8. Texts

Jen Iris Allan and Pamela Chasek

8.1 Introduction

There is nothing quite like walking into a multilateral environmental negotiating conference. As Chapter 6 on negotiation spaces and Chapter 7 on side event spaces show, large multilateral meetings can resemble a giant trade show or carnival. You walk through all the various spaces, into one of the negotiating rooms and you see government delegates sitting around a table or in a large auditorium, often with a document projected on a screen. If this is your first time at these negotiations, you may be confused. What is this document? Where did it come from? Why are all those square brackets in the text? Why are they arguing over the use of the words "should" or "shall"?

Or you could walk into a plenary room, where government and non-governmental stakeholders are speaking from their desks. There is a link to the meeting's internet portal on a screen in the front of the room, where statements and other documents can be found. But how do you navigate this portal and how do you understand the different types of texts that can be found there?

One way to study agreement-making, its actors, processes, sites and how they shape global order is through texts produced along the way. In any given multilateral environmental negotiation, there are implementation reports, decisions, resolutions, statements, newsletters, and other technical reports that are often written in a language all of their own. They contain phrases that have a long history and may indicate more than they appear at face value. Choices of words, phrases, and qualifying language often tell part of the story of how governments and other delegates at conferences compromised and reached agreement. Language can also be coded so that those "in the know" understand the real intent behind the words. The use of jargon or "constructively ambiguous" phrases can signal one's insider status, or exclude many from truly grasping a text's meaning. For these reasons, it is extremely important to understand the words, as well as the context in which these words are used.

Treaties, resolutions, and decisions are often the most carefully scrutinized form of text, but they represent some of the written communications at multilateral negotiations. As the agreement-making framework shows, a range of actors are involved in producing the final agreement. Government delegates, non-governmental organizations (NGOs), international organizations, businesses, and academics communicate constantly, including through various types of documents. These documents are not created in a vacuum. As we hope to show in this chapter, the social and institutional context of negotiations can influence the communications encapsulated by these texts. In our contribution to the framework, we seek to show how the context within the negotiations and, at times, beyond the immediate talks, can influence how actors communicate. These contextual factors shape actors' word choices individually and

collectively, and, in turn, the final agreements that they make. We highlight three such factors: power relationships, social expectations, and history.

Throughout this chapter, we underscore the need to "triangulate" sources of information. Texts cannot be understood apart from their context, which would likely require gathering information from interviews (Chapter 9), participant observation (Chapters 10 and 11), and other methods explored throughout this book. The words can sometimes reveal or conceal the power-laden relationships among actors. But to understand the intersecting forces and contexts that shaped the final documents, a core product of agreement-making, means looking beyond the text themselves.

This chapter examines the importance of understanding documents at multilateral environmental negotiations in context and what they can and cannot tell you. First, we will explain why studying negotiations through the documentation is important. We then will give a brief overview of the different types of documents you encounter at a COP or other negotiating session. We then turn to the question of context, and show how social norms and institutional settings can influence the creation of texts, which in turn could influence research that relies on those texts. Finally, we utilize a case study to show how to consider context when using documents for research.

8.2 Why and How to Study Texts?

Scholars using types of text analysis tend to view documents as a resource or as a topic worth scrutinizing - how the texts came to be and what dynamics shaped their production (Prior 2008). Using documents as resources lends to a focus on the document's content and how actors strategically employ that content. Texts can help trace the rise, fall, and semantic shifts of concepts, as expressed in NGO policy briefs or press releases, states' written statements, or Secretariat technical papers (for examples, see Meadowcroft and Fiorino 2017). Texts can help understand how actors interpret key concepts, from fairness in the climate change regime (Tørstad and Sælen 2018) to sustainable development (Hadden and Seybert 2016). Or, as newer actors communicate their views in a negotiation setting, the texts they produce can elucidate their narratives and shared views (Blaxekjær and Nielsen 2015).

Treating documents as resources means considering how the content's creation and influence on the wider context, in our case, environmental governance. Studies of treaties, specific provisions, resolutions, or COP decisions tend to fall into this category (e.g., Klein et al. 2019 on the Paris Agreement; Morgera and Tsioumani 2010 on the Convention on Biological Diversity). Texts can work in conjunction with one another; for example, using countries' "submissions" (written statements of their position on an issue), the draft negotiation text, and the final treaty, can help a

researcher trace which countries "won" or "lost" on particular issues, and identify which issues were controversial.

In the quest for an origin story, however, content analysis has limits. The human dimension, from the effects of all-night negotiations to interpersonal relationships, cannot be seen in documentation. Texts struggle to elucidate multi-causal, complex relationships. Draft and final documents cannot tell the story of which issues were subject to last minute trade-offs to achieve a compromise. NGOs may claim victories if their issues or draft language were taken up, but some countries may separately have supported similar wording. Comparing the positions expressed beforehand by NGOs with the final outcome cannot provide too much insight into the true extent of NGO influence (Betsill and Corell 2008). Texts are an important source of information, although, like all tools, they cannot decode everything.

Throughout this chapter, we draw on work that studies texts qualitatively, such as legal analyses of treaties, and quantitatively, as with computer-aided content analysis (e.g., with atlas.ti or MAXQDA), to show the utility of texts to elucidate the strategic speech acts captured in those texts. Studying how actors choose to communicate their views, or communicative action, can shed light on the broader "life world" those actors inhabit (Habermas 1987). The textual documents generated at, or feeding into, global environmental negotiations capture what Habermas would call "strategic speech acts". They are created within a particular institutional and social culture. Therefore, it is necessary to look at the context of these strategic acts (who is the intended audience, what is the purpose of the communication), and the routines and norms that construct the communicative acts, and in turn, the texts.

8.3 Types of Texts

Thousands attend multilateral negotiations, many of whom arrive armed with written documents intended to help them achieve their aims. Some texts are intended for the actual negotiations and others are for side events or presentations. Here, we quickly outline the various texts that many researchers are likely to encounter. We discuss who tends to produce these documents, questions of accessibility, and other issues that may influence data collection.

