policymakers to design their planning on climatic issues.

5.3 *Protest and Pressure*

In modern state, interest groups are influential in governments' policy formulation and implementation activities.³⁹ Business lobbies have strong impact on the climate change policies of the state.⁴⁰ Particularly, governments' energy and industrial policies are directly connected with the interests of MNCs. They prevent governments to adopt policies which are affecting their investment in different sectors. The unplanned industrial activities are the main threats for global climate change. When governments want to prevent them, they exert pressure on political leaders. In this respect, NSAs can play pivotal role by protesting and putting pressure on governments to take policies which are not threatening for climate change.⁴¹

5.4 *Participation and Representation*

The direct participation of NSAs in global climate negotiations opens up an opportunity to play an "inside" role. For the "outside", NSAs can raise their voices only but by their direct participation in the negotiation, they can directly influence policymaking process. They negotiate with state actors in the policy formulation and directly bargain with states.⁴² Moreover, nowadays, different NSAs ensure their representation in the "inside" negotiation where they find scope to raise their voice. It helps policymakers to accommodate direct opinion from different groups and indigenous communities.⁴³ During direct participation in the negotiation process, NSAs can place their concerns and opinions to undertake policies and can provide sufficient inputs to minimise the problems.

³⁷ Debora Spini, "Civil Society and the Democratisation of Global Public Space", in David Armstrong, Valeria Bello, Julie Gilson and Debora Spini (eds.), *Civil Society and International Governance: The Role of Non-state Actors in Global and Regional Regulatory Frameworks*, London: Routledge, 2011, pp. 15-30.

³⁸ Kumba Digidowiseiso, "How MNCs Threaten our Environment", *The Jakarta Post*, 22 October 2010.

³⁹ Jorge Rivera and Chang Hoon Oh, "Environmental Regulations and Multinational Corporations' Foreign Market Entry investments", *The Policy Studies Journal*, Vol. 41, No. 2, 2013, pp. 243-272.

⁴⁰ *Ibid.*

⁴¹ Jonas Anshelm and Martin Hultman, *Discourses of Global Climate Change: Apocalyptic Framing and Political Antagonism*, London: Routledge, 2015, p. 121.

⁴² Luke Tomlinson, *Procedural Justice in the United Nations Framework Convention on Climate Change*, London: Springer, 2015, p. 198.

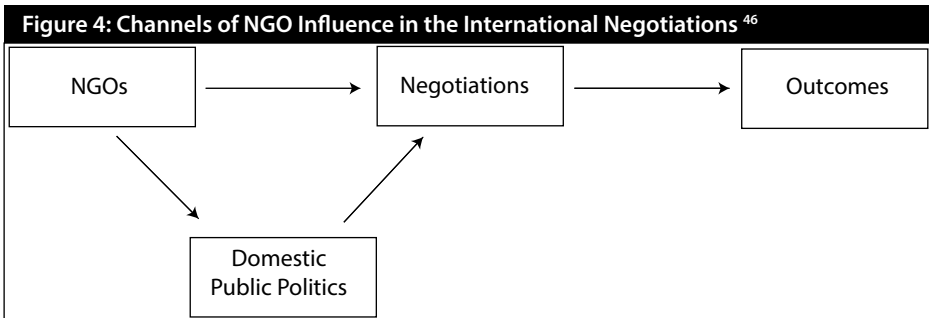
⁴³ *Ibid.*, p. 126.

5.5 Agenda Setting and Advocating Environmental Justice

In every negotiation, agenda setting determines the future direction of the process. In global climate negotiations, agenda setting in every COP determines the future developments of the negotiation. However, in current global climate negotiations, NSAs play active role in the agenda setting and prioritising the agendas.⁴⁴ As mentioned earlier, the priority of agendas of all NSAs is not same. The agendas of MNCs may be contradictory with those of CSOs or indigenous communities. In this respect, when state actors set the agenda, NSAs are nowadays active to prioritise the issues. CSOs are keen to promote ideas of climate justice to influence negotiations for developing pro-people policies.

5.6 Information and Policy Advice

Due to transnational communication, NSAs can easily gather information to provide different inputs in the negotiation process. They compile the information and process to give policy advice for the government actors.⁴⁵ Their global network enriches them with different scientific and social studies which in turn help them evaluate overall strategies of global climate change policies. NGOs collect information from domestic level and provide inputs in global climate negotiations (see Figure 4).



Nevertheless, information gives them immense power to influence negotiation process and offer sufficient policy advice for governments in global climate negotiations.

⁴⁴ Susani Jakobsen, "Transnational Environmental Groups, Media, Science and Public Sentiment(s) in Domestic Policy-making on Climate Change", in Richard A. Higgot *et. al.* (eds.), *op. cit.*, p. 275.

⁴⁵ Michele M. Betsill and Elisabeth Corell, *op. cit.*,

⁴⁶ Andreas Tjernshaugen and Ho-Ching Lee, "Shaming and Framing: Norwegian NGOs in the Climate Change Negotiations", in Paul Harris (ed.), *European and Global Climate: Policies, Foreign Policy and Regional Cooperation*, UK: Edward Elgar Publishing Limited, 2007, p. 196.

