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Who pays for the planet? Obstruction in the fight for climate justice in the UNFCCC, from Kyoto to Paris.

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Who pays for the planet? Obstruction in the fight for climate
justice in the UNFCCC, from Kyoto to Paris.

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Abstract

This study examines how changes in the institutional regime of the United Nations Framework Convention on Climate Change (UNFCCC) shape obstruction by developed countries in negotiations on justice-oriented climate finance. Specifically, it compares obstruction dynamics surrounding the Adaptation Fund (AF), established under the Kyoto Protocol, and the Fund for Responding to Loss and Damage (FRLD), developed under the Paris Agreement. While both funds pursue redistributive objectives aimed at supporting particularly vulnerable developing countries (PVDCs), they are embedded in distinct institutional contexts characterized by different rules, norms and accountability mechanisms.

Drawing on institutional regime theory, this study hypothesizes that the shift from the binding and state-centered Kyoto Protocol to the voluntary and polycentric Paris Agreement altered internal power structures within the UNFCCC, enabling new forms of obstruction by developed countries. To examine this expectation, the study employs Most Similar Systems Design one (MSSD1) combined with process tracing. Using qualitative document analysis of meeting reports and secondary sources, obstruction is identified through a deductive codebook capturing obstructive tactics.

The findings show that obstruction by developed countries is evident in negotiations surrounding both the AF and the FRLD. Contrary to initial expectations, however, the analysis reveals striking similarities in obstruction strategies across the two institutional regimes of the UNFCCC. Rather than producing new forms of obstruction, the Paris Agreement appears to reproduce practices that were already present under the previous Kyoto Protocol. These strategies primarily limit the scope, reduce transparency, and manipulate language within negotiations.

By offering a comparative, detailed analysis of climate finance negotiations across two UNFCCC regimes, this study contributed to debates on climate justice and global governance. It demonstrates that institutional reform alone is insufficient to disrupt deeply rooted power asymmetries and highlights obstruction as a persistent structural feature of international climate finance negotiations.

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Chapter 1. Introduction

Climate change is actively accelerating every year, constituting one of the most pressing collective action problems of the century. Rising temperatures, extreme weather events, and irreversible environmental degradation increasingly threaten human living conditions. The consequences are not undetected, especially for those that pay the biggest burden. Particularly Vulnerable Developing Countries (PVDCs) experience the most severe effects, despite having a marginal historical contribution to global greenhouse gas emissions (Ferreira, 2021). Over the past thirty years, this has raised demands for distributive climate finance. In an effort to adhere to these demands, the United Nations Framework Convention on Climate Change (UNFCCC) has taken several courses of action to tackle the issue of climate injustice (Kuyper et al., 2018).

The UNFCCC functions as the primary international institution for coordinating global responses to climate change. Over the past three decades, the organization has developed financial mechanisms that aim to aid PVDCs in their struggle against the inevitable effects of climate change. Two of the most important ones are the Adaptation Fund (AF), operationalized under the Kyoto Protocol, and the more recent Fund for responding to Loss and Damage (FRLD), established under the Paris Agreement. Both funds were designed to channel resources from developed to developing countries, rooted in claims of climate justice, and emphasizing the disproportionate historical responsibility of developed countries (Adaptation Fund, 2024; Conference of the Parties & Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, 2024).

Despite the persisting need of such funding, UNFCCC climate negotiations have been characterized by a constant disagreement over who can actually be held accountable. A growing body of literature argues that developed countries often resist taking full accountability and engage in obstruction tactics that delay the progress of justice-oriented climate action. Rather than directly rejecting climate finance proposals, they are often delayed through vague language, institutional maneuvers, or taking indirect control by introducing influential stakeholders like the World Bank (Falzon et al., 2023; CAN, 2023). Since finance is fundamental to the ability of vulnerable countries to adapt to climate impacts, resistance to loss and damage finance is argued to be “the ultimate manifestation of climate injustice” (Ferreira, 2021). This study engages with this pattern of obstruction and addresses how it is possibly affected by the, everchanging, institutional structure of the UNFCCC.

Negotiations surrounding the FRLD demonstrate the persistence of these dynamics. Although the Paris Agreement may have strengthened global commitment to climate action, CAN (2023) and TWN (2023) argue that Global South countries were repeatedly met with resistance in the progress of operationalizing this new fund. Key decisions were repeatedly debated but postponed or framed for open interpretation. This is what Dür and Mateo (2010) term as soft bargaining, demonstrating a very nuanced approach to resisting policy.

However, the extent to which similar obstruction strategies characterized earlier UNFCCC negotiations, like those surrounding the AF under the Kyoto Protocol, remains largely unclear. Some earlier studies show possible motives for obstruction, such as Ciple et al. (2013) and Hale et al. (2013), but most empirical evidence on obstruction by developed countries in the UNFCCC examines the phenomenon during recent years, under the voluntary nature of the Paris Agreement. Additionally, little attention has been given to how the institutional regime of the UNFCCC structures bargaining power and shapes the obstructive negotiation strategies of developed countries. This leaves a gap to investigate, whether obstruction is an incremental feature of climate finance politics, or whether it evolves alongside institutional transformations.

This study relies on regime theory, which argues that negotiations among states are structured by rules and norms that define how authority is distributed, in this case within the UNFCCC (Bradford, 2007). The recent structure of the UNFCCC under the Paris Agreement faces several differences compared to the previous Kyoto Protocol. The Kyoto Protocol, which established the AF, was characterized by a formal obligation for Parties to adhere to the CBDR principle. The establishment of the Paris agreement in 2015 changed the protocol of conduct within climate governance. Financial governance became voluntary instead of obligatory and the UNFCCC started relying more heavily on outside actors (Ciple & Roberts, 2017). Under the Paris agreement the UNFCCC became more of an “anchor institution”, leading to global climate governance to start reflecting neoliberal governance ideas through its fragmented and polycentric landscape (Betsil, Dubash, Paterson, van Asselt, Vihma & Winkler., 2015).

Institutional regime theory suggests that these differing designs are systematically related to UNFCCC power structures. Under a binding regime, strategies for obstruction are constrained by formal obligations, while in a voluntary regime authority becomes more diffused and bargaining power is reshaped. The theoretical framework of this study therefore expects that variation in institutional regimes leads to a variation in internal power structures, which in turn leads to variation in obstruction strategies. Building on this expectation, the study asks the following question:

How do changes in the UNFCCC's institutional regime, from the Kyoto Protocol to the Paris Agreement, shape the form and function of obstruction by developed countries in negotiations surrounding distributive climate finance?

To answer this question, this study follows the logic of MSSD1. The AF and the FRLD overlap on numerous aspects. For instance, both concern UNFCCC based justice-oriented climate finance, address redistribution towards PVDCs and involve largely the same stakeholders. The cases differ primarily in their institutional regime context and temporal setting. Using qualitative document analysis and a deductive codebook, this study conducts comparative process tracing to assess how the institutional regime of the UNFCCC structures bargaining power and enables obstruction tactics.

This research contributes to existing literature on environmental governance and climate justice by exploring how major institutional shifts can influence patterns of resistance within international climate negotiations. While previous studies (e.g., Ciple et al., 2013; Betsill et al., 2015) have examined the general neoliberal turn of climate governance, few have empirically compared how this transformation manifests in concrete negotiation behavior. By comparing two financial mechanisms that characterize different stages of the UNFCCC's institutional regime, this research aims to offer insight into how major institutional changes influence negotiation dynamics, and to further advance the discussion of obstruction as a power tool in climate negotiations.

From a societal perspective, this research addresses questions of justice and accountability in global climate politics that are currently of major relevance. The persistent underfunding of financial mechanisms such as the FRLD showcase the continued marginalization of PVDCs in global decision-making processes. Understanding how and why developed countries obstruct progress on equitable climate finance is crucial for identifying institutional barriers that hinder effective and equitable climate action. Furthermore, the necessity for financial mechanisms such as the FRLD make it evident that the effects of loss and damage are for many people no longer a distant concern, but an already existing crisis. When funding is obstructed, those who are already vulnerable are further pushed into distress and climate injustice is perpetuated (Ferreira, 2021).

Chapter 2. Literature Review and theoretical framework

This chapter introduces a conceptualization of this study's most relevant topics to understand how the institutional regime of the UNFCCC, that changed from being structured according to the Kyoto Protocol, to the Paris Agreement, can explain a variance in obstructing behavior by developed countries when they are asked to take justice-based climate action. This chapter consists of two parts. First, it discusses literature that is central to the research question. This includes the discussion of topics such as climate justice, climate adaptation, loss and damage and how the UNFCCC operates around these topics within the larger geopolitical context. As well as the term 'obstruction', the important role it plays in international climate negotiations and the context of the UNFCCC institution in which the study takes place. The discussion of the contributions and the limitations of the existing literature leads to the second part of this chapter, the theoretical framework. This part of the chapter elaborates on the hypothesized causal mechanism that is central to this study and the empirical strategy surrounding it.

Defining climate justice and climate finance under the UNFCCC

Climate justice, adaptation and loss and damage

Questions of equity and justice have been a part of international climate negotiations for decades. This topic is of particular importance to countries in the Global South, whose calls for fairness started at the Rio Earth Summit in 1992, where the UNFCCC was first established (Buntaine & Parks, 2013). These countries, often referred to as particularly vulnerable developing countries (PVDCs), have historically contributed very little to global greenhouse gas emissions, yet they now face disproportionate risks from climate-related disasters such as floods, droughts, and sea-level rise (Savarala, 2024). This significant imbalance between Global North and Global South has made international support for climate finance not just a moral imperative, but a demand rooted in principles of justice.

Climate justice reframes climate change as more than an environmental crisis, it is fundamentally about social and political inequality. It asserts that the burdens and responsibilities of the climate crisis should be shared equitably, with wealthier and high-emitting countries bearing more of the cost for mitigation and adaptation. As a result, PVDCs

increasingly advocate for climate finance mechanisms that deliver financial compensation, technology transfer, and capacity building (Sultana, 2022). Within the UNFCCC negotiations, these demands are voiced not only by states but also by climate justice advocates, who challenge the status quo and press for structural changes to ensure that climate action supports the most affected communities and advocate for financial compensation, technological support and capacity building (UN Environmental Programme, 2025).

Climate action related to unequal burdens and responsibilities can take several forms. It can, for instance be focused on the adjustment to the predicted climate impacts. This is mitigated through adaptation efforts, to make sure negative consequences can still be reduced or prevented. This includes agriculture adjustments, building resilient infrastructure and strengthening disaster risk management (VijayaVenkataRaman et al., 2012). This is especially important because the gap in adaptation capacity between developed- and developing countries is increasing. Despite increasing climate risks, the adaptation initiatives are progressing slowly (Malik & Ford, 2024).

Another significant aspect of equitable climate action is tackling “loss and damage”, which entails the negative effects of climate change that can no longer be prevented (Savarala, 2024). These losses mainly affect PVDCs that often lack the resources to cope with worsening climate impacts. Loss and damage can result from sudden disasters, such as hurricanes and floods, but also from processes like rising temperatures and desertification, that happen gradually over time. In many cases, loss and damage occurs because communities are unable to fully adapt to changing conditions. The impacts of loss and damage can be economic (e.g. crop failures, food shortages, or rising poverty levels) as well as non-economic (e.g. health threats and loss of cultural heritage) (Van der Geest & Warner, 2015; Warner & Van der Geest, 2013). Case studies from Malawi, Mozambique, and Zimbabwe show how loss and damage can result in psychological trauma, mental health struggles, physical illness and a loss of identity and belonging due to displacement or destroyed communities (Bhatasara et al., 2023). Scientific evidence clearly shows that with each rise in global temperature, the scale of loss and damage increases. Yet, current international support remains insufficient, leaving vulnerable countries without the resources they need to recover, rebuild, or prepare for worsening impacts.

Financial mechanisms as tools of justice

To address these issues, the UN has created several mechanisms that aim to support developed countries, or how they refer to them, Non-Annex 1 countries. Some of these operations are

purely technical, like the Warsaw International Mechanism (WIM), the UN Environmental Programme (UNEP) and the Santiago Network (Subsidiary Body for Scientific and Technological Advice & Subsidiary Body for Implementation, 2023). The “technical support” these mechanisms offer mainly involves enhancing knowledge of risk management approaches and strengthening dialogue and coordination among stakeholders (Savarala, 2024). However, these mechanisms do not redeem the necessity for financial assistance that is required for developing countries, especially PVDCs, to equitably adapt to climate change and its accompanied loss and damage.

