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## The Role of NGOs in International Climate Governance: A Case Study of Indian NGOs

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The Role of NGOs in International Climate Governance:  
A Case Study of Indian NGOs

AN ALL COLLEGE THESIS

College of St. Benedict/St. John's University

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by

Lucas Giese

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The Role of NGOs within International Climate Governance

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## **Abstract**

Nongovernmental organizations (NGOs) are ubiquitous in international negotiations on climate change governance, participating in framing issues, providing information and expertise, and lobbying government delegates. NGOs are said to supplement the democratic legitimacy and technical capabilities of intergovernmental organizations, yet their actual political influence is more difficult to empirically ascertain. This paper will use a qualitative framework to determine the influence of NGOs in the United Nations Framework Convention on Climate Change (UNFCCC), focusing on a case study of Indian NGOs. Using data collected at two UN conferences, including interviews with NGO and government representatives and participant observations, the influence of Indian NGOs will be explored, both in Indian policy and the wider international context.

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## Introduction

To address the issue of global climate change, the United Nations (UN) gathers yearly under the United Nations Framework Convention on Climate Change (UNFCCC), to determine global governance on the mitigation of greenhouse gas emissions and the adaptation to the effects of climate change. State parties, as the official delegations, negotiate international agreements and actions, but at these meetings, known as the Conference of Parties (COP), state representatives are not the only actors in the room. Instead, one finds a great multitude of nonstate actors that operate independently of governments and have aims to influence the decisions adopted by states.

These actors, referred to as nongovernmental associations (NGOs), come in many forms and have been officially included in international governance since the formation of the UN, but over time adopted a more prominent position in global governance. Much scholarship focuses on the rise in participation by NGOs (Betsill and Corell 2001; 2008; Arts 2005; Newell; and others), but casual observations of NGO presence in the UNFCCC does not address the issue of the substantive influence of these organizations. To determine influence, one must triangulate indicators of influence through a precise methodological framework. Rarely can we clearly see a direct line between NGO activity and government policy, rather the relationship is much more complex and makes drawing broad conclusions difficult. It is necessary therefore, to direct our scope to limited cases and actors.

In this paper will investigate the role of NGOs and the possibility of their influence in the UNFCCC through cases of Indian NGOs. India plays a crucial role in the UNFCCC as a developing country with increasing greenhouse gas emissions, a growing population emerging from poverty, and high vulnerability to climate change, but also has a unique relationship with

NGOs due to their position as a developing country and governing structures. I was fortunate enough to have the opportunity to study in India and conduct research on these NGOs, in addition participation in the UNFCCC, so a study of Indian NGOs was both circumstantial and of scholarly interest.

I will outline the history and theoretical understandings of NGOs in international governance and the United Nations so to contextualize this specific discussion of Indian NGOs. Then, through surveys and interviews with organizational representatives and an analysis of NGO documents, I will describe the policy goals and objectives of the organizations; and through participant observations at COP21 in 2015 and COP22 in 2016, I will document each organization's activities in the COP. Finally, I will discuss and compare the activities of these Indian NGOs in relation to the UNFCCC and the Indian government, ultimately concluding their role and influence in international climate politics.

## History of NGOs in the United Nations

A review of the history of the United Nations reveals the participation of NGOs in various forms. A broad history of international action on environmental issues can also serve to contextualize NGO participation in the more specific context of the UNFCCC. A number of major moments in the history of environmental governance must be noted for their significance in management of the environment and for the participation of NGOs: the 1972 Conference for the Human Environment in Stockholm, Sweden, the 1992 "Earth Summit" in Rio de Janeiro, and recent Conference of the Parties (COPs) under the UN Framework Convention on Climate Change (UNFCCC).



The United Nations has attempted to formalize and define NGO participation with various rules of access codified in major U.N. documents. The evolution of these rules and procedures characterize the increasing sophistication of NGO participation and the institutional acceptance of their presence in international politics. Nongovernmental organization (NGOs) have been present in the United Nations system since its conception in 1945. Article 71 of the Charter of the United Nations states:

“The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned” (United Nations, 1945).

The U.N. recognizes NGOs as all voluntary associations of interest groups and individuals without sponsorship by state governments, a so-called “Third United Nations” after the representation of member states and international civil servants (Weiss, Carayannis, and Jolly 2009). In 1975, the U.N. established the NGO Liaison Service to facilitate civil society participation within the international body.

### *Stockholm, 1972*

The United Nations Conference for the Human Environment, held in Stockholm, Sweden in 1972, was one of the first major conferences to discuss developmental and environmental policy and a watershed moment for NGO participation in global politics. Stockholm concluded a number of treaties related to environmental issues, but the true progress lay in the development

of questions that underlie the debates to come. Here, the need for development collided with concerns for environmental sustainability.

Framed by Garret Harden's "tragedy of the commons" and concern for the impacts of population growth (exemplified in the work by the Club of Rome), these debates sorted states into the developed northern nations and developing southern nations (Conca et. al. 1998). The global south viewed norther, industrial nations calling for a limitation to growth as method for restraining the Souths' ability to follow a similar path to development (Meadows et. al. 1998). Environmental protection was therefore characterized as a Northern dominated ploy to continue to suppress the South.

Over 400 NGOs participated in the UN Conference by lobbying governments to set ambitious principles and goals for the governance of environmental resources and for the protection of human rights (Arts 1998). These organizations framed issues of environmental harm as vital to the survival of the human species and some, termed the "Neo-Malthusians," called for population control as a way to address both poverty and environmental issues. These groups emphasized a more northern perspective, sponsoring birth control in developing countries for instance, and were highly criticized by actors in the global south.

While the Conference in 1972 proceeds the climate change issue, it prompted the establishment of the UN Environment Program (UNEP) and set a precedent for the inclusion of civil society in discussions of international environmental governance. The declarations ultimately signed by states in Stockholm articulates the needs to protect human development needs while balancing protection of the environment, balancing in principle the needs and priorities of both developing and developed countries, but the discussions that raged around the Summit indicate the importance of civil society organizations in framing issues for public debate.

## *Earth Summit, 1992*

In 1992, following the emergence of the first research on global climate change and the effects of greenhouse gases on global temperature, the United Nations convened the Conference on Environment and Development in Rio de Janeiro, commonly referred to as the “Earth Summit.” Multiple decisions came out of this gathering of nation states and observers organizations, including Agenda 21, the Convention on Biological Diversity,<sup>1</sup> the Convention to Combat Desertification, and the Framework Convention on Climate Change (UNFCCC).

All of these environmental programs had some form of NGO participation, especially the UNFCCC and the Convention to Combat Desertification.

One nonbinding document resulting from that conference, known as “Agenda 21,” outlines actions for sustainable development and labels NGOs as “partners for sustainable development” (UNCED, 1992). Mentioning nongovernmental organizations in numerous times in sections pertaining to nearly every area of sustainable development and at every stage of the policy process (consultation, policy proposals, capacity building, and implementation), Agenda 21 affirms the role of NGOs within an international regime of sustainable development.

Because NGOs “possess well-established and diverse experience, expertise, and capacity” (UNCED 1992, 27.3), Agenda 21 argues that state governments and international bodies should seek to integrate NGOs into the policy process through dialogue and direct participation. States were charged with consulting NGOs in policy development (UNCED 1992,

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<sup>1</sup> NGOs were very influential in the Convention to Combat Desertification because of the “homogenous interests” of the NGOs participating in negotiations and the supportive environment of the meetings, which sought NGO input (Corell 1999). This Convention, because of its more localized and less politicized nature, offered a better environment for NGOs to make substantive contributions and to shape the overall outcomes of the negotiations (Corell 2008).

27.10.a.ii) and in the implementation of policy (UNCED 1992, 27.10.a.iii), while the United Nations system was tasked with “enhancing” and streamlining NGO participation in U.N. decision making and processes (UNCED 1992, 27.9). While this expansion of participation was generally well received, some commentators worried that an unspecified or unprincipled approach may undermine the intention of such measures (Albin 1999).

Alongside Agenda 21, The United Nations Framework Convention on Climate Change (UNFCCC) outlined the principles and goals of a global regime to reduce greenhouse gas emissions and limit global temperature rise. As a “Framework Convention,” the original text lays the groundwork for future international climate change agreements to be determined during yearly Conferences of the Parties (COPs) under the Convention. The mission of the UNFCCC is to “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” (UNFCCC 1992). Through various mechanisms and international agreements, nation states attempted to reduce greenhouse gas emissions and manage the adverse effects of climate change.

While the original text of the Convention introduced key concepts and principles, like the “common but differentiated responsibility” principle which highlights the divide in culpability and capability between developed and the developing world (UNFCCC 1992), it also set the stage for future debates on the methods of acting on and implementing the Convention. The generality and ambiguity of the Convention text forced a gradual solidification of substantive commitments and action, a process described by Yamin and Depladge (2004, 75) as having “evolved in tandem with the strengthening of procedural commitments.” These procedural commitments involve the political process and negotiations that “catalyze” substantive action in

future COPs, a sort of institutional incrementalism that delays the implementation of climate action into the future.

The UNFCCC suffers the limitations of many international organizations however, which are both extremely bureaucratic and technical, and which are subject to the conflicting perspectives of the states who constitute them. The UNFCCC is an example of a “two-level game,” where international policy is derived from the domestic, state level (Putnam 1988). While the bureaucratic civil servants of the Secretariat of the UNFCCC may work to find common solutions to climate change, they are constrained by the preferences and intransigence of states. The UNFCCC acts as a “facilitative” body that negotiates compromise between various state perspectives. This conundrum also has implications for civil society participation: civil society actors must seek influence not only in international spheres of the UNFCCC, but also at the state level to influence the positions of individual states who compose the IO itself.

Within the original negotiation of the UNFCCC, Arts (1998) argues that NGOs were not influential in the outcome and substance of the Convention, but Newell (2000, 147) says that governments did note NGO participation in the Rio Summit, especially in their activities to create “a public expectation that a convention would be ready for signature at Rio in June 1992” (Arts 1998, 147). Arts’ analysis focused upon the “subjective” perceptions of different actors involved in the conferences and their expectations of influence, which are more liable to an overestimation of influence than the “objective” indicators of influence present or absent from the negotiated treaties. Newell takes a more qualified, pragmatic approach and focuses his analysis upon the agenda-setting role of NGOs and their ability to frame public and government opinion. The public awareness of the Rio Summit had not been seen the conference in Stockholm

in 1972, thus raising the perception of importance of the outcomes concluded in Rio and the likelihood of substantive agreements (Newell 2000).

### *Accreditation Process and the Conference of Parties*

NGOs wishing to participate in the official COP space are required to formally apply for accreditation by the UNFCCC Secretariat. The UNFCCC requires Parties to “seek and utilize, where appropriate, the services and cooperation of, and information provided by, competent international organizations and intergovernmental and non-governmental bodies” (UNFCCC 1992, Article 7). The Convention requires that observers be “qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented” may be admitted, given that no more than one third of the Parties object (UNFCCC, Article 7, 6, 1992). At the 2<sup>nd</sup> Conference of the Parties in 1996, member states adopted rules of procedure for parties and observers under the Convention (UNFCCC 1996).

During the application process, each NGO is required to classify themselves into one of nine “constituencies,” or clusters of interests recognized by the UNFCCC. These nine constituencies are: (1) business NGOs, (2) environmental NGOs, (3) indigenous peoples, (4) local governments and municipal authorities, (5) research institutions, (6) trade unions, (7) women and gender organizations, (8) youth organizations, and (9) farmers (UNFCCC “Constituencies and You”). The accreditation process and classification into constituency offers the benefits of inclusion into the UN system (UNFCCC 2003). Constituencies are organized under a central “focal point,” who facilitates information sharing and offers increased access to negotiations and invitations to closed meetings (UNFCCC, “Constituencies and You”). Accredited NGOs have the opportunity to lobby governmental diplomats, make formal statements, introduce

policy options, present at official side events, and share information about the activities of their organizations within the accredited areas of the conference. These NGOs have access to the “Blue Zone” at conferences, the official and secured spaces where government delegates gather to negotiate, as opposed to the public “Green Zone,” which offers an important, but less prominent area for public discussion of climate change issues.<sup>2</sup>

Within the Conference of Parties and the officially accredited Blue Zone, there are three spaces in which NGOs and other observers gather: the plenary halls and meeting rooms, the civil society pavilions, and the country pavilions. The plenary hall and meeting rooms are where government delegates officially meet to discuss climate issues and negotiate. The plenary halls are what we think of when envisioning the UN, a giant hall with 193 seats, where delegates make illustrious speeches to the world community. However, most of the substance of meeting takes place in small meeting rooms, each that hosts moderated discussions on the minutiae of an agreement or topic. These meetings are often closed to the public and even to accredited organizations, but the Secretariat does issue a certain number of passes to the constituencies that allow them access to some closed-door meetings.<sup>3</sup>

The civil society space is offered to all accredited members of civil society and consists of meeting rooms, presentation spaces, and booths for organizations to display their information.

