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EQUAL AND SUSTAINABLE DEVELOPMENT AS A  
HUMAN RIGHT

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## **ABSTRACT**

The process of decolonization has influenced the power relations between developing and industrialized countries, so as their dialogue in international institutions.

Since the second half of the twentieth century, developing countries gathered their efforts in the United Nations system to adopt a common platform, represented by the Group of 77, aimed at achieving the recognition of an economic development based on a more inclusive international economic order and fair economic conditions.

This research aims at exploring the evolution of the relationship between the North and the South of the world for the recognition of economic and social rights in international treaties and policies, examining the diverging positions on the adoption of common policies that address development, studying the impact of globalization as an unprecedented phenomenon with positive and negative effects. It covers not only the historical roots of the dialogue between developing and industrialized countries, but also how it is reflected in the international treaties adopted to tackle climate change as a threat that requires global efforts.

Key words: right to development, developing countries, human rights, social rights, climate change

## **Introduction: Objective and structure of the thesis**

This thesis explores the coordinated efforts of developing countries in pursuing the recognition of the right to development and the strengthening of economic and social rights in international treaties and policies.

The aftermath of decolonization and the increasing representation of developing countries in international institutions encouraged them to try to gain a stronger position in the international community and foster their socioeconomic development: this position did not entail only the right to vote in assemblies and commissions, but also a political platform aimed at reshaping the international economic order, widening the access to trade, financial resources and technologies of developed countries.

### **Objective of the thesis**

The objective of the thesis is to explain the evolving role of developing countries in the adoption of international policies and in international fora, their relationship with industrialized and rich countries and how their approach to this relationship has changed through time collectively and individually, to assess if their demands for social justice and equality had a resonance on the power relations between states. The thesis also aims to highlight the relation between climate policies and policies for development, which became more evident after the adoption of the most recent climate agreements. The shift in the actions and policies of richer states is considered necessary to face climate change and the future international emergencies in a way that is equal and sustainable for all.

The sources of the research show how the ideological background and the political meaning of the Third World demands have changed over the decades, shifting from a Marxist and nationalist legacy to a political platform that embraces human rights values and the interdependency of human rights.

The research aims at showing how constant are the diverging positions between Western states and developing states on the international right to development and the evolution from a strong ideological platform advocated by developing countries and antagonism to West liberalism to a model that embraces cooperation and participation in international institutions and treaties. The political platform of developing countries, which was represented at its peak by the proposals for a New International Economic Order in 1974, was founded on an adversarial approach that considered Western-led imperialism as the main reason for the underdevelopment of poor countries (Cox, 1979).

The fragile unity of developing countries broke when the differences among them emerged more clearly. It could be explained by the political differences of such a heterogeneous group, especially with the economic growth of some of these countries, for example India and China. The thesis also seeks to explain the role of the World Trade Organization and the World Bank in helping developing states to overcome economic and financial difficulties with the adoptions of policies that involve reductions of tariffs and barriers to imports; in the discourse of development, the international aid provided by Western-driven institutions was seen as opposed to the adversarial approach of the G77 and the demands for the New International Democratic Order. The opportunities offered by globalization and the further integration between states weakened the ideological divide between rich and poor states, paving the way to a cooperative model of development that expresses itself in the elaboration and the compliance with new policy instruments like the Millennium Development Goals.

The thesis relies on the academic literature and legal policy documents to study the concept of development both from an historical and an analytical point of view: the different conceptions of the right to development; the position of social and economic rights in human rights treaties over the course of decades, assessing the validity of the assumption that Western countries always considered social rights as second-tier rights. It tries to describe globalization as an unprecedented phenomenon that, along with the political considerations made by different political groups on its consequences on the debate on the right to development, for the first time, expanded the conception of space with the large-scale spread of supraterritoriality and transplanetary social links (Scholte, 2008).

### **Structure of the thesis**

The first chapter of the thesis covers the historical steps of the relationship between poor and rich countries, from the New International Economic Order to the adoption of the Declaration on the Right to Development and the spread of the Human Rights-Based Approach to Development. It analyzes the inclusion of civil and political rights and the economic and social rights in international treaties as different groups, how the group of countries belonging to the G77 sought to change the place of social rights in international law and policies. The demands of the New International Economic Order tried to elaborate the needs of poor countries to achieve economic development and the access to

international trade and financial resources. Developing countries did not ask for an intervention of foreign countries or plans for international aid, but they considered these demands as the access to independence, self-control over national resources, the path to gain a position in the international economy by restructuring its Western hegemony.

The second chapter will explore the developments of the North-South relationship in the global context that began to take shape since the end of the last century and the beginning of the new one. It will analyze how the dynamics of globalization had a direct impact on the access to the development of poor countries, bringing advantages in the reduction of barriers to international trade and in the formation of global movements and organizations for sustainable development. It will cover the different meanings that can be traced under the umbrella term of globalization, including the influence of Western institutions and policies in its spreading, so as the one of neoliberalism in promoting free-market and deregulation policies as global standards for the socioeconomic well-being of a developing state.

The first decades of globalization also marked the beginning of a redefining process for the priorities of the United Nations. The thesis will explore the adoption of the Millennium Agenda and the elaboration of the Millennium Development Goals as important steps for the contemporary role of social rights in international institutions and policies. The Millennium Development Goals (MDGs) became international instruments that were also a political agenda on the emergencies and issues that must be tackled at global level, on the idea of global policies and approaches that could be shared among different countries. The elaboration of parameters and targets to be met was coherent with the criteria used in international financial institutions in aiding governments, leading to the idea that the MDG were much more focused on parameters rather than on the implementation of social rights of individuals and groups.

The Sustainable Development Goals (SDGs), adopted in 2015 as the successors of the MDGs, can be considered as a response to the criticism advanced to their predecessors. Those actors excluded from the proceedings of the MDGs, nongovernmental organizations, political movements, and associations, became active participants in the elaboration of policies on development. The adoption of a new agenda with objectives to be realized within 2030 also streamed from the recognition that the link between development and environmental sustainability could not be ignored (Sachs, 2012), considering the unsustainability of an economic development centered on the exploitation

and overuse of fossil fuels. The SDGs embraced a cohesive vision on poverty and inequality, including economic, environmental, and social goals as the many facets of the same problem.

The third chapter links the need for socioeconomic development of developing countries and the global efforts to achieve climate neutrality and sustainability, considered as deeply interconnected. This interconnection is recognized in the climate agreements adopted, for example the Kyoto Protocol of 1992 which puts an explicit distinction between industrialized (the Annex I countries) and developing countries, reiterated in the Paris Agreement of 2015. However, the thesis shows how the criticisms to the Kyoto Protocol and its rigid division of countries in groups with different responsibilities influenced the strategies of the Paris Agreement with the idea that climate change and sustainable development could not be achieved without the efforts of developing countries as well.

The chapter also includes the contribution of Keohane and Victor in defining the current international regime of climate change as a “regime complex”. The two academics explain that aside from the global framework established within the United Nations to gather the individual efforts of the world’s countries, there is a regime complex that can be defined as a set of loosely coupled regimes, where an overall comprehensive and hierarchical architecture is ineffective if not absent. The regime complex prevails because of the distribution of interests, weighted by power.

For what concerns the international cooperation to tackle climate change, the thesis analyzes two different levels: the global level of the United Nations Framework Convention on Climate Change (UNFCCC) and the Conferences of Parties that followed it; the level of interstate meetings, coherent with the concept of “climate clubs”, explaining how the G20 became a privileged forum for discussions and decisions on climate change. The main advantages of climate clubs is in their flexible institutional architecture, the informality of these meetings and the limited number of states that accede to it (Aeree Kim, Chung, 2012).

The Conferences of Parties to the UNFCCC are examined in their positive and negative outcomes, that depend on the negotiations processes among states with different socioeconomic status. For example, while the COP15 of Copenhagen resulted in an opaque and non-inclusive outcome text, the COP21 of Paris marked the beginning of the multilateral provisions of the Paris Agreement, which established binding and nation-



based commitments to all the states participating in the meeting.

The last part of the chapter describes the national strategies of three different developing countries in their compliance with the global climate change agreements and their Nationally Determined Contributions (NDCs) provided by the Paris Agreement. It aims at showing how important are national and local policies and dynamics to the reach of global targets, how strict is the linkage between the need to mitigate and reduce greenhouse gas (GHG) emissions and the investments in a socioeconomic development that depends on sustainability and cooperation with international institutions.

It represents an evolution of the North-South relationship dealing with development, a framework established to face a global threat that also acts as a driver for the socioeconomic needs of communities that are still excluded from the power dynamics of international relations.

## **Chapter 1 – The struggle for the recognition of a right to development**

### **1.1 Introduction**

This chapter will describe the birth of the right to development in the United Nations' system, highlighting the controversy between rich and poor states on the nature itself of this right, linking it to the long distinction in the human rights field between civil and social rights that lies beneath the controversy. Then it will explore how the role of the third world states in the international community has changed over time along with their demands for a more just economic system of social rights, international assistance, and fair market conditions; the effects of these demands on the United Nations system and in the international debate on development.

### **1.2 Is there a Right to Development?**

The right to development (RTD) has been contentious since the beginning of its conceptualization.

Arisen from the formation of the G77 and the political platform of the New International Economic Order (NIEO) in 1974, it was established in the United Nations' system in the Declaration on the Right to Development (1986), but it gained a widespread consensus, shared among developing and developed countries, in Vienna during the World Conference on Human Rights (1993). The Vienna Declaration and Programme of Action (1993), reaffirmed “that the universal and inalienable right to development, as established in the Declaration on the Right to Development, must be implemented and realized”; it welcomed the appointment, by the Commission on Human Rights, of a working group on the RTD with the aim of eliminating the obstacles to the implementation and realization of the Declaration on the Right to Development and recommending ways and means to achieve this right to all the member states (Vienna Declaration and Programme of Action, 1993).

In the Western political history, origins of this right can be traced to President Roosevelt's State of the Union Address, where economic security and independence were considered necessary to achieve individual freedom.

Since the end of the Second World War, the world leaders, having in mind the gross violations of human rights committed in many ways throughout the conflict, imagined an international order based on freedom and human rights as an effective answer to these violations (Sengupta, 2000). According to the Article 55 of the Charter of the United

Nations, now adopted by the 193 countries of the world, it is the task of the United Nations to promote “higher standards of living, full employment, and conditions of economic and social progress and development” and “solutions of international economic, social, health and related problems” as well as “universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language and religion” (Charter of the United Nations, 1945).

The Universal Declaration on Human Rights, adopted in 1948 as a core international instrument on human rights, included civil and political rights, from one side, and social and economic rights, from the other, as equal parts of the same picture of human rights, not putting any distinction – in terms of value – between the two. However, the Cold War made the covenant split into two different documents, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Historically, some governments had already put a divide between positive rights and negative rights, supporting the idea that the government of each state should be held responsible only for the implementation of civil and political rights, giving them a stronger emphasis and primary importance when it comes to human rights.

### **1.3 The role of social rights**

The political importance of social rights grew along with the emergence of post-colonial constitutions in the developing world (Landau, 2012). Countries in the developing world gave a prominent role to social rights (right to food, healthcare, work, housing) in their constitutions. There is still a debate among constitutionalists on social rights: an important group of scholars in the United States still defends the position that social rights are not intended to be considered in a constitutional text (*ibidem*), because they are not judicially enforceable and there is not an institutional capacity to enforce them, as opposed to civil and political rights.

They are considered “positive rights” because they give to those entitled the right to receive something from the state rather than requiring the state to leave a person free from oppression or discrimination. Social rights require that states are the actors responsible to provide people with goods or services by judicial or legislative means and, according to the opponents of the inclusion of social rights in constitutions, not considering the need for a democratic consensus on this kind of policymaking (*ibidem*). According to this argument, the inclusion of social rights in the constitutional texts would make the judicial body of the state responsible for the implementation of these rights by enforcing them,

going nevertheless far beyond its capacities.

A different group of scholars attacked this position by stating that the inclusion of social rights would not be that different from the inclusion of the first generation of rights, since civil and political rights often require a significant amount of state resources (for example, the right to a fair trial or the right to participate in elections) and courts can protect social rights from individual violations, adopting the same enforcement that is common for the protection of civil rights.

According to these scholars, issues for the enforcement of rights are common for both the civil and social rights, complex remedies must always be considered by a well-functioning state.

Restricting themselves to a system of individual cases and possible remedies, courts could enforce social rights in a similar way they enforce the first generation of rights. The difference lies in the economic means belonging to the state that are necessary for the implementation of these rights (*ibidem*). While the protection of first-generation rights is cheap, the protection of social and economic rights is far more expensive. Furthermore, while individualized remedies have the potential to enforce some kinds of social rights, the enforcement of social rights requires the creation of new programs that cannot be elaborated by courts but only by political bodies with a democratic legitimacy.

These difficulties in implementing social rights within the borders of a state are represented by the tension between the desire to enforce social rights (and economic rights) that are recognized by the constitutional texts and the impossibility to enforce them without capacity and legitimacy by the judicial system (*ibidem*).

There are also some opponents to the idea of enforcement. After all, the intervention of a judicial body is not a guarantee that the legislative body will implement the policy that the court requires: there is no certainty that the decision of the court can always be a positive step towards the achievement of social rights.

The idea of a Western hostility or indifference to the economic and social rights was challenged (Whelan, Donnelly, 2007). While people's and social rights are often confined to the Third World politics, civil and political rights are attributed as belonging to the Western world. However, Western European countries adopted, after the Second World War, strong welfare states that are concrete examples of how social and economic rights could be implemented. It is also important to mention the position of social rights in the International Bill of Human Rights (the two Covenants): Western states had no difficulties in accepting social rights in the post-World War II period and they were

included as in the early drafts of the UN Commission on Human Rights. Moreover, it has not been proven that without the influence of the Soviet bloc's states their role in the International Bill of Human Rights would have been weakened.

The historical reasons behind this attention by Western countries to social rights are rooted in the pressures of industrialization and democratization began at the end of the nineteenth century and showing their long-lasting effects in economic crises. Britain shifted from a liberal laissez-faire economy to an interventionist economy, relying on a welfare state, from 1905 to 1948. In this sense, the inclusion of social rights in the Universal Declaration and in the two Covenants was seen as an international adaptation of Britain's welfare state (*ibidem*).

Economic rights and social rights had also an important role in the political agenda of Franklin D. Roosevelt, whose electoral campaign (in 1932) was meant to answer to the loss of economic freedom caused by the Great Depression. In the 1944 State of the Union Address, Roosevelt proposed the idea that freedom could not be achieved without economic security and independence including the right to a useful and remunerative job, the right to adequate food, the right to a decent home, the right to healthcare, the right to a good education. It supported a vision of interdependence between civil and social rights, by which the first are impossible to respect without the latter. This set of political proposals had a deep influence on the development of the welfare state in the United States (*ibidem*).

At international level, the division of civil and political rights and social and economic rights in two different Covenants was determined by a resolution elaborated by the Indian government in the 1951 session of the Commission, asking the UN General Assembly to reconsider the equality between civil and social rights because, even deserving the same recognition, the latter were not judicially enforceable because of the expensive economic investments by states (*ibidem*).

#### **1.4 The international recognition of the right to development**

The principles enshrined in the United Nations Charter of 1945 and the two international covenants recognized a right to development much earlier than the ratification of the Declaration on the Right to Development of 1986.

When adopted, the Declaration manifested the will to unify civil and political rights with economic, social and cultural rights, taking a strong stand against the historical divide between the two:

“All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.”

This position, however, did not represent a consensus among states on the position of social rights and, in particular, the right to development among human rights, they will always be open to debate and interpretations (Sengupta, 2002).

The Declaration did not provide a complete consensus on its principles and on its implementation. Its principle of the indivisibility of human rights was, anyway, reaffirmed during the World Conference on Human Rights in Vienna in 1993.

There have been other memorable recognitions of the right to development and its principles in international fora: the Rio Declaration on Environment and Development (1992), the Copenhagen Declaration on Social Development (1995), the Platform for Action of the World Conference on Women at Beijing (ibidem). These documents promoted the idea that both civil and political and economic and social rights had to be considered as interdependent and equally important.

According to Belachew Mekuria Fikre, the conflictual relationship between rich and poor countries on the implementation of the right to development lies in the misconception in the words of “assistance” and “cooperation”.

The equivocal use of the terminologies “assistance” and “cooperation” as synonyms made the wealthy and rich states uncomfortable, and it made the debate heavily politicized. While “cooperation” refers to a mutual type of relationship, “assistance” refers to a concept that may be perceived as a form of dependency, a relationship between a receiver and a provider (Fikre, 2011). It transforms the possible partners of an international project to simple beneficiaries, a concept that was seen by Western states as a “resurrection” of the NIEO.

### **1.5 The New International Economic Order**

“Our coming together in the Group of 77 has the purpose of enabling us to deal on terms of greater equality with an existing Center of Power. Ours is basically a unity of opposition. And it is a unity of nationalisms.... The unity of the entire Third World is necessary for the achievement of fundamental change in the present world economic arrangements.... The object is to complete the liberation of the Third World countries from external domination. That is the basic meaning of the New International Economic Order. And unity is our instrument-our only instrument-of liberation” - Mwalimu Julius

K. Nyerere, former president of Tanzania)

During the 1970s and the 1980s, a new solidarity between Third World countries began to manifest itself in the united action at UNCTAD (United Nations Conference on Trade and Development) and in their voting behavior within the UN General Assembly (Iida, 1988). There have been numerous attempts, through time, to explain the principles behind these changes in voting behavior in the light of the existing theories of international relations.

The formation of the “Group of 77”, a large coalition founded in 1964 by 77 non-aligned developing countries, derived from the idea, grounded in the realist and critical theories of international relations, that foreign policy behavior of states was caused and controlled by the systemic structure of the international community. In this picture, the major space of this structure is occupied by those states that are more powerful and capable and have a power of control over the others. This political control is granted by the financial control of the international economy and its institutions, on capital flows and conditions of trade. Developing countries tried to combine their efforts and shape international law with the aim of achieving economic justice and reducing the historical gap between the North and the South of the World.

This gap could also be represented in numeric terms: in 1976 the developed states, with 20 percent of the world population, enjoyed 66 percent of the total world income while developing countries (excluding China) had 50 per cent of the total world population but enjoyed only 12.5 per cent of the total world income (Salomon, 2013).

The Third World leaders belonging to the G77 elaborated the Declaration on the Establishment of a New International Economic Order (1974) to address the structural biases and the difficulties in a world economy that was perceived as “western-centric” and hostile to poor countries.

While in the 1950s Latin American states had a major role in agitating the international community, in the 1960s and the 1970s post-colonial African and Asian states became protagonists, under the auspices of the “Group of 77”, in advocating reforms of the international economic relations and institutions (*ibidem*) to gain a favorable position in the governance of the world economy, to exercise an effective control of the economic activities within their borders, to gain a fair access to technology, finance and cooperation with other states.

The process of independence in many African and Asian states in the early 1970s also

strengthened the influence of these countries on the General Assembly, where they had the majority of the seats. It is important to consider how the process of decolonization was determinant in feeding the demands for economic self-determination and independence of these new states. This process gave them a new role and new responsibilities in their relationships with more powerful states that led to the adoption of the Declaration on the Establishment of a New International Economic Order and several resolutions within the United Nations system, for example the UN Declaration on Permanent Sovereignty over Natural Resources (*ibidem*).

The idea behind the formation of the G77 was that if weak nation-states, interested in their self-preservation, ally with other weak nation-states, they can balance the power of behavior in the General Assembly and other international fora (Iida, 1988). The perception of powerlessness of poor states may affect their behavior and invite them to ally with other states; on the contrary, states are less inclined to cooperate with other states if their position is secure and convenient and they exercise leadership. Weaker states feel stronger when they negotiate on behalf of other states rather than alone.

