



Administering International Governance: What Role for Treaty Secretariats?

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The Global Governance Project is a joint research programme of eight European research institutions. It seeks to advance understanding of the new actors, institutions and mechanisms of global governance, especially in the field of sustainable development.

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Abstract

This paper explores the specific role of international treaty secretariats in international governance. Although the relevance of secretariats in international negotiations, rule-setting and implementation has been acknowledged by a number of scholars, social science research still lacks theoretical distinction and empirical scrutiny in understanding just when and how they affect these processes of international governance. In the environmental field the number of multilateral treaties has soared in the past decades, which thus provides us with a particularly interesting area for our research. We employ organizational theories and institutionalist reasoning for qualitative case study research of four environmental treaty secretariats (i.e. the secretariats to the UN Framework Convention on Climate Change, the UN Convention to Combat Desertification, the Convention on Biological Diversity and the Montreal Protocol on Substances that Deplete the Ozone Layer). While the organizational design of all four secretariats is similar, our research reveals and discusses variation in the cognitive and normative effects of their activities. From a larger set of explanatory factors the paper emphasizes the salience of problem structure and leadership patterns in exploring treaty secretariats' capacities to influence policy processes in the respective international regimes.**

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Foreword

This working paper was written as part of the Global Governance Project, a joint research programme of eight European research institutions that seeks to advance understanding of the new actors, institutions and mechanisms of global governance. While we address the phenomenon of global governance in general, most research projects focus on global environmental change and governance for sustainable development. The Project is co-ordinated by the Institute for Environmental Studies (IVM) of the Vrije Universiteit Amsterdam and includes associate faculty members and research fellows from eight European institutions: Science Po Bordeaux, Bremen University, Freie Universität Berlin (Environmental Policy Research Centre), London School of Economics and Political Science, Oldenburg University, Potsdam Institute for Climate Impact Research, Vrije Universiteit Amsterdam, and Wageningen University.

Analytically, we define global governance by three criteria, which also shape the research groups within the Project. First, we see global governance as characterised by the increasing participation of actors other than states, ranging from private actors such as multinational corporations and (networks of) scientists and environmentalists to public non-state actors such as intergovernmental organisations ('multiactor governance'). These new actors of global governance are the focus of our research group MANUS—Managers of Global Change.

Second, we see global governance as marked by new mechanisms of organisation such as public-private and private-private partnerships, alongside the traditional system of legal treaties negotiated by states. This is the focus of our research group MECGLO—New Mechanisms of Global Governance.

Third, we see global governance as characterised by different layers and clusters of rule-making and rule-implementation, both vertically between supranational, international, national and subnational layers of authority ('multilevel governance') and horizontally between different parallel rule-making systems. This stands at the centre of our research group MOSAIC—'Multiple Options, Solutions and Approaches: Institutional Interplay and Conflict'.

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 through joint effort of colleagues from various backgrounds and from all regions of the world. We look forward to your response.

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Introduction

The study of international institutions has over the past decades tremendously advanced our understanding of international politics. In the event, many scholars of International Relations have drawn from the environmental field to derive their theoretical understanding of the mechanisms and functions of international cooperation as ecological interdependencies are so blatantly transboundary that international cooperation appears to have become inevitable.¹ We employ a qualitative case study design to analyse international environmental institutions.² Yet, we do not address international cooperation as such, but rather the formal organizations that come with it. Virtually all multilateral environmental agreements provide for a treaty secretariat that is supposed to coordinate the efforts that are being made by states to address the policy challenge in question. Such treaty secretariats generally take shape as small international bureaucracies that are being operated by international civil servants. Commonly these organizations are perceived as a minor feature of the wider institutional setting that provides the norms, rules and procedures for international cooperation. Hence, only few scholars have taken a closer look as to their specific functions and role within the international system. This is odd, not least in a view of recurrent debates about how global governance is in need of reform (e.g. UNSG, 2005).³

In the following, we will thus discuss the effects of four international treaty secretariats in the environmental realm. Our article is organized in two major parts, beginning with an outline of the research framework that guided our study. Therein we distinguish cognitive and normative effects of treaty secretariats and identify four factors by which these effects can be explained, namely problem structure, bureaucratic authority, organizational culture and leadership. In the second part of the article, we apply the framework to a comparative analysis of four major environmental treaty secretariats, i.e. the secretariats of the UN Framework Convention on Climate Change, the UN Convention to Combat Desertification, the Convention on Biological Diversity as well as the secretariat of the ozone treaties⁴.

Treaty Secretariats as Bureaucratic Actors in International Governance: A Research Framework

Following a definition by Andresen and Skjaerseth (1999: 2) a typical convention secretariat can be understood as a specific type of an international organization “established by the relevant parties to assist them in fulfilling the goals of the treaty”.⁵

¹ See Held and colleagues (1999, ch. 8) for the scope of “global transformations” in the environmental sphere and Mitchell (2002) on the implications for International Relations research. But see also the work of John Meyer and colleagues on the gradual “structuring of a world environmental regime” (Meyer, et al., 1997) as well as Frank et al. (2000).

² For seminal illustrations of qualitative case studies of international environmental institutions see inter alia Haas, Keohane and Levy (1993), Keohane and Levy (1996), Young, Levy and Osherenko (1999), and Miles, Underdal and colleagues (2002).

³ For a discussion of organizational reform in international environmental governance see Biermann and Bauer (2005b).

⁴ Namely the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer.

⁵ The following discussion of treaty secretariats draws to some extent from (Bauer, 2006a).

Such organizations, however, are not passive tools in the hands of “the relevant parties”—normally governments—but actively interfere with their environment as the bureaucratic personalities that they tend to become.⁶ As we shall see below, some secretariats are more active than others, but even those secretariats who would describe themselves as passive are not passive to the extent where they would totally abstain from political interaction within their respective regime.

The actor quality in international organizations is typically focused in their top executives, like the Secretary-Generals in the case of the United Nations who lend their face to this bureaucratic personality.⁷ However, the capacity for collective action rests also on the resources, the internal structures, the commonly shared goal and, not least, in the commitment of the personnel. These international civil servants are the people that act on behalf of an international organization and thus inter-act with the environment of their respective organization. It is fundamental in this respect to recognize that international civil servants are commonly found to pursue the objective of their organization rather than being a puppet of the national government of their origin.⁸ This is not to deny that an international organizations’ freedom to act is considerably circumscribed by national governments. However, just as the bureaucrats of a national ministry act vis-à-vis, for instance, parliaments at the domestic level, international treaty secretariats can be trusted to use, at least potentially, the leeway they have to interact within their respective policy domains.

Potential Effects of the Activities of Treaty Secretariats

Treaty secretariats are one specific group of international organizations or, more precisely, international bureaucracies. While international bureaucracies generally can be shown to have cognitive, normative as well as executive effects (Biermann and Bauer, 2005a), the range of treaty secretariats is of a more limited nature. Other than bigger international bureaucracies such as the World Bank or the World Health Organization, treaty secretariats are typically neither mandated nor equipped to perform meaningful executive functions such as on the ground capacity building. We thus assume that effects of international secretariats can be found particularly in cognitive and normative areas of international governance. In other words, we expect treaty secretariats to potentially act as “knowledge-brokers” and/or “negotiation-facilitators”. Our analysis is thus focused on the role of international secretariats in the processing of knowledge and information as well as in the provision and shaping of suitable institutional arrangements for the progressive setting and implementation of norms and rules within their respective regimes. Both functions are naturally interlinked, but can be distinguished analytically.

⁶ This statement is all but trivial in the context of a predominantly state-centric ontology that characterizes most International Relations research. For an elaborate conceptualization of the “power and pathologies” of international organizations as actors in global politics see Barnett and Finnemore (1999; 2004).

⁷ For an illustration see the study of Kille and Scully (2003), in which they compare six UN Secretary-Generals and four EU Commission Presidents; for other well argued cases see, for instance, Andresen (2002) and Schechter (1987).

⁸ See, for instance, the general discussions of the international civil service by Mango (1988), Mouritzen (1990), and Yi-Chong and Weller (2004) and in particular the comparative study of Sandford (1994: 25). For a more critical stance, albeit in a Cold War context, see Thomas G. Weiss (1982).

COGNITIVE EFFECTS: TREATY SECRETARIATS AS KNOWLEDGE BROKERS

First, we assume that treaty secretariats can influence the behavior of political actors by changing their knowledge and belief systems. Many synthesize scientific findings and distribute knowledge to stakeholders, from national governments to individual citizens. This is not trivial in international political processes. Indeed, it is a robust finding that knowledge brokers have a significant influence on the creation and effectiveness of international institutions. As we shall see below, treaty secretariats are typically involved in the synthesizing and dissemination of knowledge, sometimes they may even generate new knowledge.⁹ For instance, information management is a key role for treaty secretariats in servicing the conference of parties and its subsidiary bodies. The latter often include expert panels and academic assessments, where knowledge-related activities of secretariats help to raise concern among external actors to a level where political activity is affected. The cases below will illustrate when and how treaty secretariats may exert influence within their respective regime due to cognitive functions such as the processing of data or outreach activities.