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<sup>2</sup> In my own experience at the Conference of Parties, I received accreditation through a delegation from St. John’s University, organized in the research institution nongovernmental organization (RINGO) constituency. I had access to the Blue Zone and was able to participate in official sessions of the COP. I experienced both the feeling of access, the ability to engage directly with policymakers and leaders in the climate movement, but also the frustration of being unable to “keep up” with all the activities in the COP. There is simply too much for a single researcher, or NGO, to participate in, thus strategic and realistic ambitions are needed

<sup>3</sup> I was able to represent the Research Institution NGO (RINGO) in a number of these meetings and was tasked with recording notes on what was discussed and then reporting to the entire constituency. In this process, access to information is crucial for organizations to stay up to date with the most recent negotiating positions and is a constant challenge for small NGOs.

This space of the COP takes on the atmosphere of a trade show, as organizations distribute information, advocate for their positions, and present on their work. Official Side Events, organized by the constituencies and the Secretariat, are scheduled throughout the Conference, bringing together organizations on topics across the spectrum of climate change issues. These presentations offer organizations the opportunity to educate and advocate, and are occasionally attended by government representatives.

Finally, the country pavilion space hosts individual nations as they demonstrate their commitment to climate action. These spaces are elaborate displays of elements of a country's heritage, tradition, and culture in relation to their plans to fight climate change and bring about a cleaner world. Each country takes a different approach to design and attractions, but these spaces are expensive investments that are supposed to express a country's commitments. However, the pomp of nations' pavilions is often criticized and joked about by observers and representatives alike. Some note the hypocrisy of the use of money and resources, with one individual saying that the extravagance of a country's pavilion is inversely proportional to their level of commitment to true climate action, with the most wild and elaborate pavilions constructed by the countries most resistant to climate commitments.<sup>4</sup>

### *Kyoto Protocol, 1997*

To fulfill the aims of the Framework Convention, nations adopted the Kyoto Protocol at COP 3 in 1997. Through a system of binding emissions reduction targets, member states were committed to limit emissions to 1990s levels by the year 2000 (UNFCCC 1997). Through

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<sup>4</sup> Interview with a delegate from the European Union. 11 November 2016. Marrakech, Morocco.



international mechanisms, including an emissions trading regime, the Clean Development Mechanism, and a financing mechanism called the Global Environmental Facility, the international community sought to compel Annex I states to meet their legal obligations.<sup>5</sup> Developing countries, categorized as Annex II and including growing emitters India and China, were not required to make legally binding emissions reductions.

However, and the Protocol failed to mobilize the necessary political will to meet its goals. The Kyoto Protocol did not live up to the expectations of emissions reductions, both due to the nonparticipation of the United States and the ill-conceived institutional framework (Rosen 2015). The United States, a major polluter and key state, failed to ratify the accord and the nonparticipation of developing countries like India and China, whose emissions rose at a great rate, meant that no meaningful emissions reduction was achieved.

NGOs are noted to have been “prominent” throughout the process of negotiations of the Kyoto Protocol. While their actual influence may not be evident by a review of the outcomes and text of the Kyoto Protocol, Betsill (2008) argues that NGO presence did shape the process of debate. Many of the more ambitious proposals submitted by NGOs were not included in the text of the agreement, but Betsill contends that NGOs were instrumental in framing and setting issues on the negotiation agenda. NGOs were instrumental in framing the north-south divide between developing and developed nations, a conception that was institutionalized in the Kyoto Protocol’s bifurcation between Annex I and Annex II countries.

*Cardoso Report, 2002*

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<sup>5</sup> The Kyoto Protocol divided states into classifications of “Annex I” and “Annex II,” with Annex I countries held to binding emission reduction targets (UNFCCC 1997).

In 2002, the General Assembly commissioned a review of the relations between nongovernmental organizations and the United Nations. A Panel of Eminent Persons on United Nations—Civil Society Relations, headed by former Brazilian President Fernando Henrique Cardoso, created a report on the “best practices” of engaging civil society. This report, published in 2004 and commonly referred to as the “Cardoso Report,” argues that further civil society participation would improve the functionality of UN programs through NGO expertise, would engage stakeholders and constituencies at all levels of policy, thus augmenting the democratic legitimacy of the United Nations. While not specific to environmental governance, the report widely circulated throughout the UN and it demonstrates the concerted efforts of the organization to engage NGOs.

To justify enhancing dialogue and cooperation with civil society, the report states that “an enhanced engagement could help the United Nations do a better job, further its global goals, become more attuned and responsive to citizens’ concerns and enlist greater public support” (United Nations, 2004). It argues for a dual approach, calling on the enhancement of engagement on the country level as well as institutional support and access for civil society.

Many actors criticized the Cardoso Report: states, NGOs, U.N. bureaucrats, and academic scholars all took issue with its recommendations. Some scholars describe the formalization of constituencies and rules of access as a form of “neocorporatism,” an approach to global governance that seeks to manage inclusion of pertinent “sectors” (Willetts 2006). This approach recognizes the formal “modes of collaboration” between the United Nations and civil society in a “multistakeholder dialogue” (Coate 2009). While some expound the efficiency of such a collaboration, others warn of institutional control over independent organizations. Some saw the functionalist approach as a “threat to the NGO participation rights,” arguing that the

accreditation and inclusion of civil society based off of technical expertise run counter to the democratic and pluralist norms also expressed in the report (Willetts 2006). “Functionalism,” Willetts argues, “aims to restrict participation to experts” (Willetts 2006, 317), instead of being truly representational of the global community. These commentators cited the increasingly restrictive rules of access and the report’s confusion over terminology, as potentially causing conflicts and inequities of opportunity within the UN (Martens and Paul, 2004; Anheier 2008; Coate 2009).<sup>6</sup>

### *COP 15: Copenhagen, Denmark*

Another major moment in the history of the UNFCCC came in 2009 at the 15<sup>th</sup> Conference of the Parties in Copenhagen, Denmark. Prior to COP 15, there was the belief that a new internationally binding agreement would replace the Kyoto Protocol after negotiations in Copenhagen, an agreement that would definitively determine the future of climate governance. However, the accords fell into disarray due to a lack of consensus amongst developed nations and the developing world. The final political agreement called for nonbinding emissions reductions to be determined individually by the Parties (UNFCCC 2009), rejecting the Kyoto model of binding targets. The high expectations of many actors were largely left unfulfilled in Copenhagen, but a some progress was made in terms of climate finance—with developed

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<sup>6</sup> Despite these criticisms over the best formulation of NGO and IGO collaboration and engagement, civil society participation in international affairs is now an instituted fact in global politics. The proliferation of NGOs across a range of political issues, stretching from the developed to the developing world has even prompted some scholars to declare the advent of an era of “global civil society” and a new mode of international governance (Keane 2003). While these claims may exaggerate the potential legacy of NGO participation, in its most deliberate and formulated moments within international organizations, the rules and procedures of the United Nations illustrate the concerted effort to include civil society.

countries pledging to raise \$100 billion a year for developing country mitigation and adaptation—and agreeing to a long-term goal of limiting temperature rise to 1.5 degrees Celsius (UNFCCC 2009).

Civil society participation in COP 15 was massive, compared to relatively small, stable levels of participation in prior negotiations. Observers outnumbered state-party representatives, with over 20,000 registered participants came from civil society organizations, compared to the roughly 8,000 representatives of the Parties (UNFCCC 2014). This increased participation was in part due to the high profile of the negotiations and the expectation of a lasting deal, as well as the European location (the home of many NGOs), but resulted in difficulty and resistance. Due to increased registration and poor planning by the Danish administration, many NGOs were “shut out” of crucial negotiations and forced to participate from the sidelines (Fisher 2010).

Additionally, the NGOs “merged” with more radical groups who called for “climate justice” and anticapitalistic approaches. These outsider groups, like the advocacy NGO Earth First! used tactics of protest and confrontation, threatened to “occupy” the negotiations, and in part argued against the UNFCCC regime itself. These discourses of protest, as well as the increase in political tension surrounding the second week of the Conference, caused a restriction of access to the final, high-level negotiations, when leaders decided much of the substantive material (Hadden 2014).

### *COP 21: Paris, France*

From the failure in Copenhagen, states began to initiate a new approach to climate governance, culminating in the 2015 Paris Agreement of COP 21, and the UN attempted to reevaluate and mend its relations with NGOs. While attempts in Kyoto and Copenhagen were

unsuccessful in securing binding and precise emission reduction commitments from developed and developing countries, a new framework was proposed at COP 21 built upon voluntary contributions to climate action.

The Paris Agreement, signed and entered into force in 2016, details a global temperature goal that demands the voluntary emission reductions by member states, while outlining additional institutional measures to adapt to climatic effects and finance efforts to meet commitments under the agreement. Individual nations proposed “Nationally Determined Contributions” (NDCs) that outline their individual contributions to the global collaboration on climate change. These voluntary contributions represent a shift in character of the UNFCCC, a shift from a “regulatory” role in climate governance (with legally binding targets) to a “catalytic and facilitative” role in mobilizing action (Hale 2016). Some commentators argued that this new approach “violated the spirit of the Convention,” while others point to measures in the Agreement that gradually “increase ambition” and to fulfill the commitments of the Convention.

After early fears of a repeat of Copenhagen in regards to the participation of civil society, the President of COP 21, Laurent Fabius, made a direct effort to engage members of civil society, saying that NGOs “play a major role” in the negotiation process.<sup>7</sup> Over 6,000 individuals from over 1,000 distinct NGOs participated in COP 21 (Orr 2016). President Fabius appointed the former head of COP 20, Manuel Pulgar-Vidal, as the “Special Envoy of the President to Civil Society,” a liaison between the Secretariat and NGOs. Mr. Pulgar-Vidal held numerous meetings with members of civil society, hoping to maintain a dialogue that would avoid any conflicts and maintain good relations during the COP.

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<sup>7</sup> Laurent Fabius (President, Conference of the Parties 21), in a briefing to observer organizations. 2 December, 2015.

Structured in traditional U.N. form, these meetings began with the President or the Special Envoy giving a brief statement reiterating the principles and commitments of the COP regarding the inclusion of NGOs and observers, followed by an open question-answer session. Each constituency of observers was intended to designate a focal point representative, who would pose questions to the administration on behalf of the group, but some constituencies failed to appear at these meetings and others dominated discussion. In general, questions focused on the continued role of observers within negotiations and complained of a lack of access, while some advocated a policy position of their organization or attempted to glean some sort of information out of the administration on the current state of negotiations<sup>8</sup>.

The Special Envoy was especially cordial in responding to questions and comments, however did not supply organizations with answers of actual substance. He said that COP21 was unprecedented in terms of NGO and civil society participation, but due to the tragic terrorist attacks in Paris, some events were canceled for security reasons. He stressed that these events must not prevent the expression of civil society participation and that he intended to keep “close and personal contact” between civil society and the Presidency of the COP.

A key complaint that was reiterated throughout the week was the lack of access to “spinoff” rooms where subsidiary bodies of the COP would discuss minute elements of the text. While the administration allowed access through webcast to some of these meetings in “overflow rooms,” other subsidiary meetings, termed “informal” or “informal informal” meetings, were closed to all observers and not streamed through the internet. While questions repeatedly raised this issue, the representatives of the COP administration responded by noting their commitment to transparency and that they were acting “within the rules of the Convention.”

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<sup>8</sup> Author’s observations. 2 December 2015. Paris, France

Despite these discussions and public statements by the Paris COP administration, many commentators described the limiting and restrictive nature of COP 21. In his analysis of the Paris Agreement and the overall negotiations, Dimitrov notes that the Paris Agreement was “made possible by the heavy use of secrecy” (Dimitrov 2016, 5). While the Secretariat made some concessions to civil society participants, the critical substance of negotiations remained decided behind closed doors and amongst key actors alone (Hadden 2014). Even the shadow of the recent terrorist attacks in Paris resulted in some closings of opportunities for NGOs to participate, especially with regard to outsider NGO pressure and demonstration (Orr 2016). COP 21 demonstrated the “institutional control” over NGO participation, a shift to a model of “collaboration” between the UNFCCC and NGOs (Orr 2016). COP 21 generally recognized NGOs as “core elements” in the COP, and in turn, NGOs accepted the UNFCCC as the legitimate governing body of international climate change (Hale 2016).

### *COP 22: Marrakesh, Morocco*

The 22<sup>nd</sup> Conference of Parties (COP 22), held in Marrakesh, Morocco, was slated to the “implementation COP” of the Paris Agreement. The main task was to interpret the language of the Paris Agreement and to create the ‘rulebook’ for its implementation. Many commentators noted the intentional ambiguity of the Paris Agreement, saying that it prolonged political conflict without resolving fundamental differences (Geden 2016). In Marrakesh, as in Paris, the most contentious issue areas of finance, information-sharing, and loss-and-damage were left unresolved, with Parties unwilling to compromise or concede in their stances.

