

The Organizational Process: its Impact on Climate Negotiations

*Comparing two Multilateral Conferences from
an Organizational Perspective*

Abstract

Structural variables have been incapable of providing a fully satisfactory answer to why multilateral conferences can fail one year but succeed the next. Scholars focusing on the role of the presidency have been more successful, but a sole focus on the presidency, which comprise one part of an organizational process, might give us a partial understanding of the procedural dynamics in place. The process of international climate negotiations consists of regular meetings, relationships and common rules, routines and norms: similar to an archetypal organization. With an organizational perspective, new insights into why multilateral negotiations fail or succeed are disclosed.

Through a qualitative approach, comparing the subsequent climate negotiations in Copenhagen and Cancun, including first-hand interviews, a systematic review of official documents and second-hand sources, a clear picture of what happened is depicted and analyzed. Findings show that the normal working process had been altered in Copenhagen due to special circumstances. Furthermore, the alignment between process managers was superior in Cancun, which fostered a high level of diplomacy and expertise. Finally, transparency in the process can generate trust and a more efficient negotiation process. This thesis shows that an efficient organizational process increases the probability of a successful outcome.

Key words: International Climate Negotiations, Transparency, Conference of Parties, UNFCCC, Copenhagen Accord, Cancun Agreements and the Organizational Process

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1 Introduction

On the 10th of December 2010, at the 16th Conference of Parties of the United Nations Framework Convention for Climate Change (UNFCCC) in Cancun, the negotiating parties reached consensus on a legally binding agreement, which was immediately followed by a spontaneous round of applause from negotiators and observers who saw this as a successful outcome (ENB, 2010). The *Cancun Agreements* reignited the UN-led negotiation process, with vital enhancements on especially finance and transparency. It was a sharp contrast to the outcome of the previous conference, the 15th Conference of Parties in Copenhagen, which gathered 115 heads of state and 40.000 participants but failed to produce any legal outcome (ENB, 2009). The *Copenhagen Accord* is a vacuous political declaration of three pages that was written by a handful of parties (Dimitrov, 2010). Despite the accord's lack of content it did not pass the plenary: parties "took note" of it. Multilateral climate negotiations have a universal membership and a consensus decision-making rule, which make the process very complex. Our understanding of how the organization behind this process affects the probability of an outcome is still at a basic level.

The 15th Conference of Parties in Copenhagen had higher expectations yet better preconditions than the succeeding 16th Conference of Parties in Cancun, with two years of preparatory negotiations and with unprecedented mitigation commitments made prior to the conference (Dimitrov, 2010, p. 19). Even though, the Cancun Agreements were more robust, and consequently more sensitive for the negotiators, it passed the plenary. The two conferences constitute a pivotal time in the brief history of international climate negotiations and it is critical we fully understand the reasons behind the differences in outcome. Therefore, the research question of this thesis is:

Why did the international climate negotiations fail in 2009 but succeed in 2010?

How is it possible to explain the outcome of a complex decision-making process? It is something that scholars have argued over since long before the dawn of climate change negotiations. Most frequently used are the structural *International relations* theories: Neo-realism (power), Liberal institutionalism (interest and institutions) and Constructivism (norms) (Luterbacher & Sprinz, 2011). However, none of them can really explain the difference in outcome between Copenhagen and Cancun: changes within them were insignificant between 2009 and 2010. More successful have the process-based approaches, focusing on the role of the presidency (or chairmen), being at disentangling this puzzle. However, the president is just one part of a dynamic organizational process and must be considered in relation to other elements of the organization.

This main argument of this thesis is that the organizational process is a central variable, which can provide valuable insights into the dynamics of multilateral processes. Every actor, involved in these processes, is part of an organization: governments, the United Nations or stakeholders. Together they form a bigger organization with the aim to produce a climate agreement, which is the main reason for them to arrange conferences and negotiate. The UNFCCC process shares many characteristics with a typical organization: regular meetings (several times annually), common actors, rules, routines and even norms. Naturally, these organizational elements have some effect on actors' behavior. From an organizational perspective, the outcome is no longer the result of rational bargaining but an organizational output. The process becomes central.

Two conferences are compared, and analyzed, with the help of three sub-variables: (i) organizational culture, (ii) alignment between process managers and (iii) transparency. The organizational culture enables a more efficient process in the short term: common rules, routines, and norms enable actors to be confident in how they and other actors will behave. A good alignment between the process managers can generate a smooth process through a high level of expertise and diplomacy. Finally, transparency can generate a higher degree of trust among the participants, which is a key to consensus. With an organizational perspective, this thesis offers a new level of understanding to why multilateral conferences fail and succeed.

2 The Organizational Process

This section outlines the theoretical groundwork. It begins with an introduction of interrelated findings. In sub-chapter 2.1, you will find a description of Allison's Organizational Process Model including key assumptions and concepts. After that in sub-chapter 2.2, Allison's Bureaucratic Model is portrayed and in sub-chapter 2.3, you will find a section on transparency. Finally, in sub-chapter 2.4, some causal mechanisms are specified.

Almost 200 countries tried to reach consensus in both Copenhagen and Cancun. Climate change is a very sensitive issue; both action and inaction can have severe consequences on countries' domestic realities. Furthermore, both the causes and effects of climate change are unevenly distributed over the world (Chasek et al. 2010, p. 179). The UNFCCC negotiation process has grown every year since the first Conference of Parties in 1995, it has developed its own set of rules, routines, and culture. Most negotiators meet two-three times annually in weeklong official negotiations and they interact in-between in workshops and in informal meetings. Naturally, the participants have also developed relationships with each other (Chasek, 2011, p. 92). Scholars often assume that the organizational process is a homogenous variable, which this thesis is demonstrating that it is not.

The organizational process is an often overlooked variable. Although, Joanna Depledge's (2005) work is a great exception: the author extensively describes the role of the organization in international climate negotiations. The author convincingly argues that the organization has a bigger impact on the process than what most scholars tend to believe. The author maps out some key organizational elements in the process of multilateral climate negotiations: (i) rules for the conduct of business and decision-making, (ii) use of different arenas for negotiation and discussion (iii) timing of the negotiations (such as when to best implement a new negotiation text) and (iv) rules for high-level participation (Ibid, pp. 4, 14). The author's main conclusion is that the organization matter and should be considered.

Inspired by Depledge's work, I am elaborating the understanding of the organizational process by building on Allison's *Organizational Process Model* and his *Bureaucratic Model*. They both provide valuable insight into how an organizational decision-making process works. Since the two models share the same basic assumptions, they can be used together. As Wagner wrote, "It is not entirely clear whether Model III [referring to the Bureaucratic Model] is independent of Model II [referring to the Organizational Process Model] or an extension of it" (Wagner, 1974 in Bendor & Hammond, 1992, p. 302). Both see the outcome of a decision-making process as an organizational output.

The biggest difference between a governmental decision-making process and a UN-led negotiation process is the need for consensus. Therefore, in order to make Allison's organizational models more compatible with the reality of multilateral conferences, a couple of theories on how to build consensus have been included. This approach differs from Depledge's in mainly two ways. First, this thesis is more focused on how the organizational process affects the probability of a successful outcome. Secondly, this thesis includes the role of transparency. Additionally, Depledge's work is already ten years old, and the climate regime has shifted a lot since her work was published.

Variation in the process has mostly been explained by the role of the presidency. Jonas Tallberg (2003) shows in his work how the presidency impacts policymaking within the European Union. The author shows that the president can shape the agenda in three ways: through (i) agenda settings, (ii) agenda structuring and (iii) agenda exclusion. Siwon Park (2011) analyzes climate negotiations and illustrates that the presidency is a key variable in explaining the outcome. Monheim (2013) further develops this idea and argues, in his dissertation, that the authority and capability of the president have a positive effect on the probability of an outcome. By merging the perspective of organizations with the role of the presidency an improved understanding might entail. Monheim and Park have an explanatory ambition in their work, but according to my understanding their explanatory variable is too limited. As Depledge (2005) shows, the presidency is just one part of a broader organization.

2.1 The Organizational Process Model

Central assumptions in this theoretical approach have been extracted from the Organizational Process Model, described by Allison & Zelikow (1999, ch. 3) in their book *Essence of Decision*. Since the model primarily aims to provide insight into a governmental decision-making process, it is necessary to adjust it for this new type of organization. Needless to say, every detail or concept included in Allison's model is not used or considered in this thesis. However, following the central idea of Allison's Organizational Process Model: the decision-making process is understood as an organizational procedure.

Some key concepts are helping us understand how actors, in this model, are taking decisions. First of all, the organizational process *constraints rationality*. In other words, actors perceive problems through "organizational sensors": they are *bounded rational*. (Allison and Zelikow, 1999, p. 156). This does not mean that actors are not powerless, rather they are rational agents taking the best possible decision, based on their place in the organization and upon the available information. Since, multilateral climate negotiations are complicated in terms of multiple processes, interdependent issues and multiple actors (Depledge and Chasek, 2012, pp. 19-37 or Sjöstedt and Penetrante, 2013, pp. 4-34), the assumption that actors are bounded rational must be regarded as a modest one.

Since the organizational process involves many actors, complex tasks and diffuse issues, there is a need for *standard operating procedures*: "rules according to which things are done" (Allison & Zelikow, 1999, p. 143). Related to this, March and Simon (1993) write that there are two different logics of action: a *logic of consequences* which is similar to the realist assumption of actors' behavior, and a *logic of appropriateness* which assumes that actors are matching rules to situations (March and Simon, 1993, p. 8). In other words, actors are following standard operating procedures and primarily conduct actions that are expected of them.

The *organizational culture* is another key concept that shapes both actors and the process. The authors write, "organizational culture emerges to shape the behavior of individuals within the organization in ways that conform with informal as well as formal norms" (Ibid, 1993, p. 145). The individuals that work

with these issues daily consist of a limited number of negotiators and secretariats. They meet 3-4 times a year officially (UNFCCC, 2015), and together they have developed a set of formal and informal rules, routines and relationships: an organizational culture. Ravasi and Schultz (2006, p. 434) develop on this and write, “Shared understandings are the results of sensemaking processes carried out by members as they interrogate themselves on central and distinctive features of their organization”. On external events they write: ”External occurrences that challenge an organization’s claims are likely to trigger responses aimed at countering identity-threatening events” (Ibid, 2006, p. 435). Extracted from these theories, the process works more efficiently in the short run without external events altering its organizational culture.

Since *routine* is a main element of the organizational process, it might be necessary to define it further. Sidney Winter defines routine as “pattern of behavior that is followed repeatedly” (Winter, 1964, p. 263 in Becker, 2004, p. 644). Routines provide a level of stability in an organization with many actors. Becker writes that routines can be understood as cognitive regularities. The author also writes, “routines would then be understood as rules” (Becker, 2004, p. 645), which is what Allison & Zelikow refers to as standard operating procedures. Gittell, who analyzes the performance effect of routines, concludes, “routines work by enhancing interaction among participants, which was found to have a positive performance effect” (Gittell, 2002 in Becker, 2004, p. 655). Routines can also help actors to cope with uncertainties and increase stability (Becker, 2004, p. 658-659). Routines can mitigate uncertainty, provide stability and enhance interaction among actors in organizations with many actors.

2.2 The Bureaucratic Model

A related theory focuses more on how different organizational divisions interact. It can be viewed as an extension of the Organizational Process Model, since it basically divides the organization into divisions: “Separate institutions share power” (Ibid, 1999, p. 255). A central assumption is that divisions within the organization do not just collaborate: they compete over power and influence. Allison & Zelikow write, “outcomes are formed, and deformed, by the interaction

of competing preferences” (Ibid, 1999, p. 255). This model is primarily used, in this thesis, to understand the alignment between process managers.

Actors represent their own division, consisting of a specific set of goals, norms and personal objectives (Ibid, 1999, pp. 255-256). When explaining a certain decision-making process, it is necessary to map out the “circle of central players”. The alignment between these actors depends on the different actor’s perception, preferences and stands on the issue at hand (Allison & Zelikow, 1999, p. 298). Allison & Zelikow develop some ideas on what shape actor’s perception, preferences and stands on a certain issue: (i) the answers to questions of ”what is the issue” and ”what must be done” depend on where in the organization the actor is sitting, (ii) actors have different goals and (iii) actors’ stands are depending on a balance between different interests (Ibid, 1999, p. 298-299).

According to the model, an effective leader must generate support among the top circle of actors (Ibid, 1999, p. 260). Even if the president is the most powerful actor, this individual needs support from other actors within the organization, in order to provide to implement efficient decisions. The social motivation, to implement a decision they do not agree with, is naturally lower than the opposite. For different divisions to be able to cooperate efficiently, they need to have similar objectives and cultures.