8.3.1 Formal, Intergovernmental Outcomes

Generally, international agreements are captured in decisions, resolutions, or, occasionally, treaties. Most treaties constituting all or part of multilateral environmental agreements (MEAs) are legally-binding, while COP decisions are not. These documents are the product of formal negotiations among governments. The text of a decision can be drafted by the Secretariat or by parties. During the meeting, the Secretariat will often issue a provisional version for parties' adoption, and, after the meeting, a final version of the text as adopted by states and including any amendments.

There are a range of documents generated through negotiations. Resolutions are formal expressions of the opinion or will of the treaty body or other UN organization. Decisions represent the view of parties, concerning procedural matters, recording the adoption of a text, or setting out a work programme. The first part of a resolution and a decision are the preambulatory clauses, which focus on the reasons the body is addressing the topic and highlights previous resolutions or decisions on the issue. The second part, the operative clauses, offer the solutions to the issue in question. It is primarily the operative clauses that are the most challenging to negotiate and are often the basis of scholarly research. Each word of these outcomes matter. Words that need to be read carefully in negotiated outcomes are verbs, particularly the verbs beginning a paragraph in an operative clause. Paragraphs beginning with "shall" have the strongest legal obligations, while "should" or "encourage" provisions outline the expectations for parties' behavior.

Other words or phrases can speak volumes about negotiation dynamics. Hedging phrases, such as "to the extent possible," "as applicable," or "as appropriate," can allow countries an out in the future, to say that they could not implement a provision due to national circumstances. Such phrases could indicate that not all countries envision themselves as able to fully implement the provision, or that some countries view this provision as a valuable activity that others should undertake (e.g., a developed country responsibility). The ubiquitous "*inter alia*" further allows for flexibility in interpretation. It usually precedes a list, and allows for countries to choose which actions or items in the list to implement or enact (see Biniaz 2015 for creative uses of grammar to achieve agreement). Such a list may indicate disagreement, or a lack of time to reach agreement on what exact items to specify.

8.3.2 Draft Decisions and Negotiation Text

Draft negotiation texts are works in progress. The starting points may differ. Indeed, parties sometimes have had protracted debates about whose version of a text should serve as the starting point for negotiations. Countries may propose a starting point via a conference room paper (CRP) submitted before or during the meeting. The Secretariat may propose a draft before the meeting, often in consultation with the Bureau. Occasionally the chairs of a given body may be tasked by parties to develop a "zero draft" to serve as the basis for negotiations (for an excellent summary of the various types of negotiation texts, see Depledge 2005). Some decisions move quickly from starting point to finalization. Decision texts may take years to develop, or never be adopted. Comparing successive drafts can help uncover the story of how a decision or treaty evolves.

There are procedures common across negotiations for countries to indicate levels of agreement or disagreement with text as it evolves. Square brackets around a word, phrase, paragraph or even the entire document indicates that at least one party objects to its inclusion. For example, here is what Article 2 of the Paris Agreement looked like heading into the final round of negotiations in Paris:

"Parties [shall][agree to] to take urgent action and enhance [cooperation][support] so as to (a) Hold the increase in the global average temperature [below 2 °C][below 1.5 °C][well below 2 °C][below 2 °C or 1.5 °C] [below 1.5 °C or 2 °C][as far below 2 °C as possible] above pre-industrial levels by ensuring deep cuts in global greenhouse gas [net] emissions."

Each set of brackets indicates the preference of a country or, in this case, coalitions of countries. Reading a draft can show the range of options on the table. On occasion, these options are attributed to states, however, that practice has largely ended. Reading a draft text with brackets cannot in itself tell the reader which country holds which position, but it does give a sense of the option set.

Some notations are agreed to on a case-by-case basis by those in the room, underscoring the need to be there. For example, #### was used in the negotiations for the Paris Agreement to denote whether countries would undertake commitments, contributions, actions, or plans (or some combination). For those on the outside, #### was a confusing notation with little meaning. For those directly involved in talks, it was a useful shorthand standing in place of the contentious issue of the nature of countries' obligations.

Drafts have no legal standing. They may be called non-papers, conference room papers, or simply drafts. Most MEAs have procedural rules stating any progress in the negotiations, captured in a draft document, is lost. In the UN Framework Convention on Climate Change (UNFCCC), "Rule 16" is invoked when parties cannot agree to even a procedural conclusion; the issue is placed on the agenda for the next meeting, but draft documents are not forwarded. Parties occasionally use these rules to their strategic advantage, to have unpalatable proposals removed from future consideration.

Drafts are not always publicly available. Some may be posted on the website. Most meeting convenors use an intranet only available to those onsite, or with a password. Drafts are often emailed to a list of delegates working on the issue (to avoid publicly posting drafts with sensitive proposals). Researchers generally have access to a first version (issued publicly before the meeting) and the final version, potentially leaving many twists and turns unseen (see the SDG case study below). Finally, draft documents tend to "disappear" on websites. They may be on one page during the meeting and then when you go back to them months or years later you may no longer find them. Thus, it is important to download and save documents when you find them.

Table 8.1 Types of documents					
Category	Туре	Actors involved	Description and what to look for	Where to find	
Formal Intergovernmental Outcomes	Treaties, Decisions, Resolutions	Governments or parties to the MEA; sometimes NGOs	Official documents; look for agreed text describing actions going forward.	Official website of the MEA or other UN process	
Draft decisions and negotiation texts	Draft treaties, decisions, resolutions or action plans	Governments or parties to the MEA; sometimes NGOs	Unofficial documents still under negotiation; often contain square brackets around text lacking agreement. Check date (and time) at the top to understand the evolution over time	Not always publicly available on the official website; sometimes on the intranet at meetings; sometimes distributed by email.	
Secretariat background documents	Synthesis reports	Secretariat, by request of governments or parties	Background reports that synthesize submissions from governments aimed to inform the negotiations	Official website of the MEA or other UN process	
	Summary reports on activities	Secretariat, by request of governments or parties	Documents that summarize the activities of the Secretariat during the intersessional period	Official website of the MEA or other UN process	
	Technical papers	Secretariat, by request of governments or parties	Technical report aimed to inform the negotiations	Official website of the MEA or other UN process	
Statements	Opening statements	Governments, NGOs and IGOs	Statements given at the opening plenary. Sometimes only regional groups or coalitions speak. Provides	Sometimes posted on the official website of the MEA or other UN process; sometimes they can be watched on a	