Civil society participated in record number during COP 22. Over 22,000 participants from NGOs and IGOs were admitted to the Conference, surpassing even the previous numbers

set in Paris (UNFCCC 2017). The Moroccan Presidency attempted to continue the work and priorities of the previous French Secretariat by engaging civil society saying that “Civil society played an essential role in the Paris Agreement” and that (COP 22, 2016). COP 22, while limiting access to the negotiation rooms in many cases, did not receive the criticism from civil society that was leveled against the organizers in Paris. Whereas this restriction and secrecy were dominant narratives in Paris, civil society did not raise these concerns as prominently in Marrakesh. (COP22 2016).

Civil society participation in COP 22 also took on a fundamental shift after Paris’ COP21. Paris garnered an unprecedented amount of attention and participation by civil society because of the expected Paris Agreement, a last ditch effort by NGOs to influence the document that would frame climate action into the future. Upon the adoption of the Paris Agreement, the role of advocacy for many observers shifted from that of lobbying for moralistic and idealistic frameworks to the support of implementation through information provision and research. While protest and demonstration for increased ambition for climate action did take place (and in a few cases protests against the governing regime of the UNFCCC), the general consensus amongst observers within the accredited Blue Zone was the acceptance of the Paris Agreement as the new reality for climate change governance for years to come. Some NGOs issued declarations, like the Marrakech Call to Action from African Civil Society, which called for increased ambition and climate justice, but ultimately do not actively reject the framework of the Paris Agreement (Moroccan Coalition for Climate Justice 2016). The framework has been set, and NGOs and other organizations sought to position themselves in the new era of the Paris Agreement.



## NGO Theory

### *NGO Definitions*

“Civil society” is a broad term that can encompass a range of non-state actors, including issue-focused groups, multinational corporations, religious groups, indigenous peoples, and even terrorist organizations. Any non-state entity that participates within society and government could fall under this broad umbrella term. However, the United Nations adopted this term using a more structured definition, identifying certain parameters and institutionally recognized forms of civil society representation (see discussion of U.N. Constituencies above). The UN avoids using the term “NGO” because for some individuals the term holds a connotation of Northern domination of global endeavors, with NGOs based in developed countries dictating policy goals and projects within the global South.

However, particular definitions on what constitutes an NGO can itself be problematic. Broad definitions, like Arts’ (1998) description of an NGO as “a promotional pressure group which seeks to influence political decision-making on certain issues,” leave a great amount of room for interpretation. Betsill and Corell (2008, 4) too use the term “NGO” to refer to “a broad spectrum of actors from advocacy groups rooted in civil society to privately held multinational corporations and trade associations to research-oriented bodies that participate in international environmental negotiation processes using the tools of diplomacy.” These “tools of diplomacy,” used by a variety of actors, distinguish NGOs from other social movements and protests groups that do not engage within the formal institution of the UNFCCC and other internationally agreed upon policy spaces. These broad definitions expand the scope of NGOs to such an extent that the term “NGO” begins to lose any meaningful content and thus designate organizations that lack any resemblance to one another.

Oberthür et al. (2002) offer a framework for defining NGOs within the criteria of international law, deriving their definition from a review of relevant literature on NGOs and intergovernmental organization guidelines. They outline three conditions for qualifying as an NGO under international law, articulating that NGOs must: 1) not be formed by intergovernmental agreement, 2) have expertise or interest relevant to the international institution, and 3) express views that are independent of any national government (Oberthür et al. 2002). This framework highlights the necessity for independence of NGOs from both states and IGOs, but also recognizes that NGOs may work collaboratively with states while maintaining their ability to speak freely and challenge state interests.

Because the landscape of affected stakeholders and interested parties is so diverse in the international climate change and environmental arena, it is necessary to accept and utilize such a broad measure in determining the definition of “NGO.” In a synthesis of these previously proposed definitions, NGOs will be defined, for the purposes of this paper, as *not-for-profit actors voluntarily composed of individuals or representative groups independent of state or international mandate, which engage in international environmental negotiations using diplomatic advocacy and specialized knowledge.*

NGOs can at times be synonymous with other terms used by scholars across many fields of study. Terms like civil society organization, pressure group, advocacy coalition, epistemic community, transnational environmental activist groups, transnational advocacy group, and others share characteristics with NGOs, but have implications and connotations that are outside the scope of this discussion. Each term is established by an accompanying framework to justify and explain the influence of these concepts in a parlance unique to each scholar’s area of study. I will use the more common term “NGO” to simplify these diverse frameworks when appropriate,

but I will note their distinctions and draw upon certain elements of these other scholarly traditions.

Sociologists, like Peter Haas, describe the role of epistemic communities, which are “networks of knowledge-based experts” who play a role in “articulating the cause-and-effect relationships of complex problems, helping states identify their interests, framing the issues for collective debate, proposing specific policies, and identifying salient points for negotiation,” through “control over knowledge and information” (Haas 1992, 2). Epistemic communities’ focus on specialized knowledge is crucial to NGOs’ use of information provision as a primary strategy of influence. Gough and Shackley (2001) argue that NGOs participating within climate change governance in the UNFCCC actually become part of the epistemic community, a “partner” in governance rather than a representative of public opinion or constituencies.

In the field of political science, scholars describes NGOs as constituting “transnational advocacy networks (TANs),” which share principled ideas and values on proscriptive policy goals and organize globally (Keck and Sikkink 1998). Similar to epistemic communities, TANs seek to influence policy based off common beliefs of the origin and nature of an issue, but exceed the epistemic communities’ classification by advocating—as a cohesive, international unit—for specific policies driven by agreed upon binding values and principles. Whereas epistemic communities may share an understanding of the nature of an issue, they may not all agree upon a specific remedy. TANs however, will advocate for practices and norms derived from communally shared principles.

NGOs may be the principle actors within these other conceptual frames, but for the purposes of this paper, I will not limit my investigation to TANs or epistemic communities. Literature on TANs and epistemic communities will be used throughout the paper to augment

claims about the nature and influence of NGOs, but for the starting point of analysis, this paper will take a simple view of the broad community of NGOs. A presupposed characterization of NGOs, like that of TANs or epistemic communities, would limit the frame of my analysis, no matter how accurate and descriptive these frames may be for a number of individual cases.

### *NGO Classifications*

NGOs are classified by scholars in a number of ways, based from their either interest, ideology, constituent makeup, organizational structure, or strategic method. These classifications, like the broad definition of NGOs, are often fluid and have overlap and contradiction, but it is important to note how NGOs are conceptualized beyond a basic definition.

NGOs are most commonly classified according to the interests they represent or the issue, which defines their participation in international environmental negotiations. Many NGOs are described as “environmental NGOs,” referencing their general work across many areas of environmental policy. These NGOs are often transnational in nature and not tied to a specific geographical location or political group, but rather represent and advocate for environmentally conscious action for the common good and benefit of all. NGOs like Greenpeace, who claim no specific constituency, advocate for universal, environmentally friendly policy and will take up many causes and individual issues to further their organizational mission.

Other more specific interest groups will advocate on behalf of a certain segment of a population or for a specific sector or issue-area of international environmental negotiations. Individual organizations representing groups to a specific geographical location, like the Assembly of First Nations who represent indigenous peoples of North America, advocate on behalf of their particular members on issues that directly impact their geographical area.

Similarly, trade and industry groups participate to further the economic interests of their constituents (specific industries) as they relate to environmental policy, like agricultural associations advocating for land-use or sustainable agriculture policy.

Some NGOs function as networks between constituents, other NGOs, and IOs. These umbrella organizations, like the prominent Climate Action Network (CAN), host discussions amongst members to formulate a cohesive, unified policy. Regional councils or network organizations will congregate NGOs from a particular area or industry to formulate policy relevant to their common interests. As collectives, they can have a more concentrated impact and message, but internal agreement and consensus can be difficult to establish.

Environmental NGOs are classified by their ideological stance towards the issue of climate change, from institutional to radical. Generally, three categories of environmental NGOs emerge, as described by Giorgetti (1998). First, “institutionalists” or the “ideological mainstream” environmental NGOs seek to influence policy within the established framework of institutions like the UNFCCC. Second, “social greens” or “deep ecologists” challenge the structures and institutions that determine policy surrounding climate change, whether within the North-South division or with an emphasis for “climate justice.” Finally, “radical environmentalists” reject the work of international institutions and are critical of capitalism and its role in environmental destruction. Ideological radicalism does not always mean radicalism in tactic, but the radical environmentalists are known to have used extreme tactics.

These ideological perspectives translate into an “insider vs outsider” dichotomy to describe NGOs inclusion in international negotiations. “Institutional” or “ideological mainstream” NGOs are included within negotiating bodies because they are cooperative and productive organizations within these IGOs. Ohanyan (2012) describes these organizations as

being able to bridge gaps between civil society and IGOs, while others view NGO “institutionalization” within IOs as evidence of the cooptation of civil society, especially under the neoliberal frame (Gareau 2012). More socially focused NGOs, the “social greens” of Giorgetti’s analysis, are increasingly included within international negotiations, especially in the widening and opening of these bodies to the “intersectionality” of the climate change issue. The recognition of the cross-cutting nature of climate change regarding issues of equity and development opens space for these NGOs to introduce new perspectives and challenge common thought within IOs.

The more radical NGOs, however, are left out of international negotiations, whether by organizational preference and choice or by institutional rejection. NGOs who advocate radical shifts in climate change governance tend to operate outside the designated spaces of international environmental negotiations and are generally disregarded by mainstream actors, yet may still have an impact on policy. Demonstrations outside of the official space, even when its message simply communicates discontent, can inform policy makers within the institutional spaces, albeit indirectly.<sup>9</sup>

### *NGO Strategy and Activities*

NGOs use a variety of strategies and methods when attempting to influence international environmental negotiations. Generally, there are four overarching activities areas in the policy negotiation process: 1) issue framing and agenda setting, 2) knowledge provision and technical assistance, 3) lobbying and campaigning, and 4) monitoring, implementing, and compliance.

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<sup>9</sup> See discussion of COP 15 in Copenhagen for a discussion of the role of outside protest. (Bohmelt and Betzold 2013; Fisher 2010)

These processes correspond roughly to the stage of negotiations, with issue framing and agenda-setting prompting or occurring prior to negotiations, knowledge provision and technical assistance coming in the pre-negotiation stage where states prepare their policy positions, lobbying-campaigning occurring during the actual negotiations, and monitoring and implementing taking place after an agreement has been reached.. However, these categories of NGO activity are fluid. Agenda-setting can at times involve issue advocacy campaigning or the provision of NGO research and expertise to classify an issue as relevant and demanding action. And while agenda-setting and issue-framing generally occur before negotiations are conceived or formally begin, new developments and issues can be framed or reframed throughout the negotiation process.

### **Issue-framing and Agenda-setting**

Issue-framing and agenda-setting is one of the first key spaces where NGO influence can be observable and involves a number of preliminary elements of interaction. NGOs initially frame an issue by identifying a phenomenon as an issue of public importance and classify it as within the realm of governmental action. McAdam, McCarthy, and Zald (1996) define issue-framing as the “conscious strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective action” (6). These collective understandings are transmitted throughout NGO networks and constituencies, creating “a sense of public expectation” for political action (Newell 2000, 130). Issue-framing involves creating a social environment or “frame” in which we recognize a phenomenon as demanding attention and motivating political decision-makers to take action.

Issue-framing deals with public understanding of an issue, how a problem is conceptualized. Political actors are the recipients of these strategies, but they can also involve the

perceptions of the public (Willems 1996). Snow and Benford define a frame of an issue as “an interpretive schemata that simplifies and condenses the ‘world out there’ by selectively punctuating and encoding objects, situations, events, experiences, and sequences of action within one’s present or past environment” (Snow and Benford 1992, 137). NGOs involved in issue-framing do so prior to political negotiations, seeking influence on “perceptions of a zone of possible agreement” and thereby “establishing boundaries” of response (Sebenius 1992). Issue-framing involves a broad, long-term campaign by NGOs which force perceptual shifts in social consciousness and the classification (or reclassification) of issues.

Issue-framing also involves the creation of a spectrum of possible policy outcomes and an agenda or process for prospective action. Keck and Sikkink (1998), utilizing the belief that NGOs can control and command of information and ideas, argue that NGOs (as part of TANs) can “alter the information and value contexts within which states make policies,” a process of institutional “socialization” to the reality of an issue (Keck and Sikkink 1998, 16). They also argue that issues can be reframed “in innovative ways and by seeking hospitable venues” for these reinterpretations (17). By reframing issues in an adjusted context, NGOs aid states in reexamining and reconsidering their national interests within these new frames.

Agenda-setting is related to issue framing, but demands concrete action on issues that has been identified in a particular context. Betsill and Corell understand agenda setting as “a specific phase of the policy process...and an ongoing process that occurs during the negotiation phase” (Betsill and Corell 2008, 33), which is distinct in their analysis from issue-framing. Agenda-setting, for Betsill and Corell, relates to the act of identifying an issue and demanding action by policymakers, placing it upon their actual agenda for action. During negotiations, specific issues



can be brought to public discussion in a number of ways, both in influencing the official processes through the body governing negotiations or in informal settings like the press.

