

1. Introduction

THE PUZZLE OF PROLONGED INTERNATIONAL NEGOTIATIONS

International negotiations matter in world politics. Questions of international security, trade and the environment cannot be addressed if states do not engage in international negotiations. From the Paris and Potsdam peace treaty negotiations in the first half of the 20th Century to the ozone and climate change negotiations in the second, the last 100 years has been marked by the success or failure of international negotiations and the 21st Century looks set to be the same. Many of these negotiations, indeed many of the most significant in the post-war era, have been prolonged, stretching for years and sometimes decades. This has certainly been true for environmental and trade issues. The international negotiations on the Law of the Sea and the Uruguay Round of trade negotiations both lasted almost a decade and the most recent Doha Round of trade negotiations will surpass them both.

The international climate negotiations represent one of the best examples of the phenomenon. Since the Rio Earth Summit in 1992 and the entry into force of the United Nations Framework Convention on Climate Change (UNFCCC) in March 1994, states have been engaged in a seemingly endless negotiation process. The only constant has been the continuation of the process, punctuated by agreement and acrimony. The so-called 'Kyoto phase' of negotiations, which commenced with the first Conference of the Parties to the UNFCCC in 1995, and took a decade to conclude before the Kyoto Protocol ultimately entered into force at the eleventh Conference of the Parties in 2005. Since then, negotiations have commenced on a 'post-Kyoto phase', which threatens to be as protracted as the last round.

Although prolonged international negotiations, such as the climate negotiations, seek to address some of the most critical problems facing the globe, the phenomenon is not well understood. Why does this matter? It matters because the less we know about prolonged international negotiations the less likely states are to reach agreement, and without agreement in such negotiations the world will get warmer, trade talks will

stall and future negotiations around food, water or security are more likely to end in impasse. In short, the future of humanity will be at risk should some of the most significant current and future prolonged international negotiations fail.

That is not to say that international negotiations have been ignored, they have not. In the post-war era, international negotiations have been an important focus of study in the social sciences. Most of the literature has been concerned with explaining why states cooperate. In other words, how and why do some international negotiations end in agreement and others impasse? Yet remarkably almost none of this work has considered these questions for prolonged international negotiations. While great strides have been made in improving our understanding of international negotiation outcomes by examining the negotiation process, and/or the larger context surrounding the negotiation (see for example, Susskind and Crump, 2008: Vol. 4), theorizing has not considered these factors when negotiations become protracted. For example, extensive work has been done on the role of state and non-state actors in international negotiations, on the influence of domestic pressures and domestic political institutions (Putnam, 1988; Moravcsik, 1993), on the role of transnational activities of state and non-state actors (Keohane and Nye, 1972; Keohane and Nye, 1974; Risse-Kappen, 1995a; Milner and Moravcsik, 2009; Downie 2013) and on the impact of international regimes (Krasner, 1983; Levy et al., 1995; Young, 1999). Yet very little work has been undertaken on how these factors vary over time in negotiations. Most of this work emphasizes the negotiation outcome, or end game. The focus is on the actors in the end game. Who they were? What they did? For instance, if one is to inquire into how a specific state actor, such as the chief of government, or a non-state actor, such as an environmental NGO, influenced the likelihood of states reaching an agreement there is an abundance of studies to draw on. However, if one is curious about how the actions of either of these actors varied over time and the impact this had on a prolonged international negotiation there is a notable absence of empirics or theory. Consequently, the focus here is on the *temporal dimension*. It is not simply the end game, or the actors, or a class of actors, the focus is on actors over time. Instead of looking at each individual negotiation as one would a still photo, the aim here is to put them together to create a moving picture so we can analyse variations in the behaviour of actors over the course of an extended negotiation.

The central research questions then, are:

In prolonged international negotiations, what factors lead a state to change its negotiating position and the type of agreement it is willing to sign? And, how and why are these decisions made?

What is theoretically distinct about these questions is that they are asked in the context of *prolonged international negotiations*. Thus far, I have simply referred to prolonged international negotiations as international negotiations that continue for years and sometimes decades. More specifically, prolonged international negotiations can be defined as substantive international negotiations over a legally binding instrument that continue for five or more years, which begin with bargaining over a tentative agreement and conclude with bargaining over the ratification of that instrument. While the rationale for this definition will be elaborated in the next chapter, suffice to say that this definition can encompass the negotiation of consecutive non-binding agreements on the path towards a legal instrument. However, it does not include the ongoing monitoring, reporting, verification and enforcement processes that follow ratification, which proceed for years, and often decades, as parties meet to review the implementation of a legally binding instrument.