Financial assistance to accommodate climate justice is offered through a few mechanisms developed by the UNFCCC, like the AF. This is a climate finance mechanism established under the Kyoto Protocol of the UNFCCC to help developing countries adapt to the effects of climate change and cope with the impact through direct access to financial aid. It is based on adaptation finance justice, which can be defined as a form of financial justice that requires developed countries to take measures to assist developing countries in their adaptation to climate impacts by providing adequate and predictable adaptation finance, prioritizing PVDCs (Shue, 1999). This fund was formally established in 2001 at COP7 and became operational in 2007. The fund has committed 1.25 billion for climate change adaptation and resilience projects, including 183 concrete, localized projects in the most vulnerable communities of developing countries around the world with about 45.8 million total beneficiaries (Adaptation Fund, 2024). The AF is governed through a top-down approach and strict legal bindings which adhere to the principle of the Kyoto Protocol. This fund is overall considered to be well-functioning due to its innovative nature by offering receiving countries direct access to the fund. This mechanism empowers country ownership, builds institutional capacity and allows for more context-specific adaptation projects. Its challenges are mainly rooted in limited financial resources and ambiguity within discussions, which delay the funds’ ability to support PVDCs (Trujillo & Nakhoda, 2013; Horstmann, 2011).

More recently, the FRLD has been established with the purpose of providing financial support for countries that suffer the most from loss and damage due to climate change (Savarala, 2024). The financial mechanisms aimed at addressing this issue was formalized at COP27 in 2022, more than thirty years after the term “loss and damage” was initially mentioned in international climate negotiations (Falzon et al., 2023; Conference of the Parties & Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, 2024). The fund is still in the process of operationalization and recently entered a “start-up phase” (The Loss and Damage Collaboration, 2025). Pledges have been given, but financial distribution has not yet

taken place (Bakhtiari & Söderberg, 2023). The pledged funding is, as of April 7th, 2025, 768,40 million US dollars (UNFCCC, 2025c). At COP29 president Mukhtar Babayev made promises, saying houses will be rebuilt, people will be resettled, and lives and livelihoods saved. The work to get the project started is not yet done, since projects need to be identified, pledged contributors must complete their agreements and more pledges seem to be required to meet the urgent needs of climate change victims (COP29, 2024). The financial framework has been discussed vigorously, pledged, operationalized, but is yet to be implemented.

Persisting inequalities in climate finance

Although the UN has adopted several equity focused climate justice initiatives, these are not without contestation. Justice and responsibility are very polarized subjects in international environmental governance. While developed countries view climate finance as optional, developing countries argue climate finance to be a historic responsibility of countries that have done the most damage (McGinn & Isenhour, 2021). The paradox is that the countries least responsible are most affected by the impacts, yet they receive inadequate and often conditional support. According to the CBRD principle, which was a key element of the Kyoto Protocol, developed countries are meant to provide finance to developing countries (Ciplet & Roberts, 2017). In practice, annual pledges are often not met, and when they are, much of it is in the form of a loan instead of a grant (Buntaine & Parks, 2013). Vulnerable countries bear disproportionate adaptation, loss and damage costs, worsening their debt and dependence (Sultana, 2022).

The rhetorical commitment to justice is often undermined by economic and political contestation, creating a so called “justice gap” (Ciplet et al., 2013). The economic contestation to climate finance results in two thirds of climate finance for the Global South being handed out as loans instead of grants (Oxfam Novib, 2025). When countries receive climate finance in the form of loans, they must repay those loans, often with interest. For PVDCs that have limited budgets and may already be in debt this adds a significant burden. Furthermore, geopolitical and structural power asymmetries are causing inequalities in climate finance to persist. These asymmetries are imbedded in the structures of decision-making and resource distribution. Wealthy states and financial institutions, such as the World Bank, maintain dominant roles in how climate finance is allocated and what qualifies as legitimate action. Hale et al. (2013) describe this phenomenon as institutional “gridlock”. Which manifests itself both procedurally

and distributivity, meaning Global South countries have less influence over the agenda-setting process as well as over the financial institutions that distribute the resources.

In an effort to counter gridlock, developing countries often have their own demands when it comes to justice oriented financial mechanisms. In negotiations on the AF, developing countries requested greater control over the allocated funds, to provide a smoother process for accessing the funds (Ciplet et al., 2013). In the same negotiations, a power struggle was also evident in discussions on who should oversee the fund. Developing countries preferred the COP to oversee the funds, while developed countries pushed for the GEF, an organization established by the World Bank, since major donor countries have greater power in this organization. It is also argued that mitigation projects in developing countries bring clear benefits to developed countries long-term, such as reducing global greenhouse gas concerns, however the far-reaching benefits of adaptation projects are less obvious and seemingly less important to pursue (Ciplet et al., 2013).

The North-South divide

The North-South divide within global climate negotiations is rooted in historical inequalities that predate the UNFCCC (Hale et al., 2013). Since the industrial revolution, Global North countries have been responsible for majority of cumulative greenhouse gas emissions, while Global South countries have contributed the least but suffer the most from climate change (Ferreira, 2021). Developed countries hold disproportionate structural power within governance institutions. They dominate decision-making boards, funding mechanisms, and influence agenda-setting processes (Ciplet et al., 2013). Developing and developed countries have been communicating on unequal terms for a long time. Developed countries have historically contributed a lot to global warming in the course of their industrialization, which aided them in acquiring their current wealth. If the countries that are now developing pursue their own economic growth with the same disregard for the environment, everyone will suffer the consequences (Shue, 1999).

Beyond formal structures, Global North countries often exert discursive and procedural power, through the ability to define terminology, concepts and boundaries within negotiations (Uri et al., 2024). This tactical opposition that developed countries can enforce to delay or shift the negotiation process to their own benefit is called obstructionism and is prominent in international climate negotiations (Falzon et al., 2023). When the North-South divide is taken into consideration in calls for fairness, literature often talks about unequal burdens, which is the

notion that whoever made the mess should clean it up themselves. With regard to this study, it means that whoever caused the most global warming should take the most action to deal with the consequences (Shue, 1999). To differentiate Global North, or developed countries, from Global South, or developing countries, the UNFCCC divided the Parties into Annex 1 (developed) and Non-Annex 1 (developing) (UNFCCC, 2025a).

Obstruction in international climate negotiations

Different forms of obstruction

Obstruction in climate finance refers to the international slowing or blocking of policy and action on financial mechanisms designed to support developing countries in addressing climate impacts (Falzon et al., 2023). Cipler et al. (2013) illustrate how developed countries use strategic power to preserve existing inequalities in climate finance and how the justice agreed upon by the Parties of the UNFCCC has not been met. An important driver for developed countries to avoid aiding in adaptation issues is because acknowledging responsibility on this issue may fuel demand for solutions to other global problems, such as poverty, health and human rights violations. Acknowledging responsibility in climate governance threatens to create political pressure to address a much wider set of global injustices (Cipler et al., 2013).

Developed countries use hard- and soft bargaining tactics in their negotiations behavior to protect their own economic merits (Dür & Mateo, 2010). Hard bargaining is characterized by coercion and rigidity, while soft bargaining relies on persuasion and framing to achieve delaying or deflecting outcomes. These bargaining tactics are termed “obstruction tactics” by Falzon et al. (2023). In their study surrounding negotiations on the FRLD they identify four main obstruction strategies. The first one is *limiting the scope*. By excluding loss and damage from negotiation agendas, dismissing its legitimacy and shifting discussions to avoid commitment, the topic becomes less talked about. Secondly, an effort is made to *reduce transparency*, through actions that prevent the collection of information on loss and damage, such as closed-door meetings. Moreover, *language is manipulated* by introducing ambiguity and excluding key concepts from the narrative, for instance by reframing obligations as voluntary aid rather than adhering to justice-based claims. Terms like “fairness” can be framed and interpreted in different ways, which can be operationalized to advance one’s position in

negotiations. It could be argued that it is not fair to ask members of one society to help maintain living conditions for another society (Shue, 1999). Lastly, Obstruction takes place through *advancing non-transformative* solutions, by proposing further discussions without concrete outcomes, calling for additional scientific input to delay action, diverting attention to other issues to sideline loss and damage finance or deflecting responsibility outwards by claiming the cost of loss and damage will be covered by other actors like private finance organizations (Falzon et al., 2023).

COP29 president Mukhtar Babayev stated, “we need more pledges so we can meet the urgent needs of climate change victims”, which aligns with the subtle forms of obstruction that are introduced by Falzon et al. (2023) (UNFCCC. Conference of the Parties, 2024). Proposing further discussions and scientific expertise sounds positive on the surface but in the context of international negotiations it can reflect subtle forms of obstruction. These tactics are often very nuanced, to avoid contestation from subordinate actors. Other research on obstruction in negotiations surrounding the FRLD claims developed countries sometimes overstate their climate finance contributions by counting the same money twice or relabeling existing development aid, this goes against the idea that loss and damage finance should be additional. Also, many existing climate-finance systems lack inclusive decision-making and don’t offer direct access to affected communities. Without reform, the FRLD risks repeating these issues, limiting its ability to provide fair and timely support (Uri et al., 2024).

Lamb et al. (2020) describes a typology of four types of discursive climate action delay. Some overlap with the tactics described by Falzon et al. (2023), but in addition, they discuss how discursive obstruction of climate policy can take place by Parties *emphasizing the downsides* of transformative policies, by stressing the possible societal, political and institutional consequences that they might accompany. Additionally, opposing Parties might argue to *surrender* to the consequences of climate change, because climate change is already present, and some consequences are irreversible. Lastly, obstruction can take place by *redirecting responsibility* to others. These others might be other countries that have contributed less to climate action efforts, individuals, or market-based mechanisms.

Obstruction also sometimes comes from developing countries. OPEC countries, such as Saudi Arabia, demanded compensation to help diversify their oil-dependent economies. Their demand was rejected by Annex 1 countries (Ciplet et al., 2013). Some countries, mainly Brazil, India, China and South Africa, prefer the focus to be on mitigation instead of adaptation. Because they are resource-exporting countries, they are heavily economically impacted measures to reduce GHGs (Barnett & Dessai, 2002). Saudi Arabia systematically employs

delaying tactics, procedural interventions, and issue-linkage strategies to weaken commitments and slow the advancement of financing that could threaten future fossil fuel demand, because of its structural economic dependence on fossil fuel exports (Flisnes, 2019).

Obstruction as political strategy

Funding allocation can be used as a soft-power tool to influence governance or promote certain political agendas in recipient countries. This can lead to some countries that are highly vulnerable to climate change not receiving the support that they need, and others receiving disproportionate funding due to their strategic importance. Many developed countries benefit from the status quo, a system that allows for continued economic growth. By slowing down or redirecting environmental negotiations, these states protect their national industries. Furthermore, international institutions, like the UNFCCC, are often locked into longstanding decision-making processes that require consensus among all participants. In this case, countries can use their veto power to stall progress, turning procedures and rules into tools for obstruction (Hale et al., 2013).

The behavior of states in prolonged climate negotiations is further studied by Downie (2014), who has developed a framework from a liberalist and constructivist perspective. Downie (2014) argues that state preferences are fluid, not fixed. And they are dependent on several actors at different levels and are formed through social constructs, rather than just being a result of economic interests. These factors can be internal and external. The internal factors cause a direct shift in state behavior, whereas the external factors cause an indirect shift, which makes them more difficult to detect. This approach highlights how internal and external political dynamics in developed countries like the United States and members of the European Union influence their positions in international climate agreements.

The UNFCCC's Institutional regime: from Kyoto to Paris

This study's hypothesis is dependent on regime theory, a major approach within international relations. This theory seeks to explain why and how states cooperate in the international system despite the absence of a central authority. It is argued that international regimes and the rules, norms, principles and procedures they bring along play a crucial role in facilitating effective

global cooperation. This term is interchangeable with the concept of *institutionalism*, reflecting a focus on the importance of institutions for long-term cooperations among states (Bradford, 2007). The institution in question, the UNFCCC, has had several leading treaties that influenced how the UNFCCC is structured. In this study the two leading structures that shape the UNFCCC are the Kyoto Protocol and the Paris Agreement.