5.7 *Maintaining Contacts with Negotiators and Lobbying*

It is a widely used policy influencing strategy by NSAs. All over the world, NSAs maintain contact with negotiators who participate in climate negotiations. They provide local information to negotiators and try to convince them to adopt policies which would be helpful to mitigate threats of climate change. Nevertheless, in contemporary negotiation process, NGOs directly participate in the COP summits, contact with negotiators to raise their arguments and demands. NSAs also lobby with policymakers to influence global policies in favour of them.⁴⁷ In such cases, they play “inside” as well as “outside” role. They maintain contact with the negotiators in the “inside” of the negotiation as well as in the “outside”.

5.8 *Litigation and Non-Regime Activities*

NSAs also contribute in the litigation and non-regime activities at national, regional as well as global levels on the issues of climate change.⁴⁸ To deliver inputs in the litigation process, they raise their voice to add their demands therein. The litigation is important for mitigation, adaptation and also climate governance. However, the influence of NSAs does not remain limited in these activities only. Rather it covers non-regime activities also. NSAs help government machineries to promote ideas of awareness building, develop green technologies and adopt projects which can help to mitigate climate change.⁴⁹ In global climate negotiations, they raise voice about the “legally binding” rules for climate change mitigation as well as for non-regime policies.

5.9 *Monitoring Government Actions*

NSAs are active almost in every corner of the world to monitor activities of the state. The policies of the state, legal activities, litigation principles and adaptation activities are monitored by NSAs. In global climate negotiations, NSAs monitor governments’ positions in the “outside” as well as in the “inside” negotiation processes. It pushes government actors to be transparent and accountable to the people.⁵⁰ NSAs come forward to protest against government policies when they consider it as a threat for the interest of the humanity.⁵¹ Such awareness creates compulsions for government actors to address the concerns of the people, adopt policies for proper

⁴⁷ *Ibid.*

⁴⁸ Kal Raustiala, *op. cit.*

⁴⁹ Iain Watson and Chandra Lal Pandey, “Introduction: Environmental Security in the Asia-pacific”, in Iain Watson and Chandra Lal Pandey (eds.), *Environmental Security in the Asia-pacific*, New York: Palgrave Macmillan, 2015, pp. 3-4.

⁵⁰ Norichika Kanie, “NGO Participation in the Global Climate Change Decision Making”, in Gunnar Sjøstvedt and Ariel Macaspac Penetrante (eds.), *Climate Change Negotiations: A Guide to Resolving Disputes and Facilitating Multilateral Cooperation*, London: Routledge, 2013, p. 176.

⁵¹ *Ibid.*

mitigation and adaptation of climate change. With state actors, NSAs are thus playing vital role in contemporary climate negotiation processes.

The policy influencing strategies of NSAs are multi-faceted. They generate knowledge by research and analysis, gather information on local concerns, create awareness and mobilise public opinion, arrange protests and processions to create pressure on the governments. On the other hand, by participating in the negotiations and representing in global forums, they contribute in the agenda setting and regime formation.

6. Challenges for NSAs

State actors are always at the centre of global climate change negotiations. NSAs influence policies by different strategies as mentioned in the earlier section. However, the role and contribution of NSAs are not always undisputable and not sufficiently effective.⁵² Due to lack of capacity and legitimacy, they face a number of challenges in the negotiation process.

6.1 *Divergence of Interests*

Interests and objectives of all NSAs are not always same. Business groups' and MNCs' interests versus the agenda of human rights organisations are different. While human rights NGOs want to propagate the idea of climate justice, business groups lobby for opportunities to invest in climate threatening industrial sectors. NGOs may say that government has to ensure group rights or rights of indigenous communities, business groups consider it as anti-development propaganda by NGOs. On the other hand, among human rights NGOs, some focus on women rights, some on group rights and some are for the interests of developing countries. Such divergences of interests weaken their position to influence in the negotiation process.⁵³ To overcome these, common platforms are not developed yet. Comparatively bigger and financially strong companies find scope to influence policies, whereas weaker NSAs get little chance to influence.

6.2 *Domination of State Actors*

State actors finalise the policies and decisions in any climate negotiations.⁵⁴ In the negotiation process, governments always cannot avoid the interests of

⁵² Naghmeh Nasiritousi, Mattias Hjerpe and Karin Bäckstrand, "Normative Arguments for Non-state Actor Participation in International Policymaking Processes: Functionalism, Neocorporatism or Democratic Pluralism?", *European Journal of International Relations*, 15 October 2015.

⁵³ Beth Edmondson and Stuart Levy, *Climate Change and Order: The End of Prosperity and Democracy*, New York: Palgrave Macmillan, 2013, p. 73.

⁵⁴ Ronald B. Mitchell, *International Politics and the Environment*, Chapter 5, Sage: Lose Angeles, 2010, pp. 112-145.

pressure groups. In developed countries, state actors are influenced by MNCs in the policymaking. Governments face challenges to mitigate their internal demands. In global climate negotiations, the US, China and western countries dominate the process. The North-South debate, the economic rise of India and China and the existing lifestyle of the developed world hamper the effective policymaking and regime formation.⁵⁵ NSAs cannot have pressure and influence in “close door” meetings, where state actors dominate the negotiation. For long, NSAs are fighting for a legally binding agreement to curtail GHG emission but the success in this regard is not worthy yet.