NORMATIVE EFFECTS: TREATY SECRETARIATS AS NEGOTIATION FACILITATORS

Second, we assume that treaty secretariats can influence political processes through the creation, support and shaping of norm-building processes for issue-specific international cooperation. They can initiate conferences to follow up on treaties or to introduce relevant new topics to the parties and they are typically involved when the implementation of treaties is negotiated or when treaties are amended, for instance by additional protocols. In such constellations, secretariat staff can exercise considerable influence “even when they are not key players during the negotiation stage” (Young, 1994: 170). They are crucial actors through the shaping of procedures and the provision of distinct arenas for issue-specific negotiations, and through framing inter- and transnational processes of bargaining and arguing. This may even directly affect international norm setting where it relates to the development and codification of international law. Even without robust means to enforce international law, legal commitments, informal multilateral agreements and “soft law” norms remain relevant for the behavior of states.¹⁰ Accordingly, international civil servants emphasize the relevance of international law and the furthering of soft law agreements as a key area of their work, notably so in the environmental field (e.g. Tolba and Rummel-Bulska, 1998).

Moreover, we assume that one can understand the normative function of treaty secretariats in this context in terms of both the rational-legal authority they enjoy as bureaucratic actors, and the argumentative force they derive from their subsequent status. The extent of this argumentative force will of course depend on a number of factors. Generally, however, it can be assumed that treaty secretariats are in a position to contribute to a “common life-world” that shapes the contractual environment and thus the behavior of actors interacting within it (see Risse, 2000). If this potential is brought to bear, for instance by secretariat leadership in international negotiations, tangible effects pertaining to the institutionalization and implementation of an international treaty are likely to follow.

⁹ Miles and colleagues (2002), for example, hypothesized that by strengthening the knowledge base on which regimes are designed and operated, regimes can be expected to become more effective. But see Guston and colleagues (2000) with a view to the difficulty of applying useful information and knowledge to environmental policy.

¹⁰ See Abbott and Snidal (2000) with further references.

Explanatory Factors

In our approach to identify co-variation and causal chains that might explain any observed cognitive or normative effects of international treaty secretariats, we refer to four variables. They have been derived from different bodies of literature that bear high significance for treaty secretariats, namely International Relations, organizational theories and management studies. The relevant factors examined in the subsequent case studies thus include the structure of the underlying problem, the bureaucratic authority enjoyed by a secretariat, its organizational culture, and leadership.

PROBLEM STRUCTURE

Most environmental treaties focus on one specific problem such as marine pollution, the loss of biodiversity or the depletion of the ozone layer. The related secretariats, therefore, have to deal with distinct problems that pose different challenges to them. Treaty secretariats can be expected to show different degrees and types of effects when faced with different problem structures. The relevance of problem structures is a robust finding of the regime literature, and cannot be neglected in the study of treaty secretariats.

For example, Edward Miles and colleagues point to the character of the problem as a potential influence on regime effectiveness (Miles et al., 2002). Arild Underdal, in particular, distinguishes between problems of two kinds, benign problems (characterized by problems of coordination, symmetry or indeterminate distribution and cross-cutting cleavages) or malign ones, that are characterized by incongruity, asymmetry and cumulative cleavages (Underdal, 2002: 13ff.). Likewise, the relevance of the problem-solving capacity in an issue area is emphasized to account for observable variation in regime effectiveness, with problem-solving capacity being a function of the institutional setting (the rules of the game), the distribution of power among the actors involved, and the skill and energy available for the political engineering of cooperative solutions. In a similar vein, the “international environment” and the “characteristics of the activity” are conceptualized as key factors to explain regime effectiveness by Jacobson and Brown Weiss (1998: 6-7), in addition to regime-specific factors. Problem structures may thus help to explain variation in the influence of treaty secretariats that have otherwise identical characteristics.

In this study, problem structures are distinguished with regard to, first, the overall cost of public action and regulation required to solve or alleviate the problem. The cost of regulation is determined by a wide range of factors that include both the political, economic and social costs of addressing and solving the problem and the political, economic and social costs of inaction. Governments can be expected to try to retain control over the political process and to minimize the role of treaty secretariats where these costs are comparatively high. For example, the problem of climate change is generally assumed to be much more costly to solve than the substitution of chlorofluorocarbons (see Parson, 2003).

Second, we expect that the higher the saliency of a problem in a country, the more likely it is that governments will withhold influence from international bureaucracies such as treaty secretariats. The salience of a problem relates, among other things, to the time span between causes and effects of a problem. If there is a significant intrinsic delay, as for instance between the gradual loss of biodiversity and the eventual breakdown of an affected ecosystem, the problem will not receive high priority from national decision-makers. Hence, governments will be less reluctant to delegate the handling of the problem to the secretariat of the respective treaty.

BUREAUCRATIC AUTHORITY

With the problem structure as an external given the question remains what enables treaty secretariats to become meaningful political actors in their own right. We argue that it is the bureaucratic authority which they encapsulate and that is attributed to them by others, notably states. Other than the latter, international secretariats do neither possess sovereignty nor power in a traditionalist sense. However, these are not the only dispositions by which political processes are constituted and shaped.¹¹

In general terms authority can be understood as a function that enables a subject to effectively implement its will without the use of sanctions, because the objects it addresses voluntarily adhere to it. As such it is clearly distinct from power which does not require the notion of voluntariness on behalf of the addressees. Power is a core disposition of statehood. It entails an ability to enforce that is not at the disposal of international secretariats. To the contrary, their potential to purposively interfere with international political processes rests solely on their authority.¹² Other than for domestic authorities and public institutions they may not call upon the police or the military, to break the power of others.¹³ Similar considerations on non-state authority are being discussed with a view to the influence of private actors in global governance (e.g. Cutler, 1999; Cutler et al. 1999; Pattberg, 2005).

To grasp the bureaucratic authority of international secretariats, which is by definition not private, it is insightful to turn to Max Weber's classic analysis of bureaucratization.¹⁴ Of course, one needs to be cautious in so far as classic sociological studies of bureaucracy result from observations of the domestic level and cannot simply be transferred to the inter-national realm. Crucially, in the ideal-typical relation between a government and a people, people are generally willing to submit to the 'rational-legal authority' of the governmental bureaucracy. To the opposite, the international system is characterized by a principal unwillingness of states to submit to the authority of international organizations—the very reason why the latter are power-less and without the means to exert force. Nonetheless, most elements which generate the rational-legal authority of domestic bureaucracies are also found with international secretariats. To begin with, environmental treaty secretariats embody the institutional memory of the regime they serve. More specifically, they possess expert knowledge of various categories: technical and scientific knowledge on the policy problem at stake, administrative and procedural knowledge (which they will often generate themselves), and normative and diplomatic knowledge which is paramount to deal with the complex interlinkages that are characteristic of international regimes, particularly in the environmental field. Furthermore, they control substantive shares of the flow of information between treaty parties and other stakeholders, and, not least, they develop distinct organizational cultures. Finally, skilful and charismatic leadership—another concept that goes back to Weber—can help to boost a secretariat's bureaucratic authority. At the same time it is prone to politicise it and thus indicates where a broader concept of bureaucratic authority goes beyond a narrowly technocratic understanding of rational-legal authority.¹⁵ In sum, the phenomenon of bureaucratic authority "invites and at times requires bureaucracies to shape policy, not just implement it" (Barnett and Finnemore, 1999: 708).

¹¹ The following paragraphs draw from Bauer (2006a).

¹² But see Barnett and Finnemore (2005) for a broader understanding, whereafter the authority vested in liberal international organizations enables them to exercise power. See also Barnett and Finnemore (1999; 2004) and Ernst B. Haas (1990).

¹³ For a seminal political philosophy discussion of this aspect see Arendt (1970, 47).

¹⁴ See Barnett and Finnemore (1999: 707ff.; 2004), also Beetham (1996) and Weber (1980 [1921]).

¹⁵ We will turn to the relevance of organizational culture and leadership in greater detail below.

Ultimately, then, it turns international secretariats into international actors—even if they appear to be of minor significance vis-à-vis states.

One feature of authority, no matter of which kind, is that it is an attributional quality: you do not simply possess it, but it depends on how you are perceived by others. Thus, the degree of authority that states and other stakeholders attribute to an international secretariat significantly depends on the behavior of the secretariat. This again is largely determined by the organizational culture and the leadership of the secretariat to which we now turn.

ORGANIZATIONAL CULTURE

Like any bureaucratic organization, treaty secretariats will differ regarding their organizational culture. In contrast to the formalized structure, the culture of an organization is largely informal and highlights hidden and soft factors that are more difficult to analyze and to measure. We define organizational culture as the set of commonly shared basic assumptions in the organization that result from previous organizational learning processes and include the professional cultures and backgrounds of the staff members.¹⁶ In general, these basic assumptions are value-laden ways to view the world that include certain solutions to known problems. Among the numerous factors that are of relevance for the culture of bureaucratic organizations at the international level, we focus on the processes of decision-making and prevalent professional cultures in our sample of treaty secretariats.¹⁷

Decision-making procedures can be regarded under different perspectives. Regarding formal ways of decision-making, this factor would rather count as a structural element rather than a cultural one. In this study, however, we are more interested in the actual way decisions are made, which often differs from the formal process descriptions. In particular, these decision-making processes are highly relevant for conflict processes within the bureaucracy. As organizational theories on conflict resolution show, the way conflicts are being resolved is crucial for the commitment and the sustainability of the solution within an organization (e.g. Ueberhorst and Burns, 1988). We assume that consultative forms of decision-making and conflict resolution lead to better results whereas exclusive or centralized decision-making often gives rise to new conflicts or reduced commitment by employees. Moreover, consultative forms support the flow of knowledge whereas exclusive forms tend to lead to reduced exchange of ideas and knowledge if new knowledge is not being appreciated in the decision-making process.