In order to address the central research questions, it is imperative that we better understand prolonged international negotiations. In particular, that we understand how and why states behave in international negotiations that continue for years and sometimes decades and the impact this has on the likelihood of an agreement being reached. This book takes up this task by analysing the behaviour of the United States (US) and the European Union (EU) in the international climate negotiations. The climate negotiations may not necessarily represent a trend toward more protracted international negotiations, but they do provide a good example of this phenomenon. And, because they seek to address one of the most pressing problems facing the globe, the climate negotiations on their own are especially significant.

CLIMATE CHANGE AND THE INTERNATIONAL NEGOTIATIONS

The Climate Change Problem

There is now scientific consensus that human-induced climate change is happening and that it threatens our planet. If the world does not take action to reduce global greenhouse gas emissions it is projected that by the end of the century average global temperatures will rise by 5°C above

pre-industrial levels. The results would be horrific. Mass extinctions, large scale melting of the Greenland ice-sheet, accelerated disintegration of the West Antarctic ice sheet and increased frequency and severity of storms and floods on the one hand, and droughts and fires on the other. It is generally accepted that for some of the worst risks of climate change to be avoided, the average rise in global temperatures must be kept to no more than 2°C above pre-industrial levels (IPCC, 2013; Allison et al., 2011). For a 2°C target to be met, or any target for that matter, the world must agree to reduce emissions and that requires international negotiations.

However, the problem of climate change presents international negotiators with a unique set of challenges, which is why it is often described as a 'malign' or 'wicked' problem (Depledge, 2005: 18; Garnaut, 2008). First, climate change is truly a global problem. Greenhouse gases are well mixed in the atmosphere, which means there is no relation between where the gases are emitted and where the effects are felt. It also means that every country in the world has a stake in the outcome, even those that contribute very little to the problem. Crucially, every country will also benefit from the contribution of others in reducing greenhouse gas emissions even if they do not contribute themselves. In other words, climate change is a problem of global collective action.

Second, the causes of climate change – fuel combustion and land-use change – are associated with almost every human activity. As a result, it is not only states who are concerned about climate change but industry, environmentalists, farmers and indigenous groups, among others. Almost every group in society can be said to have a stake in the problem of climate change. This implies that negotiations have to address the concerns of a multitude of actors (Porter et al., 2000; Depledge, 2005). Third, given the causes of climate change, for many countries it is not an environmental issue, but an issue of development. For most industrialized countries the path to development has been carbon intensive, that is, they have become rich by burning fossil fuels. Developing countries therefore have long viewed any restrictions on the burning of fossil fuels as a restriction on their development. This has created great friction between developed and developing countries, one that has not been limited to the climate change negotiations (Susskind, 1994: Ch 1).

Fourth, climate change is also an especially malign problem because it is characterized by uncertainty. Scientifically, the climate system is immensely complex and the concentration of greenhouse gas emissions is one of many factors (others include solar radiation and ocean currents) determining global temperatures. As a result, it is often difficult to isolate human-induced climate changes from natural variability and to predict

the precise long-term impacts of changes in the climate (IPCC, 2013). This in turn creates economic uncertainty in responding to the problem. Decision makers informed by economists have found it difficult to account for the long time horizons of climate change, which requires current generations to shoulder short-term costs, whose benefits will only be experienced by future generations (Stern, 2007).

Finally, failure to address the problem of climate change risks ‘abrupt or irreversible changes’ in the earth’s climate (IPCC, 2013: 53). For example, it is predicted that the loss of ice sheets could lead to multi-metre sea level rise, which would permanently shift coastlines. Mass extinctions are also likely as global temperatures rise. The irreversible and abrupt nature of these changes means that increasing greenhouse gas emissions could shift the climate into a different state in a short period of time. To avoid these risks climate change must be addressed urgently. Scientists have concluded that the rise in global greenhouse gas emissions needs to be stabilized by 2015 if a 2°C target is to be met (IPCC, 2013: 67). The time imperative is one more reason why climate change poses a unique set of challenges for international negotiations.