Other than a structural analysis or explanation, it is possible to analyze different reasons for the behavior of the Group of 77 in the UN General Assembly. Keisuke Iida found three different models to explain their international actions in two decades (1970s and 1980s). According to the “community of interests” model, Third World states ally with each other because of their common and external vulnerability, of their internal political weakness and because of the economic disturbances that affect all of these new economies. This connects with the economic proposals of the Third World leaders asking for a NIEO as an effort to subvert the Western international order founded upon free-market policies and financial flows to rich countries. However, Iida noticed that geopolitical diversity among G77 states cannot be ignored, since it is a heterogeneous group that include both socialist and capitalist economies; furthermore, the voting behavior of G77 states was not constant (it peaked only in the 1980s) as should be expected from a group of states with the same ideological platform.

The second “leadership model” considers leadership of a dominant power as a key factor for the cooperation within a group of states. It was possible to recognize a leadership for G77 during the 1970s, when the group of states belonging to the Organization of Petroleum Exporting Countries (OPEC) was perceived as powerful and influential. After that, there was not a single dominant power among Third World states, it is also questionable whether the OPEC group was really interested in Third World solidarity or



the request for a NIEO.

The third model, considered by Iida the most effective one, considers two concepts: reciprocity and institutionalization. In an anarchic society of states, reciprocal cooperation between states could be considered as the most successful strategy, but an institutional structure or platform is needed for the duration of this cooperation over a long period of time. The G77 worked as a permanent arena to let the actors collaborate with a commitment to do so. While the norms emerged from the efforts of the G77 often seemed weak, they could exist because there were documents like the Joint Declaration of the Seventy-Seven in 1964 as frames of reference (*ibidem*).

The emergence of the NIEO led to a new phase of reconsideration of the structures and the processes of the world political economy (Cox, 1979). It was an ideological body of demands and considerations embodied in international documents and, at the same time, a process of negotiation, between Southern and Northern states of the world, that happened through international institutions and forums. Proponents of the NIEO insisted on improving the conditions of trade, making easier the access to trade, increasing development assistance by Western states, reducing tariffs.

From an ideological perspective, the NIEO is an international debate on the nature of international economy and politics, on the fairness of the structure of international relations and the international divide between social classes.

The demands of a NIEO imagined a reorder of the dominant, international economic order that was based on: “the division of the world into exporters of primary products and exporters of manufactures; the adverse factoral terms of trade for the products of the developing countries; the dependence of the developing countries on the developed for finance; the dependence of the developing countries on the developed for their engine of growth” (Lewis, 1977; Fikre, 2011).

This doctrine is founded upon the notion of “imperialism”, deriving from the Marxist or Critical theory, which considered imperialism as the main cause of underdevelopment (Cox, 1979); a notion that is controversial and causes many disagreements between states. It developed with specific orientations and approaches to the North-South relations: the acknowledgement that there is a monopolistic liberalism as the main view of international relations and that its dominant role feeds the gap between the Southern and Northern states of the world.

The NIEO derives from an interpretation of the two well-established principles: the

equality of states and the principle of non-intervention (Salomon, 2013). Under the umbrella of these two rights there were far more principles embraced by the NIEO theorists: the sovereignty of states over their national resources, the right for each state to choose its economic policy, the equal participation of states in international institutions. The principle of sovereignty became an instrument of representation and protection of the interests of the most vulnerable states from the interference of the most powerful (ibidem). However, this commitment was not enough to ensure a more equal legal order with a concrete role in helping the development of these states.

The strong influence of neoliberalism and the spread of globalization dynamics in the decades following the elaboration of the NIEO undermined any attempt of financial reform within the UN system. Conservative liberalism and economic liberalism became the dominant economic model since the 1980s and the collapse of the eastern bloc in 1989 made its economic orthodoxy (based on free competition in free markets, an economic system growth of GDP and financial stability, severe reduction of the public sector) the rule to be applied in the development assistance programs (ibidem).

In the UN institutions, none of the resolutions following the Declaration of the Establishment of a NIEO was legally binding and the Declaration itself was accepted by Western countries only with reservations.

The NIEO may have failed for two reasons: the absence of a unified platform presented by developing states to enhance the authority of their demands; the absence of a will, by rich and industrialized states, to enter into genuine global negotiations (ibidem), to change the rules of the power relations between states. From the theorization of the NIEO to the beginning of globalization, some industrialized states (most prominently, the United States) have sought to keep economic policies and finance under their control and outside of the United Nations system where poorer countries could become the majority.

Robert Cox identified five clusters of perspectives representing the conflicting positions between industrialized states and the developing countries of the G77. Each cluster corresponds to a precise ideological view on the position of newborn states in the international community.

There is an “establishment perspective” that considers the contemporary structure of the world’s economy as the basis for the reduction of inequalities among countries and globalization (expressed in the reduction of tariffs and expansion of free markets) as beneficial for poor countries.

There is another perspective which relatively accepts a world economy based on the free movement of capitals, people and goods, but it puts much more effort into the needs of poor countries. This “social democratic perspective” can be seen as an alternative to the “establishment perspective” and has at its focus the maximization of employment, especially in less developed countries (Cox, 1979). It had a remarkable influence in shaping the programs of the United Nations and other international agencies. Scholars adopting this approach, for example Gerald Helleiner, accept the existence of a global system to be “governed” (Helleiner, 1976) adopting global rules and institutions, not taking an approach oriented towards liberalization for granted. It took shape following the apparent failure of the development programs in assisting the conditions of the vast majority of the population in developing countries. According to the supporters of this perspective, only in those countries where there had been real economic growth, this growth only benefited the richest people or social classes of these countries (Cox, 1979). Cox identified a third group made of Third World representatives and characterized by the concept of “intellectual self-reliance” to adopt self-made development strategies and to realize the Third World countries’ claims (ibidem). The Third World Forum arose in 1973 as a reaction to the economic problems of the time and to the policies planned by the West in developing countries. It adopted liberal and free trade views, but it relied much more in favor of public intervention by the government in economic affairs. There was a tension between the rejection of western models and the demand for economic support from Western economies.

Then there is the “neo-mercantilist” perspective. According to Cox, the neo-mercantilist approach sees economic policies as instruments to achieve political goals: economics, in this case, cannot be separated from politics and it is only functional to the political power. Cox found a difference between a left-wing mercantilism, built on the “anti-imperialism” paradigm and which finds unequal power relations as the main source of inequalities, and right-wing mercantilism, that revolves around the foreign policy of the United States. The “neo-mercantilist” perspective can also be linked to a “materialist perspective” that takes some ideas from the Marxist tradition and puts more attention into the production process. Thinkers adopting the left-wing neo-mercantilist and materialist perspectives were often excluded from the negotiations over the international economic policies (ibidem).

The historical materialist perspective has often thought on how the world system was changing in terms of equality between states and in terms of division of societies in social classes. Materialist thinkers put at the heart of the debate the relation between the political

“center” and the peripherals, how the process of top-down industrialization of the Third World, led by the peripheral bourgeoisie, risks giving birth to a new phase of imperialism (Amin, 1977). According to the scholar Samir Amin, the Third World should have acted in a cohesive and collective way, through mutual support and controlling the export of resources to the West, to gain its rights in the international community and in terms of division of labor. In this analysis, Amin puts a correlation between the class divisions within developing countries and the position of these countries in the world economy: the emergence of a “national bourgeoisie” class in the Third World states could lead to a national development strategy that achieve the interests of all the social classes belonging to a certain state. This range of clusters provide us an idea on the opinions within the debate on the NIEO (Cox, 1979).

The tangible contribution of the NIEO to the human rights debate on social rights is the message of reciprocal interdependence and mutual assistance between States, that continues to have a role in the international fora as a recognized principle, and the attention to the economic difficulties of post-colonial states (Salomon, 2013).

### **1.6 What is the Right to Development?**

Human rights are defined as those rights that people give and recognize to themselves, not always enforced by an authority, or provided by natural or divine principles. They are acknowledged by a community of people and states from a shared conception of humanity (Sengupta, 2000).

Despite the culture-specific conceptions of human rights, the adoption of the Vienna Declaration and Programme of Action made the right to development affirmed as a universal human right, asking governments for its implementation at global level.

The Declaration on the Right to Development (1986) paved the way for the theoretical and practical implementation of such a right. According to its declaratory statement:

“The Right to Development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”.

This statement asks for a process of “economic, social, cultural and political development” reserved by states for all human beings within a specific country.

In the following articles of the Declaration there are important principles on the application on the Right to Development (ibidem): Article 1 puts a distinction between

“every human person” and “all peoples”, making both of them entitled to the right of development, recognizing explicitly the right to self-determination of peoples; Article 2 makes the beneficiary of the right to development “active participant” of this right, it defines the development process as “the constant improvement of the well-being of the entire population and of all individuals, on the basis of their actions, free and meaningful participation in development and the fair distribution of the benefits resulting therefrom.”. More in depth, Article 8 of the Declaration states that the right to development aims to ensure an “equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income [...], that women should have an active role in the development process [...], appropriate economic and social reforms [...] eradicating all social injustices.”

The actors responsible for the implementation of these objectives, according to Article 2 of the Declaration, are “all human beings, individually and collectively” but states (Article 3) have the primary responsibility to create “the national and international conditions favorable to the realization of the Right to Development”.

The debate on who is responsible for the implementation of the right to development can be traced to the different conceptions of positive and negative rights. In the Western tradition, individuals were the right-holder of civil and political rights while the state (the exercise of power) was required to keep individuals free of exercising these rights.

Developing countries considered public institutions and governments responsible for granting the socioeconomic wellbeing of their citizens.

Different articles remark the importance of the state and its responsibility for the implementation of the right: Article 6 requires all states “to eliminate obstacles to development resulting from failure to observe civil and political rights as well as economic, social and cultural rights” since human rights are considered interdependent and indivisible.

At international level, states are required “to cooperate with each other in ensuring development and eliminating obstacles to development . . . and fulfill their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest” (Article 3). States should “cooperate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms” (Article 6).

The ideological nature of the Declaration , expression of the values of the G77, is represented also by its commitment to peace and security, asking for the promotion of

“international peace and security and complete disarmament, ensuring that resources thereby released are used for comprehensive development, in particular of developing countries”.

The cooperation between States to promote development and eliminate obstacles to the achievement of human, civil, political, social and economic rights represents a strong link between the Declaration and the Charter of the United Nations of 1945 (*ibidem*); especially Article 55 of the Charter on “stability and well-being which are necessary for peaceful and friendly relations among nations”. The Charter of the United Nations and its principles of cooperation and solidarity are also reiterated in the Vienna Declaration and Programme of Action of 1993.

The process of development provided by the Declaration is radically different from the idea of development that has been known and applied in Western countries (*ibidem*). It focuses on the idea of equity and justice, on a concept of well-being that is not based on economic growth or indicators like the GDP of a certain country. It is not based on the process of capital accumulation that was central for the European model of industrialization.

The political platform behind the Declaration on the Right to Development is founded upon the historical inequity and unequal distribution of wealth and resources between the rich countries of the world (the former “Western bloc” during the Cold War years) and the poor countries of the colonial and post-colonial “Third World”. Those states that were born from the process of decolonization could not experience that process of accumulation of material and financial capital of the western states; they could not even experience the phase of reconstruction that happened after World War II with the large transfers of resources under the Marshall Plan (*ibidem*).

The right to development questions the international community whether another process of accumulation of wealth and resources, through the growth of GDP and the expansion of markets and foreign investments, is possible.

After decolonization, because of the difficulties faced by the developing countries in terms of resources, capabilities, skills and access to markets, the international community helped their economies by providing international assistance and adopting programs of long-term investments supported by the World Bank and the International Monetary Fund. However, these development policies met standards that put economic growth and industrial production as the means to achieve the well-being of the people who lived in those countries and suffered from systemic poverty.

It is from the clash between the criteria and measures adopted in developing policies by the Western economists and the social standards advocated by the developing countries' politicians that the notions of equity, justice, equal distribution and freedom of development became the ideological architecture of the Convention on the Right to Development.

Many economists advanced the idea of focusing on the growth of the GDP to improve the economies of the poor countries, in some cases adopting redistributive measures at international level to reduce inequalities. An interesting example is the one of the "minimum needs approach" (ibidem), by which the international aid agencies, like the United Nations Development Programme, adopt measures to give the "minimum needs" to the poorest people living in a poor country. But the right to development is founded upon equity and social justice as determinants of development. Poverty has to be reduced by empowering the poor and realizing their social rights, there must be development policies focused on achieving the reduction of poverty among people, even sacrificing targets of growth. This process moves the goal from economic growth to the achievement of social and economic equity. Development, according to this idea, must not be carried out adopting policies of subsidies and small benefits but fully involving the beneficiaries in the process by providing them the opportunity to work in fair conditions.

An approach based on rights and freedoms, according to its proponents, cannot see the economic growth of GDP as the end of the process of development. The advancement of social rights must be carried on by states also investing in education, learning and formation of skills that may improve the economic status of a person and his or her life overall.

### **1.7 Development as Freedom**

The book "Development as Freedom", published in 1999 by the famous Nobel Prize Amartya Sen, reflected the new, enriched, conception of human rights emerging from the post-Cold War international order and from the changing conception of social rights in the international community. In the work of Sen, development is no more intended as a system of policies to foster the growth of GDP and the financial attractiveness of a given country for foreign investments; it represents, instead, the process of expanding the real freedoms of people (Sen, 1999). Sen shifted the focus of the analysis from economic development to human development, the civil, political, social, and economic freedoms that individuals should enjoy. All these freedoms are interrelated and interconnected,

poverty itself is a lack of freedom.

Development, therefore, must expand the substantive freedoms of people living in a country. It requires removing the major sources of unfreedom that are considered on par: “poverty as well as tyranny, poor economic opportunities as well as systematic social deprivation, neglect of public facilities as well as intolerance or overactivity of repressive states” (Sen, 1999).

The work of Amartya Sen is rooted in the birth of globalization as we know it today. It acknowledges the “period of unprecedented opulence, of a kind that would have been hard even to imagine a century or two ago”, but it also remarks that “we also live in a world with remarkable deprivation, destitution, and oppression. There are many new problems as well as old ones, including persistence of poverty and unfulfilled elementary needs, occurrence of famines and widespread hunger, violation of elementary political freedoms as well as of basic liberties, extensive neglect of the interests and agency of women, and worsening threats to our environment and to the sustainability of our economic and social lives [...]”

According to this vision, the expansion of human freedoms is the primary end and, at the same time, means of development. Development is the removal of many types of unfreedoms that impede the realization of people’s rights in a global context. The linkage between these freedoms is not artificial or crafted but it is empirical and causal (ibidem). Sen explores two reasons for putting freedom at the center of his analysis on development: an evaluative reason, by which an assessment of progress should be done considering the freedoms that people have; an effectiveness reason, because development itself is more dependent on the free agency of people and on participation rather than on macroeconomic policies.

Negative rights, like the free participation to the political life of a country, are constituent components of development but only a partial contribution in the path to freedom itself and social progress.

There is not a conflict between positive freedoms, like the freedom to participate in the labor market, and negative freedoms that are typical of a society based on free expression and free circulation of goods and services. In the analysis of Sen, they are considered different types of freedom. In particular, it would be possible to include among these types: political freedoms, economic facilities, social opportunities, transparency guarantees, protective security (ibidem). These freedoms are complementary (as foreseen by the Universal Declaration of Human Rights) and all of them contribute to the “general



capability of a person” (ibidem).

On one side, famine, undernutrition, lack of access to healthcare, lack of clean water, lack of employment and, on the other, denied access to political and civil rights are considered both unfreedoms and denied freedoms.

### **1.8 The human rights-based approach to development**

The new framing of development in the language and history of human rights had an important resonance on the international actors of the last decades. The relationship between beneficiaries, NGOs and local governments enriched with a rights-perspective that puts at its center civil, economic, social, and cultural rights as indivisible. Beneficiaries were no longer “passive aid recipients” but active actors of development and rights-holders.

The human rights-based approach to development (HRBA) gave a new role to nongovernmental, national, and international organizations as drivers of change in development, enriching the primary responsibility of states, already recognized in Article 3 of the Declaration on the Right to Development.

The legacy of the NIEO and RTD can be found in the frequent focus on the unequal power relations between states as root causes of the lack of development.

The United Nations defined the HRBA to development in a document called “The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies”, that made the HRBA the dominant norm over nongovernmental organizations for the last two decades (Schmitz, 2012). Even before the adoption of the Common Understanding, many UN agencies and NGOs adopted a human rights-based approach over the course of time, each of them providing its own interpretation of the approach (The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies, 2003).

The Common Understanding on HRBA to Development Cooperation indicates that every program of development co-operation should further the realization of the human rights laid down in the Universal Declaration on Human Rights and other international human rights instruments and it establishes a relation between duty-bearers and rights-holders.

HRBA emerged from three important considerations in the framework of the international aid programs: the shift from a top-down to a bottom-up approach; the progressive indigenization of the NGO staff; the perceptions of the past international development

programs as failures.

As a consequence of the collapse of the Soviet bloc and the end of the Cold War, many nongovernmental organizations like Human Rights Watch and Amnesty International began to put much more attention and efforts to social and economic rights, embracing the principle of indivisibility of human rights that was recognized by the Charter of the United Nations and the Declaration on the Right to Development.

HRBA gained prominence in 2003, when the United Nations agencies embraced the 2003 Common Understanding and international NGOs involved in the field of development adopted this vision as a milestone for their work. While UNICEF and some NGOs like Oxfam and CARE already adopted the HRBA in late 1990s, it became universally recognized in 2005/2006.

It provides a framework for poverty that is grounded in the human rights language, considering the relationship between the right-holder and the duty-bearer. Differently from the right to development discourse, the emergence of the HRBA led to an effective implementation of its principles in the development work of NGOs and governments (*ibidem*). However, it is still doubtful if their devotion to the HRBA can be considered a concrete, widespread, commitment or only a rhetorical instrument.

Scholars identified some differences in the HRBA frames adopted by different organizations; on one side it depends on the nature of the organization itself, on its mission and on its methods and principles; on the other side, it depends on the political and ideological openness of a given government.

In terms of results achieved with the role of the HRBA to development, NGOs increased their ambitions and shifted their emphasis from outputs to outcomes, from the alleviation of situations of poverty to exploring the root causes of poverty, to the realization of broader coalitions between the organization itself and the right-holders. The Plan International identified six dimensions of change for NGOs: awareness/capacity, participation, practice, accountability, legislation/policy, fulfillment of rights.

An analysis conducted by Hans-Otto Sano in “Interdisciplinary Studies in Human Rights” explored some experiences and approaches by NGOs and local communities to assess if the HRBA has been somehow influential in situations of poverty, considering the controversial relationship between neoliberalism and social rights. The author recognized the deficiencies of human rights scholars and activists in defining poverty in analytical terms, in finding concrete relations between human rights and poverty reduction. This vagueness negatively impacts the experiences in this field, that are not always well-

documented and precise (Sano, 2020). The different HRBA frames reflected the very different ideas that international organizations still have on poverty and human rights: some of them think at it as a critique of the neoliberal agenda, while others adopt a moral or normative approach based on shared values.

Therefore, it is difficult to identify a set of principles for a HRBA to develop that is common and effective in situations of poverty and social injustices.

