



# Global Environmental Governance

## Conceptualization and Examples

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## **Foreword**

This working paper was written as part of the Global Governance Project, a joint research programme of the Vrije Universiteit Amsterdam, the Potsdam Institute for Climate Impact Research, the Freie Universität Berlin (Environmental Policy Research Centre), and Oldenburg University. Within the larger context of earth system analysis, the Project investigates international institutions, political processes, organisations and other actors that influence the emerging system of global environmental governance. The current focus is on questions of institutional and organisational effectiveness, learning processes in environmental policy, institutional inter-linkages, the role of private actors in governance systems, and legitimacy beyond the nation state. Major analytical tools are qualitative social science methods, including structured case studies, as well as legal analysis and integrated modelling. Project members represent political science, economics, international law and integrated modelling.

The research groups of the Global Governance Project include MANUS—‘Managers of Global Change: Effectiveness and Learning of International Organisations’, MECGLO—‘New Mechanisms of Global Governance’, and MOSAIC—‘Multiple Options, Solutions and Approaches in Climate Governance’. More information on these groups is available at the Project’s web site at [www.glogov.org](http://www.glogov.org).

Comments on this working paper, as well as on the other activities of the Global Governance Project, are highly welcome. We believe that understanding global governance is only feasible as joint effort of colleagues from various backgrounds and from all regions of the world. We look forward to your response.

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## I Different Notions of Global Governance

'Global governance' has become a key term of the discourse on world politics at the dawn of the 21<sup>st</sup> century. While an Internet search conducted in 1997 revealed only 3418 references to 'global governance' and in January 2004 less than 90,000, in August 2004 the World Wide Web listed 184,000 pages that mentioned the term. Global governance became a rallying call for policy advocates who hail it as panacea for the evils of globalization; a global menace for opponents who fear it as the universal hegemony of the many by the powerful few; and an analytical concept that has given rise to much discussion among scholars of international relations, including the successful launch of the journal *Global Governance* in 1995.

As is common with many academic concepts, most of what is conceptualized today as 'global environmental governance' is not without predecessors. The concept of global governance builds on a substantial pedigree of studies that have analyzed international environmental cooperation long before, starting with the 1972 Stockholm Conference on the Human Environment, which led to a first wave of academic studies on intergovernmental environmental cooperation and organization (e.g., Kennan, 1970; Johnson, 1972; Caldwell, 1984 with further references). The today most relevant precursor of the concept of global governance is the debate on international environmental regimes of the 1980s (Krasner, 1983; Young, 1980, 1986 and 1989) and 1990s, including the discussions on the creation of environmental regimes, on their maintenance, and on their eventual effectiveness (e.g., Bernauer, 1995; Brown Weiss and Jacobson, 1998; Haas, Keohane and Levy, 1993; Keohane and Levy, 1996; Mitchell and Bernauer, 1998; Young, 1994, 1997, 1999, Young, Levy and Osherenko 1999; Zürn, 1998). Important earlier research also addressed intergovernmental environmental organizations (Kay and Jacobson 1983; Bartlett, Kurian and Malik, 1995) and non-state environmental organizations (Conca, 1995; Princen, Finger and Manno, 1995; Raustiala, 1997; Wapner, 1996), both of which have received new attention in the global governance discourse. However, while this earlier research has provided important groundwork for the current debate on global environmental governance, there is also much that is different. The modern discourse on global environmental governance is hence the focus of this paper.

Because the term itself remains vaguely defined despite the recent prolific debate, I will start with a brief discussion of its meanings. Some time ago, 'governance' became a widely discussed concept within the field of domestic politics (van Kersbergen and van Waarden, 2004), often used for new forms of regulation that differed from traditional hierarchical state activity ('government'). Generally, the term implies notions of self-regulation by societal actors, of private-public cooperation in the solving of societal problems, and of new forms of multilevel policy, especially in the European Union. In the discourse on development policy, the term has also received some relevance in the 1990s, frequently with the contested qualifier 'good governance' (de Alcántara, 1998, p. 105).

The more recent notion of global governance builds on these earlier debates among political scientists working on domestic issues, and tries to capture similar de-

velopments at the international level. Clear definitions of ‘global governance’, however, have not yet been agreed upon: global governance means different things to different authors (e.g., Dingwerth and Pattberg, forthcoming; J. Gupta 2005 with further references). There are essentially two broad categories of meanings for ‘global governance’—one phenomenological, one normative: global governance as an emerging new phenomenon of world politics that can be described and analyzed, or global governance as a political programme or project that is needed to cope with various problems of modernity (the affirmative-normative perspective) or that is to be criticized for its flaws and attempts at global domination of weak states through the powerful few (the critical-normative perspective). Other differentiations seem to be less relevant, for example between governance as a system of rules, an activity, or a process (e.g., Smouts, 1998; Finkelstein, 1995). In the three perspectives described below, governance can simultaneously be seen as regulative system, regulative activity, and regulatory process.

