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Exploring the framing power of NGOs in global climate politics

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ABSTRACT

The Paris Agreement contains a separate article for loss and damage – an outcome that aligns with a central demand of many nongovernmental organizations (NGOs) at COP21. By shifting to a justice framing of loss and damage, NGOs were able to expand their mobilization and, in turn, enhance their influence. While it is not claimed that NGO advocacy was sufficient to produce the outcome, pathways by which issue framing can support increased NGO influence via persuasion and coercion are illustrated. First, the justice frame garnered additional media attention and raised the stakes should states fail to include the issue in the Paris Agreement. Second, the climate justice frame helped forge alliances with vulnerable countries and within civil society that enhanced bargaining. The findings contribute to theory building in NGO politics, connecting framing shifts to important outcomes in the global governance of climate change.

KEYWORDS Climate change; climate activism; climate justice; NGOs

Introduction

On 12 December 2015 the 196 parties to the United Nations Framework Convention on Climate Change (UNFCCC) adopted the Paris Agreement. Among the many provisions, countries recognized in a standalone article ‘the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events’ (UNFCCC 2015a). This compromise resolved one of the most divisive issues on the agenda of the Paris conference, by including both a standalone article and separate decision excluding liability and compensation. This outcome was generally viewed as a shift toward, but not full alignment with, the demands of nongovernmental organizations [NGOs] (see Burkett 2016, Vanhala and Hestbaek 2016).

Here, we examine the campaign around loss and damage to explore the ‘framing power’ of NGOs in global climate politics. NGO framing is an

important area of activity, but its consequences are rarely examined. We explore an important question: how do framing shifts affect the mobilization of NGOs, and in turn, their ability to influence global governance outcomes?

Previous scholarship has drawn attention to the ‘symbolic politics’ of NGO campaigns (Keck and Sikkink 1998, Joachim 2003, Tarrow 2005), emphasizing that how NGOs present issues to their audiences affects their likelihood of campaign success. While scholars have examined how NGOs can have a ‘discursive influence’ by inserting words into negotiating texts (Betsill and Corell 2001, Gulbrandsen and Andresen 2004), they have not adequately examined issue framing and its consequences for political outcomes. Similarly, work on NGO influence highlights the role of allies and agenda setting in facilitating NGOs’ ability to sway international outcomes (Arts 1998, Joachim 2007, Betsill and Corell 2008) but has not tended to tackle questions about how framing might enhance coalition formation and prompt increased issue attention.

Here, we draw on the case of the NGO campaign around loss and damage to make two arguments. First, NGOs’ shift to a justice-based issue framing increased attention to the issue and laid the groundwork for the formation of new coalitions, increasing solidarity among NGOs and state actors and amplifying the voices of developing countries. Second, this frame shift increased attention to loss and damage, raising the stakes for state delegates to address the issue in a way that fits the frame. Together, intensified issue attention and coalition growth enhanced NGOs’ ability to coerce and persuade state actors, ultimately translating into influence.

Drawing on multiple kinds of data, we engage in careful process-tracing analysis and analysis of alternative explanations to demonstrate the relevance of frame shifts for NGO influence (Van Evera 1997, Bennett 2010). While our case study cannot demonstrate that NGO advocacy was sufficient to explain the outcome, it contributes to theory building by offering a useful complement to existing work, documenting two plausible pathways by which such an outcome may occur. We do not argue that NGOs are always able to obtain their preferred policy outcome. Yet, we do show that by shifting frames NGOs can sometimes add to their political heft, making this tool worthy of future scholarly attention.

The framing power of NGOs

NGOs typically have no formal decision-making power in interstate negotiations. Yet scholars have documented numerous cases in which NGOs influenced the outcomes of interstate environmental processes as a result of their advocacy activity, including negotiations on climate change (Betsill 2008), biosafety (Burgiel 2008), forests (Humphreys 2008), whaling (Andresen and Skodvin 2008) and desertification (Corell 2008). In these

studies, influence is commonly understood as activity that affects the behavior of actors within a political process or the ultimate outcome of the negotiations, encompassing actions that shape the positions of individual countries or the outcome text (Betsill and Corell 2008).

NGOs have two routes to influence: persuasion and coercion (Betsill and Corell 2008). Persuasion is the ability of an actor to change the preferences of another actor (Payne 2001). Scholars often argue persuasive appeal of NGOs may be particularly strong in contexts where they serve as niche information providers to states (Raustiala 1997, Arts 1998). NGOs are also commonly viewed as particularly legitimate actors in world politics due to their dedication to 'principled' causes and representational role in inter-governmental settings, potentially enhancing their persuasive capacity (Scholte 2011).

