

BOOK REVIEWS

The New Climate Activism: NGO Authority and Participation in Climate Change Governance,
by Jen Iris Allan
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Over the past decade or so, several new developments have begun to redefine international climate change governance. Firstly, the international climate change regime established by the United Nations Framework Convention on Climate Change (UNFCCC)¹ operates in an increasingly dense institutional environment or, as some have called it, a ‘regime complex’.² Secondly, although states remain of central importance, non-state actors – including non-governmental organizations (NGOs), businesses, investors, and religious organizations – have assumed growing significance in the development and implementation of international climate change law and policy.³

In *The New Climate Activism*, Jen Iris Allan connects these two trends to a third one, namely, the increasing prominence of social issues in the international climate change regime. For instance, the UNFCCC process now regularly features discussions on the ‘just transition of the workforce’,⁴ and parties have created a Local Communities and Indigenous Peoples Platform⁵ and established a work programme on gender, including a gender action plan.⁶ The 2015 Paris Agreement further broke new ground as the first multilateral environmental agreement to contain a reference to human rights, while at the same time including a qualified reference to the notion of ‘climate justice’.⁷ To paraphrase Allan as she bookends her study, there is finally the recognition that ‘climate change has a human face’ (pp. 3 and 160).

¹ New York, NY (US), 9 May 1992, in force 21 Mar. 1994, available at: <https://unfccc.int/resource/docs/convkp/conveng.pdf>.

² See, e.g., R.O. Keohane & D.G. Victor, ‘The Regime Complex for Climate Change’ (2011) 9(1) *Perspectives on Politics*, pp. 7–23; K.W. Abbott, ‘Strengthening the Transnational Regime Complex for Climate Change’ (2013) 3(1) *Transnational Environmental Law*, pp. 57–88.

³ See, e.g., H. van Asselt, ‘The Role of Non-State Actors in Reviewing Ambition, Implementation and Compliance under the Paris Agreement’ (2016) 6(1–2) *Climate Law*, pp. 91–108; S. Chan et al., ‘Reinvigorating International Climate Policy: A Comprehensive Framework for Effective Nonstate Action’ (2015) 6(4) *Global Policy*, pp. 466–73.

⁴ See, e.g., UNFCCC Secretariat, ‘Just Transition of the Workforce, and the Creation of Decent Work and Quality Jobs’ (n.d.), available at: <https://unfccc.int/sites/default/files/resource/Just%20transition.pdf>.

⁵ See <https://unfccc.int/LCIPP>.

⁶ See, most recently, Decision 3/CP.25, ‘Enhanced Lima Work Programme on Gender and Its Gender Action Plan’ (16 Mar. 2020), UN Doc. FCCC/CP/2019/13/Add.1.

⁷ Paris Agreement, Paris (France), 12 Dec. 2015, in force 4 Nov. 2016, Preamble, available at: http://unfccc.int/paris_agreement/items/9485.php.

This shift away from viewing climate change as a narrowly defined environmental issue has in no small part been as a result of the increased activity of various ‘outsider’ NGOs in the climate regime. In her book Allan sets out to explain the phenomenon of ‘forum multiplying’, which she defines as ‘the sustained mobilization of a group of NGOs in a new regime, facilitated by a discursive frame that links the NGO network’s traditional issue to the issue governed by another forum’ (pp. 6–7). Essentially, she is interested to find out how and why different groups of NGOs that initially focused on a range of social issues have become engaged in the international climate change regime. She finds that while labour and gender NGOs, as well as those involved in the climate justice movement, successfully found their way in the climate regime, human rights NGOs lacked the motivation to shift their attention to climate change issues, and health NGOs struggled to make themselves heard.

For each network of NGOs⁸ Allan follows a few basic steps. Firstly, she examines the extent to which the network has moved to the climate regime, looking at UNFCCC participant data, among other sources. Secondly, using social network analysis, she sketches the network structure for each group of NGOs and identifies the extent to which these are centralized (with certain NGOs playing a dominant role). Thirdly, drawing on her extensive participation in the multilateral climate negotiations – Allan is a reporter for the *Earth Negotiations Bulletin*⁹ – as well as an extensive set of interviews, she uncovers the political, normative, and material motivations that underpin the NGOs’ desire to engage with the climate regime. In a final step, she identifies several factors (or ‘means’) that determine the extent to which the move was successful, namely: (i) the cohesion of the network; (ii) the ability to latch onto specific procedural or substantive rules in the climate regime; and (iii) finding allied actors already part of the regime.

The empirical chapters offer a wealth of insights into the varying strategies of NGOs, cooperation and tensions among NGOs working on similar issues, as well as the emergence of new issues on the agenda of the international climate change regime. Among the various insights the book offers three things stand out. Firstly, the book underscores the power of frames. Specifically, advocates can increase the chances of making their voices heard by framing their issue either as part of the problem or part of the solution. This is what helped the labour and gender NGOs in gaining traction in the UNFCCC process. However, when frames are contested among NGOs the message can become diluted. This was the case for the climate justice movement, where ‘the potential for inclusivity inherent in the climate justice frame left it vulnerable to co-optation by others’ (p. 111). Secondly, Allan draws attention to an issue that is often overlooked in legal analyses of the international climate regime: namely, its rules on

⁸ Allan is interested in the ‘collective behaviour’ of groups of NGOs (p. 18) rather than individual organizations, hence her focus on ‘networks’. Nevertheless, she also discusses the role of specific NGOs in the context of her case studies.

⁹ Available at: <https://enb.iisd.org/enb>.

participation.¹⁰ Although participation in the UNFCCC process is in principle open to any accredited observer organization, it matters whether you are part of an official constituency (which the labour and gender NGOs, in particular, used to their advantage), and whether you are willing to play by the rules (which can create a hurdle for organizations that seek to disrupt the negotiations, as in the case of several members of the Climate Justice Now! network). Thirdly, the book reveals not only how NGOs often work hard to have certain issues recognized in the text of treaties (notably the Paris Agreement) or treaty body decisions, but also how the absence of a ‘hook’ in substantive rules can pose challenges for NGOs working in other issue areas to engage in the climate regime. As Allan notes, while the multifaceted links between climate change and health may seem obvious, without a substantive rule linked to health issues ‘delegates ... [do] not know what to do with that information in the context of the institutions and negotiations of the UNFCCC’ (p. 145).

Allan ends her study with a somewhat gloomy outlook for the ‘new climate activists’ in the era of the Paris Agreement, noting pessimistically that ‘[t]he institutional niches that many new climate activists have found are largely outside the core of the post-2020 regime’ and that ‘[a] new round of issue linkage may be extremely difficult because there are no new negotiations in the foreseeable future’ (p. 157). This underlines a drawback of the structure of the Paris Agreement: while the rules may be clear and not easily subject to change, opportunities for resetting the agenda or injecting new issues into the UNFCCC process are likely to be limited. However, organizations that are active nationally and transnationally may thrive by influencing the development and implementation of nationally determined contributions across various countries.

The New Climate Activism is a timely, accessible, and empirically rich account of NGO behaviour in situations of complex governance. The book should be on the reading list of anyone interested in the evolving role of non-state actors in global environmental governance. Moreover, the book offers useful guidance for those working with NGOs that seek to engage in ‘forum multiplying’ of their own.

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¹⁰ For an exception see A. Vihma, ‘Climate of Consensus: Managing Decision Making in the UN Climate Change Negotiations’ (2014) 24(1) *Review of European, Comparative & International Environmental Law*, pp. 58–68.