Similarly, professional cultures are relevant for the external influence and the exchange of knowledge among staff members. If a secretariat is, for instance, dominated by natural scientists, it will have difficulties in developing advanced policy responses that are ready to be implemented. Also, organizations with a mix of individuals from different professional backgrounds who need to collaborate might be better equipped to exchange knowledge between different fields of expertise than organizations dominated

¹⁶ This definition builds on the concept of Schein (1985: 8), whereafter the culture of a group is “a pattern of shared basic assumptions that the group learned as it solved its problems of external adaptation and internal integration, that has worked well enough to be considered valid and therefore, to be taught to new members as the correct way to perceive, think, and feel in relation to those problems” (see also Frost, et al., 1991 for a related approach).

¹⁷ For an illustrative example on the relevance of organizational culture in large international bureaucracies see Weaver and Leiteritz (2005).

by one profession. A mix of professions can thus be assumed to promote the exchange of knowledge.

LEADERSHIP

Finally, when pondering whether international treaty secretariats are the instruments of national foreign policies or actors in their own right, it is tantamount to investigate how they are being lead (see Cox, 1969: 206). The effects any bureaucratic organization may or may not have differ with the activities and specific behavior of its staff members, in our case international civil servants. Whether a treaty secretariat acts strictly within its narrowly constrained mandate or beyond that mandate ultimately depends upon the actions of its staff. Structural or cultural factors may account for certain behaviors and the formalized routines and rules within a secretariat, but are insufficient to explain secretariat action. Within the structural and cultural conditions in specific organizational contexts, individuals and groups have different choices in how to behave and how to fill their given positions. This applies in particular to the executive level of bureaucratic organizations, i.e. its leadership.

Leadership of an international secretariat can be defined as the function by which secretariat leaders, that is a sub-group of international civil servants that constitutes from the secretariat's executive level and necessarily includes its executive head, steer the activities of their organization. There is both an internal and an external dimension to this function. Internally, the leadership function pertains to the management of the organization. If it is strong, internal cohesion of a secretariat will be high and its tasks will be handled in an efficient and effective manner. In the practice of international bureaucracies, strong internal leadership is generally associated with more or less hierarchical leadership styles (as opposed to more participatory ones).¹⁸

More important for the focus of this paper, external leadership pertains to the outward relations of a secretariat, indeed its foreign policy. If it is strong, it will have developed a capacity to deliberately induce others—in particular the governments of their member states—to alter their behavior in a manner that is expected to promote the collective goal that is internationally represented by the secretariat. While the internal function can be assumed to affect the capacity for the latter in the sense that poor management will render a secretariat in a weak position vis-à-vis others, the latter is of particular relevance for our argument. Namely, we assume that strong external leadership is a major explanatory factor for the effects that treaty secretariats can and do have in international politics. A feasible operationalization of leadership, however, continues to be one of the more challenging requirements for political scientists to deliver. Yet, it is left wanting particularly with a view to international organizations (see also Andresen and Agrawala, 2002).¹⁹

Nevertheless, some advances have been made with a view to international negotiations and the creation of international regimes (e.g. Underdal, 1998). Indeed, the continuous negotiation processes that characterize most international environmental regimes typically are a major occupation for environmental treaty secretariats. Hence, this specialized branch of the literature provides for a valuable point of departure in tracing the ways in which international executives may exert influence in shaping re-

¹⁸ See (Siebenhüner, 2003, 23) with further details and references.

¹⁹ To be sure, there is a substantive literature of IR scholars on leadership with a view to foreign policy analysis (e.g. Hermann, 1980; Hermann and Hermann, 1989; Keller, 2005). Yet, scholars rarely investigate leadership by and through international bureaucracies. Some notable exceptions, however, have recently been spurred by studies of the European Union (e.g. Beach, 2004; Gupta and van der Grijp, 2000; Kerremans, 2004; Lovecy, 2004).

game outcomes. According to Oran Young (1991) they can be influential when they exhibit either structural, entrepreneurial or intellectual leadership (or a mixture thereof). Arild Underdal (1994; 1998) and Raino Malnes (1995) have brought forth similar categories. Common distinctions in these approaches to international leadership refer to the material and intellectual means at the disposal of leaders as well as to their individual skills. With either means a negotiations context can be used to pursue the interests of the organization as represented by its executive officers. The more means are available and the stronger they are, the more likely a secretariat can affect overall outcomes within a treaty setting—if they are actually brought to bear by way of external leadership. In addition, executive officers can be attributed with charisma (or a lack thereof). Charisma, of course, is hard to capture analytically. For the purpose of this paper it may be circumscribed as an aggregate for leadership skills that generate from cognitive resources and other ‘soft’ qualities such as the credibility, integrity, popularity and prudence of an executive head in the international arena (see also Malnes, 1995, 97). If it is high, it will increase the leeway for the secretariat to exert influence. Besides, it can be assumed to facilitate internal management, too, as it will enhance loyalty and commitment among the rank and file.

In sum, we expect strong leadership to positively correlate with the capacity of treaty secretariats to influence international policy both in cognitive and normative terms within their respective regimes.

The Effects of Treaty Secretariats in International Environmental Governance: A Comparison

As discussed above international treaty secretariats, not only in the environmental field, are a specific type of an international organization established by the relevant parties to assist them in fulfilling the goals of a treaty.

With a view to treaty secretariats in the environmental field, Rosemary Sandford (1994) has traced a three step evolution that begins with the administrative embodiments of the early treaties that had been spawned by the United Nations Conference on the Human Environment in Stockholm in 1972. As a second generation of treaty secretariats Sandford distinguishes those secretariats that were typically helped into being by the United Nations Environment Programme during the 1980s and, finally, the distinct bureaucracies that emerged from the so-called ‘Rio Conventions’ in the aftermath of the 1992 United Nations Conference on Environment and Development.

The focus of our paper is on the latter generation of treaty secretariats, with only the Ozone Secretariat belonging to the second generation. Our four cases share enough similarities between them to allow for a reasonable comparative study. At the same time there are sufficient differences to keep that comparison interesting in a view of variation in the effects of each secretariat’s activities. Both criteria guided our case selection.

To begin with the similarities, all treaty secretariats are typically single-issue organizations. This implies that they all serve one conference of parties that specifically convenes to govern one specific treaty. Their major purpose is thus to administer the continuous negotiation processes between parties and to help them meeting the commitments resulting from their joining the treaty.²⁰

²⁰ Note that the services of treaty secretariats are often extended to protocols following up on the original treaty. For instance, the Ozone Secretariat provides for both the Conference of the Parties to the Vienna Convention and the Meeting of the Parties to the Montreal Protocol.

Moreover, all treaty secretariats of our sample are part of the UN system—as are by far most treaty secretariats in the environmental field. This implies that the level of bureaucracy that is commonly referred to as ‘red tape’ can be assumed to be more or less identical across cases. Crucial administrative functions such as the management of human resources, reporting procedures, accounting, controlling and so on follow the general guidelines of the United Nations Organization. The resulting transparency and efficiency (or lack thereof) is almost identical in all our cases. Likewise, the particular secretariat functions that are specified in the respective treaties are highly similar, even in their wordings (see Annex). In fact, the paragraphs on the functions of the Climate Secretariat were modelled on those of the Ozone Secretariat which thereafter served as a role model for the Desertification Secretariat.

One distinction within our sample can be made according to the status of the secretariats within the UN system. While the Climate and Desertification secretariats are serving autonomous United Nations Conventions, the other two are formally affiliated to the United Nations Environment Programme. Hence, the former enjoy a relatively elevated status compared to most other environmental treaty secretariats and are comparatively big (see Annex). Moreover, the Executive Secretaries of the UNFCCC and the UNCCD are ex officio Assistant Secretary-Generals to the United Nations whereas the Executive Secretaries of the CBD and the ozone treaties formally report to the UN through the Executive Director of the UNEP. Related to the status of the secretariats, if on an informal level, is the question of location. The secretariats of the two United Nations Conventions UNFCCC and UNCCD have been moved to the relatively new United Nations premises in the former West German capital Bonn. The CBD Secretariat, though formally a part of the UNEP, operates from its own detached offices in Montréal, Canada. Finally, the Ozone Secretariat is not only formally but also physically attached to the UNEP Headquarters in Nairobi, Kenya.

The Climate Secretariat

Overall, the effects of the Secretariat are limited. While the Secretariat exerted some influence with regard to both cognitive and normative dimensions, it would be exaggerated to attribute to it a substantial independent bearing on knowledge generation, the scientific understanding of climate change, public and scientific discourses or political negotiations. In general, its influence is rather limited to technical—as opposed to political—dimensions of the climate change regime.²¹

COGNITIVE EFFECTS: BACK-UP SERVER

Although the Climate Secretariat does not directly contribute to the generation of new knowledge on climate change and hardly affects either public or scientific discourses, a few indications suggest that it does exert some cognitive influence nonetheless. This influence rests on the utilization of the Secretariat’s provision of largely factual and descriptive information and documentation on climate change related issues, the negotiation and implementation process by stakeholders and interested actors.

²¹ The following study is partially based on a research visit to the Climate Secretariat conducted by Per-Olof Busch in February 2004. Moreover, we draw from an international stakeholder survey conducted to assess external perspectives on the secretariat (Tarradell, 2005). For a comprehensive analysis of the Climate Secretariat see Busch (forthcoming).