Coercion is the ability of an actor to change the behavior of another actor, without the actor first altering its preferences (Payne 2001). NGOs can coerce other actors by threatening or inflicting punishment in both ideational and material terms. For example, strategies such as naming and shaming in international negotiations and media can realize costs for states unwilling to cede to NGOs' demands (Betsill and Corell 2008, Murdie and Peksen 2014, Murdie and Urpelainen 2014). NGOs are sometimes able to harness the political and economic power of their constituents to threaten boycotts and electoral punishment for those actors that violate their standards (Bloomfield 2013).

While scholars understand some of the conditions that favor NGOs' ability to persuade or coerce (Joachim 2003, Betsill and Corell 2008), there has been relatively less attention to how the strategic decisions of NGOs themselves affect their influence. When scholars have focused on the strategic decisions of NGOs, they have tended to study their use of particular tactics (Dalton *et al.* 2003, Tallberg *et al.* 2015), their adoption of particular intra-organizational structures (Wong 2012) or their issue selection (Carpenter 2014). To our knowledge, only very few studies have examined frame selection or how shifting frames affects NGO influence (but see Joachim 2003, 2007, Sell and Prakash 2004).

Goffman's (1974, p. 21) classic work defines frames as 'schemata of interpretation' that enable actors to 'locate, perceive, identify and label' specific events and occurrences. An interpretive frame functions much like a picture frame: it focuses attention on certain elements of importance and deflects away from other aspects that may be less relevant. In doing so, frames help to condense the world in order to give meaning to events and experiences (see also Snow and Benford 1988, p. 137, Chong and Druckman 2007). This work often focuses on the importance of 'framing' as a process, emphasizing that actors are not simply passive recipients of frames but are engaging in ongoing processes of 'meaning making'

(Gamson *et al.* 1982, Snow *et al.* 1986). Much existing work has focused on the factors constraining and facilitating the framing process itself, treating the process as the outcome of interest (see Johnston and Noakes 2005). In shifting the focus to the implications of framing for outcomes, we necessarily bracket the framing process and the internal debates over frame meaning, departing from some previous work in this field.

NGOs engage in a great deal of issue framing, making this an important area of strategic activity. For example, Joachim (2007) illustrates how women's rights organizations strategically framed violence against women as a human rights violation, and not simply a 'women's issue', enhancing their ability to influence agenda setting. Sell and Prakash (2004) emphasize how NGOs employ ideas strategically to frame debates, demonstrating similarities in business and civil society campaigns on intellectual property rights.

We build on this work by treating framing shifts – the change introduced as a product of collective framing activity – as the independent variable in our analysis. We ask: how might a frame shift change NGO campaigns and their influence in global governance? Here, we hypothesize that NGO framing can enhance influence, identifying two potential pathways, as reflected in Figure 1.

First, frame shifts, especially toward master frames, can provide the basis for coalition formation with new partners. Snow and Benford (1992, 2000) illustrate how frames that are particularly malleable and resonant, such as 'rights' and 'justice', can bring together actors despite conditions un conducive to mobilization. Broader frames can serve as an umbrella for mobilization under which different ideological and political strains can coexist in the same coalition (see Smith 2002).

Coalition formation aided by frame shifts can enhance both persuasive and coercive efforts. There is a power in numbers. A frame adopted by a large and diverse group of actors is more likely to be seen as credible, and in turn, persuasive (Benford and Snow 2000). A larger group of actors typically has more resources available to mobilize a boycott or to spread information that names and shames, particularly using the media. A master frame could also help forge alliances with states that share similar views, an

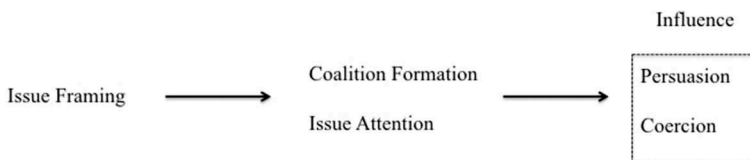


Figure 1. Issue framing and influence in global governance.

outcome that Betsill and Corell (2008) characterize as critical for influence in formal negotiations.

Second, strategic frame shifts can increase attention to an issue. Master frames may be easier to communicate to a range of audiences. They may also garner more attention by simplifying and highlighting more media-friendly aspects of a multi-dimensional issue. As NGOs are often viewed as authorities (Avant *et al.* 2010), their ties to citizens and media can give them tools to drive the issue attention cycle on topics of interest (Thrall *et al.* 2014). Their ability to do so may be heightened when they are presenting a new frame, as novelty can also drive coverage.

