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## Performing postcolonial identities at the United Nations' climate negotiations

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### ABSTRACT

This study aims to understand how postcolonial identities were performed in the negotiations that led to the new climate agreement signed in Paris in December 2015. Based on interviews, the analysis of documents and participant observation of the negotiations it was possible to identify the legal, economic and scientific discourses mobilised by both global North and South countries. In all three discourses, it was possible to identify a systematic effort of the Northern parties to unmake the identity of Southern parties as 'developing countries' as a way to erase the ontological difference between emerging and established industrialised economies. At the same time, in the context of the convention Southern parties reaffirmed their identities as 'developing countries' and demanded from the North a strong commitment to tackle climate change and the transfer of more financial resources to the South. In this process, it was also possible to identify an inversion of the position usually taken by mainstream and critical postcolonial scholars that see the deconstruction of categories such as 'developing countries' as key for the emancipation of the global South. Finally, this invites postcolonial scholars to look more closely at how postcolonial identities are being instrumentalised, discursively and politically.

### KEYWORDS

Climate change; environmental governance; discourse analysis; north–south relations; development studies

## Introduction

From its early days, postcolonial and decolonial studies have focused on how colonialism and coloniality have created a number of hierarchies, such as those between East and West, racial groups, knowledge forms and genders that have been used to legitimate the domination of particular populations or social groups.<sup>1</sup> These hierarchies were usually based on homogenisation procedures through which people with different identities were unified by colonial discourses. Quijano,<sup>2</sup> for instance, has pointed out that the notion of race as we currently know it is based on a criterion of racial classification that emerged during the colonisation of the Americas. A variety of populations that regarded themselves as heterogeneous groups, such as different Amerindians and African peoples, were unified under the concepts of 'Indian' and 'Black'. According to Quijano, this notion

of race was the basis upon which colonial power was built and served as a justification for colonial rule.

Other authors also point out that the substitution of strictly racial categories for the socio-economic categories that distinguish between ‘developed’ and ‘developing’ still imply hierarchical relations. This is the case because the division between developed and developing countries presupposes a uni-directional type of development, that is, towards Western European-American capitalism and scientific knowledge.<sup>3</sup> In a similar vein, Harding,<sup>4</sup> in a comprehensive literature review of postcolonial science and technology studies, argues against the triumphalist narratives of Western science being carried to European colonies as a remedy against underdevelopment. She provides historical evidence of how Europeans have appropriated knowledge and technologies from colonised peoples without acknowledging their contribution, which has resulted in narratives of scientific rationality as the privilege of European science and technology. These narratives disguised their multicultural origins and served the purposes of imperial projects by promoting Europeans as those who have rationality in contrast with non-Europeans portrayed as magic- or myth-believers in need of enlightenment.

A common thread in these approaches is that they are involved in a politics of identity, or in a remaking of colonial and postcolonial identities. A closer look at history reveals that identity categories such as that of the white rational European and the barbarian peoples of colour are myths that work to make heterogeneous racial groups homogeneous and multiple knowledge forms invisible. These studies have been extremely important in postcolonial and decolonial studies and have been linked to social justice projects in that they challenge widespread arguments used in colonial and imperialist projects. They act as antidotes against the symbolic violence enacted by colonisers in homogenising the multiplicity of identity.

In this article, we want to bring to light a different type of politics of identity that has so far received little attention in the postcolonial literature. Instead of focusing on exposing homogenised identities as myths deployed by colonisers to justify and legitimise the domination of Indigenous people, we will look at the reverse process. That is to say, we will look at how countries formerly under colonial rule mobilise a binary geopolitical divide between developed and developing countries, and how, in turn, they enact this as a form of resistance. More specifically, in this article we examine how different countries seek climate justice within the United Nations Framework Convention on Climate Change (UNFCCC) while performing their own and each other identities as ‘developed’ or ‘developing’ parties. To do so, we examine the negotiations towards the Paris Agreement, the most important climate deal struck under the UN since the Kyoto Protocol (KP) signed in 1997. We concentrate our analysis on the principle of ‘common but differentiated responsibilities and respective capabilities’ (CBDR/RC) and how it is interpreted by different countries according to how they perform their identities with regards to climate and social justice. The empirical data presented in this article were collected through interviews with influential scientists from the Intergovernmental Panel on Climate Change (IPCC) and climate negotiators from the global South and North, observation of UNFCCC negotiations and official documents from the IPCC and UNFCCC.

