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Inequity in International Climate Change Negotiations

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Abstract

The adoption of international climate agreements requires thorough negotiation between parties. This study aims to analyse the inequities between developed and developing countries in climate negotiations. This was done through a scrutiny of the main stages of these negotiations from the Rio Conference to the advent of the Paris Agreement. Our analysis has shown pervasive inequities along the climate negotiations over time. The UNFCCC made a qualitative separation between developed and developing countries in the principle of common but differentiated responsibility. Furthermore, the Kyoto Protocol emphasized this with the commitment of developed countries to reducing their greenhouse gas emissions by at least 5%. The Kyoto Protocol by introducing flexibility mechanisms such as the Clean Development Mechanism (CDM) contributed to increase inequalities. The Paris Agreement has increased inequity by requesting each country to submit nationally determined contributions (NDCs) even though the global emission of developing countries remains very low. The negotiation style of developing countries is mostly limited to compromise and accommodation to the desires of the powerful states, as is the case in most international cooperation. The reality of the climate change negotiations mirrors the inequalities between developed and developing nations.

Keywords: *Negotiation, Inequity, Climate Change, Developed Countries, Developing Countries.*

Abstrak

Adopsi perjanjian iklim internasional membutuhkan negosiasi menyeluruh di antara para pihak. Penelitian ini bertujuan untuk menganalisis ketimpangan antara negara maju dan negara berkembang dalam negosiasi iklim. Hal ini dilakukan melalui penelaahan terhadap tahapan-tahapan utama negosiasi tersebut dari Rio Conference hingga lahirnya Paris Agreement. Analisis kami telah menunjukan ketidakadilan yang meluas di sepanjang negosiasi iklim dari waktu ke waktu. UNFCC membuat pemisahan kualitatif antara negara maju dan berkembang dalam prinsip bersama tetapi berbeda tanggungjawab. Lebih lanjut, Protokol Kyoto menekankan hal ini dengan komitmen negara-negara maju untuk mengurangi emisi gas rumah kaca minimal 5%. Protokol Kyoto dengan memperkenalkan mekanisme fleksibilitas seperti *Clean Development Mechanism* (CDM) berkontribusi pada peningkatan ketimpangan. Kesepakatan Paris telah meningkatkan ketidakadilan dengan meminta setiap negara untuk menyerahkan kontribusi yang ditentukan secara nasional (NDCs) meskipun emisi global negara-negara berkembang masih sangat rendah. Gaya negosiasi negara-negara berkembang sebagian besar terbatas pada kompromi dan akomodasi terhadap keinginan negara-negara kuat, seperti yang terjadi di sebagian besar kerja sama internasional. Realitas negosiasi perubahan iklim mencerminkan ketimpangan antara negara maju dan negara berkembang.

Kata Kunci: Negosiasi, Ketimpangan, Perubahan Iklim, Negara Maju, Negara Berkembang.

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INTRODUCTION

Climate change is commonly identified as one of the most urgent and critical issues facing the global community (Murphy *et al.*, 2009). According to Caneill (2020), it has taken on an unprecedented scale in the international political and public debate over the last three decades. This has been the case since the agreement of the Rio Conference on Development and the Environment in June 1992, where the United Nations Framework Convention on Climate Change (UNFCCC) was adopted (Keohane and Victor, 2011; Toman and Sohngen, 2017).

To combat climate change, three major agreements have been adopted at the international level and are worth mentioning (Toman and Sohngen, 2017). These include the UNFCCC adopted in 1992 in Rio, then the Kyoto Protocol adopted in 1997 at the Third Conference of the Parties (COP3) in Japan, and finally, the Paris Agreement adopted in France in 2015 at COP21 (Seo, 2017; Held and Roger, 2018). As stated by Barrett (2005) and Moellendorf (2009), these agreements have the value of international treaties because they involve the majority of the States of our planet. Today, the texts on which international action will henceforth be based are the UNFCCC and the Paris agreement (Ali et al., 2018), since the Kyoto Protocol is no longer operational as decided after 2020 (Raud et al., 2019).

The IPCC (2007) reported that these treaties embody the international community's response to progressively compelling evidence - gathered and repeatedly confirmed by the Intergovernmental Panel on Climate Change (IPCC) - that the climate is changing and that this change is largely due to human activities. While the UNFCCC includes provisions for the communication of information on atmospheric emissions, i.e. direct (CO_2, CH_4, N_2O, HFC, PFC, SF_6) and indirect (NOx, CO, NMVOCs, SO_2) greenhouse gas emissions (Fletcher, 2004; Jacob, 2005), the Kyoto Protocol specified quantified and legally binding commitments, mainly assigned to developed countries (Justus & Fletcher, 2006). Whereas the Paris Agreement can be considered inclusive, as it is binding on all those who have ratified it to date (*Investing in Climate, Investing in Growth*, 2017; Oberthür and Groen, 2017; Fujimori *et al.*, 2018).