Kyoto Protocol

After the UNFCCC entered into force and the first COP was held, member countries agreed that Annex 1 countries (industrialized countries) should take the first steps into reducing GHGs while Non-Annex 1 countries (developing countries) make these efforts later. These ideas accumulated into the Kyoto Protocol that was launched in 1997 (Kuyper et al., 2018). The Kyoto Protocol was based on the Common but Differentiated Responsibilities (CBDR) principle, which required wealthy, developed countries to act first. This was met with the expectation that developing countries, especially PVDCs, receive significant financial aid to adapt to the consequences of global climate change. The Kyoto Protocol asks industrialized countries to adopt measures and policies on climate mitigation and to report periodically (UNFCCC, 2025b). The Kyoto Protocol is, besides the CBDR principle, characterized by a top-down approach and a strong focus on mitigation efforts (Kuyper et al., 2018). The question of who is the most responsible for GHGs changes with the growth of developing economies. In 2007 China overtook the United States as the greatest emitter, shifting the focus in global climate governance away from historic responsibilities. The United States withdrew from the Kyoto Protocol in 2001, mainly due to the division of responsibilities and the Annex system that was based on national emissions in 1990 (Kuyper et al., 2018). Negotiations on the UNFCCC's AF began in 2001, under the Kyoto Protocol. Initially, the fund was deemed successful and innovative, mainly due to the direct access for receiving countries. Although, since the implementation of the Paris Agreement, the Fund has been left in a state of ambiguity. The Paris Agreement led to the AF and its development to be full of ambiguity, since there is norm contestation, with developing countries willing to continue arrangements for the fund, while lacking the international climate finance to do so (McGinn & Isenhour, 2021).

Paris Agreement

When the Paris Agreement was adopted at COP21 in 2015, it initiated a significant change in international climate negotiations. The Paris Agreement works based on nationally determined contributions (NDCs), which are national climate plans that each member state determines for themselves every 5 years. The countries are expected to increase their degree of ambition with every plan (UNFCCC, 2025c). Although, the Kyoto Protocol is still technically in force, the Paris Agreement has superseded the Kyoto Protocol as the principal regulatory instrument governing the global response to climate change (Bodansky, 2015). The Paris agreement has shaped views on climate related financial aid towards more liberal conceptualizations, by moving away from the distributive justice of the Kyoto protocol in which developed countries are required to act first, towards the more voluntary nature of NDCs (McGinn & Isenhour, 2021). The Paris Agreement emphasizes governance by disclosure, emphasizing transparency rather than enforcement. This led to countries often acknowledging topics like loss and damage but facing no binding mechanism to fund the issue (Ciplet & Roberts, 2017). The recent UNFCCC nature has seen a change towards neoliberal reforms. Neoliberal environmental governance can be characterized by an emphasis on markets, private-sector roles, voluntary and flexible commitments, and limited binding obligations. The neoliberal shift in international climate governance can, most notably, be seen in the previously mentioned change from binding commitments towards voluntary commitments. Furthermore, the shift is accompanied by an increased role of non-state actors, a larger emphasis on transparency and disclosure as a governing tool instead of strong enforcement and sanctions. As well as an objective framing of climate problems. The UNFCCC has become fragmented. Climate governance is increasingly being carried out by cities, businesses, NGOs and issue specific groups (Betsill et al., 2015).

The Kyoto protocol worked according to the CBRD principle, and the Paris Agreement does not. Making it harder for developing countries to receive financial aid from developed countries. When applying this shift to the FRLD, we see the FRLD mainly aims for justice-based finance which is no longer viable due to the increase in obstruction strategies that developed countries deploy in the neoliberal governance regime of the UNFCCC. Developed countries can now effectively obstruct by relying on fragmentation, blocking finance within the UNFCCC while pointing to external initiatives as evidence of progress. McGinn and Isenhour (2021) argue that the effort of developing countries to continue distributive financial aid mechanisms like the ones under the Kyoto protocol, is not only out of self-interest and personal institutional benefit but is also an effort to defend and strengthen the justice-based norms within the UNFCCC that the organization had been known for before recent changes. The change towards neoliberalism in the UNFCCC has left gaps in the institution, such as a lack in ability

to drive ambition, gaps in transparency, equity and representation. Within a transition to a more liberal approach to governance, the idea of justice is increasingly about the serving sovereign of self-interest. According to sociologist Pierre Bourdieu, neoliberalism is a “programme for destroying collective structure which may impede the pure market logic” (Ciplet & Roberts, 2017).

The Paris Agreement caused both progress and limitations for the progress of international climate negotiations. While article 8 institutionalized the term “loss and damage”, the accompanied text stated that this does not provide a solid basis for compensation, making the article pretty much useless and not really justice oriented. A relevant term coined by Ferreira (2021) is “neoliberal containment”, the recognition of climate injustice is symbolically granted but materially constrained.

research gap

Although obstruction in international climate finance negotiations has been examined in recent years, this literature is unevenly distributed across time and is grounded only in the recent UNFCCC institutional structure. Studies like Falzon et al. (2023) and CAN (2023) for instance, demonstrate that in negotiations surrounding the FRLD under the Paris Agreement, developed countries employ a range of nuanced tactics, such as strategic ambiguity and venue shifting, to delay or obstruct redistributive policies. These studies establish that obstruction operates as a strategic choice, rather than just as a consequence of slow diplomacy. However, these findings remain limited by their single regime and single time period focus. There is little comparable research exists on obstruction dynamics dating back to the Kyoto Protocol, leaving it unclear whether similar patterns characterized the UNFCCC before the Paris Agreement. Creating a relevant research gap.

Existing studies analyze obstruction mechanisms without examining how the design of the UNFCCC negotiation system itself structures bargaining power and shapes the strategic available to actors (Hale et al., 2013; Ciplet & Roberts, 2017). The shift from the Kyoto Protocol’s binding, state-centered regime to the Paris Agreement’s voluntary and polycentric nature constitutes a major transformation in global climate governance. This transformation has embedded neoliberal governance logics, such as market reliance, decentralization, and voluntary pledging, into the UNFCCC process (Betsill et al., 2015; Ciplet

& Roberts, 2017). Yet, the implications of this structural shift for the form and function of obstruction remain empirically underexplored.

This study hypothesizes that such institutional variation is systematically related to changes in internal UNFCCC power structures, and that these altered structures in turn enable new forms of obstruction by developed countries. Because the outcome variable has been explored unevenly across the two cases, the effect of regime type on obstruction remains empirically underexplored. By adopting MSSD1, this study seeks to address that gap. The AF and FRLD share overlapping objectives, stakeholders, issue areas, and financial natures, while differing primarily in their institutional regime context.

Theoretical framework

The shift from the Kyoto Protocol to the Paris Agreement as the principal regulatory instrument governing the global response to climate change characterizes an important institutional transformation within global climate governance. The Kyoto protocol was characterized by a state-centered, legally binding approach, with clear obligations for developed countries to contribute to problem solving under the CBDR principle. In contrast, the Paris agreement introduced a neoliberal model, based on NDCs. Emphasizing transparency, marketization and self-regulation (Ciplet & Roberts, 2017; McGinn & Isenhour, 2021). This transition signified a broader ideological shift from justice-oriented governance to neoliberal governance logic (Betsill et al., 2015). As a result, accountability for climate finance became more diffuse and the political power of developing countries within UNFCCC negotiations weakened.

Under the hierarchical structure of the Kyoto Protocol, power relations were visible through mechanisms that held developed countries accountable to collective norms of justice and equity. The change to the Paris agreement deconstructed these relations by decentralizing authority and framing justice and equity as a voluntary principle. Developed countries can now maintain symbolic commitments to climate justice while avoiding binding responsibility, for instance by relying on external financial institutions (McGinn & Isenhour, 2021).

These shifts in institutional logic, power, and accountability seem to have direct influence over the strategies of obstruction used by developed countries within climate negotiations. While there is little empirical evidence of obstruction from the Kyoto Protocol era, Falzon et al. (2023) argue that obstruction tactics have evolved in recent year. They are argued to have become more elaborate, taking shape in not only direct procedural forms, but

becoming more discursive and subtle. The subtle obstruction can for instance be by subtly narrowing the scope of the main issue or making an effort to move negotiations behind closed doors to reduce transparency. These more nuanced forms of obstruction are consistent with the decentralized power and weak accountability that characterize the Paris Agreement. In the voluntary context of the Paris Agreement, obstruction is less prominent through formal vetoes and more through shaping discourse, redefining key terms like responsibility and justice, and strategic ambiguity.

Therefore, this study theorizes that the shift from the Kyoto Protocol to the Paris Agreement indirectly fostered an increase and diversification of obstruction tactics used by developed countries through changes in the underlying power structures of the UNFCCC.

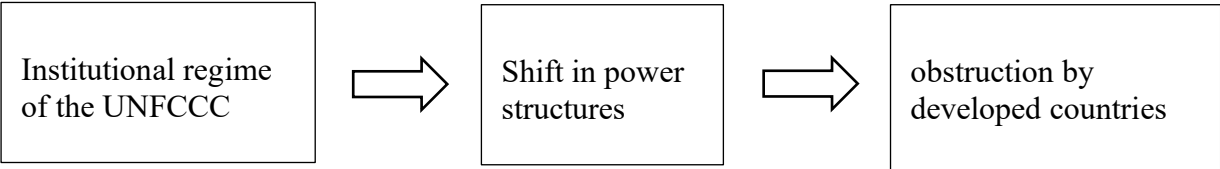


Figure 1
Theoretical framework

Chapter 3. Research Design

This chapter outlines the research design used to investigate how the institutional design of the UNFCCC, changing from the Kyoto Protocol to the Paris Agreement, influences obstructionist behavior by developed countries within justice-oriented climate action negotiations. The chapter proceeds in seven steps. It discusses the research strategy, the method of analysis, the case selection, data collection, the operationalization of variables, validity and reliability, as well as the limitations of this research design.

3.1 Research strategy

This study follows the logic of Most Similar Systems Design 1 (MSSD1). This approach enables a comparison of two cases that share a wide range of relevant background conditions but differ on the key factor that is hypothesized to explain the variation in outcomes, while the outcome variable is still unclear (Toshkov, 2016). This is suitable for the current study because the two cases share a lot of similarities but differ in their UNFCCC institutional context. One being set during the Kyoto Protocol and the other during the Paris Agreement. The outcome variable, obstruction by developed countries, is largely unclear, since obstruction by developed countries in climate negotiations during the Kyoto Protocol era remains largely unstudied. In the context of this study the AF represents negotiations under the Kyoto Protocol, while the FRLD reflects negotiations under the Paris Agreement.

The two cases share substantial similarities. Both center the policy area of redistributive climate finance, involve similar actor compositions, operate under consistent procedural rules and are shaped by similar equity-driven financial logics. These shared features mean that potentially observed differences in developed countries obstruction are unlikely to stem from these background conditions. The cases do, however, differ in a crucial aspect, which is their institutional context within the UNFCCC. One is embedded in the Kyoto Protocol framework, the other in that of the Paris Agreement. Notably, the two cases also differ in a few other factors, which are further elaborated on in a latter section of this chapter.

MSSD1 is inherently deductive, building on established research to formulate expectations and identify gaps in the literature. In line with this logic, this study uses the systematic comparison by process tracing of the two similar cases, to assess how the

institutional structure of the UNFCCC may account for any observed change in obstruction by developed countries in justice-oriented climate negotiations (Toshkov, 2016).

3.2 Method of analysis

The logic of MSSD1 is paired with the qualitative method of process tracing in this study. Process tracing is a research method for tracing causal mechanisms using a detailed, empirical analysis of how a causal mechanism operates in the real world, enabling a strong inference about how and why a cause contributes to an outcome (Beach & Pedersen, 2016). This method is more important for understanding how and why the process occurred, rather than if it did, which is fitting for this study since it is based on hypothesis testing rather than hypothesis generating. Combining the logic of MSSD1 and the method of process tracing enables both cross-case comparison and detailed within-case causal inference. When adding the comparative element, the goal of process tracing shifts slightly. The process is still traced within each case, but the causal mechanisms are then compared to see if differences in the institutional context led to different causal processes.

Process tracing is fundamentally within-case and not across-case, but in this study, the method of process tracing is combined with MSSD 1, making it a cross-case comparison of two different UNFCCC financial mechanisms. A within-case analysis can become a multi-case analysis in process tracing if different facets of the initial case are analyzed (Collier, 2011). The initial case that is studied is the UNFCCC, but the UNFCCC is studied by comparing the regime in two different time periods, one being during the Kyoto Protocol and the other being during the more recent Paris Agreement. Process tracing is an appropriate method for this study because the hypothesized causal mechanism operates through sequential negotiations and is discursive and behavioral. This is more difficult to study through quantitative methods. By examining within-case evidence of negotiation records, language shifts and agenda settings, this study can identify if the hypothesized causal mechanism, linking institutional structure to obstruction, is present in both cases.