Some aspects of neoliberalism and the war on welfare states, applied in the adjustment programs of the IMF and the World Bank during the 1980s and 1990s, may still be persistent, within the international society of today, in an idea of human rights that is more focused on the normative perspective, instead of a more needed historical and evidence-based analysis. According to Manfred Nowak, the growing inequalities, poverty and climate change are caused by those neoliberal market forces that gave a fundamental contribution to the process of globalization (Nowak, 2017). The privatization of basic services, for example healthcare, is still an important trend today, even though not always connected to the structural adjustment programs or neoliberal prescriptions.

There are also some examples of hybridity between neoliberalism and corrupt nationalism, in Third World countries, that show how the effects of populism and nationalism should not be understated. It should be considered, furthermore, that today there is no prominent institutional agency at the international level that refers to a neoliberal agenda.

In the last decades, major human rights groups reserved less attention to the importance of adequate standard of living and social security, seen often as a common background in the analysis of violations of other “first-tier” rights. According to the Special Rapporteur on Extreme Poverty of the Human Rights Council, Philip Alston, the precarious nature of unemployment, the difficulties of regulating the labor market and economic inequalities and the negative effects of neoliberal policies need to be addressed by the international community of states (Sano, 2020). In order to meet the first of the Sustainable Development Goals, “No poverty”, a more evidence-based work on how the human rights based-approach can have a role in addressing social security and economic rights would be useful, also giving a large space to the participation and mobilization of poor people as drivers of this change. Participation as a driver of change is a key concept of 2030 Agenda.

## **1.9 Conclusions**

The first chapter analyzed how the right to development in international relations was interrelated with human rights since its first manifestations. It challenges the notion that Western states were always hostile to social rights because of a general hostility towards positive rights (the ones that need an economic investment by public institutions).

With the spread of democratic processes and governments in previously colonized states, the demands for the NIEO and the Declaration on the Right to Development emerged as a counternarrative to the one of Western States, promoting the participation of weaker states to the economic and social development of the international community. They were effective in influencing a reconsideration of social rights in the human rights framework in the following decades, also foreseeing the inclusion of many facets of development in international treaties: the prioritization of women's rights, the involvement of local communities, groups and individuals as drivers of their own social rights.

The reasons that kept social and economic rights behind the international human rights framework fell with the end of the Cold War and the ideological division of the world in two blocs.

Important, in this sense, is the contribution of Amartya Sen at the beginning of globalization, where the social development of a given society is conceived as the expression of many freedoms that are interrelated and indivisible. The same idea is shared by the human rights-based approach to development that changed the relationship between right-holders and duty-bearers in the attempt to make, in a world of complex societies, many actors responsible for the implementation of social rights at local level.

## **Chapter 2 – Globalization and development**

### **2.1 Introduction**

This chapter covers the end of the 20<sup>th</sup> century and the beginning of the 21<sup>st</sup> century as a fundamental phase for the evolution of the North-South relationships and the struggle of developing countries for an equal and sustainable right to development.

It begins with an historical background of the political changes occurring at international level with the rise of neoliberalism and how it provoked long lasting effects on the actions of the international economic organizations worldwide; the growing participation of NGOs coming from developing countries to the processes of international institutions; the affirmation of globalization as an unprecedented opportunity to build a global partnership for development and the reaction of some Third World political movements to globalization and neoliberalism, considered in some cases as an obstacle to sustainable development rather than an opportunity.

The chapter examines what remains of the international proposals coming from developing countries in the last decades, after the seeds of globalization changed world's history. Globalization is a phenomenon that, while built on existing political and economic stances, puts many questions on the recognition of civil, social, economic, and cultural rights in a world that is built on an international society of states but also on many other international and powerful actors that gained more and more influence on the political life of countries.

It will examine the construction of the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs) as a shared commitment, at global level, to the human development of states, the many differences and purposes of these agendas, the different actors responsible for the implementation of these policies and the shift from a paradigm focused on a data-driven, material economic growth to an agenda that acknowledged human rights (civil and political, economic and social) as interdependent and the basis of an international society.

### **2.2 The G77 at the beginning of the end of the last century**

The relationship between the G77 and the UNCTAD, established in 1964 as a common platform to achieve a strong negotiating capacity and representation in the United Nations institutions, saw a decline in the later decades of the century. The unsuccess of the proposals for a New International Economic Order (NIEO) in the 1970s (which had

positive effects in promoting the adoption of new legislation favorable to sustainable development, such as the Declaration on the Right to Development of 1986) was followed by a progressive loosening of the alliance between those States (Toye, 2014).

The Uruguay Round, the 8<sup>th</sup> round of the trade negotiations within the General Agreement on Tariffs and Trade (GATT), held in 1994, favored the inclusion and integration of developing countries in the international trading system, extending the rules of the GATT to a wide area of services, promoting the transfer of technology and foreign direct investments (Note by the Secretariat, General Agreement on Tariffs and Trade, 1994). In the negotiation process, trade liberalization was defined as a “positive stimulus to achieve sustainable development”, necessary to promote and consolidate the political and economic reforms of a given country.

It settled a cohesive institutional framework including the GATT as an agreement for the liberalization of trade in goods; the General Agreement on Trade in Services or GATS for the trade in services; the Agreement on Trade-Related Aspects of Intellectual Property Protection or TRIPs (seen as essential to promote the export of developing countries’ intellectual properties worldwide); the Understanding on the Dispute Settlement (DSU); the Trade Policy Review Mechanism (TPRM) serving as a monitoring body for the implementation of trade policies (Note by the Secretariat, General Agreement on Tariffs and Trade, 1994).

While it was unlikely that all countries could gain immediately the benefits and positive outcomes from the negotiation of the Uruguay Round, and the Secretariat of the GATT himself recognised that “various aspects have been identified as having potential negative implications” (Note by the Secretariat, General Agreement on Tariffs and Trade, 1994), a wide and significant reduction in tariffs and border restrictions was expected to benefit all of the countries involved.

The World Trade Organization (WTO) was established by the Uruguay Round, in 1994, as an institution aimed at facilitating the implementation and administration of the provisions agreed in the negotiations, cooperating with the International Monetary Fund (IMF) and other economic institutions in providing “an adequate and timely flow of concessional and non-concessional financial and real investment resources to developing country Members, and for further efforts to address debt problems, to help ensure economic growth and development”. Trade liberalization and the structural adjustment programs became the winning strategy for a state in achieving development.

The WTO also adopted special provisions to help developing countries in entering trade

liberalization (a form of “most favorable treatment”), offering longer periods of transition to fully implement reforms and exemptions from some obligations, the technical competence to assist them "in the development, strengthening and diversification of their production and export bases including those of services, as well as in trade promotion, to enable them to maximize the benefits from liberalized access to markets" (Note by the Secretariat, General Agreement on Tariffs and Trade, 1994).

The Uruguay Round offered a powerful international institution to help poor countries in accessing the world economy and, therefore, development. However, it was a top-down mechanism, in which the most influential actor in the relation between the WTO and a given state was, of course, the former; a mechanism built on economic, western-driven, approaches to markets and trade which did not conceive democratic approaches to development, as well as the contributions of human rights to development and the relevance of socio-political sensitivities in the adoption of policies.

It engaged in many difficult situations in which the re-equilibrium in the balance of payments was necessary, such as Argentina's economic crisis, and in those cases when poor countries needed to restructure their debts in order to save their states from failure. Nevertheless, it represents a radically different vision from the one arisen in the proposals for a NIEO in 1974.

The new wave of conservative leaders in the powerful nations of the world (Margaret Thatcher in the United Kingdom, Ronald Reagan in the USA, Helmut Kohl in West Germany) led to the spread of the Chicago economists’ monetarist theories in Western countries and then to an assimilation of these economic policies in international economic institutions. Along with this process, occurring in the Northern part of the world, the dialogue with the South radically changed. By the end of the 1980s and the beginning of 1990s, G77 countries began to split themselves in different subgroups on the basis of diverging interests and the lack of an organized leadership (Toye, 2014).

The establishment of the WTO in 1995 weakened even more the already uneasy relationship between the G77 and the UNCTAD: it became even more evident when, in early 2000s, a new group of fast-growing and industrializing countries (Brazil, Russia, India, China and South Africa) formed a group called BRICS to achieve a primary position in the new global system by gaining more and more influence in the international society of states (Toye, 2014).

African countries belonging to the G77 continued to be parts of groups inside the WTO

order and other institutions responsible for exchanging information and forming common negotiating positions, having regular meetings to coordinate proposed actions. The controversial opinion of some developing countries on the structural adjustment programs of the WTO, the IMF and other financial institutions, the inequalities caused by the deregulation of financial markets and the adoption of neoliberal policies in fragile economies let the UNCTAD assume more independent stances that were in contrast with the ones proposed by developed countries, financial institutions, and the emerging powers of the East and Middle East. There have always been large differences between the G77 countries, which in the past were hidden because of the need of putting together their forces while dialoguing with the West. However, the debt crises of the end of the century definitively divided the trajectories of the African, on one side, and the Latin American countries, on the other, which were obliged to adopt structural adjustment programs, proposed by the IMF and the WTO, in order to overcome the risks of insolvency and failure (Toye, 2014).

Having few common points with the Latin American countries and the aid-dependence of African countries, some South and Southeast Asian Countries (India, Malaysia, Indonesia) assumed a role of leadership of what remained of the G77.

The escalation of the diverging interests between these groups was, as explained in the Third World Quarterly by John Toye, evident in the thirteenth meeting of the UNCTAD, held in December 2012 in Doha. Some developed countries accused the UNCTAD of duplicating the work of the IMF and wasting resources in inefficient macroeconomic policies that were incompatible with those planned by the IMF and the WTO. This political position brought many difficulties in reaching a consensus on the role of the UNCTAD in the global international system and the years to come. It was possible to reach a consensus only with the intervention of the trade ministers of India and South Africa, who found a synthesis between the two opposite positions. It would have been much harder to find a consensus without the role of the new emerging powers as leaders of the G77. The meeting in Doha clearly showed how the initial dependency of the G77 on the UNCTAD for the elaboration of policies changed over time and evolved in a complicated dialogue between countries with diverging interests (Toye, 2014).

On one side, the UNCTAD was purposefully downsized by the international institutions and the G77, becoming a much less important instrument for development: the G77 began to work in cooperation with other UN agencies like the International Fund for Agricultural Development, the World Food Programme, the Nairobi for the UN Environment



Programme and others that were seen as more oriented towards the United Nations system.

On the other side, the BRICS countries distanced themselves from the G77, leaving their role of political leaders and focusing much more on building economic ties with other powerful countries in order to improve their individual position in the international field as stand-alone actors.

The unity of the G77 broke because the economic background of these countries made them adopt different ideas on the paths to be followed for development, which was also their most important strength and common platform, decades before.

### **2.3 The construction of development**

During the middle of the 20th century, the colonial discourse based on power relations was replaced by that of “development”. According to Aram Ziai and its constructivist analysis of the changing relationship between developing and developed countries, the concept of development was already present in the colonial discourse, with the idea of “developing the backward areas”, sometimes translated in exploiting the economic resources of the region and “civilizing the colonized”.

The mandate system of the League of Nations was as an intermediate step towards the legitimation of the trusteeship that rich countries exerted over dependent countries as beneficial to the well-being of these countries. The aftermath of the Second World War shaped a new type of discourse which was fostered by the decolonization process since the 1950s and influenced the evolution of North-South relations. It represents the shift from a colonial discourse to a discourse of development that was deeply influenced by the anticolonial movements and the competition between the United States and the Soviet Union in acquiring new spaces and allies in the post-colonial world (Ziai, 2016).

Ziai adopted a constructivist and hermeneutic approach based on the construction of meanings through the relation between signifier and signified, there is not an autonomous discourse of development but there are many, diverse concepts of development. It is possible to find similarities and differences between these concepts, on modernization, dependency and on the idea of sustainable development itself.

In the first place, governments and citizens of developing countries were represented as unable to govern themselves. With the decolonization processes, the image of the South shifted from that of an “uncivilized” world to that of “underdeveloped”. A development founded upon civil freedoms, democratic governments, access to free trade, but also

having a “Samaritan” identity by which rich states could improve the development of poor countries providing aid and technical assistance. Behind this narrative, there was a precise need of the United States and their western allies to find new markets and avoid a communist takeover of these new countries (*ibidem*).

The objects of development considered in this analysis are “socio-geographically defined units (states, regions, villages)”, defined by “patterns of specification” which makes visible those indicators that are deviating from the norm and makes it possible to divide between developed and underdeveloped states. These objects are evaluated on the basis of their current socioeconomic status and on the basis of what they are supposed to become one day.

The first idea of international development policies, which could be identified with the bilateral international aid programs, was constructed upon enunciative modalities, by which the competence and legitimacy to make statements reserved to experts – mostly white men from developed countries – working for organizations or institutions of development policy. They wanted to overcome the “underdeveloped problems” caused by illiteracy, malnourishment, bad governance, and overpopulation, deviating from the “norms” of good governance and ownership. From the economic side, the root of poverty were found in the lack of financial capital, the obstacles to entrepreneurship, the unavailability of technology and the lack of accountability of those institutions that should guarantee the credibility of a given state (*ibidem*).

According to Ziai and Foucault (Foucault, 1972), the discursive formation of the colonial and post-colonial relationship between developed and developing countries was not only based on the rules of formation of objects and concepts but it was also guided by the formation of strategies and choices strictly correlated with historical factors and social functions.

This discourse encompasses other points of incompatibility, for example the divergence between capitalist and socialist paths to development, with the latter being, in some cases, the political frameworks of some developing countries. Despite this radical diversity, the development discourse was still intended in a cohesive sense, even with different strategies to achieve it.

The interaction between the discursive and non-discursive practices has its influence: there is a sort of dependency of the strategies in development policies with the history of North-South relations. The Non-Aligned Movement in 1961 and the formation of G77 in the UN Conference on Trade and Development (1964) made development aid and the

role of developing institutions more important than ever before, with the aim of gaining access to fair markets and redistributing wealth among countries. As the author said, the end of the Cold War made development institutions recommending economic growth (and no more redistribution) and liberalization, embracing the 1980s and 1990s neoliberal vision. In any case, the development ideology of the last century was fundamental to spread a discourse of development that was not based on the exploitation of resources but on social aspects and real economy. (Ziai, 2016).

With the course of time, development became something much bigger and more cohesive, including aspects like school education, life expectancy, gender equality and rights, democracy, and rule of law, that were not conceived by the original proponents of development. The participation of civil society actors in the international field, the empowerment of vulnerable categories, the emergence of climate change with the Brundtland Report and the Earth Summit in Rio 1992, and the agreement for a sustainable development in the framework of the United Nations transformed the discourse of development in a network of interrelated and partly competing (sub)discourses.

The neoliberal discourse gave prominence to market solutions and the positive effects of globalization. Participation was another factor that pushed the new development discourse, leaving a space for ecologists worried of a climate crisis and feminists who considered unfair to not include empowerment and participation of women, gender equality in development processes. Since then, there has been a strong critique of development as a top-down process: according to the opponents of this idea of development, those affected by the development process should have decided social changes and their idea of society (ibidem).

The publication of *Our Common Future*, the Brundtland Report elaborated by the World Commission on Environment and Development in 1987, coupled for the first time the notion of development with the one of sustainability, forming the idea of sustainability as encompassing not only ecological issues but also their political, social, economic and cultural consequences.

Sustainable development became a universal aspiration in the sense that no country met the achievements that were expected by the Report, especially considering the gap between developing and developed countries.

Income inequality grew in many countries of the world, even in those industrialized countries that were at the forefront of the international institutions.

The definition of development adopted by the Brundtland report was based on four equally important dimensions that were to be considered to face the global challenges of the new millennium: long-term ecological sustainability, the satisfaction of basic needs, intergenerational equity and intragenerational equity (Holden, Linnerud, Banister, 2014). These dimensions consider sustainable development as a different concept than sustainability, which before was referred mainly to the environment and to a set of precise policies; sustainable development is referred to the final outcome of development, encompassing both the protection of the environment and the access to basic needs and rights. The World Commission on Environment and Development made it clear that economic growth was not the primary dimension of their concept of sustainable development: “Sustainable development clearly requires economic growth in places where such [human] needs are not being met. Elsewhere, it can be consistent with economic growth, provided the content of growth reflects the broad principles of sustainability and non-exploitation of others. But growth by itself is not enough.” (WCED, 1987).

The primary dimension, ecological sustainability, was explained by the need of conserving the Earth’s natural base as a moral obligation to meet the human basic needs, which were at the core of development (as a second dimension). The Brundtland Report explicitly mentioned employment, food, right to access water supply, energy, right to housing, right to free and accessible healthcare and to aspire for a better life. The intergenerational and intragenerational equity were mentioned as drivers of changes in the access to resources and the distribution of costs and burdens: “future generations do not vote; they have no political or financial power; they cannot challenge our decisions” (WCED, 1987; Holden, Linnerud, Banister, 2014).

#### **2.4 The new wave of NGOs in the international system**

In the 1990s, the affirmation of developing countries in the international community and the expansion saw the progressive emergence of grassroots and nongovernmental organizations as relevant players of the international system, working next to the United Nations institutions and giving important contributions in the elaboration of policies and documents. According to the analysis of Peter Uvin in 1995, development international organizations (IOs) changed their structures and functioning in order to cooperate and include grassroot organizations and NGOs in development processes. With small and limited budgets, grassroots organizations participated to foreign aid projects, adopting

approaches learnt in neighboring villages or in internal learning processes.

These grassroots organizations were more diffused in some countries (India, Bangladesh, Brazil and South Africa) and absent in others (most prominently, China). Their small budget made them heavily dependent on foreign and local aid, voluntary contributions.

Despite their increased importance, it would be inaccurate to consider these organizations comparable to the biggest ones. Uvin puts a divide between the summit of international organizations, composed of those belonging to the United Nations system (for example the United Nations Development Program, the World Health Organizations) and having a budget ranging from a hundred of millions of dollars to more than one billion, and the grass roots organizations: hundreds of thousands of small organizations, financially strapped and often belonging to the Third World. In 1995, Third World NGOs were competing for a total budget of \$50 billion for development aid.

There are also some similarities between this new wave of Third World organizations and their western partners: NGOs located in western countries were similar to the Third World ones in the sense that they shared the same principle of participatory and nongovernmental nature, but the former had a much easier access to financial resources, highly educated and well-paid staff members (Uvin, 1995). Furthermore, while developing countries' NGOs often suffered from the lack of funding and resources and often could not rely on partnerships with local and national governments, the resources of Western states came not only from the public (\$5 billion) but also from governments (\$2.2 billion), without a big discrepancy between the two.

While Third World organizations scaled up the grassroots and expanded their reach beyond local activities and a national dimension, international organizations for development (for example the World Bank) slowly began scaling down the summit where the elaboration of policies was only top-down and closed to participation (*ibidem*).

Both international development organizations and Third World NGOs had many advantages in collaborating and building relationships. While very underfinanced, NGOs could intervene in developing countries where international organizations, because of their limited dimension and financial capabilities could not. In this sense, NGOs could be much more effective in redistributing wealth to the poorest part of the population, granting effectiveness and sustainability (since local NGOs have a connection with their territory and communities). NGOs became essential to build local adaptations of policies, minimizing controversies with local governments which could have interpreted international aid as a foreign intrusion.

On the other side, local NGOs were interested in working with international institutions and international nongovernmental organizations because of the severe lack of funds in their countries, the need to participate in international processes as relevant actors, the possibility to influence local governments thanks to a new relationship with international institutions (ibidem). Most of the emergencies happening in developing countries could be addressed only by adopting global lenses, interpreting them as global issues rather than only local. Developing countries' NGOs found it useful to integrate themselves in an international platform of other NGOs and promote human rights in their activities.