Increased issue attention can aid coercive and persuasive strategies. The attention of the media or public can be leveraged to isolate intransigent actors and to threaten future public shaming (Murdie and Urpelainen 2014). NGOs can threaten consequences for failure to reach agreement on these high-profile issues. As Busby (2010) shows, states sometimes pursue costly action as a result of moral framing activating a desire to appear virtuous. Increased issue attention may make it more likely that the issue frame reaches state delegates directly via media coverage and interaction with NGOs, potentially amplifying the persuasive effect.

Research methods

We employ the method of process tracing, which Collier defines as the ‘systematic examination of diagnostic evidence selected in light of research questions and hypotheses posed by the investigator’ (Collier 2011). Process tracing requires careful description and attention to sequence among events. In our case, there are three main descriptive tasks: establishing that there was a shift in NGO framing toward a justice-based approach (the independent variable); documenting the growth in issue attention and coalitions on loss and damage (the intervening variables); and providing evidence of persuasion and coercion of state actors by NGOs (the dependent variable). Our task is to characterize this process by establishing the sequence of events and causal pathways and evaluating our hypothesis vis-à-vis rival hypotheses.

We use two approaches to evaluate our hypothesis. First, we conduct an empirical test for causal inference known as a ‘hoop test’. A hoop test is necessary but not sufficient for affirming a hypothesis; a hypothesis must ‘jump through the hoop’ to remain under consideration, but passing a hoop test does not provide sufficient evidence for accepting a hypothesis (see Van Evera 1997, Bennett 2010, Collier 2011). In our case, the ‘hoop test’ is that there must be evidence connecting the frame shift to the Paris outcome in a plausible causal sequence through the intervening variables. If we do not find this evidence, the hypothesis fails the hoop test.

As stated earlier, the hoop test is not sufficient for accepting the hypothesis, as it does not provide a basis for eliminating alternative explanations. We further strengthen the hypothesis by considering plausible alternative hypotheses through the exploration of alternative explanations. We particularly focus on two alternatives: that the outcome could be explained by increased advocacy overall, not specifically a change in issue framing, and that the outcome is solely explained by inter-state bargaining. While we cannot definitively eliminate these alternatives, we suggest that consideration of these explanations further strengthens our hypothesis.

Using the process-tracing approach, we see our work as enhancing theory building on NGO influence, an area acutely challenging from a methodological standpoint due to problems of reciprocal causation, spuriousness and selection bias (see Arts 1998, Betsill and Corell 2008, pp. 8–9). Loss and damage may be a ‘tough test’ for our argument because it is an unlikely place for NGOs to exert influence. Most works suggest that NGO influence is lessened in negotiations over issues characterized by high political salience or entrenched economic interests (Arts 1998, Betsill and Corell 2008, Lund 2013). Loss and damage is characterized by deeply entrenched economic interests, due to the potential to implicate developed countries in liability for climate change impacts and the significant potential economic impact for fossil fuel companies and other economic sectors. That we find evidence of influence speaks to the potential importance of framing as a tool in advocacy.

We draw on diverse primary and secondary data sources, including both qualitative and quantitative data and observations. In building our analysis, we first identified a general timeline of events from press sources, drawing in particular on the *Earth Negotiations Bulletin*, a daily account of the international climate negotiations. We then conducted quantitative historical and frame analysis of documents, including the daily NGO newsletter *ECO*, formal submissions to the UNFCCC and general media sources, to establish: the shift in framing; the increased media attention to the issue; the growth in the NGO coalitions; and the increased use of coercive tactics. Both researchers have conducted extensive interviews with participants in the UNFCCC process for larger research projects, and we also draw on that pool of interview data and relevant documents to establish the sequencing of events where needed.

Previous scholarship has identified the ‘justice frame’ as a strategic innovation in the climate movement. Our work documents the deployment of the justice frame, which has been previously elaborated by other scholars (see Goodman 2009, Chatterton *et al.* 2012, Wahlström *et al.* 2013, Schlosberg and Collins 2014). Our work contributes to this field by tracing the implications of this framing shift for outcomes at the Paris Conference. In doing so, our analysis brackets questions about the diverse content of the frame and tensions over the meaning of ‘justice’ in order to better focus on

how frames affect political outcomes (but see Cagnilia *et al.* 2015, Bäckstrand and Lövbrand 2016).