The linkages between inequality among countries and climate change crises have become increasingly visible, as the climate crisis is mainly a battle about redefining winners and losers. In this regard, Cody (2018) presented the current global system of capitalism as a world divided into two categories, including industrialized or

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economically developed countries (called developed countries in this article) on one hand and under-industrialized or less economically developed countries (called developing countries in this article) on the other hand. For several authors (Anwar et al., 2008; Bossert et al., 2003; Kaygusuz, 2012), developing countries have been left at the bottom of the world's income ladder with the highest levels of global multidimensional poverty is concentrated on their land. A series of authors have demonstrated that the livelihoods of developing countries mostly depend on agricultural activities (Belhabib et al., 2015; Mohammad, 2020; Owusu, 2007), making them highly vulnerable to climate change (Thornton & Herrero, 2015; Tittonell, 2014). In filling the gap, the rapid urbanization and a growing population require urgent infrastructural investment (Kempe, 2012; Hove, Ngwerume and Muchemwa, 2013; Cobbinah, Erdiaw-Kwasie and Amoateng, 2015). This raises the question of how economic inequalities between developed and developing countries influence climate negotiations?

In this article, we present the inequities between developed and developing countries through an analysis of the main stages of these negotiations from the Rio conference to the advent of the Paris Agreement, which also becomes a de facto starting point for the "coordinated" global implementation of actions to combat climate change. We shall begin by recalling how this subject became an object of negotiation on the way to the first Earth Summit in 1992. We will then briefly describe the history of the first post-Rio negotiations leading to the Kyoto Protocol in 1997. It took eight years to work out the modalities for its implementation, but in 2005 a debate also began on what to do after the first Kyoto commitment period (2008-2012).

We will go through the path that led to the Climate Convention (from COP 11), in particular with the crisis of the Copenhagen Conference at the end of 2009, which, against all expectations, ultimately saved the process and the rise of Reduction of Emissions due to Deforestation and forest Degradation (REDD+) mechanism. We will then come to summarize the path that led to the Paris Accord adopted in 2015. The latter is the backbone of the legislative outcome of this long process that makes its future implementation more solid and respond to the urgency increasingly displayed by scientists, under the aegis of the IPCC, and by civil society and the business world, which today wishes to have visibility on what needs to be changed in the future about its new investments.

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After summarizing the legal content of the Paris Agreement, which is essential to understand the essence of this process, we will conclude by giving a current overview of what remains to be negotiated to complete the implementation of this historic agreement and by raising a few questions. This article aims to highlight the inequities between developed and developing countries within the major stages that have marked the negotiation on climate change since 1990 the date of the start of the negotiations that led to the adoption of the Climate Convention in 1992 after more than ten sessions of the INC (International Negotiating Committee) up to the present day.

Several studies explain the genesis and dynamic of climate negotiations over time. For Cornet (2002) and Godard (2010), the origin of humankind's awareness of climate change and the need for a common fight is far away, in particular, as far as scientific fundamentals are concerned (Larivière, 2010). Arts and Rüdig (1995) described the first World Climate Conference that was held in 1979, organized by the World Meteorological Organization (WMO). This was followed by a more discreet and sometimes forgotten conference: the Villach Conference organized jointly by the United Nations Environment Program (UNEP) and the WMO in 1985. Cornet (2002) presented these two events as decisive in setting up the Intergovernmental Panel on Climate Change (IPCC) in 1988, decided at a G7 meeting in Toronto. Finally, for Godard (2010), the Hague Conference in 1989 and the Second World Climate Congress in 1990 set the scene and contributed to raising awareness of the issues related to this new problem. Ahead of the Earth Summit, the first IPCC report was published (Arts and Rüdig, 1995). It was the first international scientific consensus on the issue of climate change. This consensus expressed the findings of science on the observed warming, on the increase in greenhouse gas (GHG) concentrations in the atmosphere, and if fossil emissions generated by human activity were suspected of being the main cause, we could only make presumptions. Nevertheless, this work served as the basis for the first international policy decision on climate change.