### PHENOMENOLOGICAL NOTIONS OF GLOBAL GOVERNANCE

Within the group of writers who employ a phenomenological definition of global governance, various sub-categories can be identified, differing in the breadth of their definitional scope. First, some writers restrict the term to problems of foreign policy and more traditional forms of world politics. Oran Young, for example, sees global governance as ‘the combined efforts of international and transnational regimes’ (Young, 1999, p. 11). Lawrence S. Finkelstein defines the concept in his conceptual essay *What is Global Governance?* as ‘doing internationally what governments do at home’ and as ‘governing, without sovereign authority, relationships that transcend national frontiers’ (Finkelstein, 1995, p. 369). The problem with these narrow phenomenological understandings of global governance is the need to distinguish the term from traditional international relations, because it is often not clear what is gained by using the term ‘global governance’ instead of ‘international relations’ or ‘world politics’.

Other writers try to address this problem by broadening the term to encompass an increasing number of social and political interactions. James Rosenau, for example, writes that ‘the sum of the world’s formal and informal rules systems at all levels of community amount to what can properly be called global governance’ (Rosenau, 2002, p. 4). In an earlier paper, Rosenau had defined global governance equally broadly as ‘systems of rules at all levels of human activity—from the family to the international organization—in which the pursuit of goals through the exercise of control has transnational repercussions’ (Rosenau, 1995, p. 13). The UN Commission on Global Governance (1995, 2-3) described governance similarly vague as ‘the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest.’ When transferred to the global level, such all-encompassing definitions hardly leave room for anything that is not global governance. Given the increasing international interdependence at all levels, few political rules will have no repercussions beyond the borders of the nation state. In this broad usage the term threatens to become synonymous with politics. In the second section of this paper, I will try to sketch a middle ground between these two extremes.

### NORMATIVE NOTIONS OF GLOBAL GOVERNANCE

A different strand of literature views global governance as a political programme or 'project', mainly in an affirmative sense that demands the construction of a 'global governance architecture' as a counterweight to the negative consequences of economic and ecological globalization. Typically, this involves the call for the creation of new institutions, such as multilateral treaties and conventions, of new and more effective international organizations, and of new forms of financial mechanisms to account for the dependence of current international regimes on the goodwill of national governments. The UN Commission on Global Governance (1995) adhered also to this understanding of the term and elaborated a plethora of more or less far-reaching reform proposals to deal with problems of modernization: global governance is seen here as a solution, as a tool that politicians need to develop and employ to solve the problems that globalization has brought about.

This use of the term is popular especially in continental Europe. A group of writers based at the University of Duisburg, Germany, for example, view global governance as 'a guiding programme to re-gain political governing capacity in an interdependent world' (Messner and Nuscheler, 1998, p. 31, own transl.). Quite similar to the Duisburg school are recent papers by a commission of inquiry on globalization of the German Bundestag that define global governance as the 'problem-adequate re-organization of the international institutional environment' (Deutscher Bundestag, 2002, 415 and 450). French analyst Marie-Claude Smouts (1998, p. 88) similarly views global governance not as an 'analytical reflection on the present international system [but as a] standard-setting reflection for building a better world'. This understanding of global governance as a political programme on a worldwide scale, however, is not restricted to recent European discourses on global governance. The US academics Leon Gordenker and Thomas G. Weiss (1996, p. 17), for example, also see global governance as 'efforts to bring more orderly and reliable responses to social and political issues that go beyond capacities of states to address individually' (see also, e.g., de Alcántara, 1998, p. 111).

Several authors have adopted the programmatic definition of global governance, yet without its affirmative connotation. These authors can be divided into three broad camps, which all share the same concern: that increasing global governance is subduing national sovereignty through some form of supranational hierarchy. First, some neo-conservative writers see global governance as the attempt of the United Nations and others to limit the unilateral freedom of action of powerful states (typically with reference to US power). Second, writers in the tradition of postfordism and neomarxism view global governance, in the words of Ulrich Brand (2003), as 'a means to deal more effectively with the crisis-prone consequences caused by [post-fordist-neoliberal social transformations]'. A third group of writers view global governance through the lens of North-South power conflicts. The Geneva-based South Centre, for example, cautioned in 1996 that in 'an international community ridden with inequalities and injustice, institutionalizing "global governance" without paying careful attention to the question of who wields power, and without adequate safeguards, is tantamount to sanctioning governance of the many weak by the powerful few' (South Centre, 1996, p. 32).