The next section presents a brief introduction to the UNFCCC, followed by the presentation of our research approach. In the following sections, we identify and describe the three key areas in which postcolonial identities were performed: legal, economic

and emissions discourses. In the concluding section, we point out the implications of this article for the postcolonial literature.

### Climate negotiations under the UNFCCC

The UNFCCC was signed during the UN Conference on Sustainable Development held in Rio in 1992. The UNFCCC built upon the success of establishing an international agreement to deal with the substances that depleted the Ozone Layer in 1987 and the growing concern around climate change. In the 1990s the debate around climate change was limited almost exclusively to scientifically informed circles in developed countries, but during the 2000s it became clear that climate change would impact New York and Mumbai alike. Climate change provoked an identity crisis for the North: emissions reduction means calling into question its assumed way of life; while for the South, it has become a fight for survival.<sup>5</sup> With the growing importance of climate change, the meetings of the UNFCCC during the 2000s have become, alongside the UN Security Council and World Trade Organisation, one of the main stages in which North–South relations are shaped.

From the very beginning of the UNFCCC, it was clear that countries in the global South and North had divergent views about what the scope of the convention should be. The emission of anthropogenic gas was deemed to cause damage on a global rather than a local scale. As a consequence, Western European and North American countries considered it necessary to provide a coordinating mechanism to reach common environmental standards globally and also to avoid unfair competition from countries with less stringent regulations.<sup>6</sup> Global South countries, in contrast, have criticised the strictly environmental focus of Northern countries. This is because they see environmental problems as being closely related to social and economic issues, and many environmental solutions, such as limits to economic growth, as sovereignty threats. There are five main points of convergence that bring most global South countries together.<sup>7</sup> Firstly, they all link environmental issues with development and argue that environmental policies that disregard their right to development cannot be put in place. Secondly, they have insisted that Northern countries must create new financial resources for funding their environmental policies. Thirdly, they have demanded the transfer of ‘cleaner’ technologies from the North to help them address environmental issues. Fourthly, they have called for resources that increase their capacity for negotiation and implementation. And finally, they have bargained for a longer period of time for implementing environmental policies than Northern countries. Furthermore, since UNFCCC decisions need to be consensual, many Southern countries see the climate negotiations as an opportunity to change the power imbalance evident in other international arenas due to Northern countries’ economic and political power.<sup>8</sup> Given the existence of a common ground, most global South countries coordinate their actions within the convention via the Group of 77 countries plus China (thenceforth only ‘G77’). The G77 originated in 1964 in order to represent collectively the economic interests of the so-called developing countries, which later came to encompass environmental issues ranging from depletion of the ozone layer, biodiversity, hazardous waste trade to desertification.<sup>9</sup>

While the global South can be easily identified at the UNFCCC under the G77 bloc, it has been argued that the geopolitics of environmental negotiations cannot be understood

in terms of differences between a Northern and a Southern bloc. That is, the countries that compose each bloc have a range of different interests, scientific and technical capacity, domestic resources and regulatory priorities. In other words, individual countries' positions in international negotiations are not as convergent as the conception of a South/North divide would suggest. For instance, while the Organisation of Petroleum Exporting Countries has systematically tried to obstruct progress in climate negotiations because of their interest in keeping the oil trade alive, the Alliance of Small Island States has tried to promote ambitious agreements in an effort to avoid having their territories wiped off the map due to rising sea levels, an expected impact of climate change.<sup>10</sup>

The first keystone in the UNFCCC negotiations was the KP, an agreement signed in 1997. Here global North countries listed in Annex I of the convention committed to reduce GHG emissions by up to 8%, while global South countries were only required to report on their emissions. However, in 2005, when the KP was to come into force, the United States of America, the world's largest emitter, refused to ratify the agreement arguing that it was unfair to leave the emissions of large emitters such as China unchecked. With the objective of replacing the KP in 2012 (the end of its commitment period) with a more comprehensive and ambitious agreement, the UNFCCC started in 2007 to negotiate a new protocol to be signed in 2009 during the Conference of Parties in Copenhagen (COP 15). But what started with high expectations and unprecedented media attention ended as one of the most striking diplomatic failures in the history of the United Nations. On the one hand, Northern countries complained that emerging economies, especially China, did not want to take responsibility and were not able to provide trustworthy emissions data. Global South countries, on the other hand, complained that rich countries were making 'unrealistic and unfair demands' on them and were not willing to abide by the compromise to provide funding to enable their sustainable development.<sup>11</sup> Poor countries in Africa and small islands that are particularly vulnerable to climate change also strongly rejected the two degrees target accepted by most countries as, they argued, it would imply their annihilation.<sup>12</sup>