It was thus decided as reported by Caneill (2020) that at the future Earth Summit of 1992 in Rio, a first treaty would be adopted to begin a global fight against the rise in GHG emissions. According to Bazerman and Moore (2009) since the parties (states) involve in the process of that climatic treaty have different preferences and particularities, they

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had to negotiate to reach an agreement. The parties to these negotiations include more than 190 countries across the planet in all their diversity, from the most industrialized (richest) or developed to the least industrialized (poorest) or developing. For Franck et al. (2012), this has immediately created a considerable balance of power that they try to reduce by regrouping according to the classes and common interests they share to be a little stronger in the negotiations. Then, the climate change negotiation process is built around regional groups and negotiating coalitions.

Regional groups are derived from the official United Nations classification system according to their geographical location while negotiating coalitions are political alliances formed based on common interests as stated by Castro et al. (2014). Babonneau et al. (2013) noticed that, in negotiations, countries most often speak on their behalf or behalf of a negotiating coalition. The regional groups are Africa, Asia and the Pacific region (including Japan), Eastern and Central Europe, Latin America and the Caribbean, then Western Europe and Others Group (WEOG). Others are Australia, Canada, Iceland, New Zealand, Norway, Switzerland, and the United States. For Franck et al. (2012), the African Group is the only regional group that functions as a true negotiating coalition. It is composed of 53 members who share various concerns such as desertification, lack of water resources, vulnerability to the impacts of climate change and the fight against poverty.

Batalha and Reynolds (2012) highlighted that the Group routinely makes joint statements, particularly on issues related to adaptation, technology transfer, capacity building and financing. Several groups of the coalition have emerged over time as negotiation progress and new issues aroused (Babonneau, Haurie and Vielle, 2013). This paper will focus on the analysis of inequities in their participation and commitment between developed and developing countries in the climate negotiations process from the Rio conference in 1992 to the Paris agreement in 2015.

METHOD AND THEORY

Method

This study uses the qualitative method. The data were found from a focused review of relevant theories, literature, and previous research findings of the discussed topic. Then it covers both primary and secondary sources in addressing the issue of international climate change negotiations. Besides, the data in this research were obtained through books,

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journals, government documents, and online media related to the issue. Data analysis was carried out by looking at the inequities in international climate change negotiations.

Theoretical Framework: Generalities on Negotiation

For several scholars, negotiation is an interpersonal decision-making process necessary whenever we cannot achieve our objectives single-handedly (Brett and Thompson, 2016; Reid and Reid, 2013; Thompson et al., 2009). In "Getting to Yes", Saunders et al. (1982) define negotiating as a back-and-forth communication designed to reach an agreement when you and the other side have some interests that are shared and others that are opposed (Marty, 1983; Paterniti, 2010; Sgobbi, 2014; Walsh, 2005). Furthermore, in their book "Judgment in Managerial Decision Making", Bazerman & Moore (2009) said: "When two or more parties need to reach a joint decision but have different preferences, they negotiate." Thus, for Bülow & Kumar (2011) and Marty (1983), negotiations include not only the one-on-one business meetings, but also multiparty, and multimillion-dollar deals. Each party to the negotiation has a purpose, interests, opinions and attitudes that affect the way such party behaves (Crump, 2011; Crump, 2011). According to (Adair et al. (2004), the behaviours of parties during the negotiation, influences the nature of the negotiation and its results, since the parties, through their thoughts, their speech, their acts and their activities manoeuvre and shape the negotiation (Brett, 2017).

The way we conduct negotiations is referred to as strategy. Many factors can influence the parties' strategy in the framework of negotiations. On one hand, there are "external" or objective factors such as personal goals, timetables, class (Dévényi and Somogyvári, 2002), time, place, political and business environment, national cultural characteristics (Adair & Brett, 2005; Brett, 2000; Gunia et al., 2016), the context and the area of the negotiations (Akçay and Simms, 2011), time pressure and the stage of the negotiation (Stuhlmacher, Gillespie and Champagne, 1998; Stuhlmacher and Champagne, 2000; De Dreu, 2003; Pinfari, 2011). On the other hand, there are "internal" or subjective factors related to the partners themselves which may have an impact on the strategy employed by the parties. Such as the gender of the negotiators (Kray, Galinsky and Thompson, 2002; Babcock and Laschever, 2009; Bowles and Flynn, 2010), their culture (Adair et al., 2004; Brett, 2000; Bülow & Kumar, 2011), their religious culture (Richardson and Rammal, 2018), their personality,

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education, training and intelligence at commercial, technical and/or emotional levels (Fulmer and Barry, 2004; De Pauw, Venter and Neethling, 2011).