### AN EMPIRICAL DEFINITION OF GLOBAL GOVERNANCE

Which definition or conceptualization is then preferable? All definitions offered in the current debate have pros and cons depending on the specific context in which they are used. Given the increasing complexity and interdependence of world society in the face of economic and ecological globalization, more effective global regimes and organizations are needed, and there is nothing wrong to call this political reform programme 'global governance'. Also, today's international relations differ from the 1950s and 1960s in many respects, and it seems appropriate to denote these new forms of international regulation as 'global governance'. The term should be restricted, however, to qualitatively new phenomena of world politics. Not much analytical insight can be expected if all forms of human interaction, or all forms of interstate relations, are re-labelled as 'global governance'. Instead, I argue that empirically, 'global governance' is defined by a number of new phenomena of world politics that make the world of today different from what it used to be in the 1950s.

First, global governance describes world politics that is no longer confined to nation states, but characterized by increased participation of actors that have so far been largely active at the subnational level. This multiactor governance includes private actors such as networks of experts, environmentalists, human rights lobby groups and multinational corporations, but also new agencies set up by governments, including intergovernmental organizations and international courts. Second, this increased participation has given rise to new forms of institutions in addition to the traditional system of legally binding documents negotiated by states. Politics are now often organized in networks and in new forms of public-private and private-private cooperation, and they are negotiated between states and private entities. Third, the emerging global governance system is characterized by an increasing segmentation of different layers and clusters of rule-making and rule-implementing, fragmented both vertically between supranational, international, national and subnational layers of authority and horizontally between different parallel rule-making systems maintained by different groups of actors.

None of this is entirely new. Some non-state actors such as the Catholic Church have been influential and engaged in treaty-making with governments for centuries. Politics among nations has always been a multilevel process, with governmental delegations being forced to seek support from domestic constituencies. Also, not all areas of politics follow the new paradigm of global governance, and the term may not aptly describe quite a few real-world conflicts especially in the area of war and peace. On the other hand, global governance is there. It is more frequent, and it is on the rise. It is a reaction to the complexities of modern societies and to the increasing economic, cultural, social and ecological globalization (Kütting, forthcoming). Whereas globalization denotes the harmonization and mutual dependence of once separate, territorially defined spheres of human activity and authority, global governance catches the political reaction to these processes. New degrees of global interdependence beget the increasing institutionalization of decision-making beyond the confines of the nation state, with a resulting transformation of the ways and means of global politics. Quantity—the increasing number of functional areas that require global regulation and of international regulatory regimes—creates shifts in quality: new types of actors have entered the stage; new types of institutions have emerged; with new types of interlinkage problems as a result.

Trade integration, for example, required international regulation of more and more ‘trade-related’ issue areas beyond the key concerns of custom liberalization; the impacts of this drive for institutionalization then brought the world trade regime on the radar screen of a variety of new actors beyond the traditional world of interstate politics: unions, business associations or environmentalists pay close attention to the emergence of the world trade regime and become actors of global governance in their own right. The globalization of environmental problems, from global climate change to the loss of biodiversity, creates new interdependencies between nation states that require new regulatory institutions at the global level. These institutions, however, do not remain isolated from the continuing debates within nation states, a situation which results in governance systems that stretch from local environmental politics to global negotiations and back. I will now elaborate on the key characteristics of global environmental governance.

## II. Characteristics of Global Environmental Governance

### INCREASED PARTICIPATION: DIVERSITY THROUGH INCLUSION

The new system of global governance departs from inter-national politics, first, because of the degree of participation by different actors that were earlier confined to the national sphere. The Westphalian system of international politics was characterized as politics among states. Non-state actors were either non-existent, or lacked sufficient power to influence affairs beyond territorial borders. There have been exceptions—such as the Catholic Church with its highly centralized system of authority or the transnational antislavery movement in the 19<sup>th</sup> century—yet those remained rare and confined to specific historic circumstances. The notion of global governance departs from traditional state-centred politics in accepting a host of non-state entities as new influential actors in transnational relations. The field of environmental policy provides ample illustrations for this evolution of a ‘multi-actor governance system’.

The new role of nongovernmental lobbying organizations in world politics, for example, has been acknowledged and analyzed for decades. Activist groups, business associations and policy research institutes now provide research and policy advice, monitor the commitments of states, inform governments and the public about the actions of their own diplomats and those of negotiation partners, and give diplomats at international meetings direct feedback (Betsill and Corell, 2001; Conca, 1995; Princen, Finger and Manno, 1995; Raustiala, 1997; Wapner, 1996). Carefully orchestrated campaigns of environmentalists have proved to be able to change foreign policy of powerful nation states—markedly in the campaign against the dumping of the Brent Spar—or to initiate new global rules, such as the global campaign on banning anti-personnel landmines.