In summary, issue-framing relates to the recognition and conceptualization of a phenomenon as an issue demanding public action, while agenda-setting involves the political institution and decision-making process. Issue-framing and agenda-setting occur both simultaneously and distinctly, yet both are key moments for considering NGO influence. If NGOs are able to highlight an issue and conceptualize it in such a way that catalyzes action, one could conclude that an NGO has an influence.

### **Information Provision**

NGOs are key providers of information and technical assistance throughout the international environmental negotiation process. Knowledge construction involves various NGOs, including research institutions, reporting agencies, and regulatory watchdogs. They create reports and primary research that support the constituted “frames” of a policy issue, offering quantitative or qualitative justification for a certain policy options. From this constructed knowledge, policy solutions and recommendations are presented by NGOs, supplementing and intertwined with their issue-framing and agenda-setting objectives.

NGOs will complement scientific research on climate change and its various impacts, as well as construct potential policy solutions through scholarly research. While the UNFCCC has a United Nations mandated scientific body, the Intergovernmental Panel on Climate Change (IPCC), who provides the authoritative scientific work on climate change, other NGOs seek to contribute their own data and their own interpretations of already produced research. Large research institutions, like the Tata Energy Research Institute, develop studies and primary source material on issues of sustainable energy, climate vulnerabilities, and climate adaptation that is

distributed to and cited by actors within international environmental negotiations, including government delegations and other NGOs. Other organizations use their specialized knowledge in a particular location, area, or issue to produce detailed policy proposals.

Keck and Sikkink describe NGOs as participating in “information politics,” which relies upon the generation and distribution of relevant information (Keck and Sikkink 1998, 19). They focus not only on the provision of scientific or technical information, but also highlight NGOs’ distribution of relevant subjective dialogues to influence policy discussions. These “testimonies,” carefully selected by NGOs and their networks, present appeals by individuals or groups effected by or concerned with the policy outcomes of negotiations, such as local or indigenous groups directly impacted by global agreements. These discourses are often dramatic personal accounts or ethical appeals to the principles and morals of the public and policy-makers and strive to create a need for action.

NGOs derive legitimacy from the information which they control and distribute, and the wider use of their research or reports could indicate a stronger influence. The use of NGO generated research in climate negotiations relies heavily upon the relationship between the NGO and government representatives. Newell notes that the use of NGO research by governments is “highly dependent upon the willingness...of governments to open up the policy development process to their participation,” that the influence of NGO research is conditional on factors of the quality and legitimacy of the research, but also the external factors of government relationships (Newell 2000, 133). While a high volume of material is produced and distributed within the UNFCCC and to governmental delegations, not all research is influential with, well-received or promoted by those who determine policy.

### **Lobbying and Campaigning**

Finally, the last key activity of NGOs within international environmental negotiations is general lobbying and campaigning that occurs during the process of negotiations. These advocacy efforts can be distinguished from the work of issue-framing and agenda-setting and information provision in that they occur within the distinct time period in which negotiations occur. NGOs use formal means to attempt to influence negotiations, like their accredited access to negotiations by submitting written or oral statements to the UNFCCC and informal means like consultations with policy makers. They may also campaign using the media and public demonstrations to mobilize their networks and constituencies to pressure politicians.

Accredited NGOs are allowed to submit comments upon proposed texts and make presentations within UN sanctioned forums. Rule 7 of Rules of Procedure for the UNFCCC states that observer organizations “may...participate without the right to vote in proceedings of any session in matters of direct concern to the body or agency they represent” (UNFCCC 1996). Representatives will use these opportunities to make cases for various policy proposals, to argue against particular text or language, or highlight omissions in the agreement. Large environmental NGOs, like the Environmental Defense Fund or the Climate Action Network most often submit these statements in the UNFCCC. These policy position papers are then displayed on the UNFCCC’s official website, but not actively debated or included within the substance of negotiations unless initiated by states. In this manner, NGOs remain an actor with a limited role compared to those of states.

While these formal modes of participation may be limited in terms of activating NGO influence, informal methods of lobbying are prevalent in within the UNFCCC. NGOs will “lobby in the corridors [and] organize activities around the building where the negotiations take place” (Arts 1998, 25), hoping to catch government delegates between negotiation sessions.

While these meetings have been observed by scholars, describing what goes on within these closed door or informal meetings is often difficult to pin down. Researchers are usually not privileged to the private conversations between NGO representatives and their government contacts, but ethnographic research suggests some indications of NGO influence. However, much of the literature relies upon second hand reporting of these meetings from interviews with government delegates or NGOs, limiting conclusions because of the nature of these observations is colored by NGO or government “perceptions” (Arts 1998). These informal channels of lobbying and advocacy could provide a great opportunity to observe NGO influence, but because of the subjective, personal nature of the relationships that predicate these instances of lobbying, it can be difficult to triangulate conclusions from of these second-hand observations alone.

Additionally, it is widely believed that once the governance process reaches the negotiation phase most governments have already determined their national policies and stances for negotiations. Newell notes the NGO perception that “states determine much of the scope for compromise and negotiating space before international meetings that take place, and that there is little that pressure groups can do to further their agenda once negotiations have begun” (Newell 2000, 138). In this regard, NGOs participate in the negotiation process on the margins, hoping to prevent backsliding on commitments and push the collective agreement to its strongest and most realized potential. Betzold (2014) and Betsill and Corell (2008) add that while the pre-negotiation phase is perhaps the most crucial for opportunity for NGO influence, the first stages of negotiations or the inauguration of a new regime, in which states determine the agenda and principles of the negotiations, can also provide an opportune moment for NGO influence within negotiations.

NGOs also participate in wider efforts to influence negotiations during the process by using media and demonstrations to inform the public and increase pressure upon government negotiators. Keck and Sikkink (1998) describe these activities as examples of “leverage politics,” which seek to influence policy decisions through coercive or persuasive means (Keck and Sikkink 1998, 23). NGOs generally lack the “material leverage,” influence derived from monetary or military power, and instead pressure states through “moral leverage” (Keck and Sikkink 1998, 23).

Murdie and Urpelainen (2015) describe the “naming and shaming” strategy of NGOs to target states that they do not agree with. To mobilize international action in the face of reluctant state actors, NGOs highlight states who do not keep their international commitments or who stall international agreement (Murdie and Urpelainen 2015). The newsletter “ECO,” published during negotiations by the Climate Action Network, even includes a designation of the “Fossil of the Day,” a degrading title for an actor or party who is perceived as stalling negotiations or supporting retrograde or problematic policies. The shame associated with these labels is meant to motivate action by the state in order to lose their bad reputation. Newell (2000) argues that in addition to the punishment of these “naming and shaming” strategies, states may be incentivized to act in ways that comply with NGO demands to avoid these designations. He notes however that measuring an occurrence of this phenomena would be difficult, saying that “one other channel of less visible or empirically demonstrable influence that environmental NGOs benefit from, relates to the reactions that governments anticipate from NGOs and the public” (Newell 2000, 146).

NGOs relate news from international negotiations back to their respective constituencies and through their organizational networks in hopes to mobilize domestic pressure on state actors.

NGOs will hold press conferences and information sessions on the state of negotiations and disseminate information through various forms of media, like newsletters, emails, conference calls, newspaper columns, and social media. The Climate Action Network (CAN), an umbrella group who includes many other major NGOs and regional bodies with localized NGO membership, acts as a clearinghouse for civil society responses to negotiations. They translate the complex, bureaucratic jargon of negotiations into popular discourse and popularize a coherent and cohesive narrative of negotiations. Member organizations will spread these narratives to their respective constituents and individuals.

Campaigns and demonstrations are organized by and amongst NGOs hoping to influence negotiators. Petitions and letter-writing campaigns are common tools of NGO campaigns and are presented to government representatives to demonstrate public support for NGO perspectives and initiatives. Public demonstrations, organized worldwide, in domestic settings, or at the site of negotiations engage the public in action and visually display the support for specific outcomes. NGOs will also engage in protests or “counter-summitry” in opposition to negotiations or to demand further action on environmental issues. Actions will block or disrupt the negotiation process, as in COP 15 in Copenhagen in 2009 (Böhmelt and Betzold 2013), or NGOs will host “parallel” meetings of civil society members adjacent to official negotiations. These parallel meetings call into question the legitimacy of the international bodies and state sponsored actions, as in the case of the People’s Summit in Rio de Janeiro organized in 2012 (Meek 2015). The influence of these activities are difficult to gauge, but they do raise the profile of negotiations and demand the attention of the public and delegates alike.

While these definitions, classifications, and descriptions are useful in conceptualizing civil society participation and function as a starting point for a discussion of influence, they do

not interrogate the actual political influence that these groups hold within the UNFCCC or other similar policy spaces. In order to triangulate the influence of NGOs, one must utilize a framework that critically analyzes NGO participation rather than simply describing their activity. This framework must analyze NGOs within the context of the agreement, the positions of state actors and the overall outcomes of negotiations.

## Research Design and Methodology:

Roughly follow the research design described by Betsill and Corell in their work *NGO Diplomacy: The Influence of Nongovernmental Organizations in International Environmental Negotiations*, I used a methodology that combines participant observations with textual analysis, triangulating NGO influence through their participation in the COP and in their relation to the Indian government.

Betsill and Corell's design draws observations of NGO activity from a process-tracing methodology of participant observations and document analysis. They qualitatively assess an NGO's influence in a number of key "indicators" through goal attainment analysis and counterfactuals. This framework functions for a variety of NGOs and their various types, but it is specifically to NGOs within the institutional framework of IGOs.

My design draws from their framework approach, loosely following their process tracing form, but develops an overview and analysis of each case without specifically focusing on a single issue. Process tracing, defined by Collier (2011, 824) as an "analytic tool for drawing descriptive and causal inferences from diagnostic pieces of evidence—often understood as part of a temporal sequence of events," allowed me to track the progression and evolution of NGO activities over time. Because of the complexity of the climate change issue and the various

approaches and perspectives present in civil society, isolating a specific topic proved impossible. Rather, by conceptualizing these organizations more generally, I was able to describe their influence in a more holistic way. By describing the evolution of Indian climate policy from the early 1990s to the present, I was able to situate my NGO cases within this historical narrative.

Counterfactuals allow me to speculate the result of the negotiations and the state of international environmental policy without the participation of NGOs, a sort of null hypothesis that can supplement my claims of NGO influence. Counterfactuals too can “uncovered instances where NGOs were not influential despite a correlation between NGO activities and the observed effect” (Betsill 2008, 179), further strengthening my claims. Newell (2000, 34, 124) also notes the necessity of counterfactuals, saying that the “counterfactual argument about whether the outcomes could be expected in the absence of NGO campaigning” can establish a clearer conclusion on the causal relationship between NGOs and policy outcomes. Additionally, by providing background into the Indian state’s policies and interests in environmental issues and climate change, I will be able to hypothesize their possible positions without the presence of NGOs.

### *NGO Influence*

Influence is a difficult concept to precisely define. Arts (1988) weakly establishes the causal element of influence in his definition, with influence as “the achievement of (a part of) one’s policy goal with regard to an outcome in treaty formation and implementation, which is (at least partly) caused by one’s own and international intervention in the political arena and process concerned” (58). These definitions focus upon the result, the text of an agreement or the



conclusion of negotiations, but directly observing results that can be attributed to a single actors' activities are difficult in international spaces.

Especially in such a diverse and complex policy space such as the UNFCCC and COP, drawing definite conclusions is a challenge for any researcher or observer. The number of actors alone, from states to NGOs, each with their own unique policy perspectives, must compromise and negotiate an agreement that will at least partially satisfy all those involved. NGOs lack the institutional ability to determine policy directly as observers to the political decision-making process and must instead work through individual state actors to bring about change in the results of negotiations. An analysis of NGO influence in international environmental policy must therefore address NGOs' influence with individual states and state policy, adapting a more traditional look at domestic level lobbying.

A more nuanced definition regards the perception of influence, rather than any concrete or textual indication of influence. Influence according to Newell (2000, 34), "can be found in the degree to which other actors take notice of NGOs, in the documentation of successful campaigns in the context of observable changes." These relative perceptions are difficult to ascertain and require in-depth correspondence between networks of actors. The conclusions of these analyses are not explicit proof of influence, but rather the catalogue of subjective impressions that can inform other methodological approaches (Arts 1998).

Oftentimes, conclusions of the influence of one actor are dependent upon relative comparisons to other actors. There is no standardized score or index for level of influence, but rankings can be assigned when comparing similar NGOs based upon indicators of their influence. We can make judgements in comparison, finding the manner of degree in which an actor can have an effect upon negotiations and describe it qualitatively.

I will use Betsill and Corell's definition of influence, which describes a situation where "one actor intentionally communicates to another so as to alter the latter's behavior from what would have occurred otherwise" (Betsill and Corell 2008, 24). This definition encompasses other definitions of influence, but broadens the classification by including the use of counterfactuals ("from what would have occurred otherwise"), which allows for a more direct causal relationship to be established.