Some argue that this model is ”too complex” (see Bendor & Hammond, 1992, p. 318). Understandingly so, an organization can be divided into competing divisions, which in turn can be divided into competing sub-divisions and so on. In order to solve this problem just two levels are being analyzed: (i) the top level consists of the process managers’ organizations (the host government and the UNFCCC Secretariat), while the second level consists the top players within these organizations. Furthermore, since UNFCCC is an external convention within the United Nations umbrella, their relationship with the United Nations Secretariat is also examined. Two levels of analysis are needed, in order to understand the overall alignment. The next sub-chapter focuses on how the organizational process can increase the probability of consensus.

2.3 Organizing Space for Consensus

This part further elaborates the understanding of the organizational process by including theories on consensus building. Pamela Chasek (2011, p. 92) describes the central characteristics of climate negotiations: the need for an attainment of consensus. She writes that a key characteristic is that, “abstention is an affirmative rather than a negative vote”. Meaning, if a negotiating party is not actively opposing a proposed text, it will pass. Furthermore, she writes, “Consensus involves [...] an endeavor to reach a compromise that will be reasonably acceptable to all” (Ibid, 2011, p. 92). The consensus rule also puts a high pressure on parties to accept the proposal in the 11th hour to avoid the blame from the other parties.

An effective organizational process must achieve procedural equity and transparency without losing too much efficiency. Depledge (2006, pp. 80-82) writes that many of the central rules in the UNFCCC process have been created to secure transparency and equity. Examples of these are (i) the consensus rule, (ii) one-party-one-vote rule (i.e. equal say), (iii) the rule that says documents shall be circulated in advance and (iv) the right to speak. These rules are not specific for the UNFCCC process: rather they are common for most negotiations under the UN umbrella. Depledge notes that countries can use these rules as a strategy when they want to protract the negotiations. She writes “It is similarly not uncommon for some parties to seek to delay the negotiation process more generally by insisting on procedural adherence” (2006, p.84). It is not uncommon that parties complain over transparency, but their real purpose might be a different one.

A decision, based on consensus, requires political will from most parties. In the article, *The Dynamics of Consensus Building in Intracultural and Intercultural Negotiations*, the authors find that “consensus building [...] depends on the epistemic and social motivations of the individual negotiating” (Liu et al, 2012, p. 269). Social motivation is something that the organizational process can generate through transparency. If actors feel excluded, their motivation for reaching consensus, and thus makes sacrifices, will logically decrease.

In the article, *Transparency in the WTO’s Decision-Making*, the author describes the importance of transparency in the World Trade Organization’s decision-

making process, which also requires consensus. The WTO has made their process more transparent in order to build trust between developing and developed countries (Delimatsis, 2014). The dynamics of the WTO and the UNFCCC processes are similar in central aspects: with historical injustices and a low level of trust between developed and developing countries.

This chapter has outlined the theoretical ground of this thesis. Allison's Organizational Process Model is the foundation from where the key understanding of how actors, and a group of actors, act. Key concepts such as *standard operating procedures*, *bounded rationality* and *organizational culture* have been described and discussed. The Organizational Process Model is complemented with a basic understanding of the Bureaucratic Model. The basic understanding is that different divisions have diverse goals, processes and cultures. The quality of the alignment between different divisions have an effect on the process and thus also on the probability of an outcome. Finally, in order to make the model more compatible with the reality of multilateral conferences, a section on how to reach consensus was included. The next chapter outlines plausible causal links that have been extracted from this theoretical background.

2.4 Causal Mechanisms

From this theoretical foundation, it is possible to draw some plausible inferences on how the organizational process affects the probability of a successful outcome. These mechanisms are, in the analysis, tested on the empirical evidence of what happened at the two conferences. The purpose of these mechanisms is to make the theoretical inferences testable and falsifiable. The first mechanism comes from the assumption that the working process is built on common rules, routines and norms. Following this, actors follow a *logic of appropriateness* and the process moves slowly and organically. The organizational process should, in the short term, gravitate towards solutions that limit short-term uncertainties in order to facilitate an efficient progress. An altering of the organizational culture might result in indecisiveness, due to a higher level of uncertainty. This would have a negative effect on the probability of an agreement.

Graph 1

Organizational culture *Process follows existing rules, routines and norms* *Low level of uncertainty* *Efficient negotiation process* *Probability of consensus increases*

The second mechanism focuses on the alignment between the process managers. Even if they manage the organizational process together, they have different organizational cultures, expertise and objectives. The quality of their alignment in facilitating a smooth process can affect parties willingness and ability to agree.

Graph 2

Quality of alignment between process managers *Smoothness for negotiators* *Probability of consensus increases*

The third and final mechanism is retrieved from theories on how the organizational process can create space for consensus. Following the results from previous studies, the mechanism states that a transparent process can generate a higher level of trust between negotiating parties, especially between developed and developing parties, which in extension increases the probability of an agreement.

Graph 3

Transparent process *Increases trust* *Probability of consensus increases*

This chapter has outlined the theoretical foundation of this thesis. After the next chapter, which focuses on alternative explanations, the methodological approach is described. How these causal mechanisms are tested will be explained in this chapter (chapter 4).

3 Alternative Explanations

This chapter is providing a short overview of alternative explanations. First, Neo-realism, the power centered, approach is discussed. After that, the theories of Liberal institutionalism and Constructivism are portrayed. This chapter provides the reader with a general understanding of the most common explanations that are trying to explain the outcome of multilateral negotiations.

The organizational process is far from the only conceivable explanation. Rather the probability of a successful agreement depends on several interdependent variables and this thesis argues that the organizational process is one of them. In other words, an efficient organizational process does not automatically generate a successful outcome. If all negotiators shared the same view, they would probably be able to agree with an inefficient process as well, but the probability would be even higher if the process was efficient. This chapter is encapsulating the most common explanations to why international climate negotiations fail or succeed.

Neo-realism bases its explanation on countries' strife for power. This classic theory puts weight on the relative power distributions among states. States are considered the only interesting actor and they are assumed to take rational decisions (Rowlands, 2001, pp. 43-45). Most realist theorists argue that the main reason for countries to participate in negotiations is to increase their own relative power, while others argue that it is the hegemonic power that is the most interesting variable (Ibid, 2001, p. 44). A hegemonic power in a non-military context is most often defined by economic power, where the hegemonic power can steer other states through economic pressures and incentives. Following this theory, if the United States and China support an agreement, it will have a good chance to be implemented. Some neo-realists argue that relative gains are the most interesting factor. One example of this is the study by Vezirgiannidou (2008), which shows that the perceived "China threat" was a key factor for the United States to not ratify the Kyoto Protocol. Showing that the United States did not want to lose any relative power to China.

Inescapably, power is an essential variable in explaining international climate negotiations, but merely focusing on power entails some problems. First of all, the struggle for power cannot explain why negotiations fail one year, but succeeds the next (the power balance was more or less unchanged). Secondly, the actors at multilateral conferences rarely have complete information and it can be problematic to assume that they take fully rational decisions. What information the actors have at hand depends to a great extent on the organizational process.

However, the negotiations during 2009 and 2010 were indeed colored by an (economic) power struggle between the United States and China: the two countries with the world's biggest economies and largest greenhouse gas emissions. A key task of the conference was to get the United States on board, and thus not repeat the Kyoto Protocol situation, which would have made the new agreement toothless (Meilgaard, 2010). From a power perspective, this would be almost impossible due to the differentiated responsibilities between the two UNFCCC annexes. An agreement would require bigger efforts from the United States than from China. For example, the question if the new transparency system should be unitary (same for all countries) or binary (based on if the existing annexes) became a central question in Copenhagen and Cancun (Park, 2011). If this theory can explain why the negotiation in Copenhagen failed, it cannot explain why the same parties reached consensus in Cancun.

Power, as a variable cannot either explain why countries engage in transparency negotiations, where countries must reveal sensitive information and where the gain cannot be understood in relative power or gains. However, hegemonic power can explain several specific outcomes such as: (i) the timing for the planned momentous agreement in Paris 2015, which is taking place at the last possible year of Barack Obama's presidency and (ii) why the parties are discussing a five-year commitment cycle (UNFCCC, 2015a, p. 21), which is not consistent with either the UNFCCC reporting cycles (four and two years) or the IPCC cycle (six year) but consistent with China's five-year plans. But as Oran Young (1989, p. 374) concludes "power theorists overemphasize the role of preponderant actors or hegemons". Finally, the simplistic nature of the model is over-looking crucial variables, such as the struggle for power are taking place within the organizational processes with all of its constraints.

Liberal institutionalism puts its focus on the interest, where the main argument is that institutions play a key role. According to the theory, an increasing interdependence between countries and the institutional regime set the frames for countries' behavior. Institutions matter because they have an effect on available options, transaction costs and they can reduce uncertainties about how other actors will behave (Allison and Zelikow, 1999, p. 34). The theory perceives anarchy in the global system as a problem because actors can "free-ride" on actions by other parties (O'Neill, 2009, p. 10). According to this theory, countries' position in negotiations can be derived from their willingness to maximize their own gains. Rational liberal institutionalists often use game theory to describe how different countries position themselves. In short, institutions help actors to avoid the worst outcome through cooperation.

A central negotiation topic in Copenhagen and Cancun was the scope of the new transparency system. What should be under the system and more importantly, who should assess countries' internal affairs? China fiercely opposed any supranational verification, while the United States insisted on its importance. While interest and institutions can explain the need for a transparency system, it cannot really explain the difference in outcome between Copenhagen and Cancun.

Constructivism, on the other hand, focuses on how the international cooperation is shaped by international norms: "The key issue, however, is not whether identities matter but how they matter" (Goldstein and Keohane, 1993, p.8). The authors also write "ideas define the universe of possibilities for action" and maps out three types of beliefs through which ideas can make a difference: worldview beliefs, principles (or normative) beliefs and causal beliefs (Ibid, 1993, p. 8-9). A key assumption in this thesis is that the organizational process shapes actors behaviors through settling what ideas that are considered possible. A key assumption is that a different organizational process would enable other ideas (and possibilities) and in extension a different final agreement. The organizational process model shares many similarities to Constructivism. Their main focus is on rules and how they set the game, although constructivism is more focused on informal rules and norms.

4 Research Design

This chapter describes the research design. First, you will find a description of the overall methodological approach. Then, you will find a brief section on case selection. After that, you will find operationalization of the key variables together with some indicators. The final section provides a description of the data collection.

The methodological approach consists of a qualitative comparison of two cases. These two cases are chosen because they ended differently and mark a pivotal moment in the short history of international climate negotiations. The 15th Conference of Parties has gathered a lot of interest from scholars since it was the biggest environmental negotiation to that point and many are puzzled by its outcome. The cases are analyzed and compared according to the logic of *Mill's method of difference* (Mill, 1843). Two subsequent climate conferences, within the same regime, are being compared, which alleviate much of the problem of case heterogeneity. Due to the limited time-span of one year, the structural variables can be assumed to be constant. Thus, I am zooming in on the most interesting variable, which did change between the negotiations: the organizational process.

4.1 Methodological Approach

The purpose of this qualitative approach is to reach those mechanisms that easily can be missed with a broader tool. The organizational process, and its sub-variables, are hard to quantify and thus often over-looked. Only because it is hard to measure does not mean that the impact of the organizational process is insignificant. As written, two cases are carefully compared. More concretely, the comparison zooms in on three vital parts of the organizational process, later referred to as sub-variables, which is done with the help of extracted indicators.

The purpose of this comparison is to reveal how the organizational process differs and how this difference affected the probability of an outcome.

In the analysis, I am being guided by my hypothesized mechanisms. These mechanisms ensure that the analysis is analytical and not just descriptive. It would be optimal to find a variable in the causal mechanism that made the negotiations change in a new direction. However, it is unlikely to find a clear cut case like that, rather this approach allows me to say if the mechanism was in place it either increased or decreased the probability of an outcome. The next section describes the chosen cases and the selection procedure.

4.2 Case selection

Selecting cases within a small sample can be a challenging task. So was it also for me. My first idea was to compare the organizational process over several cases (and regimes). Understandably, that turned out to be impractical since it would not be qualitative enough. It had not been qualitative enough and the mechanisms would maybe not have been visible. When I decided to conduct a comparative analysis of just two cases within the same process, I quickly decided to focus on the climate regime. It is where the core of my expertise lays and much due to the high stakes, I find it to be the most interesting process. If the organizational process had a significant impact in this negotiating process, it would then be likely that it has an impact on negotiation processes with lower stakes as well.