An Overview of the International Climate Change Negotiations

Despite the wicked nature of the problem, states have attempted to address it and more than two decades of international climate negotiations have taken place – see Table 1.1. While many lament their failure to reduce global greenhouse gas emissions, the negotiations have produced some remarkable successes, which seemed unlikely at the time, including the UNFCCC in 1992 and the Kyoto Protocol in 1997 (Grubb et al., 1993; Oberthur and Ott, 1999).

Climate change first appeared on the international stage in September 1988, when Malta requested the UN General Assembly to include an agenda item on the topic. The debate in the General Assembly followed the discovery of the hole in the ozone layer and the successful adoption of the Montreal Protocol on Substances that Deplete the Ozone Layer in 1987. Yet 1988 was the critical year for the history of climate change. The Intergovernmental Panel on Climate Change (IPCC) was established, the Toronto Conference on the Changing Atmosphere took place and an extraordinary heat wave in the US occurred. NASA scientist James Hansen famously stated at a congressional inquiry in that year, that ‘the earth is warmer in 1988 than at any time in the history of instrumental measurements’ (Bodansky, 1993). As the *New York Times* declared the next day, ‘Global warming has begun’ (Shabecoff, 1988).

While climate change was by no means a mainstream issue, these events helped to set the stage for the formal international negotiations. Using the above definition of a prolonged international negotiation, which refers to substantive negotiations over a legal instrument, the international climate negotiations can be divided into three phases: the UNFCCC phase from 1991 to 1994, the Kyoto phase from 1995 to 2005, and the post-Kyoto phase from 2006 to present. The UNFCCC phase of negotiations formally commenced in February 1991 with the first meeting of the Intergovernmental Negotiating Committee (INC) for a Framework Convention on Climate Change. In the lead up to the Rio Earth Summit, the INC met five times as it worked to finalize text for the UNFCCC. After much contention between the US and the EU over binding commitments to limit greenhouse gas emissions, which were ultimately left out after US President George Bush opposed any reference to such commitments, the UNFCCC was signed by 154 countries including the US in Rio in June 1992 (Bodansky, 1993; Grubb et al., 1993; Porter et al., 2000: 117). In the words of the UNFCCC, the 'ultimate objective' is 'the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference in the climate system' (UNFCCC, 1992). The signing of the Convention and its rapid entry into force less than two years later in March 1994, after ratification by the minimum necessary fifty states, marked the end of the first phase of the international climate negotiations.

After the triumph of the UNFCCC, the first Conference of the Parties (COP) to the UNFCCC held in Berlin in March 1995 signalled the beginning of the Kyoto phase of negotiations. This second phase was to prove one of the most intensive periods of negotiations, especially as the parties negotiated the Kyoto Protocol. At COP 1 the challenge was to decide whether the commitments of developed countries were 'adequate' to meet the ultimate objective of the UNFCCC to prevent dangerous climate change (UNFCCC, 1992). The end result was the Berlin Mandate, which explicitly recognized that they were not, and that work should begin toward a protocol or other legal instrument to be completed in 1997. The Kyoto Protocol, which was finalized at COP 3 in December 1997, was a landmark agreement. It introduced binding emission targets for all developed countries, something that the US had been adamantly opposed to, and a series of flexibility mechanisms to assist countries to meet their targets, something that the EU had viewed as a loophole for the US and others (Oberthur and Ott, 1999: Ch 7).

However, COP 3 in Kyoto did not finalize the rules of the Protocol and negotiations floundered until 2001 when the Marrakech Accords were

Table 1.1 Climate change conferences 1992–2013

Year	Conference	Notable Agreements
1992	Rio Earth Summit	United Nations Framework Convention on Climate Change (UNFCCC)
1995	COP 1 Berlin	The Berlin Mandate
1996	COP 2 Geneva	
1997	COP 3 Kyoto	The Kyoto Protocol
1998	COP 4 Buenos Aires	
1999	COP 5 Bonn	
2000	COP 6 The Hague	
2001	COP 7 Marrakech	The Marrakech Accords
2002	COP 8 New Delhi	
2003	COP 9 Milan	
2004	COP 10 Buenos Aires	
2005	COP 11/MOP 1 Montréal	
2006	COP 12/MOP 2 Nairobi	
2007	COP 13/MOP 3 Bali	The Bali Roadmap
2008	COP 14/MOP 4 Poznan	
2009	COP 15/MOP 5 Copenhagen	The Copenhagen Accord
2010	COP 16/MOP 6 Cancun	
2011	COP 17/MOP 7 Durban	
2012	COP 18/MOP 8 Doha	
2013	COP 19/MOP 9 Warsaw	