The involvement of NGOs in the international system is based on consultation, lobbying, surveillance, implementations and, sometimes, decision-making (ibidem). In the 1980s, institutions like the World Bank began creating links for consultation with some selected NGOs; the practice became common and widespread after the Rio Earth Summit of 1992, where it became normal to consult frequently with NGOs on projects and programs. At the end of the 1980s, it became compulsory for the managers of the World Bank to consult with NGOs while planning a project.

Instead, the importance of lobbying can be assessed in the outcomes of the elaboration of policies by international institutions and governments: policy documents, even though not written by NGOs, may contain the same proposals or political platforms advocated by NGOs, as a result of external pressure (ibidem).

International institutions could rely on NGOs to collect the information of the political background of a given country, knowing of violations of human rights and of the economic results that a government has effectively achieved. When a developing country is governed by an authoritarian government, international institutions rely on NGOs as partners in trying to figure out how to help the people living in that country. This partnership strengthens also the credibility of local NGOs and the chance that they can directly participate to the policy-making process: for example, the World Bank Hunger Committee, held in 1993, was followed by a follow-up conference in Mali including NGO representatives of the steering committee, the World Bank, the government of Mali and the Federation of Malian NGOs. All of these actors discussed in a horizontal way the elaboration of interventions supported by the World Bank (ibidem).

## **2.5 Environment and development**

From the end of the last century and the beginning of the current one, the mitigation of climate change and the protection of the environment, the role of states and international

actors became discussed topics in international organizations and forums.

The UN Conference on Environment and Development of 1992, also known as Rio Earth Summit, redefined the relationship between the right to development and the protection of the environment. It led to the elaboration of important major agreements: The UN Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity, the Declaration on the principle of forest management. It also provided for the establishment of a Commission on Sustainable Development to monitor the effective follow-up of the Earth Summit on sustainable development (UN, 1992).

The inclusion of a roadmap on the necessary steps to achieve these goals and on making each state responsible for that was a means to combine “hard law” obligations (the two Conventions) and “soft law” principles, guidelines, strategies that it would be better to adopt. Furthermore, this roadmap made it possible to monitor not only the actions of national governments but also the policies adopted at regional and local levels, taking into account the high variability of the political support for the Conventions in particular states and local areas (Cicin-Sain, 1996).

It made the attention shift from the concept of “needs”, which is typical of the collective stances of the 1970s and 1980s, to the concept of “rights” that was reaffirmed in the following Vienna World Conference on Human Rights of 1993 and its outcome document. This shift represents also the growing interest and attention to neoliberal ideas, but also to the environment, social and natural capital, property rights (Redclift, 2005).

The wording “sustainable development” was first used in the Brundtland Report of 1987, and it led to the proliferation of many discourses or interpretation of this formula, often mutually exclusive (*ibidem*). The Brundtland Report stated that sustainable development was necessary to «meets the needs of the present without compromising the ability of future generations to meet their own needs»: however, there was not a general answer on when it was necessary to prioritize sustainability or economic growth, there was neither a general definition of sustainability that could meet the standards of the world’s countries (*ibidem*).

The generalization (which could be considered as a failed universalization) of this consideration of sustainable development excludes other sensitivities from the common, West-driven paradigm that sustainable development is a cost, rather than an advantage. There is a paradox in how the political forces of developed countries are trying to change their social and cultural behaviors and economic paradigms, presuming that the same process is happening in those developing countries that find accelerated economic growth

much more appealing than policies for climate mitigation. The Brundtland Report also failed in explaining why developing countries should protect the “critical natural capital” of the planet when there was not a common ground on the idea of “natural capital” (ibidem). Natural capital may include lands, rivers, but it is for the most part owned by individuals and private properties. Then, the protection of natural capital could also be regarded as the protection of social capital, of that capital that should belong to the citizens (or public institutions, or associations) but is owned by private corporations or inefficient authorities. But, once again, it is unlikely that the idea of sustainable development illustrated in the 1990s documents reflects the correlation between natural capital and social capital as a means for social justice.

From a North-South perspective, considering the gap in the performances of the economic system, technology and political instability, the environmental costs of sustainable development are shared between different groups. But Northern countries produce much more waste than Southern countries that are essential, in terms of energy, food and minerals, for their wellness (ibidem). It is also unclear what was to be sustained for the future generations: the global level of production or the environment and ecosystems.

The debate on development did not explain how it is possible to build an international policy plan based on development while there are no statements on the distribution of the costs of environmental policies, the world’s political economy is still based on the creation of material wealth, sometimes at the cost of the environment and smaller economies, the balance between “wealth” and “sustainability” in policymaking has not yet been defined (ibidem).

After the Rio Earth Summit, sustainability became an umbrella term that also included equity and social justice as constituting elements. Following the neoliberal and human rights paradigm, it began to influence market preferences and also moved away from the idea of “human needs” of the Brundtland Report to that of “human rights”.

In the early 2000s, the development discourse was split in two different narratives: on the one side, the corporate and liberal view that sustainability had to be included in the governance processes of the global system, leading to an ecological transition that could reduce our footprint on the planet by making “green activities” more profitable; on the other side, oppositional discourses, supported by the spread of internet and global forums, claimed a protection of the environment oriented towards “democratic power” and “natural justice” (ibidem). The North and the South of the world which participated in the Rio Earth Summit wanted sustainable development to be grounded in the discourse of



globalization, a position which was opposed by those political groups which were worried of making the environment a global resource that could be moved from one location to one another and be exploited. Moreover, this globalizing vision of environmentalism entailed that states and local communities could lose the management of their ecological systems.

Sustainability became central as an evolving concept that includes many epistemological and normative perspectives, very often conflicting among themselves, but also the opportunity to open new local-to-global public spaces for the debate on development and the economic inequalities among states. At the top of this process there is pluralism as a means for the analysis and adoption of policies and the acknowledgement of the need to answer to the growing levels of ecological degradation and inequalities in national and international contexts (Sneddon, Howarth, Norgaard, 2005).

There was a need to reshape the institutional systems at global, national and local levels to adopt a new approach that was more oriented towards the promotion of economic development and, at the same time, the protection and wellness of the planet, finding a mediation between the calls for economic growth, which were pointed towards developing countries, and the need to participate globally at the ecological rethinking of the economy.

While neoliberal globalization had a wide influence on international institutions and policies, the 1992 Earth Summit in Rio and the Brundtland Report, “Our Common Future”, were only the basis for a cooperative environmental governance regime and they could not express their potential for the lack of political will (*ibidem*).

This happened because those institutions that were responsible for development had to choose between favoring the interests of transnational companies and the academic world, protecting the environmental rights of indigenous peoples or taking the side of multinational corporations.

The obstacles to sustainable development were fostered, from the 1980s to the beginning of the new century, by the important breakdown of the narrative on protecting nature and the ecosystems by sacrificing the market paradigm, the dominance of a “growth-oriented” dimension of development rather than “freedom-oriented” (*ibidem*).

The inaction and non-implementation of strong environmental development policies till the adoption of the Sustainable Development Goals (SDGs) and the Paris Agreement was determined by some factors: the proliferation of global political and economic institutions

and processes of those years, which made unorganized and unpredictable how international cooperation should have worked; the simultaneous withdrawal from and institutionalization of multilateralism which was effective but unable of building a coherent agenda on globalization and sustainable development, on how they should interact; the leading role of international economic institutions like the World Trade Organization (WTO) which pursued economic growth and liberalization of trade, while environmental or development institutions were left at the corner of the elaboration of policies; the decline of states as the protagonists of international development and exclusion of social actors who were responsible for the adoption of development policies in their homeland (ibidem).

After the Rio Earth Summit of 1992, environmentalism and sustainable development became more tied to liberalism, free market policies and the responsibility of private companies, but the Rio Declaration on Environment and Development fostered the coordination of markets (and companies), public institutions and political actors at global level, respecting also the idea of the national sovereignty of resources.

## **2.6 Globalization and its effects**

Globalization first manifested itself in the second half of the twentieth century to indicate the rise of a society of nation-states and non-state actors, so as the growing cross-border transactions between them. The term became increasingly popular, in academic and political environments, with the idea that social, international relations were acquiring a new character that could not be encompassed in the existing categories. It became widespread since the 1990s, maintaining at the same time an elusive and pervasive presence: it has been defined as “internationalization”, “liberalization”, “universalization”, “westernization”; all of these terms fail to provide a new cohesive meaning of a concept that saw non precedents in human history (Scholte, 2008).

Globalization indexes referred to globalization as the growing number of cross-border activities between countries (in quantitative terms). They use measures and indicators that are based on foreign investments, travels, membership of international organizations, and transnational commerce. However, the interpretation of globalization as internationalization does not explain the difference between the two concepts and why globalization developed as an independent concept when it is only an accelerated process of internationalization. Following this reasoning, there are no differences between Global Politics and International Politics (ibidem).

Another interpretation considers globalization as liberalization: the process of removing barriers and restrictions of people and goods on a worldwide scale. This definition has the problem of reducing globalization to the dimension of neoliberal macroeconomic policies, which characterizes a precise political background prioritizing privatization, deregulation, and structural adjustment programs, rather than social rights and freedoms. It implies that neoliberalism is the only political framework possible for globalization, while there are different political solutions that could be achieved in a globalized economy. Therefore, it is still not clear the etymological and theoretical difference between “liberalization” and “globalization” (ibidem).

Once again, the idea of globalization as universalization is redundant and lacking: first of all, because it entails a negative connotation of globalization as a necessary “assimilation” process, finalized at eliminating cultural diversity in the long run, while globalization is a phenomenon that can be adapted in very different contexts. Moreover, some forms of universalization have existed from a long time in world’s history: for example religious leaders and representatives were capable of spreading their teachings and principles in large parts of the world for centuries; transoceanic trade, since the last millennium, began to cover very long distances and connect different societies. (ibidem).

A more structured and critical view is the one which defines globalization as “westernization”. Globalization was driven by those large-scale political and economic institutions, but also firms and academic circles, that were located in the western side of the world, that has been built adopting those patterns of western social relations that were, already before this process, the most recognized paradigm in the international community. Therefore, this pervasiveness of the Western model of social relations let many international policies or recommendations to be interpreted as impositions and, as a consequence, a form of imperialism (ibidem). Nevertheless, the definition of globalization as “westernization” or “imperialism” is unfit because it is a politicized one, rooted in specific theories of international relations and showing only one side of this complex phenomenon.

Jan Aart Scholte, in the publication “The World Economy”, defined globalization as “the spread of transplanetary – and in recent times also more particularly supraterritorial – connections between people”. It is an original concept, by which “People become more able – physically, legally, linguistically, culturally and psychologically – to engage with each other wherever on earth they might be.” (ibidem). The trans-territorial connections of globality that became the norm, in a globalized and globalizing world, are different

from the inter-territorial connections that are, instead, typical of internationality. And trans-territorial connections are different from the open-border transactions of liberality as well.

Some disputes are centered around the different perspectives on globalization that can be found around the world (Robertson, White, 2007). Developing countries, in particular, do not share a definition of globalization that is built upon the conceptions of the “privileged West”.

The term “globalization” became more recognized in the late 1970s and the early 1980s and reached widespread use in 1989 with the fall of the Berlin Wall. Two different ideas on globalization can be considered: globalization as an economic stance; a broader conception of globalization that goes beyond economy (*ibidem*). The popular opposition to the meetings of the International Monetary Fund (IMF) and meetings involving powerful states (G7 and G8) is rooted in an economic perception of globalization. Instead, a multidimensional conception of globalization is based on the idea of the world as a single place, where different societies are strongly integrated, and societal and economic boundaries are transcendent. According to the idea of Immanuel Wallerstein, the present post-Cold War world is the result of the expansion of global capitalism in the past five or six hundred years. Nevertheless, this vision is challenged by the global conflicts that occurred before and during globalization and that, in many cases, are favored by dynamics of globalization (Robertson, White, 2007; Wallerstein, 1974, 1980, 1989).

The increased connectivity and the global consciousness, fostered by the dilution of boundaries, are both protagonists of the academic studies on globalization. This global consciousness has led to conflicts between states that, according to Samuel Huntington (Huntington, 1993), are no more based on ideologies but are focused on civilizational or cultural issues. One example of it is the War on Terror policy of G.W. Bush, promoted after the 9/11 terrorist attacks, that was defined as a “crusade” against Muslim terrorism. Therefore, globalization cannot be identified in one single dimension, but it must be traced in its economic, political, and cultural ones (*ibidem*).

Globalization influenced the nature of social space in social relationships: the geographical dimensions of social life, which Scholte considered an underrated aspect in the analysis of the world’s history, shapes the sharing of knowledge, the production of goods and services, governance and political processes, cultural identities.

The global field became a space on its own, putting a distinction between “international relations” and “global relations” because of the large-scale spread of supraterritoriality

and the new scope, quantity, frequency and intensity of transplanetary social links. It has also qualitative dimensions: supraterritoriality transcends territorial geography and maps, it provides a new idea of simultaneity, since its connections could extend many times in the same moment, and instantaneity, since these connections transcend the course of time (Scholte, 2008).

The new meanings carried by globalization give an idea of the scope of the changes that occurred from the end of the last century and the beginning of the new one and how this process could reshape the political and economic relations among developing and developed countries.

It could have many advantages but also many disadvantages for those countries that were less ready for the process of transition. Since the spread of neoliberalism in the 1980s, the gap between skilled and unskilled workers grew in developed (Wood, 1998) and in developing countries (Wood, 1997). Adrian Wood explained in its research that even if the paths to liberalization and pro-market reforms taking place in East Asia in the 1960s and 1970s were successful in showing how the openness to trade and pro-market reforms reduced the wage gap between unskilled and skilled workers in developing countries and economies, but similar provisions and measures in Latin America during the 1980s had the opposite effect.

According to the Heckscher-Ohlin Theory, openness of markets and economies reduce inequality because the supply of unskilled labor is much wider in developing countries rather than in developed countries. Therefore, globalization could boost the demand of unskilled workers at global level. Trade increases the demand for those factors that in a given developing country are abundant and reduces the demand for those scarce factors of competing sectors. Since unskilled labor is so abundant in developing countries, global trade has positive effects on the wages of unskilled workers and can seize the gap with skilled and educated workers.

The reduction of barriers to trade (transportations, tariffs) and access to global trade can have positive effects on the price of goods, coming from a developing country, which can be much better paid in a developed country. Instead, barriers could keep the price much lower in the boundaries of a closed economy. Higher prices for some goods boost the wage of unskilled workers belonging to an industry rather than skilled workers. The impact of these policies is bigger for those countries that have a large supply of unskilled workers, while trade has smaller effects in those countries with intermediate skill supplies because it makes the most and least skill-insensitive sectors to contract (Wood, 1997).

However, Wood pointed out that there are some problems in the measurement of skill differentials in wages, because the distinction between skilled and unskilled workers is vague, considering how the two categories could change over time. Data on the level of education as well should be considered while studying skilled labor. The benefits of openness are dependent on the level of supply of unskilled and skilled labor which can vary over time (ibidem).

There is also a fundamental point on how globalization and economic openness could benefit developing countries: the political decisions of governments can have long-lasting effects on the rights of workers, the legal minimum wages, the rights and powers of union, the level of employment in the public sector, the recognition of social rights in laws, democratic participation.

The revolution carried out by globalization and the redefining of the relationship between international actors made some voices in developing countries worried of the short and long-time effects of the new world.

The first years of the 21<sup>st</sup> century and the birth of a world with a prevailing superpower were characterized by many international conflicts, most notably the Iraq War, undertaken by the government of the United States with the objective of overthrowing the regime of Saddam Hussein, affirming the role of a free world of free nations as a guardian of the democratic values worldwide (Smith, 2004), a new multipolar society of free nations.

From the protests against this new international order shaped by the dynamics of globalization and the global reach of those wars following the Cold War, a new partnership between the global movement of protest against wars and the global justice movement took place.

Considering these events, the World Social Forum (WSF) was set up as a protest against the World Economic Forum (WEF) in Davos, symbolically representing the technocratic and western-led nature of new global processes. It grew from a participation of around 10.000 participants in 2001 to more than 100.000 in 2004 and had at its heart an opposition to neoliberalism and neo-liberal globalization, unifying those movements and political groups that wanted to seek an alternative model of globalization, (ibidem). This heterogeneity led to an expansion of national, regional, and local social forums on the model of the WSF (for example the European Social Forum since 2002), and to some difficulties in organizing and coordinating such a big event maintaining a decentralized

decision-making structure.

The role of the WSF, in the analysis of the North-South relationships in a globalizing world, can be found in the important contribution in raising international awareness on the difficulties of marginalized groups in globalization, it gave them a voice to express their position in an international forum challenging those arenas where they were excluded. It gathered a great number of associations and groups which could take the event as an opportunity to coordinate international action on specific goals (protection of small-scale farmers, protection of ecosystems, promotion of local economic activities), challenging the top-down policy-making meetings of the much more relevant World Economic Forum (*ibidem*). The regional and local adaptations of the WSF gave even more people, those who could not participate in the main event, the opportunity to have their word on global changes.

Opposition to war (and western militarism) and to nuclear weapons became frequent topics of the WSF, with many guests describing a correlation between the US-led “imperialism”, the wars in the Middle East that broke out after the end of the Cold War and economic globalization. In this sense, a military control and intervention in many, different areas of the world by the United States were seen as an attempt to take what remains of the global economy and pursue an economic control on the most vulnerable states (*ibidem*).

There were many shortcomings in the meetings of the WSF as a democratic process. The big number of political groups and associations made it impossible to adopt declarations or joint statements that could have a widespread influence in the international public debate. The lack of experience of many groups of participants was a barrier in participating in the debates, often leaving the floor to the most prominent actors who were already used to participating (*ibidem*).

An important issue was the non-institutionalization of the process. It is unclear the position of the Forum on the participation of government actors, the management of the time given to each speaker was always inefficient and ineffective and, most importantly, the large ideological spectrum of the participants led many questions on fundamental topics unanswered: how to effectively build alternatives to neoliberalism, the relationship of these movements with the United Nations and their institutions, the acceptance of principles like the rule of law and representative democracy, the role of human rights in this political platform.

## **2.7 From the Millennium to the Sustainable Development Goals**

### **2.7.1 The formulation of the Millennium Development Goals**

At the beginning of the 21<sup>st</sup> century, the members of the United Nations have gathered at the United Nations headquarters to reaffirm their commitment to the vital role of the United Nations and to build a cohesive agenda to tackle the most pressing emergencies of their countries, first of all absolute poverty. The adoption of the Millennium Declaration, in 2000, and its Millennium Development Goals (MDGs) also represented a global partnership for development that could rely on concrete targets and indicators to favor the development of poor countries and provide aid assistance from the rich ones.

Since their adoption, the outcomes of the MDGs have been positive in setting, for the first time, a global framework to achieve a set of common social goals (first of all, the reduction of extreme poverty), irrespective of the variety of political regimes in the United Nations.

MDGs raised attention on eight goals (United Nations, 2000) that became, in the following years, the focus of widespread international and local concerns:

- 1) Eradicate extreme poverty and hunger
- 2) Achieve universal primary education
- 3) Promote gender equality and empower women
- 4) Reduce child mortality
- 5) Improve maternal health
- 6) Combat HIV/AIDS, malaria and other diseases
- 7) Ensure environmental sustainability
- 8) Develop a global partnership for development

The elaboration of these goals was functional not only for promoting awareness and putting them at the center of the global policy and development debate, but also for the easy, scientific measurement and regular evaluation of each country's performance. The measures adopted were health and economic indicators recognized by the academic and scientific community.

The economic progress that was at the core of the MDGs strategy was highly variable,



depending on the country (Sachs, 2012): the impressive economic growth of China, for example, made the poverty rate cut by half between 1990 and 2010. But while some developing countries saw a degree of progress in favoring these goals, others did not show much effort in improving their score.