Betsill and Corell (2008) draw evidence of NGO influence in these five areas: 1) issue-framing; 2) agenda-setting; 3) the position of key states; 4) the procedures of the negotiated agreement; and 5) the substance of the negotiated agreement. These indicators establish the possible locations and spaces in the policy process where NGO influence can be observed. The first three indicators discuss the influence of NGOs within the process of negotiations, while the final two indicators could demonstrate NGO influence in the outcome of negotiations. Both of these spaces are important to negotiations, as the process of negotiations can define how an issue is discussed and debated, while the outcome of negotiations demonstrate the overall influence of NGO activities.

### *Data Collection*

Using a number of separate data sources, I triangulated NGO influence through a holistic discussion of their activities and relationships to the UNFCCC and state delegations. This analysis required the inclusion of both publically available reports and documents from NGOs, state delegations, and UN agreements, as well as private interviews and surveys collected by the author and participant observations collected at both COP 21 and COP 22. I was able to collect

data while in abroad in India, visiting a number of NGOs and conducting interviews with representatives of their organization.

I made observations in Paris during the 21<sup>st</sup> Conference of the Parties (COP21) in November 2015, while studying in India in the spring of 2016, and at COP 22 in November of 2016. As a participant observer to the UNFCCC, I interviewed a number of Indian NGOs in Paris and Marrakech, was a participant observer to their work throughout the Conference. I spent much of my time at the COP attending events in which my cases were presenting or speaking publically. These Side Event presentations allowed NGOs to have a more official space in which to promote their ideas and offered me the opportunity to understand the ways in which the organizations presented themselves publically. Interviews with delegates and representatives added a more in-depth and personal element to my understandings of these organizations and their work, sometimes yielding a glimpse into the “insider” world of Indian climate politics.

These primary observations are supplemented with other secondary methods of data collection, including a textual analysis of organizational publications and public statements. Analysis of NGO publications provided a baseline of research for establishing organization goals and programs, as well as a good source for determining the language that NGOs use to describe their policy positions.

## Case Study

### *Indian Environmental Situation*

Two interrelated issues dominate India’s stance in international environmental politics: the extreme needs of development and the environmental degradation that accompanies growth.

India faces incredible challenges concerning environmental issues, but development issues tend to garner more attention from policymakers and politicians. This is understandable given India's great development needs, with 363 million people (about 30% of the population) living in poverty and around 20% of the population without access to regular electricity ("India CIA World Factbook). These circumstances of underdevelopment force India to prioritize development projects alongside worldwide environmental initiatives. While sometimes prioritizing development ahead of environmental concerns, India has expressed eagerness to utilize the "co-benefits" of environmental action to meet development goals.

In 2015, India became the third largest producer of greenhouse gases, calculated in total production of carbon dioxide, due to their growing energy sector and the increasing demands for power (CAIT 2017). The energy sector, primarily reliant upon coal power, accounts for 74% of the country's emissions (MOEFCC 2015). India's high population, combined with the poverty, underdevelopment, and less consumptive lifestyles, results in a very low per capita greenhouse gas emissions. Distributed equally amongst the entire population, the per capita emissions of India are just a fraction of those of the developing world (MOEFCC 2015).

India is considered one of the "extremely" vulnerable nations to the effects of climate change. The International Panel on Climate Change (IPCC), the United Nations' leading scientific body that aggregates data from climate scientists across the globe, described in its Fifth Assessment Report (AR5) the various sectors of Indian life compromised by the effects of climate change. They predict, from their moderate scenario model, serious effects to Indian weather, agriculture, and health.

India relies upon the season monsoons for much of its water resources. Impacts of climate change will disrupt the normal seasonal cycle, which is relied upon for agriculture and

domestic water use, changing the intensity and duration of the monsoon season. The IPCC predict that some areas of India will see an increase in the summer monsoons, leading to flooding and the increase of water-borne disease, while other areas will experience longer and more intense droughts and heat waves in the summer months. In addition to these general trends, India is also vulnerable, with its large coastal populations, to an increase in the frequency and intensity of extreme weather events and to various health impacts.

Agricultural losses due to the impacts of climate change are predicted to be great in India. India provides 15% of the world's wheat, upon which 200 million people rely. Based off its moderate scenario models the IPCC predicts that wheat yields could decrease by 51% due heat stress (IPCC 2014, 1344). Additionally, unpredictable and reduced rainfall would shorten the growing season in many areas in India, cutting off the availability of food for many small farmers. The IPCC reports that the agricultural industry could lose more than \$7 billion in 2030 with increased global temperature rise, but that with proper implementation of mitigation and adaptation strategies, losses could be reduced greatly (IPCC 2014, 1351).

### *Indian Government Structures*

The structures that govern Indian environmental and climate change policy have evolved slowly into a complex network of actors. In an analysis of Indian environmental policy, Rajan argues “the dominant feature of the policy-making process in India has undoubtedly been the autonomy of the government in shaping policy. Other actors...have generally exercised very little influence” (Rajan 1997, 12). This autonomy allows the Indian government to maintain its control and discretion over the national policy without the inclusion of dissenting perspectives. This extensive bureaucracy is criticized as being “confusing” and inefficient by some

commentators (Never 2012). Through a tight control of information, the government limits the participation of other actors and solidifies its power.

Indian policy is guided by the work of the Planning Commission, which convenes to produce Five-Year Plans that outline policy objectives across many sectors. These centralized Plans first engaged environmental issues in 1971, prior to the U.N. Conference on the Human Environment, and have played a role in clarifying Indian policy and leading a focus on environmental issues (Ganguly, 2016).

In 1992, in the 8<sup>th</sup> Five Year Plan, the Planning Commission recognized the upcoming conference on climate change and put forth some of the underlying positions of India's negotiating position, stating:

“it is essential that these negotiations recognize the aspirations of large masses of poor people and do not impose any burden on developing countries, respecting their sovereign right over their resources. Transfer of technology, flow of new and additional resources to developing countries to fully meet any additional cost are pre-requisites to international cooperation in the environment sector” (Planning Commission, 1992).

This declaration guided the development of Indian policy in international negotiations for over 20 years and still outlines the basis of Indian policy today.

The Ministry of Environment and Forests (MOEF) was formed in 1985 as the primary body to address environmental issues after years of unorganized management. It oversees multiple divisions that address specific areas of environmental concern, such as conservation, water management, desertification, wildlife, and cooperation with international organizations. The MOEF is composed of both general civil servants and specialists in environmental fields,

resulting in conflict between the political and scientific elements of the Ministry (Rajan 1997). One branch of the MOEF, International Cooperation, focuses solely on international environmental negotiations and is responsible for translating and communicating Indian domestic policy in the international arena.

Additional bodies supplement the Ministry's work on climate change, including the Prime Minister's Council on Climate Change, the Indian Network for Climate Change Assessment, as well as other Ministries of the Indian government like the Ministry of Earth Sciences, Ministry of Agriculture, and the Ministry of Science and Technology. These bodies played important roles at different times in the history of climate change governance and international negotiations, but some scholars and former policymakers note that a lack of communication and coordination within the various arms of the climate change bureaucracy lead to inefficiencies and redundancy (Rajamani 2009; Never 2012).

To coordinate the formation of Indian climate policy, Prime Minister Narendra Modi formed the Prime Minister's Council on Climate Change in 2007. The Council became a major policymaking body in 2009 during the drafting of the National Action Plan on Climate Change (NAPCC). For many grassroots organizations, the Council represented the elite of Indian society, with almost every representative located in New Delhi and the inner working of the Council kept secretive (Thaker and Leiserowitz 2014). Composed of heads of various agencies and including civil society members, with representatives from the Centre for Science and Environment (CSE) and The Energy Research Institute (TERI), the Council made recommendations to the Prime Minister in the policy formation process, but lost prominence in years following (Never 2012). In 2014, the Council was reconvened, but with changes in civil society membership—CSE lost their seat, replaced a number of TERI members (MOEFCC 2014). The Council is working to

extend and implement the missions of the National Action Plan on Climate Change, coordinating the actions of state governments, and local initiatives.

The policy formation process surrounding Indian climate change policy is somewhat unknown, described in part as a “black box” process without much observation by outsiders and scholars (Ganguly 2016). Historically, climate change policy has been characterized as being dominated by insiders and bureaucrats, and the discourse on climate change “limited to a narrow segment of India’s educated and urban elite” (Rajamani 2009, 354). The Indian climate change bureaucracy remained remarkably constant in membership and personnel with little turnover in leadership positions during the 1990s and 2000s (Never 2012). Rajamani (2009) notes that the framing of the issue of climate change was limited domestically to “small groups of influential diplomats and high-ranking government officials” (Rajamani 2009, 356).

Ganguly (2016), however, offers a different possible model for describing the Indian environmental policy environment. She describes the policy process in India as not following tradition, “linear,” model, but rather suggests a “nonlinear” model of “subjective and dynamic interactions between state and non-state actors, [and] the values and beliefs of the actors involved” (Ganguly 2016, 4). This description of the policy process allows for the creation of “policy spaces” and the participation of non-state actors to engage in “deliberative democracy.” Deliberative democracy allows for “direct roles for citizens to co-govern and engage with more substantive policy reform and be assured of government responses to their demands” (Ganguly 2016, 13). Her case studies of environmental legislation explore the application of this model of deliberative democracy in India, using the National Biodiversity Strategy and Action Plan and the Other Traditional Forest Dwellers Act.



India, as a federation of states, also requires state and local action to address environmental and climate change issues. In 2009, states were required to develop State Action Plans on Climate Change (SAPCC), but the expertise and capabilities to create and implement these plans is varied among states. The unequal implementation at the state and local level results in tension between national level aspirations and local abilities (Mayrhofer and Gupta 2016). Additionally, because of the elitism of national policy construction, the central government at times ignores and is insulated from the effects of policy on local communities (Kohli and Menon 2016).

### *Indian Climate Policy*

Indian policy on environmental issues has remained remarkably stable since its inception in the 1970s. Despite its many iterations throughout issues of environmental concerns and its gradual evolution over time, Indian policy maintains a concern for priorities of development and poverty reduction at its heart.

In Stockholm in 1972, Prime Minister Indira Gandhi gave a speech that outlined the basic premises of the Indian and developing country perspective on global environmental issues. Gandhi called upon the global community to recognize the needs of impoverished countries while strongly condemning the values of profit and efficiency, embodied in the developed world's priorities (Gandhi 1975). In her speech, she coined the tagline that "poverty and need [are] the greatest polluters," a statement that underscored the necessity to address development issues alongside environmental ones, and advocated for a change in behavior by the developed world as the primary solution for environmental issues (Gandhi 1975, 193).

Since Indira Gandhi's speech, three ideological groupings are used to describe the positions of major Indian actors, both governmental and nongovernmental, which frame the narratives of Indian climate policy (Dubash 2012). First, the "growth first stonewallers" argue that the entire climate change regime is unfounded and undermines India's critical development priorities. This camp held influence in the 1990s and early 2000s but the growth of the belief that India can achieve both its development agenda and climate change goals has decreased the influence of the "growth first" group (Malik 2014). While development still remains a top priority for Indian policy in general and continues to frame India's negotiation rhetoric in international climate negotiations, an acceptance of the other two ideological frames of climate policy have become more prominent.

The second ideological group, the "progressive realists," recognize the reality of climate change and its potentially damaging effects on India's domestic situation, but are resistant to international means and mechanisms to address the global threat of climate change (Dubash 2012). Keen on emphasizing the historical responsibility of the global North in the creation of the majority of greenhouse gas emissions, these realists emphasize domestic action over international cooperation, "delinking" international action on climate change from domestic measures. They argue that India's development agenda can be achieved through actions with sustainable components and that Indian climate policy should focus on adaptive measures that protect Indian domestic interests (Malik 2014).

Finally, the "progressive internationalists" argue that India must engage internationally in institutions like the United Nations Framework Convention on Climate Change in order to address climate change and maintain the principles of the lesser developed world (Dubash 2009). These internationalists argue that India will miss opportunities internationally if they adopt an

isolationist approach to climate change action and will allow the global North to dictate the terms of climate change governance without Indian representation (Joshi 2013). They also contend that India has a responsibility to advocate for the interests of the rest of the developing world and are positioned to lead in this regard. They argue that the “co-benefits” of climate action, including development, a stronger economy, and international prestige, that will allow India to flourish (Mayrhofer and Gupta 2016). In recent years, these “progressive internationalists” have conquered much of the discourse on climate change as evident by India’s engagement with international institutions and policy.

Beginning in 1992 with the formation of the UNFCCC, India has maintained a set of principles and a unique approach to climate change characterized by a reliance on the notions of historical responsibility for greenhouse gas emissions and equity in emissions as related to development, and the principle of “Common but Differentiated Responsibilities” (CBDR). Lavanya Rajamani suggest that “the Indian stance injects historicity into the negotiations; it helps fashion a global environmental narrative that is sensitive to the needs of developing countries” (Rajamani 2009, 358). This founding position informs India’s policy to this day, but its strict adherence to an interpretation of these rules has shifted to allow for Indian action on climate change.

India uses the idea of historical responsibility for climate change to lay the blame of temperature rise caused by greenhouse gas emissions on Northern, developed countries like the United States, allowing India to argue that there is little responsibility for the lesser developed world to act to mitigate climate change. The global north is responsible for the majority of *historical* emissions, but these developed countries argue that emerging economies like China and India are now *currently* contributing emissions that rival their current emissions, thus

redistributing the burden to act (Hochstetler and Milkoreit 2015). India, up until 2009, resisted any definite domestic actions to mitigate their greenhouse gases because of this perspective.