Negotiation Styles

The first element of effective negotiation is knowing one's negotiation style, how a party communicates in a situation (Ladegaard, 2011; De Moura and Costa, 2018). The negotiator has to fairly assess his strengths and weaknesses. This is because for Miller (2014), once you know the tendency and the personal motivation of yourself as well as of the other party, it is possible to start dealing with strategy. The Thomas-Kilmann Conflict Mode Instrument defined five specific styles of negotiation (Thomas and Kilmann, 2018; Cordell and Cordell, 2019). Firstly, the competing style is assertive and uncooperative. Here, the individual pursues his concerns at the other person's expense. This is a power-oriented mode, in which one uses whatever appropriate power to win one's position. 'Standing up for your rights, defending a position when you believe such a position is correct, or simply trying to win. Secondly, the accommodating style is unassertive and cooperative, the opposite of competing. When accommodating, an individual neglect his concerns in the benefit of another person. There is self-sacrifice in obeying another person's order at the moment that one would prefer not to or yielding to another's point of view.

Thirdly, the avoiding style is unassertive and uncooperative. The individual does not promptly track his concerns or those of the other person. He does not address the conflict. Avoiding might take the form of diplomatically sidestepping an issue, postponing an issue until a better time, or simply withdrawing from a hostile situation. Fourthly, the collaborating style is both assertive and cooperative, the opposite of avoiding. Collaborating involves an attempt to work with the other person to find some solution that fully satisfies the concerns of both persons. It means digging into an issue to identify the fundamental concerns of the two individuals and to find an alternative that meets both sets of concerns. Finally, the compromising style lies between assertiveness and cooperativeness. The purpose is to find a trade-off, mutually acceptable solution that partially satisfies both parties. It is intermediate between competing and accommodating. Compromising gives up less than accommodating but more than competing. Therefore, it addresses an issue more directly than according to

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the avoiding style but doesn't explore it in as much depth as in the collaborating style. Compromising might mean splitting the difference, exchanging concessions, or seeking a quick intermediate position.

Power Dynamic and Inequity in Negotiations

Research studies have documented the effect of power in the negotiation process. According to Thompson et al. (2009), there is a strong, causal relationship between the attractiveness of a negotiator's best alternative to a negotiated agreement (BATNA) which is structural power and the negotiator's ability to claim resources in a given negotiation (Brett et al., 1996; Sebenius, 2017; Shonk, 2010; Spangler & Burgess, 2012). The powerful parties are decidedly more assertive in negotiations than the others. For example, Magee et al. (2007) noticed that powerful people move first, both by initiating negotiations and by making the first offer When power is primed by instructing people to write about a time when they felt powerful or to perform a word-completion task involving power words , these individuals often make the first offer in negotiations. The chronic tendencies to dominate others in social relationships reflect personal power (Hagmann & Péclard, 2010; Kim et al., 2005). Both structural and personal power can improve negotiators' outcomes by leading them to make the first offer (Levine & Ponssard, 1979; Shonk, 2010).

Kim et al. (2005) propose a dynamic integrative model that decouples power into four components. The potential power, which describes the underlying capacity of negotiators to obtain benefits from their agreement, the perceived power, which refers to negotiators' assessments of each party's potential power in the relationship; the power tactics, which focuses on how negotiators can use or change the power relationship; and the realized power, which concerns the extent to which negotiators claim benefits from the interaction. These modes and target dimensions are useful because their intersection provides the basis for a broader typology of power forms (Lawrence, Winn and Jennings, 2001). The power in negotiation emphasizes an Episodic form of power that treats targets as the subject falls within the quadrant of influence. Thus, one might wonder whether the propositions that have been developed in this quadrant would hold under conditions of Domination (i.e., when power is systemic and treats targets as objects), Discipline (i.e., when power is systemic and treats targets as subjects), or Force (i.e., when

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power is episodic and treats targets as objects). It is possible, for example, that the episodic use of power, mostly hostile tactics, may not necessarily reduce one's potential power in future interactions when a target's agency is removed.

RESULT AND DISCUSSION

The Rio Conference and the United Nations Framework Convention on Climate Change (UNFCCC)

On the occasion of the UN Conference on Environment and Development, commonly known as the "Earth Summit" in Rio de Janeiro in 1992, the UN adopted a framework for action to combat global warming: The so-called United Nations Framework Convention on Climate Change (Gupta, 2010). The latter states in Article 2 that the ultimate objective of this Convention and any related legal instruments that may be adopted by the Conference of the Parties is to stabilize, following the relevant provisions of the Convention, GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

This convention, therefore, recognized that the presumptions of scientists were sufficient to build a treaty around three main ideas which highlighted the differences between the developed or industrialized countries and the underdeveloped ones. Firstly, the "precautionary principle" that recognizes that scientific uncertainties do not justify delaying action is implicitly applied. Secondly, the "principle of common and differentiated responsibility" states that although GHG emissions have an equivalent impact on climate change regardless of their origin. It is thus recognized that the most industrialized countries at the time of the adoption of the text were bearing a greater responsibility for the current concentration of GHGs. Finally, by recognizing the "right to economic development", it was acknowledged that actions to combat climate change must not adversely affect the basic needs of developing countries, namely sustainable economic growth and poverty eradication.