Shifting to a justice frame

Using a justice frame in the loss and damage campaign was part of a broader shift in the climate movement away from scientific framings of climate change and toward a justice frame. The justice framing of the climate issue emerged after more than a decade of the UNFCCC's existence where climate change had been treated primarily as a scientific problem (see Gupta 2014). The early articulation of the climate justice frame emerged from a dissatisfaction and perceived failure of mainstream environmentalism to address climate change and was articulated by the global justice movement, domestic environmental justice movements, several indigenous rights activists and some environmental NGOs such as the Durban Group for Climate Justice (Bond and Dorsey 2010).¹ In its original form, the climate justice frame grounds itself in antagonism to traditional climate politics, drawing on ideas in global justice and domestic environmental justice movements (Goodman 2009, Chatterton *et al.* 2012, Schlosberg and Collins 2014). It foregrounded structural and ecological inequalities and commodification of nature as causes of climate change (Goodman 2009; Roberts and Parks 2009, della Porta and Parks 2014, p. 24). In Copenhagen, this framing caused tensions to emerge between groups employing a climate justice framing and those (including the major NGO coalition, Climate Action Network (CAN)) advancing a science-based framing (Fisher 2010, Hadden 2015).

After Copenhagen, the use of climate justice framing became widespread among climate NGOs, contending with existing discourse in this issue area (Bäckstrand and Lövbrand 2016, Hadden 2015, Thorn *et al.* 2017). At the global and domestic levels, the climate movement involves several coalitions (Newell 2008, Cagnilia *et al.* 2015), and as the frame became more widespread, it also became more contested discursive terrain. But as articulated by many NGOs, the climate justice frame elevates the moral or ethical dimensions of the problem, drawing attention to two related elements. First, it highlights distributional issues related to who is affected by climate change and who must bear the costs. On the basis of this, justice framing often stimulates attention to the equity of outcomes or calls for compensation. Second, those employing a justice frame often emphasize the importance of procedural justice, calling attention to voices that are unrepresented or unheard in the official negotiating process. This formulation is intentionally broad:

We've defined climate justice as something like 'climate change both stems from inequalities and the people who feeling the impacts had no role in cause it. That's the injustice of climate change.' That broad definition allows the sub-definitions to hang off of it (CAN representative, 2016).

To document this shift in framing, we conducted a coding of the framing of the articles in the NGO newsletter *ECO*, CAN's major publication, from each COP from 2007 to 2013. Each *ECO* article was coded in Atlas.ti as employing a justice/equity framing, a scientific framing, or both. To identify a justice framing, we coded direct references in the text to 'justice' and 'equity', as well as associated the concept of 'fairness'. To identify a scientific framing, we coded direct references to scientific evidence (e.g. the Intergovernmental Panel on Climate Change (IPCC)), scientific targets (e.g. 350ppm) or scientific urgency.

As [Figure 2](#) reveals, the framing of articles in *ECO* dramatically shifted away from scientific framing between 2007 and 2013, focusing to a much greater extent on justice-based framing. This framing shift had important implications for the campaign on loss and damage.

Implications for the politics of loss and damage

In the UNFCCC context, the phrase 'loss and damage' refers to the residual impacts of climate change that mitigation and adaptation cannot avoid. The IPCC's Fifth Assessment Report (2014) concluded that 'without additional mitigation efforts beyond those in place today, and even with adaptation, warming by the end of the 21st century will lead to high to very high risk of severe, widespread and irreversible impacts globally'. In this report, the IPCC judges that some climate change risks are unavoidable, providing the basis for claims for 'loss and damage'.

Politically, loss and damage has been defined more narrowly to include only those countries least responsible and most vulnerable to climate change. As the UNFCCC's Subsidiary Body for Implementation (SBI) defined it in 2012, loss

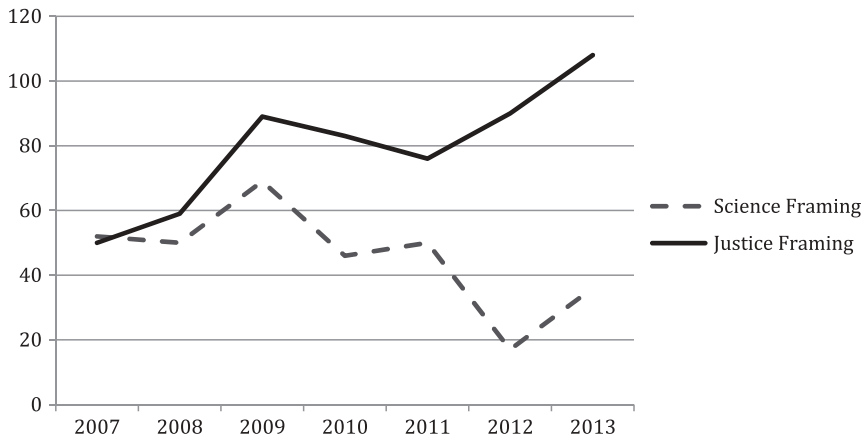


Figure 2. Number of articles by frame per page from the NGO newsletter *ECO*.

and damage is ‘the actual and/or potential manifestation of impacts associated with climate change in developing countries that negatively affect human and natural systems’. The ‘loss’ component involves irreparable harms such as human fatalities, cultural destruction, or species extinction. The ‘damage’ concerns repairable harms to human infrastructure or natural areas.