Following the failure of Copenhagen, a new process known as the Ad Hoc Working Group on the Durban Platform for Enhanced Action (or ADP for short) was launched at the COP 17 in 2011. The ADP is a temporary body composed of all countries that signed the convention aiming to accelerate the negotiations of the next climate agreement. In 1995 the Berlin Mandate that led to KP had explicitly reaffirmed the North–South split between Annex I and Non-Annex (1/CP.1).<sup>13</sup> The ADP, in contrast, not only avoided mentioning the Annexes but also made clear that its outcome (later known as the Paris Agreement) would be a 'protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties' (Art. 2, 1/CP.17). This forced countries to reopen the debate of whether and to what extent the commitments of Southern and Northern countries should be different, and what criteria (if any) should group them within the climate regime.

Some studies have already mapped the inner politics that led to the signature of the Paris Agreement in 2015 pointing to the power imbalances that led to the reforming of the new climate regime.<sup>14</sup> However, one of the less studied aspects of the climate negotiations is how the identity of global North and South countries were performed during the negotiations leading to the COP 21. In order to accomplish this, we have analysed the vast number of documents produced by the UNFCCC and submitted by individual

countries to state their positions. Further, every year since 2012 the first author of this article interviewed the main negotiators from Brazil involved in the UNFCCC. He also conducted participant observation during the United Nations Conference on Sustainable Development in Rio de Janeiro in 2012, the COP 20 in Lima, the Climate Conference held in Bonn in 2015 and finally the COP 21 in Paris. With the support of the Brazilian government, which allowed him to be part of the official delegation, it was possible to follow the closed-door meetings and be in direct contact with negotiators from other global South and North countries. In some cases, it was also possible to shadow climate negotiators during the COP in order to observe conflicts as they emerged and ask for their assistance in interpreting the meaning and implications of specific negotiation texts.

In order to understand this wealth of data, this research has attempted to identify the key negotiation discourses understood here as ‘ensembles of ideas, concepts and categories through which meaning is given to social and physical phenomena, and which are produced and reproduced through an identifiable set of practices’.<sup>15</sup> Within this framework, it was possible to identify three partially overlapping discourses: the legal, economic and climate change discourses, examined in detail below.

### *Legal discourse*

The most prominent discourse that has framed climate negotiations and is linked to issues of identity has its origins in the transposition of national law and contract-making practices into the international arena. As such, the search for justice based on legal discourse places considerable emphasis on the internal coherence between previous UN declarations and treaties, the original UNFCCC convention, and COP decisions, protocols and agreements. Therefore, even though issues of enforceability and legitimacy of international law remain open, the parties have often mobilised a legal discourse to challenge each other based on the argument that a specific provision might go against the Legal Order already established and agreed on by the United Nations.<sup>16</sup> In the specific case of climate negotiations, the 24 articles of the Convention signed in 1992 are considered the fundamental text that should guide all negotiations. The most debated part of the UNFCCC by far concerns the principle of CBDR/RC. The article on this topic states:

The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country parties should take the lead in combating climate change and the adverse effects thereof. (Art. 3 § 1, UNFCCC)

However, in the negotiations leading to the COP 21, the legal meaning of the CBDR/RC and how it was to be operationalised in a new agreement was interpreted differently by Northern and Southern countries. Most global North countries showed dissatisfaction with the way in which this principle had been operationalised in the KP and in the original convention, with the division between Annex I and non-Annex I countries. Annex I was created based on two main lists of countries. The first and most relevant stemmed from the list of members of the Organization for Economic Co-operation and Development (OECD). The OECD was created in 1961 to facilitate the negotiation of economic agreements between Western Europe, Oceania, the USA, Canada, Japan and later also Australia

(1971) and New Zealand (1973). In addition, the OECD is also in charge of ‘build[ing] a wider consensus for market economies and democracy’ by coordinating the donation of at least 0.7% of the gross national income of each country as official development aid to poorer countries.<sup>17</sup> Given the role of the OECD in financing international development, these countries were also part of the Annex II of the convention, which had additional obligations in terms of providing economic assistance for the implementation of the UNFCCC, while adopting emission reduction targets.