				11
			an indication of a	livestream that is
			country or	recorded.
		~	group's priorities.	
	Ministerial or	Governments	Statements given	Sometimes posted on
	High-level	(sometimes other	by ministers and	the official website of
	statements	invited guests or	other high-level	the MEA or other
		NGOs)	officials during a	UN process;
			ministerial or	sometimes they can
			high-level	be watched on a
			segment; provides	livestream that is
			an indication of a	recorded. Sometimes
			country's	posted on the
			priorities.	ministry's website.
	Closing	Governments,	Statements given	Sometimes posted on
	statements	NGOs and IGOs	at the closing	the official website of
			plenary.	the MEA or other
			Sometimes only	UN process;
			regional groups	sometimes they can
			speak. Provides	be watched on a
			an indication of	livestream that is
			how they think	recorded.
			the meeting went	Summary provided in
			and what was or	the ENB.
			was not adopted.	the LIND.
Earth	External	Produced at	Provides daily	Available at
Negotiations	publication	meetings by writers	summaries of	https://enb.iisd.org/
Bulletin (ENB)	publication	from the	negotiations at	Limited number of
		International	COPs and other	hard copies
		Institute for	high-level	distributed at
		Sustainable	meetings;	
			Provides a	meetings.
		Development		
			summary after	
01 2 1			meetings	A '1 1 1 /1
Observers' policy	Policy briefs	NGOs/IGOs/	Unofficial	Available on the
briefs, updates		governments	documents	organization's
			written to	website and limited
			influence the	number of hard
			negotiations; can	copies distributed at
			be used to	meetings.
			identify positions	
	Blogs	NGOs and other	Unofficial	Available on private
		groups	commentary on	websites
			negotiations	
	Social media	NGOs/IGOs/	Unofficial	Available on
	posts	Governments	commentary on	Facebook, Twitter,
1	1		negotiations; can	

			be used to	Instagram and other
			identify positions	social media sites.
	Press releases	Secretariat/NGOs/	Official press	Available on
		IGOs/governments	releases	Secretariat/NGO/IGO
				or government
				website.
	Newsletters	Produced by NGOs	Unofficial	Available online or
	e.g. ECO and		commentary on	by email distribution.
	Third World		negotiations; can	Limited number of
	Network		give readers	hard copies
			insights from the	distributed at
			NGO perspective	meetings.
	Exhibit	Secretariat/NGOs/	At selected	Can be viewed at the
	materials	IGOs/governments	meetings, there	meeting site.
			are opportunities	
			for governments	
			and others to	
			showcase success	
			stories	
Submissions	From parties	Governments	Government	Official website of
			submissions/	the MEA or other
			reports are often	UN process
			required and can	
			give insights as to	
			government	
			accomplishments	
			or negotiation	
			position	
	Observers	NGOs, international	Provides the	Official website of
		organizations	NGO or	the MEA or other
			international	UN process
			organization's	
			view and	
			suggestions on a	
			specific issue	

Table 8.1 Types of documents

8.3.3 Secretariat Background Documents

Parties may mandate the Secretariat to produce preparatory documents. These include technical papers on a given issue, synthesis reports of parties' views, or reports on activities undertaken. They are usually produced under the Secretariat's responsibility with little or no consultation with parties (while remaining within the mandate set by parties). Some Secretariats may produce

technical papers of their own volition, although likely with the blessing of the COP Bureau. For example, the Basel, Rotterdam, and Stockholm Conventions Secretariat published technical papers on the illegal movement of chemicals and wastes, and on how the Rotterdam Convention could learn from the Stockholm Convention's review mechanism. These documents were considered by parties. Ultimately, parties agreed to further work on illegal activities, but rejected the proposed review procedure for the Rotterdam Convention.

These documents are available on the meeting website. Usually, the documents recall the mandate parties set out for their production. Sometimes, it is useful for the researcher to go back to that decision itself. It may include terms of reference (for an external consultant to complete an independent assessment) or elaborated wording beyond what is included in the Secretariat's report. The mandates are negotiated documents and can give insight into the balance that the Secretariat had to strike when producing these reports.

8.3.4 Statements

Statements are an inevitable, inescapable fact of MEA meetings. There are opening statements, given on the first day of each meeting. There are ministerial statements, other types of high-level statements (if there is a high-level segment), and closing statements on the last day. These statements highlight the important issues to the coalition, country, NGO, or international organization. Opening statements set out expectations for the meeting. These statements can also be used to provide implementation updates, such as emissions reductions, extension of protected areas, or protections for endangered species. High-level statements by world leaders or ministers often attempt to showcase their domestic record. and closing statements can reflect on the progress made at the meeting (vis-à-vis the priorities originally articulated) or set expectations for the next meeting.

These are verbal speech acts, but are nearly always read from a written document. For coalitions of countries and NGO constituencies these texts are negotiated until all members of the collective agree on the content. Often, the Group of 77 and China (G-77/China) statement is an amalgamation of the often-conflicting priorities of its membership. Subsequent statements by developing countries will begin with "We support the statement made by [lead country] on behalf of the G-77/China." This does not indicate full support for all parts of the statement. A quantitative count of the co-occurrence of "support" and "G-77/China" may overestimate consensus among the group

There may be written versions posted online, or a crafty researcher could find a written copy in the venue. Failing that a transcription from a webcast may be possible (for a few meetings only). Notes taken while sitting in the room are often the most reliable option.

8.3.5 Earth Negotiations Bulletin (ENB)

The ENB has been a *de facto* record of multilateral environmental negotiations since 1992. Founded as a way to increase the transparency and accountability of environmental and sustainable development negotiations, the *Bulletin* summarizes the negotiations and is publicly available. The *Bulletins* are produced by a team of PhD candidates, academics, and other experts, and summarize the discussions on a daily or summary basis. Daily *Bulletins* summarize the key issues discussed during that day and are published that night. Summary reports identify the key issues, positions, and outcomes for every agenda item and also include an analysis of the meeting. For this reason, the ENB can be used to follow the evolution of negotiations, such as shifts in issues and positions over time in the climate change regime (Baya-Laffite and Cointet 2016; Venturini et al. 2014).