In the agenda-setting phase, the Association of Small Island Developing States (SIDS) and the Least Developed Countries (LDCs) groups pushed the UNFCCC to discuss issues related to compensation for damages from climate change. But the issue did not gain traction until the establishment of a 2-year work program on loss and damage in 2010. Once on the table, sharp divides emerged between developing countries’ calls for compensation and developed countries resistant to these proposals.

In the negotiations for the Paris Agreement throughout 2014 and 2015 it was clear that SIDS would not accept an agreement without a strong provision for loss and damage, while developed countries were reluctant to discuss the issue separately from adaptation. The Paris Agreement’s drafts produced throughout 2015 included both options for a standalone loss and damage article that included liability and compensation and a ‘no text’ option, promising that this would be one of the biggest areas of debate.

The ultimate outcome in the Paris Agreement was a compromise on loss and damage in the form of Article 8.1, a standalone article that states:

Parties recognize the importance of averting, minimizing, and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.

The decision excludes liability and compensation but also establishes a permanent institution and provides risk insurance contributions. Further, and crucial for many developing countries, loss and damage has its own article in the Agreement and is not subsumed under adaptation. While not fully satisfying advocates, many saw the outcome as a compromise and a net win for NGO advocacy, pending discussion and elaboration at subsequent meetings (Burkett 2016).

Shift to justice framing on loss and damage

The broader shift from a technical toward a justice frame in the climate movement informed how climate NGOs advocated on loss and damage. As Burkett (2016) and Vanhala and Hestbaek (2016) document, the initial framing of the loss and damage issue had two related, technical components. One of the initial framings of loss and damage was highly legalistic. It evoked strong connotations of liability and compensation: in most ‘loss and damage’ clauses in contract law, the responsible party is liable to

compensate the claimant for loss and damage. In the second framing, states and observers drew upon notions of risk transfer and risk management to frame the issue (see Burkett 2016, Vanhala and Hestbaek 2016).

NGOs shared these legalistic and technical frames, using them in their early campaigns on the issue. Parties and observers widely used these two frames when the work program was established in 2010. An early study published by WWF titled 'Beyond Adaptation: The Legal Duty to Pay Compensation for Climate Change' considers how rules in international customary law and other international law precedents could support claims for compensation for loss and damage (WWF 2008). The Third World Network wrote a series of briefing papers discussing the importance of risk reduction and risk transfer policies in addressing loss and damage because of climate change (Stabinsky and Hoffmeister 2011). In a submission to the SBI expert group in 2011, CAN recommended that a future work program on loss and damage be organized on technical topics:

Parties and experts should discuss tools to assess and map exposures to loss & damage. These include risk assessment, modeling, mapping, and an evaluation of future loss & damage potentials. It should also entail discussions on the type of natural resources and assets exposed (e.g. economic exposure, social exposure like loss in life, loss in ecosystem and their services etc.) and about suitable metrics to measure these losses (CAN 2011).

By 2012, there were initial efforts to find a less legalistic way to discuss loss and damage, but it still relied on technical language. In a joint report, ActionAid, CARE, GermanWatch, and WWF (2012) make four recommendations for developed countries to: continue to pursue mitigation; provide resources to address vulnerability; scale up disaster risk reduction; and discuss rehabilitation and compensation, considering the precautionary principle. The report focuses on scientific projections of temperature increases and economic valuations of losses.

A major frame transformation in campaigning on the topic of loss and damage occurred between 2012 and 2013. Naderev 'Yeb' Sano, a delegate from the Philippines, became a major focus of attention for his advocacy on the topic after a typhoon devastated his country in both 2012 and 2013. He gave an emotional speech at the Doha conference in 2012 calling for parties to 'stop this madness' and built the case for a moral responsibility to act:

I appeal to all, please, no more delays, no more excuses... Please, let 2012 be remembered as the year the world found the courage to find the will to take responsibility for the future we want. I ask of all of us here, if not us, then who? If not now, then when? If not here, then where? (UNFCCC 2012)

Youth NGO leaders were particularly quick to rally to Sano's support and to take on the issue of loss and damage, which seemed to become more sharply defined by its association with a key spokesperson and a vulnerable population. As a Young Friends of the Earth delegate explained:

In Doha we stood shoulder to shoulder with Yeb and the people of the Philippines. The youth stood with the Philippines as the Doha climate talks stumbled to a close at 4am in the morning, the conference center continued to echo with our support for those being impacted by the climate crisis ... What the world needs is climate justice, and we need it now (Lundberg 2013).