In this study, the level of analysis is the organization, UNFCCC, and the data collection method is mainly document analysis. The within-case analysis follows a theory-testing approach. Theory-testing process tracing evaluates whether the empirical evidence observed in a case is consistent with a hypothesized causal mechanism derived from existing theory (Collier, 2011). In this study, the mechanism links changes in the UNFCCC's institutional

regime to shifts in developed countries' incentives and behavior, ultimately affecting the degree of obstruction in climate negotiations. Because the goal is to test whether the institutional regime plausibly produced differences in obstruction, the analysis relies on both confirmatory and disconfirmatory evidence and employs standard Bayesian tests, such as the smoking gun test and the hoop test (Toshkov, 2016).

These tests differ in whether evidence is necessary, sufficient, or both, for supporting a causal claim. A hoop test provides necessary but not sufficient evidence for a hypothesis. If a case fails the hoop test, the hypothesized causal mechanism can be rejected, but passing the test does not automatically confirm the mechanism. It serves as a test to ensure that the empirical evidence is at least somewhat consistent with the proposed explanation. In this study, for example, the repeated delay of decisions or the reliance on vague language passes a hoop test for obstruction, since these patterns must be present for obstruction to occur, but they could also be explained by other factors (Toshkov, 2016; Falzon et al., 2023). A smoking-gun test provides sufficient but not necessary evidence of a causal mechanism. Passing this test strongly supports the hypothesis. These tests involve evidence that is very unlikely to appear outside of the causal mechanism (Toshkov, 2016). In this study, explicit efforts by developed countries to narrow the scope of climate finance or to shift authority to institutions where they hold greater control constitute smoking-gun indicators of obstruction.

The causal mechanism consists of three core steps, the institutional structure of the UNFCCC, the shift in power structures within the UNFCCC and the obstruction by developed countries. The institutional structure of the UNFCCC is visible through the leading treaty on climate change that is present in the year of the evidence that is gathered. Evidence from before 2015 falls under the Kyoto Protocol, while evidence from after 2015 falls under the Paris Agreement. Shifts in power structures are evident through changes in voting rules, decision-making procedures, instances where developed countries gained or lost procedural influence, and testimonies or secondary analyses describing altered bargaining environments (Ciplet & Roberts, 2017). To determine whether and how developed countries obstructed negotiation progress, a codebook is derived from the studies of Lamb et al. (2023) and Falzon et al (2023) that is present in the results chapter and is used for deductive coding. events are identified through 'tipping points', a moment where the direction of negotiations changes. This is for instance when developing countries react strongly, indicating a change in dynamics. To determine whether the evidence supports the proposed causal mechanism, the analysis links each empirical finding to a theoretical expectation. If empirical findings align with the predicted

effect of institutional change, it strengthens support for the mechanism. If evidence contradicts the expectation, it weakens the mechanism.

The analytical strategy relies on qualitative document analysis, combining critical discourse analysis with thematic coding. The coding is done both deductively and inductively. Prior to the analysis, coding from research such as Falzon et al. (2023) and Lamb et al. (2020) serve as examples for descriptive categories that capture theoretically expected patterns in negotiation strategies. At the same time, the analysis incorporates inductive coding to allow new themes to emerge from the empirical findings. Both the deductive and the inductive coding is presented in the results chapter.

3.3 Case selection

To study obstruction in negotiations in two different periods of the UNFCCC, the AF and the FRLD are selected as cases. They provide two historically distinct depictions of negotiations through which to examine how obstruction by developed countries evolved from the Kyoto Protocol era to the Paris Agreement era. The AF is firmly embedded in the Kyoto system. The fund was first established in 2001 to finance adaptation projects in developing country Parties to the Kyoto Protocol (UNFCCC, 2025b). The AF was structurally, legally and financially rooted in the Kyoto Protocol in its establishment under the Kyoto Protocol's article 12. It was financed by the clean development mechanism (CDM) of the Kyoto Protocol (Trujillo & Nakhooda, 2013). The financing link directly tied the Fund to Kyoto's market mechanisms and to the Annex 1/Non-Annex 1 differentiation that characterized the Kyoto Protocol. Second, its governance arrangements were negotiated and adopted exclusively within the framework of the Kyoto Protocol, with the original mandate to finance concrete adaptation projects and programmes in developing countries that were Parties to the Kyoto Protocol (Adaptation Fund, 2025). It was therefore dependent on Kyoto membership rather than more broad UNFCCC membership. Third, the Adaptation Fund Board (AFB) was accountable to the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP), not to the Paris Agreement's CMA. Although the fund was later permitted to serve the Paris Agreement, this was a political accommodation adopted after the Paris Agreement was enforced and does not alter the fact that its design logic, mandate, and institutional identity are products of the Kyoto Regime. Scholars similarly emphasize that the fund embodies Kyoto's legally binding, responsibility centered approach to climate finance (McGinn & Isenhour, 2016). In this sense,

the AF is best understood as a Kyoto Protocol institution that was modernized to align with the Paris Agreement, rather than a financial mechanism that was made under the Paris Agreement. The documents surrounding the AF that are studied date from the beginning of the establishment of the board and do not exceed into the Paris Agreement era. The Parties whose behavior is studied are all of the Annex 1 countries, except for the U.S. which is further elaborated on in the latter part of this chapter.

In contrast, the FRLD emerged within the political landscape of the Paris Agreement. Although the term “loss and damage” had been mentioned before in the UNFCCC, the FRLD was entirely created, shaped and negotiated within the political and institutional framework of the Paris Agreement that emerged after 2015 (Ferreira, 2021). First, the fund originated in decision 1/CP.21, the same decision that adopted the Paris Agreement, which formally placed loss and damage under the authority of bodies that serve the Paris Agreement (CMA), rather than the Kyoto Protocol (COP, 2016, Decision 1/CP.21). This means the fund was institutionally tied to the Paris Agreement from the start. Second, the design of the FRLD reflects the neo-liberal norms of the Paris Agreement. Support for the fund is voluntary, as is stated in article 8 of the Paris Agreement (COP, 2016, Decision 1/CP.21). This political compromise could only occur under the flexible and non-binding Paris Agreement and would not have fit within Kyoto’s strict responsibility structure. The FRLD represents a Paris-era response to distributive demands that could only be negotiated once the regime moved away from binding obligations. Thus, both its origin and operational logic make the FRLD a distinctly Paris Agreement institution, grounded in the institutional transformations that followed 2015, although the FRLD remains critically underfunded (Schleussner et al., 2025). The negotiations surrounding the FRLD which are being studied date from 2015- to now, since the Paris Agreement was first introduced in 2015. Like the AF case, this case analyses behavior of Annex 1 countries, except for the U.S.

3.4 Data collection

To ensure consistency throughout the study, for both cases similar documents are studied and coded. For both cases, the first four meetings of the board of the fund are studied, so the AF board and the FRLD board. These reports demonstrate pivotal moments in the operationalization of the funds and the negotiations surrounding them, since they encompass the beginning stages during which the funds are established, roles are assigned, and rules are

made. This number of reports is chosen deliberately, since four reports per case are enough to spot a pattern in negotiation behavior, if it is present. Additionally, in both cases also two COP meeting reports are studied and coded. Again, demonstrating negotiations in pivotal moments of these funds. The COP reports are of the meetings that established both funds, and of the following COP meetings where operationalization is started. To ensure triangulation, secondary data from relevant scholars and civil society reports from organizations like the Climate Action Network (CAN) is incorporated. For both cases, the data that is collected is primarily from the time period that is applicable to that case. Information on the AF is mainly gathered from documents dating back to the Kyoto Protocol era, while information on the FRLD is gathered from more current Paris Agreement era documentation. Since the only currently available documents on the FRLD are up to the operational phase, the comparison is best made when the documents studied on the AF are also from the operational phase.

3.5 Operationalization of variables

3.1.1 Independent variable

The independent variable of this study is the institutional regime of the UNFCCC. Since its establishment in 1992, the UNFCCC has undergone significant institutional changes and has grown in scope and intensity. The negotiations within the UNFCCC evolve over time and develop alongside scientific evidence, social understandings and political changes (Kuyper et al., 2018). The institutional structure and regime of the UNFCCC, is thus also fluid, not fixed. The UNFCCC, since its establishment, has created two principal regulatory instruments governing the global response to climate change, the Kyoto Protocol and the Paris Agreement (UN, 2015). There are significant differences in how the UNFCCC has been structured under these two governing instruments.

The first significant institutional difference within the UNFCCC from the Kyoto Protocol era to the Paris Agreement era is the shift in assigning responsibility. The UNFCCC went from targeting industrialized country emissions to raising the global ambition to mitigate climate change. Under Kyoto, the focus on climate mitigation efforts was based on the 1990 Annex division of member countries into Annex 1 (developed countries) and Non-Annex 1 (developing countries). While under the Paris Agreement every member country is called into

action (Kuyper et al., 2018). The UNFCCC's justice orientation and clear categorization of responsibility under Annex 1 countries and Non-Annex 1 countries has turned into a neo-liberal orientation where countries assign their own responsibilities under the Paris Agreement (Ciplet & Roberts, 2017).

Secondly, the UNFCCC went from a top-down structure based on the CBDR principle under the Kyoto Protocol, to the more bottom-up structure of the Paris Agreement (Kuyper et al., 2018). With the introduction of the NDCs under the Paris Agreement, countries decide their own contribution to climate mitigation efforts. Contributions to climate action are now voluntary instead of binding, like they were under the Kyoto Protocol. Additionally, stakeholders of UNFCCC negotiations are no longer only the member countries, but also non-state actors from the private sector (Ciplet & Roberts, 2017). This shifted the UNFCCC away from a centralized operationalization to a polycentric regime.

Lastly, a significant change in the institutional design of the UNFCCC since the introduction of the Paris Agreement, has been a shift in focus from just mitigation to a broader focus on mitigation, adaptation and finance (Kuyper et al., 2018). The organization has developed a more market-based focus, with the increasing importance of non-state actors (Ciplet & Roberts, 2017). The UNFCCC is also more focused on transparency now, while under the Kyoto protocol the focus was the enforcement of policies.

Table 1

Key characteristics of the UNFCCC institutional regime

Kyoto	Paris
CBDR	NDCs
Binding	Voluntary
State-centered	Market-based
Centralized	Polycentric
Enforcement	Transparency

3.1.2 Dependent variable

The dependent variable of this study is obstruction used by developed countries within UNFCCC negotiations. Obstruction, referring to the international slowing or blocking of policy or action can be grouped into four main categories according to Falzon et al. (2023). Firstly,

limiting the scope of the issue, for instance by excluding a topic from the agenda. Secondly, *reducing transparency*, for instance by hosting meetings behind closed doors. Third, *manipulating language*, for instance by remaining ambiguous about the definition of relevant terms. Lastly, obstruction can take shape in *pushing non-transformative solutions*, like advocating for technical support instead of direct financial aid. Lamb et al. (2020) demonstrates these same obstruction objectives, with an additional few. Obstruction can also take place by *redirecting responsibility* to others, advocating to *surrender* to the consequences of climate change, or *emphasizing the downsides* for society and politics of implementing incremental climate policies.

I expect to observe a broader range of discursive obstruction strategies employed by developed countries within UNFCCC negotiations in the Paris agreement era compared to the Kyoto protocol era. Uri et al. (2024) suggests that the scope of the obstruction strategies has increased since the introduction of the Paris agreement. Negotiation behavior of developed countries is no longer focused solely on the procedure of the hierarchical institution, but has become more diffuse, subtle and discursive. Which reflects the polycentric and neoliberal nature of the UNFCCC since the introduction of the Paris Agreement. Since there seems to be a wider range in obstructing behavior, I expect there also to be an increase in the frequency of the behavior.

Table 2

Indicators of obstruction

Indicator of obstruction	Explanation
Limiting the scope of the issue	Excluding topics from the agenda or relocation negotiations.
Reducing transparency	Keeping decision-making behind closed doors.
Manipulating language	Reframing language to allow for a broader and more convenient interpretation.
Promoting non-transformative solutions	Deflecting or calling for more research before implementing policies.
Redirecting responsibility	Not wanting to implement climate policies until everyone else does.

Surrendering	Advocating to just accept that climate change is going to happen.
Emphasizing the downsides	Raising awareness to societal and institutional difficulties of incremental climate policy.