6.3 Resource Mobilisation and Capacity Building

NSAs cannot always mobilise sufficient resources to complete their activities. Mobilising resources is always a challenge for the NSAs.⁵⁶ In many cases, NSAs are dependent on the resources of state actors.⁵⁷ In such circumstances, state actors may try to influence the activities of NSAs. In many developing countries, NGOs and CSOs cannot mobilise sufficient resources to enhance their capacity. They take help from state actors and due to their dependency on government resources they cannot always raise voice against government activities. Lack of resources again is a challenge for the capacity building.⁵⁸ Having a strong capacity enhances the negotiation skill and policy influencing techniques. Capacity building covers knowledge generation, awareness building, having protest, negotiation skill and bargaining capacity. In the power structure, NSAs bear limited power comparing with state actors. Such lack weakens their position in negotiations.

6.4 Credibility and Accountability

NSAs not always have sufficient credibility and acceptability in the society. Governments are legitimate body to represent a state but NSAs lack the credibility to influence negotiation process.⁵⁹ However, in a democratic system, the role of epistemic communities and CSOs is recognised. When NSAs can make any remarkable contribution, it enhances their legitimacy. State actors may work with some deficiencies due to their strong hold over the power structure but NSAs always need to be accountable to the people. The deficiencies of their activities marginalise them

⁵⁵ Jayati Ghosh, “The Global North-south Carbon Divide”, *The Guardian*, 01 October 2009.

⁵⁶ Rehema C. Batti, “Challenges Facing Local NGOs in Resource Mobilisation”, *Humanities and Social Sciences*, Vol. 2, No. 3, 2014, pp. 57-64.

⁵⁷ Alexander Cooley and James Ron, “The NGO Scramble Organization Insecurity and the Political Economy of Transnational Action”, *International Security*, Vol. 27, No. 1, 2002, p. 15.

⁵⁸ Hayley Stevenson and John S. Dryzek, *Democratizing Global Climate Governance*, Cambridge: Cambridge University Press, 2014, p. 123.

⁵⁹ Brain Hocking, “Non-State Actors and the Transformation of Diplomacy”, in Bob Reinalda (ed.), *The Ashgate Research Companion to State Actors*, Burlington, USA: Ashgate Publishing Company, p. 229.

in the negotiation table. The question of credibility and accountability sometimes affects the role of NSAs in global climate negotiations.⁶⁰

6.5 *Open and Close Meetings*

In open negotiations, NSAs can participate and represent, find scope to evaluate, assess and criticise the policies of state actors. In “close door” meetings, NSAs have no access and they cannot observe what are the policies adopted by state actors. In such cases, the views and opinions of NSAs are not reflected and states take policies basing on their designed agendas which may not be in line with demands of NSAs.⁶¹

Differences of interests and objectives of NSAs sometimes undermine their legitimacy, while state actors can easily dominate negotiation process. However, the significant challenges faced by NSAs are resource mobilisation and capacity building. Dependency on resources sometimes affects their activities. Their credibility is also questioned and the restriction on participation in indoor meetings limits their influence in climate change negotiations.

7. Conclusion

In existing global climate negotiations, NSAs play pivotal role in agenda setting, policy formulation, developing regimes for mitigation, adaptation and governance. Nevertheless, a complete definition and understanding of NSAs are not fully developed yet in the literature on global climate change negotiations. Generally, actors who have no formal linkage with state mechanisms are considered as NSAs e.g., NGOs and CSOs. Their expertise and organisational strength make them relevant in the negotiations. States allow them due to their epistemic knowledge. Protests and processions by NSAs also compel state actors to consider their demands.

NSAs do influence in global climate negotiations as the “outsider” as well as the “insider”. For the “outside”, they create awareness and mobilise public opinion, arrange protests and monitor government activities. For the “inside”, they participate in negotiations, represent different groups, maintain contact with negotiators and lobby to adapt new policies on climate change issues. They face different challenges to ensure their influence in the policymaking. Due to their lack of resources, divergence of interests and dominance of state actors, NSAs

⁶⁰ Kal Raustiala, *op. cit.*, p. 96.

⁶¹ Naghmeh Nasiritousi and Björn-Ola Linnér, “Open or Closed Meetings? Explaining Nonstate Actor Involvement in the International Climate Change Negotiations”, *International Environmental Agreements: Politics, Law and Economics*, 17 January 2014, available at <https://www.diva-portal.org/smash/get/diva2:730896/FULLTEXT01.pdf>, accessed on 12 July 2015.

always cannot influence policies. Capacity building and sharing work areas with governments are important issues for NSAs. Moreover, the “close door” meetings among state actors limit the role of NSAs. Even after that, policy influencing by NSAs is being widely recognised and appreciated due to their remarkable contributions in contemporary climate change negotiations.