The second set of parties listed in Annex I included the Baltic states and Central and Eastern European countries that had been part of the recently dissolved Soviet Union. Given their status as countries undergoing transition to a market economy, they were allowed ‘a certain degree of flexibility’ in their climate targets, with financial obligations being left outside Annex II of the convention. All countries not listed in Annex I are from the global South. Within this wide category, the convention recognises the ‘special situation of the least developed countries’, implying that they should be the focus of technology transfer and funding (Art. 9, UNFCCC). All countries in the convention had to provide a national communication describing its actions to tackle climate change as well as an inventory of its GHG emissions. The key difference here is that Annex I would provide annual communications while most non-Annex I countries would provide communications every four years, with the least developed countries given additional flexibility.

In the negotiations leading to the Paris agreement, many global North countries made clear their intention to reinterpret the way in which the UNFCCC performs postcolonial identities. In order to change the structure of the UNFCCC, a major effort was made by Northern countries at the COP 17 in Durban to establish a new agreement that would be applicable to all parties. But this in itself did not mean much since both the UNFCCC and the KP involved reporting obligations for all parties, and therefore the universal applicability of the Paris Agreement could be read in the same light. The strategy of Northern countries became clear only two years later in Warsaw, when it was agreed that all countries must have targets. But instead of adopting a top-down approach as in the KP, every party would propose voluntarily its ‘intended nationally determined contributions’ (known by its acronym, iNDC) (Art. 2, b, 1/CP.19). During the following meetings, this particular wording was leveraged by Northern countries to justify their own determination of what CBDR/RC meant, rather than using the Annex I/Non-Annex I distinction found in the UNFCCC and in the KP.

The conflicting performance of Northern and Southern identities was particularly evident at the ADP negotiation meetings during the COP 20 in Lima. Following COP common practices, the UN secretariat can consolidate the contributions made by countries and propose a draft decision text for consideration. In preparation for the meeting in Lima a few weeks later, on 11 November the UN secretariat submitted to the negotiators a text that summarised the contributions from all parties during the many intermediary meetings that took place during 2014. This text mentioned the Annexes three times, and indicated that Annex I countries were to provide quantified economy-wide emission reductions, and revise upwards their commitments to the KP. The Annex II, on the other hand, was to provide additional resources for climate mitigation in the South. After the first week of negotiations, the UN secretariat provided a new version of the document in which all references to the Annexes had disappeared from the

main text. The only mention of the Annexes was in a section outside the main text concerning 'Complementary information' on the INDCs.

The delegates of many global South countries received this text with rage. One of them remarked that the new text had 'done away with differentiation' and for this reason many developing countries were 'refusing to accept it'.<sup>18</sup> In this regard, a more outspoken negotiator from the global South expressed privately his frustration that 'after a whole year of work on this text, the chairs come up with this shit! It is clear from this text that they are following the line of the ones paying their salary [that is, the UNFCCC bureaucracy funded by Annex II countries]'. In the following two days, delegates from the global South countries tried to reinsert in the draft that developed countries, based on the Annex I classification, would have a stronger responsibility in addressing climate change. However, these attempts were systematically curbed. For instance, the United States asked that all new additions be placed in brackets to indicate that they were still controversial and 'would not be agreed by all', and reaffirmed that they were happy with the second draft that excluded the annexes. By 10 December almost no progress had been made with regards to this text: global South and global North countries kept adding and deleting each other's positions on screen. 'It is like writing in the sand' remarked a negotiator from a Northern country, while a Southern negotiator said quietly to himself 'I give up' while leaving the negotiation room after a long session.

The main aspect of the legal discourse mobilised by developing countries to criticise the draft and suggest modifications related to the draft's compatibility with the original text of the convention. In particular, based on a more literal reading of the UNFCCC, it was pointed out that the convention was built upon a clear differentiation between developed and developing countries in order to implement the principle of CBDR. Thus, the Annex I/non-Annex I structure was the agreed way to express the CBDR/RC principle, and its renegotiation would amount to a breach of the convention. This point was made particularly strongly by Brazil in a ministerial plenary of the ADP that took place on 13 December 2014:

The principles of the UNFCCC are not a mere reference. Our work is to implement the convention in its entirety and not do away with portions of it and implement it selectively ... In this light, the notion of self-differentiation is tantamount to the annihilation of the UNFCCC. It will promote backtracking, dwindling ambition and ultimately the perception of an unjust regime where parties are encouraged to pursue a less is more approach.