The Convention was quickly signed by 196 Parties (including both developed and developing countries) and then ratified, allowing it to enter into force. These Parties have been meeting since 1992 at annual meetings of the treaty's monitoring body called the Conference Of Parties (COP) (Gupta, 2010). These meetings aim to discuss what could be done to limit the rise in global average temperature resulting from climate change and to take stock of progress in the fight against climate change (Tsayem Demaze, 2012). The abbreviation

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"COP" with an associated number is usually used to designate the rank of a particular meeting of parties counting from the first (COP1) of 1995 in Berlin (Arts and Rüdig, 1995).

When the international community agreed on the UNFCCC, Pattberg & Widerberg (2018) shown that the science was under development on climate change, global greenhouse gas (GHG) emissions were largely produced by developed countries. In an attempt to reduce inequities, coalitions were formed between countries of the same categories, sharing the same concerns and interests. Among the Negotiating Coalitions is the Group of 77 and China (G-77/China) is composed of 134 developing countries and China designed to promote its members' collective interests and create an enhanced joint negotiating capacity in the United Nations (Yamin and Depledge, 2005). China is an associate member of the G-77 rather than a full member. On climate change issues, China works closely with the G-77; the group's positions are then taken on behalf of the G-77 and China (Kasa, Gullberg and Heggelund, 2008; Vihma, Mulugetta and Karlsson-Vinkhuyzen, 2011). Being mostly unassertive and cooperative, the negotiation style of developing countries was close to accommodation at that period. The Alliance of Small Island Developing States (ASIDS) is an ad hoc lobby coalition group of 39 members and four observers that gives a voice to the majority of Small Island Developing States (SIDS) in the negotiations at the United Nations (Jaitly *et al.*, 1997; Graham and Graham, 2016, 2019). The SIDS have in common their vulnerability to the impacts of climate change. This includes the sea level rise that threatens to wipe out several islands (de Agueda Corneloup and Mol, 2014).

However, inequities between the parties were recognized and a qualitative separation was decided on concerning the legal obligations assigned to the signatory parties in the name of the principle of common but differentiated responsibility. The Annex 1 countries (the developed countries) were more constrained than the non-annex 1 countries that include emerging, developing and the poorest countries. This had important consequences for the rest of the process and was one of the reasons for the weak mobilization of some countries.

The Kyoto Protocol

After the Rio Conference, the Climate Convention Secretariat will organize the holding of the first Conference of the Parties, the date of which was set in Rio. This took place (COP1) in April 1995 in Berlin (Gupta,

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2010). The Parties recognized that the measures decided for Annex 1 of the UNFCCC when the Climate Convention was signed in Rio (1992) were inadequate to stabilize GHG concentrations in the long term and that the corresponding commitment would not be met. Moreover, even though the second IPCC report had not yet been officially adopted, it was known that progress had been made in scientifically establishing the attribution of climate change to human activities. Despite the opposition of the United States to the future adoption of binding numerical targets (a proposal put forward by Europe), the COP decided to set up a negotiating group (AGBM: Ad hoc Group for the Berlin Mandate) with the mandate to prepare a protocol to reduce emissions beyond 2000 with policies and measures for Annex 1 countries of the Climate Convention, to be adopted in Kyoto at the end of 1997. The technical work to prepare this protocol began in mid-1995 with the establishment of the AGBM sessions. At the end of 1995, the IPCC submitted the conclusions of its Second Scientific Assessment Report, stating in particular that "there is a body of evidence suggesting that the global warming observed since the turn of the century is not purely natural in origin".

The preparation of the Kyoto Protocol was the subject of intense negotiations within the UNFCCC parties, with strong pressure from developing countries who became more assertive vis-à-vis developed countries. However, given the weak power of developing countries, the most heated negotiation over which concepts to promote was particularly between the United States and Europe. But the United States finally embraced the idea of quantified targets, even though it knew that the US Senate would never accept a treaty to which only developed countries would commit. Europe wanted policies and measures to be adopted as well, but "common and coordinated" ones, which the United States rejected. The major change of direction came during the COP2 in Geneva in the summer of 1996, when the United States declared its support for Europe's quantified targets, on the condition that an international carbon emissions trading market be established. Europe, like all countries, was caught short and it was on these fundamentals that work began on preparing for COP3, which was to take place in Kyoto the following year.