Six months after the Doha conference, by June 2013, CAN undertook its own framing shift on loss and damage to encompass justice issues, contrasting with the earlier technical approach. As CAN stated in an SBI submission in 2013:

Tackling loss and damage is about climate justice. It is about protecting people, their livelihoods and, most importantly, their human rights and dignity. It is time for those who are mainly responsible for climate change to act here in Warsaw (CAN 2013a).

CAN's frame transformation initially bridged issues of morality and social inequity with calls for legal remedies. But because the justice framing was broader than the legal frame, it could also encompass compromises that did not include liability and compensation, as the next section shows.

Immediately before the Warsaw meeting in 2013, NGOs organized a loss and damage workshop with technical experts from developing countries, which provided NGOs with a direct connection to national delegations (Interview CAN 2016). In Warsaw, CAN further cemented the frame transformation. After a second emotional speech in plenary, Yeb Sano began a hunger strike. CAN members, including its Director, Wael Hmaidan, visibly joined the hunger strike by pinning red circles to their lapels. In their statement to plenary on November 19, a CAN spokesperson again underlined that: 'The devastation of Typhoon Haiyan in the Philippines is a harsh reminder that there can't be any further delay in tackling loss and damage. This is about climate justice.' (CAN 2013b)

Coalition growth and increased issue attention

This shift in framing had two main consequences for NGO advocacy on loss and damage. First, it significantly broadened the coalition of actors supporting action on loss and damage, bringing in those with whom the focus on social inequities and morality was particularly resonant. Among civil society, the number of organizations using the climate justice frame to advocate for loss and damage grew, and those advocating on the topic became more diverse, encompassing important environmental groups, climate justice groups, youth groups, development groups and faith organizations. For example, while only CAN and faith-based groups mentioned loss

and damage in their statements to the high-level segment in 2012, women and gender and youth groups, as well as other environmental NGOs and climate justice groups included references to loss and damage in their statements in 2015.²

As participants explain it, the justice frame served as a master frame that helped the climate movement to grow beyond just the ‘usual suspects in the environmental community’ by incorporating a broader set of concerns (Hadden 2014). A participant echoed the significance of this shift on the part of Northern NGOs, emphasizing how the framing shift helped to spur additional mobilization:

Using that framework [climate justice] got people’s attention... they were activated and motivated by it. There was also a sense that as climate change got worse it became more and more of unjust and inequitable, so there were more people thinking about it that way... I think there is a desire to bridge the gap. I think also Northern NGOs have actually come a long way ...and are no longer seeing this as a purely environmental issue divorced from issues of global justice (Interview CAN, 2014).

The breadth of support was demonstrated by the scale of the massive and unprecedented civil society walkout in Warsaw. Representatives of NGOs from different ends of the political spectrum, including WWF, Friends of the Earth, Oxfam, Greenpeace and the International Trade Union Confederation, participated, many of which carried signs with climate justice themes. In a press release announcing the walkout these organizations and others cited ‘stalled’ talks on loss and damage, saying ‘organizations and movements representing people from every corner of the Earth have decided that the best use of our time is to voluntarily withdraw from the Warsaw climate talks’ (WWF 2013). The walkout drew media attention and clearly aligned these NGOs with developing countries.³

The adoption of the climate justice framing also gave NGOs the opportunity to strengthen alliances with state partners. Most obviously, this framing strengthened the connection between NGOs and the delegation of the Philippines, as demonstrated by the joint actions in 2013. Ties with other countries that are acutely vulnerable to climate change – particularly SIDS and the LDCs – were also enhanced by NGOs taking a more forward-leaning position, as demonstrated by the joint strategy workshop held in 2013. Adopting the justice framing and supporting calls for loss and damage may have helped enhance the credibility of these groups in the eyes of developing countries’ delegates who may have been skeptical of them otherwise (see Hadden 2015).

Some NGOs also employed the justice frame in order to shame developed countries. Oxfam issued a press release after the Warsaw walkout, stating,

Loss and damage, the support poor countries need where there is no hope of adaptation, is vital ...The decision to walk out highlights the level of

exasperation there is with rich countries at these talks – particularly the Australian delegation which has blocked every attempt of progress and turns up to negotiations in t-shirts (Oxfam 2013).

ActionAid singled out a ‘few rich countries including the US [that] held it [loss and damage] hostage till the very end’ (Climate Home 2013). The justice frame helped NGOs align with developing countries, putting them in the moral right and shaming developed countries for their inaction.

The frame shift also contributed to increased attention for the loss and damage issue. As one NGO representative explained, it is common for coalitions to pick relatively few issues to highlight in media communications in order to set standards for success at the climate negotiations. For Paris, loss and damage was one of the main topics used as benchmarks for whether the negotiations were going well (Interview, CAN 2016). The media strategy was designed to put loss and damage high on the agenda for the negotiations:

If you look at the year before Paris, big influence. Largely through the media. We talked up loss and damage and the need to deal with it. Civil society helped put it high on the agenda, even though it was clear that developed countries did not want to deal with loss and damage at Paris (Interview, CAN 2016).