Second, networks of scientists have assumed a new role in providing complex technical information that is indispensable for policy-making on issues marked by both analytic and normative uncertainty. While the new role of experts in world politics is evident in many policy areas, it is particularly prevalent in the field of global environ-

mental policy (Hisschemöller et al., 2001). New international networks of scientists and experts have emerged, in a mix of self-organization and state-sponsorship, to provide scientific information on both the kind of environmental problem at stake and the options for decision-makers to cope with it. Such scientific advice for political decision-making is not new in world politics; negotiations on fishing quotas for example have long been assisted by the International Council for the Exploration of the Sea. These early examples, however, have been significantly increased in both number and impact, which is mirrored in the substantial academic interest in global scientific networks in recent years (Haas, 1990; Jäger, 1998; Mitchell, 1998; Biermann, 2002; Mitchell et al., forthcoming; Jasanoff and Long Martello, 2004; Farrell and Jäger, forthcoming).

Third, business has taken a more prominent direct role in international decision-making. Again, the influence of major companies on international affairs is not new, and in some social theories, such as Marxism, business actors have been granted centre stage in global affairs. However, this 'old' influence by the corporate sector was mainly indirect through its influence on national governments. Today, many corporations take a more visible, direct role in international negotiations as immediate partners of governments, for example in the framework of the United Nations and of the Global Compact that major corporations have concluded with the world organization (Cutler, Haufler and Porter, 1999; Higgot and Bieler, 1999; Hall and Biersteker, 2002).

Fourth, global governance is marked by an increasing influence of intergovernmental organizations (Biermann and Bauer, 2004). In the field of environmental policy, more than two hundred international organizations have been set-up in the form of secretariats to the many international environmental treaties concluded in the last two decades. Whether the creation of a new 'world environment organization' would help or harm global environmental governance, has been debated for more than thirty years, with no conclusive answer (see the related discussion below).

Fifth, global governance is characterized by new, more powerful forms of supranational jurisdiction. While the International Court of Justice in The Hague has been available for the settlement of interstate disputes for almost eighty years without ever being involved in major conflicts, new tribunals have been established recently, with a considerable and unprecedented degree of compliance by state governments. These include the international criminal tribunals in The Hague, the dispute settlement body under the World Trade Organization, the International Tribunal for the Law of the Sea, as well as the new International Criminal Court. While states remain the eventual sources of authority through their power to alter the legal standards that international courts may apply, and through their remaining option to reject a court's judgment or jurisdiction, current evidence suggests that even powerful nations accept international jurisdiction on sensitive issues, notably in the area of trade. The role of international courts in environmental policy remains yet to be seen.

#### INCREASED PRIVATIZATION: NEGOTIATION THROUGH PARTNERSHIPS

Global governance is also defined by new forms of cooperation beyond the traditional intergovernmental negotiation of international law. The influence of non-state actors is not confined to lobbying in such negotiations: more and more, private actors become formally part of norm-setting and norm-implementing institutions and mechanisms in global governance, which denotes the shift from intergovernmental

regimes to public-private and increasingly private-private cooperation and policy-making at the global level (Cutler, Haufler and Porter, 1999; Higgot and Bieler, 1999; Hall and Biersteker, 2002; Pattberg, 2004). Private actors became partners of governments in the implementation of international standards, for example as quasi-implementing agencies for many programmes of development assistance administered through the World Bank or bilateral agencies. At times, private actors venture to negotiate their own standards, such as in the Forest Stewardship Council or the Marine Stewardship Council, two standard-setting bodies created by major corporations and environmental advocacy groups without direct involvement of governments. The new institutions set up by scientists and experts to advise policy, while formally often under governmental control, also enjoy a large degree of private autonomy from state control.

At times it seems that traditional intergovernmental policy-making through diplomatic conferences is being replaced by such networks, which some see as being more efficient and transparent. Yet the distribution of global public policy networks is often linked to the particular interests of private actors that have to respond to their particular constituencies, and serious questions of the legitimacy of private standard-setting remain. For example, the World Commission on Dams has been hailed as a new and effective mechanism that has quickly generated widely accepted standards, which had earlier been difficult to negotiate due to the persistent resistance of affected countries. Yet this success of private standard-setting gives rise to other voices pointing to the inherent problems of legitimacy that are part and parcel of private policy-making, which cannot relate back to democratic elections or other forms of formal representation (Dingwerth, 2003).

#### INCREASED SEGMENTATION: COMPLEXITY THROUGH FRAGMENTATION

Finally, global governance is marked by a new segmentation of policy-making, both vertically (multilevel governance) and horizontally (multipolar governance). First, the increasing institutionalization of world politics at the global level does not occur, and is indeed not conceivable, without continuing policy-making at national and sub-national levels. Global standards need to be implemented and put into practice at the local level, and global norm-setting requires local decision-making to set the frames for global decisions. This results in the coexistence of policy-making at the subnational, national, regional and global levels in more and more issue areas, with the potential of both conflicts and synergies between different levels of regulatory activity. The international regulation of trade in genetically modified organisms serves as a prime example for such multilevel governance (A. Gupta, 2000, 2004).