Policy makers, negotiators and other stakeholders and interested actors, such as media, science, and civil society, draw on and interpret the information and documentation compiled and disseminated by the Secretariat in their analytical, political and scientific assessments and the related discourses. In particular governments and their representatives use these resources.²² Several indications support this observation. Not only that parties expressed their general satisfaction with the information and documents provided by the secretariat, they increasingly requested additional informational and documentary support by the Secretariat. They also urged the Secretariat to publish more information in languages other than English and more information on contacts in the Secretariat (UNFCCC, 2005). This great demand of parties for the Secretariat's input shows the importance of the information and documentation provided by the Secretariat. Moreover, the relevance of the information to stakeholders is indicated by a survey on the effectiveness of the use of the UNFCCC technology information clearing house which is maintained by the Secretariat. 85 percent of the 303 respondents from 81 countries found the information of the clearing house useful and relevant to their work (UNFCCC, 2004).²³

The frequency of visits and downloads on the Secretariat's general website underscores this assessment. From 1999 to 2004 the website has been visited by roughly 80.000 return visitors on annual average; documents have been downloaded over 24 million times in the same period, averaging to over 4 million downloads each year.²⁴ On the website all relevant data, information and documents on climate change, ongoing negotiations and progress in implementation of the Convention and the Kyoto Protocol are presented. In 2004, the Secretariat estimated that at least 50.000 to 60.000 people around the globe closely follow the climate regime process by utilizing information provided by the Secretariat.²⁵

NORMATIVE EFFECTS: TECHNICAL ASSISTANCE

The review of the scarce academic analyses on the negotiations leading to the adoption of the Kyoto Protocol and the Marrakech Accords suggests that the Secretariat has not had a significant influence on these processes.²⁶ At least it appears that the Secretariat has exerted no influence in the sense that it would have prominently and visibly shaped the negotiations' political direction and content. The Secretariat is hardly ever mentioned even in extensive in-depth analyses on the negotiations of the Kyoto Protocol and the Marrakech Accords (Grubb and Yamin, 2001; Grubb et al., 1999; Oberthuer and Ott, 1999; Ott, 2001b; Schröder, 2001; Vrolijk, 2002). Likewise, the Earth Negotiations Bulletin (ENB) which publishes daily reports and summaries of all sessions of the COPs as well as all meetings of the subsidiary bodies since the 11th session of the Intergovernmental Negotiation Committee rarely mentions the Secretariat in a way that might indicate a prominent influence. While in some cases the ENB's reports on other international environmental negotiations include a distinct section on the role

²² Author's interview at the Climate Secretariat, conducted by Per-Olof Busch.

²³ This is also supported by our stakeholder survey: 23 (82%) out of 28 respondents relating to the Climate Secretariat judged its information and documentation as relevant for their own work (see Tarradell, 2005).

²⁴ UNFCCC Website Statistics, cited September 1, 2005, available at http://unfccc.int/essential_background/about_the_website/items/3358.php

²⁵ Author's interview at the Climate Secretariat, conducted by Per-Olof Busch.

²⁶ Many studies focus on the description, assessment and evaluation of rules and prescriptions formulated in the Kyoto Protocol and the Marrakech Accords and their implications as well as presenting national positions instead of scrutinizing in detail the dynamics of the negotiation processes (e.g. Grubb, et al., 1999; Oberthuer and Ott, 1999).

played by the respective secretariats, comparable coverage lacks completely in the more than 240 documents ENB has issued pertaining to the UNFCCC until August 2004. Likewise, programme officers are hesitant in attributing any kind of substantial influence on the negotiations to the Secretariat.

Two exceptions stand out in supporting the notion that the Secretariat at least has effectively facilitated the negotiations, in particular where they dealt with more technical questions. Yamin and Depledge—two insiders to the climate regime negotiations—assign the Secretariat an important, mainly informal role in the provision of support and strategic advice to the COP president, the Chairs of the subsidiary bodies and officers in the Bureaus of the COP. They see the Secretariat’s main contribution in its pivotal, often unrecognized, role in promoting a smooth process and successful outcome, which “can be absolutely crucial in steering the negotiations towards a successful outcome” (Yamin and Depledge, 2005).

In a similar vein, Hermann Ott specifies and illustrates this important role of the Climate Secretariat in the support and facilitation of negotiations relating to the Kyoto Protocol. On the one hand, he partially explains the failure of the parties to adopt accords on implementing measures of the Kyoto Protocol at COP-6 in The Hague in November 2000 with the fact that COP-president Jan Pronk has not as extensively as others resorted to the resources and advice provided by the Secretariat (Ott, 2001b). On the other hand, he argues that as COP-6 resumed in Bonn in July 2001, the eventual agreement on the accords was significantly facilitated by the Secretariat (Ott, 2001a). Namely, the Secretariat had compiled a draft text which enabled the parties to conclude a pre-agreement on the basic technical features of the Kyoto mechanisms. On its basis the so called Marrakech Accords were eventually adopted at COP-7 in Marrakech in November 2001 (*ibid.*). Seen from inside of the Secretariat, the major contribution was not to have successfully guided parties in one or another political direction. Rather, the Secretariat had cleaned up the negotiating texts of inconsistencies and provided technical solutions for the political decisions of parties.

The self-perception of the Secretariat staff and the parties reflects this notion of influence. In their submissions to an internal review on the activities of the Secretariat parties “generally appreciated the work of the secretariat in organizing sessions and meetings and supporting the intergovernmental process” (UNFCCC, 2005). In particular the expert advice and support on highly technical issues on the Kyoto Protocol were commended in the internal review (*ibid.*). Likewise, the majority of interviewees highlighted the effective support and facilitation of negotiations as major achievement. However, they were reluctant, to claim any major contribution of the Secretariat to the negotiation process. Ultimately, the negotiation process would be driven by the governments and not the Secretariat. The documents and draft negotiation texts prepared by the Secretariat were not the driving forces although they constitute an important negotiating basis and in a number of cases were adopted without major revisions. The Secretariat would only help parties to achieve what they want to achieve and to make political agreements among the parties actually work in terms of functioning technical systems and procedures. “We have difficulties to move forward issues that are really contradictory from a political point of view.”²⁷

Overall, the evidence suggests that the Secretariat’s normative influence is limited to the preparation of technical solutions of what has been agreed politically among the parties. In other words, the Secretariat does not exert influence on the decisions *whether* this and that is politically desirable and should be done in order to miti-

²⁷ Author’s interview at the Climate Secretariat, conducted by Per-Olof Busch.

gate or adapt to climate change. Rather, it influences *how* things are done once parties have agreed that measures have to be taken (Yamin and Depledge, 2005).

EXPLANATIONS: THE STRAIGHT-JACKET OF CLIMATE POLITICS

Above all, the limited effects of the Climate Secretariats can be attributed to the problem structure of the climate regime—in particular the high costs of regulation alongside the scientific complexity of climate change. Thus, the problem structure very much determines the tasks, responsibilities and general output of the Climate Secretariat.

Responses to climate change are costly and entail a number of highly complex and politically controversial questions that involve “nothing less than a technological and social revolution within the next 100 years—the conscious development of global society that has outgrown its fossil fuel base” (Ott, 2001b).²⁸ In particular, the likely economic and social implications of mitigating or adapting to climate change and the considerable differences of these across countries contribute to highly divergent positions of parties. The highly politicized context from the very onset severely constrained the Secretariat’s scope to interfere with political questions and the general direction of the negotiation process. The potentially high costs of regulation for the domestic economy and the politically controversial question of their equitable distribution prompted parties to proceed very cautiously in the negotiations. At the same time, each party anxiously watches any activity of the Secretariat in order to avoid solutions, agreements or even proposals which would be to its disadvantage or favor one party over another. Parties immediately react, in some cases harshly, if Secretariat activities go beyond its mandate, contradict their political interests or put an undue emphasis on particular approaches to a given political problem.

This behavior of parties is not particular to the negotiations on the climate change regime and can also be observed in other intergovernmental negotiation processes. However, it is relatively more pronounced in the case of climate politics. In particular, the Secretariat is not in a position to propose any specific solutions which its staff judges to be superior to others or to drive the process in a particular direction. Indeed, its impartiality is intimately controlled by the parties. In its contributions the Secretariat is obliged to identify the broad range of positions and interests of all parties. The documents prepared by the Secretariat have to reflect these different points of views in a manner that is acceptable to all parties. Otherwise, the Secretariat is asked and even forced by parties to revise or even completely withdraw its input without further discussion.

Hence the leeway for any independent contribution of the Secretariat in the negotiation process is severely constrained, let alone initiatives which were not requested by the parties. The parties define the terms of reference for almost each substantive input by the Secretariat. If there is room for ideas or proposals by the Secretariat at all, it is limited to technical questions. There is almost no scope of influence with regard to core issues of the climate change regime. On the question of future reductions of greenhouse gas emissions, for example, it is prohibitive for the Secretariat to even mention it, because it is such a fundamental and politically sensitive issue. Likewise, officers

²⁸ This view is largely shared by officers in the Climate Secretariat: “The climate change issue is essentially about an alternative economic development. [...] The environment is just where it starts from. People notice that there is CO₂ and that it has impacts. But ultimately it is about choice of energy, choice of industrial economic processes, and choice of how we organize ourselves.” Author’s interview at the Climate Secretariat, conducted by Per-Olof Busch.

pointed to the impossibility for the Secretariat to help parties in overcoming the political hurdles between North and South.

Overall, the very narrow definition of boundaries for political action by the Secretariat deter it from openly assuming a more influential or political role in the negotiation process. This has also been mirrored in the course of the interviews. Staff were extremely reluctant, often unwilling, to openly assign any kind of influence to the Climate Secretariat. They all stressed the attribution of any influence to the Secretariat would severely conflict with the Secretariat's mandate and harshly oppose to the perceptions and expectations which parties have of the Secretariat's role. At best interviewees reworded influence into more neutral terms such as support or facilitation.