ENB writers usually have access to informal negotiations and contact groups, as well as more formal sessions. However, ENB writers may not be able to attend the negotiations on the most contentious issues. As a result, using word counts or keyword searches may underestimate the prevalence of hot button issues. Rules around attribution vary in ENBs depending on the negotiation process. These rules are established by agreements between ENB and the relevant Secretariat. Generally speaking, the ENB will attribute statements in publicly open settings, such as plenaries or formal working groups. In informal negotiations or contact groups, the ENB usually does not attribute, if requested by the chair or Secretariat.

One of the *Bulletin*'s main value propositions is its neutrality and succinctness. Writers do not express an opinion or advocate for a given outcome. Words are carefully chosen. There is a list of verbs that writers use, with "lament" standing as the strongest verb in an ENB writer's arsenal. The strict style guide may seem dry to readers, but it helps avoid editorializing. Yet it does require readers to read carefully for nuance. ENBs are produced to tight word counts. They are not transcriptions of the meeting, but are perhaps best seen as expertly curated accounts of the main issues negotiated (for a reflection on their strengths and limitations as research documents see Reflection Box 8.1).

There are limits to using ENBs for cross-MEA comparisons. ENBs often use the lingo of the meeting, because writers are embedded in the negotiations and the audience is primarily negotiators. The ENB is written for the audience engaged or interested in a given process; the *Bulletin* will rarely compare across processes. Also, the word count and the predominantly insider readership may limit the extent to which ENB writers explain certain terms. The summary reports usually provide more context.

Limited numbers of hard copies are available at the venue, but they are available on the ENB website and sent out to email lists each night. Summary reports and an analysis of the meeting are available on the ENB website (<u>https://enb.iisd.org/</u>) 48 hours after the meeting's completion.

Reflection Box 8.1 by Harriet Thew

Using ENB Reports in Ethnographic Research

My research ethnographically explores youth participation in UNFCCC conferences over several years (Thew et al., 2020; 2021; 2022)). I have regularly used ENB reports which are helpful for anyone looking to gain 'inside information' into the negotiations and expert opinions on the significance of debates and decisions. I have also used the Bulletin for:

1) Identifying potential interviewees. ENB publishes many photographs of individuals and groups on its website, often with people's names and titles e.g., Name, Minister of X, Country;

2) Checking names and job titles of speakers;

3) Looking at photographs of breakout groups to determine who was speaking to whom and to look closer at body language;

4) Catching up on side events and negotiations I could not attend. There are always simultaneous negotiations and events and it is impossible to conduct participant observation of the entire conference (unless working in a team, as discussed in Chapter 11), so reading daily ENB reports is a great way to catch up.

However, ENB reports are not a sufficient source of information on their own. Due to word count constraints and its primary focus on state actors, I have found that the detail is not always relevant to my deep qualitative study of young people's participation in UNFCCC conferences. The extent to which youth participants engage with the negotiations varies greatly, with some tracking and striving to influence particular policy areas whilst others avoid the negotiation rooms entirely, instead channeling their efforts into side events, actions, constituency meetings, and communication activities. During my PhD research, I was particularly interested in power dynamics experienced by youth participants and these cannot be adequately studied through text analysis of ENB reports (or any other document that does not explicitly focus on these dynamics). To get a sense of power relations, I need to be there to observe and document the following:

1) Which comments are met with enthusiastic nods and which are met with frowns, as well as whose comments are repeated by the session chairs and whose seem to fall on deaf ears: for example, at COP26 in Glasgow I saw, for the first time, the UK Presidency repeating comments previously made by youth participants, suggesting recognition of young people's perspectives;

2) How side event speakers were chosen and the extent to which their comments are representative of broader views.

3) Who is allowed into the room and who has to wait outside in a one in one out queue due to "space limitations". In the UNFCCC's first Open Dialogue between parties and observers in 2018, for example, parties were given preferential access and observers forced to queue, resulting in many youth participants feeling dissatisfied with this event which was framed as a landmark moment for non-state actor input.

8.3.6 Observers' Policy Briefs, Updates

NGOs, the private sector, local authorities, and international organizations also attend negotiations and advocate for their issues and promote their activities. This can take the form of blogs, social media posts, press releases, policy briefings, and even draft language for decisions or treaties.

Some NGOs in the climate regime produce regular accounts of the negotiations. The Climate Action Network (CAN) produces *Eco*, a daily publication that focuses on one or two issues under negotiation and provides an update on the negotiations through the lens of CAN's position on the issues. Third World Network produces updates during some meetings (mostly climate-related) that also focus on a given issue from a critical perspective and with the interests of developing countries at the center. As with any of these texts, knowing who produces them can be as important to understanding the content as the words and phrases.

8.3.7 Submissions

Submissions are formal documents containing a country's or observer's negotiation position. They can be submitted to the Secretariat at any time. Usually, there is a call for submissions on a particular topic when states collectively want to learn more about one another's positions, or have input from observers. The mandate for the submissions is usually contained in a decision, and should be carefully read by the researcher before examining the submissions themselves. That mandate is the product of negotiations and could shape how countries position their views. For content analysis, the structure is helpful because the mandate often provides a common format and context for the submissions.

8.4 Behind the Words: The Context of Common Texts

Qualitative and quantitative research scholars need to understand the context in which the strategic communicative acts occur. We highlight three: power relationships, social expectations, and history. Each of these forms of context can shape the interactions among state diplomats, NGO representatives, and the Secretariat. They are each difficult to "pin down" and may require ethnographic methods as described in Reflection Box 8.1. But each of them influences actions, strategic calculations, and, in turn, text.

First, texts are products of power relationships. There are norm makers and takers; those trying to influence and those deferring to authority. Some states and NGOs simply have more sway than others. Their ideas may appear more often and even shape the nature and production of the document. For example, the US needs regarding ratification strongly shaped the provisions of the Paris Agreement (Kemp 2016). Powerful countries may be able to realize their preferences more often in global negotiations, but researchers should not underestimate the moral authority of smaller states that often are on the frontlines of environmental change. Second, social expectations around diplomatic norms and the structure of multilateral events also shape interactions, discourse, and, as a result, texts. MEAs are institutional environments, but also social ones. Understanding social norms of behavior and other structured patterns of interactions is an important step to reading past the words and exploring what a text means.