Likewise, the increasing institutionalization of world politics at the global level does not occur in a uniform manner that covers all parts of the international community to the same extent. In the case of the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, for example, various recent amendments have provided for new standards and timetables that are not accepted by all parties to the original agreement from 1987. This leads to a substantial multiplicity of sub-regimes within the overall normative framework. The most prominent example of such horizontal fragmentation of policies is humankind's response to the global warming problem. Here, we observe the emergence of parallel policy approaches that include equally important seg-

ments of international society and may develop into divergent regulatory regimes in global climate governance.

Divergent policy approaches within a horizontally and vertically segmented policy arena pose significant challenges. Lack of uniform policies may jeopardize the success of the segmented approaches adopted by individual groups of countries or at different levels of decision-making. Regarding climate policy, for instance, the global emissions trading regime as envisaged by the 1997 Kyoto Protocol may create perverse incentives if the United States is not party to the mechanism. The possibly strong economic implications of a stringent climate policy adopted by one group of states may have severe ramifications for other policy arenas such as the world trade regime (Biermann and Brohm, forthcoming). On the other hand, a segmented policy arena may also have advantages. Distinct policy arenas allow for the testing of innovative policy instruments in some nations or at some levels of decision-making, with subsequent diffusion to other regions or levels (see, e.g., Vogel, 1995; Tews and Busch, 2002; Jänicke and Jörgens, 2000; Kern, Jörgens and Jänicke, 2001). Also, sensible international policies could mitigate the negative political consequences of a horizontally and vertically segmented governance architecture, and innovative policies may assist in the step-by-step convergence of parallel approaches.

These challenges of interlinkages within a segmented governance system, however, have only poorly been addressed by students of global governance. Most scholars have focused on the emergence of international regimes and on their effectiveness in particular issue areas. The interlinkages of regimes in different environmental policy areas have been addressed but only recently (e.g., Velasquez, 2000; Chambers, 2001; IISD, 2001a and 2001b; Rosendal, 2001a, 2001b; Stokke, 2000). Yet, interlinkages of parallel policies and regimes within a horizontally and vertically segmented governance system in the same issue area have hardly been studied; there is a need to explore the consequences of divergent policies in global environmental governance and to analyze what sets of compatible or diverging norms and rules exist, how they predetermine the political opportunities for coordination, and what response strategies policymakers could avail of. This research will also require better collaboration between distinct communities of researchers, especially those focusing on the international level and on international relations, and those concentrating on the national level and on comparative environmental politics (Biermann and Dingwerth, 2004; on the problem of interplay, see also IDGEC Science Plan, IHDP 1998, and Young, 2002).

### **III. Current Reform Debates**

Global governance is a political response to economic, cultural, social and ecological globalization. It is not initiated and developed by some centralized decision-making body, but by an amalgam of centres of authority at various levels. The efficacy of the current system of global governance has been the subject of intense debate. It is not only a normative discussion on 'more global governance', but likewise a debate on 'better global governance'. I will sketch two of these reform debates in this section; both are related to environmental policy, and each attends to a particular aspect of global governance that has been highlighted above.

## PARTICIPATION AND PRIVATIZATION: INSTITUTIONALIZING CIVIL SOCIETY INVOLVEMENT

The first example of a reform debate deals with the increased participation of non-state actors in global environmental governance. This participation has not been without friction. Developing countries, in particular, often object to increases in the influence of non-governmental organizations in international forums because they view these groups as being more favourable to Northern agendas, perspectives and interests. Developing countries argue that most associations are headquartered in industrialized countries, that most funds donated to their cause stem from Northern organizations, both public and private, and that this situation influences the agenda of these groups to be more accountable to Northern audiences (South Centre, 1996). However, these suspected biases in the work of non-governmental actors should not lead to a decrease in the participation of civil society, but rather to the establishment of mechanisms that ensure a balance of opinions and perspectives.

I offer as an example the recent institutionalization and formalization of the advice of scientists and other experts on climate change. The key institution here is the Intergovernmental Panel on Climate Change (IPCC). The evolution of the IPCC is typical for the functioning of global governance: it has been initiated not by governments but by international organizations—the World Meteorological Organization (WMO) and the UNEP. It comprises of private actors—experts, scientists and their autonomous professional organizations—which are nonetheless engaged in a constant dialogue with representatives from governments. The final summary conclusions of IPCC reports are drafted by scientists, but are submitted to line-by-line review by governmental delegates. The reports from the IPCC are partially commissioned by public institutions—the UN climate convention—but are structured and organized by the expert community itself.