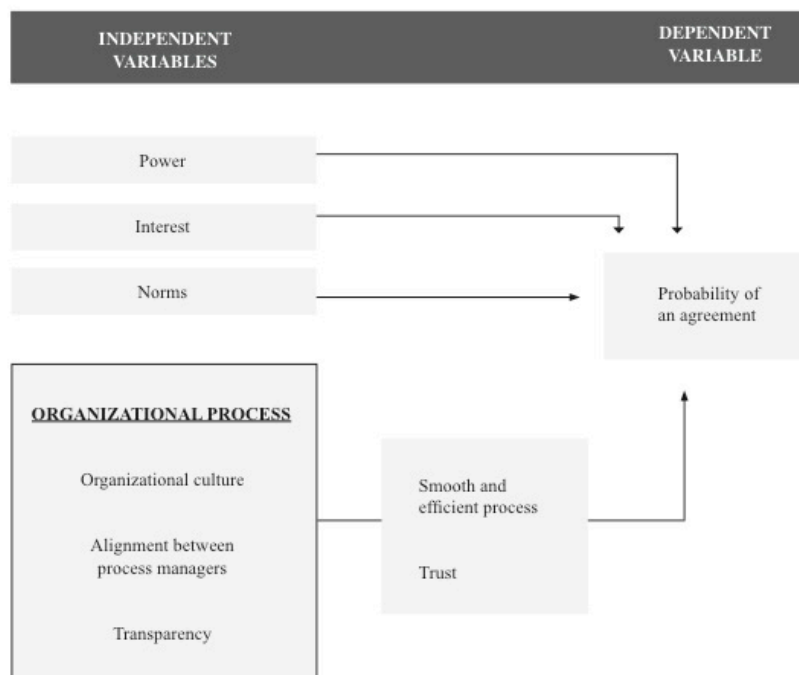
My next step was to find two comparable conferences, with a difference in the independent variable. I finally decided to compare Copenhagen and Cancun, due to the stark contrast between them and their pivotal role in the long-term process. I also found it natural to put a bigger emphasis on part of the negotiations that focus on measuring, reporting and verification (i.e. transparency) of the parties' actions, since it played a key role in the two conferences. It is an area of the negotiations that still receives little attention, despite its core role in the climate regime. As written, the conferences constitute a pivotal change in the climate negotiation process. Copenhagen had through its failure a major effect on the process, which can be seen as shifting from a top-down approach (with negotiated

emission reduction targets under the Kyoto Protocol) to a bottom-up approach (with intended nationally determined contributions). Cancun was also a crucial negotiation since it agreed on a new transparency system, that elevated the level of transparency within the UNFCCC process to a new and more robust level: and thus enhanced the climate regime and its ability to affect the global level of emissions.

4.3 Variables

Graph 4 portrays an overview of the key variables explaining the probability of a climate agreement. Power, interest and norms, described in chapter 3, are capturing the general international relations theories. Besides them, I have included the organizational process, which is the main contribution of this thesis. Even if power, interest and norms cannot explain the difference in outcome between Copenhagen and Cancun they are still affecting the general probability and therefore included in the model. This section continues to elaborate on the deduced causal mechanisms and introduces central indicators to each sub-variable.

Graph 4, Overview of key variables explaining the probability of a successful outcome



The dependent variable of this analysis is the outcome. I am viewing the outcome of the two conferences in the most simplistic way: the conference in Copenhagen failed to produce an agreement while the conference in Cancun succeeded. Even if, the expectations were different, the non-agreed Copenhagen Accord would have been considered a failure in Cancun as well, while the Cancun Agreement probably would have been regarded as a moderate outcome in Copenhagen.

The operationalization of the *organizational process* is more complicated. I am following Monheim's approach (2013) and divide the main variable into three layers. The organizational process is the *basic layer* from which I have extracted three sub-variables, which form the *second layer*: (i) organizational culture, (ii) alignment of process managers and (iii) transparency. Again, it would be possible to focus on additional sub-variables but these are the most interesting from my understanding of the theoretical background and of international climate negotiations. For a theoretical background of these sub-variables, please see chapter 2.

A *third layer* includes the indicators that shape the elements of the second layer's process variables. For example, transparency in the process can be assessed through an examination of transparency in the procedural conduction of texts and in the selection of small-group negotiations, where the process of conduction of texts and the selection of small group negotiations become the two indicators. The indicators have been deducted from a qualitative reading of the theoretical material. In short, the indicators determine what the analysis is looking for, in order to assess if the sub-variables and in extension the organizational process had an impact on the outcome. The next section describes the first sub-variable: the organizational culture.

4.3.1 Organizational Culture

Organizational culture is another qualitative concept that can be difficult to measure. Culture is not something that changes dramatically from one year to another. However, the culture can be more or less intact due to various reasons. Allison writes, "organizations create purposes and routines that arise from within" and "the rules both define and grow out of a distinctive organizational culture"

(Allison & Zelikow, 1999, p. 153). My understanding of this, together with the theoretical foundation presented in chapter 2, is that the organization is an organic process that functions best in the short run without external interruptions. Therefore, in finding out how the organizational culture differs between the two conferences we need to analyze the central aspects of the organizational culture, therefore three key indicators have been extracted:

- (i) **Visions** among the negotiators of what the output from the conference shall be. As Allison and Zelikow (1999, p. 149) points out: “their goals [...] are often diffuse”. For a multifaceted organization, such as the multilateral climate negotiations, to be efficient their different working processes most work cohesively: striving for the same type of output (they will, of course, differ on its content). Many of the organization’s informal rules, routines and expectations depend on the organization’s central vision. For example, the logic of appropriateness depends on what is considered appropriate, which in turn depend partly on the vision. This parameter shall not be confused with external expectations: it simply refers to the internal vision of the organizational goal.
- (ii) **Routine** is a central part of the organizational culture. A central concept in this theory is standard operating procedures (Allison & Zelikow, 1999, p. 147), which basically proclaims that actors follow routines. In the short run, an efficient organization follows routines: actors know how to act and are confident in how other actors will act. Routines can generate stability and mitigate uncertainty (see chapter 2). However, for routines to be useful negotiators must meet situations that they are familiar with.
- (iii) **The Presidencies cultural fit** is another indicator specific, which is designed specifically for multilateral negotiations. Since presidencies come into the organization externally, their cultural fit might differ. Every host government has different culture, relationships and agendas. For the organizational process to work efficiently, the newly elected presidency and its team must have a good understanding of the existing culture. If the new president brings in a leadership un-fitted with the existing organizational process and its culture it might alter the organizational culture.

4.3.2 Alignment between Process Managers

The process managers consist of an alignment between the UNFCCC Secretariat and the host country (who is responsible for the presidency). As managers of the negotiation process they, "engage in both the procedural organization and [provide] substantive input aimed at maximizing the effectiveness of the negotiation process" (Depledge, 2007, p.45). Even if both are mandated to impartiality, they have different routines, norms and goals. While the host government is involved for one year, the secretariat constitutes the backbone of the climate negotiation process. Their mandate also differs, the parties elect the president, while the secretariat consists of civil servants (Ibid, 2007, p. 46).

The organizational willingness, and capability, within the host government to cooperate with the UNFCCC Secretariat varies from year to year. A possible alignment depends partly on the host government's understanding of the UNFCCC process, but also on their understanding of how to push for progress efficiently. Secondly, it is necessary to look at the diplomatic choices made by the host government. Depledge (Ibid, 2007) writes that the president is "expected to proactively manage the negotiation process to promote a successful outcome". From an organizational perspective the effectiveness of these actions, depend on the quality of their alignment with the secretariat. This entails two indicators:

- (i) ***Organizational Expertise.*** How well does the host country understand how the UNFCCC process work? For an organization to be efficient it must use all of its existing resources. As concluded by Allison & Zeikow (1999, p. 265), "More information and better analysis can produce better decisions". Different divisions have different expertise and a good alignment can utilize the use of this expertise.
- (ii) ***Organizational Diplomacy.*** As written, better alignment can produce better decisions, but Allison (Ibid, 1999, p. 260) also writes "power equals impact on the outcome". At multilateral climate conferences, it is the presidency that has the last say on any major issue regarding the process. It is therefore necessary to analyze how these decisions were made. All other things being equal, a good alignment implies better decisions.

4.3.3. Organizing Space for Consensus

As described in the chapter 2, a transparent process can increase the level of trust between actors. Transparency is analyzed through two key indicators of the negotiating process: the procedural conduct of the negotiating texts and the selection of negotiating arenas. These two are central parts of the organizational process and it is foremost through these, transparency can be ensured.

It is generally wrong to talk about one negotiation: it is really multiple interdependent negotiations on different levels. The second indicator refers to the question of what constellations the negotiations are being conducted in? Negotiations can take place in the big plenary room with hundreds of negotiators, in small contact groups and behind closed doors. Discussions in smaller forums, such as contact groups or informal negotiations, are more effective, but their legitimacy can easily be questioned.

”Text do not only reflect the status of negotiations, but can also help move the process forward” (Depledge, 2005, p. 164). Text can move the negotiations forward in two ways, (i) it makes progress in bargaining ”real” and (ii) text can work to facilitate more efficient negotiations through its ability to capture all the details and thereby allow negotiators to focus on the main issues. However, definitions of words and decisions are essential for the negotiators and an unequivocal definition can be left in order to find a common ground. The organizational process is responsible for an efficient text negotiation procedure and if needed push for consensus through the implementation of a compromised text.

The presidents often draft their own negotiating text, often referred to as the *Chair’s text*. This is partly done to get a more workable text on the table but also in order to move the negotiations forward. One of the strengths of a Chair’s text is that it removes the feeling of ownership of paragraphs and words in the old text. For the Chair’s text to be successful, timing is an important factor. If it’s released too early it might interfere with the negotiation and generate uncertainty and distrust among the negotiators, if it is released too late there might not be insufficient time for bargaining.

- (i) ***Procedural conduction of negotiating texts***, to what extent is the text procedure transparent? Even if the president has decided to produce its own text, it can be a transparent decision.
- (ii) ***Procedural selection of negotiating arenas***, in what arenas are the key negotiations taking place? To what extent is the informal negotiation transparent? A small group negotiation has a better chance if other parties know about its existence and is informed about crucial progress in these closed negotiations.

4.4 Data Collection

Climate negotiations are generally well documented. One of the core tasks of the UNFCCC Secretariat is to compile and publish documents on their website. This official documentation forms the base of the empirical material. However, since the organizational process is a qualitative variable, it is not possible to fully rely on official documents. Therefore, official documents consisting of web-cast of actual negotiations, different versions of negotiation texts and agreements and official statements have to be complemented with interviews and second-hand material.

One central source is the newspaper *Earth Negotiations Bulletin*, operated by the *International Institute for Sustainable Development*, the newspaper is generally considered to be an unbiased source of information. Social scientists (e.g. Widerberg & Laerhoven, 2014 - Bauer, 2009 – Busch, 2009), stakeholders and negotiators themselves frequently use this paper as a trustworthy source. Furthermore, a lot of researchers have already analyzed the events in Copenhagen and Cancun. It would be a mistake to not use the second-hand material available.

The material also consists of qualitative interviews with three actors that were involved in the UNFCCC process: two Programme Officers from the secretariat and one central negotiator who participated in the two conferences. Since their contribution is pure informative the number of interviewees is not crucial. The interviews are *informative interviews*, which followed a few central question, but also allowed the interviewee to describe what happened from his/her perspective.

5 Analysis

This chapter is structured into three sub-chapters. The first part looks at the organizational culture, the second part focuses on the alignment between process managers and the final part analyzes the role of transparency. However, first you will find a short overview of key events in international climate negotiations during 2009 and 2010.

The principal differences between negotiating parties were similar at the two conferences. United States insisted on the importance of transparency of action by developing countries, something that especially China resisted. The issue referred to what shall be measured, reviewed and verified, by whom and how often. (ENB, 2009). A stronger transparency system forces parties to comply with their commitments. While the global share of developing countries' emissions has increased every year, they have had no obligation, before the Cancun Agreement, to officially report on their emission levels. Developing countries on the other hand, wanted developed countries to take more responsibility and regarded ambitious financial and mitigation commitments as essential. For example, the Chinese negotiator said: "The developed countries are trying every means possible to avoid discussion of the essential issue — that is, emission reductions" (The Associated Press, 2010).

The 15th Conference of Parties took place during two weeks in December 2009 in Copenhagen. The conference gathered an unprecedented 40 000 participants that can be compared with the previous momentous climate conference in Kyoto, which gathered 9 000 participants in 1997 (Depledge and Chasek, 2012, p. 27). The conference gathered a huge public interest, with intense media coverage and demonstrations (ENB, 2009e, p. 4). The Danish organization officially invited all the "*Heads of State and Government to Copenhagen to close COP 15*" (UNFCCC, 2009), which resulted in the participation of 115 government leaders (ENB, 2009, p. 1). Expectations of what the conference should produce were high.

However, the negotiations at the conference moved slowly and due to the lack of progress the process managers initiated a "friends of the chair" group consisting

of 26 parties (Meilstrup, 2010, p. 131). Although, the decisive negotiation occurred within an even smaller group of countries: United States, Brazil, India, South Africa and China (Monheim, 2013, pp. 121-123; Meilstrup, 2010, p. 132). Barack Obama was first to announce the occurrence of an agreement, the *Copenhagen Accord*, to the media.