Practices may influence the data as it appears in text (see Pouliot and Thérien 2018 on practices at COPs). For example, some countries always speak on behalf of their coalition (e.g., Australia for the Umbrella Group in the UNFCCC). The quantitative approach employed by Baya-Laffite and Cointet (2014) found stability in the relative visibility of countries in the UNFCCC negotiations. The data was based on ENB mentions of a country. What perhaps they picked up (at least in part) is the stability of practices.

Third, historical context matters. Texts are produced at a given point in time and reflect not only the power and the social environment in which they are produced, but also the state of the regime at that time. Many scholars, for example, are already using the treasure trove of climate pledges made in countries' NDCs. To name a few studies, scholars have used NDCs to identify salient issues (e.g., Barkemeyer 2017; Hein et al. 2018), discursive positioning (Mills-Novoa and Liverman 2019), common narrative threads (Jernnäs and Linnér 2019), and ideas of fairness (Tørstad and Sælen 2018).

NDCs are a popular and public source of data and the analyses have produced valuable insights. Yet, much of the scholarship using NDCs has so far underestimated the multiple ways that the negotiations may have influenced what countries submitted, and how those dynamics could, in turn, influence the analysis. Disagreements over the scope of NDCs influenced the extent to which adaptation and finance were included by developed countries (the 2018 Paris Agreement rule book was not yet adopted). Normative pressure to submit an NDC meant many were prepared by consultants or captured current, not planned, future, climate policies. Overall uncertainties in the negotiations could also influence the content and the form of NDCs. The round of NDCs submitted in 2015 could be ephemeral glimpses at climate change pledges developed and submitted under a very unique set of circumstances.

Reflection Box 8.2 by Ina Tessnow-von Wysocki

Combining Texts With Other Methods to Study Science-Policy Interfaces for Ocean Protection

Text analysis constitutes an integral part of my research and includes different types of documents that I analyze for different purposes, including academic literature, policy briefs, ENB reports, and formal treaty documents. To identify at what point scientific concepts have emerged in the literature, I review scientific papers, as well as policy and technical briefs. Then I look at the draft treaty texts to see whether these concepts appear in one form or another in the final agreement.

Through a comparison of different draft texts over time, the emergence and disappearance of legal language can be analyzed. In this way, I trace newly introduced concepts, their authors and communicators, and can make predictions about how they found their way into the international negotiations. ENB reports can provide a valuable addition here, identifying which actors were active within the negotiations and might have contributed to changes in the treaty text, although, none of these documents provide evidence why certain scientific concepts were included or excluded from discussions and negotiation texts. These sources are also not able to provide clarity on the treaty drafting process, or the variety of actors, their interests and expectations, and their differing individual interpretations of scientific concepts, or which external events and policy entrepreneurs have contributed to shaping the formulations. To capture these dynamics, I have used text analysis in conjunction with event ethnography.

Event ethnography enables me to draw a clearer picture on which actors are present and active in the discussions and shape the debates, as well as the final wording. This helps reveal the influential actors that shape the agreement, such as government representatives and inter- and non-governmental organizations, as well as facilitators and the president of the conference. Observing in person has also enabled me to "be part" of the negotiations, to experience the science-policy interfaces on site, including formalized UN processes but also formal and informal interaction between scientists and policy-makers, and to conduct interviews. Qualitative interviews can help to understand dynamics throughout the negotiation process which cannot be studied by analyzing written documents. A combination of these additional methods with text analysis was useful to identify and explain pathways over which science influences policy-making.

8.5 Context and Power in MEA Texts: Key Questions to Ask when you Begin

There are many contextual factors and power relationships that can shape several types of texts and how we study and read them. Here, we offer some general questions for researchers to ask about their chosen texts, then explore the implications of these questions for the study of specific types of texts.

8.5.1 How was this Text Produced?

The first, most fundamental consideration is the processes that generated the text. Is it the result of bargaining among states or within a coalition of NGOs? Or is the text a report of proceedings as curated by official rapporteurs, the ENB, or another NGO, and how did those curators summarize hundreds of hours of discussions into a relatively short document? What types of documents did the Secretariat base its technical report on?

Also, conventions and traditions can shape a text or speech. A notable tradition is diplomatic language, the tradition and practice of speaking carefully, adhering to convention and procedure. Diplomatic language precludes emotive statements (save perhaps for small island states and other vulnerable countries in climate negotiations). In turn, this shapes how official reports and the ENB relay parties' statements.

Such language also limits the extent to which parties will point the finger at others. Texts, from position statements to press releases, will infer divisions with others, without calling out another country or countries explicitly. During UNFCCC COP21 in Paris, US Climate Envoy Todd Stern told the media: "This is our moment, and we need to make it count... There are some countries here who are not in the [High Ambition] coalition and, indeed, would seek a more minimal outcome" (Clark and Stothard 2015). Here, he specifically meant India, Saudi Arabia, and, to a lesser extent, China—countries that were (at the time) blocking the inclusion of language related to the 1.5°C climate target in the Paris Agreement. Similarly, Tuvalu suggested that the US could be complicit in human rights abuses related to loss and damage in the closing plenary of UNFCCC COP25 in 2019, by referencing "a party that will soon not be a party to the Paris Agreement" in conjunction with denying the effect of climate change "could be interpreted by some to be a crime against humanity." Understanding such gaps and nuance in text and statements can only be filled in with a knowledge of the context of the limits and nuances of diplomatic language.

The institutional environment can affect the texts. Most of the hands-on discussions and crafting of text takes place in English. This can disadvantage delegates working in their second, or third, language. Native English speakers have an advantage in crafting negotiation texts on the fly, dictating them to the Secretariat staff member who types them out so they can be displayed onto a screen in the room.