3.1.3 Causal mechanism

The theorized causal mechanism that links the institutional regime of the UNFCCC to obstruction by developed countries, is a shift in power. Under the Kyoto Protocol the UNFCCC was vertically structured, developed countries were formally bound to the CBDR principle. The obstruction that followed was a more direct scrutiny of their compliance in the institution. The Paris Agreement replaced the top-down power of the UNFCCC with the more decentralized system of NDCs, with voluntary pledges instead of collective enforcement (Ciplet et al., 2013). This institutional shift redistributed power within the UNFCCC, empowering developed countries to frame their contributions as “aid” rather than an obligation, while accountability became diffused across a fragmented network of actors, increasingly involving non-state actors such as interest groups and financial organizations (Betsill et al., 2015). The mechanisms for holding developed countries accountable weakened while the role of voluntary, market-based solutions increased. As accountability for developed countries weakened, they gained greater discursive and procedural power to subtly obstruct redistributive finance within the UNFCCC, by limiting the issue scope, manipulating language and redirecting negotiations toward voluntary or market-based solutions (Falzon et al., 2023; Ferreira, 2021). In this way, the restructuring of the UNFCCC towards neoliberalism under the Paris Agreement transformed obstruction, from simple procedural blocking to more subtle forms of resistance, rooted in a change in power.

3.1.4 Control variables

To strengthen the internal validity of this study, several control variables are introduced to ensure that observed differences in obstruction between the two cases, the AF and the FRLD, can be attributed to the institutional regime shift rather than external factors by being held

constant. Some control variables are held constant through the selection of the cases, the FRLD and the AF.

Policy area

First, the policy area is held constant by selecting cases that are both focused on justice-oriented, distributive climate finance. The AF and the FRLD aim to empower communities that struggle with the effects of climate change and focus on equitable, inclusive and sustainable developments to facilitate policy that leaves no one behind. The head of the AF has said, “adaptation and loss and damage are two sides of the same coin” (Adaptation Fund, 2025). This highlights that addressing the consequences of climate change involves not only adapting to new conditions but also recognizing and compensating for the damage that has already occurred (loss and damage). Both aspects are inherently connected and must be approached together to ensure an effective and just response to climate change.

Actor composition

Second, Actor composition is controlled for by selecting two negotiations that are similar in the countries that participate, since both negotiations are part of the UNFCCC, both negotiations are consistent of UNFCCC member states. This is an important control variable because obstruction within UNFCCC negotiations can strongly be influenced by which Parties and coalitions participate in these negotiations (Buntaine & Parks, 2013). The AF and the FRLD have a lot of overlapping developed donor countries and developing recipient countries, with many actors having the same bargaining positions across the two different contexts. Although it is relevant to mention that the participation of the U.S. has been inconsistent throughout UNFCCC negotiations. The U.S. has always remained a party to the UNFCCC, but did not implement the Kyoto Protocol. Subsequently, the country had an inconsistent participation in the Paris Agreement, with Obama pursuing efforts to make the U.S. a leader in this climate deal, but the U.S. withdrew from the treaty when Trump gained presidency, re-joined when Biden became president and withdrew again under Trump in 2025 (Parker & Karlsson, 2018). To account for the inconsistent participation of the U.S. in UNFCCC negotiations, their contribution in the negotiations will not be included in this study.

Procedural rules

Third, the procedural rules within the negotiations are held constant through the focus of negotiations within the UNFCCC framework. This consistency is essential for maintaining

a structured and predictable environment for international climate negotiations. Under the Kyoto Protocol and the Paris Agreement, the UNFCCC still adheres to the same basic procedural rules, which facilitate dialogue and decision-making among participating countries. One of the core principles of the UNFCCC negotiation process is decision-making by consensus. This means that all Parties must agree on decisions, promoting collaborations and ensuring that the interests of all member states are considered. Another core principle in the UNFCCC is the role of the COP president, who plays a crucial role in guiding the negotiation process. This individual is responsible for facilitating discussions, ensuring that the agenda is followed and helping to mediate conflicts among Parties. Furthermore, the process and rules for agenda setting remains the same. Chairs of various subsidiary bodies within the UNFCCC help set the agenda for negotiations and ensure that discussions remain focused and relevant. Although Kyoto and Paris may differ in their substantive approach to climate action, such as binding targets versus NDCs, the procedural rules of the UNFCCC do not change (UNFCCC, 2017; Kuyper et al., 2018).

Nature of finance

Fourth, the study controls for the nature of the finance that is negotiated. It is essential to control for the nature of climate finance, since it can alter state preferences and the incentives underlying negotiation behavior. Previously discussed literature showed that redistributive finance is the policy area in which obstruction from developed countries is the strongest (Falzon et al., 2023; Ferreira, 2021). The nature of finance within the AF and the FRLD is similar but not quite the same, one being adaptation finance and the other loss and damage response finance, they both fall under the broader category of redistributive climate finance, meaning they involve equity driven, grant based, state-based finance that prioritizes the need of developing countries (Adaptation Fund, 2025; FRLD, 2025). Additionally, both funds are politically sensitive and have caused some level of controversy. Although the FRLD faces a deeper ongoing debate on historical responsibility and distributive politics than the AF, making it more susceptible to controversy, hence possibly influencing the political stance and obstruction efforts by developed countries (Ferreira, 2021). It also must be acknowledged that the Paris Agreement and the FRLD moved towards voluntary NDCs, creating a political environment in which developed countries regained authority over climate finance, thereby reshaping obstruction strategies (Falzon et al., 2023). The move from predictable and obligatory finance to unpredictable and voluntary finance, creates a shift in power within climate negotiations, which can then change how and why states obstruct progress in the UNFCCC.

However, many obstruction strategies are not finance-related. After Paris, states used new forms of obstruction that had little to do with financial structures, for instance, contesting scientific evidence, blocking agenda items and framing issues as not relevant to the mandate (Falzon et al., 2023). Furthermore, some groups obstruct even when finance is constant. For instance, China has asked for compensation for lost oil revenues since the Kyoto Protocol implementation, even though the nature of finance affected the country differently (Barnett & Dessai, 2002). This shows a pattern driven by political positioning rather than financial design.

While certain variables can be held constant, it is important to acknowledge that some variables inherently fluctuate and cannot be held constant. Recognizing these variables is essential. These controls address factors that plausibly changed between the Kyoto and Paris eras and that may independently influence how developed countries behave in climate finance negotiations. The study therefore controls for temporal proximity, or closeness in time. When two cases are compared across time, a situation where these cases are so far apart historically that major geopolitical changes occur, must be avoided as much as possible, or it must be accounted for that they are not the main explanation for the outcome.

Geopolitical context

In this study, the AF negotiations began in the 2000s, under a different geopolitical context than the FRLD negotiations, that took place from 2019 onward. As previously mentioned, the participation of the U.S. in the UNFCCC has been very inconsistent over the years, reflecting broader shifts in domestic political preferences and international relations. These fluctuations matter because the behavior of economic giants like the U.S. in climate negotiations is closely linked to prevailing political orientations and has the potential to influence the positions of allied countries within the UNFCCC framework (Parker & Karlsson, 2018). Variations in U.S. engagement therefore form part of the broader political context within which climate finance negotiations take place.

Other than the shifting role of the U.S., a relevant major global change has been the increasing geopolitical multipolarity. Multipolarity refers to the diffusion of power away from a single order towards a broader set of influential actors. Previously, the global economy has been centered significantly around the U.S. However, economic changes are occurring, and the importance of emerging economies is increasing, causing a multipolarity. For instance, China and India's influence has skyrocketed, and so have their emissions. The term "developing countries" perhaps does no longer mean what it used to, since it now consists of a more

heterogeneous group of emerging economies and LDCs. Because of this change, developed countries now increasingly point to emerging emitters to shift responsibility, which creates a whole new obstruction tactic in climate finance negotiations. Countries like China and India, that are members of the Organization of Petroleum Exporting Countries (OPEC), ask for compensation for lost oil revenues and obstruct progress on assistance to LDCs for adaptation to climate change (Barnett & Dessai, 2002). To prevent multipolarity from confounding the analysis, this study treats geopolitical power shifts as a control variable by systematically accounting for major geopolitical developments across both cases. This allows the analysis to distinguish obstruction driven by structural geopolitical competition from obstruction that can be attributed to the altered political climate and governance logic introduced after the Paris Agreement.

Increase of impacts

Moreover, the global impact of climate change has not remained the same over the past twenty something years. It is increasing by the day, and so is the importance of financial mechanisms to address this. During the Kyoto Protocol and AF era, loss and damage due to climate change was still marginal, and not yet fully recognized by the UNFCCC, Climate disasters were less frequent and disastrous as they are now. Currently, under the Paris Agreement and during FRLD negotiations, severe disasters seem to form an unavoidable topic and the political pressure of the Global South is increasing. A states' position on climate policy is partially shaped by the immediacy and visibility of the threat of impact. If it seems the issue is far away, it is not yet a priority on the political agenda (Hale et al., 2013). Meaning that greater temporal proximity to severe climate impacts can heighten political urgency, or on the contrary, intensify defensive behavior, such as obstruction, by countries that want to avoid giving financial aid. Because negotiations under the Kyoto Protocol occurred at an earlier stage of global climate impacts than those under the Paris Agreement, differences in the level of pressure could influence bargaining strategies independently of changes in global political conditions. The worsening climate impacts alone cannot account for the specific types of obstruction that emerged after the Paris Agreement (Falzon et al., 2023). To prevent temporal proximity from confounding the analysis, the worsening of climate impacts is treated as something that affects both time periods, but it is acknowledged that the world is dealing with worse climate damage in the later period. By accounting for this factor across both cases, the analysis is able to assess whether observed changes in obstructive behavior can be attributed

primarily to the main explanatory variable, the institutional regime of the UNFCCC, rather than to increasing climate impacts.

Global finance

An additional factor that requires consideration is the state of global finance that has changed substantively over time, which may influence state behavior in climate finance negotiations and must be controlled for in this study. Between the Kyoto Protocol and Paris Agreement periods, the international financial environment shifted largely due to global economic crises. When early negotiations for the AF were taking place, the world was yet to endure the 2006 financial crisis and its prolonged consequences. In contrast, negotiations under the Paris Agreement have taken place in a context shaped by repeated financial backlash and increased uncertainty. These changing conditions may affect states willingness and capacity to commit to new financial obligations, including climate finance (Kiplet et al., 2013).

To prevent these temporal financial shifts from confounding the analysis, this study treats global financial conditions as a control variable by recognizing that both negotiation periods are embedded in different global financial environments. Variations in obstruction are therefore assessed in light of different levels of economic constraint and financial uncertainty faced by states in each period. By accounting for this control variable, the analysis is better able to isolate whether changes in obstruction mechanisms are primarily driven by differences institutional regime of the UNFCCC, rather than by broader economic pressure.

3.6 Validity and reliability

Validity

To ensure internal validity the conclusion of this study must be well grounded. To provide a well-grounded conclusion, the steps of the causal mechanism are tested through a hoop test and smoking gun test. Additionally, alternatives explanations are ruled out as much as possible by acknowledging control variables that could influence the outcome variable and interfere with the causal mechanism of this study. Also, triangulation of multiple sources is used by not singlehandedly looking into policy documents but reading into secondary sources, such as previous research on the topic of obstruction in UN negotiations (e.g. Falzon et al., 2023; Lamb et al., 2020), and civil society reports from organizations like CAN. The last measure that is taken to ensure internal validity is to collect the evidence before any conclusions are drawn to avoid confirmation bias.

External validity in this qualitative study is addressed through transferability rather than statistical generalization. Since the cases are carefully selected and studied in-depth through a process-tracing approach, it may be applicable to studies of organizations that share these specific characteristics, but not to all public organizations (Toshkov, 2016). This means the logic of transferability relies on the assumption that similar mechanisms may operate in other public administration contexts that share similar institutional conditions, but the findings are not intended to be generalized to a wider population. By employing MSSD1 and providing a detailed description of case selection, contextual characteristics, and causal processes, this study leaves the identification of applicability to other similar cases up to other researchers.

Reliability

Reliability in this study is ensured through a set of measures aimed at enhancing the dependability and transparency of the research process. First, consistency of data collection is maintained across both cases by applying the same deductive coding scheme and analyzing a comparable set of document types, including board meeting reports, COP/CMP meeting reports, and secondary analytical sources. This approach reduces the risk that observed differences between cases are driven by variation in data sources or analytical procedures, rather than substantive differences in obstruction dynamics. The coding process is also guided by a clearly defined codebook, that specifies the conceptual meaning of each code. Furthermore, confirmation bias is avoided by actively considering alternative explanations for observed outcomes.