The third Conference of the Parties took place in Kyoto from 1 to 11 December 1997. The conference led to the adoption of the Kyoto Protocol. It stipulated that the Annex

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B countries of the Protocol (38 of the most developed countries, a subset of Annex 1 to the UNFCCC) committed themselves to reduce their GHG emissions by at least 5% compared to the 1990 level (basket of six gases: CO_2, CH_4, N_2O, HFC, PFC, SF_6 and since 2013, NF_3) by 2008-2012. Articles 6, 12 and 17 of the Protocol introduced the possibility of using various flexibility mechanisms such as Joint Implementation within Annex 1, the Clean Development Mechanism with developing countries, and emissions trading within Annex 1. However, the rules, modalities and guidelines for these various mechanisms had to be subject to special ex-post instructions from the Climate Convention bodies, which took almost four years to develop. This was also the case about the provisions to be made in the event of non-compliance by a Party to the agreement.

Flexibility mechanisms played a definite role; in particular, the Clean Development Mechanism (CDM) was innovative as a vehicle for cooperation with developing countries. In these countries, it facilitated the financing of virtuous projects directly by companies in Annex B countries, without impact on public budgets. Despite its limitations, the beneficiary countries found it of great interest. The limitations were the need for developing countries to introduce rigorous carbon accounting and propose suitable projects (China was able to do so very quickly) and for Annex B countries to impose a carbon constraint on their industry (the EU succeeded in doing so with the ETS).

The Development of REDD+ mechanism from COP 11

REDD is a mechanism for the Reduction Emissions from Deforestation and forest Degradation. This term was first used in its shortened form RED (Reducing Emissions from Deforestation) at the 11th Conference of the Parties (COP 11) in Montreal in 2005 (Charlie et al., 2009). This organization's initiative was part of an advocacy effort to promote the payment of compensation to developing countries that would reduce their national deforestation rates (Angelsen, 2009). The addition of 'Degradation' to the original acronym was based on the observation that forest degradation in some developing countries (in the Congo Basin) is as much a threat to forest ecosystems as deforestation that mostly take place in Amazonia and South East Asia (Charlie et al, 2009). The concept was refined, developed and adopted at COP 13 in Bali, Indonesia in 2007 in the form of REDD (UNFCCC, 2007).

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Following discussions at the 14th COP in Poznan, Poland in 2008, it was decided that REDD should evolve towards REDD+ to encompass all initiatives that can increase the carbon uptake potential of forests (Angelsen, 2009). The insertion of a '+' sign on the acronym REDD aims to extend this mechanism to incorporate all operations aimed at the conservation of carbon stocks, the sustainable management of forest ecosystems and the enhancement of forest carbon stocks by planting trees. Even if its implementation takes a long time to get off the ground, this has been a success for developing countries, especially for the Coalition of Countries with Rainforests. That coalition began to form in 2005, at the initiative of Papua New Guinea, to gain recognition for the efforts made by developing countries to slow down emissions from deforestation.

Another coalition called BASIC grouping the most important emerging countries and major emitters (Brazil, India, China and South Africa) was founded in November 2009 to define a common position for the Copenhagen Conference (COP-15, December 2009). It has now established itself as a key player in international climate negotiations. The Copenhagen Conference (COP 15) was intended to consolidate the work carried out over the past two years under the auspices of the Bali Action Plan adopted in December 2007, to build architecture of long-term commitments to reduce GHG emissions beyond 2012. The press at the time spoke of failure given the COP results, but what happened in Copenhagen was a major revolution for the rest of the process, a real "birth turn" in the spirit of the Climate Convention that made it possible to make the necessary turnaround to allow the Paris Accord to exist six years later. At the end of this meeting, BASIC published a series of positions considered non-negotiable by its members, including a second commitment period for developed countries under the Kyoto Protocol and increased financing for mitigation and adaptation for developing countries.

The Paris Agreement

The Paris Conference (COP 21) reached a historic agreement "The Paris Agreement" that was adopted in December 2015 on the international fight against climate change. It is the result of four years of intense work and negotiations since the Durban Conference at the end of 2011. There is the agreement itself, which is the legally binding part in the sense of international environmental law. As the first universal climate agreement, the Paris Accord sets ambitious targets

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for limiting the rise in global average temperature well below 2° Celsius from pre-industrial levels and for continuing efforts to limit the rise in temperature to 1,5° Celsius. There is also the decision that enabled the adoption of this agreement, which describes in detail the technical points that will have to be decided and put in place by 2020 to enable the effective implementation of this historic agreement. A target of zero net emissions worldwide from the second half of the century is also set. The agreement also aims to strengthen the capacity of countries - particularly developing countries - to cope with the impacts of climate change.