In their defence, global North countries remarked that the references to the Annexes found in the convention should not be interpreted in a literal manner. Instead, it was only an 'operationalisation' of the principle of the CBDR developed in the 1990s. The Global North countries thus argued for a reinterpretation of such differentiation in the context of a changing world and of the latest decisions of the UNFCCC. This stance is explicit in the statement submitted by the European Union just prior to the COP 20 in Lima:

As agreed in Warsaw all Parties' intended contributions should be nationally determined. INDCs therefore allow each Party to choose its contribution type and define its level of ambition in accordance with its national circumstances and capabilities ... *The EU cannot accept a static interpretation of CBDRRC that differentiates commitments of Parties according to a binary split based on the Annex to the Convention.*<sup>19</sup> (emphasis in the original)



It is, therefore, possible to identify a conflict in relation to the construction of postcolonial identities. On the one hand, Northern countries attempted to deconstruct differentiation by adopting the stance that the overall objective of the convention was more important than what was actually written at the UNFCCC. Their argument, based on an interpretive conception of law, was that the Paris Agreement should be built upon the 'spirit' of the UNFCCC or upon the rules as intended by the original negotiators of the convention, not upon the literal meaning of that legal text. Crucially, by emphasising the notion of national determination as a substitute for CBDR/RC, the implication was that not only could the global South do more but also that Northern countries may no longer be identified as privileged 'developed' countries that had the obligation to lead climate mitigation and help poorer nations. In opposition to this, Southern countries defended the maintenance of a homogeneous and static category that presented them as 'developing countries' by highlighting the importance of following the original interpretation of the rules of the UNFCCC. In order to perform this interpretation of legal justice and the binary division between developed and developing countries, they adopted a positivist or conventionalist conception of law whereby legal texts are to be the only source of information and should be understood literally, without room for subjective or contextual interpretations.<sup>20</sup> By doing so, they also performed their identities as developing countries, which could not and ought not have the same responsibilities in addressing climate change as Global North countries. This leads us to another discourse in which postcolonial identities have been performed, that is, as economic phenomena.

### *Economic discourse*

The UNFCCC was built upon the success of the Montreal Protocol. Signed in 1987, this international treaty aimed to protect the ozone layer by phasing out the production of damaging substances, chiefly the chlorofluorocarbons (CFCs) used in refrigerators and foams. At first different companies producing and using CFCs cast doubt on the science and lobbied against the creation of the treaty. But following the invention and patenting of a substitute by DuPont, countries passed regulations prohibiting the use of CFCs, with the support of the chemical giant.<sup>21</sup> While it was possible to implement the Montreal Protocol at a relatively low cost, and with the profitable support of key corporate players, the same cannot be said of the UNFCCC. Drastically reducing GHG implies the substitution of cheap and relatively abundant fossil energy sources, implying a burden to national economies. Therefore, unless all major industrial countries agree to similar regulations there is space for unfair competitive advantage. In 1992 the Northern countries listed in Annex I of the convention represented the industrialised world, and as such, they were meant to share the burden of reducing GHG amongst themselves. But as it became clear that the US government was failing to ratify the KP, there were growing tensions with other Northern countries – chiefly the European Union – , which were putting in place more stringent policies.<sup>22</sup>

However, in the early 2000s, what was seen mostly as a debate within the global North expanded to also include postcolonial economic relations. Originally the Annexes of the convention were conceived of as the listing of 'developed' and industrialised countries, to be joined by other parties following their economic growth and alignment with global capitalism. This did take place in the case of countries such as Croatia, Cyprus, Malta, Slovenia and Slovakia as they joined the EU. However, countries like Chile, Israel, South Korea and

Mexico did not change their non-Annex I status at the UNFCCC as they industrialised and joined the OECD. Going in the opposite direction, Turkey managed to be removed from Annex II and to reduce its financial obligations. Turkey also had no emission target at the KP. Since countries were unlikely to join willingly the Annexes of the convention, various global North countries, led by the United States, criticised the original structure of the UNFCCC for allowing large emerging economies an unfair economic advantage. This issue was magnified following the rapid rise of China during the 1990s, which encouraged the view that the so-called emerging economies were competitors rather than poor nations with populations in need of assistance. As a consequence, the US government stated explicitly that it 'would oppose the agreement because it did not include GHG commitments by other large emitting (developing) countries and because of this conclusion that it would cause serious harm to the US economy'.<sup>23</sup>