Note: COP: Conference of the Parties; (MOP): Meeting of the Parties.

signed. The period preceding these Accords had been particularly acrimonious. Negotiations collapsed at COP 6 in The Hague in November 2000 after a bitter dispute broke out between the Americans and the Europeans over flexibility mechanisms. They were further disrupted by the inauguration of Republican George W. Bush as President in January

2001, who shocked the international negotiations in March that year by repudiating the Kyoto Protocol. Despite this setback, which many believed would kill the Protocol, furious lobbying in the intervening years by the Europeans, among others, led to the ultimate decision by the Russian Government to ratify the Kyoto Protocol in September 2004 securing its entry into force at COP 11 in Montreal in 2005 (Yamin and Depledge, 2004: Ch 2; Depledge, 2005: Ch 3). This decision marked the end of the Kyoto phase of negotiations ten years after they had begun at COP 1 in Berlin.

The latest phase of negotiations, the post-Kyoto phase, has attempted to reach agreement on what should replace the Protocol, which expired in 2012. This phase has seen a shift in the dynamics from negotiations centred around the US and the EU to negotiations centred around developed and developing countries (Bodansky, 2010). This reflects the more prominent role that developing countries, such as Brazil, South Africa, India and China, now have on the international stage. In December 2007, COP 13 in Bali set out the so-called 'Bali roadmap', which envisaged a path toward a legally binding agreement in Copenhagen at COP 15 in 2009 (Ott et al., 2008; Clemencon, 2008). Despite the expectations that the negotiations in Copenhagen, which included the presence of more than 100 heads of state, would produce a breakthrough and seal a new legal instrument, the negotiations stumbled. In the end, several key states managed to put together the text for the Copenhagen Accord, which was accepted as a political document rather than a legal one (Bodansky, 2010). The negotiations that have followed in Cancun, Durban, Doha and Warsaw have so far failed to agree on what should replace the Kyoto Protocol. As a result, the post-Kyoto phase of negotiations have quickly become another round of prolonged international negotiations that look set to continue for the foreseeable future.

CASES AND METHOD

Case Selection

To understand what factors lead a state to change its negotiating position and the type of agreement it is willing to sign in a prolonged international negotiation, this book examines two cases – the US and the EU – during the Kyoto phase of the climate negotiations. There are several reasons for selecting these cases. First, the US and the EU both actively participated in the Kyoto phase of the international climate negotiations, and critically, their negotiating position and the type of agreement that

they were willing to sign changed over time. If one is interested in how and why the behaviour of states change in prolonged international negotiations one requires cases where this occurs. In addition, because the US and the EU have traditionally been critical to the success or failure of international negotiations, these cases also enable practical insights to be drawn for policymakers. For example, in the 1980s international agreement on the Montreal Protocol to address the hole in the ozone layer was not possible without the US and EU being in agreement. It was the same for climate change in the 1990s and, for that matter, negotiations on trade, finance and intellectual property. That is not to say that other major nations such as Russia, China or Brazil were not important, they were. However, if the US and EU were not in agreement international negotiations almost always failed.

Second, in order to critically analyse the three theoretical approaches across multiple case studies, cases were selected for the purpose of replication not representativeness. In the design of a case study, cases are not selected at random to be representative of a population. Rather the logic is analogous to that used in experiments. Similar cases are selected so that the findings of one case can be tested against a second, third or fourth case in an attempt to replicate the findings. The explanatory power of the theoretical approaches therefore can be tested across multiple cases enabling more robust findings (Yin, 2009: 54–55; Eisenhardt, 1989: 536–7; Silverman, 2001: 250–52).

An important step in replication is to ensure that cases are chosen in terms of the theoretical approaches to be tested. Accordingly, both cases share some fundamental characteristics, which are theoretically important. First, the US and the EU both share western democratic political systems. Second, because they do, the same sets of state and non-state actors, such as environment and energy agencies, and environmental NGOs and business groups, operate through the same democratic processes. For example, actors are free to engage in discussions, choose their own strategies and form coalitions, be it at the domestic, international or transnational level. This is critical if each of the theoretical approaches is to be properly analysed. In other words, in both cases actors operate with the same opportunities and constraints of a democratic political system.