Media coding reveals this shift. Within the UNFCCC, the number of mentions of loss and damage in the *Earth Negotiations Bulletin* increased from 21 in 2010 to 55 in 2015 (with a peak of 65 in 2014), reflecting the increased prominence of the issue on the UNFCCC agenda. The number of references to loss and damage in a media search of LexisNexis increased from 40 in 2010 to 603 in 2015, reflecting an outsized growth in media attention. There is also evidence that the media picked up on the frame shift, potentially driving the additional coverage. An analysis of LexisNexis shows that in 2010, 1.25% of articles that mention ‘loss and damage’ and ‘climate change’ also mention the term ‘justice’. In contrast, 10.27% of articles in 2013 mentioned justice, and 21.9% did so in 2015, reflecting that the NGO message was diffusing via this channel.

Enhanced persuasion and coercion

This increased issue attention and coalition growth had consequences for the ability of NGOs to coerce and persuade states within the negotiations. Before the Paris conference, progress on loss and damage was set as a benchmark to determine the extent to which states succeeded; failure to live up to that mark would risk generating negative attention to the new agreement and the states that negotiated it. Representatives from Oxfam, WWF France and Christian Aid all listed it as one of their top priority for the conference in their opening press conference (UNFCCC 2015b). This

coercive assessment power was repeatedly communicated to states through the *ECO* publication. On the opening day of the conference CAN published a strong warning:

On the other hand, the extreme position from the US, Japan, Canada, Australia and Switzerland of no reference to loss and damage in the Paris agreement (Article 5, Option 2) is not an option if we want a fair agreement. . . Remember, Heads of State, we are listening to you today! (*ECO*, 30 November 2015)

NGOs also attempted to name and shame states on the issue of loss and damage. CAN sponsors a 'Fossil of the Day' ceremony to draw attention to states that civil society representatives believe are blocking the climate talks. Positions on loss and damage became the basis for the United States, Australia, Japan, Norway and Saudi Arabia to win the Fossil of the Day 'awards' from 2013 to 2015, with the USA winning two Fossils for its position on loss and damage during the Paris Conference. States were made aware that loss and damage was an issue on which they would be 'punished' by NGOs if they did not behave. This was particularly true for the United States, where domestic NGOs were very active in pushing for loss and damage language, as the director of US CAN stated:

I'd like to speak to the massive amount of support that exists within the United States for language on loss and damage . . . What we have seen in the United States is the faith community coming forward, the youth activists coming forward very strongly and saying 'here in the United States among our own vulnerable community and abroad, we are in solidarity with the notion that we have to address loss and damage' (*UNFCCC 2015b*).

The dedication of a large and diverse group of NGOs to the loss and damage issue may have also enhanced the persuasive appeal of NGO arguments, and in turn, lent support to allied developing country negotiators. A CAN representative described the interaction between NGOs and developing country delegates as a two-way street, '[it] has been about trying to influence them. But equally taking on board their views and being driven by their agenda. We try to ensure that we understand their perspective and what we can to support it' (Interview CAN, 2016).

For example, while CAN and other NGO advocates vocally supported developing countries' calls for compensation, they also pushed developed countries to accept the 'bridging proposal' on loss and damage that was floated prior to Paris (*ECO 2016*). This bridging proposal treated loss and damage as separate from adaptation but did not include language on liability. The *ECO* newsletter called on developed countries – in particular the United States, Australia and the European Union – as having a 'moral responsibility' to compromise on the loss and damage issue, stating, 'Recognising responsibilities, including moral ones, is not a sign of weakness but a sign of true strength' (*ECO 2016*).

Developing country negotiators pointed to the efforts of civil society to raise attention to the issue as evidence that it is a common, global concern, potentially enhancing the persuasiveness of this position. As one delegate puts it:

‘It makes a difference, having civil society outside championing your cause, your issue. It can be easy to neglect small states, to push our issues aside. If civil society also pushes for our issues, we can say that the world supports our position, that our position is the morally right thing because all the NGOs agree with us. It gives us support in the negotiation room.’ (Interview, developing country delegate 2014).

Because NGOs had strong connections to developing country delegations, they were able to provide information and advice even when negotiations moved behind closed doors, as they often did during Paris where, according to the *Earth Negotiations Bulletin*, loss and damage was exclusively discussed in informal, usually bilateral, discussions among states (IISD 2015).