3.7 Limitations

This study faces several limitations. The primary challenge is controlling for all factors that could be of influence to the causal mechanism. As previously mentioned, this study takes into consideration several control variables that are mostly related to a larger geopolitical context. However, such factors cannot be controlled for statistically and can only be addressed analytically by explicitly acknowledging their potential influence. Given that this study follows negotiations spanning more than three decades, it is inevitable that additional contextual factors, such as shifts in geopolitical context, global economy, and the effects of climate change, may have affected negotiation dynamics. While the comparative case selection holds several key

variables constant, it is not possible to isolate every potentially relevant factor when researching the negotiations of such a complex organization, in a time period in which a lot of global changes have taken place.

The second limitation relates to the scope of the analysis. This study examines obstruction by developed countries as a collective group rather than focusing on the behavior of individual states. While this approach is appropriate for identifying structural and institutional patterns of obstruction, it does not include variation among developed countries and limits the ability to attribute specific actions to particular actors. Although party submissions to board meetings could have provided valuable insight into national level negotiation positions, a systematic analysis of submissions from all developed countries was not feasible within the scope of this research.

Finally, due to the specific case selection and the use of in-depth process tracing, the findings of this study are not intended to be broadly generalizable. Process tracing is particularly well suited for explaining how and why certain outcomes emerge within specific contexts, but this is at the expense of external validity. The findings offer analytically strong insights into obstruction within the AF and the FRLD, rather than generalizable claims about obstruction in all international climate finance negotiations.

Chapter 4. Results

The following analysis of obstruction by developed countries in AF and FRLD negotiations is made using deductive coding. The codebook is developed based on research that has previously studied the discourse that delays or obstruct effective action in climate negotiations. It presents this observed discourse, as well as the logic behind it and an explanation of the tactic (Lamb et al., 2020; Falzon et al., 2023). This is used to analyze data from negotiation reports, COP briefs and secondary sources for both cases.

Table 3

Deductive Codebook

Climate action delay tactic	Logic	Explanation
Individualism	Redirecting responsibility	Redirecting climate action from systematic solutions to individual action.
Whataboutism	Redirecting responsibility	Claiming other countries produce more greenhouse gas emissions and bear a greater responsibility for taking action.
The ‘free rider’ excuse	Redirecting responsibility	Relying on the logic that unless all countries undertake emissions reductions, some will actively take advantage of the action of others.
Change is impossible	Surrendering	Arguing that strong climate policies are doomed to failure because of the large societal consequences.
Doomism	Surrendering	Arguing that climate action we take now is too little and too late and we should accept our fate.
Policy perfectionism	Emphasizing the downsides	Arguing for caution in setting ambitious climate policy in order not to lose public support.

Appeal to well-being	Emphasizing the downsides	Claiming that climate policy threatens fundamental livelihoods and living standards.
Appeal to social justice	Emphasizing the downsides	Framing climate action as burdensome and costly to society.
Technological optimism	Pushing non-transformative solutions	Relying on technological progress to rapidly bring about emissions reduction in the future.
All talk, little action	Pushing non-transformative solutions	Establishing narrow definitions of success, so a country can declare their leadership in climate action.
Fossil fuel solutionism	Pushing non-transformative solutions	Claiming fossil fuels are part of the solution as fuels are becoming more efficient.
No sticks, just carrots	Pushing non-transformative solutions	Arguing that society will only respond to supportive and voluntary policies, as restrictive measures are overburdening and will fail.
Open rejection	Limiting the scope	Refusing to agree to include proposed elements in draft texts.
Agenda exclusion	Limiting the scope	Rejecting proposed elements in negotiations.
Venue shifting	Limiting the scope	Manipulating institutional infrastructure to restrict the scope of new and existing mechanisms.
Denying credibility	Limiting the scope	Reducing the legitimacy of an issue.
Omission of monitoring	Reducing transparency	Impeding the collection of information on an issue to limit future consideration.
Fortress building	Reducing transparency	Excluding actors to limit the number of participants who make decisions.
Issue narrowing	Manipulating language	Reducing the scope and framing of a concept.

Strategic ambiguity Manipulating language Agreeing on text that allows Parties to interpret the language according to their interests.

Drawing on climate action delay literature (Falzon et al., Lamb et al., 2020), this codebook divides obstructive discourse tactics into seven categories of underlying logic. *Redirecting responsibility* refers to discourse that shifts the task of reducing emissions to other countries, interest groups or individuals. *Surrendering* involves discourse that argues it is not possible to mitigate climate change. *Emphasizing the downsides* of climate action argues significant change in climate policies is politically, economically or socially disruptive. *Pushing non-transformative solutions* aims to stimulate policies that do not cause any disruptive change, such as voluntary or market-based measures. *Limiting the scope* involves efforts to narrow the range and discussion of climate action issues within negotiations. *Reducing transparency* involves tactics that make responsibility vague by, for instance, procedural complexity. Lastly, *manipulating language* refers to strategic ambiguity to slow down the negotiation process.

Observed obstruction in AF negotiations

Secondary sources

Previous academic literature on discursive obstruction in AF negotiations emphasized several reasons why developed countries might make an effort to delay justice-oriented climate action. Cipler et al. (2013) suggested that countries avoid adaptation issues because acknowledging responsibility for one issue, in this case the accelerating pace of climate change, may lead to a snowball-effect of larger demands for responsibility. If they take responsibility for climate change, they could also acknowledge other global issues in which they, presumably, played a large role. Global poverty, health and human-rights violations would be pushed to become more prominent items on the UN agenda. Another point emphasized by Cipler et al. (2013) is that once adaptation becomes a prominent point in the agenda, other climate related topics, such as climate mitigation, may become overlooked. However, these suggestions for reasons why developed countries might obstruct climate adaptation efforts are based on studies that predate the establishment of the AF, such as Shue (1999) and Anderson (1998). While these are relevant for the general topic of climate adaptation, they do not offer concrete empirical evidence of obstruction within the Kyoto Protocol's AF.

However, a report by Santarius (2008) does demonstrate empirical evidence of obstruction by developed countries in the AF. The report demonstrates that there were clashes over the role of the World Bank as Trustee of the fund, whose role in the fund was largely supported by developed countries (Annex 1) (Santarius, 2008). The World Bank is, and has been, disproportionately influenced by developed countries, such as the US and EU member countries, that have a larger amount of capital in the institution. Introducing the World Bank as trustee perpetuated a disproportionate level of control and power within the AF, that is in favor of developed countries, since it allowed them to implement their own institutional policies. By the enforcement of the World Bank's institutional policies, the scope is limited by means of venue shifting. Developed Parties, such as Norway and France, also pushed for further scientific studies rather than direct action (Santarius, 2008). This demonstrates that there was obstruction present that pushes non-transformative solutions by means of technological optimism (Lamb et al., 2020).

Analysis of AFB meetings

In the first meeting of the AFB, that took place in March 2008, there is no direct sign of obstruction by developed countries, but there are several points that could be interpreted as subtle obstruction based on the previously presented codebook. For instance, the discussion of the financial contribution of France, the United Kingdom and Northern Ireland, could be interpreted to manipulate language by issue narrowing. Their financial contributions are not earmarked for “financing particular activities” according to Mr. Yvan Biot and Mr. Julien Renchki (AFB, 2008a, p.5). Through this particularly vague and broad terminology, they framed their role as neutral actors and maintained distance from distributive decisions, while still being present in negotiations. Another obstruction logic that can be observed in the first negotiation of the AFB is limiting of the scope, which is subtly visible in the postponing of the discussion of certain agenda items, such as rules of procedure of the AFB (AFB, 2008a, p.18). Although this does not directly indicate obstructive behavior, postponing or excluding the discussion of agenda items that are crucial to the progress of the AF, delays progress and is indirectly obstructive (Lamb et al, 2020). The topic of fund resources was also postponed until there was more time and a deeper understanding of the topic (AFB, 2008a, p.4). Additionally, the first meeting of the AFB shows indications of negotiation behavior that reduces transparency, through the omission of monitoring. Expenses are described as estimated instead of calculated; “it is estimated that the secretariat has incurred \$501,855” (AFB, 2008a, p.12).

Estimated finances are more difficult to monitor and account for, which shows limitations in the AF that can wrongfully influence accountability.

The subtle reduction of transparency through the omission of monitoring can also be observed in the report of the second negotiation of the AFB, that took place in June of 2008. The board observed that the expenses that were presented as fund resources represented estimated expenses of the secretariat and not the actual expenses, like in the previous AFB meeting (AFB, 2008b, p.9). Despite this being a previously discussed topic, no monitoring framework was developed for clearly reporting financial information in the second negotiation of the AFB. Other previously observed obstruction tactics, such as limiting of the scope through agenda exclusion, were less evident in the second meeting of the AFB. In the second meeting of the AFB only one item was postponed until the third meeting and there was no rejection of proposed agenda items (AFB, 2008b, p. 17).

The following meeting of the AFB took place in in September 2008. Again, there is no sign of direct, hard-power obstruction from developed countries in this meeting, but there are several signs that indicate obstruction through the use of soft power. It repeatedly becomes evident how large of a role the World Bank played in the AF. The report of the third AFB meeting demonstrates that the executive directors of the World Bank Board were willing to accept the AFBs invitation to act as interim Trustee of the AF. However, the acceptance relied on the condition that legal arrangements were consistent with the Bank's policies and procedures (AFB, 2008c, p.3). This means that the World Bank gained power by implicitly introducing its own governance norms into the AF. This is framed as a technical necessity and does not form a direct sign of obstruction. However, developed countries distinctly favor the World Bank in the role of interim Trustee. The World Bank is known to perpetuate institutional "gridlock" that allows the North-South divide to continue to exist (Hale et al., 2013). The ability of the World bank to influence institutional structures limits the scope through venue shifting, which was also emphasized by Santarius (2008). Additionally, the third meeting of the AFB demonstrates a reduction of transparency by the introduction of technocratic complexity and omission of monitoring. This is evident through the recurring reference to "specific conditions" in the report, without explicitly detailing what these conditions are (AFB, 2008c, p.3). The report also demonstrates discourse that limits the scope, through agenda exclusion and venue shifting. Several agenda items, namely an accreditation framework and legal arrangements, were discussed without binding decisions being made or were redirected to be discussed elsewhere (AFB, 2008c, p. 8-9). Lastly, the report of the third meeting of the AFB demonstrates an observable reduction of transparency through fortress building. Some Parties raised

awareness to the limited observer participation in negotiations. Observers were able to make statements, but these statements were only shortly summarized and not further discussed or taken into consideration (AFB, 2008, p.14).

In the fourth meeting of the AFB, Mr Biot (United Kingdom and Northern Ireland) emphasized that the core issue related to direct access to the fund is how the board manages its fiduciary risk (AFB, 2009, p.6). This frames risk management as a core issue, rather than the operationalization of the actual direct access financial mechanism. This shows a subtle manipulation of language through issue narrowing, since the concept is framed around risk management. In the fourth meeting, the need for further studies is also emphasized. The board agrees to further revise documents, rather than adopt policies, to avoid fiduciary risk. This call for further technical work, aligns with what the codebook terms technological optimism, that pushes non-transformative solutions. Lastly, the fourth meeting indicates subtle obstruction by the redirection of responsibilities; “The Trustee will not enter directly into any agreements with an eligible Party or executing entity. Upon transfer of funds, the Trustee will have no responsibility for the use of Trust Fund funds transferred or for activities carried out therewith (as further described in paragraph 24 below).” (AFB, 2009, p.18). This language shields the trustee in question from taking accountability, while establishing procedural rules beforehand. This gives the World Bank influence over the funds institution without having to take accountability for it.

Analysis of COP reports under the Kyoto Protocol

Conference of the Parties (COP) meeting reports show relevant final decisions made surrounding the AF. Although these are not negotiation reports, they show the results of the negotiation process. The first important COP meeting surrounding the AF is the first CMP. 1 that took place in Montreal in December 2005. This document defines the mandate of the AF and its establishment under the Kyoto Protocol. Some subtle obstruction can be observed in the CMP. 1 report that aligns with the deductive codebook. Firstly, strategic ambiguity that manipulates language can be observed. This is evident, for instance, in the ambiguous use of the term “finance”. The document does not clarify either the scale of finance, or who is responsible for it (CMP.1, 2005, p.3). The report also clearly indicates that the Parties value voluntary participation over binding commitments, by inviting voluntary language and no obligations (CMP.1, 2005, p.3). Lastly, this report does not directly reference accountability,

historical responsibilities and obligations, that are part of the core principles of the Kyoto Protocol (McGinn & Isenhour, 2021). This indicates a reduction of the scope in the discussion of the fund, which manipulates language through issue narrowing.