Third, during the Kyoto phase of the negotiations all of the above characteristics remained constant. That is, the US and the EU remained democratic political systems, neither case experienced a fundamental change in the nature of their democracies. Finally, throughout this period there were no major exogenous shocks that transformed the context in which one of the parties was negotiating. For example, both the US and

the EU were exposed to the same changes in the climate science, neither case experienced an environmental shock, such as Chernobyl or Hurricane Katrina, or a major economic disruption, any of which would have changed the context in which one of the parties was negotiating. In other words, many of the possible exogenous factors that could explain changes in the behaviour of the US or the EU were not present.

Method of Inquiry

This book employs a small-*n* case study approach. This was considered the most effective method both for critically analysing the explanatory power of the theoretical approaches in relation to the research questions, and for developing new theoretical concepts. In order to address the central research questions and make causal inferences about the ‘how and why’ of state behaviour in prolonged international negotiations, process tracing was used to complement the comparison between cases. Process tracing is a method of within-case analysis, which examines in detail the observable implications of hypothesized causal mechanisms in each case (Bennett, 2007: 35–6). Because it does not rely on establishing causation through comparison, this approach avoids many of the criticisms associated with relying solely on comparative case study research (King et al., 1994).

Following the multiple case study design, data had to be collected on the behaviour of the US and the EU during the Kyoto phase of the international climate negotiations. However, it quickly became apparent that there is very little publicly available data on US and EU decision making in the course of the negotiations. It is not hard to see why. It is virtually impossible to view the domestic and international components of international negotiations directly, given their closed nature and alternative options, such as archival research and interviews with participants after the fact, are costly and laborious (Odell, 2006a). Further, most negotiators spend much of their working life criss-crossing the globe, are often bound by confidentiality, and rarely have the time or inclination to write about the negotiations in which they have been involved.

Accordingly, to properly examine the behaviour of the US and the EU, I relied on elite interviews with representatives from state and non-state actors who were intimately involved in the negotiations. First, guided by the emphasis of each of the theoretical approaches on different actors at different levels of analysis, a pilot round of semi-structured interviews was conducted in 2009 with the aim of identifying some of the key actors (King et al., 1994: 22–3). Using the UNFCCC list of participants for the international climate negotiations between 1995 and 2005, respondents

were identified who had participated on behalf of the US, the EU, the UNFCCC Secretariat and associated non-state actors. In all, I conducted 23 formal pilot interviews as well as a handful of informal interviews with people on the fringe of the negotiations.

As a result of the pilot interviews, it was decided to narrow the subsequent data collection to three sets of negotiations in the Kyoto phase: the negotiations surrounding COP 1 in Berlin in 1995, COP 3 in Kyoto in 1997 and COP 6 in The Hague in 2000. This was done for three reasons. First, the pilot interviews revealed that the most intensive period of negotiations during the Kyoto phase occurred close to the signing of the Kyoto Protocol in 1997. Second, access to key decision makers from negotiations in the 1990s was much easier than access to negotiators in the current negotiations. In other words, it was much easier to arrange an interview with the former Environment Minister of Germany, than it was the current Environment Minister. Third, respondents were more candid discussing negotiations in the Kyoto phase than they were in the lead up to Copenhagen. In sum, this period generated a richer body of empirical data than could be expected from interviews on more recent negotiations, and because of the resource intensive nature of elite interviewing, a shorter period also enabled more detailed process tracing of US and EU behaviour.

Two further rounds of interviews were conducted in 2009 and 2010. This time, respondents were identified using the webs of influence approach employed by Braithwaite and Drahos in their study of *Global Business Regulation* (2000). In contrast to the atheoretical snowballing technique, this approach deduced from the first round of interviews that there were key webs of influence among state and non-state actors that are critical in understanding state behaviour. These strands were followed in the second and third round of interviews by asking respondents from the first round such questions as: 'You say that the US Department of Energy was critical in forming the US negotiating position at Kyoto, who would be the best person in the department to talk with about this?' In this way, respondents for the subsequent rounds of interviews were identified and access was facilitated by first round respondents permitting their names to be used to solicit interviews with these key people. In the US respondents included representatives from the White House, State Department, Department of Treasury, Department of Energy, Environmental Protection Agency, business groups and NGOs, among others. In the EU it included representatives from the relevant Directorate-Generals of the European Commission, a sample of representatives from the bureaucracies in the member states and a small number of business

groups and NGOs. In all, I conducted 105 formal interviews (23 in the pilot round, 35 in the second round and 47 in the third round).