The same 'straightjacket' limits the Secretariat's potential for cognitive effects. Instead of generating and brokering analytical knowledge on climate change and related policies, the Secretariat is mainly processing and administering factual information and does not elaborate on political problems related to climate change. This limitation to 'naked' information is dictated by the parties. Above all, the Secretariat compiles, synthesizes and disseminates relevant national data on climate change and on domestic climate policies—on the sole basis of what parties submit in response to their obligations. The Secretariat must neither evaluate the information thus obtained nor assess its political implications; much less would it strategically feed it into public discourses. At most it identifies and proposes a number of options for further action. The Secretariat thus rather operates as clearing house for information, not so much as a knowledge broker. It coordinates a number of important reporting obligations of the parties—namely the review of national communications and the greenhouse gas inventories—, but the compilation and synthesis of reviews of these national reports must not involve any critical assessments or policy recommendations:

“Criticism is not wanted. The parties are keen that the Secretariat should not be at all politically oriented. An assessment is immediately seen as being an assessment of whether the party is doing its job and then it becomes political. The parties do not want us to get into those areas and we abide.”²⁹

Only very rarely has the Climate Secretariat provided more or less independent analyses of specific problems encountered during the negotiation process. Of the more than 2,400 documents which it prepared from 1996 to 2003, only 6 percent were self-penned analytical contributions. These papers usually deal with specific technical issues that are not covered in the broader literature. In these documents the Secretariat elaborates on legal, technical and methodological issues related to the negotiation or implementation process and proposes a range of possible solutions or approaches to highly specific questions. Still, the Secretariat “is limited in the analysis it can present by its mandate to remain objective and not advocate any particular approach” (Yamin and Depledge, 2005).³⁰ Moreover, it must be noted that the occupation with purely scientific questions is not at all subject of the Secretariat's tasks.³¹ It is thus not surprising that the Secretariat exerts only little cognitive influence and that this is limited to the utilization of largely factual and descriptive information by parties and other stakeholders.

²⁹ Author's interview at the Climate Secretariat, conducted by Per-Olof Busch.

³⁰ The vast majority of documents prepared by the Secretariat serves purely informatory purposes, documents the results of the Convention process and deals with operational matters or compiles and reproduces inputs from parties and external observers (58% of all documents from 1996 to 2003). In the remaining 36 percent the Secretariat had predominantly a coordinating role as the main analytical and substantial responsibility lies with the experts of parties.

³¹ The provision of scientific input to the climate change regime is mainly allocated to the Intergovernmental Panel on Climate Change (IPCC). See Yamin and Depledge (2005) on the role of the IPCC and further references (see also Siebenhüner, 2002).

Yet, the Secretariat does have some influence. Again, these can be related to external factors. Yamin and Depledge (2005) argue that the influential role of the Secretariat depends “on the degree of pro-activeness, experience and indeed competence” of those officers who are responsible for the conduct of negotiations during the COP sessions and the meetings of the subsidiary bodies. In other words, the influence of the Secretariat depends on the willingness and need of these officers to involve the Secretariat or resort to its resources.³² However, this is only one side of the coin. Upon request, the Secretariat has to provide adequate input to parties—but how is it able to do so? Yamin and Depledge (2005) suggest that the outstanding expertise of secretariat staff on the regime’s rules combined with its ability to provide input in a “timely manner and closely tailored to the parties’ needs” are the main sources of its influence. In particular, the secretariat would be capable to develop targeted analysis on issues that are specific to the negotiations (ibid.).

This view is also shared inside the Secretariat. When asked for the sources of their influence, many interviewees emphasized the ability of the Secretariat to reflect the different points of views in a manner acceptable to all parties. Thus, documents prepared by the Secretariat would provide a welcome basis for negotiations. Moreover, the Secretariat would also help chairs to identify the main views of different groups of parties during negotiations. In other words, if the Secretariat appears to parties as being neutral and considerate of the different interests of parties in equal measure, it is able to exert influence.³³ By so doing, “a fine line needs to be walked in order to make things functioning on the technical level while ensuring that they are politically acceptable”.³⁴

The Secretariat seeks to ensure this basically by two procedures. First, it closely follows the discussion of the parties in order to see what formulation or what concrete options may show a way forward. Secondly, the preparation of documents involves a number of meetings during which officers attempt to play through the scenario from different angles, thus reflecting the variety of views of the parties. The distinct experience of the staff with regard to the negotiations and its commitment to progress supports the effectiveness of these procedures. The success of this procedure is furthered by the broad geographical distribution of staff, which facilitates the consideration of distinct regional perspectives.³⁵ In addition, Grubb and Yamin (2001) observed that in “the majority of cases, only a handful of people in a given country understand the national implications of climate change, a fewer still have the ability to track the process of international negotiations”, a notion that is shared within the secretariat. We may thus expect the potential influence of the Secretariat to increase to the extent that the expertise of the parties is less than that of the Secretariat.

The Desertification Secretariat

Contrary to the UNFCCC and the Convention on Biological Diversity, both of which were opened for ratification at the 1992 Rio Summit, the UN Convention to

³² A similar argument was made by Ott (2001a; 2001b) when he explained the ‘failure’ of The Hague and the ‘success’ of Bonn.

³³ To the contrast, if papers are perceived as reflecting particular views of secretariat staff and neglect a particular political aspect, they would not be well received by the parties and often resubmitted to the Secretariat. Author’s interview at the Climate Secretariat, conducted by Per-Olof Busch.

³⁴ Author’s interview at the Climate Secretariat, conducted by Per-Olof Busch.

³⁵ A recent review of the Secretariat confirms that the quality of the its input is generally acknowledged by the parties, although some expressed their concerns about a bias in favor of industrialized countries (UNFCCC, 2005).

Combat Desertification is the single one of the three ‘Rio conventions’ for which negotiations were actually triggered at Rio. Consequently, although negotiations were exceptionally swift and the convention entered into force in 1996, the UNCCD Secretariat is the youngest case in our sample. Ever since it was established, it has been looking for an active role in the convention process. By so doing it has attracted criticism from those who wish to see a treaty secretariat confined to a strictly instrumental role at the service of its treaty parties. At the same time it has brought about undeniable effects which will be discussed in the following.³⁶

COGNITIVE EFFECTS: GLOBALIZING DESERTIFICATION

Many of the UNCCD Secretariat’s professional staff have been involved in the negotiation process in one way or another. Most notably, the incumbent Executive Secretary Hama Arba Diallo has served as the head of the interim secretariat. The constellation warrants considerable continuity as the negotiation process gradually evolved into the institutionalisation and implementation of the convention. This is of significance with a view to the global discourse on desertification that can be directly related to the deliberate maintenance of a distinct desertification terminology by UNCCD officers. Indeed, the cognitive framing of ‘desertification’ as opposed to ‘land degradation’ has considerable implications for the interpretation of the convention and its implementation. In particular, the use of this specific terminology affects how the non-expert stakeholder perceives the problem that is being addressed (see Corell, 1999: 53). It is precisely because of this that the UNCCD Secretariat cherishes the desertification label: it “has a political appeal that land degradation does not have”.³⁷ It even acknowledges, at least implicitly, to be at odds with the understanding that desertification is a rather misleading term for the phenomenon actually at stake—dryland degradation.³⁸ However, the UNCCD Secretariat is effectively conserving the desertification trademark by ensuring that its usage continues to be vividly fluctuated.³⁹

In a similar vein, the secretariat has employed its discursive capacity to play a lead role in shifting the global understanding of desertification from being a regional problem into a global commons problem. This transformation is a striking example for the ‘power of discourse’ with tangible material implications. By re-framing desertification as a global problem, UNCCD projects have now become eligible for funding through the multi-billion Global Environment Facility. Indeed, the establishment of a distinct GEF programme on sustainable land management in the wake of the 2002 World Summit of Sustainable Development is a major concession of the donor countries vis-à-vis the developing world. African countries, in particular, had pushed for it

³⁶ The following study is partially based on a research visit to the UNCCD Secretariat conducted by Steffen Bauer in Bonn in November and December 2003. Five programme officers have been interviewed, including Executive Secretary Hama Arba Diallo, and four complementary questionnaires were obtained. Moreover, we draw from an international stakeholder survey conducted to assess external perspectives on the secretariat (Tarradell, 2005). For elaborate studies of the UNCCD Secretariat see Bauer (2006b; forthcoming-b).

³⁷ Executive Secretary Diallo as cited in Corell (1999: 65).

³⁸ To the contrary, other relevant agencies such as the FAO, the UNDP or the World Bank are quite consistent in their preference for speaking of land degradation, not desertification. Even the UNEP, which had originally pushed desertification on the international agenda, has adjusted to a terminology of land and soil degradation (see UNEP, 2004). For elaborate discussions of how to define desertification/land degradation consult inter alia the World Atlas of Desertification (Middleton and Thomas, 1992), Corell (1999), Reynolds and Stafford Smith (2002), and Herrmann and Hutchinson (2006).

³⁹ Predominantly by means of general awareness raising and public outreach activities, e.g. the secretariat’s ‘Down to Earth’ newsletter, the annual World Day to Combat Desertification and extraordinary schemes such as the International Year of Deserts and Desertification which has been called for 2006.

ever since the establishment of the GEF in 1994. It is, of course, not feasible to precisely measure the specific impact of the Secretariat in bringing this about. It can be shown, however, that it has consistently backed developing countries' lobbying in this respect and it played its part to keep the issue on the agenda of the relevant intergovernmental bodies, not least the GEF Council. In fact, the Secretariat regards itself as a contributor to this end and argues that granting accessibility to the GEF was an overdue step to make up for the lack of a genuine UNCCD financing mechanism.