The second session of the CMP in 2006 introduced fiduciary standards and institutional control over the AF (Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol [CMP], 2007). The report does not show explicit discursive obstruction, such as redirecting responsibility or surrendering, but it shows some structural obstacles to the progress of the AF. Some terminology can be interpreted as broad and undefined, such as “other sources of funding”, it is not clarified what these other sources of funding were, allowing Parties to avoid responsibility for sourcing finance (CMP, 2007, p.28). Leaving room for broad interpretations through language like this, manipulates language and causes strategic ambiguity (Falzon et al., 2023). Limiting of the scope is also observable through venue shifting. For instance, it was decided that further guidance on the implementation of the AF would be developed at future sessions of the CMP instead of being directly addressed (CMP, 2007, p.28). Instead of defining operational details, the decision is pushed onto future meetings, causing a delay on progress. Moving decisions to another forum is a form of venue shifting that limits the scope (Lamb et al., 2020).

Summary of empirical findings: obstruction in the Adaptation Fund

Overall, the empirical analysis finds no evidence of direct, discursive climate-delay discourse by developed countries in negotiations surrounding the AF under the Kyoto Protocol. There was no evidence of obstruction based on the logic of redirecting responsibility, surrendering, and emphasizing the downsides. Instead, obstruction manifests primarily in subtle, procedural forms. In AFB board meetings, COP reports, and secondary sources, evidence was found of obstruction behavior by developed countries that limits the scope, pushes non-transformative solutions, manipulates language, and reduces transparency. Developed countries consistently advocated for institutional arrangements that enable venue shifting and limited the scope. Most notably, through the involvement of the World Bank. Obstruction is also observed through the manipulation of language, since attention is repeatedly shifted away from the core principle of distributive justice, to focus on risk management (issue narrowing). The manipulation of language through strategic ambiguity appears in vague references to financial responsibilities, allowing states to make their own interpretation and avoid responsibility. Non-transformative solutions are pushed by repeatedly requesting further scientific studies. Lastly, transparency is

reduced by the omission of monitoring that appears in the lack of monitoring for the reporting of finances, as well as by fortress building. Overall, these findings suggest that during the Kyoto Protocol era, developed countries did not obstruct the AF through explicit opposition, but rather through subtle institutional design choices.

Across AFB meetings, CMP decisions, and secondary sources, the analysis demonstrates that important decisions are repeatedly postponed or deferred, language is sometimes vague and difficult to interpret regarding responsibility and finance, institutional authority is shifted away from the CMP and onto the World Bank, and reporting mechanisms are weak or absent. These patterns are necessary conditions for subtle obstruction as defined in the codebook. None of these patterns contradict the hypothesis that developed countries obstruction is influenced by the institutional structure of the UNFCCC. However, these patterns could also be explained by other factors, such as geopolitical context. This evidence passes the hoop test.

The analysis also demonstrates the World Bank trusteeship conditionality. The World Bank accepted the role of interim trustee only on the condition that legal arrangements aligned with its own policies and procedures. Developed countries, such as Norway and France, explicitly supported this arrangement. This institutionalizes the World Bank's governance norms into the AF, directly shifting authority away from CMP into a space where developed countries hold disproportionate power. This is very unlikely to occur without strategic intent, thus passing the smoking-gun test that there is obstruction by developed countries in justice-oriented UNFCCC negotiations. Below is the inductive coding table, showing the codes that are applicable to obstruction by developed countries in the AF.

Table 4

Inductive codebook Adaptation Fund.

Climate action delay tactic	Logic	Explanation	Example
Venue shifting	Limiting the scope	Manipulating institutional infrastructure to restrict the scope of new and existing mechanisms.	Introducing institutional policies of the World Bank.

Agenda exclusion	Limiting the scope	Rejecting proposed elements in negotiations.	Postponing the discussion of agenda items such as rules of procedure.
Technological optimism	Pushing non-transformative solutions	Relying on technological progress to rapidly bring about emissions reduction in the future.	Norway and France pushing for further scientific studies before taking action.
Issue narrowing	Manipulating language	Reducing the scope and framing of a concept.	UK representative framing their role as neutral through broad terminology.
Strategic ambiguity	Manipulating language	Agreeing on text that allows Parties to interpret the language according to their interests.	The ambiguous use of the term “finance”.
Omission of monitoring	Reducing transparency	Impeding the collection of information on an issue to limit future consideration.	Describing expenses as estimated rather than actual.
Fortress building	Reducing transparency	Excluding actors to limit the number of participants who make decisions.	Limited observer participation.

Observed obstruction in FRLD negotiations

Secondary sources

There is significant academic research on obstruction discourse within FRLD negotiations, unlike the AF. The most relevant paper on this topic is by Falzon et al. (2023). Their paper has identified several obstructionist tactics used by developed countries (Annex 1 countries) to prevent the realization of financial loss and damage demands, as previously mentioned in the literature review. Their categorization of obstruction tactics and the logic behind them have largely been incorporated in the deductive codebook. To summarize their article shortly, Falzon et al. (2023) find that developed countries obstruct the FRLD in several ways. They *limit the scope*, by shrinking the frame of loss and damage, *reduce transparency*, by using institutional and procedural rules to reduce visibility, *manipulate language*, by reframing concepts to their advantage and *advance non-transformative solutions*, by suggesting private-sector solutions, or less-harsh solutions.

Secondary sources on the obstruction by developed countries in negotiations surrounding the FRLD can also be found through civil society platforms, such as the Climate Action Network and the Third World Network. In 2023 the Climate Action Network (CAN) commented on loss and damage finance negotiations, emphasizing how developed countries pushed for the World Bank to host, argued to be a method of obstruction that limits the scope by venue shifting, since it allows the World Bank to introduce institutional rules and policies into the FRLD. Additionally, introducing the World Bank as a host allows the maintenance of “gridlock”, since the World Bank has institutionalized the North South divide. CAN calls this “starkly inappropriate” (Climate Action Network International [CAN], 2023; Hale et al., 2013). CAN also states in their 2023 article that wealthy countries were maneuvering to significantly narrow the scope of the new loss and damage fund, sidelining hundreds of millions of vulnerable people worldwide. Concerns on the role of the World Bank in this fund are raised in terms of legal independence, legal personality, accountability to the COP and CMA, and the ability to respond with speed to emergencies. The Third World Network (TWN) also argued that the operationalization of the fund has been delayed due to the rigid stance and obstruction of developed countries. The main reason coinciding with CANs (2023) article, the persistent pushing of the World Bank to host the fund. In contrast, developing countries have consistently rejected this proposal and demanded an independent international legal body for the fund that is untied from the influence of the World Bank (Third World Network [TWN], 2023).

Analysis of FRLDB meetings

The first meeting of the board of the Fund for responding to Loss and Damage (FRLDB) took place in April and May 2024. The report shows several signs of obstruction through soft-power discursive tactics, that limit of the scope and reduce transparency. Firstly, the exclusion of items from the agenda limited the scope. The board agreed to exclude two items from the provisional agenda, namely the name of the fund and travel policy. These items would be taken up informally by the co-chairs for consultation (FRLDB, 2024a, p.3). The agenda exclusion of these two items does not directly block action, but the decision making on these agenda items is delayed. Limiting the scope can also be observed through venue shifting. In the report of the first meeting of the board, operational decisions were occasionally deferred to either future meetings of the board, or subcommittees of the board. For instance, the co-chairs acknowledged that there are concerns about the report of the meeting and how this is not yet sufficient, they highlighted that they would prepare for this in the future, but no concrete operationalization was given yet (FRLDB, 2024a, p.16). If the report of the meeting is not precise, this enables ambiguity and indicates an omission of monitoring that reduces transparency. The reduction of transparency could also be observed in the first meeting of the FRLDB through fortress building. Travel support for observers from developed countries formed a prominent topic of discussion in the meeting. Some board members raised awareness to the issue that there was insufficient travel support. Without adequate travel support not every member state is able to participate equally in the meeting. Developing countries advocated for their right to be heard in meetings, which they stressed is not yet equal to all participating states (FRLDB, 2024a, p.10).

The second meeting of the FRLDB, that took place two months later, also showed signs of limiting of the scope and a reduction of transparency, as well as the pushing of non-transformative solutions. Limiting of the scope was evident through agenda exclusion. Several times during this meeting, agenda items were shortly discussed without decisions being adopted. This applies to the additional rules of procedure of the board, access modalities, and financial instruments (FRLDB, 2024b, p.10). Although this does not necessarily have to be an obstruction tactic, repeatedly not making decisions delays progress on these items (Lamb et al., 2020). The scope was also limited in this meeting through venue shifting. Agenda item 10 talked about the operationalization of the fund as hosted by the World Bank, and how there would be discussions in virtual meetings without decision-making authority. As argued by CAN

(2023) and TWN (2023), introducing the World Bank as host to the fund is largely favored by only developed countries and gives the World Bank power by the ability to insert their own institutional structures into the fund. Some discussion topics in the second meeting of the board were moved to closed door, World Bank meetings, which allows for venue shifting that limits the scope (FRLDB, 2024b, p.12). The board favored low risk approaches over transformative mechanisms that might challenge existing norms by choosing to use the institutional structures of the World Bank instead of introducing an autonomous institutional structure. This indicates the pushing of non-transformative solutions through the discursive strategy of “no sticks, just carrots” (FRLD, 2024b, p.13). Lastly, in agenda item 14, participation of active observers was discussed. Concerns were raised that there was insufficient active participation of observers. The board acknowledged this issue but agreed to continue without taking further action on this agenda item. They stated to continue negotiations with limited active observer participation until a proper policy on this issue was developed. This indicates a reduced transparency through fortress building, similar to what was observed in the report of the first meeting of the board where the issue of observer participation was previously addressed (FRLDB, 2024b, p.16).

The third meeting of the FRLDB, that was held in September 2024, shared similarities to the previous two meetings. Like in the previous meetings, the obstruction that can be observed is not explicit, but subtle, through discursive strategies and institutional pathways. Again, several agenda items were discussed without being decided upon. Not necessarily indicating direct obstruction, but the lack of effective decision-making constraints the progress of the operationalization of the fund. The observed agenda exclusion in the third FRLDB meeting is on the topics of access modalities, financial instruments and observer participation policy, topics that were also undecided upon in the previous meeting (FRLDB, 2024c, p. 27). This indicates a subtle form of obstruction that limits the scope. Like the second and first negotiation of the board, limiting the scope is also observed through venue shifting. For instance, the discussion of topics like access modalities was avoided by transferring the discussion to other platforms (FRLDB, 2024c, p.12), observer policy was to be addressed in future meetings (FRLDB, 2024c, p.15) and documents of the World Bank were discussed for information but not used to make decisions (FRLDB, 2024c, p.9). Obstruction in this meeting can also be observed by a reduction of transparency through the omission of monitoring. In the third meeting, there was still no monitoring framework decided upon for World Bank cost recovery, as arrangements were repeatedly noted but not decided upon (FRLDB, 2024c, p.10). Moreover, the implementation of monitoring rules was delayed by a request for further information (FRLDB, 2024c, p.11). Similar findings to the previous report of the meeting of

the board continue with evidence of reduction of transparency through fortress building. In the third meeting of the board, observer participation remains limited. The concerns from civil society are again, noted in the meeting, but not decided upon (FRLDB, 2024c, p. 15). Also similar to the observations made about the second meeting of the board, is the presence of the “no sticks, just carrots” strategy, that pushes non-transformative solutions. This is evident through the preference for “simple and gradual approaches” that is continuously emphasized, and the continued reliance on existing World Bank institutions rather than the creation of autonomous institutional structures (FRLDB, 2024c, p.13).

By the fourth meeting, what becomes clear is that there is no direct rejection of loss and damage finance by developed countries in FRLD negotiations, but there are patterns of frequently used soft-power obstruction tactics that come to light. These are mostly in compliance with limiting the scope, reducing transparency and pushing non-transformative solutions. Limiting the scope is again visible through agenda exclusion. Several agenda items were discussed without concrete decision making, these include access modalities, financial instruments, observer participation and resource mobilization. Mostly topics that have been discussed and not concluded upon in the previous meetings. The board, again, states no decision was taken under these agenda items (FRLDB, 2025, p. 11- p. 15). Venue shifting continues to persist. Issues are repeatedly shifted to intersessional work and future board meetings. For instance, access modalities are to be addressed in intersessional work (FRLDB, 2025, p.11) and resource mobilization is to be discussed after further secretariat input (FRLDB, 2025, p.15). Furthermore, a reduction of transparency proceeds through the omission of monitoring. No concrete monitoring framework is adopted for financial flows, trustee cost recovery, and access decisions (FRLDB, 2025, p.10-p. 11). A reduction of transparency is also, again, visible through fortress building. Observer participation remains limited and provisional despite growing vocalized concerns, that are once more only acknowledged, but not taken into further consideration. Lastly, the pushing of non-transformative solutions by the “no sticks, just carrots” strategy is once more observed through a routine emphasis on caution and feasibility as main objectives in negotiations (FRLDB, 2025, p.12). Lastly, the fourth of the board emphasizes a repeated reliance on World Bank structures over the arrangement of a unique and autonomous governance structure that limits the scope through venue shifting (FRLDB, 2025, p.10).