There are also likely to be multiple negotiations happening at the same time. Smaller delegations may not be able to send a representative in all the relevant negotiations and events happening concurrently. Who is in the room, and who isn't but should be? Smaller delegations may not be present when key phrases and compromises that directly affect them are made. This may mean that the text does not represent all views, or help explain why a draft text had to be subsequently changed.

8.5.2 Who Produced the Text and what is their Motivation?

There are pushes and pulls—strategic motivations—that influence actors and, in turn, the texts they produce. The result is that a "direction of bias" may influence the content and the origins of the texts. A common example of direction of bias is that NGOs have incentives to overstate their influence in a negotiation, while states are likely to understate NGO influence, to avoid the optics of being swayed by an unelected lobby group (Betsill and Corell 2008).

This is fundamental to the strategic act of producing documentation. Word choice, framing, information selection, and other decisions are influenced by an actor's direction of bias. For some, there may be an incentive to overstate success while others will be more inclined to identify weaknesses and failings. The final text may very likely be the result of these motivations, rather than an attempt at a factual documentation of events.

For press releases, blogs, and other (perhaps less formal or technical) texts, the direction of bias may be particularly salient. The Secretariat and parties may exaggerate the extent of agreement or of the achievements of a meeting. Secretariats are charged with safeguarding the legitimacy of the MEA. Press releases may laud the meeting's accomplishments, while understating ongoing tensions or multilateral failures.

For different reasons, NGOs may also spin the nature of an agreement; for example, a coalition of NGOs described the 2019 plastics decision by the Basel Convention COP as a "ban" in an online campaign.¹ This helped them gain support for their campaign and show they made an impact. In fact, the decision only made international trade of some types of single-use plastics subject to the prior informed consent procedure.

8.5.3 Who is the Audience?

Documents written for negotiators will use different language than texts written for a public or "lay" audience. The text may be a tool to motivate new supporters to a movement, educate youth, or try to influence other delegations. The language in the text can reveal much about how the authors wish to position themselves with the audience. It can also provide clues about what the author believes the audience needs or wants to hear. These aspirations and assumptions may shape common words or phrases used and the overall framing of the issue explored in the document.

One example is jargon. It is powerful—it differentiates those "in the know" from those new to a subject. It is a shorthand that can marginalize some outside of the circle of those governing an issue. Heavy reliance on jargon, whether it is a technical term or a reference to a previous

¹ The Avaaz campaign is here: https://secure.avaaz.org/campaign/en/plastic_in_paradise_rts/

decision (e.g., recalling decision 1/CP.16, para 70), often means that the text is inward facing, directed to those directly engaged in the negotiations. Jargon can therefore be a signaling device for some organizations on the edges of power, a claim to authority and belonging in the regime (Allan 20 21). The BBC has its own climate change glossary, brought about in part by the deliberate use of jargon to obfuscate what is happening.² The use of jargon is not always strategic, it can also be a case of scientists using shorthand to efficiently communicate with one another. Context matters: if the text is produced for experts, or for a wider audience, the use of jargon could have very different implications.

8.5.4 Is the Topic particularly Salient or Sensitive?

Political sensitivities can influence transparency and, in turn, the availability of texts. The more politically sensitive an issue is, the fewer textual accounts may exist. When issues are particularly sensitive, ENB writers and other observers may not be permitted into the room. The relative absence of particular words from the ENBs may be a better indicator of political salience or divisive negotiations than the presence of the issue (although this has yet to be tested empirically). Absence from the room limits direct knowledge, thus other than firsthand accounts by the few delegates in the room, the details of last-minute compromises are largely lost, unless recounted in memoirs years afterward (see, for a few examples, Benedick 1998; Brun 2016; Kamau et al. 2018; McConnell 1996; Engfeldt 2009)

Political sensitivities can shape the words themselves. For deeply divisive issues, actors create "constructive ambiguity," using grammar to create sentences that can be read multiple ways, and therefore, allow various countries, or other actors, to have their own interpretation (Biniaz 201 6). The final wording in a treaty or a COP decision reflects agreements reached through power-laden bargaining to find wording that all parties can accept. For example, the Biosafety Protocol refers to "living modified organisms" rather than genetically modified organisms. The United Nations Convention to Combat Desertification shifted from references to "zero net land degradation" in 2012 to "land degradation neutrality" by 2015. These seemingly odd phrases only make sense in the context of negotiations and the need to gain consensus among parties with widely varying interests.

NGOs similarly work to achieve consensus on their statements, leading to carefully crafted phrases with significant underlying meaning that could be overlooked. For example, in the early years of the global climate justice movement, activists were divided on whether to focus its work solely on reducing emissions from deforestation and degradation (REDD+) or on all market mechanisms . As a compromise, the group agreed to the principle that "Climate Justice Now! is against market-based mechanisms, such as REDD+" (Allan 2021, 110).

² See: https://www.bbc.co.uk/news/magazine-34858199

This constructive ambiguity makes a researcher's life more difficult. It requires paying attention to words and phrases, but also the various ways actors may interpret their meaning. COP decisions commonly refer to previous agreements and decisions to avoid re-opening previous compromises or re-negotiating foundational issues captured in that previous decision. Analysts may need to attend to not only the words, but their various possible interpretations.

8.6 Case study: The Sustainable Development Goals

The negotiation of the Sustainable Development Goals (SDGs) provides an excellent example of how researchers can gain a better understanding of the development of the goals by studying official documents and statements.

The negotiations took place over thirteen sessions from 2013-2014 in what was called the Open Working Group (OWG) on SDGs. To maintain a high level of transparency, the Secretariat posted all statements and documents on their webpage throughout the process. This makes it fairly easy to compare the drafts of the different iterations of the SDGs to see how they evolved. While the documents themselves do not tell the researcher what the dynamics were in the room and who said what during the negotiations, a close look at these documents can provide important clues.