A second narrative in Indian climate politics is a calculation of “per capita emissions” that was first proposed by researchers working for the Centre for Science and Environment (CSE) in 1991. Their report, entitled “Global Warming in an Unequal World: A Case of Environmental Colonialism,” argued that developed nations had prospered in part due to carbon emissions and that their lifestyles, per capita, produced much more emissions than lesser developed nations (Agarwal and Narain 1991). Therefore, in order to fully meet development goals and achieve global equality, developing nations have a right to emit carbon emissions. A rejection of this principle would amount to “climate colonialism,” a continuation of Northern control and domination of Indian resources and a perpetuation of underdevelopment (CSE 1990). While the metric of per capita emissions did not become a formalized measure in the UNFCCC or within scientific communities for mitigation of climate change, Indian negotiators frequently cite the concept in their appeals for equity and justice in the climate change regime (Rajan 1997, Rajamani 2009).

While per capita emissions accounting was not adopted in the UNFCCC, the principle of Common but Differentiated Responsibilities (CBDR) was written into the framework agreement. This principle establishes the notion of “differentiation” between those nations historically responsible for greenhouse gas emissions and the lesser developed world. In the Kyoto Protocol, this differentiation was actualized in the designation of “Annex I” and “Annex II” nations, determining which nations had legal cause to act on climate change mitigation. Annex I countries or the developed world were required to stabilize their emissions and meet emission reduction goals, while Annex II nations had no specific obligations. The CBDR principle has

slowly evolved over time from the Kyoto Protocol's strict interpretation, with the climate change regime requiring an emphasis on the "common," universal participation in the mitigation of climate change, thus opening up space for action by the developing world.

India, while at first being completely resistant to the notion of contributing to mitigation efforts, has slowly participated in planning and promising action on climate change. In the run-up to COP 15 in Copenhagen, Denmark in 2009, India submitted their National Action Plan on Climate Change (NAPCC) and voluntarily agreed to reduce its emissions intensity by 20-25% by 2020. The NAPCC outlines India's environmental situation, the threats posed to India by climate change, and the steps and actions India planned on taking to address climate change. Produced by the Prime Ministers Council on Climate Change and the MOEFCC, it describes "Eight National Missions" aimed at addressing climate change, including programs for the development of solar energy, increased energy efficiency, sustainable urban planning, air and water quality, protecting the Himalayan ecosystems, the protection of forests, agriculture development, and research on climate change (Gov. of India 2009). The government elaborates upon each mission with strategies for implementation and financing, but also relies on much to be decided by specialized agencies and state action. The implementation of the Missions have reached various degrees of success and have been and criticized by civil society members of the Prime Minister's Council as being vague and lacking in ambition (Never 2012, Thaker and Leiserowitz 2014). However, the NAPCC is understood as a major moment in India's participation within the UNFCCC as a constructive member of the international community and as an indication of India's recognition of their own responsibilities (Malik 2014; Rajamani 2009).

Furthering India's commitment to act on climate change and to comply with the UNFCCC's program in the lead up to COP 21, India released its "Intended Nationally

Determined Contribution (INDC)” in 2015. India’s INDC sets the target of a 20-25% reduction of India’s emissions intensity of its GDP over 2005 levels by 2020 (Gov. of India 2015). Similar to its NAPCC, India’s INDC outlines strategies for meeting its mitigation commitments through clean energy development, energy efficiency, and carbon sinks, as well as methods for adapting to the effects of climate change, and plans for mobilizing financing (Gov. of India 2015). India’s INDC rearticulates India’s priority of economic development and notes that successful implementation of the INDC is conditional upon financing from the developed world, a reiteration of the importance of the CBDR principle.

### **India at COP21**

Prime Minister Narendra Modi delivered an opening address to the UNFCCC at COP 21 that articulated India’s continued commitment to climate action and reinforced the guiding principles of justice and equity. After confirming India’s “ambitious” INDC contributions, Prime Minister Modi made moral arguments for CBDR and called on developed nations to “fulfil their responsibilities” to the world. Modi also stressed that developed country action is not depended solely upon the idea of historical responsibility, but rather that developed nations have “the most room to make [emission] cuts and make the strongest impact” (Modi 2015).

Indian negotiators reflected Prime Minister Modi’s hopes and concerns throughout the Conference. “India wants a very ambitious and durable Paris agreement, anchored in the principles of the UNFCCC,” Additional Secretary Susheel Kumar of the MOEFCC said in a press conference (Kumar 2015). Mr. Kumar also stressed that lifestyle change is necessary to climate action; technology alone cannot solve climate change.

Different priorities of mitigation (developed countries) and adaptation (developing). For developing nations like India, adaptation programs focus action upon additional priority issues

like poverty and food security. A program for loss and damages programs have the “full support” of the Indian government, due to the high vulnerability of the Indian people<sup>10</sup>. The framework for addressing losses and damages was included in the text of the Paris Agreement, a major win for developing countries that ensures future work on the issue, but many observers criticized the lack of concrete language in the language of the text (Taub et. al. 2016).

Climate finance was one of the most contentious issues for India at Paris. On the eve of the opening of COP21, the Indian Ministry of Finance released a discussion paper that challenged the credibility of a report on climate finance issued by the Organization for Economic Co-operation and Development (OECD). Calling the OECD report “deeply flawed and unacceptable,” this paper set the tone for confrontation on climate finance (DEA 2015). India advocated for clear and credible financial contributions from developed countries, without the “double counting, mislabeling and misreporting” found in the OECD report. Prime Minister Modi echoed this sentiment in his opening address, calling for developed countries to mobilize 100 billion US dollars annually by 2020 (Modi 2015). India argued that additional climate action by developing nations require additional finance from developed nations, per the language of the Convention and the principles of climate justice.

India took a lead in mobilizing finance for renewable energy projects in developing nations through their leadership in the formation of the International Solar Alliance. Launched at COP21 with France, the Alliance matches developed country finance and technological expertise with developing nations seeking to expand their renewable energy capabilities. Prime Minister Modi, in his opening address at the launch event of the Alliance, stressed the importance of

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<sup>10</sup> Indian Government Representative. Press conference hosted by the Third World Network. 30 November, 2015.

providing financing to developing countries and called upon the traditions and lore of India to support his value laden claims.<sup>11</sup>

India characterized itself as “critical” in the formation of the Paris Agreement and signed on after to the Agreement in October of 2016 (MOEFCC 2016a). Overall, the Indian delegation stressed that the language of the Paris Agreement should not “undermine” the principles and commitments outlined in the original framework text of the UNFCCC and underscored the importance of pre-2020 action before the Paris Agreement comes into force.

### **India at COP22**

After signing the Paris Agreement in October 2016, India signaled that it would continue to act on behalf of and represent the developing world, argue for the principles of equity and CBDR, and hold Northern states to their obligations based on historical responsibility. In a press release, the MoEFCC stated that at COP 22, India would “protect the interests and strongly present the viewpoint of Developing Countries” while enhancing ambition and implementation of the Paris Agreement (MOEFCC 2016b).

At COP22, India continued many of its previously elucidated negotiation positions and maintained a strong, visual presence in the country pavilion space at the COP. In negotiation sessions, the Indian Party primarily discussed the need for clear, predictable climate finance, increased ambition, and the continuation of the UNFCCC principles of historical responsibility and Common but Differentiated Responsibility (CBDR). India advocated for an increase in the definite commitments to climate finance, again arguing that developed countries have a greater obligation to contribute to climate finance mechanisms and funds. Indian negotiators also

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<sup>11</sup> Author’s observations. 30 November 2015. Paris, France.



highlighted the need for new, creative sources of financing, both within and outside of the frame of the UNFCCC, and stressed the importance of developing carbon markets.

India also continued their advocacy for action before the Paris Agreement enters into force in 2020. In his opening address, the Minister of the MOEFCC, Mr. Anil Madhava Dave, argued that pre-2020 actions are crucial to the long-term sustainability of any climate agreement. “It is absolutely critical and necessary that equal focus is given to Pre -2020 actions by developed countries under Kyoto Protocol and that they provide effective Finance, Technology Transfer and Capacity building support to developing countries,” Minister Dave stated to the COP (UNFCCC 2016).

In many regards, India took on a more technical and implementation focused rhetoric at COP 22, they did not completely give up their principles based approach. Events at the Indian pavilion highlighted the need for incorporating elements of sustainable living into everyday life and renewed emphasis on climate justice in implementation. India especially emphasized the need for the use of the principles of the UNFCCC during the process of the global stocktake, a verification process under which countries report their progress under the Paris Agreement and make renewed commitments to climate action. Under the principles of CBDR and historical responsibility, India argues that developed countries should be held to a higher standard during the global stocktake.

### *Role of Civil Society in Indian Climate Policy*

I have selected a number of nongovernmental organizations that are located and primarily act in India. These organizations, while participating in a range of environmental issues, have a select focus on climate change and a strong presence in national and international climate change

policy discussions. While they may also focus on local issues like development, pollution, or water quality, these organizations still have a department or branch that is solely dedicated to the larger questions of Indian and international climate policy. They also utilize a range of strategies and tactics in their attempts to influence climate policy, including conducting primary research, organizing campaigns and mobilizing the public, and directly lobbying policymakers and government delegates. This wide swath of activities allows me to test a number of factors that may determine their influence. Each organization is an officially accredited observer organization to the UNFCCC.

I have chosen not to include transnational organizations that are founded and primarily act outside of India. These organizations, like the World Wildlife Fund, the Climate Action Network, or Greenpeace, have branches of their organizations that operate and focus on Indian environmental issues, but because they do not originate in India, I have chosen to exclude them from my analysis. The relationship between domestic NGOs and transnational NGOs is fundamentally different and outside the scope of this paper.

Fisher (2012) describes the role of NGOs within Indian climate policy, addressing both the domestic and international levels of policy. Her analysis classifies Indian NGOs into three categories, 1) National and transnational NGOs, 2) Regional NGOs, 3) local or municipal NGOs, each category containing distinct policy preferences and discourses on climate change. But these particularities break down at the international policy level, subsumed under a unified Indian discourse, guided by a nebulous “NGO network.” In international policy spheres, Indian actors become part of a “single discourse coalition” (Fisher 2012, 122). This “climate nationalism” stands opposed to the “climate imperialism” of foreign interests, creating national unity in international climate policy. Fisher concludes “there is a latent discursive struggle between

actors within the coalition which is deliberately suppressed in the international political stream and cannot find political space at the national level” (Fisher 2012, 122).

Within a model of deliberative democracy, participation and exchange between state and non-state actors takes two forms according to Ganguly. She describes situations in which non-state actors are formally “invited” to take part in policy discussion, thus occupying policy spaces created and opened by the government and other situations in which civil society “invent” spaces for their own participation. Within “invited” political spaces, NGOs participate directly within a system of deliberative democracy and existing policy related issues; they are consultants, selected for their expertise, positioning, or constituency, to augment existing government efforts to address climate change problems. In “invented” spaces, NGOs must frame issues and mobilize interest in certain political solutions to be included as leaders on an issue, a grassroots form of power that attracts government recognition.

This dichotomy allows for NGOs and other non-state actors to act as institutionalized members of the climate change regime that supplement and cooperate with government actions and function as critics of government policy on climate change outside of the established political space. Ganguly states that “Civil society in the context of India both has a collaborationist approach as it works with the government to tackle with problems that are mutually agreed upon and at other times takes on an adversarial role and stands in direct opposition to the state” (Ganguly 2016, 44).

While Ganguly’s characterization of the role of civil society is a useful example of the possibility for deliberative democratic participation in India, the most crucial element of her argument is in the bifurcated nature of participation. Other scholars note this division between insider NGOs and those who participate on the outside, but conclude that outsider groups have

little influence on government policy. Thaker and Leisorowitz (2014) claim the rise of grassroots environmental organizations, like the People's Science Movement and Indian Climate Justice, caused the Indian government to expand the scope of their policy on climate change and create the Indian Network on Climate Change Assessment, which focuses on adaptation and the vulnerability of the Indian people. However, their analysis fails to consider the wider political climate that preempt the claims made by these organizations, that the movement for a renewed focus on adaptation was already present in the global climate discourse.

### Centre for Science and the Environment (CSE)

Centre for Science and Environment (CSE) is a prominent “public interest research and advocacy organization” located in New Delhi, India that has participated in discussions of international climate change negotiations and has informed the Indian climate policy since its establishment in 1992. Founded by environmentalist Anil Agarwal, the Centre engages in environmental policy in areas of climate change, energy, waste and water management, pollution, food safety, and others, advocating for change through “knowledge based activism” (CSE “Overview). To illustrate its prominence, CSE was featured in the recent Leonardo DiCaprio documentary on climate change, “Before the Flood,” offering a developing country perspective that called out developed countries’ consumption habits as the main drivers of climate change.