Analysis of COP reports under the Paris Agreement

COP27 was a pivotal moment for the FRLD, because this was when the decision to create a loss and damage fund was made and funding arrangements were first discussed (Conference of the Parties & Conference of the Parties serving as the meeting of the Parties to the Paris Agreement [COP & CMA], 2022). The draft decision text does not show evidence of direct obstruction, but it shows some subtle forms of obstruction that appear directly. The first discursive obstruction tactic that can be subtly observed is strategic ambiguity that manipulates language. The use of the term “funding arrangements” in the document is ambiguous, it is not yet clear what the source of the finance will be and how large the scope of it is to be. This leaves “loss and damage funding arrangements” up to interpretation. Secondly, limiting of the scope can be observed through venue shifting. The CMA recommends the establishment of a transitional committee, that will arrange part of the operation, rather than establishing rules directly. This movement of the negotiation into a new institutional space is what Lamb et al. (2020) call venue shifting.

COP28 shares a lot of similarities to COP27. Comparable to the previously studied COP meeting, direct obstruction, through tactics such as whataboutsism or doomism, is not evident in COP 28 (Conference of the Parties [COP], 2023). Also similar to the previously studied text, are the subtle forms of obstruction that do appear. Strategic ambiguity that manipulates language is, again, evident through broad and general definitions of important terms such as “funding”. Based on the definition in the text, it is not clear who is providing funds, how these funds are calculated and what counts as appropriate funding (COP, 2023). Venue shifting is also once again limiting the scope. Transferring work to committees or other bodies instead of embedding everything directly in the decision has become a recurring theme. Once again, some decisions are referred to the Transitional Committee (COP, 2023, p.2).

Summary of empirical findings: Fund for responding to Loss and Damage

The empirical analysis of negotiations surrounding the FRLD under the Paris Agreement reveals a lack of evidence that shows direct hard-power obstruction. No instances of redirecting responsibility to other Parties, pleading to surrender to climate change, or emphasizing the downsides of transformative policies are found in the secondary sources, FRLD board meetings, and COP meetings. What these sources, however, do demonstrate is the repeated and perhaps systematic use of subtle obstruction tactics. Obstruction by developed countries surrounding

the FRLD manifests through limiting the scope, reducing transparency, and pushing non-transformative solutions. As was emphasized by CAN (2023) and TWN (2023), developed countries sought to narrow the framing of loss and damage and promoted institutional arrangements that were in their favor mainly by the introduction of the World Bank as a host. In the reports of the meeting of the FRLD board, the role of the World Bank and its institutional power in the FRLD is further brought to light. The introduction of the World Bank as a host enables venue shifting that limits the scope by the implementation of their institutional structure in that of the FRLD. Moreover, historical power asymmetries such as the North-South divide are preserved through “gridlock” that is enabled by the World Bank (Hale et al., 2013). Across multiple board meetings, developed countries favor caution and reliance on existing World Bank structures, reflecting a persistent “no sticks, just carrots” strategy.

Analysis of FRLD meetings also demonstrate recurring agenda exclusion. Topics such as financial instruments and access modalities, are repeatedly discussed and postponed throughout the meetings of the board, without decisions being adopted on these items. Furthermore, the meetings of the board reveal that transparency is recurrently reduced by fortress building through limited observer participation, that is addressed but not acted upon. Transparency is also reduced through the omission of monitoring, evident in the lack of reporting mechanisms regarding finances. In the COP reports loss and damage finance is embedded in the broad definition of “funding arrangements”, displaying strategic ambiguity.

Overall, the findings indicate that under the Paris Agreement, obstruction of the FRLD occurs not through direct opposition, but through soft-power strategies that delay and depoliticize the operationalization of loss and damage finance. The results show patterns of repeated postponing of decision-making, venue shifting, vague language, systematically reduced transparency, and the prioritization of low-risk approaches. These patterns are necessary conditions for subtle obstruction as defined in the codebook. Simultaneously, each pattern could be explained by other factors such as administrative caution. The persistent insistence of the World Bank to host demonstrates evidence that passes the smoking-gun test. The introduction of the World Bank moves some discussion behind closed doors and into their institutional structures. CAN (2023) and TWN (2023) explicitly state that developed countries pushed for the World Bank to host the FRLD. Below is the renewed codebook that summarizes the observed obstruction by developed countries in the case of the FRLD under the Paris Agreement.

Table 5

Inductive codebook Fund for responding to Loss and Damage

Climate action delay tactic	Logic	Explanation	Example
Venue shifting	Limiting the scope	Manipulating institutional infrastructure to restrict the scope of new and existing mechanisms.	The World Bank introducing their existing institutional structures into the FRLD.
Agenda exclusion	Limiting the Scope	Rejecting proposed elements in negotiations.	Excluding travel policy from the agenda.
Fortress building	Reducing transparency	Excluding actors to limit the number of participants who make decisions.	Weak travel support for developing countries.
Omission of monitoring	Reducing transparency	Impeding the collection of information on an issue to limit future consideration.	Insufficient reporting of the meetings.
No sticks, just carrots	Pushing non-transformative solutions	Arguing that society will only respond to supportive and voluntary policies, as restrictive measures are overburdening and will fail.	Relying on the existing structure of the World Bank rather than creating an autonomous institution.
Strategic ambiguity	Manipulating language	Agreeing on text that allows Parties to interpret the language according to their interests.	The repeated ambiguous use of the term “finance”.

Chapter 5. Discussion

This study investigates whether, and how the institutional regime of the UNFCCC, from the binding and state-centered Kyoto Protocol to the voluntary and polycentric structure of the Paris Agreement, shapes obstruction strategies used by developing countries in negotiations surrounding distributive climate finance. Following MSSD1, the analysis compares negotiations surrounding the AF under the Kyoto Protocol and the FRLD under the Paris Agreement which overlap in aspects like issue areas, stakeholders, and negotiation forum, but differ in their institutional context. The main expectation of the analysis was that the more recent case of the FRLD would indicate more subtle forms of obstruction from developed countries than the second case of the AF, due to the transition from a binding and state-centered regime to a voluntary and polycentric one.

The empirical findings demonstrate that obstruction by developed countries is present in both cases and operates primarily through subtle, procedural and institutional mechanisms rather than through direct rejection. Contrary to the initial hypothesis, the transition from a binding to a voluntary institutional regime did not produce a clear transformation in terms of obstruction. Instead, the comparison reveals a remarkable continuity in obstruction strategies across the two institutional regimes. This finding suggests that obstruction in climate finance negotiations is not regime specific, but rather a structural feature of global climate governance.

The observed continuity of obstruction efforts demonstrates limits of institutional regime change in changing deeply embedded power relations in AF and FRLD negotiations. Both cases share striking similarities in results, such as a lack of direct obstruction. From the empirical findings, there is no direct evidence of Parties simply denying proposed agenda items. There is no redirection of responsibility to other participating Parties, no pleas to surrender to the consequences of climate change, and no emphasizing of the downsides of taking justice-oriented climate action. All the obstruction that can be observed in both cases, is very subtle and more institutionalized. The obstruction that can be observed is through limiting of the scope, reducing transparency and a manipulation of language.

It appears to be a political strategy embedded within climate finance negotiations. Even under the Kyoto Protocol, which is characterized as more binding and justice-oriented, developing countries were able to obstruct redistributive policies without enforcing hard-power.

The Paris Agreement did not introduce subtle obstruction, but it became more visible and more frequently documented by scholars such as Ferreira (2021) and organizations like TWN (2023).

These findings demonstrate that institutional regimes do not fully determine obstruction outcomes, but they also do not eliminate existing power asymmetries. While the transition from the Kyoto Protocol to the Paris Agreement altered formal governance structures, it did not fundamentally disrupt the strategies through which developed countries influence climate finance negotiations. Rather than generating new forms of obstruction through institutional change, the Paris Agreement appears to accommodate practices that were already present, within a different institutional context.

Notably, both cases share the involvement of the World Bank as trustee that causes controversy and contestation. Both the AFB reports, and the FRLDB reports demonstrate the World Bank's involvement in these financial mechanisms. Santarius (2008) and CAN (2023) vocalize developing countries' fear that this cooperation gives the World Bank and Annex 1 Parties too much influence, which further lodges the historical polarization of Global North and Global South. These two articles differ with a span of fifteen years, but emphasize the same thing, which is that the World Bank has a subtle but substantial influence over the UNFCCC's institutions, and that this influence is favored by Global North- or Annex 1 Parties. Despite the institutional regime of the UNFCCC changing from a binding, state-centered, centralized, enforcement- focused institution to a voluntary, polycentric, market based, transparency-focused institution, the same subtle obstruction continues to exist.

The persistence of subtle obstruction across both cases demonstrates the continued power of developed countries through subtle obstruction and the involvement of the World Bank, that has taken a central role in international distributive climate policies. They retain influence despite formal equality among all Parties. This demonstrates that obstruction does not require veto power. It can be achieved through procedures, technicalities, and selective transparency that undermines transformative outcomes while appearing to cooperate. This contributes to broader debates on global climate governance by showing how power operates under conditions of formal equality. Obstruction is difficult to contest precisely because it is framed as technical caution of procedural necessity rather than political resistance. As a result, justice-oriented initiatives can be weakened without direct confrontation.

These findings should be interpreted with several considerations in mind. First, obstruction under the Paris Agreement is more extensively documented, partially due to increased engagement from civil society and researchers. Obstruction from the Kyoto period might therefore have been slightly less visible, not less prevalent. Second, this study focuses on

developed countries as a collective actor, limiting insight into variation among individual states. The broad scope of this study, focusing on developed countries as a collective, limits the analysis of country-specific negotiation strategies. Party submissions would have been a valuable source for this purpose, but since the scope of this study is so large this was not feasible. Finally, as a qualitative process-tracing study, the findings are analytically generalizable, rather than statistically.

Taken together, the findings highlight the limits of institutional reform as a pathway to climate justice. The creation of new governance structures does not automatically lead to equitable outcomes when underlying power asymmetries remain unaddressed. Without mechanisms that enhance accountability and transparency, climate finance institutions risk reproducing the shortcomings of earlier arrangements.

Chapter 6. Conclusion

This study set out to investigate how changes in the institutional regime of the UNFCCC shape obstruction by developed countries in negotiations on justice-based climate finance. By comparing the AF under the Kyoto Protocol to the FRLD under the Paris Agreement, the study tests whether regime change leads to a transformation in obstruction strategies. The findings demonstrate that subtle obstruction by developed countries in climate finance negotiations proceeds in similar manners despite the institutional regime of the UNFCCC. Contrary to expectations derived from regime theory, the shift from a binding to a voluntary governance framework did not alter the form of obstruction. Instead, obstruction appears as a fundamental feature of climate finance negotiations, rooted in enduring power asymmetries rather than specific institutional designs.

This study contributes to literature in three relevant ways. First, it extends research on obstruction by offering a comparative, detailed analysis across two major institutional regimes. Addressing a gap in existing research that has largely focused on the recent Paris Agreement period. Second, it refines institutional regime theory by demonstrating that formal governance transformations do not necessarily disrupt informal power strategies. Third, it highlights persistence of historical inequalities such as the North-South divide. Particularly through the recurring involvement of the World Bank, which is supporting the political position of developed countries.

These findings suggest that advancing on climate justice requires more than the creation of new funds or voluntary commitments. Effective reform must address who controls decision-making, how accountability is enforced, and which institutions mediate financial flows. Future research could build on this study by examining actor-specific strategies through interviews and party submissions, or by extending the research on the involvement and influence of the World Bank.

In conclusion, while the Paris Agreement reshaped the architecture of global climate governance, it did not significantly change the strategies through which powerful states present their interests. Addressing obstruction in climate finance will therefore require not only institutional innovation, but a deeper confrontation with the political and economic structures that continue to shape global power distributions.

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