Typical for global environmental governance has been the continuous struggle for influence in this body, especially between industrialized and developing countries (Agrawala, 1998a, b; Siebenhüner, 2002a, b, 2003; Biermann, 2002 and forthcoming). When IPCC was set up in 1988, only a few experts and scientists from developing countries were actively involved. This has led, as many observers from developing countries argued, to a notable lack of credibility, legitimacy and saliency of these reports in the South. Continuous complaints from delegates from developing countries led to a number of reforms since 1989, which resulted in an increasing institutionalization of the involvement of private actors in this subsystem of global governance (Agrawala, 1998b; IPCC, 1997). For example, current IPCC rules of procedure now require each working group of scientists to be chaired by one developed and one developing country scientist. Each chapter of assessment reports must have at least one lead author from a developing country. Participation of developing country scientists in IPCC thus appears much more visible than previously. IPCC's governance structure now has a quota system that rather resembles public political bodies such as the meetings of parties to the Montreal Protocol, the executive committee of the ozone fund or the Global Environment Facility, all of which are governed by North-South parity procedures.

These changes have ameliorated, yet not abolished existing inequalities between North and South in global governance. Regarding the second IPCC assessment report from 1996, the percentage of Southern 'contributing lead authors', 'lead authors' and 'contributing authors' in IPCC working groups still ranged from only 5.1 percent to 25.0

percent. Likewise, the percentage of Southern peer reviewers in the working groups was small, reaching from only 8.5 to 11.1 percent and 14.9 percent (Dingwerth, 2001). Financing, in particular, remains a problem. Most research institutions in developing countries lack funds to send their scientists to professional conferences abroad. This has been addressed for direct participation in IPCC working groups. Still, general communication between Southern and Northern scientists is scarce compared to transatlantic or intra-European cooperation (Agrawala, 1998b, 632; Kandlikar and Sagar, 1999). Nonetheless, the institutionalization of the involvement of scientists in IPCC has helped to increase the legitimacy of the panel in the South.

This form of institutionalization of private participation within IPCC could even evolve into a pattern for other areas of global governance. An interesting model for achieving the balance between private actors from North and South is the decision-making procedure of the International Labour Organization (ILO). Each member state is represented with four votes, two of which are assigned to governments and one each to business associations and labour unions. The ILO procedure—if adopted for environmental institutions—would attend to the basic problem of a private participation in global environmental governance, namely that environmental groups can often not adequately compete with the financial clout of business associations, and that non-governmental organizations of developing countries lack standing vis-à-vis the financially well-endowed non-governmental organizations of industrialized countries. An ILO-type structure would thus grant business interests and environmental interests at least formally equal rights, and it would guarantee that the Southern non-governmental associations would have a clout in accordance with the population represented by them. The ILO formula is far from perfect, in particular given the higher degree of complexity in environmental policy compared to ILO's more clear-cut 'business versus labour'-type of conflicts. And yet, the ILO experience provides a conceptual model along which ideas for an equitable participation of civil society in global environmental governance could be developed.

#### SEGMENTATION: THE DEBATE ON A WORLD ENVIRONMENT ORGANIZATION

Another current reform debate in the field of global environmental governance concerns the organizational and institutional fragmentation of global environmental policy. Many observers have pointed to the paradoxical situation that strong and powerful international bodies oriented towards economic growth—such as the World Trade Organization, the World Bank or the International Monetary Fund—are hardly matched by UNEP, the modest UN programme for environmental issues. The same imbalance is revealed when UNEP is compared to the plethora of influential UN specialized agencies in the fields of labour, shipping, agriculture, communication or culture. As a mere programme, UNEP has no right to adopt treaties or any regulations upon its own initiative, it cannot avail itself of any regular and predictable funding, and it is subordinated to the UN Economic and Social Council. UNEP's staff hardly exceeds 300 professionals—a trifle compared to its national counterparts such as the German Federal Environment Agency with 1,043 employees and the United States Environmental Protection Agency with a staff of 18,807.

This situation has led to a variety of proposals to grant the environment what other policy areas long had: a strong international agency with a sizeable mandate, significant resources and sufficient autonomy. The debate on such a 'world environment organization'—or a global environmental organization, as it is sometimes being referred to (e.g., Runge, 2001)—has been going on for some time. Magnus Lodewalk and John Whalley (2002) have reviewed no less than 17 recent proposals for a new organization, and they have not even covered all proposals that can be found in the literature, which dates back 34 years to George Kennan (1970; see Charnovitz, 2002 and 2005; Bauer and Biermann, 2005, for an overview). In recent years, many opponents of a new agency have also taken the floor (e.g., Juma, 2000; Moltke, 2001 and 2005; Oberthür and Gehring, 2005).