NORMATIVE EFFECTS: ADVANCING INSTITUTIONALIZATION

In line with its mandate and the general objectives of the convention, the secretariat's efforts to further and solidify the institutionalisation of the convention process are characterised by a strong regional focus. Indeed, the establishment of strong links with 'affected regions'—coordinated by the secretariat's Regional Action Facilitators for Africa, Asia and Latin-America—have helped the UNCCD Secretariat to progressively advance the institutionalisation of the convention. Pushing ahead, the secretariat seeks to expand and strengthen Regional Coordination Units (RCU) that have been developed to improve intra-regional cooperation with a view to the implementation of regional action plans. While the secretariat has been expectedly successful in mustering support for this endeavour within affected country regions, donor country parties are wary of institutional duplication and question the necessity and added value of RCUs. Consideration of whether and how the role of existing units should be expanded and whether additional ones are desirable will thus feature prominently on the agenda of COP-7 (see IISD, 2003).

The creation of the Committee for the Review of the Implementation of the Convention (CRIC) is even better suited to illustrate the Secretariat's proactive role in furthering the institutionalisation of the convention. Like the creation of RCUs, the idea to set up a distinct subsidiary body that would assist parties to review progress in the implementation of the convention was first suggested from within the UNCCD Secretariat. It thus triggered the creation of an additional institution that was initially perceived to be at odds with the interests of major donor parties but is now—despite continuous criticism on a number of details—widely accepted as a potentially useful complementation to the regime. After the first CRIC had convened in Rome in November 2002 even its critics emphasised the positive and cooperative spirit of the meeting, although a certain measure of ambiguity as to its mandate prevailed (IISD, 2002: 13). Since then, two more CRIC meetings have been held with a mixed record.⁴⁰ While only the future will tell whether the CRIC will be maintained as a subsidiary body to the COP it has so far contributed to the institutionalization of the UNCCD process by bringing governments' attention to questions of implementation.

The most striking example of secretariat interference with the convention process arguably is the staging of a High Level Segment of Heads of State and Government during the Havana-COP.⁴¹ Irrespective of the anxiety expressed by some parties during the preparatory process, the secretariat chose to go ahead with the High Level Segment which it expected to increase public attention for the convention. In the event, it actually produced a "Havana Declaration of Heads of States and Governments".

⁴⁰ CRIC-2 was held back-to-back with COP-6 at Havana in 2003 and suffered from the highly politicised atmosphere of the overall meeting. CRIC-3, held in Bonn in May 2005, saw little substantive progress but was felt to be a helpful exercise to reinvigorate momentum after the dubious outcome of the Havana meeting. For detailed assessments of all three CRIC meetings consult the respective issues of the Earth Negotiations Bulletin (IISD, 2002; 2003; and 2005).

⁴¹ The effects of this particular event might be considered as cognitive, but are listed here under normative effects as the High Level Segment resulted in a formal declaration.

However, it came at the cost of considerable quarrels between the Secretariat and major developed country parties, including the European Union. In particular, the Secretariat drew heavy criticism because it failed to account for political sensitivities of developed countries by setting the stage for controversial leaders from several developing countries.⁴² So, while noteworthy effects can be acknowledged, parties have since sought to tighten their control over the activities and resources of the Secretariat.

EXPLANATIONS: GLOBAL DISCOURSE, REGIONAL PROBLEM

A notable implication pertaining to the post-Rio emergence of the UNCCD is that it has been framed as a sustainable development treaty rather than as an environmental treaty in the narrow sense. This point is emphasised time and again by UNCCD officials and parties from the developing world. Indeed, poverty eradication—a policy objective central to developing countries—is prominently anchored in the convention as an essential precondition for the ‘combat’ against desertification to be effective (UNCCD, 1995, 2002).

As a result, although being an issue-specific convention that addresses the problem of desertification, the contents of the UNCCD expand to are rather elusive complex of issues. The negotiating parties have thus created a problem structure that is rather vague. This vagueness provides those who seek to implement the convention with considerable leeway as to how to go about it. The UNCCD Secretariat, one of the most vocal advocates of the broad interpretation of the convention ever since, has itself benefited from that. The inherent vagueness of the convention enabled it to seek and use its room for manoeuvre and become a particularly active player within the desertification regime. As described above, by way of utilizing its discursive capacity the Secretariat itself effectively helped to shape the convention process in the way we find it today.

However, its ability to do so in the first place must be attributed to the structure of the core policy issue around which the whole convention is construed. In particular, the problem of dryland degradation is of low saliency from the perspective of the powerful parties in the industrialized world. Although it does occur all around the world, only developing countries in the world’s arid and semi-arid regions are severely affected by its consequences. In other words, despite the framing of desertification as a global problem, it essentially remains a regional problem that can be observed on a world wide scale.⁴³ Global warming and the destruction of the ozone layer leave everybody worse off, land degradation does not. Developed countries cope with degradation of their landmass in one way or another, but they do not perceive of land degradation occurring elsewhere as a threat. Consequently, the bargaining power of developing countries is limited and the convention of little priority to developed countries.⁴⁴ Thus, the former tend to appreciate a supportive role of the Secretariat while the latter’s efforts to control the political process are comparatively low—including a long leash for the Secretariat, at least up until the 2003 Havana-COP.

Limited bargaining power in the South and low priority in the North notwithstanding, considerable achievements have been made in the institutionalization of the UNCCD as well as in furthering its implementation in affected regions. These achieve-

⁴² The altogether nine dignitaries that constituted the High Level Segment included Fidel Castro, Hugo Chávez and Robert Mugabe but no representative of the developed world. For official documentation see UNCCD (2003), for a more detailed discussion of the event and its political implications see Bauer (forthcoming-b).

⁴³ Hence, the UNCCD distinguishes between affected and non-affected parties rather than between developed and developing countries. In fact, land degradation progresses most dynamically in North America.

⁴⁴ On the position of developing countries in the negotiations leading to the UNCCD see Najam (2004).

ments can be partially attributed to the activities of the Secretariat, and notably so its strong leadership. Rather than confining itself to ‘doing its job’ the Secretariat has installed itself as a vocal advocate of affected country parties that actively challenges the constraints it faces by way of problem structure. The dedication to seek (and exploit) opportunities to do so is largely generated at the Secretariat’s executive level. Indeed, Executive Secretary Hama Arba Diallo looms large in the history of the UNCCD. An experienced diplomat from Burkina Faso he is recognized today as a charismatic international civil servant who enjoys strong support from developing countries. Notably, he is credited for a conducive role in the negotiation of the convention—particularly in the African region. Moreover, he is admired by some and loathed by others for standing up to developed country parties, as was particularly the case in seeing through the High Level Segment at Havana. While this attitude is ambivalent at least to the extent that it equals a breach in neutrality and thus undermines the Secretariat’s overall authority, it can not be ignored in a comprehensive discussion of how the UNCCD Secretariat affects the international governance of desertification.

In sum, the elusive scope of the problem structure in combination with its low saliency for developed countries help us to explain both the latitude and constraints within which the UNCCD Secretariat plays its role; strong leadership is key to how the Secretariat fulfills this role in a proactive, advocacy-like manner that strives for a dynamic advancement of the convention process.

The Biodiversity Secretariat

The Secretariat of the Convention on Biological Diversity (CBD) has been established as a treaty secretariat comparable to those of the other Rio conventions, i.e. UNFCCC and UNCCD.⁴⁵ However, even though the mandates of these secretariats read rather similar, the CBD Secretariat enjoys a remarkable reputation among member countries. Thereby, it is significantly more successful in generating normative effects compared to the other treaty secretariats. Several experts in the field even argue that the convention process to implement the CBD would not be in its current advanced state without the effective and well-respected work of the Secretariat that has been described as a “lean shark”. To the contrary, the Secretariat has hardly been able to generate significant cognitive effects.⁴⁶

COGNITIVE EFFECTS: TO WHOM IT MAY CONCERN

Even though the CBD Secretariat has neither the means nor the mandate for actual scientific research, one of its main tasks is to collect and to disseminate (scientific) knowledge. It, however, has close links with the scientific community through processes such as the Millennium Ecosystem Assessment, international scientific cooperative programmes such as DIVERSITAS, and the participation of staff members in relevant scientific symposia. The Secretariat gathers scientific information on the different natural science issues of biodiversity conservation in the various ecosystems

⁴⁵ For overviews of the CBD process and the role of the secretariat see Rosendal (1995) and Le Prestre (2002a; 2002b).

⁴⁶ The following study is partially based on a research visit to the CBD Secretariat conducted by Bernd Siebenhüner in Montréal in October 2003. Five interviews have been conducted with altogether nine interviewees, including Executive Secretary Hamdallah Zedan. Additional telephone inquiries have been filed in 2005 and 2006. Moreover, we draw from an international stakeholder survey conducted to assess external perspectives on the secretariat (see Tarradell forthcoming). For a comprehensive analysis of the CBD Secretariat see Siebenhüner (forthcoming).

such as mountains, wetlands, forests etc. as well as on administrative, social, legal and economic aspects of the problems, e.g. of access and benefit sharing. This knowledge is processed and made available mostly to representatives of national governments and administrators through preparatory documents, the Secretariat's website, a series of reports, a newsletter and a comprehensive handbook. Moreover, the secretariat has commissioned on the basis of a mandate by the COP the drafting and publication of the Global Biodiversity Outlook, a periodic report on the status and the policy measures to achieve the goals of the convention (SCBD, 2001). In addition, the Secretariat is actively involved in the well-connected Millennium Ecosystem Assessment which is set up as a scientific assessment process with advanced review mechanisms and the support of governments, several convention processes and non-governmental stakeholders such as the business community and environmental NGOs.⁴⁷

Nevertheless, the outcomes of these activities are limited to certain target groups that make regular use of these products. Whereas the information provided by the Secretariat is highly welcomed by most national delegates to the international negotiation bodies under the Convention and by a number of NGO representatives, neither the scientific community at large nor business actors draw extensively on this information source. What is more, the influence of the CBD Secretariat on public discourses internationally and domestically remains rather limited. Media attention to the press releases, press conferences and the other materials provided by the Secretariat is low. Nevertheless, the quality of the information provided is, by and large, seen as scientifically credible and politically neutral.⁴⁸ These effects can be viewed as a success of the Secretariat's information policy for which trust by the parties and other stakeholders has been described as the "most important organizational quality of a credible secretariat" (Sandford, 1996: 5).