CSE is often cited for their landmark report “Global Warming in an Unequal World: A Case of Environmental Colonialism,” published in 1991 by Anil Agarwal and Sunita Narain, which outlines a developing countries view on a global response to global temperature rise (Agarwal and Narain 1991). The report is a response to a commonly cited World Resource

Institute (WRI) document that framed the issue of climate change without regards for development and allowed for the continued pollution by developed countries. CSE, using its own calculations, responded to this assertion by claiming that the WRI's calculations were fundamentally flawed and unfair, and proposed their own model built on a per capita basis. Their calculations demonstrate that industrialized countries already had exhausted their portion of the "carbon budget" in 1986, essentially arguing that developed countries needed to immediately stop all greenhouse gas emissions (Agarwal and Narain 1991).

From this initial report, CSE became the premier proponent of the equity-based argument for climate change action. Arts notes that CSE was an "exception" in the principle stage of the UNFCCC negotiations and the organization "already stressed the equity principle in the climate arena even before the [Intergovernmental Negotiating Committees] had formally started" (Arts 1998, 120). The preeminence of CSE in terms of representing developing country interests at the outset of the UNFCCC and climate policy cannot be understated.

The report became the basis for Indian climate policy and offered the Indian government an independent account to challenge Northern research. The Indian government has cited the study in a number of their own documents and it is widely cited by other NGOs and researchers in the field. Rajan claims that CSE's 1991 report had "significant impacts on Indian policy" (Rajan 1997, 117). Additionally, the perspective outlined by Agarwal and Narain became the foundation for the developing country perspective in international climate negotiations for much of the 1990s thanks to the promotion of the Indian government (Rajan 1997).

CSE also defends India and other developing countries interests as they relate to developed countries. In international arenas, CSE has criticized developed countries as "hijacking the agenda, resources and policy effort away from more immediate and pressing

issues in developing countries” (Gough and Shackley 2001, 334) While CSE’s activities expanded to many different projects and issue areas, the theme and narrative of a globally equitable share of culpability and responsibility for environmental damages persists.

This perspective is most evident in a report released in 2015, ahead of COP 21, called “Captain America-US Climate Goals: A Reckoning.” This report directly criticizes U.S. climate policy and argues that per capita emissions in the U.S. are “flagrantly high” (CSE 2015). The report goes on to analyze the United States’ INDC and other climate action plans and criticizes the hypocrisy of U.S. negotiation strategies. “Captain America” is one of the most direct criticisms leveled against developed countries by CSE and provides developing country negotiators with statistics to attack the developed world’s contributions to global climate action.

Despite their historical role for defending developing countries and India, CSE is also very conscious of maintaining their independence from governments and donors. They refuse official government commissions, but work in evaluating and providing input on developing policy.<sup>12</sup> This independence allows CSE to simultaneously critique Indian government positions while maintaining their role in informing Indian policy.

At COP 21, CSE engaged extensively with the Indian government to push forward this agenda of equity in climate action and in operating these values within the context of the Paris Agreement. The Indian government created a space in the Indian Pavilion with the broad theme of equity and its operationalization in the UNFCCC, allowing CSE to be free to conduct its research and present its framework on its own terms.<sup>13</sup> At the Indian Pavilion, CSE hosted and moderated two discussions, “Operationalizing Equity: Ensuring High and Sustainable Human

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<sup>12</sup> Interview with Geetika Singh and Rakesh Kamal Acharya Bhagavatula, CSE. 16 May 2016. New Delhi, India.

<sup>13</sup> Interview with Arjuna Srinidhi, CSE. 4 December, 2016. Paris, France.

Development for All” and “The Imperative of Fair Distribution of Carbon Budget for an Effective Climate Agreement.” These presentations outlined a number of frameworks for linking emissions and the Human Development Index. In order to raise developing countries standard of living to an acceptable “developed” level, CSE argued, these countries would be entitled to a definite share of the global carbon budget well beyond that of the developed world. India and the rest of the developing world, CSE claimed, has a right to demand the “carbon space” necessary for sustainable development. India’s Minister of Environment, Forestry, and Climate Change Shri Prakash Javadekar attended the presentations, a presence which demonstrated the government’s endorsement of these policy positions.

Also at COP 21, CSE also introduced a framework for achieving renewable energy targets while ensuring electrical provision for all, in a report titled “Programme for Global Renewable Energy and Energy Access Transformation (GREEAT). Using CSE’s equity framework, GREEAT provides technical recommendations for providing renewable energy globally in an egalitarian and affordable way. The report highlights the need for an alternative model of electrification, developed with the support of international mechanisms and funding from developed countries. “The future of energy is decentralized distributed and renewable,” said CSE deputy director Chandra Bhushan (CSE 2015a). The GREEAT program is indicative of CSE more drastically egalitarian approach than other NGOs in India and reflects the consistency of CSE’s concern for equity. CSE advocated for GREEAT’s inclusion into the decision of COP21, but there were no indications that the report influenced government statements or policy preferences.

Following the adoption of the Paris Agreement, CSE was very critical of the final text, calling it “weak and un-ambitious” (CSE 2015b). Ms. Narain also commented that developed

nations had stolen the narrative of climate action and displayed “intolerance” in opposing any challenge to the dominant narrative, all while failing to substantially address developing countries concerns (Narain 2015). Deputy Director Mr. Bhushan wrote that India was in need of a new strategy for negotiations—that over 20 years of discussions of principles are “insufficient” in the world of “climate change realpolitik” (Bhushan 2015). He even criticized CSE’s own role in promoting the Indian and developing nation perspective of value and rights-based climate action, saying that the focus on the language of climate change politics had distracted from the need for actual action.

Despite CSE’s concerns, the Paris Agreement was signed and ratified by India and work to implement the Agreement began. COP22 found CSE struggling to redefine its role in the landscape of international climate change politics after the defeat of these basic principles and policy proposals within the Paris Agreement. CSE’s ideological and equity-based rhetoric was no longer useful to government delegates after the Paris Agreement entered into force, thus the government offered no official space for CSE to advocate. No longer playing their central role in Indian climate policy as in COP 21, CSE found themselves on the outside, not invited to speak or participate in the Indian Pavilion space. This shift in participatory opportunity reflected the shifting nature of the international climate regime and the changing needs of the Indian government.

During COP 22, CSE held one Side Event: “Addressing Loss and Damage in Developing Countries: Need for Global Agricultural Insurance Mechanism,” but was otherwise absent from public spaces during the conference. Loss and damage is an emerging area of international climate change policy that accounts for substantial material losses for the effects of climate change. This initiative is especially favored by vulnerable developing countries and who seek



financial compensation from developed states. CSE's proposals, outlined in this discussion, called for a new global insurance mechanism to address the issues of losses and damages for agriculture workers, what they termed a program to more efficiently "operationalize equity" in the UNFCCC post-Paris.<sup>14</sup> CSE representatives noted that this policy area is underdeveloped but represents the future of the movement for equity.<sup>15</sup>

After COP 22, CSE continues to attempt to design policy for the implementation of the Paris Agreement. In a policy brief on the global stocktake mechanism of the Paris Agreement, CSE provided a policy perspective and framework that government negotiators could adopt. The global stocktake (GST) is an element of the Paris Agreement that reviews individual nation's contributions and seeks to increase global action, but was left unspecified in the Agreement and throughout COP 22. In their brief, CSE argues, "Equity can be operationalized in the global stocktake by increase in ambition of climate efforts of countries. Here, historical responsibility and capability must be used as indicators to implement equity" (CSE 2017). With this policy brief, CSE attempts to fill a gap left in the policy of the Paris Agreement and inject their equity perspective into Indian policy.

### The Energy and Research Institute (TERI)

The Energy and Research Institute (TERI) is a prominent Indian NGO that has engaged in the issue of climate change since 1989, when it organized the "International Conference on Global Warming and Climate Change: Perspectives from Developing Countries." Founded in

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<sup>14</sup> Interview with Geetika Singh and Rakesh Kamal Acharya Bhagavatula, CSE. 16 May 2016. New Delhi, India.

<sup>15</sup> Chandra Bushan, Director CSE, in conversation with the author. Marrakech, Morocco. 18 November 2016.

1974 as the Tata Energy Research Institute, a branch of the Tata Group, this organization is a think tank dedicated to research on sustainable development in India. Renamed in 2003, TERI has been at the forefront of policy discussions surrounding industry contributions to action on climate change, using their deep ties to members of the business community and their expert knowledge of the energy sector to inform policy.

TERI's Earth Science and Climate Change division has been instrumental in charting the effects of climate change in India, partnering with government research institutions, state and local governments, international organizations, and other NGOs to gather data and knowledge on climate change. They use this knowledge to develop policies and best practices that are feasible in the Indian context. TERI has published many reports on the business implications of climate change and international politics for Indian businesses. They combine the scientific and political research of the organization with a consultation with various industry and corporate stakeholders, outlining the effects of Indian climate policy on the business environment (Vancheswaran 2015) and on specific sectors like wind energy (TERI 2016).

TERI also has a strong relationship with the Indian government and climate change negotiators, offering independent analysis of climate change and energy related issues for government policymakers.<sup>16</sup> In 2010, the MOEFCC requested TERI review India's communications to the UNFCCC and the reports of the Intergovernmental Panel on Climate Change (IPCC) on the latest climate science. In this request, TERI "regularly participated and provided inputs in the meetings of the Climate Change Core Groups [of the MOEFCC]," while assisting the MOEFCC prepare for COP13 through COP15 (TERI 2010). TERI was able to give recommendations and advice to facilitate Indian negotiators in the various aspects of climate

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<sup>16</sup> Interview with Mr. Karan Mangotra, TERI. 14 November 2016. Marrakech, Morocco.

negotiations, including the provision of background papers, summary reports of research, and analysis of negotiating texts.

At COP21 in Paris, TERI participated in a number of forums, both in civil society space and in government sanctioned space. They presented in the Indian Pavilion on greenhouse gas management in many of India's industrial and business sectors, offering their expertise and research as a "knowledge partner" to the Indian government. TERI's main messages during COP21 were that proposed Indian contributions for mitigating and adapting to climate change in its INDC were "ambitious" and coordination of various actors—government, civil society, and industry—would be required to meet India's climate goals.

TERI generally viewed the outcome of COP21 as a success for all those involved. Dr. Ajay Mathur, Director-General of TERI, wrote favorably of the Paris Agreement, calling it a "huge step forward" for all parties involved (Mathur 2016). He expressed confidence that India and the rest of the developing world will be able to meet their development agendas and their climate targets under the framework of the Paris Agreement, in part because of the collective process that will mobilize countries' "reputational interest" in increasing ambition (Mathur 2016). TERI has been very positive in the results of the PA and has viewed the new circumstances of international climate change policy as an opportunity to be seized by Indian actors, a clear indication of their "progressive internationalist" approach.

Following the signing of the Paris Agreement, TERI quickly turned to advocating for implementation of India's contributions. On March 14, 2016, TERI hosted a meeting amongst Indian stakeholders on the implementation of the Paris Agreement, bringing together industry representatives and government officials. The Special Secretary of the MOEFCC, Shri Susheel Kumar, spoke on the necessity of collaboration in India, citing the importance of think tanks and

civil society organizations, like TERI, to find solutions (TERI 2016a). At the World Sustainable Development Summit organized by TERI, the Minister of Human Resource Development, Prakash Javadekar (the leader of India’s delegation to COP21), said “TERI is important for us, as a think tank. Under the leadership of Dr. Ajay Mathur, TERI can bring about this change” (TERI 2016b).

At COP22, TERI continued their high level of engagement throughout the Conference and in negotiations. Their close relationship with the Indian government was clearly demonstrated in the ten events in which they participated at the Indian Pavilion, as both panelist and moderator. TERI director Ajay Mathur was a staple at the Indian Pavilion, engaging amicably with government negotiators and other members of civil society.<sup>17</sup> These events demonstrated TERI’s broad range of specialization, covering topics of smart cities, renewable energy, energy efficiency, and climate justice, but they focused primarily upon technological and industry related knowledge pertinent to the Indian power and business sectors.

Mr. Mathur noted, in a press release on COP22, that the COP represented the importance of linking multiple stakeholders to address climate change. “Action from negotiation tables now has moved to factories and policy making rooms of governments,” Mathur said, “a big shift from Paris” (TERI 2016c). In this vein, TERI research and publications increased their focus upon Indian ability to transition its economy and develop using sustainable power.

## Development Alternatives

Development Alternatives (DA) is an NGO working on sustainable development in India who has adopted climate change as a cross cutting issue that effects social and economic

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<sup>17</sup> Author’s observations. 16 November 2016. Marrakech, Morocco.

development. DA conducts research on the best practices for environmental management and economic growth and implements programs and systems designed to achieve these goals. In climate change, DA is engaged in research and advocacy, but has unique capabilities to implement programs in rural areas of India. Their mission is to “connect the local to the global” said Dr. Shailendra Nath Pandey, a Senior Programme Director for DA.