The shortcomings of the MDGs are represented by the missed promise of providing a structured, long-term development assistance by rich countries to the poor ones. Furthermore, they did not capture the many dimensions that are at the core of the inequalities of the contemporary world, putting at the first place the financial and economic dimension (GDP, liberalization, foreign investments, international aids).

These gaps fostered the debate for a more effective successor to the MDGs, to renew the global commitment to development within the United Nations system, emerged from the Rio+20 Conference of 2012, chaired by the ministers for the environment of high, middle and low-income countries, and from the work of the United Nations High Level Task Force of Eminent Persons.

The differences between the MDGs and the Sustainable Development Goals (SDGs) of the 2030 Agenda are evident since the beginning of the negotiations in 2015. While the MDGs kept at their center poverty and underdevelopment, SDGs embraced environmental, social, economic sustainability and development to end poverty as interdependent.

MDGs were planned and drafted by technicians and advisors who did not undertake consultations with a web of relevant civil society actors on different topics (NGOs, associations, think-thanks), SDGs tried, instead, to connect with the current debates and agenda at the time of their formulation. As Fukuda-Parr stated, “The Millennium Declaration was largely drafted by the office of the UN Secretary-General, and a handful of UN staff crafted the MDGs in a closed room” (Fukuda-Parr, 2016).

The MDGs were criticized, one side, by those national governments which feared that their conception would have been a source of aid conditionality or obligation to provide international aid; on the other, by civil society groups which considered the content of MDGs insufficient and lacking ambition in ensuring equality, women’s rights, health rights, governance, employment. Even the United Nations Office of the High Commissioner for Human Rights (OHCHR) had criticized the technocratic nature of the MDGs (*ibidem*).

According to their critics, the MDGs offered a simplistic vision on the basic needs that must be globally achieved, without recognizing the root causes of poverty and without

questioning the current economic models and inequalities. The targets of the MDGs were considered by many stakeholders not in target with their agenda. Therefore, the objective of the negotiations for the 2030 Agenda became correcting the shortcomings of the MDGs.

The more detailed nature of SDGs has, instead, left much more space for debate, discussion, participation of those political bodies (political movements, associations) that were excluded in the MDGs process. In this vision, nongovernmental organizations become active actors in the elaboration of policies, promoting the idea that democracies are held up by many actors surrounding central authorities.

The call for a new framework for sustainable development in the UN system came from the acknowledgement that the linkage between climate change and a new strategy to drastically reduce inequalities (and achieve development) could not be ignored, embracing the triple bottom line approach to human wellbeing: sustainability, economic development, social inclusion (*ibidem*). Each of these three dimensions was considered necessary to achieve SDGs.

An approach excluding many facets of poverty and inequality was no longer sufficient to represent the consensus on a global program of policies: SDGs, on the contrary, offer a shared focus on economic, environmental, and social goals.

The topic of climate change in the adoption of SDGs was crucial: it has been provoked by an economic development that had at its center fossil fuels and the exploitation of natural resources and its effects will have long-lasting consequences on human wellbeing and on all the many aspects of global politics (*ibidem*). Furthermore, there is a conflictual relation between the unprecedented growth of population that the world will face in the next years (a growth of around 75-80 million people per year and that at the middle of the century will reach 9 billion people) and the need of reducing, at global level, greenhouse gas emissions.

In methodology, the SDGs require good governance at all levels, local, national, regional, and global, for the implementation of policies and the achievement of these goals. The economic dimension of each local policy should be built keeping in mind the framework of the SDGs. Economic measures and indicators of performances encompass only a part of the wellbeing of a given country, there are many other factors that are independent from poverty: life satisfaction, recognition of civil and political rights, freedom from injustices, civic participation. The reasoning behind the SDGs is radically different, in this sense, from their predecessors. It is no more an instrument for international aid from

rich countries to poor countries, but a cooperative process in which each country is an active party (ibidem).

The SDGs offer much more accurate and updated data on advancement of the targets worldwide, rely on the participation of civil society as a core strategy and a cohesive, more effective, governance (ibidem). The new agenda is broader and more transformative, it has a better understanding of the reforms and processes that are needed to achieve gender equality in the next few years.

According to Fukuda-Parr, the MDGs were a North-South aid agenda, with important goals (e.g., access to universal primary education) which were important only for developing countries. They were a program for aid to balance the North-South power relations, more focused on material development rather than sustainable development. Instead, the SDGs are a global agenda to achieve sustainable development that is important for all, and it reflects targets that are far from being reached at global level.

The formulation of SDGs has been conducted with the active role of states, civil society groups, NGOs, academics, UN agencies and business groups. It saw the primary role of an inter-governmental body, the Open Working Group of the UN General Assembly, and a dialogue with nine groups representing specific social groups, for example a specific group on women's rights. This dialogue led an analysis on inequality as rooted in the structures of power in the society (ibidem).

According to some scholars, this may be considered a weakness of the SDGs, a universality that may be interpreted as vagueness. MDGs were clear and right to the point, brief and easy to remember, while the SDGs were much more detailed and, as a consequence, harder to remember and assimilate in social policies. However, supporters of 2030 Agenda considered that a short list of economic goals, measured in quantifiable outcomes, could not include the whole multiplicity of development challenges, from a social and political perspective. Quantitative indicators may reduce the complexity of governance to only one dimension, (the technical one), when the urgency of this work was setting global, universal standards. The MDGs were effective in favoring target-driven policies but carried the risks of undermining human rights policies that addressed inequalities and the root causes of poverty. The vision arising from the MDGs simplified problems that needed a definition, an explanation of their causes, policies responses that entail important reforms of national and international institutions. (ibidem).

Fukuda-Parr identified three possible risks in the implementation of SDGs from international to national and local level: selectivity, simplification, and national

adaptation. In particular, she considered the risk of considering only certain goals and neglecting others (for example SDG 10, reduce inequality within and between countries) that are politically sensitive for a given government is concrete, a possibility that is more concrete when thinking on those gender equality rights that are still at the corner of national policies worldwide. This is connected to how interpretation of SDGs could become a political tool in the hands of national governments to simplify the most radical concepts of the 2030 Agenda, misusing the terms “inclusive” or “sustainable”, on the one side, to preserve and justify discriminatory policies and practices in local contexts and, on the other side, to reduce the ambitions of their development plans.

Since governments are also the actors more responsible for the adaptation of SDGs, there are many risks that sustainable development policies could be carried on without actually questioning the current economic model towards a more progressive one, leaving behind the negotiated consensus on these goals (*ibidem*).

### **2.7.2 The social dimensions of the MDGs and the SDGs**

While the MDGs era was focused on poverty reduction, conducted with the idea that economic growth should be achieved by reducing barriers to trade and facilitating foreign investments in a given country and the participation in the global trade system, the SDGs included in their founding act those economic, social, and environmental dimensions that were only at the surface of their predecessors. There was a shift from a platform that was built for supporting financial aid to developing countries to another one that had at its heart a new partnership between developing and developed countries, with the objective of achieving common goals (de Jong, J. Vijge, 2021).

This new type of governance based on goals addressed not only policies but also how they are framed, so that it is important not only if they have been actually implemented but also the frames of national policy documents.

The MDGs were conceived as a technocratic process with limited consultations, having at its center governments and their political outcomes, the SDGs were formulated, on the contrary, by means of multi-stakeholder consultations around the world, putting together the efforts of international institutions, national governments, nongovernmental and civil society organizations (*ibidem*). They do offer not only economic targets but also a strong focus on sustainable human development, rather than only economic development.

It was believed that this development, in the case of the MDGs, was to be reached mainly

through the global eradication of extreme poverty.

While there was already a focus on human rights, empowerment, and equality, MDGs framed poverty and underdevelopment mainly as the consequence of a lack of goods and services. They adopted an approach that aimed at providing the basic needs to poor people, rather than a multilateral and human rights-based approach to development.

The focus on economic growth – considered in the wider discourse of neoliberalism – was still prevalent in the MDGs. The ideological frame of the MDGs considered poverty as a lack of economic growth, aid and/or governance, a consequence of not participating in the global economy. Poverty reduction could be addressed only through economic reforms rather than social or political reforms (*ibidem*).

MDGs focused on aggregates, tangible targets and indicators, with limited references to concepts like equality or redistribution of wealth. It did not include concrete strategies on how the goals enounced should have been implemented at national and local level by more political actors. Reducing this human rights-based and multilateral dimension from the approach used, these goals were not universal but were focused on the specific economic problems of developing countries, promoting also a donor-centric view of development set up by western countries (*ibidem*).

On the contrary, SDGs presented different storylines and key elements on the construction of sustainable development worldwide. There was no more a single objective at the center of the analysis (the reduction of extreme poverty) but provided the inclusion of four dimensions of goals: inclusive social and economic development, environmental sustainability, peace and security. They built a comprehensive approach that spreads responsibilities on different actors: international institutions, states, private companies, nongovernmental organizations. Inclusiveness and participation became more relevant in the SDGs, making the neoliberal discourse much less pervasive and prevalent than it was in the MDGs: for example, the MDG 8 (Global Partnership for Development), stating that it was necessary “to further develop an open, predictable, rule-based, non-discriminatory trading and economic system” (UN, 2000), was replaced by SDG 17 (Partnership for Goals), to “promote a universal, rules-based, open, nondiscriminatory and equitable multilateral trading system” (UN, 2015).

This does not mean that the neoliberal discourse was definitively dismissed, because the SDGs framework is still grounded in the international economic institutions and see their contributions as necessary to achieve sustainable development beginning with the economic reforms, but the more integrate and pluralist nature of the SDGs makes the

other social dimensions (even the environmental one) not subordinated to the economic dimension (de Jong, J. Vijge, 2021): the data on the progress achieved had to be “disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics”; “leaving no one behind” (2030 Agenda). Another important difference is that while the MDGs were goals that had to be adapted individually, considering the concrete socioeconomic situation of a precise country, and specifically aimed at developing countries while, instead, SDGs are universally applicable irrespective of how a country is economically developed. Following this reasoning, the idea of “inclusive growth” shifted from being non-existent in the international political debate of 2000-2005 to become a prominent concept of development in the 2010s.

After 2015, of course access to trade was still an important part of the global plan for development, but the increased focus on social and environmental rights made the “sustainable” dimension much more important than it was in at the beginning of the century, showing that parameters other than the economics ones should also be adopted in the analysis of development (ibidem).

## **2.8 Conclusions**

In the last decades of the twentieth century and the beginning of the current one, the international debate on development has seen many important changes.

The publication of the report “Our Common Future” in 1987, commissioned by Gro Harlem Brundtland for the World Commission on Environment and Development, was the first important document to put together the environmental and social dimensions as two faces of the same issue, that could not be addressed separately and was influential in the later developments on sustainable development .

In the same years, neoliberal academics, policymakers, and politicians gained a primary influence in the international community, promoting free market policies, privatization of public institutions and restructure of debt as concrete solutions to overcome the problem of global poverty. Even successful, this vision was in contrast with the ideological background of the G77 and the NIEO, which had lost its resonance in the developing world because of the growing differences between the countries belonging to it and the perceived need to find a common path with international economic institutions and western countries. In this sense, the guiding role of the World Trade Organization and the International Monetary Fund in the crisis of Latin-American countries at the end of the

century was emblematic.

Globalization gave positive opportunities to cut the distance between different cultures, societies and values, moving an unprecedented number of people and political groups that could use technology and the reduction of borders as favored channels to defend their rights from authoritarian rules and injustices but at the same time fostered many inequalities because many of its consequences were not controlled by public interventions.

The Millennium Summit, held by the United Nations with the objective of reinvigorating the role of the United Nations to face the challenges posed by globalization itself, was effective in providing a common and shared framework for the elaboration of policies for development. The MDGs that resulted from that process, even considering their gaps in terms of scope, represented an attempt to show that a global commitment, providing a coordination between levels of governance (global, national and local) to address the emergencies of that time was possible. Their successors, the SDGs, improved the lack of depth and scope that characterized the MDGs, reiterating the direction that the international debate on development was taking: a development that was no more founded upon economic growth and parameters but on human rights and the protection of communities and the environment.

## **Chapter 3 – Climate change and development**

### **3.1 Introduction**

The paths of the right to development and the protection of the environment became interconnected, in the last decades of the last century, because of their global scope and the urgency to find global strategies against climate change.

This chapter explores the global climate change agreements and their role in defining the North-South relationship on development, describing the deep connections between climate change agreements and the strategies for development.

The adoption of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992 intertwined with the efforts of developing countries in gaining political influence in international institutions and policies.

The most discussed problem dealing with climate change was on which countries were going to have the burdens for the eradication of its causes and the adaptation to its effects. In the narrative of developing countries, this translated with a moral and historical duty of industrialized countries, blamed for being responsible for climate change, to reduce their greenhouse gas (GHG) emissions and let developing countries grow to balance the socioeconomic gaps. On the other side, developed countries did not want to commit to agreements and policies on an issue that was still being studied at international levels and that was, in economic terms, costly and without short-term benefits.

The Conference of Parties, held in the framework of the UNFCCC, furtherly developed the principles of the Convention, trying to reach a consensus to build specific, effective policy instruments. While some of these attempts failed because of the national interests of states or ineffective strategies, others succeeded in implementing legally binding provisions that had or will have profound effects on the environmental policies of state parties. The chapter compares the strengths and the weaknesses of the Kyoto Protocol, the successor of the UNFCCC that established legally binding obligations for state parties but allocated differentiated responsibilities on the basis of socioeconomic development, and the Paris Agreement adopted in 2015 as a response to the limits of the Kyoto Protocol in order to reach the consensus for a global goal limiting global warming and strict timetables for the reduction of GHG emissions.

In both the first Kyoto Protocol to the Paris Agreement, many provisions were taken to make the global climate regime recognized and supported by all the member states. In the



Paris Agreement, the distinction between developed and developing countries was much less definite; both of them must report their Nationally Determined Contributions (NDCs), every five years, to the UNFCCC secretariat. To avoid inefficient parameters, the NDCs are identified and defined only by the member state which submits them, having only the obligation to respect the global goals established by the treaty.

The chapter also explores interpretations on the global regime on climate change: how it is established today, taking into account the contribution of Keohane and Victor in defining the contemporary regime as a “regime complex”; how it could be structured to make environmental treaties more effective, considering the role of top-down and bottom-up dynamics in international climate negotiations.

The last part of the chapter deals with the COPs following the adoption of the Paris Agreement, to assess how these conferences developed the ambitions of the 2015 treaty and the power dynamics behind them.

The final part of the chapter traces the contributions and climate strategies of three state parties (India, Nigeria and Bangladesh) to the Paris Agreement, examining the different policies that they theorized in relation to the local context.

### **3.2 The path towards the UNFCCC**

The United Nations Framework Convention on Climate Change (UNFCCC) was adopted in response to the more rapid temperature rise in human history and the several effects that it could have on agriculture, forests, and human health.

The UN Assembly established the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC) in 1990 to negotiate a Convention to be adopted at the UN Conference on Environment and Development (UNCED) at Rio in June 1992.

Despite its ambitious nature, the UNFCCC was partly criticized for being a disappointment. It did not establish a framework to stabilize or reduce GHG emissions in developed countries nor commitments on reductions or market-based mechanisms for climate finance and technology. (Bodansky, 1993)

The awareness on the existence and the effects of climate change was already prompted by the establishment of the Intergovernmental Panel on Climate Change (IPCC) in 1998 by the World Meteorological Organization and the United Nations Environment Programme (UNEP), which gave a scientific assessment of the problem that influenced the negotiations for a comprehensive climate treaty.

The Intergovernmental Negotiating Committee appointed by the UN General Assembly initially met some obstacles to receive support for a climate treaty in a world economy that was heavily dependent on fossil fuels for most of its activities: industries, agriculture, transportation. There was skepticism towards a treaty that would have had an impact much more profound on those socioeconomic systems than others like the Montreal Protocol on the protection of the ozone layer. Furthermore, the scientific consensus on GHG emissions, their sources and their effects on the environment was still building (ibidem).

Developed countries already knew that they would have had the leadership in the reduction of GHG emissions and generally agreed that a united approach to address climate change was desirable. There were disagreements among them on the disproportionate costs of such measures: while it would have been convenient for Germany to phase out coal and switch to natural gas, for the United States it would have been more costly because of their large reserves of coal.

Strong economic and cultural differences between developed countries on a global climate change framework partly fell apart when governments and ministers that were already in economic and political ties became more and more aware of the potential impacts of climate change (ibidem).

On the other side, developing countries saw climate change as a development issue rather than only environmental. Since developed countries were the actors responsible for the GHG emissions behind climate change, an international climate change policy was seen as an opportunity to limit the growth of rich countries and allow developing countries to grow to reach the same per capita level of emissions of developing countries.

The contrast between these ideas on a climate agreement was more evident when dealing with the financial resources aimed at limiting climate change: developing countries wanted industrialized countries to pay, while the latter thought that the former should have developed and reported on national policies to reduce their GHG emissions too (ibidem).

The position of developing countries, that were trying to gain more influence in global institutions and lobbied for the international redistribution of wealth, was weakened by their internal division: semi-industrialized developing countries, oil-producing countries and small island states. There were also internal factions within these groups, for example African countries which lobbied for the inclusion of references to desertification and drought in the treaty.

The UNFCCC is made of four parts: an introductory part on definitions and principles, a second one on the sources of greenhouse gasses and economic and technical cooperation, a third one on the institutional mechanism to implement the Convention, a fourth one with ratifications and entry into force.

It is a framework convention because it establishes the basis for further agreements on the same issue, rather than being a substantive convention on precise measures and policies that must be adopted. While this was important to make its approval possible, some critics argued that it could produce more tangible effects and be more elaborated (an observation that was manifested by both the working groups of the Convention). The Convention puts a difference between developing and developed countries, elaborating commitments only for the latter. This is connected with the decision to include general and specific commitments in the convention; while specific commitments were targeted on developed countries, in the future it would have been possible for developing countries to comply, at least, with general commitments (*ibidem*).

The shortcomings of the UNFCCC made the State parties think of a new international climate agreement as necessary. The UNFCCC was considered insufficient to meet the environmental standards foreseen by the IPCC because it focused on the emission targets without exploring the causes and consequences of climate change was seen as too narrow (Hermwille et al., 2017).

Despite that, the UNFCCC system had its strengths in being the privileged intergovernmental place where governments could meet and dialogue with each other, but also in offering conferences for actors of civil society, firms, scientists and associations.

The UNFCCC took in consideration the divide between developing and developed countries by giving them different responsibilities and roles, a choice that was considered short of ambitions, in addressing a global issue that was about to influence the world's dynamics.

Hermwille et al. framed the UNFCCC regime on the concepts of domination, legitimation and signification. The manifestations of these principles in the UNFCCC are tangible in the provision of shared meanings and norms (signification), the 2°C limit as a main target (legitimation) and the shared principles of the Convention (legitimation), the control exercised over economic and normative resources, even though confined to soft power (domination).

In a structural regime model, the system represented by the UNFCCC was a structure made of rules (cognitive, interpretative, and cultural frames) and resources (economic but also authoritative) in which all the agents operate and mutually reinforce the structure. The individual behavior of these agents, at multiple levels (states, transnational governance initiatives, civil society actors) is deeply influenced by structures and how these structures change through time. In such a model, the UNFCCC is not the only climate regime that can be considered a structure, but it occupies a central position in the bigger picture of climate governance as the center of climate governance initiatives (ibidem).

The UNFCCC influenced socio-economic systems by giving them a shared signification and legitimation to the transnational and international institutions of the climate framework. In this picture, states assume the role of providing the material structure to the constituents of socio-economic systems.