NORMATIVE EFFECTS: PROGRESS BY INCLUSION

International cooperation and the support for negotiations and meetings is probably the field of the most obvious effects of the CBD Secretariat. The Convention itself has almost universal membership with 188 Parties. The Convention's most prominent protocol, the Cartagena Protocol on Biosafety has entered into force in September 2003. During its existence, the Secretariat had no urgent need to increase the number of participants to the CBD but it was successful in helping to create widespread support for the Cartagena Protocol measured in the number of participating countries. The Secretariat's balanced and continuous efforts in facilitating dialogues and negotiations on the issue of biosafety, contributed to the successful adoption of the protocol. The same holds for the successful facilitation of the preparation and negotiation process on the access and benefit provisions of the CBD (Siebenhüner and Suplie, 2005). In funding negotiations at each COP, the Secretariat's Executive Secretary plays a highly active role and presents cost calculations of the decisions taken to improve the quality of decision-making of the budget committee and to increase governments' willingness to pay.

With regard to the inclusion of non-governmental actors into the Convention process, the Convention designed its processes highly inclusive in contrast to other UN-convention processes where non-governmental organizations are restricted to passive observer functions (Heijden, 2002). For example, the Secretariat promoted the inclu-

⁴⁷ Numerous Members of the secretariat participated as contributing authors to chapters or the synthesis of the assessment. The Secretariat was also represented in the board of the Millennium Ecosystem Assessment.

⁴⁸ This assessment is based on interview sources from within the Secretariat and on the external stakeholder views as expressed in the above-mentioned survey (Tarradell, 2005).

sion of indigenous and local communities in the Working Group on Article 8j (traditional knowledge) where they now play a similar role as government delegates—even though technically they are still observers only. The Working Group on Article 8j process provided a platform for indigenous and local communities to articulate their concerns and interests regarding the preservation, respect and protection of traditional biodiversity-related knowledge, innovations and practices.

The Secretariat was also successful in including particular issues on the agenda in international negotiation processes. For instance, it is considered the Secretariat's success to include the ecosystems approach that is prominent in the CBD process into other conventions such as the Ramsar Convention on Wetlands. The Secretariat was also instrumental with respect to the development of indicators for the 2010 biodiversity target and elements of the Convention's programmes of work, including access to genetic resources and benefit-sharing, in the WSSD Plan of Implementation. Moreover, since COP-5 in 2000 the Secretariat is entrusted with the drafting of COP and SBSTTA decisions that serve as the basis for the subsequent meetings. Several passages, such as outputs of technical expert groups technical assessments have been adopted largely unamended since then as prepared by the Secretariat. In general, however, the influence of the Secretariat decreases with the level of contestation in the respective areas of regulation. In highly contested issues such as the access and benefit-sharing provisions, the suggestions of the Secretariat are regularly amended or completely redrafted by the COP. One programme officer explained: "As a national delegate it was my highest ambition to change at least one word in the text of the decision, as part of the secretariat I can influence the whole text."⁴⁹

In sum, the Secretariat can be regarded as comparatively successful in fostering international cooperation in implementing the CBD. It helped to organize the processes rather inclusively and is trusted by many governments as a credible and balanced facilitator of international cooperation processes. Governments as well as non-governmental organizations changed or adapted their behavior on the basis of their experiences with the reliable work of the Secretariat which can be seen as a significant effect of the Secretariat's work.

EXPLANATIONS: A LEAN SHARK

Biodiversity and the combat against its loss is a highly complex environmental problem. The conservation of species as a means to preserve biodiversity includes also the protection of entire ecosystems as a functioning web of interactions among species. This poses also a challenge to international politics since most ecosystems cross national borders and biodiversity as precondition for functioning ecosystem services is a common interest of humankind. Moreover, economic, cultural, spiritual and aesthetical values of species are connected to species and their ecosystems. Since the preservation of ecosystems and natural habitats often require severe changes and limitations in current land use patterns in most countries, the costs of regulation in this problem area are significant.⁵⁰

The problem of biodiversity loss is also hardly visible and lacks public interest. One representative from the Secretariat described the dilemma of the biodiversity debate: "We don't have big disasters caused by a spider, we don't have big calamities caused by a cockroach."⁵¹ Hence, public awareness is generally low as the extinction of a

⁴⁹ Author's interview at the CBD Secretariat, conducted by Bernd Siebenhüner.

⁵⁰ For more detailed analyses of the problem of global biodiversity loss and the framing through the CBD see Brand and Görg (2003), McGraw (2002), Pimm et al. (1995), and Swanson (1999).

⁵¹ Author's interview at the CBD Secretariat, conducted by Bernd Siebenhüner.

species is invisible and does not entail catastrophic repercussions. Consequentially, policy makers still have a low sensitivity of the problem, and the role of biodiversity in sustainable development. The saliency of the problem for them is generally low. The secretariat's limited cognitive effects can be attributed to this characteristic of the underlying problem that does not lead to media-catching catastrophic events and large-scale damages of private and public properties.

Most of the observed effects in the normative field can be credited to the Secretariat's bureaucratic authority. Similar to other convention secretariats, also the CBD Secretariat serves as an "information hub" of the treaty in order to generate its cognitive effects (Sandford, 1996: 7). Therefore, it developed significant expertise in the field of biodiversity governance. Of its 70 staff members were 40 professionals and 30 general service staff. With a view to the numerous organizational tasks in setting up conferences and meetings, this proportion indicates a rather lean administration and an emphasis on issue-specific professionals. Due to a highly selective recruitment process, professional staff members often have internationally recognized qualifications in the different fields of expertise for which they have been hired.

Consistent with its mandate, the Secretariat is concerned with the provision of background information and decision drafts for meetings and workshops as well as documentation of these meetings. Subject to its limited resources, the Secretariat also produces technical information materials and other publications, as well as a highly informative website. The Secretariat's website is well maintained and gives easy access to a wide range of documents, introduces to the topic and is regularly kept up to date.

The Secretariat's informal means to influence governmental decisions and other stakeholders are comparatively well developed. This applies to its increasing activities to foster communication and education on biodiversity issues. The Secretariat has embarked on a policy for Communication, Education and Public Awareness (CEPA), it publishes numerous documents, holds press conferences and will hire a public relations company to develop a communication strategy. All these activities combined with the external perception as a neutral and well-informed holder of expertise give the Secretariat a significant amount of external authority that allows it to generate normative effects even beyond its mandate.

The organizational culture complements the picture of a clearly organized, well-respected, technocratic bureaucracy, but they cannot explain the effects by itself. Decision-making procedures in the CBD Secretariat seem to be rather centralized with a powerful position of the organization's head, the Executive Secretary. He has extended sanctioning powers against his staff members due to the short duration of most contracts. It is left to the Executive Secretary to extend the contracts or not.

The composition of staff is highly heterogeneous. With regard to gender ratio, the Secretariat is above average of most industrialized countries. Of all 70 staff members, 39 (55%) are female while the 40 professional positions are dominated by men by 65% (26 male, 14 females). The staff seems to be rather young and international with representatives from all major regions of the world. Developing countries are slightly in the majority with 22 professionals coming from developing and 18 from developed countries. With regard to professional backgrounds, there is a mixture of academics and practitioners. Professional backgrounds vary according to the different units: scientific units are staffed with more biological scientists whereas the social, economic and legal affairs unit has more lawyers and social scientists. Economists are a rare species in all units. Since the first phase of the implementation of the CBD until about 2000 and the related work of the Secretariat focused primarily on conservation issues (Siebenhüner and Suplie, 2005), individuals with natural science backgrounds are in the majority. This highly diverse structure of the Secretariat does not allow for any suspicion of regional, professional or gender biases.

Personal skills and abilities of the Executive Secretary seem to have a significant influence on the relationship to the Parties of the Convention and to other intergovernmental organizations and their executives. Through his dominating role in the Secretariat, the person of the Executive Secretary also impacts on the behavior of the entire policy field. He or she has to maintain a delicate balance between developing strong informal trust-based ties to key individuals in the policy arena while at the same time ensuring neutrality and balanced action on behalf of the Secretariat. Calestous Juma from Kenya, the CBD's first Executive Secretary from 1992 to 1998, attempted to establish the Secretariat as an autonomous international bureaucracy. He thus entered into continuous disputes with UNEP officials and the UNEP Executive Director. When Hamdallah Zedan of Egypt, a UNEP career officer, was appointed to succeed Juma as Executive Secretary, many observers expected an increasing level of control through UNEP headquarters (Le Prestre, 2002a). Yet, he stepped up as the head of a largely autonomous international secretariat and continued on his predecessor's path of emancipating the SCBD from UNEP headquarters.⁵²

The Ozone Secretariat

The international regime to protect the ozone layer is commonly considered *the* success story of international environmental governance, bringing with it a plethora of detailed studies on 'ozone politics'.⁵³ Despite this wealth of literature, the Ozone Secretariat has received little attention so far. This is odd, as the Secretariat is lauded for contributing even more to the effective implementation of the ozone treaties than originally envisioned by the creators of the ozone regime (see Wettestad, 2002: 162). In the following we will examine those cognitive and normative effects in ozone politics that can be attributed to the activities of the Ozone Secretariat, bearing in mind that it only succeeded the Ozone Unit of the UNEP after parties had adopted the 1987 Montreal Protocol to the Vienna Convention of 1985.⁵⁴

COGNITIVE EFFECTS: BEWARE OF CONTENTEDNESS

The cognitive dimension has been paramount in shaping the contractual environment of the ozone regime. Alongside a dedicated epistemic community of atmospheric scientists, international civil servants of the UNEP and the World Meteorological Organization were of major importance in this undertaking, the Ozone Secretariat we know today entered the scene only after the framing of the fundamental "ozone discourse" (Litfin, 1994).⁵⁵ Yet, it fulfills an important role in the cognitive dimension of ozone politics, not least by highlighting crucial and unsolved issues that continue to threaten the stratospheric ozone layer. As a 'consider-it-done'-mentality that has taken hold amongst parties in a view of the outstanding success of the Montreal Protocol, industrial interest groups seek to exploit waning government attention by capitalizing

⁵² On the UNEP's peculiar position in biodiversity politics see also Rosendal and Andresen (2004).