The Paris agreement is based on the foundation that, each country must develop and implement its national strategy to combat climate change (mitigation and adaptation). These "nationally determined contributions" (NDCs) are published on the UNFCCC website. The Paris Agreement has dissolved the logic of Annex 1/ non-Annex 1 countries in the Kyoto Protocol, which mostly corresponds with the distinction between industrialized and developing nations. A sticking point in the Agreement is its vagueness about the contribution of African countries, as their overall contribution to global emissions was only 3.7% in 2018 (Ritchie and Roser, 2020). The agreement also mentions the mobilization by developed countries to assist developing countries on climate, with a target of mobilizing $100 billion per year by 2020. The withdrawal of the United States from this agreement under President Trump has given a hard blow to this objective because, despite China's support, it will be very difficult for the other countries to raise this amount (Zhang *et al.*, 2017; Climate Action Tracker, 2019).

Developing countries and African countries especially are projected to bear the direct brunt of climate change. These countries have the least financial and technological capacity to respond to it, and consequently, have been unable to be active participants in the global mitigation drive. Under the aegis of the group of 77 and China (G77), they have generally staked their claims in international negotiations on the ecological space and historical reparation arguments. While global climate negotiations cannot be detached from its historical context as attempted by the north's capacity approach, the ecological space argument is contrary to developing states need for infrastructural development. The use of the G77 as the primary negotiation vehicle and monetary and technology transfer dominated negotiation demands are

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also identified as problematic. This weakens their power of negotiation since they do not have a real BATNA and are obliged to comply with what the others would like to offer them.

Domination of Developed Countries during Negotiations

Developing countries are trapped in the concept of complex interdependence introduced by Keohane and Nye (1977) and taken up by Walker (2013). It states that the global system is increasingly like a small town in which actors restrain themselves from hostility in one arena because they have cooperative arrangements with the same players in other arenas. Since developing countries are involved in several political cooperation with the developed countries on economic, commercial, sometimes military and other aspects, it would not be good to severely challenge their partners on the climatic level for fear of reprisals in other arenas.

Among the main factor in the dominance of developed countries in international cooperation agreements, is the fact that come of developed countries have the veto power to veto any international cooperation. None of the non-annex 1 (developing) countries has veto power. Henceforth, the developed (annex) countries can veto any agreement on climate change that is not in their favour. Also, Viola et al. (2012) observed that the developed countries (the USA, China and EU) comprised 55% of the world GDP and been the main financial body of combating climate change, through compensating developing countries that manage to avoid or reserve deforestation (Rowe, 2015). For van der Gaast (2015), another explanation of developed countries' dominance is scientific and technical knowledge. Indeed, developed countries have the technical skills to quantify climate change parameters and simulate its evolution (Collins *et al.*, 2012). Unlike, developing countries lack data to master the evolution of climate (Shi *et al.*, 2016). This is a limiting factor in the negotiation process since they are forced to submit to the wishes of developed countries who master the subject, they will dominate the negotiation by making the first offer as stated by Magee et al. (2007).

Although in the climate change negotiations the G77 plus China is the most important coalition of developing countries. But Page (2004) detected that the separate interest of developing countries in the negotiation give the developed countries the power to dominate the negotiations. In the mitigation issues, the OPEC (oil-exporting) countries in their interest did not want a strong

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mitigation policy whilst, the Association of Small-Island States (AOSIS) wants a strong mitigation policy on climate change.

The negotiation style of developing countries is therefore limited to making compromises or accommodating the desires of the powerful states, as is the case in most international cooperation. Genovese (2020) in "Weak States at Global Climate Negotiations" demonstrated that the influence of developing countries (weak states) at global climate negotiations depends on the moral authority provided by developed countries (strong states). Weak and strong states referring respectively, to countries that are incapable and capable of relying on their own means according to Handel, (1981) and Rothstein (1968). In other words, Tomz (2007) presented strong states as those intended as polities that are relatively insulated from other states' influence, they may well be concerned about external power given domestic audience costs and internal political punishment. Contrarily, for Keohane (1971), weak states constantly need external support at economic or military levels for their country's survival.