The emission targets provided by the UNFCCC of 1992 and the Paris Agreement of 2015 constitute a form of obligation over state parties, the emanation of a new form of domination (as a management system) at global level. This domination causes a distributional conflict for the relation between the need to reduce emissions and the scarcity of resources in each country, but also a top-down situation by which member states are more prone to adopt weak commitments to preserve their socioeconomic structure. The balance between the inability to produce domination patterns and legally binding international norms that can be respected by states and the inefficacy of a model based mostly on voluntary contributions affect the decision-making processes of the UNFCCC (ibidem).

The concepts of legitimation and signification explain how the UNFCCC is structured in the national policies of member states, having reached an explicit consensus among them and influenced the political discourses on climate change at every level (signification) (ibidem).

The attempts to build a functioning structure were weakened by the failed attempts of the agency (made of national governments, financial institutions and civil society actors) in shaping a normative and politically viable framework made to assist member States in complying with the 2°C limit of the UNFCCC.

It is not the responsibility of single states to influence the course of climate negotiations in a universalizing process, but it is how different approaches, coming from different political areas, and the political will of each state are brought together on a global scale.

In the elaboration of the UNFCCC of 1992, mitigation and adaptation were both considered as policies to be adopted in addressing climate change. However, these two concepts were weighted very differently in scientific fora, separated in practice and policies (Schipper, 2006). At the time of the UNFCCC, the global climate change framework invested more in mitigation policies, a prioritization that was reflected also in the work of the IPCC. There was faith in the idea that mitigation could avoid the tangible effects of climate change, a perspective that changed when scientists confirmed that climate change was far from distant but it was already happening (ibidem).

There were three ideas on how climate policies should have been handled: a “limitationist” view, by which states could only reduce their GHG emissions; an “adaptationist” view, by which the environment could adapt itself to changes without a human intervention; a “realist” view that considered policies for adaptation as necessary and interdependent with the ones for mitigation. This last perspective also emphasizes the structural differences between developing and developed countries in terms of vulnerability to extreme events, lack of resources and technologies (ibidem).

The reasons for favoring mitigation over adaptation were also rooted in the divide between those convinced of the occurrence of climate change and those who were skeptics, thinking of adaptation as a recognition that climate change was already happening and that states did not do enough to prevent it.

Developed countries did not want to prioritize adaptation because it is a long-term strategy and much more costly for them, because they feared that poor countries could request a mechanism for compensations following extreme weather events. It was considered as a frame to be adopted only when the effects of climate change were more visible (also considering the difficulties in distinguishing between events caused by anthropogenic climate change and those caused by climate variability) (ibidem).

The process of negotiation of the Kyoto Protocol since 1994 was characterized by a prevalence of mitigation as a core strategy, so that the Protocol itself was meant to be totally built on the objective of reducing GHG emissions. From the long period of stalemate after the entering into force of the Kyoto Protocol and the repudiation of it by the government of the United States in 2001, there was a shift in the role of adaptation in climate change agreements. It emerged as a policy option during the negotiations for additional funds for adaptation to climate change in the Marrakesh Accords (ibidem).

Adaptation began to represent the necessary linking between the effects of climate change and the needs of developing countries that must receive an answer under the UNFCCC.

### **3.3 Environmental regimes**

#### **3.3.1 Regime Complex**

In their analysis of the global climate regime, Keohane and Victor expressed the infeasibility of a comprehensive and integrated regime as possible or desirable.

The efforts to develop a comprehensive and integrated climate regime failed where the idea of a multi-actors and interests-based regime complex had success.

This could be explained by the reluctance of rich countries, like the United States, to adopt costly policies with long-term benefits. Countries take part in international regimes that are beneficial to their national interests and can help states in achieving an objective of reducing costs and providing assistance.

The two scholars described a continuum of building regulatory regimes, with at one extreme the fully integrated institutions that impose regulation and comprehensive and hierarchical rules, and on the other extreme highly fragmented collections of institutions that show weak or non-existent linkages among themselves, separate regimes. Between these extreme points, there is a wide range of semi-hierarchical regimes that are, at a certain level, institutionally coupled. In this continuum, a “regime complex” is described as a set of loosely coupled regimes that could be found in the middle of the continuum. What characterizes this complex is the absence of an overall comprehensive and hierarchical architecture. It prevails because of the distribution of interests, weighted by power.

Climate treaties are usually agreed because there is a sufficiently strong demand from the most powerful states, private companies, NGOs. They are often not the result of a single policy-making process, but they arise from a “codification of informal rights and rules that have evolved over time through a process of converging expectations or tacit bargaining”. Keohane and Victor call these decisions “path-dependent”.

In this sense, the Asian Pacific Partnership (2005), elaborated by the United States as an alternative to the Kyoto Protocol, was a project of cooperation between the United States and seven countries (Canada, Australia, India, Japan, China and South Korea) for the research on new low-carbon technologies and, at the same time, to build new relationships for the commercial development of low-carbon energy sources.

The G8 and the G20 are good examples of this path-dependent policy-making processes, so that in the last years became privileged forums for climate change discussions (Keohane and Victor, 2011).

Since there is not a central governance or a hierarchical organization of these initiatives, this absence leads to a situation where the sum of these efforts is a regime complex where they are neither integrated, nor fully fragmented. What keeps these forces together depends on the distribution of interests, the uncertainty of the benefits of global goals, strong or soft linkages among members of the club.

There are two main advantages that must be considered in a regime complex: flexibility in adapting rules and policies, since there are no fixed requirements elaborated in a common institution; the adaptability over time, which helps developing countries to adopt provisions that may be aware of the local context and not too onerous for their possibilities. The principle of universality and unanimity, shared in the global institutions of the United Nations as a key to address global problems, is often a source of inaction in the adoption of policies. (ibidem).

On the other hand, a regime complex has its flaws in being too fragmented (making one component to be in conflict with other components and pursuing competition rather than cooperation or innovation).

The growth of proposals that could fragmentate even more the cooperation on climate change can have positive or negative outcomes that depend on the content of new forums and clubs, on the scope of their efforts.

The formation of well-functioning climate change clubs and a profitable cooperation between them could help the transition towards a sustainable world and the development of new technologies that are needed to mitigate the effects of climate change. The UNFCCC and the other global instruments of the United Nations will still have an important role in coordinating the collective efforts against climate change, but they are only major actors of the regime complex (ibidem).

Adil Najam too suggested that a debate on a global environmental institution may be a serious misdiagnosis, since the crisis is a governance crisis, of which the organizational structure is just one small element. The idea of a global institution on climate change formed by governments may not consider that the attempts to build a global governance failed because in some important occasions, such as the Rio Conference on Environment and Development, which was aimed at finding a concrete cooperation between the North and the South of the world, Northern states were too timid in committing to a South-oriented development. The search for a global institution may also contradict the inclusion of civil society actors, in many cases coming from the global South, in the global

environmental governance: climate change is a phenomenon that goes far beyond the responsibility of state actors (Najam, 2003).

States have the largest and most important responsibilities in addressing climate change, but the well-functioning of a global environmental governance does not depend only on their presence, but on how they, and the institutional framework they belong to, connect with global civil society networks and civil society organizations (ibidem).

Global climate institutions that recognize the importance of the integration between governmental and nongovernmental actors could make institutions a forum where to integrate a multitude of voices that in the past felt alienated from the debates on environmental issues.

There are no guarantees that inefficiency that theorists of a global environmental institutional architecture find in the current system will be solved in a unitarian common platform, since the source of the slow progress on environmental issues may be the unwillingness of states (ibidem). The coordination deficit may not be organizational but institutional, deriving from the lack of willingness to participate in global environmental cooperation. While the multi-actors system, having the United Nations at its center, could certainly be improved, it performed well in making the conversion of the environment a global issue, even if poorly financed and staffed, overcoming the hostilities of States after its establishment. The placement of the organization in Nairobi was also an important recognition of the active role of the developing world in facing the climate crisis. It made the global environmental agenda advance in issues like desertification, ozone depletion, organic pollutants, trade in endangered species, deforestation, and loss of biodiversity, often acting as a principal negotiations manager (ibidem).

Centralization as an answer to climate change is not compatible with a global environmental crisis that has many interlinked issues and cannot be dealt with by adopting a centralized, top-down approach. The only global central authority that should coordinate the many groups, initiatives, institutions, partnerships on climate change is the United Nations as a whole, comprehending its institutions and specialized agencies, also considering its many ratifications (poverty alleviation, human rights, access to healthcare, food and water) and how they will necessarily deal with climate change in the next years. Instead of looking for a global climate institution, efforts on involving more and more civil society networks in the global environmental governance and making them more active and influential may be more rewarding (ibidem).



### **3.3.2 Top-down or bottom up**

According to Steinar Andresen, the responsibility of this long-time inaction lies in the top-down and centralized approach of the United Nations system, where states decide their climate commitments without considering the influence of third actors, civil society organizations and environmental groups. Even a “climate clubs” approach could be ineffective if the global action on climate change continues to be in the hands of states and excludes a cooperative model.

Even if, during negotiations, there is not a global authority that enforce obligations among lower-level units and the cooperation among states is on a voluntary basis and enforcement mechanisms are weak if not non-existent, these can't be considered bottom-up processes because centralization is the characteristic feature of treaties like the UNFCCC of 1992, where states agree on a general, common treaty. General conventions use “target” and “time-table” approaches, where a precise quantity of emissions must be reduced within a fixed period of time for each country. Therefore, considering the exclusive participation of governments and the participation of developing and developed countries together (Andresen, 2015).

The Kyoto Protocol made the top-down approach more pervasive in making the commitments of state parties more binding, adopting a more “problem-oriented approach” based on scientific evaluations coming from the IPCC (*ibidem*).

There are many advantages in a top-down approach: it is inclusive in trying to gather as many governments as possible to achieve common outcomes, it can build a stronger scientific work coordinated by an international scientific panel recognized by member states. On the contrary, bottom-up approaches are more pragmatic in the sense that the focus is on the practicability and context-based efficiency rather than on science and general commitments. Top-down or universal approach was fundamental to achieving the success of the ozone environmental regime: the Montreal Protocol of 1987 is widely considered the most successful international climate agreement ever. (*ibidem*).

It is effective in elaborating an agenda, promoting cooperation with as many actors as possible in a coherent way. However, it is lacking in making the most polluting countries (the “G2”, the United States and China) responsible for their emissions when compared to most other countries of the world, it makes the ambitions of climate policies dilute in vague and safe promises that are hardly maintained.

A bottom-up approach promotes environmental policies that do not require a complex

level of organization.

Many levels are considered in such an approach: national, regional, local, nongovernmental levels. The communication among each other and the bypassing of the need to adopt a comprehensive treaty make practicability and pragmatism the strengths of the bottom-up approach. However, the absence of an international influence or pressure could make the adoption of environmental policies slower or unlikely; because their benefits for states are long-term and not profit-related (ibidem).

During negotiations, environmental NGOs, scientists, and policymakers were in favor of a top-down approach based on targets and timetables, with the North (the European Union and the United States) having a pivotal role in the process. However, in the following years the shortcomings of a top-down model (nevertheless effective) became more and more clear: the lack of an action on the ground to reduce emissions (ibidem).

The topic of the importance of participation and compliance in a global climate change framework emerged many times in the attempts to find strategies to increase active participation in climate agreements.

Freeriding (or non-participation to climate change frameworks) comes from the marginal increase of the costs and a reduction in the benefits of reducing emissions. However, since the effects of climate change become more and more problematic, it becomes even more necessary to overcome the problem of freeriding by the adoption of incentive mechanisms (Barrett, Stavins, 2003).

The Kyoto Protocol adopted, as core principles, the progressive increase of emission-reduction targets, more costly targets for the most developed countries and a mechanism of market-based or growth targets to increase the participation of developing countries in the process. While cost-effectiveness and economic incentives are needed in a global strategy, a full participation of as many states as possible is necessary to achieve an ecological transition built on equitable costs (these costs should be equally distributed among countries).

It included three flexibility mechanisms based on the need to make states responsible in reducing their emissions at lower cost: a first mechanism, the international emission trading, allowed 38 industrialized countries belonging to the Annex B to trade emissions allowances with one other; the second one set up a cooperation between the Annex B countries on common projects for the transfer of emission allowances; the third one, the Clean Development Mechanism, was meant to finance projects in states that do not

belong to the Annex B to incentive them to achieve their emission targets (*ibidem*). These legally binding commitments were made enforceable only in 2001 (those industrialized countries that failed to comply had to face a penalty).

In terms of GHG emissions, the inclusion of Annex I countries (the ones with the overwhelming majority of duties) was difficult: in July 2003 only 29 countries had ratified the Kyoto Protocol, only 44.2 percent of the total Annex I emissions. The participation of these countries was also influenced by some concessions given to them (for example, not imposing a quantitative limit on trading). It tried to address climate change from the perspective of market-based solutions, but was criticized for offering ineffective incentives to embrace a global climate policy, focusing more on setting limits and costs rather than investing in climate benefits (*ibidem*).

A set of solutions alternative to the ones provided by the Kyoto Protocol could include the use of short-term or medium-term goals for the adoption of climate policies, market-based mechanisms to encourage participation and compliance with climate agreements, progressive measures to foster the participation of developing countries.

To increase participation to climate agreements, but also to the concrete implementation of climate programs, an international climate framework should seek socioeconomic conditions where the sum of marginal benefits of joining it is equal or superior to the marginal costs, so that for a country it is more convenient to enter such a framework rather than not. Without considering a country's own benefits for adopting these policies, it would be more convenient for a country to reduce its GHG emissions only till the benefits of doing so are superior to the costs, achieving the bare minimum (*ibidem*).

There are trade instruments that can facilitate participation and function as positive incentives: side payments, that act like a compensation for those countries that would gain less from an agreement; an exchange of cooperation, by which cooperation in a climate treaty could lead to cooperation in another subject that is important for some countries. Along with positive incentives, negative incentives too could have a role: a system of reciprocity by which small groups of countries could agree to limit their GHG emissions reciprocally; financial penalties that do not require sacrifices for other parties; restrictions to access to trade to deter non-participation (*ibidem*).

A solution based on a flexible institutional architecture and international informal meetings could offer many advantages in the dialogue between developing and developed countries. One example is the G20, which in the years following the London Summit of

2009 invested more and more effort on the management of climate change (Aeree Kim, Chung, 2012).

In a regime of global complexes as theorized by Keohane and Victor (2010), countries are more likely to plan the reduction of their GHG emissions in a context of flexibility, where the adoption of rules depends on the different conditions of countries and how urgent are some issues.

The G20 was announced in 1999, by the finance ministers of the G7, as an informal mechanism to favor the dialogue between developing and industrialized countries on non-security issues. The informal context of these meetings was meant to be a strength for the construction of a consensus among countries. It is a global forum where many geographical and political poles are equally represented: it represents two-thirds of the global population and 85% of the global GDP, gathering the most important emitters of GHG in a single platform (Aeree Kim, Chung, 2012).

Many important topics of climate responsibility are addressed by the G20, such as financing and transfer of resources, subsidies to fossil fuels. The strength of the climate negotiations within the G20 lies in its nature as an informal forum among peers and equals, flexible and multi-lateral: in the G20 London Summit of London, the state leaders adopted a \$1.1 trillion stimulus package for the recovery from the ongoing financial crisis and, at the same time, a communication on the will to leave behind the financial crisis by adopting a sustainable and low-carbon recovery path.

The absence of an enforcement mechanism makes the commitments taken under the G20 uneasy to maintain. However, the G20 supported the work of the United Nations in intensifying the efforts against climate change by setting up a G20 Climate Finance Experts Group made of the finance ministers of G20 countries to prepare a report on the assessment of the necessary public financing to adopt climate policies, to establish criteria on who should contribute to such financing and how much, where these resources should be allocated (ibidem).

The ministers of G20 dealt with the phasing out of inefficient fossil fuels subsidies, which was a recurring topic during the meetings: they established a working group to review the fossil subsidies of their countries and how to effectively replacing them, and elaborated a report with the support of the International Energy Agency (IEA), the OECD and the World Bank to analyze the impact of this policy. The report demonstrated that the phasing out of inefficient fossil fuels subsidies would reduce the GHG emissions by 10% in 2050. During the G20 of 2009 in Pittsburgh they elaborated new strategies and timeframes to

further implement the phasing out of inefficient fossil fuels.

The G20 meetings also kept a close dialogue among global private actors. For example, during the Seoul Business Summit Meeting in 2009, business leaders of the state parties talked about the role of the private sector in promoting green technologies and green jobs, expanding trade and foreign investments as drivers to a sustainable growth, making private companies responsible for their environmental choices (ibidem).

### **3.3.3 Climate clubs**

Many scholars looked for alternative solutions to climate cooperation, for example climate clubs. According to some studies (Hovi et al., 2016) the Framework Convention on Climate Change was not effective in reducing global emissions directly, because to reach that outcome a country must be attractive to the participation of the major emitters and provide binding targets for the reduction of emissions. The Framework Convention and the Kyoto Protocol that followed (even if the latter saw the participation of only 37 countries) have been effective in causing global emissions to be lower than they would have been without their influence. It was only with the Paris Agreement (2015) that a true global, binding commitment (with more countries than before) to reduce the CO<sub>2</sub> emissions took place, even though it did not contain enforcement mechanisms (ibidem). While some scholars do support the idea of a single, global environmental institution in the framework of the United Nations, others support the alternative of environmental groups or clubs that include specific groups of countries. The “enthusiastic” proposals of these clubs, founded upon the shared agreement on collaboration to tackle climate change, could influence other countries to join them and their commitment. While climate cooperation is already based on the effort of small groups, it could be more successful attracting more and more members and maintaining its high ambitions and well-functioning leaderships (ibidem).

A climate club may be defined as an international group that starts with fewer members than the Framework Convention on Climate Change (1992) and is formed to cooperate to address climate change in its many aspects like mitigation, adaptation, climate engineering, and climate compensation. Even if the contribution of each group to the reduction of CO<sub>2</sub> emissions is relatively small, they could be made effective by providing a solid basis for cooperation among enthusiastic countries, attracting new members, ensuring that those new members will contribute adopting measures for emissions reductions, offsetting the incentives of reluctant countries to free ride (ibidem).

According to the Buchanan (1965) club theory, a club is a member-owned institutional arrangement aiming to provide a “club good”, which is an excludable good that exhibits little or no rivalness for low to moderate consumption levels but significant rivalness for higher consumption levels because of congestion effects”. To each “good” corresponds to a primary goal that should be achieved by the club. There are also differences between a “Buchanan club”, in which the production or allocation of a good is, in itself, a goal (and there are no risks of free riding), and a “voluntary club”, where the goal is to produce a public good or positive externality (Hovi et al., 2016; Buchanan, 1965; Prakash and Potoski, 2007)

The Buchanan notion of club does not fit with climate clubs: there is not a congestion effect but, instead, increasing participation is the most beneficial outcome of these clubs. Therefore, climate clubs should be included in the group of voluntary clubs. The major flaw of the consensual model adopted by the UNFCCC and other major treaties for development and environment is that it always provides the use of veto in the hands of the least enthusiastic member states, leading to moderate outcomes built upon compromise. On the contrary, climate clubs can find stronger agreements among countries with similar interests on the basis of their real capabilities and political will. They can create private incentives and linking the paths of more countries on specific issues at the same time (Hovi et al., 2016), for example the sharing of technologies for the adoption of green policies, agreements for low-tariffs zone for low-emission technologies. While the advantages to embrace a climate club depend on the contribution of a specific country to the problem of climate change; in quantitative terms, they depend on the amount of GHG emissions of a country (*ibidem*).