For the first year, over eight sessions, the OWG delayed negotiations until completing a period of mutual learning and discussion. This "course" in sustainable development involved formal discussion of more than 58 issues, enhanced by presentations from 80 experts (Kamau et al. 2018). In March 2014 at OWG-9, delegates shifted gears and began the process of developing the goals. The Co-Chairs distributed a "focus areas" document, which was prepared based on the exchange of views during the eight stocktaking sessions and other communications from OWG members and observers, and ENB reports. This document contained 19 focus areas. After OWG-9, the Co-Chairs released an amended focus areas document on 19 March 2014, which mapped out how different focus areas could come together through interlinkages. Following OWG-10, the Co-Chairs issued a revised focus areas document containing draft goals dated 17 April 2014, which contained sixteen areas and possible goal text. The zero draft contained seventeen goals and indicative targets and was released on 2 June 2014. After OWG-12, a revised zero draft was released. Following the negotiations at OWG-13, the SDGs were adopted and forwarded to the UN General Assembly with seventeen goals and 169 targets.

Table 8.2: Evolution of the sustainable development goals

March 2014 Focus Areas ³	April 2014 Focus Areas ⁴	June 2014 Zero Draft ⁵	July 2014 Zero draft (revised) ⁶	July 2014 Final ⁷
Focus area 1: Poverty Eradication	Focus area 1. Poverty eradication, building shared prosperity and promoting equality	Proposed goal 1. End poverty in all its forms everywhere	Proposed goal 1. End poverty everywhere	Goal 1. End poverty in all its forms everywhere
Focus area 2. Sustainable agriculture, food security and nutrition	Focus area 2. End hunger and improve nutrition for all through sustainable agriculture and improved food systems	Proposed goal 2. End hunger, achieve food security and adequate nutrition for all, and promote sustainable agriculture	Proposed goal 2. End hunger, improve nutrition, and promote sustainable agriculture	Goal 2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture
Focus area 3. Health and population dynamics	Focus area 3. Healthy life at all ages for all	Proposed goal 3. Attain healthy life at all ages for all	Proposed goal 3. Attain healthy lives for all	Goal 3. Ensure healthy lives and promote well-being for all at all ages
Focus area 4. Education	Focus area 4. Provide quality education and life-long learning for all	Proposed goal 4. Provide equitable and inclusive quality education and life-long learning opportunities for all	Proposed goal 4. Provide quality education and life-long learning opportunities for all	Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

³ The complete document is available at

https://sustainabledevelopment.un.org/content/documents/3276focusareas.pdf

⁴ The complete document is available at

https://sustainabledevelopment.un.org/content/documents/3686WorkingDoc_0205_additionalsupporters.p df

⁵ The complete document is available at https://sustainabledevelopment.un.org/content/documents/4528zerodraft12OWG.pdf

⁶ The complete document is available at

https://sustainabledevelopment.un.org/content/documents/4523zerodraft.pdf

⁷ The complete document is available at

https://www.un.org/ga/search/view_doc.asp?symbol=A/68/970&Lang=E

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Focus area 5.	Focus area 5.	Proposed goal	Proposed goal	Goal 5. Achieve
Gender equality	Attain gender	5. Attain gender	5. Attain gender	gender equality
and women's	equality and	equality,	equality,	and empower
empowerment	women's	empower	empower	all women and
-	empowerment	women and	women and	girls
	everywhere	girls	girls	
		everywhere	everywhere	
Focus area 6.	Focus area 6.	Proposed goal	Proposed goal	Goal 6. Ensure
Water and	Water and	6. Secure water	6. Ensure	availability and
sanitation	sanitation for a	and sanitation	availability and	sustainable
	sustainable	for all for a	sustainable use	management of
	world	sustainable	of water and	water and
		world	sanitation for all	sanitation for all
Focus area 7.	Focus area 7.	Proposed goal	Proposed goal	Goal 7. Ensure
Energy	Ensure access	7. Ensure access	7. Ensure	access to
	to affordable,	to affordable,	sustainable	affordable,
	sustainable and	sustainable and	energy for all	reliable,
	reliable modern	reliable modern		sustainable and
	energy for all	energy services		modern energy
		for all		for all
Focus area 8.	Focus area 8.	Proposed goal	Proposed goal	Goal 8. Promote
Economic	Promote	8. Promote	8. Promote	sustained,
growth	sustainable,	strong,	sustained,	inclusive and
	inclusive and	inclusive and	inclusive and	sustainable
	sustained	sustained	sustainable	economic
	economic	economic	economic	growth, full and
	growth and	growth and	growth, full and	productive
	decent jobs for	decent work for	productive	employment
	all	all	employment	and decent
			and decent	work for all
			work for all	
Focus area 9.	Focus area 9.	Proposed goal	Proposed goal	Goal 9. Build
Industrialization	Promote	9. Promote	9. Promote	resilient
	sustainable	sustainable	sustainable	infrastructure,
	industrialization	industrialization	infrastructure	promote
	and equality		and	inclusive and
	among nations		industrialization	sustainable
			and foster	industrialization
			innovation	and foster
				innovation
Focus area 10.	Focus area 10.	Proposed goal	Proposed goal	Goal 10.
Infrastructure	Build inclusive,	10. Reduce	10. Reduce	Reduce
	safe and	inequality	inequality	inequality
	sustainable	within and	within and	within and
	cities and	among nations	between	among
			countries	countries

	human			
Focus area 11. Employment and decent work for all	settlements Focus area 11. Promote sustainable consumption and production patterns	Proposed goal 11. Build inclusive, safe and sustainable cities and human settlements	Proposed goal 11. Make cities and human settlements inclusive, safe and sustainable	Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable
Focus area 12. Promoting equality	Focus area 12. Take urgent and significant action to mitigate and adapt to climate change	Proposed goal 12. Promote sustainable consumption and production patterns	Proposed goal 12. Promote sustainable consumption and production patterns	Goal 12. Ensure sustainable consumption and production patterns
Focus area 13. Sustainable cities and human settlements	Focus area 13. Take urgent and significant actions for the conservation and sustainable use of marine resources, oceans and seas	Proposed goal 13. Promote actions at all levels to address climate change	Proposed goal 13. Tackle climate change and its impacts	Goal 13. Take urgent action to combat climate change and its impacts
Focus area 14. Sustainable consumption and production	Focus area 14. Protect and restore terrestrial ecosystems and halt all biodiversity loss	Proposed goal 14. Attain conservation and sustainable use of marine resources, oceans and seas	Proposed goal 14. Conserve and promote sustainable use of oceans, seas and marine resources	Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development
Focus area 15. Climate	Focus area 15. Strengthen global partnership for sustainable development	Proposed goal 15. Protect and restore terrestrial ecosystems and halt all biodiversity loss	Proposed goal 15. Protect and promote sustainable use of terrestrial ecosystems, halt desertification, land degradation and biodiversity loss	Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and