The economic discourse mobilised by the global North reached the UNFCCC negotiations in different ways. Firstly, during the high-level plenary speeches at the COP in Lima the ministers and diplomats from the North highlighted the arbitrariness of the categories dividing developed and developing countries in the Annexes. For instance, Belarus complained that even though it was considered developed in the convention its GDP per capita was much lower than some non-Annex I countries, rendering this binary split outdated and unfair. Mexico (one of the few developing countries outside the G77) announced a donation for the Green Climate Fund, which was followed by a congratulatory speech by the United States arguing that other emerging economies should follow its example and assist their fellow Southern nations. Likewise, the United States and different EU countries reaffirmed in the COP plenary that the principles of the convention that defined postcolonial relations and identities 'must be applied dynamically as to mirror reality', since some emerging economies were facing 'rapid changing material conditions'. These public statements suggest that Northern countries were attempting to subvert the uni-directional logic of international aid established after the Second World War whereby resources should flow from the North to South, to a new situation in which both Northern countries and emerging economies would share the same ontological status within the UNFCCC.

In order to perform these new postcolonial identities a number of Northern countries sought to create a category able to represent countries based on their contemporary economic performance rather than on the historical split between developed and developing countries. With this purpose in mind, in the negotiations leading to the Paris Agreement they proposed that countries 'in a position to do so' (also known as POTODOSO) engage in mitigation and financing efforts regardless of their status as developing or developed countries. This specific formula can be found in Art. 5 of the original convention, which states that international and multilateral organisations and 'Other parties' may assist in facilitating technology transfer. Even though this wording may suggest a reference to non-Annex I parties, later COP decisions, such as the 7/CP.7, indicate that it is more likely that in the 1990s POTODOSO referred to Annex I countries that were not in the Annex II list of richer countries but that were 'in a position to' contribute financially to climate mitigation in the South. Nevertheless, the interpretation of POTODOSO and similar terms as referring to emerging economies found its way into different versions of the negotiating texts. For instance, during Lima, Northern countries managed to include in one of the versions of the ADP draft prepared by the UN secretariat a reference

to the ‘parties with greatest responsibility and those with sufficient capability’, implying that Annex I countries and emerging economies were to be treated in the same way (Art. 11, b, Draft ADP Version 1 of 8 December 2014 at 06.30).

In order to strengthen their case for the inclusion of POTODOSO or of a similar classification, Northern countries referred back to the principles of the original convention. The Rio Declaration affirmed in its 7th principle that ‘in view of the different contributions to global environmental degradation, States have CBDR. The developed countries acknowledge the responsibility that they bear’. But in the UNFCCC signed on the same occasion it is also included that the CBDR are to be mediated by the RC of each country. A senior negotiator from a Northern country affirmed in his interview that developed countries explicitly lobbied to include the RC in the UNFCCC in order to oblige those emerging economies that were capable of taking more responsibility to do so, regardless of their historical responsibilities.

Negotiators from the global South were well aware of the strategy of the North to reshape postcolonial identities based on an economic discourse. Global South countries responded to the North by pointing out that the RC was initially conceived as a way to make more flexible the commitments of developed countries in transition to becoming market economies or that were relatively poor when compared to Western Europe and North America – not the emerging economies in South America and Asia. As a consequence, during the negotiations leading to the Paris Agreement the Northern countries increasingly pushed for the inclusion of POTODOSO and RC in different parts of the text, while emerging economies such as Brazil, China and South Korea strove to remove it. The strategy to censor the inclusion of POTODOSO from the negotiating text was complemented by public statements aimed at challenging the notion that the present and the past status of developing countries had changed substantially from an economic perspective. For instance, during the most tense moment on the last day of the COP in Lima, Gur dial Singh, on behalf of Malaysia and the group of the Like-Minded Group of Developing Countries said that:

We are in a differentiated world. That is the reality ... Many of the, of *you*, colonised us, so that we started from a completely different starting point ... When you talk that something is beneficial to the world and all of that, you must recognise that there is a world out there that is different from *your world* ... There is a poor world, disenfranchised world. You must recognise that. (Emphasis by the speaker, ADP Plenary, 13.12.2014)

The quote above indicates that at the heart of the economic discourse mobilised by both the global South and the North was an attempt to map postcolonial identities based on a pre-existing material reality. However, while countries from the global South argued that the North could not forget the past, the North argued that the South could not overlook present and future economic relations. Moreover, even though today emerging economies are better off than they were in the early 1990s, Southern countries highlighted that this does not erase hundreds of years of systematic economic exploitation and one century of high GHG emission levels in the North.