### **3.3.4 Global forums**

Some analysts have considered exclusive forums as a good instrument to address climate change: for example, the Major Economies Forum of 2007, established by the United States’ Bush administration as a forum for informal discussions among the seven largest economies of the world, responsible for most of the CO<sub>2</sub> emissions or the much more relevant G8 (now G7) or G20 forums, now much more focused on climate change than before. Since 2005, the G8 is giving every year statements on climate change and how to face it, in concrete terms, while the G20 became more and more important over time on financial and environmental matters, first of all the phasing out of fossil fuel subsidies

(Andresen, 2015).

These two forums have their importance in gathering substantial contributions of states responsible for almost the total of CO<sub>2</sub> emissions, in the case of the G20 they also represent 90% of the global GDP. The G7 forums, instead, offer the chance of elaborate accords among the most powerful countries of the international community, often reluctant to adopt legally binding commitments that may challenge their privileged position (*ibidem*).

Despite the increased role of the G20 from its conception to the last years (2000-2019), many climate change policies have not been adopted. The most lacking issues consist in the phasing out of coal and fossil fuels, the energy saving in electricity and heat supply, the reduction of emissions originating from industrial processes, and the support of renewable energies. The gaps in the adoption of policies within the G20 made at least one tenth of the G20 emissions almost uncovered (Nascimento et al., 2021)

Even considered the Nationally Determined Contributions (NDCs) of the Paris Agreement, climate policies need to be strengthened in every national and local context, favoring a cohesive policy coverage across different sectors. According to an analysis conducted in 2019 that reflects emission reductions that are expected to happen in the current decade (between 2020 and 2030), the main sectors that must be considered and represented in a climate policy are: electricity and heat, industry, land transport (for example urban planning), buildings, agriculture, and forestry. The analysis puts a relationship between policies agreed to reduce emissions and a specific sector having as a common matrix a “policy option” (defined as a set of sector-specific measures that can help to reduce emissions), (*ibidem*).

By evaluating the coverage of each policy option state by state, the successful implementation of sectoral policies, considered in a cohesive and interdependent way, could lead to more effective emission reductions.

In the 1600 climate policies adopted by the G20 countries till December 2019, most of them concerned the electricity sector, because of the growth of renewable energies and the liberalization of power markets in some countries, followed by the land transport, buildings, and industry sectors. Some countries, especially the developed countries, were more prone to adopt cross-sectoral policies (*ibidem*).

All of the countries belonging to the G20 adopted at least one policy for each sector. Among the most common instruments to favor these policies, financial incentives were the most common. The trends described by the study suggest that there is a general multi-

sectoral and multi-instrument approach to climate policies, prompted by political and economic actors to drive benefits in climate investments. It is a widespread approach in the United States, in Japan and the most developed countries. While cross-sectorial policies were rare at the beginning of the century (15% of climate policies), now they are mainstream in G20 countries (84%) and a main driver for climate change mitigation policies.

This shows how, in the last twenty years, sectoral climate policies and policy options have grown using different policy instruments, preferring those supporting renewable energies rather than those reducing the dependence from fossil fuels. Policies governing the phasing out of fossil fuels and the dismantlement of “fossil subsidies” are still inconsistent among the G20 countries (*ibidem*).

### **3.4 The ambitions of the Paris Agreement**

At the end of the first commitment period of the Kyoto Protocol, in 2012, the lack of political will made it difficult to achieve a new set of targets. The thirteenth Conference of Parties (COP13) at the Bali International Conference Center and the fifteenth in Copenhagen (COP15) tried to start a new process of negotiation that took place only with the Paris Climate Change Conference (COP21) of 2015. It concluded a cycle of negotiations with the objective of adopting a new legal instrument to be adopted at the end of that year. It was meant to provide the regular compilation of Parties’ submissions without adopting a common ground on the nature and the content of the specific obligations of the Parties (Savaresi, 2015).

There were important differences between the work behind the Paris Agreement and the text negotiations of the COP15 in Copenhagen: the mismanagement of Parties’ submissions made the outcome text of the Copenhagen accord non-inclusive, opaque and rushed; the preparing work for the Paris Agreement, instead, despite the difficulties in finding a political consensus on how to manage the burden of climate change mitigation between rich countries and developing countries and on the nature of the “nationally determined contributions” planned to provide information on the state parties’ national plans for climate change, the Delegates in Paris adopted an agreement that set aside all contentious issues (*ibidem*).

While technical negotiations failed to reach a consensus on a comprehensive text (the work of the ADP, responsible for the treaty, produced a text of 48 pages with 900 square brackets), the diplomatic effort of many ministers who gathered in Paris made it possible



to reach a political compromise between divergent positions. This result was also favored by multilateral and bilateral gatherings in the preceding years and the political will of 100 developed and developing countries to reach an agreement.

For the first time in a treaty, it provides a global commitment to “[hold] the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change” (United Nations, 2015). In November 2016, at least 55 Parties to the Paris Agreement ratified the treaty, representing more than 55% of the total GHG emissions.

Nevertheless, the Paris Agreement still allows state parties total freedom on how to concretely tackle climate change. It moved from the top-down approach of the Copenhagen COP15, and the approach based on targets and timetables (relying on the reduction commitments of developing countries) to a framework built on the review of each party’s progress and contributions towards the global goal, requiring the submission of a NDC every 5 years. It is a flexible (because of the freedom given to state parties in addressing climate change) but institutionalized and non-backslidable process to assess the adequacy of the global commitment. While there are no fixed requirements to guarantee that countries’ national commitments will be enough to reach the goal of the agreement, it represents in any case an obligation for state parties to make efforts (Savaresi, 2015).

The Paris Agreement reshaped the differentiation between developed and developing countries that was integrated in the UNFCCC. It recognizes the aims of all parties to undertake and report ambitious efforts against climate change, without distinctions on the basis of development, acknowledging that developed countries must lead the process but requiring developing countries to reduce their emissions.

It also provide a stronger link between the commitments against climate change and human rights, reiterating how extreme events will threat the enjoyment of the internationally recognized human rights, such as the right to life and the right to food and housing. In its preamble, it explicitly recognizes climate change as a “common concern of humankind” and mentions “human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity” (Savaresi, 2015).

The approach envisaged by the Paris Agreement, following the negotiations of the 2015 COP21, was to prioritize domestic climate policies for emission reductions, favoring a “pledge and review” system. It avoided the conflicts on redistribution of resources and climate burdens to achieve a durable climate cooperation (Falkner, 2016).

The main difficulties in this process were to reach a legally binding agreement on emissions in a global context where benefits associated with climate policies were long-term and hard to assess. Their missed adoption will have different effects on the basis of the vulnerability to extreme events of a certain country, so it was difficult for many states to justify public expenditures for mitigation and adaptation to climate change (where is the national interest?). The historical divide between developing and developed countries, that was so central to the Kyoto Protocol and its climate targets for Annex I countries (the industrialized ones), led to insufficient GHG emission reductions (*ibidem*).

Therefore, it seemed that exempting developing countries from commitments to mitigate climate change was not a good idea. Moreover, the adoption of static GHG emission reduction targets did not consider the specificity of socioeconomic and local contexts, that was instead embraced in the Paris Agreement as a core principle to make an inclusive climate agreement functioning.

After the poor outcome of the 2009 COP15 in Copenhagen, which wanted to overcome the shortcomings of the Kyoto Protocol but resulted in the timid and not-legally binding Copenhagen Accords, there were some shifts in the states’ conception of the climate problem: the costs of low-carbon economies was not seen as high as before, thanks to the development and the falling prices of renewable energies; important states like the United States and China manifested more openness to a global and legally binding climate change agreement (*ibidem*).

The Paris Agreement benefited from an important work of diplomacy and open support by member states (in 2014, the United States and China signed a bilateral agreement on the topic). Even considering the lack of a precise timetable, the agreement succeeded where the Kyoto Protocol failed in providing a global long-time target and, for the first time, a “pledge and review” system facilitated by international dialogue, making all of the member countries (without distinctions on the basis of development) responsible for GHG emissions.

From the point of view of power dynamics, the Paris Agreement was praised by the European Union, China, India and also the United States. It puts together the bottom-up

approach (in terms of participation) and the top-down approach of the UNFCCC (in terms of consensus and accountability), leaving to each member state the freedom to develop and implement the content of climate policies, making each of them responsible in front of an international mechanism for reviews (Dimitrov, 2016).

Developed countries wanted to reach an agreement that put forward mitigation rather than adaptation (more costly and convenient for poor countries), the adoption of legally binding provisions for finance, compensations, transfer of technologies. However, some of these states (most prominently the United States) were against the hypothesis of a legally binding treaty for mitigation and finance. The consequence of this contrast was translated in a final agreement that was less rigid in the provision of adopting binding quantified emission reductions (*ibidem*).

On the other side, China, as a regional power, wanted a legal obligation to act against climate change but at the same time was interested in adopting an untransparent review mechanism that was conducive to its national interests.

On quantitative and qualitative goals for a global climate change policy, states had different opinions: small island states (AOSIS) wanted a zero emissions target by 2060-2080, fast growing developing countries (India, China, Saudi Arabia, Malaysia) wanted to use qualitative goals, the United States did not want any deadline to reach zero emissions. One of the most controversial issues was the inclusion of the limit of 1.5°C temperature rise above pre-industrial levels: the majority of state parties was in favor of including this limit in the outcome document, with the most reluctant ones (China, the United States, Iran and India) that were opposed to include this parameter as the official goal (*ibidem*).

Developing countries sought to reach a shared position on the adoption of compensations for the permanent losses caused by climate change to the most vulnerable countries that had no historical responsibilities for it. However, developed countries impeded the creation of provisions on compensations.

At the end of the negotiations, the outcome document represented a compromise between these diverse positions. The final text includes a reference to developed and developing countries: “developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets”, while “developing countries parties should continue enhancing their mitigation efforts and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances.” (Article 4, Paris Agreement).

However, there is no mechanism of compensation for losses. Even if the Paris Agreement was modeled on the North's desire to implement a pledge and review mechanism (based on self-evaluations and self-assessed pledges of state parties), there are also important achievements for Southern countries like a recommendation for developed countries to financially assist developing countries, while "other parties" are required to contribute on a voluntary basis (Dimitrov, 2016).

### **3.5 COP25 and COP26**

The 2019 UNFCCC COP25 in Madrid, which was meant to adopt a follow up to the Paris Agreement commitments, failed in establishing a global agreed framework in limiting the carbon market and increasing the ambition of the Nationally Determined Contributions (NDCs) system theorized in Paris. Considering the four years passed since the adoption of the Paris Agreement, it was impossible to elaborate new and stronger NDCs, unchanged from the ones submitted to the COP21 in Paris. The IPCC itself assessed that the ongoing NDCs were insufficient to keep the temperature rises to 1.5° or 2°C (Streck, 2020).

The Chilean government, which was responsible for the 2019 COP, launched a "Climate Ambition Alliance" to upscale the action of states in achieving the targets of the Paris Agreement. At the end of the conference, 59 smaller countries and some middle countries joined the Alliance to make their NDCs more ambitious in the future. The pressure from civil society movements, environmental organizations and activists during the Conference, asking for a change in the scope of the climate policies of governments was not followed by a step-up in the negotiations: the outcome of the COP was a document called "Chile Madrid Time of Action" that repeated and emphasized decisions previously adopted. Furthermore, the document did not mention plans for long-term financing, a timeline, or guidelines for the harmonization of NDCs. Other controversial missed points concern the revision of Article 6 of the Paris Agreement, by which member states are required to cooperate through a "voluntary cooperation in the implementation" of NDCs, so as the development of new carbon market rules for an organized phasing out of fossil fuels (*ibidem*).

There were disagreements on the validity of old units established under the Kyoto Protocol, the Internationally Transferred Mitigation Outcomes (ITMOs) and the credits issued under the Clean Development Mechanisms to meet the NDCs submitted under the Paris Agreement.

The COP 25 of Madrid, as the other conferences that followed the adoption of the Paris Agreement, had to deal with the voluntary regime of NDCs: while the Kyoto Protocol had clear emission targets and a rigid separation between Annex I (industrialized) countries and Non-Annex I (developing) countries, the Paris Agreement provided a system where the contributions of member states are no more fixed in agreed periods but are subjected to a system of self-assessment and self-review, where member states are required to regularly update their NDC. A more flexible system may be a useful approach to address a global phenomenon that affects a big number of socioeconomic and political systems with different interests, but it is still questionable whether it will favor the achievement of net zero emissions (ibidem).

The public awareness that has been manifested in the last COPs already had some effects in improving the position of climate change among the most debated topics in some countries and giving space to scientists and associations that influence the public opinion and the environmental standards of private companies. In negotiations, governments may be more prone to promote their short-term interests instead of costly long-term commitments, but ambition can be fostered by reciprocity. It is better to have an agreement that is as inclusive as possible so that most reluctant parties will be more open to adopt binding commitments because other parties with a shared identity and interests are doing so (in this sense, climate leaders have an important responsibility) (ibidem).

The 2021 COP26 in Glasgow took place in a radically different context from the previous one. The United States withdrew from the Paris Agreement in 2017 and rejoined it only in 2021, while the relations between China and western states was gradually worsening. The COVID-19 caused a long-lasting global health emergency that influenced the relations among states and partly overshadowed the global efforts in climate negotiations from the agenda of governments (Depledge et al., 2022).

Despite these dynamics, the COP26 had a more positive outcome than the Madrid COP. The result of the conference was the Glasgow Climate Pact, a document that reiterated the 1.5°C global goal of the Paris Agreement and explicitly mentioned the reduction of “global carbon dioxide emissions by 47 percent by 2030” and “to net zero around mid-century”. It invites, for the first time in a COP, member states to “consider further actions to reduce methane” and it uses sharp and substantive language to underline the importance of protecting biodiversity, social and environmental safeguards (ibidem).

There have been positive results for the inclusion of the global goal to provide one

hundred billion dollar per year to developing countries by 2025 to achieve the climate targets that they had not met; an objective that was agreed in 2009 but never reached. It remains contested, however, if such support will be provided in form of debts or grants: the Glasgow Climate Pact did not specify this issue.

The outcome document of COP26 is also vague and unambitious in the definition of the necessary climate investments that must be adopted to reach the global goals, especially in the energy field where, for the net-zero scenario by 2050 hypothesized by the IEA, US \$1.4 trillion are needed to develop clean energy in emerging economies. Adaptation to climate change is similarly costly: the Global Commission on Adaptation found that US \$1.8 trillion may be necessary in early warning systems (ibidem).

The lack of a detailed program on climate finance and the needed investments to tackle climate change is the most important deficiency of the COP26. Developing countries were also unsatisfied with the lack of a policy of fundings for loss and damage. (ibidem).

The 2021 COP26 will be remembered mostly for its ambitious target of phasing out coal and inefficient fossil fuels. Its inclusion in the outcome document was contested by Nigeria, South Africa, Iran and, most prominently, China and India for being incompatible with the principles of equity and national circumstances generally recognized in climate agreements. Despite the opposition, the reference to coal was approved in the final text as “accelerating efforts towards the phasedown of unabated coal power and phase-out of inefficient fossil fuel subsidies” (Glasgow Pact, 2021).

### **3.6 Case studies**

The “pledge and review system” of the Paris Agreement had two important strengths: it made state parties responsible for respecting the climate goals agreed but at the same time it let them free in their elaboration and implementation of climate policies, since they are heavily dependent on the local context of the country and reflect the political will of governments.

Three cases will be analyzed to check national climate policies and the different dynamics of mitigation and adaptation of the following countries, showing how the policies to tackle climate change are deeply connected with the policies for development that are planned by national governments, especially in the context of developing countries.

#### **3.6.1 Nigeria**

Nigeria adopted the Paris Agreement in 2015 and ratified it in 2017, with the objective of

defining a country-specific holistic framework in a National Climate Change Policy document.

The Federal Government of Nigeria submitted an updated version of its Nationally Determined Contribution in May 2021. It identified as key priorities for Nigeria a diversification of economy rooted in non-oil revenues, large investments in the infrastructure and power sectors. This updated version of the 2015 NDC reduces the absolute GHG emissions to make the 1.5°C global target achievable. Among the most prominent strategies to tackle climate change, the Nigerian government improved its information and gathering of data on the amount of GHG emissions in the country, as well as the GHG mitigation potential of possible reduction measures; the elimination of kerosene lighting by 2030; access to electricity to all Nigerians; a Sovereign Green Bond to fund projects target exclusively at reducing GHG emissions (Federal Government of Nigeria, 2021).

The NDC of Nigeria puts together public investments for development and the reduction of fossil fuels in economic sectors like the “Nigeria Economic Sustainability Plan”, which aims to lift one hundred million Nigerians out of poverty and to install Solar Home Systems in five million households to assist the 25 millions of Nigerians that do not receive electric power, and the “Medium Term National Development Plan 2021-2025” to improve economic competitiveness and GDP growth of 3.8% while financing the spread of small and medium enterprises in sustainable and non-oil sectors.

For what concerns adaptation to climate change, Nigeria is highly vulnerable to its effects. Nigeria adopted a National Adaptation Plan Framework in 2020 with its adaptation objectives, the principles behind adaptation, roles and responsibilities of different stakeholders. This plan is integrated with two other plans for the socioeconomic development of the country: the Economic Recovery and Growth Plan (ERGP) and the National Climate Change Response and Strategy (NCCPRS). The government makes it clear that the underdevelopment of Nigeria is worsening the impact of climate change, so that the two dimensions (the developing one and the mitigation and adaptation one) must not be split (*ibidem*).

The work behind mitigation and adaptation measures, which oversees the implementation of response measures and assesses the effectiveness of programs and activities, is coordinated by an Inter-Ministerial Committee on Climate Change and see the participation of technical working groups, private sector actors and development partners. Relevant in the document are also the nature-based solutions to climate change (NBS),

aiming at protecting biodiversity, ecosystems and sustainable development, and the climate policies for the water sector, since most Nigerians have access to a very limited quantity of safe water (in rural areas only 54% of them have access to safe water at all). Water sanitation and supply is expected to be improved specially to resist floods and extreme weather events and to better manage water resources.

For what concerns mitigation, Nigeria committed to unconditionally reduce GHG emissions by 20% below business-as-usual levels, by 47% on the condition of being financially assisted. The objective of the country is, in relation with the targets of the Paris Agreement, to halve the current GHG emissions and to reach the net zero target “as early as possible in the second half of the century” (ibidem).

The energy sector still needs public investments to transmit and distribute power from generating companies to industry,

The NDC also mentions the agricultural sector (and the use of lands and forests) as the second source of GHG emissions (25%) in the country. Nigeria indicates nature-based solutions and the plant of 12 million trees, even though it admits that the growth of the agricultural sector will be followed by a growth of the percentage of GHG emissions that depends on it: it will account for 33% of global emissions by 2030 (ibidem).

The National Climate Change Policy and Response Strategy (NCCPRS) plan was adopted in 2012, elaborated through a participatory process that engaged the government (Ministries, Departments and Agencies at Federal and State levels), the private sector and the civil society (through workshops and questionnaires).

This work was conducted also by the Federal Committee on Climate Change, composed of ministers, departments, civil society actors, corporate entities, partners for development and saw also the financial and strategic support of the United Nations Development Programme (Federal Ministry of Environment, Department of Climate Change, 2021).

The NCCP is divided in seven sections reserving spaces for the many dimensions of climate change as a multifaceted phenomenon: the background and the national context of the Nigerian strategy to tackle climate change; the policies elaborated at federal level to mitigate the effects and adapt to climate change; the legal, institutional and socioeconomic framework; the actions and strategies for implementation.