“These three components -- transparency, mitigation and finance -- form the basis of the common approach that the United States and our partners embraced here in Copenhagen”

Barack Obama, December 18, 2009¹

When the Copenhagen Accord was introduced in the plenary, it met a fierce opposition from several developing countries (ENB, 2009, p. 1): hardliners were the countries from the leftist Bolivarian Alliance for the Peoples of our America (ALBA) Group. The negotiators were not able to find consensus and the session ended with the parties "taking note" of the Copenhagen Accord. Many countries criticized the lack of inclusion and transparency in the process (ENB, 2009, p. 7-8). Countries that objected to an adoption of the accord were Bolivia, Nicaragua, Venezuela, Tuvalu, Cuba and Costa Rica. Their objectives can be divided into two categories: substantive objections and procedural objections. Substantive objections were raised by the small island state of Tuvalu who basically argued that the text was too weak (Tuvalu later gave the accord a "green light", see Dimitrov, 2010). Procedural objections were raised by a number of countries and especially the legitimacy of the closed negotiation group was questioned (Müller, 2010, pp. 14-16 – ENB, 2009).

While being members of the major negotiation group, G77 and China, it would have been difficult for the opposing parties to reject the agreement without some silent support from more powerful countries (Meilgaard, 2010). China, Brazil and India did not make any statement during the final plenary, a signal of their disappointment with the outcome (Dimitrov, 2010, p.21). Even if the hard-liners came from the ALBA group, a main underlying reason was the lack of trust between developed and developing countries.

¹ <https://www.whitehouse.gov/the-press-office/remarks-president-during-press-availability-copenhagen>

In the aftermath of the 15th Conference of Parties, actors blamed the weak outcome on each other and on the process. *G77 and China*, consisting of the majority of developing countries, accused the United States to "locking the poor into permanent poverty by refusing to reduce US emissions further" (Vidal, 2009a). Bolivia, an ALBA member, blamed the Danish organization, "this is completely unacceptable. How can it be that 25 to 30 nations cook up an agreement that excludes the majority of the 190 nations?" (Vidal, 2009a). But also the whole UNFCCC process, and United Nation's role in it was questioned. A top US negotiator, John Pershing, said, "the UN didn't manage the conference that well" and continued saying, "we are going to have a very very difficult time moving forward and it will be a combination of small and larger processes" (Pershing in Goldenberg et al, 2010). Statements like this opened for a greater importance of negotiations outside the official UNFCCC process. Actors blamed the perceived failure both on each other but also on the process, which increased the stakes for a real outcome in Mexico.

The 16th Conference of Parties was held between 29 November and 11 December 2011 in Cancun. The hype around this conference was lower than what it had been the previous year: the conference attracted less than one third, 12 000, of participants. Naturally, this conference also attracted less external attention, due to the lower level of expectations. However, a new objective had occurred since the Copenhagen negotiations: to save the UNFCCC process (PEW, 2010).

The negotiations in Cancun exceeded most people's expectations and the negotiating parties reached consensus. However, the Cancun Agreements passed the plenary, despite Bolivia's refusal. One main difference from Copenhagen was that Bolivia did not receive any support from the other ALBA countries (these were passive and thus accepted the texts). Despite the consensus rule and Bolivia's veto, the parties agreed on the texts that became the Cancun Agreements. The agreement includes crucial elements of especially transparency and finance, which will have a long-lasting effect on the climate regime. The next sub-chapter focuses on the first variable: the organizational culture.

5.1 Organizational Culture

This variable is a key to understand the dynamics of the organizational process. In this thesis, the concept refers to the autonomy of the working process: the culture enables actors to rely on formal and informal rules, routines and norms, which implies that actors know how they and others will behave. The organizational culture is not something that changes from one year to another, although its role can shift dramatically. In many ways, the organizational culture is the backbone of an organization and its working process: it enables them to take efficient decisions. Opposite, when radical changes alter the working process, the organizational culture loses its function in the process. Lack of culture generates uncertainty and discontinuity. Without a clear and existing culture, actors cannot be foresighted or depend on informal rules, routines and norms, which causes an inefficient decision-making process.

As already concluded, this section compares the organizational culture at the two subsequent climate change conferences. It is done through three different aspects of the organizational culture: (i) visions within the organization (ii) the role of routines and (iii) cultural fit of the host country.

5.1.1 Vision

A common vision is needed for a coherent and efficient organizational working process to be possible. Allison writes that "each organization attends to a special set or problems and acts in a quasi-independence on these problems" and that actors "behavior relevant to any important problem reflect the independent output of several organizations, partially coordinated by government leaders". Furthermore, "the beliefs create an organizational culture, market and accentuated by: (1) the way the organization has defined success in operational terms" (Allison & Zelikow, 1999, pp. 143, 167). Vision shall not be confused with interest. Parties naturally have different interest on key issues, but they can share a common understanding of the overarching objective. A multilateral climate conference consists of several concurrent and interdependent negotiations and for

them to be effective all parts of the organization must have a common understanding of what the principal goal should be.

As this section of the analysis shows, this was not the case in Copenhagen. The conference was shaped by a clear divide between those who expected the organization to work towards a legally binding agreement and those who wanted to prepare for a legally binding agreement at a later point. In Cancun, the whole organization shared a common vision: to save the UNFCCC process by reaching some real decisions.

5.1.1.1 Conference of Parties 15 – Copenhagen Climate Conference

The rebranding of the host city of Copenhagen to "*Hopenhagen*", for the duration of the conference, testifies of the high expectations that had been engendered. Even if the conference officially was one in a series of conferences, many described and perceived the 15th Conference of Parties as "the last chance to save the planet" (Lord Stern in Gray, 2009). It had also been officially agreed two years earlier that the 15th Conference of Parties should agree on the topics outlined in *the Bali Action Plan* (UNFCCC, 2007, p. 5). Berridge (2010, p.58) describes the conference in Copenhagen as an artificial deadline due to the political momentum, which caused a general expectation of a legally binding agreement.

Three years prior, the Danish environmental minister introduced the idea to host the prestigious 15th Conference of Parties in Denmark to the rest of the Danish organization (Meilgaard, 2010, p. 114). The Danish government worked hard to make the conference in Copenhagen to a successful one. Although, the negotiations moved slowly after the Bali conference and the high expectations started to wane during 2009 (Charbonneau, 2009). This got the Danish government to lower the expectations, by introducing the idea of *one agreement-two steps*, just one month before the conference started (Henry & Lothian, 2009 - Meilgaard, 2010, p. 125). It was an attempt to lower the expectations of a complete agreement in Copenhagen.

The building up of expectations since 2007, and the sudden lowering of the same just before the conference started resulted in mixed visions of what to strive for. The downgrade of what the conference should produce was not something that all countries appreciated, or even accepted: India's special envoy on climate

change Shyam Saran said, "There is now a very deliberate attempt to downgrade international expectations and that is unfortunate" (WEF, 2009). Despite the notion of "one agreement – two steps", many countries expected the conference to produce a legally binding agreement (ENB, 2009, p.1). The main organizational vision was unclear when the conference started.

Four options were possible when the conference started: (i) to strive for a legally binding agreement, (ii) to reach "a comprehensive core decision" that could be further developed at a later point, (iii) a political declaration or (iv) no agreement "what so ever" (Dimitrov, 2010, p. 19). Most countries wanted to strive for the first two options, but the difference between them was significant: should the conference "seal the deal" or postpone it to later. Most developed countries had stopped talking about a legally binding agreement in Copenhagen and instead focused on a "road map" to a robust agreement at a later point. "*Others, however, especially vulnerable developing countries, continued working towards text that would result in a legally-binding outcome to be adopted in Copenhagen*" (ENB, 2009c, p. 4).

The Danish vision was to reach a "politically binding agreement" in Copenhagen and then settle on the legal issues at a later point, in order to avoid a deadlock in Copenhagen (Meilstrup, 2010, p.125). In contrast, Tuvalu requested all parties to strive for a legally binding agreement and was backed by other small island states and by several countries from Latin America and Africa. Their request also got a backing from many observing NGOs (ENB, 2009f, p1). The vision of what the conference should produce was incoherent all through the conference.

There was also a divide between the external expectations, which basically demanded the negotiators to "save the planet" and the internal vision of what was possible. This external pressure did probably spur the internal divide further: between those who believed it was possible to "seal the deal" and reach a robust outcome and those who were being more pragmatic. An incoherent vision, or organizational goal, created uncertainty among the negotiators: how can the process work efficiently if the actors disagree upon the foundation of the agreement? The negotiators had diverse visions of what the conference should produce during the first week of the negotiations (ENB, 2009f, p.1). Since actors are representing their own organizations, including its interest and vision, a rapid

change of the overall vision is hard to implement. The slow progress can partly be traced back to the lack of a coherent vision of what the organizational goal should be.

5.1.1.2 Conference of Parties 16 – Cancun Climate Conference

To avoid the same pressure "to seal the deal", the Mexican organization lowered expectations by stating that the high-level segment would not be overrun by world leaders (ENB, 2010a, p. 12). Also the United Nation's Secretary General Ban ki-Moon lowered the expectations by suggesting incremental steps, instead of proclaiming a grand deal, which he had done prior to the conference in Copenhagen (MacFarhquhar, 2010). The expectations of what the conference in Cancun should produce were modest and the main legally binding issues discussed and decided upon, were related to transparency and finance (ENB, 2010, p.1). Since the expectations were lower, the vision of what the conference should produce became less contested.

A main vision in Cancun became to revitalize the UNFCCC process. After the disappointing conference in Copenhagen, many leaders doubted on the efficiency of future climate talks under the UN umbrella and proposed alternative forums. Yvo de Boer, the Executive Secretary of the UNFCCC during 2009, wrote after the conference in Copenhagen, 'Does this spell the end of the UNFCCC process?' (De Boer in Meilgaard, 2010a). Since the negotiators, and process managers, are the central parts of the UNFCCC process they cherish it. Before the conference in Cancun, the parties had a shared desire to "save the UNFCCC process" (Vihma & Kulovesi, 2010, p.10). No one did any longer pursue an agreement that would "seal the deal": rather all parties agreed that a more focused agreement containing a few key areas should be the organizational goal. When the conference started, the majority of the actors had a common vision of what the conference could produce.

Copenhagen had been lifted to the sky by the Danish organization, Ban ki-Moon and the whole climate organization. While most actors agreed that it was time "to seal the deal" they did not agree whether a legally binding agreement should be agreed in Copenhagen or at a later stage. The vision in Cancun was more modest and pragmatic. Instead of agreeing on everything, they decided to agree on some key issues. A common vision, that was agreeable by all parties in the organization,

to keep the most important climate negotiation within their hands: in other words to save the UNFCCC process.

5.1.2 Routine

Routine is an integral part of the organizational process. As concluded before, the history of the UNFCCC process shows that the process moves slowly and makes incremental improvements, in line with the assumptions made in Allison's (1999, ch. 2) Organizational Process Model. This section of the analysis shows that actor's routines were altered in Copenhagen due to high expectations and external pressure. The process got stuck partly because the actors did not have standard operating procedures to follow. Furthermore, the special circumstances that surrounded the conference in Copenhagen generated uncertainty among the actors. As concluded by an individual from the UNFCCC Secretariat, "Expectation of both was different. Copenhagen should seal the deal, but Cancun was more a normal working COP".²

5.1.2.1 Conference of Parties 15 – Copenhagen Climate Conference

As written, the conference in Copenhagen became subject to an unprecedented level of public and media attention (ENB, 2009, p. 1). The external pressure of what the conference could achieve interfered with negotiators' routines. First of all, the unprecedented number of 115 heads of states attending an environmental negotiation changed the working mode in the process. This is how the Earth Negotiation Bulletin puts it, "the arrival of 115 Heads of States and Government in Copenhagen changed the dynamics and routines of the negotiations" (ENB, 2009, p. 28). The perceived importance and the participation of almost all the leaders of the world naturally altered the internal culture of the organization, as well as its routines.

"Now we really are at the center of the world's attention – I do hope we will be able to live up to the great hopes and expectations"

Comment by one negotiator (ENB, 2009b, p. 4)

² Interview – UNFCCC Secretariat1

Secondly, the international pressure with massive demonstrations that occurred in Copenhagen did also create a certain tension among the negotiators. From the Earth Negotiation Bulletin: "Inside the conference center, groups of delegates gathered to watch live images of the demonstrators. Many were heard commenting on the incredibly large numbers of people urging Copenhagen to provide a meaningful outcome" (ENB, 2009g, p. 3). An external scrutiny of every action logically affected the negotiation mode inside the venue.

Practical arrangement in Copenhagen did not either follow normal routines. Many described the waiting outside the venue as "chaos", 40 000 participants had been granted access in advance, but the venue could only hold 15 000 people, which resulted in that participants, and among them negotiators, had to wait in up to eight-ten hours during the first days in order to receive their credentials (Stavins, 2009 – ENB, 2009, p. 28). Despite the fact that overcrowded venues might have resulted in a bad mood among the negotiators, it also proved that the working process would not proceed as usual.