Proponents of a world environment organization can be divided into more pragmatic and more radical approaches. The more radical strand in the literature demands the abolition of major agencies such as the World Meteorological Organization, the creation of a new agency with enforcement power—e.g. through trade sanctions—or for the creation of a new agency in addition to UNEP, which would have to transfer many of its functions to the new organization (Esty, 1994, 1996; Kanie and Haas, 2004). Most of these radical designs are both unrealistic and undesirable. Abolishing UN agencies has been rare in post-1945 history and seems politically unfeasible or unnecessary for most agencies today. Trade sanctions to enforce environmental treaties would unfairly focus on less powerful developing countries while leaving the big industrialized countries sacrosanct (Biermann, 2001). Establishing a new agency in addition to UNEP would create new coordinating problems while attempting to solve them and would likely result in an imbalance between supposedly global issues—to be addressed by a new global environmental organization—and local issues, which would then be addressed by the remaining UNEP.

Pragmatists, instead, suggest to maintain the current system of decentralized, issue-specific international environmental regimes along with existing specialized organizations active in the environmental field while strengthening the interests of environmental protection by upgrading UNEP from a mere UN programme to a full-fledged international organization. This organization would have its own budget and legal personality, increased financial and staff resources, and enhanced legal powers. In this model, a world environment organization would function among the other international institutions and organizations, whose member states might then be inclined to shift some competencies related to the environment to the new agency. Additional financial and staff resources could be devoted to the fields of awareness raising, technology transfer and the provision of environmental expertise to international, national and sub-national levels. The elevation of UNEP to a world environment organization of this type could be modelled on the World Health Organization and the International Labour Organization, that is, independent international organizations with their own membership.

There are three chief arguments brought forward in favour of a new agency. First, upgrading UNEP to a WEO as a UN specialized agency could ameliorate the coordination deficit in the global governance architecture that results in substantial costs and sub-optimal policy outcomes. When UNEP was set-up in 1972, it was still a comparatively independent player with a clearly defined work area. Since then, however, the increase in international environmental regimes has led to a considerable fragmen-

tation of the system. Norms and standards in each area of environmental governance are set up by distinct legislative bodies—the conferences of the parties—with little respect for repercussions and for links with other fields. While the decentralized negotiation of rules and standards in separate functional bodies may be defensible, this is less so regarding the organizational fragmentation of the various convention secretariats, which have evolved into medium-sized bureaucracies with strong centrifugal tendencies. In addition, most specialized international organizations and bodies have initiated their own environmental programmes independently from each other and with little policy coordination among themselves and with UNEP. The situation on the international level might come close, if compared to the national level, to the abolishment of national environment ministries and the transfer of their programmes and policies to the ministries of agriculture, industry, energy, economics or trade: a policy proposal that would not find many supporters in most countries.

Streamlining environmental secretariats and negotiations into one body would especially increase the voice of the South in global environmental negotiations. The current system of organizational fragmentation and inadequate coordination causes special problems for developing countries. Individual environmental agreements are negotiated in a variety of places, ranging—for example in ozone policy—from Vienna to Montreal, Helsinki, London, Nairobi, Copenhagen, Bangkok, Nairobi, Vienna, San José, Montreal, Cairo, Beijing and Ouagadougou. This nomadic nature of a ‘travelling diplomatic circus’ also characterizes most sub-committees of environmental conventions. Developing countries lack the resources to attend all these meetings with a sufficient number of well-qualified diplomats and experts (Rajan, 1997). The creation of a world environment organization could help developing countries to build up specialized ‘environmental embassies’ at the seat of the new organization, which would reduce their costs and increase their negotiation skills and respective influence.

Second, if UNEP were upgraded to a WEO as a UN-specialized agency, the body would be better poised to support regime-building processes, especially by initiating and preparing new treaties. The ILO could serve as a model. ILO has developed a comprehensive body of ‘ILO conventions’ that come close to a global labour code. In comparison, global environmental policy is far more disparate and cumbersome in its norm-setting processes. It is also riddled with various disputes among the UN specialized organizations regarding their competencies, with UNEP in its current setting being unable to adequately protect environmental interests. A specialized UN organization could also approve—by qualified majority vote—certain regulations, which are then binding on all members, comparable to article 21 and 22 of the WHO Statute. The WEO Assembly could also adopt draft treaties which have been negotiated by sub-committees under its auspices and which would then be opened for signature within WEO headquarters. The ILO Constitution, for example, requires its parties in article 19:5 to process, within one year, all treaties adopted by the ILO General Conference to the respective national authorities and to report back to the organization on progress in the ratification process. Although governments remain free to not ratify an ILO treaty adopted by the ILO assembly, the ILO mandate still goes much beyond the powers of the UNEP Governing Council, which cannot pressure governments in the same way as ILO can.