NGOs also attempted behind the scenes to exercise persuasion with national delegations of developed countries, claiming to represent moral authority. This kind of behind the scenes lobbying is hard to measure, but it may have played a role in softening the position of some developed country delegates. Perhaps paradoxically, the justice-based framing of loss and damage may have been easier for developed country parties to accept than the legal framing, by directing attention away from the issues of liability and compensation. For example, US Secretary of State John Kerry stated in an interview shortly before Paris:

We’re not against [loss and damage]. We’re in favor of framing it in a way that doesn’t create a legal remedy because Congress will never buy into an agreement that has something like that ...The impact of it would be to kill the deal (Goodell 2015).

Domestic NGOs growing attention to the loss and damage issue may well have accelerated the softening of the US position, contributing to the overall compromise that emerged in the final agreement.

Alternative explanations

As noted earlier, exploring NGO influence is a methodologically fraught exercise, in part because of the many possible confounding factors. There are at least two strong alternative hypotheses that deserve consideration. First, would the result of NGO advocacy have been the same *without* the shift in frames? Is the outcome attributable to simply the amount of campaigning, not specifically the framing shift? To assess this alternative, we have to imagine a situation where, post-Copenhagen, climate NGOs continue to employ a technical and scientific frame on the loss and damage

issue. We suspect that without the deployment of the justice-based framing, the amount of campaigning observed in Paris simply would not have been possible: the framing itself contributed to the growth in the movement by allowing organizations to build broader coalitions. For example, youth activists were among those most active in campaigning on loss and damage after 2013 but would have been unlikely to adopt this issue if it had remained a technical discussion (Interview, SustainUS 2016). Moreover, the content of the frame also mattered: ‘shaming’ is a more effective strategy when issues are framed in terms of morality (Busby 2010). Our analysis leads us to believe that the justice framing brought NGOs additional resources helping to expand their campaigning and influence in ways that otherwise would be unlikely.

Second, is the outcome attributable solely to the dynamics of interstate bargaining? To assess this question, we draw on work by Sprinz *et al.* (2016) that attempted to forecast the outcome of the Paris conference using a combination of an expert survey and a negotiations simulation model (DECIDE) known as the ‘Predictioneers Game’. Since this work makes *ex ante* predictions about what seemed likely before the conference (and does not include NGOs in its actor calculus), it is a useful way to explore NGOs’ possible influence. The Predictioneer’s Game does predict an eventual compromise between developed and developing on loss and damage, and also suggests that the issue would take much longer to negotiate than the end of 2015. Though the model’s general predictions were borne out, it seemed to err slightly on the loss and damage issue, which was included in the Paris Decision through compromise in 2015.

Thus we suggest it is plausible that NGOs did contribute to the political heft of developing countries in the negotiations, shifting negotiations slightly toward their preferences and on a faster timeline. Our analysis suggests that NGOs’ justice framing supported more shaming attempts. As a result, states like United States, Japan, Australia and Switzerland knew that this is an issue for which they would be punished domestically as well as internationally if they did not reach a compromise, raising the stakes for getting to an agreement. In turn, claims about loss and damage being a matter of justice became harder to dismiss as they were adopted more broadly, becoming more persuasive and costlier for developed countries to ignore.

However, the alignment of NGO and developing country positions makes it difficult to attribute responsibility for the outcome solely to the strategic decisions of NGOs. We acknowledge that the question of whether developing country diplomacy would have been sufficient to produce the outcome is not one we can answer definitively based on our case study. At the same time, we suggest that the persuasion and shaming conducted by NGOs surpassed what vulnerable developing countries could have

accomplished through diplomacy alone, suggesting that NGO advocacy potentially had an independent impact on the outcome.

Conclusion

We have argued that issue framing can be an important tool for NGOs. By adopting a climate justice issue framing, NGOs have been able to draw more attention to the issue of loss and damage and to build broader alliances both within civil society and with state partners. We conclude – at minimum – that NGOs were able to enhance their own mobilization and resources with strategic framing; we also present evidence that suggests that NGO framing can be plausibly linked to increased influence through persuasion and coercion. We see our work as contributing to theory building in this area by examining the pathways by which framing is connected to global governance outcomes and suggest that future research might employ comparative designs to further examine this issue.

Notes

1. For example, while human rights discourse may be a productive way to push for climate action as Nicholson and Chong (2011) argue, those linking climate change and human rights may have used the term climate justice but were unrelated to the early climate justice movement.
2. This is based on NGOs' statements to high-level segments of COP 18, 19, 20 and 21 available at: http://unfccc.int/meetings/paris_nov_2015/meeting/8926.php.
3. See, for example, The Guardian, 'Green Groups Walk Out of the UN Climate Talks.' Available at: <https://www.theguardian.com/environment/2013/nov/21/mass-walk-out-un-climate-talks-warsaw>.

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