At the center of the Nigerian situation, there has been a constant increase in temperatures in the last five decades (especially since the 1980s) with a 1.01°C temperature rise in the



period from 1951 to 2005. There has also been an increase in the annual variability and rate of extreme weather events in Nigeria in the last decades, droughts, and floods in many parts of the country (ibidem).

The Federal Executive Council established, in 2012, some targets that must be achieved to promote a low-carbon and high-growth development: the adoption of mitigation measures; the enhancement of adaptation measures to climate change; the development of science, technology and scientific knowledge to participate to the global cooperation on climate change; an increase of public awareness and participation of the private sector to address climate change; the strengthening of national mechanism for the governance of climate change.

Nigeria adopted as a main principle the “review approach”: cooperation between ministries, departments, private operators, and civil society actors to monitor the development in climate change policy and discourse, the implementation of the Nationally Determined Contribution (NDC), the respect of those international treaties and conventions of which Nigeria is part. This review must also put at the first place the Constitution of the Federal Republic of Nigeria, where the protection of the environment is explicitly recognized in Chapter 2 concerning the “Fundamental Objectives and Directive Principles of State Policy” (ibidem).

The objective of the National Climate Change Policy for Nigeria 2021-2030 aims at reducing the CO<sub>2</sub> emissions as provided by the Nationally Determined Contribution of 2015, but also reducing the socioeconomic impacts of climate change, promoting sustainable development.

The objectives consist of reducing the GHG emission intensity of GDP by 20% by 2030 on an unconditional basis and by 45% on a conditional basis that the country will receive climate finance, technology and capacity building from developed countries. The Nigerian government has also launched a “Green Bonds” plan as a means to raise climate finance and support national development policies (especially in the fields of agriculture, power, energy efficiency).

The NCCPRS relies on the principles of country-driven and country-specific climate interventions and responses, effective citizenship participation, international partnership and cooperation, gender equality, environmental quality and shared responsibility among stakeholders. But the government is aware that all of them cannot be achieved without a well-functioning legal framework and important investments in finance, education and monitoring.

For what concerns the institutional architecture for the adoption of climate policies, the NCCPRS suggested a definition of responsibilities with a strengthening of the role of the Department of Climate Change in collaboration with the Federal Ministry of the Environment, developing legal and institutional frameworks with all of the other Ministries Departments.

### **3.6.2 India**

The climate policies of India represent the outcome of an ambivalent position: it is a historically developing country that is rapidly growing and, as a direct consequence, is increasing its GHG emissions. The uneasy balance between such an important economic growth and, at the same time, the responsibility to reduce the CO<sub>2</sub> emissions and comply with international agreements had a deep influence on the climate record of India. The political debate on climate change in India was initially framed as part of the bigger picture of the North-South relationships, where the responsibility for causing climate change was attributed to the stocks of greenhouse gasses rather than to the annual flows of emissions (Dubash, 2013).

It seemed more convenient to make industrialized countries the actors more responsible for climate change and, therefore, for its resolution. To make this position more grounded in the political history of the country, the Indian government (on the suggestions of think-tanks like the Center for Science and Environment) adopted a perspective of “per capita” equity: climate change is caused by the per capita GHG emissions and, since in developed countries they are much more, these countries are the ones responsible. India lobbied for an increase of international funding and transfer of financial resources to developing countries, even suggesting the creation of an institutional mechanism for this purpose. This attitude was a consequence of the international tensions between poor and rich countries on the role of economic cooperation (*ibidem*).

The “per capita” equity frame was dominant in the first two decades since the adoption of the UNFCCC. But the industrialization and several years of high economic growth of the country made India more sensitive to the instances of the emerging economies, leading to an alignment with their foreign policies.

In the COP15 in Copenhagen, the Indian government made the commitment to reduce the countries’ GHG emissions per capita to the average levels of industrialized countries. It was not a radical shift from the equity frame of the previous decades, but environmental

concerns became more present in the political debate of India (for example, there have been two debates in the Indian Parliament, before and after the COP15). However, the national representation of climate change (especially in the media) remained bound to the dimension of international cooperation.

There have been some attempts by civil society organizations, trade unions and social movements to convince the government to adopt an approach inclusive of actions for local mitigation and adaptation to climate change. The industrial and business community of India became, over the years and after the COP15 of Copenhagen, more interested in supporting India's climate policies (ibidem).

India submitted its first NDC to the UNFCCC in October 2015, putting forward the promotion of a healthy and sustainable way of living, based on tradition and values of conservation and moderation. Such commitment was followed by the birth of the movement LIFE (Lifestyle for the Environment), an initiative proposed by India during the COP26 in Glasgow to live a lifestyle that is not harmful to the environment and in tune with the planet, taking inspiration from the principles of Mahatma Gandhi and Hinduism. The adoption of the LIFE initiative was praised by Bill Gates, the Co-Chairman of the Bill & Melinda Gates Foundation as a “global initiative of citizen action to promote pro-climate behaviors” (Prime Minister of India, 2022).

The NDC mentions the will to adopt a climate friendly path to development, reducing the emission intensity of the GDP by 45 percent in 2030 and achieving the 50 percent of cumulative electric power from non-fossil fuel-based energy resources by 2030. The NDC also includes a program for adaptation to climate change with investments on development programs in the sectors most vulnerable to climate change: agriculture, water resources, protection of natural areas, disaster management, and health (Government of India, 2021).

To address climate change, the NDC relies on the contribution of additional funds from developed countries and the building of technologies with the creation of a domestic framework and an international architecture.

Considering these intentions, the objective of India is to reach the political goal of net-zero by 2070, twenty years after the European Union (according to its climate ambitions) and ten years after China (ibidem).

During the COP26 of the UNFCCC in Glasgow, the Prime Minister of India Shri Narendra Modi defined India as a developing country engaged in lifting many peoples out of poverty, that is not responsible for climate change (counting only for the 5% of emissions) but committed to mitigate and adapt to the effects of climate change. On that occasion, Prime Minister Modi underlined the importance of lifestyle in the struggle against climate change, promoting the LIFE campaign as a mass movement that connects self-realization and climate economic policies (Ministry of External Affairs, 2021).

Modi presented five climate targets for India defined as “Panchamrit”: “First- India will take its non-fossil energy capacity to 500 GW by 2030. Second- India will meet 50 percent of its energy requirements from renewable energy by 2030. Third- India will reduce the total projected carbon emissions by one billion tones from now till 2030. Fourth- By 2030, India will reduce the carbon intensity of its economy by more than 45 percent. And fifth- by the year 2070, India will achieve the target of Net Zero.” (ibidem).

At the end of his statement, Modi expressed understanding and sharing for the suffering of developing countries in facing the climate crisis, and considered raising the voice for developing countries as a duty for India, asking for the transfer of climate technologies and finance for “\$1 trillion at the earliest” (ibidem).

### **3.6.3 Bangladesh**

Bangladesh is one of the most vulnerable countries to climate change. It already manifests itself in many environmental disasters such as floods, tropical cyclones, storms, coastal erosion, droughts. Aside from this, the country is facing high population density, shortages in the distribution of lands, difficulties in terms of health and food security, and a high illiteracy rate (Dastagir, 2014)

It is the sixth country most affected by floods in the world. The country depends on the South Asian monsoon for 98% of its rainfall, which is expected to increase and cause even more flooding. The country is affected by floods also because two-thirds of its territory is less than five meters above the sea level, leading to devastating effects of floods such as damages to crops and buildings. During the monsoon season, every four or five years, a flood occurs and affects more than three-fifths of the territory.

From the assessment of the IPCC, there is a medium confidence that droughts will intensify in the following years because of the reduced precipitation. In the period between the post-monsoon and the pre-monsoon cycle, the increase of temperatures makes rainfall diminish. Climate change manifests itself also with the rise of sea levels

and cyclones. The growth of population in the country will worsen the consequences of these extreme events (ibidem).

Bangladesh is heavily dependent on agriculture and two-thirds of its total population is engaged in agriculture. The government of Bangladesh promoted approaches for the mainstreaming of adaptation to extreme events caused by climate change, adopting a development perspective to link reactions to climate risks with development programs (Ayers et al., 2014).

It adopted a National Adaptation Programme of Action, based on mainstreaming adaptation into national development projects, made of 15 projects. One of these projects was funded through the Least Developed Countries fund of the UNFCCC and has at its center a plan for adaptation based on coastal afforestation ('Coastal Community-Based Adaptation to Climate Change through Coastal Afforestation in Bangladesh')

The NAPA also includes short-term and mid-term projects: an intervention to provide ground and surface water to the people living in areas where the sea level rise and the saline intrusion have caused scarcity of safe drinking water; a project to integrate climate change in planning and designing of infrastructures and water managing institutions; the dissemination of information to vulnerable communities to raise awareness on climate disasters; including climate change in the educational field (secondary and tertiary institutions); a project to enhance the resistance of urban infrastructures and industries to floods and cyclones; research on drought, floods and saline tolerant varieties of crops that are more resistant to extreme weather events; adaptive and diversified fisheries (Ayers et al., 2014).

Along with the NAPA, the government of Bangladesh adopted the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) as a climate change strategy oriented towards development and the fight against poverty, reducing the risks of climate disasters with 44 programs based on six pillars: Food security, Disaster management, Infrastructure, Research and knowledge management, Mitigation and low carbon development, Capacity building and institutional strengthening.

The government set up two programs called Vision 2021 and National Perspective Plan to set its development targets by integrating them with climate change.

The investments made on sustainable development programs paved the way for the growth of large organizations and agencies working on climate change with studies and knowledge to assess climate-related events, making Bangladesh a country that because of

its environmental vulnerability has invested in studies and policy-making related to climate change linking it with development (ibidem).

The government of Bangladesh submitted its Nationally Determined Contribution in 2015 for three economic sectors: power, industry and transports. It proposed a 12 million tons (5% ) unconditional GHG emission reduction from business as usual scenario by 2030 and a 24 million tons (10%) of GHG emission reduction with the support of the international community. In 2021, Bangladesh updated its NDC, enriching it with the inclusion of Energy, Industrial Processes and Product Use (IPPU), Agriculture, Forestry and other Land use (AFOLU) and Waste, taking 2012 as the base year for scenarios. The IPCC had an important role in suggesting structured templates on the present conditions of the country and future plans to reduce the GHG emissions.

The NDC enlists both mitigation and adaptation measures that the country has adopted or is willing to adopt, promoting energy policies for the implementation and sharing of renewable energies and, at the same time, environmentally sustainable policies that are also oriented towards human and social rights (Ministry of the Environment, Forest and Climate Change, 2021).

In the energy field, the government assumed the presidency of the “Climate Vulnerable Forum”, a meeting of 48 countries’ representatives and launched a program called “Mujib Climate Prosperity Plan” to raise financial support for the access to renewable energies (for example to storage of energy, infrastructures, power grid modernization) through international cooperation, so as the National Solar Energy Roadmap, a long-term plan (built on three implementation scenarios) to achieve specific solar capacity targets and Bangladesh Delta Plan 2100, which provides 80 projects (34 of them on climate) financed by a fund of \$37 billion (Ministry of the Environment, Forest and Climate Change, 2021). In the social field, the government adopted a project for landless and homeless people involving more than 442 million families aimed at mitigating climate change with the planting of more than 1.58 million trees, implementing rainwater harvesting and solar home systems powered by renewable sources. The Bangladesh’s Country Action Plan for Clean Cookstoves enabled the access to climate capitals and funds to small and medium enterprises, especially women-led enterprises.

The strategy for adaptation of Bangladesh has at its core the Bangladesh Climate Change Strategy and Action Plan of 2009; the Coastal Embankment Improvement Project (CEIP) financed with \$400 million to enhance the protection of the coastal region and response

to emergencies; national agricultural programs to support seaweed cultivation, processing and marketing; projects of the Ministry of Water Resources to effectively control floods, improve drainage and implement a climate-based water management. All of these plans provide an increased use of surface water and a reduced use of groundwater (Ministry of the Environment, Forest and Climate Change, 2021).

As concerns the mechanisms for implementation, Bangladesh prepared a roadmap with a Measurement, Reporting and Verification (MRV) system to maintain the transparency of policies and assess their outcomes. The government considers it necessary to extend the capacity of the Ministry of the Environment, Forest and Climate Change so as the other ministers and the public agencies responsible for gathering data on emission drivers and climate policies. The most important obstacle to the success of the NDC is, according to the document, the large amount of money needed to enhance the work of public institutions and the need for technology and knowledge transfers with other countries. The growing population of Bangladesh is also a factor that must be considered in developing climate change policies, because the use of lands for human settlement and the intensive use of agriculture to meet the growing demand are responsible for forest degradation, GHG emissions and hunger (Ministry of the Environment, Forest and Climate Change, 2021).

### **3.7 Conclusion**

The evolution of global climate agreements in the last thirty years, from the UNFCCC to the Glasgow Pact, was characterized by a growing support and commitment to climate targets, despite their implementation may not offer short-term benefits.

Such benefits grew over time, thanks to the cooperation among states in small and big groups aimed at making sustainable policies more advantageous.

The contrasts and deep differences between developing countries and developed countries, even considering the heterogeneity of both groups, did not disappear and was not translated into a global mechanism to radically reduce these gaps. In this sense, the Paris Agreement made developing countries as well responsible for the missed adoption of policies against climate change: notwithstanding the historical responsibilities of industrialized countries, the burden must be shared.

Therefore, climate change negotiations within the UN system are always a balance between the interests of developed countries that are unwilling to invest an important number of resources in adaptation policies to financially help the most vulnerable

countries (and more prone to invest in mitigation policies), and the ones of developing countries, whose economies are still relying on fossil fuels and that can give smaller but necessary contributions to climate targets.

The poor outcome of the Kyoto Protocol demonstrated that in the face of a global emergency with lasting consequences, a policy built on the strong divide between developing and developed countries, fueled by the unequal distribution of resources and differences in terms of economic development, is not sufficient to meet the general participation and consensus of states on climate policies. The contribution of poorer and smaller economies is necessary to achieve climate targets and it can only be reached through reciprocal benefits distributed among rich and poor countries.

Besides geopolitical and diplomatic conflicts between member states of climate agreements, positive outcomes in development and climate policies have proven to be more effective when prompted by international cooperation and dialogue.



## Conclusion

The objective of the thesis was to explore the role of developing countries in the international community and the evolution of the relationship between developing and developed countries over time. The thesis aimed at describing the trajectory of socioeconomic rights in the agendas of international institutions in the shift from the Western welfare state to the liberal globalizing world economy, taking globalization as a phenomenon that influenced the international dialogue opening new spaces but also increasing competition in global markets.

The right to development, considered as a collective right to material well-being, is the result of the different visions of developing and industrialized countries on the power relations of states in an internationalizing world and how cooperation should work.

This divide is also rooted in the different conceptions of civil and political rights, whose realization does not require financial investments by governments and financing from foreign countries (negative rights), and socioeconomic or material rights. Over the course of time, especially following the crisis of the welfare state in the West in the late 1970s, industrialized states did not provide institutional mechanisms for the realization of socioeconomic rights worldwide. This exclusion was always contested by developing countries as a strategy to preserve the status quo and not contribute financially to the growth of poorer states.

While developing countries saw their stance on international development as a need to participate in an international context that was based on the colonial system and unequal relations with Western states, those states that shaped the most important international institutions established after the end of the Second World War, developed countries were, during the Cold War years, explicitly hostile to the proposals coming from the global south to restructure international relations to foster their economic development.

Initially, the formation of the Group of 77 (G77) as a common platform of developing countries and the elaboration of the New International Economic Order (NIEO) made it possible to collectively decide voting behaviors and to support proposals that gained force because of the political unity among these countries. The elaboration of a shared agenda among such a large group of countries was possible because of the critical discourse on the redistribution of wealth and power and the exclusion from the international markets of those countries that experienced decolonization.

This unity broke because of the political and economic differences between these

countries over the course of time. While some still maintained their status and stances of developing countries, others such as India and China undertook an individual path as regional and global powers exercising a leading role over the most vulnerable countries. The end of the Cold War, coinciding with the reaffirmation of economic liberalism worldwide and the steps of globalization, changed the North-South dynamics in a more cooperative attitude towards the global South, whose political platforms were weakened, and to the affirmation of Western liberalism as the more.

The thesis also explored the North-South relationship in climate agreements. The most important international climate treaties, from the UNFCCC to the Paris Agreement, focus their provisions on the assumption that developing and developed countries have different responsibilities and burdens in reducing their GHG emissions and adopting climate change policies.

While the Kyoto Protocol adopted a strategy built on differentiation of responsibilities (explained by the economic growth that was expected by developing countries in the following years and their need for fossil fuels), the Paris Agreement used a more comprehensive approach where each state had to give a substantial contribution in tackling climate change. Even if the Paris Agreement still acknowledges the deep differences, in the economic development, of developing and industrialized countries, this strategy is another elaboration of the North-South dialogue that characterized the recent decades: a cooperative and non-adversarial approach that is based on common objectives and institutions to which each state should be accountable.

The thesis showed that while the opposition of developing countries to the structure of the world's economy, shaped by Western countries, was justified by the persisting unbalanced international power relations, it did not menace the existing mechanisms and dynamics of the international community, nor it represented a solution to the North-South divide.

Globalization had positive effects in the reduction of tariffs and barriers to trade that was beneficial both for developing and developed countries, making the world more homogenous but, according to the critics of how globalization was driven, more Westernized. The financial institutions of the West (such as the International Monetary Fund and the World Bank) provided aid and assistance to those States whose economic development was made difficult by the lack of previous knowledge and solid institutions, but their intervention was perceived as an intrusion of Western methodologies, theories and practices on different socioeconomic backgrounds, often sacrificing the participation

of public institutions and systems of welfare.

On the side of cooperation for development, the thesis described how the processes of economic globalization had a parallel with the political cooperation that began with the Millennium Summit at the beginning of the century. The international commitments to the MDGs and then the SDGs represented the beginning of a global, shared process to achieve social and economic rights that was no more Western driven but built with a global scope where the nation states' perspective was no more sufficient.

The United Nations were reinvigorated in the new century adopting a vision that was different from the principles that were advocated in the Cold War and Post-Cold War years by developing countries, involving changes in trade, industrialization and finance more favorable to developing countries, but the MDGs and SDGs challenged the longtime divisions among states.

The eradication of extreme poverty and hunger, as well as the other civil and social rights that were at the basis of the most representative international treaties (first of all, the Universal Declaration of Human Rights) became the objectives of an international effort. The SDGs faced more accurately the gaps and violations of rights in the contemporary societies, improving the participation of political and civil society groups in the elaboration of policies: poverty was no more the core dimension of

This shift did not represent a penalization of economic rights in favor of civil rights, but it was coherent with a vision of rights that, as provided by the Universal Declaration of Human Rights, embraced human rights as interdependent and mutual, notwithstanding the political regime where they must be applied. In the discourse of the right to development, it means that the elaboration of a global agenda on human rights mainstreamed a global take on human rights in the planning of policies by international, national and local institutions.

In the framework based on the Paris Agreement, the cooperation between global and local institutions was considered as the only key to tackle climate change: the nationally determined contributions of developing countries, even complying with the parameters established by the Agreement, were based on the individual commitments of states and communities.

The global dimension of development frames cooperation, based on responsibility and solidarity, as the most effective approach in advancing people's rights, whereas the political conflicts between different groups of states do not have the possibilities to reach a consensus, necessary to change the power relations in international institutions and

forums.

Powerful states are still reluctant to bind themselves with commitments that involve radical changes and do not present short-term advantages to their national economies, but the shared efforts of many actors to promote these changes have the potential to make states more willing to cooperate when the risk of isolation is more costly than the investment in global development.

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