At an economic level, the developing countries are receiving economic assistance for development from strong states every year (Adusei-Asante & Hancock, 2016; Jakupec & Kelly, 2016; Kobayashi et al., 2021; Wright, 2016). They are relatively dependent on rich states since they have to import goods from developed countries where the industry is more productive (Békolo-Ebé, 1979; Castaingts-Teillery, 2001; Usman *et al.*, 2021). Since their industry is not competitive, developing countries mostly benefit from specific agreements to be able to export their goods to the market of developed countries. The African Growth and Opportunity Act (AGOA) is an example of an agreement that provides eligible sub-Saharan African countries with duty-free access to the US market for some products (Yeboah, Shaik and Wuaku, 2021). On the other side, Economic Partnership Agreements (EPAs) were signed between the European Union and many developing countries (Heron, 2011; Bouët, Laborde and Traoré, 2018; Khan *et al.*, 2021). The same trend is observed at the military level.

Several authors have proved that poorer countries are more likely to experience civil war and conflicts than wealthier ones (Henderson and Singer, 2000; Hegre and Sambanis, 2006). Collier et al. (2004) brought forward the explanation that recruitment of rebels is easier among the poor, who lack better economic alternatives. In addition, Call & Wyeth (2008) and

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Paris & Sisk (2009) demonstrated that weak states are more often incapable of resolving social conflict or suppressing violent opposition. On contrary, Cunningham (2006) demonstrated that when a rebellion starts in a strong state, it is more quickly crushed by the government. In this context, developing countries that are facing conflicts are forced to undertake military cooperation with powerful states to help them control their territory (Murshed and Sen, 1995). It is the case in the Sahel in Africa where states are in military cooperation with superpowers like the United States, France and now Russia to fight against terrorists of Boko Haram and other jihadist groups (Erforth, 2020; Tankel, 2020). It is also the case in Asia where military alliances are built to crush civil war in Syria (Köstem, 2020)or to fight against Islamic State group in the continent (Köstem, 2020).

In the context of climate change, some authors (Mertz *et al.*, 2009; Baatz, 2013; Genovese, 2020; Mohammad, 2020) assumed that developing countries are more existentially vulnerable to climatic effects, and thus potentially more entitled to legitimate survival concerns. The opposite is true of developed countries which are more resilient to climate events overall considering their mastery of advanced technology and financial resources (Genovese, 2020). Developing countries thus need the support of rich countries for their adaptation to climate change.

The relative dependence of developing countries toward rich states in several arena reduce their negotiation power in front of developed countries during climate negotiations. Thus, the reality of the climate change negotiations mirrors the inequalities between developed and developing nations.

CONCLUSION

International negotiations have always been embedded by inequities between developed and developing countries. This article highlights inequities in the case of international climate negotiations through the analysis of the climate agreement signed from the UNFCCC in 1992 to the recent Paris agreement of 2015. In the context of climate negotiations, the world is divided in two, on the one hand, there are developed countries that have industries which are responsible for most of the greenhouse gas emissions. However, they have the advantage of having good scientific knowledge supported by technology, economic and military power, which gives them great facilities to adapt to climate change and therefore good BATNA. On the other hand, we have developing

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countries that are suffering the full impact of climate change with a lack of financial, scientific, and technological resources for adaptation. However, they have rainforests that are capable of storing CO_2 but are facing the challenges of sustainable development. Our analysis has shown that inequities between the parties were recognized in the UNFCCC and a qualitative separation was decided on about the legal obligations assigned to the signatory parties in the name of the principle of common but differentiated responsibility where the Annex 1 countries (the developed countries) were more constrained than the non-annex 1 (developing countries). The Kyoto Protocol emphasised this since developed countries committed themselves to reduce their GHG emissions by at least 5% compared to the 1990 level. The Protocol introduced the possibility of using various flexibility mechanisms such as the Clean Development Mechanism (CDM) that facilitated the financing of virtuous projects directly by companies in developing countries, without impact on public budgets. The adoption of the REDD+ mechanism has been a success for developing countries, especially for the Coalition of Countries with Rainforests. This is reflected by the fact that this mechanism aimed to promote the payment of compensation to developing countries that would reduce their national deforestation and degradation rates. It also includes the conservation and enhancement of forest carbon stock and sustainable management of forests. By requesting each country to submit nationally determined contributions (NDCs) which is a national strategy to combat climate change (mitigation and adaptation), the Paris Agreement has dissolved the logic of Annex 1/ non-Annex 1 countries in the Kyoto Protocol, which mostly corresponded with the distinction between industrialized and developing nations. Due to their veto power as well as the knowledge they have in mastering the climate change phenomenon, developed countries dominate other countries during the climate negotiation process. Furthermore, the economic and military cooperation involving the two categories make developing countries relatively dependant on developed countries. The negotiation style of developing countries is thus mostly limited to compromise and accommodation to the desires of the powerful states, as is the case in most international cooperation.

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