

COP26 Reflections
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(Photo from the Action Center at COP26. Taken by Connor Kasch)

Title: Nobody has a great BATNA¹ - COP26 through the lens of international negotiations

¹ BATNA – Best Alternative to a Negotiated Agreement, a common term in negotiations analysis

“Whether mankind has a future and what kind of future it has depends on our negotiating skills.”

– Frederick Wills of Guyana

COP attendance has grown considerably since the first conference in Berlin in 1995 which had less than 5,000 participants.² This year over 39,000 individuals received credentials to attend the inner “blue” zone. That was in addition to the approximately 100,000 protesters who marched in the streets outside of the venue and the public populace that registered for “green” zone events.³⁴ The reason for this dramatic increase in turnout, I conject, is that countries now realize they have no appealing alternative option to engaging in the UN climate negotiations process. Because climate change represents such a substantial threat to the future of all of humanity, it has forced an acknowledgement of the significant coordination required to come up with and implement a solution. While some countries may try to strongarm an international framework that accommodates their economic interests and skirts their responsibility, given the enormity of the situation, no one party can “go it alone” so to speak or ignore the problem completely. Brought to the table in part because our bad “BATNA”s, it is precisely because the situation is so dire that I see the potential for an exceptional team effort in tackling climate change.

Attending COP26 in Glasgow was my first opportunity to observe multilateral negotiations on a grand stage and a perfect field trip to witness climate change problem solving in practice. Combining material from climate change law and policy, environmental problem solving, and political economy of development, the conference turned out to be a practical compliment to my studies in the classroom at the Fletcher School. My interest in attending COP26 was less about much of the side content – in my opinion a good podcast, article summary, or reading could substitute for the material in many of the panels and talks; instead, what I was most excited to learn about and witness was the form of the conference– how were the negotiations being set up? Who was attending? Who was speaking? What were the different parties’ interests in being there? And lastly, who was setting the agenda and pushing forward action on climate change?

To apply a critical lens to the decision-making process at COP26, I found it useful to turn to several of the ideas we have been discussing in the international negotiations class I am taking this term. There were three concepts in particular I thought a lot about during my time in Glasgow: i.) positions aren’t interests and it is important to dig deeper to understand a negotiating party’s motivations if you want to find a possible agreement, ii.) a negotiating party is not monolithic in terms of interests or desired outcomes - this is sometimes referred to as the “two-level game”, and lastly, iii.) differences between distributive versus integrative negotiating approaches are highly influential in determining what bargaining outcomes are possible. I discuss how I saw these concepts applied at COP26 below.

1. Positions ≠ Interests

² McSweeney, Robert. “Analysis: How Delegations at COP Climate Summits Have Changed over Time.” Carbon Brief, October 27, 2021. <https://www.carbonbrief.org/analysis-how-delegations-at-cop-climate-summits-have-changed-over-time>.

³ Friedman, Lisa. “Organizers Blame the Pandemic as Frustrations Grow over Long Waits and Other Glitches at the Climate Conference.” The New York Times, November 3, 2021, sec. World. <https://www.nytimes.com/2021/11/03/world/europe/cop26-summit-lines.html>.

⁴ Specia, Megan, Stephen Castle, Somini Sengupta, and Aina J. Khan. “Here’s What Happened at the COP26 Climate Summit on Saturday.” The New York Times, November 6, 2021, sec. World. <https://www.nytimes.com/live/2021/11/06/world/cop26-glasgow-climate-summit-protests>.

Many reasons underpin a country's motivation to tackle climate change – from economic security to the physical and mental wellbeing of its residents. Accordingly, certain concerns are more salient to specific countries given their circumstances. Groups often have their own distinct priorities or value systems. Even if two countries, such as Australia and India, have the same position regarding the phase out of coal (they're both noncommittal), the interests behind the positions may be different. India likely desires to continue its use of coal as a cheap fuel source to expand energy access within its population and lift more of its people out of poverty. On the other hand, Australia, with its vast coal reserves, sees the fossil fuel as a cornerstone of its economy, from the employment it provides miners to the money it makes from exporting coal all over Asia. For a negotiator trying to coax India and Australia to sign the coal phase out commitment, crafting an attractive bargain for this requires catering to each country's specific interests.