				halt biodiversity
				loss
Focus area 16. Marine resources, oceans, and seas	Focus area 16. Peaceful and inclusive societies, rule of law and capable institutions.	Proposed goal 16. Achieve peaceful and inclusive societies, rule of law, effective and capable institutions	Proposed goal 16. Achieve peaceful and inclusive societies, access to justice for all, and effective and capable institutions	Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
Focus area 17. Ecosystems and biodiversity		Proposed goal 17. Strengthen and enhance the means of implementation and global partnership for sustainable development	Proposed goal 17. Strengthen the means of implementation and the global partnership for sustainable development	Goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development
Focus area 18. Means of implementation				
Focus area 19. Peaceful and non-violent societies, capable institutions				

Table 8.2: Evolution of the Sustainable Development Goals

Just looking at the iterations of the goals, as presented in Table 8.2, can give researchers an idea of how the goals developed. But other documentation is necessary to understand country positions and potential "red lines," including statements that were also posted on the website. That said, not every statement was uploaded and there are no written records of multiple statements during the negotiations. However, the OWG created a unique document that can help researchers. After the March 19 focus areas document was released, many participants and observers submitted amendments, proposals and comments both during and following OWG-10.

In advance of OWG-11, the Co-Chairs asked the Secretariat to compile all the proposals submitted by governments, civil society and stakeholders into a single, organized document to serve as a reference tool. This 182-page list of proposals became "Encyclopedia Groupinica: A Compilation of Goals and Targets Suggestions from OWG-10 in Response to the Co-Chairs' Focus Areas Document Dated 19 March 2014."⁸ This document is instrumental in understanding different countries' positions at that point in the negotiations and identifies some of the potential red lines. It also shows which issues were eventually incorporated into the 17 SDGs and 169 targets and which ones were not—and which governments or other stakeholders may have won or lost on particular issues. Unfortunately, most processes don't have this type of document. And, it must be remembered, that this document marked a moment of time and many positions changed between March and July 2014.

The availability of these documents can aid researchers in understanding how the negotiations evolved. Encyclopedia Groupinica and the statements posted on the OWG's webpage can enable researchers to determine which country had which priorities and how these were later incorporated into the text. The ENB can also be used to identify which countries spoke on which issue and then the researcher can go back and try to see if the relevant statement is posted or if there is an appropriate entry in Encyclopedia Groupinca. For example, if you were to look at SDG 13 on climate change, without understanding the negotiations, you would think it is a very weak goal. But by reading the different drafts, the ENB, and Encyclopedia Groupinica, you would find that many countries did not want to prejudge or prejudice the parallel negotiations on the Paris Climate Agreement and put in a footnote acknowledging that the UNFCCC is the primary international, intergovernmental forum for negotiating the global response to climate change (Kamau et al. 2018,194).

By combining these different types of text, the researcher can better understand the use of jargon, negotiating priorities of the key governments and groupings, and the flow of the negotiations. However, if the researcher was unable to attend the negotiations, just looking at the statements, the ENB, the drafts, or Encyclopedia Groupinca would give an incomplete understanding of the nuances of the process. Even with these documents, the final endgame of many negotiations, including the SDGs, often takes place behind closed doors. To get an accurate assessment of how negotiators got from point A to point B requires interviews with multiple participants who were in those contact groups or consultations (see Chapter 9).

8.7 Conclusions

⁸ This document is available at

https://sustainabledevelopment.un.org/content/documents/3698EncyclopediaGroupinica.pdf

There are many reasons, and temptations, to accept a final text as a "fact" of global environmental governance. Texts represent rules and norms of global governance, as agreed to by states, or espoused by NGOs and others. They are clearly vital touchstones for understanding how a global community of actors seek to improve our natural environment (or, more cynically, to obfuscate their responsibility). But textual analysis can be much more. Analyzing texts can help elucidate the trajectory of the negotiations and could shed light on the power relationships among a wide range of actors, by showing the tradeoffs made in arriving at a final agreement. This makes texts a critical resource and method to study the underlying dynamics elucidated by the agreement-making framework.

Understanding the power dynamics often requires more than the text itself, however. Triangulation through attending a conference, interviewing attendees, and piecing together multiple documents is often necessary to truly "read" a text, as illustrated in the SDG case study. Reading a draft text without knowing which countries proposed which options in bracketed text shows the various options, but not which countries ultimately prevailed in the final compromise version adopted by states. Reading an ENB without understanding of diplomatic language that may be gained through observation can lead a researcher to mistake a very pointed comment for a muted observation.

Text analysis therefore must be combined with other information sources. Nothing can replace "being there" to gain a sense of the institutional and social context. But, for reasons of carbon and financial budgets, "being there" may not be possible. These constraints make texts valuable sources of data. Still, reading the final product is not enough. Scholars need to view texts as products of their power-laden environment. Actors, and their communications, are embedded in particular power dynamics, routines, and incentive structures that can influence how they choose to convey their thoughts in writing.

Further Readings

Paltridge, B. (2012). *Discourse analysis: An introduction*. Bloomsbury Publishing. A useful practical guide that provides overview of various types of discourse analysis.

Johnstone, B. (2017). Discourse analysis. John Wiley & Sons.

The book includes theoretical and practical advice on how to locate context, roles, and power in text.

Kuckartz, U. (2014). *Qualitative text analysis: A guide to methods, practice and using software*. Sage.

This book provides a wide-ranging look at qualitative text analysis, including hermeneutics, various qualitative text analysis methods, and computer assistance. It provides practical advice throughout.

Grimmer, J., & Stewart, B. M. (2013). Text as data: The promise and pitfalls of automatic content analysis methods for political texts. *Political Analysis*, *21*(3), 267-297. For those considering using computer models to identify commonalities or patterns in large amounts of text, this is a very helpful resource on the use of such techniques.

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