Negotiations under the UNFCCC process move slowly and incrementally, due to the big number of parties and decision-making rules based on consensus. Actors, internally and externally, demanded the conference to move forward rapidly, which created an unfamiliar situation for the negotiators. With higher pressure in Copenhagen, with external attention and a big number of heads of states, the normal routines could not be kept intact. The 15th Conference of Parties was not a normal negotiation and the normal routines could not be used, which led to many time-consuming instances.

5.1.2.2. Conference of Parties 16 – Cancun Climate Conference

Due to a lower level of expectation at the Cancun Climate Conference, the external pressure also became lower. However, the internal pressure within the organization was high, both process managers and negotiators wanted to show the public that the UNFCCC process was a good forum for global climate agreements. More importantly, the 16th Conference of Parties in Cancun was a "normal working COP"³. There were no major interference with routines and the negotiators were able to work efficiently.

³ Interview – UNFCCC Secretariat I

Learning from the chaos in Copenhagen, the Mexican promised that the high-level segment should not be overrun by world leaders (ENB, 2010a, p. 12). This resulted in that only a handful of heads of states attended the high-level segment in Cancun. Just as in Copenhagen, the Cancun Conference was also hit by demonstrations, due to the exclusion of civil society groups (Democracynow, 2010). However, these protests were local and did not have the same global magnitude as the ones in Copenhagen did.

The external pressure in Copenhagen affected the organizational culture. Every step the negotiators took was covered by some organization or media channel. The attention affected their routines and standard operating procedures, which caused an inefficient process. In Cancun, the external pressure was low and the organizational culture was back to normal. The negotiators in Cancun could rely on existing routines, which released time for them to find common grounds.

5.1.3 Presidencies cultural fit

The president is an external element in the organization, which officially enters the organization at the first day of the Conference of Parties. Since the president becomes the most powerful process manager of the conference, its adaptability and fit to the current organizational culture will affect the working process. Depledge writes that the main role for the presidency is, together with the secretariat, to facilitate an effective negotiation process. She also writes that the two most crucial characteristics of an effective president are continuity and experience (Depledge, 2006, pp. 35-36, 53). Except its cultural fit, an effective president must be willing and have the skills to adapt to the existing organizational process.

This section of the analysis shows that the Danish presidency was a bad match. First of all, the Danish organization's tactic to "lead" the process rather than just facilitate it, did not fit well into the existing culture, which is defined by impartiality and the central notion that the process is "party-driven". The Danes took several decisions, and especially the shift of president in the middle of the conference, that interfered the continuity of the negotiation process.

5.1.3.1 Conference of Parties 15 – Copenhagen Climate Conference

The cultural fit of the Danish organization was low. The leading division within the Danish organization, the Prime Minister's office, lacked experience of the UNFCCC process and questioned its efficiency (Meilgaard, 2010). The clearest sign of this was their willingness to "lead" rather than just facilitate the process (Meilgaard, 2010, pp. 117-120). A tactic that is very controversial in a UN led process, where the president represents all negotiating parties' interests. "Our decision to equate chairmanship with leadership was more groundbreaking than we knew', as one senior Danish diplomat put it" (Ibid, 2010, p. 119).

While the UNFCCC process generally moves slowly, primarily through discussions between experts, the Danish organization wanted to fast-forward this process by negotiating directly with world leaders. External and informal negotiations were supposed to create the path to an agreement in Copenhagen (Lidegaard, 2010, p. 26) The Prime Minister's office was in 2009 engaged in external negotiations in both G8 (Park, 2011) and the Major Economic Forum on Energy and Climate (Lidegaard, 2012, pp. 28-29). The president's choice to lead and engage in informal negotiations outside the UNFCCC process was not in line with the existing organizational culture. Even if it is common that presidents engage in external negotiations, their main focus must still be on the process that they are formally chairing.

Another event affecting the continuity of the process was the shift of president in the middle of the conference. "COP President's Special Representative Hedegaard noted that as a consequence of the arrival of the large number of Heads of State and Government, it was appropriate that the Prime Minister of Denmark take over the position of the COP President." (ENB, 2009b, p.1). It was an organizational decision made by the Prime Minister's office, in order to restore the power balance between the president and the negotiators. As one negotiator said, "It would be hard to have a climate minister negotiating with Prime Ministers"⁴ but the shift "wasn't dealt with so elegantly"⁵. The shift generated "lot of speculation in the corridors and the media" and many negotiators saw it as a "dramatic resignation", while others had been informed in advance (ENB, 2009b, p. 4).

⁴ Interview negotiator1

⁵ Interview negotiator1

The Danish organization and the existing organizational culture was a bad cultural fit. This was mostly due to the Danes unwillingness to adapt and comply with the existing rules. However, if the Danish organization would have complied with existing rules and norms, the process would have moved slowly and the possible agreement would not have matched their organizational goal (which they had invested a lot of time in building up, see Park, 2011). In other words, the Danish organization tried to speed up the process, but instead generated uncertainty and discontinuity in the working process.

5.1.3.2 Conference of Parties 16 – Cancun Climate Conference

The Mexican's cultural fit was much higher. They went back to the original idea of the presidency: to primarily facilitate the negotiation process. Another way to put it, is that the Mexicans were not as visible as the Danes. While the Danish organization was pushing for a strong agreement, the Mexican organization worked behind the scenes (Monheim, 2011, p. 210). Another difference was that the Danes focused on the outcome of the process, trying to push through a text, while the Mexicans primarily focused on creating an efficient working process.

However, they did not only follow existing culture. An innovative tactic, that might have affected the organizational culture, was the bold idea of the Mexican presidency to pair Ministers from developed and developing countries to lead different parts of the negotiations. Another tactic was to hold recurrent stocktaking-meetings, in which the participants received updates on progress in different sub-negotiation groups (ENB, 2010). These were negotiation tactics that had been used frequently in the World Trade Organization but never before in a UNFCCC negotiation (Khor, 2011). Since these tactics were created to enhance the level of transparency and build bridges between countries, they were more compatible with the existing organizational culture, which to a great extent builds on inclusiveness and transparency.

In general, the Mexican organization proved to be more compatible with the existing organizational culture. Much of this was due to their lower profile and better understanding of the process. Another essential difference was that the tactics used by the Mexicans were primarily focused on facilitating a better negotiation process, in other words, to enhance what was already there. While, the main tactic of the Danish organization was to generate progress externally.

5.1.4 Conclusions

The 15th Conference of Parties was a special conference in many ways. It gathered an unprecedented number of participants and public interest. This together with the “leading” approach by the Danish organization altered the organizational culture. Actors could no longer be certain of what informal rules, routines and norms that were valid. Uncertainty among negotiators on how to move forward led to many time-consuming instances, such as the round of statements during the final days of the conference (ENB, 2009, p. 27). One of the reasons for confusion was the incoherent and overlapping negotiation at the expert-level and ministerial-level (see Raman, 2009, pp.- 41-42). The 16th Conference of Parties, on the other hand, was a “normal” climate negotiation with a bigger focus on transparency, inclusiveness and with a minimal level of interference by the host country.

This chapter has shown that the organizational culture in Copenhagen was altered through a comparative analysis of three organizational aspects: visions, routines and the cultural fit of the presidency. First of all, the whole organization did not strive for the same organizational output when the conference started: some parties wanted a legally binding agreement while other wanted the conference to be a step towards a legally binding agreement at a later point. Secondly, uncertainty and discontinuity pervaded the conference in Copenhagen and many actors did not know how to behave. Finally, the leadership by the Mexican organization was more compatible with the existing organizational culture within the UNFCCC process.

The inefficient process, partly due to the altered organizational culture, was one of the reasons to why the negotiations moved slowly in Copenhagen. Inefficiency at the expert-level of the negotiations, due to confusion and an incoherent process, implied that the amount of work they handed over to the high-level negotiators was insuperable, which in extension forced a “friends of the chair” meeting and finally a closed negotiation between the United States and the BASIC countries, which many countries deemed undemocratic and un-transparent.

5.2 Alignment of process managers

The process managers consist of the Presiding officers together with the UNFCCC Secretariat. Presiding officers, or often referred to as chairmen, are divided into three institutional layers; (i) the chair of the conference is the president, (ii) the chairs of the different negotiating bodies and working groups and (iii) the chairs of the smaller informal negotiating groups. The most powerful of these is the top layer: the president, who is formally elected by the parties, but in reality selected by the host government (Depledge, 2007, p. 47). In order to not complicate things too much, this thesis will not focus on the second and third layer of presiding officers. While a new president enters every year, the secretariat constitutes the backbone of the UNFCCC process.

Both the chairmen and the secretariat are mandated to impartiality (Yammin and Depledge, 2005, p. 485). The president must represent all parties' interest and be impartial between their differences. Much due to the divide between developed and developing countries, the nationality of the president matters. The general view among the participants is that no matter how much "an individual lays claim to impartiality, embedded perceptions and positions will always show through" (Depledge, 2007, p. 47). Parties have even higher impartiality standards for the secretariat and many powerful parties have strong interests in not allowing the secretariat to exceed its power outside its official mandate (Busch, 2009, p. 254).

Busch (2009, p. 259) concludes that the biggest influence of the climate secretariats lays with its organizational expertise, "the climate secretariat's outstanding expertise enables it to provide parties with useful advice on any legal, procedural or technical issue in the negotiation". As one secretariat said "the secretariat provides a landscape rather than how to get through it"⁶. For the whole organizational process to work efficiently, the process managers must be cooperative and well aligned in order to be able to facilitate a good negotiation process. A high demand for impartiality also shapes much of the secretariats internal organization. Busch writes "staff working at the climate secretariat has internalized the expectations of the parties and has accepted their definition of

⁶ Interview with UNFCCC Secretariat1

boundaries, thereby limiting itself to a technocratic and politically neutral approach in any of its activities” and that the “secretariat strives to ensure that parties perceive it as impartial body that does not favor one party’s views” (ibid, 257). This was also evident in my own interview with two secretariats where they emphasized that the secretariat only provides “support when needed”⁷

This part of the analysis is primarily focusing on two indicators that reveal different stories of the alignment between the process managers. As already depicted, these sub-variables have mainly been extracted from a careful reading of the Bureaucratic model described by Allison and Zelikow (1999, ch.5). The first indicator that is assessed is the key player’s understanding of the process. A better understanding induces a better process since it facilitates both continuity and smoothness for the participants. A second indicator considered, is the diplomatic actions made by the process managers. When negotiations get stuck, the process managers and especially the president can use different techniques, or strategies, to push for progress. These actions are in this model views as organizational outputs. The quality of these actions depends on the alignment between the process managers. Before zooming in on the indicators, a short analysis of what the general alignment looked like in Copenhagen and Cancun is provided.

In order to understand the Danish organization’s alignment with the UNFCCC secretariat, it is necessary to first look at the alignment within the Danish organization. The Danish organization was divided into two sub-divisions: the Ministry of Environment and the Prime Minister’s Office. Meilstrup (2010, p. 117) quotes a senior public official who said, “the Prime Minister’s Office and the Ministry of the Environment from the beginning formed two, separate mental tracks”. They had different cultures, organizational procedures and goals. Logically, they also had different views on what needed to be done, which is a key to understanding the events in Copenhagen.

In contrast, the Mexican organization was coherent. President Calderon gave the full responsibility to the Ministry of Foreign Policy and the leadership to Patricia Espinosa (Monheim, 2013). Calderon’s choice of doing this must of course also be understood as an organizational output. It is reasonable to assume that the Mexican organization took notice of what happened in Copenhagen (with the

⁷ Interview with UNFCCC Secretariat2

divide within the Danish organization). Furthermore, the organizational competitiveness, within the Mexican organization, was probably lower because of the lower international prestige that the conference in Cancun embodied. It is possible that president Calderon or the Ministry of Environment would demand more to say if the Cancun conference was supposed to "seal the deal" and was attended by over 100 world leaders. However, this move, to fully empower Espinosa, made any divisional clashes within the Mexican organization improbable.

The other division within the process managers was within the United Nations and the UNFCCC. In 2009, they suffered from internal contradictions represented by the climate specialists in the UNFCCC Secretariat and the general organization of United Nations Secretariat. The Conference of Parties is not a "subsidiary of the General Assembly" but an autonomous body (Yamin & Depledge, 2004, p. 404). Due to the magnitude of the 15th Conference of Parties, the United Nations Secretariat and its Secretary General Ban ki-Moon were involved: mainly by creating a momentum around the conference with the arrangement of the Climate Week. This was a climate summit in New York on September 2009, which included formal discussions between 100 of heads of states (see e.g. Gertz, 2009). This was bargaining that occurred outside the formal UNFCCC process. Monheim (2011, p. 207) writes, "UN system showed serious deficits with an internal split between New York and Bonn". After the conference in Copenhagen, much of the external interest and expectation faded and so did the interest of the general United Nation and its Secretary General Ban ki-Moon.