DA’s focus has been primarily at the state and sub-state level, yet engages at the international level as it relates to their domestic priorities. DA worked closely with the state of Madhya Pradesh to develop their State Action Plan on Climate Change and has reviewed national policies through the lens of local implementation.<sup>18</sup> Their work is particular to specific regions, but all focus upon advancing sustainable development in rural areas, while highlighting the technological, political, and financial challenges that exist. DA focuses less upon contesting government policies or attempting to influence the broad framework of international climate change, but rather are focused on the reality of implementing the mandates created in negotiations.

DA, compared to other NGOs, is relatively new to the UNFCCC and their contributions to the Conference have been limited. Their presence in civil society is less prominent than other larger NGOs like CSE or TERI, but their engagement in COPs have been primarily to network with other local NGOs on implementation methods and technologies.<sup>19</sup> At COP22, Development Alternatives moderated an event called: “Low Carbon Cement—Supporting Sustainable Development of Emerging Economies,” where NGOs discussed the technological imperatives for development through the specific industry discussions. These discussions, while not

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<sup>18</sup> Interview with Dr. Shailendra Nath Pandey, Development Alternatives Director. 2 December 2016. Paris, France.

<sup>19</sup> *ibid.*

addressing the global political discussions taking place in Marrakech, are crucial to the subsequent implementation of these political decisions.

### All India Women's Conference

The All India Women's Conference (AIWC) is an advocacy group that lobbies for the rights of women and for their augmented empowerment and role in Indian society. Founded in 1927, the AIWC has adopted climate change as an issue of their concern, recognizing the intersection between gender and environmental concerns. Joining the COP process in 2013, the AIWC is an active part of the Gender Constituency where they present their projects and activities to the wider community and submit recommendations to the UNFCCC.

The AIWC has incorporated climate change into their work on women's empowerment in a number of ways, most publically through their series of workshops on the impacts of climate change and the effects on women. Using their India-wide network to mobilize support across the country, they held workshops in 2014 and 2015 that educated women on climate change and made recommendations on local initiatives and national engagement.<sup>20</sup> Their holistic focus included personal actions and best practices for being good environmental stewards while also advocating for national level policies and programs to address climate change. Key recommendations from these workshops included the demand that climate politics and policy must be inclusive and accountable to their women constituents. More recently, the AIWC has organized workshops to present their report entitled: "Promoting Pro-Poor Low Carbon Development Strategies in South Asia," a document that outlines the direct effects of climate policy on sustainable living in India (AIWC 2015).

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<sup>20</sup> Interview with Ms. Usha Nair, AIWC. 16 November 2016. Marrakech, Morocco.

The AIWC has submitted a number of recommendations to the UNFCCC and the Indian government calling for gender equality in climate change mitigation and adaptation efforts. They consistently say in these communications that “gender balance” is a “key factor in the drive to achieve climate justice” (AIWC 2013). While they recognize some of the progress made (like India’s NAPCC, which highlights the impacts of climate change on women), they also note the “lack of clearly spelt out policies or strategies with regard to women’s agency towards climate change solutions” (AIWC 2013). This lack of policy regarding women’s role in climate action is very evident in India’s INDC and has yet to be substantially addressed in Indian policy. The high number of submissions directly to the UNFCCC demonstrate that the AIWC may feel that the international space is more accepting of their recommendations than the Indian government.

## Discussion

NGOs exert a moderate level of influence on Indian climate policy, especially with regards to framing issues and setting agendas for climate action, but their influence is not uniform between my cases nor over time. Using Betsill and Corell’s framework, preliminary conclusions on the influence of NGOs on the negotiation process can be drawn. The indicators of issue framing, agenda setting, and their influence on the positions of the Indian government demonstrate the various levels of influence of the four NGOs identified in this study.

Prominent NGOs like CSE and TERI have the reputation and connections within the Indian government delegation to influence policy positions and lobby for ideological mainstream perspectives. TERI and CSE have been instrumental in providing research and knowledge to the Indian government, data that supplements and independently corroborates the government’s own research. The analysis and verification of government policies is conducted in formal

consultations and informal communications, but allows for these organizations to critique government policies in a constructive and collaborative way. While they may contest aspects of government policy, CSE and TERI maintain reputation as serious, scientifically rigorous organizations, which allow them to continue their relationship with the government.

An analysis of Development Alternatives and the All India Women's Conference on the other hand demonstrate the limited nature of their influence, in part because of the constraints of the scope of their organizations. Development Alternatives' focus on primarily rural development places them outside of broad policy discussions and instead leaves them reacting to the political decisions that are formulized independent of their own perspectives. The AIWC, while advocating passionately for the inclusion of women and the importance of gender in climate change solutions has yet to find a significant response or priority in government policy. While their efforts to educate and lobby have prominently displayed the issue, AIWC has been unable to solidify these concerns into actionable, substantive policy.

The transition from COP21 to COP22 also played a role in determining the level of NGO influence. Where COP21 was focused upon creating a framework agreement for the governance of climate change, COP22 focused almost solely on the implementation of the Paris Agreement. COP21 provided opportunity for a wider range of NGOs to make their case to the government and participate in the COP process because the guide for climate action had yet to be agreed upon. With the Paris Agreement undecided, many organizations, especially CSE and the AIWC, regarded COP21 as a crucial moment for influencing lasting change. By inserting their perspectives and agendas into the text of the Paris Agreement, NGOs influence would be crystalized in international law.



COP22 provided a drastically different environment for NGOs to operate within, and some organizations struggled to adjust. CSE, major proponents in equity based carbon budget frameworks during COP21, had to completely refocus their efforts during COP22. The government no longer in need of proposals for determining the framework of climate action, CSE was left out of many of the discussion hosted by the government, whereas TERI, who specializes in technological knowledge and industrial partnerships, was featured prominently in the governments COP22 presentations. This demonstrates the importance of the wider geopolitical context in determining possible NGO influence.

Indian NGOs have limited influence in policy formation, but perform a vital function in the UNFCCC by supporting and advocating for Indian policy positions. The NGOs of India, in this international space, all serve to demonstrate India's capacity to transition to a clean economy while defending the principles and perspectives of the Indian government. These activities exist interdependently with the earlier described activities of NGOs (issue-framing, knowledge provision, and lobbying), involving elements of all these actions, but with the common national approach. NGOs construct understandings of topics, conduct studies, and advocate for policies, but within the international sphere of the UNFCCC all of these activities are aimed at promoting India's position in the world, the ideological "climate nationalism" described by Fisher (2012).

Through their participation, NGOs project an image of India to demonstrate the nation's capability of transforming their economy and society towards climate action. Large NGOs, like TERI, project the institutional and technical expertise needed to implement pro-climate programs at a national scale. TERI's numerous reports on the Indian energy mix, new and renewable energy sources, and climate finance all serve to indicate India's seriousness in proposals to the

UNFCCC and other international organizations. These contributions deflect the criticisms of developed countries who see India lagging in their ambition and action.

Even smaller NGOs participating in the UNFCCC, like DA and AIWC, contribute to this image of a proactive and capable India. Their presence in civil society spaces, while not directly promoted by the Indian government, adds a sheen of legitimacy to Indian proposals by representing a diversity of perspectives and a varied level of the scope of their work. DA's work with state and local governments in India presents the commitments made by multiple actors within Indian society and the actual implementation and follow through of international and national policy. AIWC's grassroots work with women's organizations across the country signal similar participation and India's commitment to just climate action.

NGOs not only demonstrate India's capabilities, but also are some of the strongest advocates for the principles of the Indian government. Here, NGOs can and have had significant influence in shaping the very principles argued by the government and work continually to campaign for their adoption in international agreements. CSE was one of the foremost proponents of justice and equity in international climate change policy and provided the methodological basis for operating these principles. Their work to frame the climate change from a developing country perspective and develop a framework of re-calculating global carbon emissions from a per capita basis significantly altered the approach of the Indian government and shifted the wider narrative in climate change negotiations.

This contribution was at the origin of the UNFCCC, but CSE continues this work in its many iterations today, advocating for the application of India's principles in programs of loss and damages, climate adaptation, and the global stocktake. At events both in the Indian pavilion and in civil society spaces, CSE is a staunch advocate for equity-based policy. They also serve as

a primary organization to condemn and shame the lack of action by developed nations, who they feel have failed in their obligations and responsibilities to the world. The Indian government, constrained by diplomatic decorum, cannot be as direct and blunt in this regard as independent organizations like CSE, and thus are happy to promote and provide spaces for CSE to promote reports like “Captain America,” which calls out American “hypocrisy” in climate negotiations. Other Indian organizations at times adopt these perspectives and join in the chorus of developing nations calling for a principled approach that demands greater action by the developed world.

As NGOs fulfill these roles, advocating for India’s image and policy perspectives, one must consider the question of coordination between government actors and the independent organizations. NGOs have little influence in the official policy formation process, but the conclusions drawn from government analysis and independent research tend to coincide and come to similar interpretations of India’s geopolitical situation. Organizations and government representatives may disagree to the exact policy solutions or the degree in which principles and concepts are implemented, depending upon their organizational situation and ideology, but their basic, original premises largely are consistent. While there is little evidence of direct collusion between these two camps in forming larger international policy, a strategic arrangement is apparent between NGOs and government negotiators.

The Indian government uses NGOs as a tool to further its own objectives in the UNFCCC. NGOs are happily complicit in this arrangement, as they enjoy the prominence of the stage of international negotiations and the opportunity and resources to work within government structures, and the Indian government enjoys the legitimacy and technical contributions of the NGOs. The case of CSE indicates the government’s willingness to use NGOs as convenient to their own priorities. CSE’s work in equity and climate justice was indispensable during the era of

Indian policy that refused concrete contributions by developing countries while demanding greater contributions by the developed world and provided the government with the moral arguments and methodological calculations necessary to maintain their own positions. But when the paradigm of international climate negotiations shifted, beginning with COP15 in Copenhagen and finalized in the Paris Agreement, the government no longer needed or as highly valued the contributions of CSE, evident in the lack of invitation to participate in the Indian pavilion space during COP22. The shift away from CSE and towards the technical expertise of TERI indicates the government's use of NGOs to fit their policy priorities to the wider international context of negotiations.

### *Counterfactuals*

Betsill and Corell's design requires an analysis of the hypothetical scenario where NGO participation did not occur in order to strengthen claims of their influence. Counterfactuals can "uncovered instances where NGOs were not influential despite a correlation between NGO activities and the observed effect" (Betsill 2008, 179), further strengthening claims of influence. Newell (2000, 34, 124) also notes the necessity of counterfactuals, saying that the "counterfactual argument about whether the outcomes could be expected in the absence of NGO campaigning" can establish a clearer conclusion on the causal relationship between NGOs and policy outcomes.

Without NGO participation, Indian climate policy would be without check and their technological and research capabilities would be severely limited. NGOs provide crucial analysis and recommendations to the government that ensure that Indian climate policy is coherent, in India's best interest, and is feasible. Research and data produced by NGOs ensures that the

government policies are crafted using the most scientifically accurate and up-to-date information. While the government has some capability with its own research facilities and departments, independent review also lends legitimacy to official government documents.

Additionally, NGOs play a crucial role in advocating for the positions of the Indian government. They especially provide a moral or ethical claim for Indian proposals and demonstrate the local support for initiatives. Their research and writing create a climate that supports Indian claims in the international community for climate justice, the principles of common but differentiated responsibility, and historical responsibility. Without the voice of civil society echoing the claims of the government and providing hard evidence for them, the Indian negotiators would be isolated and would not be taken seriously in the international community.

## Conclusions

Indian NGOs do have an influence upon Indian climate policy, but that influence is constrained by the ideological perspective and technical capacity of the organizations, the institutional level of engagement and focus (international/national/subnational), and the phase and environment of international negotiations. The case study of Indian NGOs demonstrates that NGO influence is closely related to the production of knowledge and the organizations ability to supplement and analyze government policy. The relation between Indian NGOs and the Indian government is one of cooperation in international spaces like the UNFCCC, if the organization can provide substantial resources and support for government perspectives. Even if these prominent NGOs disagree with government positions, they withhold their disagreements when representing India; a phenomena that supports Fisher's claims of "climate nationalism" among NGOs (Fisher 2012).

However, further study of the negotiating positions of the Indian government is needed to determine the deeper level of NGO influence upon the negotiated outcome of international environmental negotiations. The scope of this study recognizes the most prominent of Indian NGOs, but does not extend to local grassroots initiatives or larger transnational actors. How do smaller NGOs that vehemently disagree with Indian policy engage in Indian society? Are transnational NGOs more willing to confront the Indian government than domestic NGOs? While too broad for this study, a wider survey of all the actors in Indian climate policy would give a more complex, but informative look at the mechanisms of the Indian policy process.

We can conclude that Indian NGOs do influence Indian climate policy to a moderate degree, and by transitive property, we can make a weaker claim that they do have some influence in the wider international political space of the UNFCCC. Their influence on the policies of the Indian government with regards to the UNFCCC, especially through their provision of knowledge and construction of policy recommendations, offers NGOs a channel to influence the UNFCCC itself. The difficulties of directly determining this influence remains, but through this analysis of a few prominent Indian NGOs, we can begin to see the complex relation between state and NGO, and NGO and international community.

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