Third, upgrading UNEP to a WEO as a UN specialized agency could assist in the build-up of environmental capacities in developing countries. Strengthening the capac-

ity of developing countries to deal with global and domestic environmental problems has become one of the most essential functions of global environmental regimes (e.g., Keohane and Levy, 1996). The demand for financial and technological North-South transfers is certain to grow when global climate, biodiversity and other policies are more intensively implemented in the South. Yet, the current organizational setting for financial North-South transfers suffers from an adhocism and fragmentation that does not fully meet the requirements of transparency, efficiency and participation of the parties involved. At present, most industrialized countries strive for a strengthening of the World Bank and its recent affiliate, the Global Environment Facility (GEF), to which they will likely wish to assign most financial transfers. Many developing countries, on the other hand, view this development with concern, given their perspective of the Bank as a Northern-dominated institution ruled by decision-making procedures based on contributions. Though the GEF has been substantially reformed in 1994, it still meets with opposition from the South. A way out would be to move the tasks of overseeing capacity building and financial and technological assistance for global environmental policies to an independent body that is specially designed to account for the distinct character of North-South relations in global environmental policy, that could link the normative and technical aspects of financial and technological assistance, and that is strong enough to overcome the fragmentation of the current multitude of inefficient single funds. Such a body could be a world environment organization. This does not need to imply the set-up of large new bureaucracies. Instead, a world environment organization could make use of the extensive expertise of the World Bank or UNDP, including their national representations in developing countries. However, by designating a world environment organization as the central authoritative body for the various financial mechanisms and funds, the rights of developing countries over implementation could be strengthened without necessarily giving away advantages of the technical expertise and knowledge of existing organizations.

An organization, as opposed to a programme, could allow for a system of regular, predictable and assessed contributions of members, instead of voluntary contributions, as is the case with UNEP. A more comprehensive reform that leads to the creation of a new agency could also involve the re-assembling and streamlining of the current system of independent (trust) funds, including the ozone fund under the Montreal Protocol and the Global Environment Facility (GEF) of the World Bank (jointly administered with UNEP and UNDP). The norm-setting functions of the GEF, for example regarding the criteria for financial disbursement, could be transferred to the WEO Assembly, in a system that would leave GEF the role of a 'finance ministry' under the overall supervision and normative guidance of the WEO Assembly. This would unite the economic and administrative expertise of GEF's staff with the 'legislative' role of a world environment organization.

In sum, creating a world environment organization would pave the way for the elevation of environmental policies on the agenda of governments, international organizations and private organizations; it could assist in developing the capacities for environmental policy in African, Asian and Latin American countries; and it would improve the institutional environment for the negotiation of new conventions and action programmes as well as for the implementation and coordination of existing ones.

#### IV. Conclusion

The current global governance discourse reveals that more theoretical debate as well as empirical research is needed. I will emphasize three needs for further discussion.

First, the debate on the very term 'global governance' and its conceptualization is not yet sufficiently concluded. There are a number of conceptual approaches, which in part have been reviewed in this paper. Yet none of these has mustered sufficient support within the community. The second main section of this paper has argued for an empirical understanding of global governance as a concept to denote essentially new phenomena in world politics that cannot be analyzed adequately in the framework of traditional concepts such as international relations. This does not deny that global governance is not also an important political programme. Yet, it remains crucial to clearly demarcate the use of the term and to state whether any given analysis employs the phenomenological or the normative notion of the term 'global governance'.

Both uses of the term also suggest the need for further research. The phenomenological conceptualization directly defines a research programme: First, multi-actor governance requires us to better understand the behaviour and the influence of the new actors of world politics. While environmentalist lobbyist groups and scientists have been studied in some detail as actors of global environmental governance, significantly less knowledge is available regarding the increasing role of intergovernmental organizations and of business actors. This is one of the exiting new research frontiers in this field.

Second, the new mechanisms of global governance, such as private-public partnerships, also point to a new research programme that helps us to better understand the emergence, maintenance, effectiveness and finally legitimacy of these new regulatory mechanisms. Some work on private-public and private-private cooperation in the field of global environmental governance has already been done (see above), yet what is needed is a larger research effort that equals the substantial series of comparative studies on international environmental regimes in the 1980s and 1990s.

Third, the increasing segmentation of world politics is, again, as well an empirical development in need of more research: We need to better understand in what ways governance between different levels occurs. This, in particular, requires new approaches of linking academic sub-disciplines that have been apart for long: international relations and comparative politics. Research programmes on the international climate regime, for example, must be better integrated with comparative work on national or local energy politics. This requires a number of essentially new research programmes on 'interlinkages' and on the 'interplay' within global environmental governance.

All this eventually needs to feed back into the actual reform debates, which have exemplified in this paper by the institutionalization of expert advice and the strengthening of the existing system of global environmental governance through creating a new world environment organization. However, these reform efforts towards a more effective and more legitimate system of environmental institutions and environmental organizations requires, first and foremost, a better basic understanding of the set of phenomena that have been conceptualized in this paper as global environmental governance.

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