After Copenhagen, the new Executive Secretary of UNFCCC, Christiana Figueres, and the United Nation's Secretary General, Ban ki-Moon, urged the importance of getting "the process back on track" (ENB, 2010, p. 27). No one at the United Nations did no longer urge that it was time to "seal the deal", rather that "there should be progress on all fronts" (ENB, 2010, p. 27). This was also more aligned with Mexican's expectations of what the conference should produce. The Mexican President, Calderon, underscored the importance of rebuilding trust and confidence in the multilateral system (UNFCCC, 2010). In short, the overall alignment was better in 2010 than in 2009, both within the United Nations organization and within the host government.

5.2.1 Organizational Expertise

Process managers have a better chance to facilitate a smooth and efficient process if they use all of its potential resources. In other words, a good alignment between the process managers fosters better expertise and in extension enables better decisions. In contrast to the secretariats, which work with process constantly and, therefore, possess a great knowledge of its elements, host government's understanding varies (Depledge, 2007, p. 47). As one secretariat said, the use of the secretariats support "completely depends on the presidencies or the chairs and how they will use that support"⁸. Furthermore, the UNFCCC Secretariat can provide an "institutional memory"⁹ and an "institutional knowledge about the process, the historic process and parties positions"¹⁰. While the secretariats possess a greater knowledge of the process and parties' sensitivities, the host country can use its diplomatic channels to foster trust and consensus.

5.2.1.1 Conference of Parties 15 – Copenhagen Climate Negotiation

The understanding of the process within the Danish organization was inadequate. As written, the Danish organization was divided into two core divisions: led by The Prime Minister Lars Løkke Rasmussen and the chief of the Ministry of Environment: Connie Hedegaard. Yvo de Boer, the UNFCCC Executive Secretary in Copenhagen, wrote in a letter after the conference "there were two schools of thought within the Danish Presidency" (Vidal, 2010). Also Monheim (2013, pp. 185-186) concludes that there was a clash within the Danish leadership and quotes an official within the Hedegaard's team who said that "the whole administration was against the Prime Minister's office". This divide naturally had implications on how the organizational expertise came to use.

Lidegaard was Rasmussen's right hand, and together they formed the leadership of Prime Ministers' group, their expertise was especially in the area of finance and foreign policy. Lidegaard possessed a limited insight in the process, as on negotiator said, "he was 'not an expert of UN meetings'" (in Monheim, 2013, p. 198). Rasmussen had a background as a Minister of Interior and Health and as

⁸ Interview with UNFCCC Secretariat1

⁹ Interview with UNFCCC Secretariat2

¹⁰ Interview with UNFCCC Secretariat2

Minister of Finance, he had been inaugurated as Prime Minister in April in 2009, just six months before he became president of the conference. Rasmussen's chief climate coordinator Bo Lidegaard describes this brief preparation time as an "ungrateful" challenge due to the complexity of the negotiations and its process (Lidegaard, 2012, p. 26). Both Lidegaard and Rasmussen were pretty new to the UNFCCC process, Lidegaard joined in 2007 and Rasmussen in 2009, which implied two things; (i) they did not have the time to properly understand the dynamics of the UNFCCC processes and (ii) they had not time enough to build real relationships and trust with the negotiators and the secretariats.

The leaders of the other Danish division were Connie Hedegaard and Denmark's chief climate negotiator, Thomas Becker (Meilgaard, 2010). These two possessed a solid understanding of international climate negotiations and the UNFCCC process. Hedegaard had a background as Minister of Environment and Minister of Climate and Energy while Becker had been the chief climate negotiator for Denmark and the European Union for several years. Together, they had a good understanding of the organizational process and valuable relationships with other negotiators.

A main disagreement was over which divisions that should be in charge of the conference. This position should logically be given to the Ministry of Environment, which deals with climate issues and possess a good understanding of climate negotiations and the UNFCCC process (Meilgaard, 2010, pp. 116-117). However, due to the magnitude of the conference and the political prestige of chairing an important global meeting, the Prime Minister's office did not want to hand over the power. The Prime Minister's office secured this in 2007 when they established the Danish climate secretariat that should "coordinate the work with the climate conference". Ministers from several different ministries were included and the head of this secretariat became Bo Lidegaard, who was reporting directly to the Prime Minister's office (Statsministeriet, 2007).

One key problem for the Danish organization in terms of expertise was the loss of Thomas Becker. He was fired from his job as Denmark's chief climate negotiator just two months before the conference. Becker had for a long time been Denmark's chief negotiator in the UNFCCC process and was "the most experienced and most well respected" within the Danish organization (Meilgaard, 2010, p. 9). Becker left the organization after a stormy relationship with the

Danish climate secretariat, and especially its leader Lidegaard, which even resulted in that Becker was “excluded from meetings” (Rothenborg et al. 2009). The official reason was that Becker had misused the official travel account, a reason that later was questioned (Thiemann, 2010). Hedegaard said in a later interview that the Danish organization really had needed Becker’s experience and relationships at the conference (Meilgaard, 2010, p. 10). As a negotiator said in an interview, “that was also something, which played out pretty badly”¹¹ referring to Becker’s exit prior to the conference.

“Becker was renowned as one of the few diplomats from any of the developed countries who had warm relations with colleagues from the developing countries, precisely the competencies most needed in intense negotiations with the threat looming of conflicts between rich and poor countries. ‘All of this is what Becker masters. We missed it...’ as Connie Hedegaard put it afterwards.”

Connie Hedegaard (in Meilgaard, 2009, p. 10)

The alignment was bad between the Prime Minister’s office and the UNFCCC Secretariat. As Allison points out: “Organizational priorities shape organizational implementation” (1999, p. 177). The Danish organization, and especially the Prime Minister’s office, had different priorities than the UNFCCC Secretariat. The Prime Minister’s office “lacked a lot of contacts with the guys and women who were really involved in the UNFCCC negotiations [...] those who really knew the texts and different trajections”¹². Furthermore, “Rasmussen had no good insight”¹³ in how the UNFCCC process works. In short, the Danish organization would have had a better chance, to push for consensus and to implement a negotiation text, if they had used the expertise within the UNFCCC Secretariat and kept their chief negotiator on board for the duration of the conference.

5.2.1.2 Conference of Parties 16 – Cancun Climate Conference

Mexico’s President Calderon fully supported his choice of president. Patricia Espinosa Cantellano. Learning from the Copenhagen experience, the Mexican President sought to secure that no internal conflicts interfered with their

¹¹ Interview, Negotiator1

¹² Interview, Negotiator1

¹³ Interview, Negotiator1

management of the conference. He, therefore, gave the whole responsibility for the conference to the Ministry of Foreign Policy, where Espinosa was in charge (Park, 2011, p. 47). The choice of the Ministry of Foreign Policy before the Ministry of Environment (which had been the standard in the UNFCCC process), can be seen as a choice of diplomacy before expertise. However, the lack of expertise of the UNFCCC process, within the Ministry of Foreign Policy, was mitigated through a functioning alignment with the UNFCCC Secretariat. The procedural management, combining Mexican's diplomatic skills with the climate secretariat's procedural experience, was efficient in Cancun.

The Mexican organization had been in charge of a big multilateral conference, also in Cancun, just seven years prior to the climate conference: the *World Trade Organization's Ministerial Conference* in 2003. This conference had “collapsed because of internal squabbles and irreconcilable philosophical differences between the developed countries and the developing countries” (Yallapragada, 2007, p. 55). President Calderon had been the Secretary of Energy during the time of the WTO conference and several actors within the Mexican organization had been involved in the previous conference. As Allison & Zelikow (1999, p. 171) write, organizations do sometimes learn and change and after a havoc like the one in Cancun 2003. It is likely that the organization gathered experience that became useful seven years later. The Mexican also implemented several tactics, which have been common within the WTO negotiation process, but never before practiced within the UNFCCC process (Khor, 2010). Furthermore, it is likely that the Mexican organization grasped, after the WTO conference, the importance of building trust and confidence between developed and developing countries, which is a key to a successful outcome in both regimes.

The new Executive Secretary of the UNFCCC did, despite her short time at the position, possess a great expertise of the organizational process and parties sensitivities: she had been participating in the process as a Costa Rican delegate since 1995. The Executive Secretary, Christiana Figueres, and the COP President, Patricia Espinosa, showed up a unified front at the conference (Feldman, 2010 – Park, 2011, p. 47). The relationship between the Mexicans and the UNFCCC Secretariat had developed during 2010 and gotten much better when Figueres was inaugurated as the chief of the UNFCCC Secretariat. A sign of their collaboration was that the Mexican organization directed a liaison to work directly with the

UNFCCC Secretariat, a tactic that enhanced the exchange of views and contributed to a more coherent management strategy (Monheim, 2011, p. 217-218). Furthermore, when the Mexican organization compiled the final negotiation text, they took advice from experts within the secretariat, mainly on how to balance parties' sensitivities and agendas (Ibid, 2011, pp. 218).

5.2.2 Organizational Diplomacy

What determines each player's impact on the result? The Organizational Process Model's answer is that it is "an elusive blend of three elements: bargaining advantages, skill and will in using bargaining advantages, and other player's perception of the first two" (Allison & Zelikow, 1999, p. 300). As already concluded, the most powerful actor in managing the negotiation process is the president followed by the UNFCCC Executive Secretary. For the process managers to be successful, they must possess enough bargaining power and both the skill and will to use this power. Needless to say, actions taken by the process managers are organizational outputs: shaped by the organizational process and possible conflicts between different divisions.

5.2.2.1 Conference of Parties 15 - Copenhagen Climate Conference

An essential part of the Danish organization's diplomatic preparations can be summarized in, the series of informal ministerial meetings called, *the Greenland dialogue*, which initially was Hedegaard's initiative (Meilstrup, 2010, p. 120). Six meetings were held between before the conference in Copenhagen. The Danish organization invited ministers from key countries, in order to build trust and consensus between parties. In the first dialogue, 25 parties¹⁴ were invited (Folketinget, 2005): while 12 European parties were participating, there was only one party (Tuvalu) from the least developed countries and no party from the ALBA group. The invited ministers appreciated the meetings and the Danish leaders succeeded to create a stronger relationship with the Chinese ministers (Meilstrup, 2010, p. 120).

¹⁴ Argentina, Austria, Brazil, Canada, China, Denmark, European Commission, Faeroe Islands, Finland, France, Germany, Greenland, Iceland, India, Indonesia, Japan, Morocco, Mexico, Norway, Russia, South Africa, Sweden, Tuvalu, United Kingdom and United States of America.

The Danish organization and especially the Prime Minister's office wanted the United States and China on board in the Copenhagen agreement (Meilgaard, 2010 – Park, 2011, p. 39). The Danish organization wanted to avoid another agreement with the absence of the United States, who had not ratified the Kyoto Protocol. One negotiator said, “it was very important to get the the United States on board and in my opinion they went too far in that direction”¹⁵, referring to the Danish organization. The president of the United State had also initiated a forum for informal negotiations between powerful countries: the *Major Economic Forum (MEF) on Energy and Climate*. Denmark's strategy was to push for progress, both within the UNFCCC negotiations and in external negotiations, such as in MEF, G8 and in other UN summits (Lidegaard, 2012, p. 30). However, the Danish Prime Minister's office bypassed the UNFCCC process, when engaging directly with world leaders. This happened despite a strong opposition from the Ministry of Environment and Hedegaard, who had a better understanding of the climate process and more relationships with developing parties (Park, 2011, p. 39). She, therefore, also possessed a better understanding of the sensitivities of developing parties and the risks of neglecting the official process.

The alignment within the UN did also suffer during 2009. While the UNFCCC Secretariat focused on the expert-level of negotiators, the United Nations and their Secretary General Ban Ki-Moon focused on the leaders. Ban ki-Moon invited the world's leaders, to a climate summit in New York in September 2009 (Gertz, 2009). This event got some consequences for the negotiation in Copenhagen; (i) it raised the expectation further by having the summit, in the previously climate skeptical, United States and by including a speak by president Obama, (ii) Ban ki-Moon invited business representatives, which until then been left outside of the climate negotiations (Flannery, 2009), and by many seen as a key part of the problem and (iii) the summit further increased the organizational divide within the United Nations and within the Danish government: it divided the process into experts and leaders.

This organizational divide implied that two separate negotiations took place: one between the experts and one among the world's leaders. The occurrence of negotiations on different levels is not necessarily bad for the process. However, it

¹⁵ Interview – Negotiator 1

requires an organization process that ties the two levels together. This was unfortunately not the case during 2009. Symptomatic for this divide was that Hedegaard was president of the conference during the expert level, while Rasmussen took over when the high-level segment started.