To ensure construct validity, the data from the interviews were analysed in three ways. First, the data were evaluated for consistency within each case. Data provided from one negotiator in one case were checked against the data provided by his or her colleagues on the same delegation. This is especially important in elite interviewing because of the risk that respondents may exaggerate the importance of their role in events (Berry, 2002; Delaney, 2007). Second, data from the interviews were compared against the histories of the negotiations and policy documents compiled from an earlier literature review. Finally, draft sections of the study were sent to key respondents to check for historical inaccuracies (Yin, 2009; Bennett, 2007). Once this validation process was complete a rich body of empirical data was available for analysis.

BOOK OVERVIEW

This book comprises three parts. Part One encompasses the introduction (this chapter) and the theoretical framework (Chapter 2). Drawing largely from the field of international relations, Chapter 2 reviews the evolution of theories of international negotiations. In doing so, it outlines three theoretical perspectives: a two-level intergovernmental perspective; a transnational perspective; and an international regime perspective. Each perspective represents a different lens through which to view the behaviour of the US and the EU.

Part Two shifts to the case studies and considers the behaviour of the US and the EU in the international climate negotiations. Across three sets of negotiations, Chapters 3 to 5 critically analyse each of the three theoretical approaches to assess their explanatory power and to identify what factors led the US and the EU to change their negotiating positions and the type of agreement they were willing to sign. Each chapter draws on primary documentation and interviews with policy-makers and stakeholders, including state actors, environmental NGOs, and business groups.

Chapter 3 begins by considering the type of agreement that both parties were prepared to sign at the first Conference of the Parties (COP 1) in Berlin in March–April 1995. The result was the Berlin Mandate, which recognized that the commitments under the UNFCCC were inadequate and that developed countries should take on stronger commitments. Yet the agreement did not mention emission targets and timetables and it excluded any new commitments for developing countries. Chapter

3 highlights the strong role a progressive coalition of environment agencies and environmental NGOs played in the decision of the US and the EU to accept this agreement. It also shows how these interests were supported by government leaders and were largely unopposed by other actors.

Chapter 4 continues the inquiry by asking what type of agreement the US and the EU were prepared to sign almost three years later at COP 3 in Kyoto in December 1997. Had their positions changed? And if so, what factors led to a change in position, and how and why were these decisions made? It shows that the US and EU positions did change and that their decision to sign the Kyoto Protocol, which set legally binding greenhouse gas commitments for developed countries and excluded any voluntary commitments for developing countries, was again widely informed by a progressive coalition of environmental interests.

Chapter 5 concludes Part Two by considering the final set of negotiations at COP 6 in The Hague in 2000. The Hague failed to produce an agreement with both the US and the EU much more cautious about the type of agreement they were willing to sign. In the US this reflected a regressive coalition of actors which came to dominate the US position, and in the EU it reflected a strong progressive coalition, which was concerned about preserving the environmental integrity of previous agreements, notably the Kyoto Protocol. As the last of the case studies, this chapter also highlights the observed variations in the behaviour of the US and EU across the three sets of negotiations.

Part Three concludes by drawing together the data presented in the preceding chapters. First, it provides a critical empirical analysis of the three theoretical perspectives outlined in Chapter 2, and second, it sketches an 'ideal type' framework for improving our understanding of the temporal dimension of prolonged international negotiations. In analysing the three perspectives, Chapter 6 argues that the two-level inter-governmental perspective most convincingly explains the negotiation position and the type of agreement both parties were willing to sign in each of the three negotiations, though it notes that a complete explanation requires the insights of the transnational approach and the international regime approach as well. However, returning to the central research questions, Chapter 6 highlights that the existing theoretical frameworks do not sufficiently capture the factors behind the changes in the behaviour of the US and EU.

Accordingly, Chapter 7 takes the more difficult step of combining our existing theoretical knowledge with the findings of the empirical analysis in order to consider prolonged international negotiations. Honing in on the central research questions, it identifies a general set of internal and

external factors that explain how and why the negotiating positions and the type of agreement the US and the EU were prepared to sign changed. These are then used as a basis to sketch an ideal type framework in which negotiations can be usefully conceived of as an immature or mature game, where strategic opportunities exist for networked actors to constructively influence state behaviour. Eight strategies are suggested that traditionally weak actors, such as environmental NGOs or environment departments, can employ to steer prolonged international negotiations toward their preferred outcome.