### *Emissions discourse*

The third and probably most central discourse related to the performance of postcolonial identities at the UNFCCC negotiations concerns the blame for climate change and the

sharing of the remaining atmospheric space. Just after acknowledging that anthropogenic climate change is ‘a common concern of humankind’, the convention states in Article 2 that the object of the UNFCCC is the ‘stabilisation of greenhouse gas concentrations ... to prevent dangerous anthropogenic interference with the climate system’. But the specific definition that ‘dangerous’ interference means an increase in two degrees in comparison to pre-industrial levels was only established during the 2009 Copenhagen Accord, based on an EU policy target from 1996. The UNFCCC legal framework lacks a strong statement on how this temperature target relates to the maximum stabilisation level of GHG concentration in the atmosphere. Nevertheless, the fifth IPCC assessment report warns that in order to reach a maximum increase of two degrees (with a probability of more than 66%) the cumulative CO<sub>2</sub> emissions from all anthropogenic sources since pre-industrial levels would need to remain below 2900 GtCO<sub>2</sub>, of which 1900 had already been emitted by 2011.<sup>24</sup> This implies that the atmosphere has a remaining budget of less than 1000 GtCO<sub>2</sub> that must be shared in a fair way by the different countries involved in the negotiations.

From the mid-2000s, developed countries began to emphasise that in order to stay within the remaining carbon budget, emerging economies had also to make substantial reductions. In this context, the comparison between recent emissions levels from China and other large industrialised nations are often cited. A study from the American Congressional Research Service, for example, points out that while the United States has contributed substantially to the rise in GHG concentrations in the atmosphere, ‘in 2007 ... China surpassed the United States as the leading current emitter of GHG. The greatest growth in GHG emissions is expected from industrialising countries, such as China, India, and Brazil’.<sup>25</sup> Similarly, a negotiator from a Northern country reported during an interview that he believed that it was useless to consider cutting emissions in developed countries without involving China. To make this point he remarked that:

I remember taking part in a discussion with the EU a few years back, and they were debating whether to adopt a 30 or 35% emission reduction target. But we pointed out that it was irrelevant ... because 5% of EU reductions corresponds to a week of emissions from China. And if you look at the future things get worse, as China and India are going to have by 2020 the same level of emissions of the US and the EU combined. So even if we reached zero emissions we still have the same problem. Therefore, we need to have all the major emerging economies in the boat in order to make a reduction that makes sense. Everybody has to make steps towards reducing emissions. Of course, we are not talking about small countries like Zambia that do not have significant emissions. We are trying to tell them that they do not need to worry. But all the bigger economies have to take reduction commitments if we intend to go somewhere.

As a response to the emissions discourse from the North, countries from the South emphasised the need to diversify the types of targets to be included in the new agreement. These metrics included emissions per capita (defended by India), carbon intensity per GDP (proposed by China) and reductions in relation to a projected increase (as indicated by Mexico and Indonesia). Thus all non-Annex I countries (including emerging economies) would be allowed to increase emissions, albeit at a lower rate. Yet, in different instances, countries from the global North betrayed the expectations of many Southern countries. In 2009 the proposal to freeze the emissions of developing countries was also part of the controversial ‘Danish Text’ that was negotiated in secret prior to COP 15 by

the president of the conference in collaboration with Mexico, the United Kingdom, the United States and Australia. The draft proposal stated that since developed countries' emissions had already peaked, developing countries would have to freeze their emission growth by 2020 if global emissions were to stabilise by that year. A similar attempt was made in the negotiations leading to Paris. The draft text of the ADP from 8 December 2014 prepared by the UN secretariat proposed that 'Parties with the greatest responsibility and those with sufficient capability are expected to take on absolute economy-wide mitigation targets, and that all Parties should aspire to this over time' (Art. 11, b, Draft ADP Version 1 of 8 December 2014 at 06:30). In this sense, emerging economies would be forced to stop increasing emissions and even reduce them in relation to a baseline year. This proposal was received with much diffidence because, in the view of many Southern countries, it would amount to giving up their right to develop and the freezing of the economic status quo of the world as envisioned by the controversial 'Limits to Growth' by the Club of Rome.<sup>26</sup>