5.2.2.2 Conference of Parties 16 – Cancun Climate Conference

The Mexican organization deemed diplomacy more important than expertise: they focused their skills and energy on finding common ground between the parties. Dean Bialek (2010), who advised the delegation of the Republic of the Marshall Islands at Cancun, writes: “One moment will stick with me from that small room: Mexico’s expert deal-broker and career multilateralist ambassador Luis Alfonso de Alba defused a particularly tense moment with the line ‘whether we agree or not, every concern is legitimate’”. Dan Bosco (2010) writes that the Mexican “diplomatic team displayed great skill, giving all parties a voice”. The leading division within the Mexican organization was the Ministry of Foreign Affairs, which had good ties internationally.

However, their diplomatic agenda would not have been effective without a good alignment with the UNFCCC. Christiana Figueres took over as the secretariat’s leader, with an enthusiasm and a yes-we-can attitude. She was also better than Yvo de Boer at handling the media, which shot down many rumors (Araya, 2011). Together with the COP president Espinosa she created a unified and non-threatening leadership. The fact that the two most powerful process managers, where women from developing countries, compared to men from developed countries in Copenhagen, might have been an advantage when they were trying to bridge gaps between developed and developing countries. However, their diplomatic skills were probably more important. Figueres had been a climate delegate for 15 years and Espinosa was a careerist with deep multilateral expertise (Monheim, 2011, p. 130).

The Mexican organization was also the initiator of the *Cartagena Dialogue for Progressive Action*, which is “an informal space open to countries working towards an ambitious, comprehensive and legally-binding regime under the UNFCCC” (ENB, 2010b, p.2). This informal gathering of countries included parties from Latin America, Africa, Asia, Small Island States, Europe, Australia and New Zealand and more importantly both developed and developing countries.

They gathered three times before the Cancun conference and continued to do so after worth. It has been described as a constructive forum where polarization of the annexes can be solved (Araya, 2011). It is worth nothing that the *Cartagena dialogue* had better initial chances than the *Greenland dialogue*, to generate some real trust, due to lower stakes and tension in the process during 2010.

The Mexican diplomatic orientation, prior to the conference, was much focused on persuading the countries that maybe would oppose an upcoming agreement, especially the ALBA countries. The Mexican organization had a better starting point here, being a Latin American country with good connections with many of the ALBA countries. For example, Espinosa, the COP president, had previously in her career worked to reestablish Mexico's relationship with Venezuela and Cuba, two ALBA members (see BBC, 2007). Additionally, the new UNFCCC Executive Secretary did also come from a country within in the region and she did also possess good connections with these countries and their leaders.

In the final day of the conference, Bolivia opposed the Cancun agreements. Espinosa solved what became the biggest hurdle of the conference through smart diplomacy and by listening to the advice from the UNFCCC Secretariat. She said,

“Consensus requires that everyone is given the right to be heard and have their views given due consideration, and Bolivia has been given this opportunity. Consensus does not mean that one country has the right of veto, and can prevent 193 others from moving forward after years of negotiations on something that our societies and future generations expect.” (ENB, 2010, p. 28).

This was a new definition of “consensus”, which had not existed in the UNFCCC before, although a similar definition has been common within the WTO negotiating process (Khor, 2011). The Mexican organization's diplomatic strategy was superior to the Danes. They had valuable expertise from hosting a similar multilateral conference, but also better connections with key countries. Furthermore, the well-suited diplomatic strategies were developed through a good alignment with the UNFCCC Secretariat.

5.2.3 Conclusions

As one of the negotiators said, “the relationship between the Danish government and the secretariat was pretty bad”¹⁶, and it was “not very cooperative”¹⁷. My findings show that this was mostly due to two variables. Firstly, the Prime Minister’s office in the Danish organization did not trust the efficiency of the UNFCCC process and started to push for progress through the world leaders directly, which created two incoherent levels of negotiations. The Prime Minister’s office did this, despite warnings from within the Danish organization and from the UNFCCC Secretariat (Meilgaard, 2010). Secondly, the alignment was bad due to the high expectations: divisional interests were too high for a successful alignment to be possible.

One result was that a lot of resources within the organization was unused due to the weak alignment. This excluded possible alternatives: the organization constrained possibilities. A better alignment, with the UNFCCC Secretariat, would probably result in better actions of the Danish organization. However, this was not possible because the objectives, of the UNFCCC Secretariat, were not in line with the ones of the Danish organization. This limited the Danish organization’s bargaining advantage to a minimum: since many negotiators viewed any action taken by the Danes suspiciously. The COP presidential shift, which probably was an organizational necessity, did not benefit the feeling of continuity in the working process.

The Mexican organization was more successful in using the expertise available within the UNFCCC Secretariat. Mexico’s strategy was more focused on diplomacy, they invested a lot of time and energy in building trust among the negotiating parties: especially between developed and developing countries. Not just their diplomatic skills, but also their position as a rich developing country might have benefited them. Since the nationality of the president matter (see Depledge, 2007, p. 47), Mexico had a better starting point, being a relatively prosperous developing country, with good ties in both “camps”. As illustrated in one interview, the Mexicans had good “connections in the ALBA countries and in

¹⁶ Interview – Negotiator 1

¹⁷ Interview – Negotiator 1

the US”¹⁸. Their strong diplomatic relationships within the Latin American countries did help them to push some of the ALBA countries from objecting in Copenhagen to consenting in Cancun. Furthermore, the new Executive Secretary of the UNFCCC, did also come from a developing country in the region: through a good alignment with the Mexican’s, she provided the negotiators with confident and trust in the process and its managers, which generated a smooth negotiating process.

5.3 Transparency

Transparency can generate a higher level of trust between negotiating parties, which is needed in order to get all parties to agree to one agreement. However, the process managers must ensure a good balance between procedural effectiveness and transparency (Depledge, 2005). Too much transparency might spawn redundant discussions on minor items, which might take time from essential issues and thus create an inefficient negotiation process. A transparent process allows actors to fully prepare and discuss options within their own organization and negotiation group. This last chapter of the analysis is analyzing how transparency affected the climate negotiations in Copenhagen and Cancun. Two indicators are being analyzed in this section: (i) the occurrences of small group negotiations and the level of transparency within these, and (ii) the procedural preparation of negotiation texts.

Transparency became a recurrent topic of debate in Copenhagen: the reason for this was a perceived lack of transparency in the process (ENB, 2009, p. 1). Many parties believed that the conference should reach a robust and a long-term agreement that potentially could impact their country and their organization’s popularity. It is reasonable to assume that all parties wanted to be informed about every turn of events. The lack of transparency was one of the reasons for why there was a lack of trust between parties at the conference. The shortage of transparency did also increase the level of uncertainty. For example, did secret

¹⁸ Interview – Negotiator1

negotiations occur? And would the process managers try to push through a new negotiation text?

In 2010, the organizational process adapted and took notice of what had happened at the conference in Copenhagen. One of the lessons was the importance of transparency. The Mexican presidency understood that the level of trust must be increased and concluded that the only possible way to this was to ensure a transparent and inclusive process. In order to avoid any rumors that a “Mexican text” might “drop from the sky” the new COP president Espinosa reassured the negotiators daily, by saying that there were no “Mexican text” (ENB, 2010). She also emphasized that all parties were welcomed to all meetings. At an informal stocktaking meeting, Espinosa said,

“Throughout 2010, and in our meetings here in Cancun, we have sought to build understandings while also enhancing confidence. Every party must know what is happening and see that its views have been considered. In negotiations between sovereign States, no group small or large can take decisions in the name of everybody else.”

Patricia Espinosa, (UNFCCC, 2010a).

5.3.1 Procedural conduction of negotiation texts

”Texts do not only reflect the status of negotiations, but can also help move the process forward” (Depledge, 2005, p. 164). Text can move the negotiations forward through, (i) it makes progress in bargaining ”real” and (ii) texts can facilitate more efficient negotiations, through its ability to capture all the details and thereby allow actors to focus on the big issues. In sum, the process manager’s procedural conduction of negotiation texts plays a crucial role in an efficient organizational process.

5.3.1.1 Conference of Parties 15 – Copenhagen Climate Conference

When almost two hundred countries, each with numerous of stakeholders and voters to consent, trying to construct an agreement together: the text they are working on easily grows to become ungraspable. At one of the preparatory negotiation sessions in 2009 the chair, of the working group that tried to reach a

long-term agreement for all parties (AWG-LCA), proposed a text consisting of only 53 pages (UNFCCC, 2009e). When this negotiating text was opened up to the negotiating parties it quickly grew to a total of 199 pages (UNFCCC, 2009b). Consequently, many delegations did not have sufficient time to reflect on it or to coordinate common positions (ENB, 2009a, p. 23).

In order to move closer to a real agreement, the Danish organization started to work on a text, commonly referred to as the *Danish text*. The idea to develop a Danish proposal before the conference had been settled by the Prime Minister's office, despite warnings from UNFCCC and the Ministry of Environment (Meilgaard, 2010, p. 124). The text was developed through consultations with key actors, but the "secret" text was leaked to the newspaper *The Guardian* on the 8 of December¹⁹ (ENB, 2009f, p. 4). The leaked text was an early version and was generally perceived skewed towards the interests of the United States. A reason for this was that "it was first debated with the Americans, then with other countries and that's why the version that was leaked was more based on inputs from the Americans than from developing countries"²⁰. This move by the president was deemed un-transparent and not a suitable move for the president, who is supposed to represent the interests of all parties.

The leakage resulted in that many developing parties distrusted the organizational process. Another result was that "it alienated a lot of countries that were interested in an agreement"²¹ and that "many developing countries felt left out"²². Connie Hedegaard, the initial COP president, said after the conference on the implications of the Danish text "It takes years to build confidence. It takes hours to destroy it" (Hedegaard in Meilgaard, 2010a, p. 129). The UNFCCC executive secretary said, "The Danish paper presented at an informal meeting a week before the COP destroyed two years of effort in one fell swoop" (de Boer in Meilgaard, 2010a, p. 293). Callesen (2010, p. 247-248), who were in favor of the creation of a text, argues that the Danish organization should have released the full text to all countries immediately after the leak, in order to regain some trust

¹⁹ Link to the original article: <http://www.theguardian.com/environment/2009/dec/08/copenhagen-climate-summit-disarray-danish-text>

²⁰ Interview – Negotiator1

²¹ Interview – Negotiator1

²² Interview – Negotiator1

and legitimacy. In other words, a more transparent process would have mitigated some of the damage that the text caused.

The debacle, with the initial Danish text, made it hard for the process managers to push for progress through a new negotiation text. At the opening of the high-level segment the new COP president Rasmussen said, “the Presidency intends to table its proposal for the outcome of the conference. It consists of two texts that are based substantially on the two texts forwarded by the AWGs. The proposal will be available shortly”²³. This action by the Danish organization immediately revoked anger among the developing countries. Brazil immediately raised a “point of order”, questioning especially Rasmussen’s earlier references to a new text based on the work in the two negotiation groups. Brazil said,

“The Parties negotiated yesterday into the early morning a text under the AWG-LCA, and all of the Parties understands that this is the text that will guide us forward. So the idea that text that is new has been prepared covering (AWG-) LCA and (AWG-) KP issues, and that the discussion will be how to take the work forward on the basis of this new text, creates the clear indication that these negotiated by Parties texts are not the references for our work. That is a concern”²⁴

India recalled that the process must be inclusive, transparent and party driven²⁵. China warned for the consequences that a “text from the sky” could have and emphasized that it displayed a “lack of respect”²⁶. South Africa also questioned the legitimacy of an external text²⁷. The procedural critique made by the BASIC countries was further repeated by many developing countries such as the Maldives, Sudan, Ecuador and Bolivia (ENB, 2009). Most developing countries were reluctant to allow the Danish organization developed a new negotiation text. This was much due to the low level of trust.

On the 17 of December, just one day before the conference was supposed to close the Danish organization gave up their attempts to implement a new text, stating that the text that will be used is the one presented by the chairs of the negotiation groups (Müller, 2010, p. 12). The draft outcomes, which were put forward by the working groups, were far from ready to be implemented by the

²³ UNFCCC (2009a) Opening of High Level Segment (00:30) – Opening by the new COP president Lars Løkke Rasmussen

²⁴ UNFCCC (2009a) Opening of High Level Segment (01:00) – Point of order from Brazil

²⁵ UNFCCC (2009a) Opening of High Level Segment (07:30) – Point of order from India

²⁶ UNFCCC (2009a) Opening of High Level Segment (05:00) - Point of order from China

²⁷ UNFCCC (2009a) Opening of High Level Segment (22:00) – Point of order from South Africa

lead negotiators, which was the initial idea. This section on transparency, of mitigation by developing parties, reveals much of the problem. Every bracket is an unsolved formulation.