2. The Two-level Game

Negotiators typically do not represent groups with uniform interests and as such their stance is developed through a series of internal negotiations; this multilayered feature especially common of international negotiations is called the “two-level game” and the different factions internally continue to influence the negotiator's position even throughout the conference. This was evident in Congress's influence over the U.S. delegation's possible positions in terms of what agreements to which they could sign on. Even the relatively simple matter of showing up to the COP26 with a demonstrable commitment to climate infrastructure proved difficult for our government to resolve. Another example is how Poland's climate minister, Anna Moskwa, at COP signed onto the pledge for Poland to end coal use by 2030 but withdrew the commitment only hours later, most likely because powerful forces back home did not support her position.⁵

Some might point to this internal tension as problematic as it has proven to stall out the negotiations process and slow climate action. In fact, the New York Times climate hub organizers put on a fiery debate contrasting the various merits of authoritarianism versus democracy in addressing climate change. The authoritarian side effectively argued that a clear vision and ability to cut through disinformation to take swift action on climate issues was better than our current broken system, but I believe the pro-democracy side made a better case. While we may criticize democracy for all its flaws, it is important to remember its strengths and the power of inclusion to embolden and mobilize. In the words of one debater: “we as a collective are the solution.” We have seen the influence of everyday citizens, not just statespeople, in advancing the climate agenda as they are a critical component of making true progress. I admire Vanessa Nakate, Greta Thunberg, and other young activists for declaring loudly that there must be action behind all these politicians' words, less we “drown in promises.” In an authoritarian regime vocal criticism of decision makers is not tolerated; this will lead to shortsighted results. The two-level game is a critical component of ensuring that negotiations deliver adequate solutions that benefit more than just a select few at the negotiating table.

3. Distributive vs. Integrative Negotiations

The distributive approach sees negotiations as a zero-sum game and pits each side against one other, while in contrast, an integrative approach is about problem solving and finding creative ways to expand the zone of possible agreements so that everyone can win.⁶ Overall, I believe climate change is

⁵ Euronews. “COP26 Latest: Poland Reverses Pledge to Exit Coal by 2030.” euronews, November 4, 2021. <https://www.euronews.com/green/2021/11/04/cop26-latest-40-countries-vow-to-phase-out-coal-as-energy-day-kicks-off>.

⁶ or “ZOPA” if you are interested in learning another fun negotiation acronym

viewed through the integrative problem-solving lens (there's a focus on interests, joint problem solving, and negotiating in "packages" of agreements), but certain issues do exist on which countries take a more distributive stance. Climate financing is one issue that I believe has been caught by the distributive approach. This is unsurprising as it is a clear example of dividing up responsibility for a pot of money to be paid to fund climate mitigation and adaptation efforts in the Global South. However, I think this mindset was part of the reason we ended up with such a disappointing outcome regarding climate finance this COP. Finding ways to shift the conversation from the adversarial blame game, to one of creativity and opportunity, could be a productive way to move the conversation forward.⁷

With unresolved issues like climate finance and a lack of concrete progress in emission reductions to reference, it's hard to leave COP with a sense of achievement, but I do find comfort in the number of people on the climate change solving team. Flying back to Boston, I pondered the path forward after COP26 and ways leaders can follow through on their commitments. The magnitude of the task ahead of us requires countries truly cooperate with the mitigation and adaptation agenda and take necessary, meaningful action. We need everyone on the team and to do that we must widen the table and listen to those previously sidelined in the conversation- indigenous leaders, subsistence farmers, coastal communities. The conversation of how to address climate change has outgrown the COP format because the team has expanded so much. Its great that everyone wants to be at the table now, but we can't let historically excluded voices be drowned out. It is our imperative moving forward to listen as well as act or we will not be able to deliver solutions to those most vulnerable to the effects of climate change.

On that flight back I also thought about my role in the energy transition – would it be at COP or outside of the formal negotiations space? Ultimately, I connected most with the issue of climate finance and believe that most of the work will be done outside of the COP format by working bilaterally with governments, banks, and businesses to finance the energy transition in developed and developing countries. After Fletcher, I hope to work in this space. It is great to understand how climate finance intersects with the COP format but now, after attending, I see why the process has moved so slowly so far. While COP is great format for galvanizing concern, with climate finance, the current negotiation dynamic risks polarizing it as a global north/south issue with a distributive negotiations lens and I find this worrisome. Either most of the movement on finance will come from outside of the COP space then or mediators and negotiators at COP will have to get creative in reframing the issue. Whichever way, it's a tall task, but one I am motivated to work on!

⁷ That being said I strongly agree with the argument that rich countries that have benefited from fossil fuel use historically have a huge responsibility to fund climate mitigation and adaptation efforts in the Global South as well as pay for "loss and damages"