Southern countries reacted by emphasising their different emissions histories when proposing their own mechanisms. An important starting point in this discussion was a document submitted by Brazil during the negotiation of the KP that came to be known as the 'Brazilian Proposal'. This mechanism recommended that instead of adopting a flat reduction target, developed countries should make commitments based on their proportionate historical responsibilities to current GHG concentration levels and related temperature increase. For example, based on an estimate of the GHG emissions of each country since 1840, it was calculated that the United Kingdom would need to cut its emissions by 63% in relation to its emission levels in 1990 by 2010. Concurrently, it was proposed that the United States, responsible for more than a third of global emissions, have a reduction target of only 22% due to its later industrialisation (FCCC/AGBM/1997/MISC.1/Add.3). Most importantly, the proposal argued that, on a per capita basis, Southern countries had made a very small contribution to climate change based on past emissions and as such should be given most of the atmospheric space that still available if the planet is to stay below a dangerous level of global warming. During the negotiations leading to the Paris Agreement this idea was revived in a proposal from Bolivia to divide remaining emission 'rights' based on a set of indexes that would consider historical responsibility, ecological footprint, technological and economic capability and sustainable development levels.<sup>27</sup> Since the Paris Agreement involves all countries, the proposal concluded that more than two thirds of the remaining carbon budget should be distributed to the global South in order to allow some carbon-intensive economic growth. Meanwhile, the global North, having already used up most of their atmospheric space, would need to reduce emissions in a much more radical way. Therefore, also within the emissions discourse it is possible to observe diametrically opposed postcolonial identities being performed.

## Discussion and conclusion

In the sections above we have followed key moments in the recent history of the UNFCCC and examined how postcolonial identities were performed in both documental and oral forms during the climate negotiations. Even though many of the more extreme proposals from both Northern and Southern countries did not materialise in the Paris Agreement,

they nevertheless reveal how some of the underlying discourses shaped climate negotiations. In particular, it was possible to see strong disagreements concerning whether the North–South divide inscribed in the original convention should be understood literally or be flexibly interpreted; to what extent recent economic reality is continuous or not with the past; and how blame for climate change, and the remaining atmospheric budget should be shared.

In this process, it was also possible to identify an inversion of the position usually taken between mainstream and critical postcolonial scholars. As mentioned above, the North is often shown as the promoter of a homogenising myth that represents the global South as ‘developing nations’ needing financial and economic assistance in order to establish an ontologically different identity between the South and the North. This myth in turn has been instrumentalised by the North to legitimise the ongoing economic and cultural dominance of the South. For this reason, postcolonial scholars have striven to expose the fallacies of this Northern myth in order to promote the emancipation and self-determination of the global South. In the climate negotiations, by contrast, Southern countries have been the ones reaffirming their identity as ontologically different from the global North. But instead of falling pray to this homogenising myth, they instrumentalise their identities as ‘developing countries’ to demand more commitments from the North in tackling climate change and transferring financial resources to the South. In other words, rather than deconstructing development, the South has subverted this myth in order to promote its own political agenda. Meanwhile, there is a systematic effort by Northern countries to unmake the notion of differentiation (and thus of their primary responsibility in the convention) by pointing out the economic development and current emissions of some Southern nations. Therefore, it is the North that has adopted a critical stance and attempted to deconstruct the mythical separation between ‘developed’ and ‘developing’ countries in order to place emerging economies from the South on an equal footing with the North.

This raises important questions about how postcolonial identities should be examined by critical scholars, and what kind of emancipatory agenda may be possible. The case above indicates that the deconstruction of the myth that strictly separates the North from the South, first through pointing to racial and now economic differences, may go against the political interests of the global South as it strives to make Northern countries accountable for their emissions and financial responsibilities. At the same time, the emphasis on the (de)construction of North–South relations in those terms, leave us with a more fundamental problem. Despite the divergent positions it is possible to notice a strong coherence in all three discourses under discussion: international law, economics and climate science. In this sense, even though the negotiators from the global South and global North disagreed about each other’s specific statements, during the negotiations they neither challenged the conditions of possibility for each of these discourses nor their exclusionary effects. Since the knowledge at the base of these three discourses is produced chiefly in the North, the South is bound to fight with weapons forged across the borders, and lose the battle. Most importantly, since both sides of the debate seem to have a similar understanding of human progress – as the expansion of consumerism and material wealth – the UNFCCC is currently unlikely to provide answers to the challenges posed by climate change.

## Notes

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