Information on [planned and implemented] mitigation actions of developing country Parties shall be provided through national communications and shall be [assessed at the national level] [considered in a [review]][consultative] process under the Convention

(UNFCCC, 2009c, p. 7)

The lack of transparency, and in extension the low level of trust, in the organizational process, made it impossible for the process managers to implement a new text. This was considered “fatal” for the conference (Callesen, 2010, p. 246). Lack of progress in the negotiations and the reluctance to a new chair’s text forced a closed, un-transparent, meeting in which the Copenhagen Accord was shaped. If the process had been more transparent, from the start, the level of trust would have been higher and the chances would be better for the agreement to pass the plenary.

5.3.1.2 Conference of Parties 16 – Cancun Climate Conference

The first time, the negotiators meet after the conference in Copenhagen was in Bonn, just four months later. Tense discussions were held regarding how to view the Copenhagen Accord: some parties argued that just a few parties had developed it and emphasized that it had not passed the plenary. Many parties stressed that the process in Copenhagen “had not been legitimate”. In the working group negotiating commitments for all parties, tense discussions were held regarding if they should give the chair mandate to prepare a new negotiation text, from which the parties could start to negotiate. Parties finally agreed to give the chair mandate to draft a new text based on the texts that had been discussed in Copenhagen (ENB, 2010a). These tense discussions reveal how disappointed parties were of the process and outcome in Copenhagen. It also displays the importance of negotiation texts.

The last preparatory session was held in Tianjin, China, in October 2010. During 2010, parties had tried to produce two texts, which should be the foundation for an agreement in Cancun. Just as had happened before the conference in Copenhagen, the texts grow to become ungraspable (ENB, 2010,

p.1). The text, produced by the working group on the long-term action by all parties forwarded, comprised 70 pages with numerous of brackets (UNFCCC, 2010b). The conference in Cancun met the same challenges as the process had done one year earlier, with unfinished texts including vast differences.

However, the organizational strategy in Cancun was different. Espinosa constantly reassured the negotiators that no secret texts would suddenly appear and trump the work of the negotiators (ENB, 2010, p. 28). The Mexican succeeded to convince the negotiators that no secret text would appear and that the agreement would reflect the work done by the negotiators. This “basis of trust” was a key reason to why the Cancun Agreements passed the plenary (Morgan, 2010).

The final document, what became the Cancun Agreement, was however not negotiated by the parties, but compiled by the Mexican organization, with the help from a hand full of parties (Khor, 2011, p. 12 – Bielke, 2011). This text was presented to the parties on a take-it-or-leave-it basis (excluding any possibilities of amendments) just hours before the conference closed (Khor, 2011). Despite the un-transparent finale, the organizational process successfully balanced transparency and effectiveness in the organizational process. The feeling of trust and transparency, together with a balanced document with something for all key parties (Morgan, 2010) made this final move possible for the Mexicans. In other words, the parties had been in the loop during the whole conference and felt that their views had been included in the final agreement. The Mexican organization had seen what happened in Copenhagen and constantly reassured the parties that the conference would be transparent and inclusive, a strategy that paid off.

In contrast, the lack of progress in Copenhagen and the inability of the process managers to push through a new negotiation text forced the presidency to go with “plan c” (Meilgaard, 2010) and propose a “friends of the chair” group. This meeting, chaired by the Danish organization, was unable to develop a comprehensive text, which in turn prompted a small negotiation with just the United States and the BASIC countries to produce a text, what later became the Copenhagen Accord. An initial negotiation text consisting of over 200 pages and two years of negotiations was scrapped for an accord consisting of barely three pages (UNFCCC, 2009d). Transparency of the actions, by the organization in

Cancun, successfully generated a satisfactory level of trust, which made it possible for the process managers to push through the Cancun Agreements.

5.3.2 Procedural selection of negotiation forums

Small group negotiations are a necessary tool forum for constructive discussions. Negotiations in the plenary can be very time-consuming and rarely productive. However, the process managers must be able to balance the effectiveness of small group negotiations with the perception of transparency and legitimacy.

5.3.2.1 Conference of Parties 15 – Copenhagen Climate Conference

If the procedural development of the Copenhagen Accord had been transparent enough, was the subject of a fierce debate in the final day of the 15th Conference of Parties (ENB, 2009, p. 28). Due to the inadequate progress during the two weeks of negotiations in Copenhagen, a "friends of the chair" consultation consisting of 26 parties were initiated by the Danish government and supported by most parties (ENB, 2009, p.28). This small group negotiation was managed by the Danish organization and was not perceived to be transparent by the excluded parties, "The other parties did not even know what was going on" (negotiator in Monheim, 2011, p. 153). The exceptional dynamics, that the number of world leaders and high expectations had engendered, prompt an even smaller group to negotiate the content of the Copenhagen Accord. This group consisted of the United States and the BASIC group (Monheim, 2013 – Meilstrup, 2010). The president of the United States immediately announced the existence of an agreement to the media, which resulted in that many negotiators found out of it through this channel (ENB, 2009, p. 28). This was symptomatic for the level of transparency at the conference.

The deadlock in the negotiation process, during the whole Copenhagen conference, forced the process managers to propose small group negotiations. These are generally more popular by developed and influential parties, while many developing countries fear of missing out. When the parties are negotiating in the plenary just 43 out of 194 parties are included in the Annex I²⁸ but when the

26 parties²⁹ (Dimitrov, 809) were negotiating in the "friends of the chair" meeting, ten countries were Annex I parties. Depledge (2005, p. 113) writes that "the key to the acceptability and effectiveness of informal arenas therefore lies in their careful management". "Friends of the chair" negotiations are only open to the parties that have been invited by the chair and what they might gain in effectiveness they risk loose in transparency (Depledge and Chasek, 2012, p. 27). One group was not invited or informed about the events behind the closed doors and it should have big consequences for the final outcome.

The ALBA group, includes countries such as Bolivia, Cuba, Ecuador, Nicaragua, Venezuela, demands climate equality and is skeptical of the "capitalistic system" (PWCCC, 2010). When they were excluded from the closed negotiations, without any insight, their low-level trust in the process and the negotiating parties became even lower. Some developing countries, "with Venezuela, Bolivia, Cuba and Nicaragua in the forefront, voiced strong objections to a un-transparent and undemocratic negotiating process and renounced the Copenhagen Accord" (ENB, 2009, p. 28), which made an agreement impossible due to the decision-making system based on consensus.

5.3.2.2 Conference of Parties 16 – Cancun Climate Conference

Small group negotiations were used in Cancun as well, the big difference was that they were open-ended: negotiators could come and go as they pleased. Negotiations during the 16th Conference of Parties were held in the plenary, contact groups, informal consultations and in bilateral meetings. However, the organizational process included regular stocktaking meetings where all parties were updated on progress in different forums (ENB, 2010, p. 1). Without secret negotiations, the perceived level of transparency and in extension trust within the negotiations increased.

What became the Cancun Agreements, was however negotiated between a handful of parties in a closed room, when just 36 hours remained of the conference. The Mexican organization quietly invited some key parties to a "friends of the chair" meeting. Important issues remained, such as how to get the

²⁹ *United States, United Kingdom, Sweden, Spain, Saudi Arabia, Russia, Norway, Mexico, the Maldives, Lesotho, South Africa, Bangladesh, Algeria, Denmark, Germany, France, India, Ethiopia, Colombia, Korea, China, Brazil and the European Union*

emerging economies of India, China and Brazil to comply with a transparency system, in which they must report emissions (Bialek, 2011). The COP president Espinosa “announced that a new draft decision text, prepared under her responsibility and reflecting parties” work under the AWG-LCA, had been distributed.” (ENB, 2010, p. 9). Much because, the whole conference had been perceived as transparent and fair, the negotiating parties tolerated this un-transparent final move.

A “handful” of parties wrote both the Cancun Agreement and the Copenhagen Accord. However, the processes leading up to these texts were different in terms of transparency, and this shaped the negotiators perception of the texts. The organizational process in Cancun was perceived to be transparent enough, which allowed the process managers to use a small negotiation group to produce the final agreement. The leak of the Danish text affected parties’ trust in the Danish organization, which made many developing parties opponents to any innovative idea that the Danish organization came up with. It would have been difficult for the organization in Copenhagen, to implement the same level of transparency as the Mexican organization did because of higher stakes and expectations. However, they could have been better at informing parties about progress and turn of events, which probably would have eased the level of distrust.

5.3.3 Conclusions

The perceived level of transparency was higher in Cancun than in Copenhagen. Monheim (2013) who focuses on the role of presidencies show that 75 % of the participants in Cancun thought the process was “adequately” transparent compared to 0 % in Copenhagen³⁰. However, transparency is not just the task of the host government, but the whole organization. Figueres, UNFCCC Executive Secretary, had a key role in assisting the Mexicans and choosing right forums and by pairing negotiators (Araya, 2011). Not just the Danish leadership, but also the whole organization, including Ban ki-Moon, contributed to the hype and the high expectations that surrounded the Copenhagen conference, an interest that made a high level of transparency difficult.

³⁰ He bases his numbers on interviews with 31 and 39 participants.

It is also evident that the increased level of transparency in Mexico was not just the result of a smart organizational decision by the Mexican: it was an organizational decision made by the parties in April 2010. The negotiators agreed, a reaction to the un-transparent process in Copenhagen, “to continue to work in an inclusive and transparent manner that adheres to the principles of the United Nations” (UNFCCC, 2010b). As one secretariat said, “if you want everyone to agree you will need everyone's buy-in”³¹, it creates an agreement that “all parties can live with”³². In other words, the organizational process reacted to what happened in Copenhagen and revitalized the level of transparency in the working process.

³¹ Interview – UNFCCC Secretariat1

³² Interview – UNFCCC Secretariat1

6 Conclusions

Multiple variables interact in a complicated process like climate negotiations, which make it impossible to predict exactly what the effect of an efficient process would have been. However, based on the qualitative comparison made of two conferences: I will claim that the organizational process had an effect on the outcome both in Copenhagen and Cancun. If either of these three mechanisms were in favor of an outcome in Copenhagen, the probability would have been higher: (i) if the organizational culture was intact and the negotiators consequently could follow routines and thus feel confident in their and other actor's actions, (ii) if the alignment between the process managers had created a smooth and efficient process and (iii) if the organizational process successfully had balanced transparency and efficiency. In Cancun, this was very much the case, if it had not been the chances of a successful agreement would have been slim.

What is referred to, as the organizational culture is the notion that actors in the UNFCCC process have their own rules, routines and norms: a certain way of doing things. A core assumption, extracted from theories on organizational cultures, is that it enhances procedural efficiency in the short run: continuity and a low level of uncertainty enable actors to focus on the essential issues. The analysis shows that the organizational culture was altered in Copenhagen, which increased the level of uncertainty among the participants. This uncertainty probably gets even bigger in a multilateral process, where every participant must report back to their own organization, or at least make a new assessment of the implications based on shifting circumstances. Cancun was a "normal working COP"³³ with a very able host country, which paved the way for a more efficient working process.

Alignment between the top process managers is a key to a smooth process. High stakes, both before and during the conference in Copenhagen, spurred divisional conflicts. Actors saw this critical conference from their own position in the organization. The Prime Minister's office pushed their ideas through, despite

³³ Interview, Negotiator1

warnings from other divisions within the Danish organization and the UNFCCC Secretariat. From the Prime Minister's position, which was bounded by a limited understanding of the UNFCCC process, the best way to an agreement was to engage with the most powerful leaders directly, with the assumption that the rest would follow. This became not the case, instead it spawned distrust among the developing countries, which made the Danish leadership contested and conflicted. The Mexicans were better aligned internally and with the UNFCCC Secretariat. This alignment fostered both a well thought out diplomatic strategy and a high level of expertise, which generated both a smooth process and a higher level of trust.

The importance of transparency was revitalized after the conference in Copenhagen. Lack of transparency had engendered distrust in Copenhagen: the parties were never sure if secret negotiations were occurring, if so, what happened in these and should the presidency try to implement a new "text from the sky". Except distrust, the lack of transparency also led to many time-consuming instances. After the conference in Copenhagen, the whole organization realized that transparency was a central part of the process and it became a cornerstone of the Mexican presidency. With open-ended negotiation forums and recurrent stocktaking meetings, the necessary level of trust was generated, which enabled the process managers to push through the Cancun Agreements.

This thesis has also shown that an extended version of Allison's Organizational Process Model can be useful for analysis of different types of decision-making processes. However, a multilateral negotiation cannot maximize efficiency in the same way as an organization can: efficiency must always be balanced with transparency in order to move the negotiations forward in a legitimate way. Other variables could also have been interesting to include, such as inclusiveness. Another possible improvement, of this approach, could be to analyze key actor's behavior from an organizational perspective. In this thesis, it is only assumed that governments act as organizations. A further step would be to analyze countries' internal decision-making processes: something that would require more time and resources. Applying an organizational perspective on new types of decision-making processes can help us to better grasp the underlying mechanisms in place. I, therefore, encourage scholars to use, and further develop, these theories and apply them on new cases and regimes.

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