⁵³ For comprehensive accounts with further references see Andersen and Sarma (2002), and Parson (2003).

⁵⁴ The following study is partially based on a research visit to the Ozone Secretariat conducted by Steffen Bauer in Nairobi in September and October 2003. Four programme officers have been interviewed, including Executive Secretary Marco Gonzales, and four complementary questionnaires were obtained. Moreover, we draw from an international stakeholder survey conducted to assess external perspectives on the secretariat (Tarradell, 2005). For a comprehensive analysis of the Ozone Secretariat see Bauer (forthcoming-a); some parts of the following section draw from (Bauer, 2006a).

⁵⁵ See also Peter M. Haas (1992), and Parson (2003).

on profitable, yet unregulated ozone depleting substances.⁵⁶ In a sense, the Montreal Protocol's success is its weakness. Alert to this challenge, the Ozone Secretariat has a cause to maintain the attention of decision-makers and to raise, again, their awareness for the importance of the stratospheric ozone layer. Indeed, the Secretariat's role in brokering complex knowledge to all kinds of stakeholder is arguably no less important today than it was in the regime creation phase when, according to the US chief negotiator Richard Benedick (1998), the Vienna Convention would have been stillborn were it not for the continuous intervention of the UNEP Ozone Unit.⁵⁷

A more sensitive issue with regard to effects of the Ozone Secretariat in shaping the discursive environment of the Montreal Protocol is the drafting of reports and, crucially, decisions that are prepared to be adopted by the Meeting of the Parties. Like in the case of the Climate Secretariat, the Ozone Secretariat takes great care to underscore that drafts are by definition only that and downplay the secretariat's relevance in this respect: only formal decisions, ultimately and exclusively adopted by the Meeting of the Parties, matter. Unlike their colleagues in the climate secretariat, however, programme officers of the Ozone Secretariat are sufficiently confident of their role to claim that by means of their expertise, institutional memory and a profound technical knowledge that is superior to that of the majority of party delegates, they do shape the official output of the governing bodies—at least indirectly.⁵⁸ Individual officers go as far as to argue that through the legal and scientific expertise embodied in the Secretariat, its drafts are commonly viewed as authoritative by parties.⁵⁹ Directly related to the issue of drafting decisions and other substantive documents is the negotiation and bargaining of 'bracketed' text, not only in the preparatory phases but crucially during Meetings of the Parties or subsidiary bodies. In such highly political contexts, the Secretariat is reported to have often triggered breakthroughs behind the scenes. The history of the ozone regime provides for many examples, most of which, however, will draw from the regime creation phase.⁶⁰ The Secretariat's brokerage function, however, basically remains the same. Senior officers of the Secretariat confirmed that many of the informal meetings that typically accompany controversial negotiations draw on the specific knowledge that is processed and provided through the Secretariat in order to facilitate decision-making.⁶¹

NORMATIVE EFFECTS: CARRY ON

Beyond the hardly measurable extent to which the cognitive capacities of the Secretariat lead to substantive normative effects in the shape of legally-binding decisions by the parties, there is little potential for the Ozone Secretariat to affect the normative

⁵⁶ For instance, business organizations such as the California Strawberry Association and professional greenkeepers of golf-courses successfully incited the US government to seek ever more Critical Use Exemptions for profitable methyl bromides.

⁵⁷ Its means entail inter alia the free provision of elaborate information kits, a slide presentation on "The Ozone Story", comics and teachers' kits in various languages, the annual organization and celebration of International Ozone Day, and, crucially, an Outstanding National Ozone Units Award for which parties compete by presenting outstanding achievements in the protection of the ozone layer. These efforts enjoy additional support from the UNEP and the UN Secretary-General.

⁵⁸ See also Churchill and Ulfstein (2000) with anecdotal evidence.

⁵⁹ Further systematic investigation on the role and contributions of Secretariat officers in the Protocol's subsidiary bodies, notably the Technical and Economic Assessment Panel, should be particularly insightful.

⁶⁰ In particular the negotiations leading up to the 1987 Montreal Protocol (see Benedick, 1998 for an in-depth account).

⁶¹ Such ability to shape the outcome of such informal behind-the-scenes meetings is also indicative of a mutually enforcing relationship between the expert authority that is at the disposal of Secretariat officials and whether and how they bring it to bear, i.e. how they exert leadership.

dimension of the regime. This is unsurprising in so far as the institutional structure and cooperative arrangements of the ozone regime were already quite advanced by the time the Secretariat was formally established in its present form. This notwithstanding, important normative contributions have been made by the UNEP Ozone Unit, which preceded today's Secretariat, and continue to be made by the present Secretariat—if on a less spectacular basis.

For one thing, the continuous day-to-day business of ozone politics benefits from the advice and support which the Ozone Secretariat provides for civil servants in the National Ozone Units. Although the latter are formally supported through the Montréal-based Multilateral Fund for the Protection of the Ozone Layer, the Ozone Secretariat is appreciated as an important and reliable source of advice that helps them to relate their work at the domestic level to the big picture of international ozone politics. Naturally, this is particularly important for civil servants from developing country parties, whose domestic capacities to handle implementation requirements are rather low, notably in a view of the expensive reporting schemes under the amendments of the Montreal Protocol.⁶² While the Secretariat's officers underscored their role as service providers whose advice always and exclusively serves the letters of the treaty as agreed by the parties, this hardly renders their advice ineffective. Indeed, it constitutes rational-legal authority in the very sense of Weberian bureaucratic theory. To the extent that the guidance provided by the Secretariat to National Ozone Units feeds back with the sensitization of national delegates, it will also affect international co-operation. If only because parties are more hesitant to subscribe to new commitments when they are in areas with earlier ones.

In this respect, the normative dimension of the ozone regime creates and even requires room for action by the Secretariat. It is a peculiarity of the dynamics of the ozone regime that there is a multitude of binding legal agreements to be complied with and that there are various numbers of parties to the Montreal Protocol and each of its amendments. While there is almost universal membership to the Vienna Convention and all but eleven countries have ratified the Montreal Protocol, membership is decreasing with each succeeding amendment. This renders the administration of reporting requirements and the necessary provisions for Meetings of the Parties much more complex and labour intensive than compared to other multilateral environmental agreements.⁶³ Until all amendments are ratified by all parties this is a severe impediment for the efficiency of meetings, let alone the resulting workload for the Secretariat. Thus, the Secretariat itself has a vested interest in convincing abstaining parties to ratify all amendments. In the pursuit of this, it can even refer to its formal mandate to invite non-parties to meetings and to provide them with the appropriate information (UNEP, 2003: 344). Although we are unable to provide a robust assessment of the success of the Secretariat in inciting non-parties to join any of the amendments, it is plausible to acknowledge its facilitating role in this respect.

EXPLANATIONS: AIN'T MISBEHAVIN'

With a view to explaining the outcome of international ozone politics in general and the effects of the Ozone Secretariat in particular, the problem structure of ozone layer depletion is of obvious importance. In contrast to many other environmental

⁶² As a note below, the inherent hypothesis wherafter a lack of domestic capacity positively correlates with the influence of international secretariats at the national level would warrant for an interesting object of systematic empirical research.

⁶³ In the opinion of one senior officer, each amendment of the Montreal Protocol would have to be dealt with like a convention in its own right.

problems the depletion of the ozone layer is a genuine global commons problem that leaves everyone worse off. Once the initial uncertainty with regard to the scope and complexity of the environmental threat has been overcome, three major factors remain to account for its continuous relevance: the economic importance of CFCs and other ozone depleting substances, the availability of substitutes for many of these substances, i.e. viable technical solutions, and, yet again, a gross imbalance of cause-and-effect matters along the North-South divide. The latter may be the single most important political obstacle to completely solving the ozone problematique (Wettestad, 2002: 167). Still, the exceptionally generous provision of financial and technical assistance through the Multilateral Fund significantly ameliorates it in comparison to other global environmental issues.⁶⁴ In sum, the problem structure itself is neither particularly constraining nor particularly enabling as far as latitude for the activities of a treaty secretariat are concerned.

Within the specific problem structure of ozone politics, however, the miniscule Ozone Secretariat has managed to install itself as a player with a remarkable degree of bureaucratic authority. In this respect, the technical complexity of the ozone issue as well as the institutional complexity of the ozone regime—virtually impenetrable to the outsider—have certainly facilitated the Secretariat's rise as an authoritative player. As the hub of the regime, it generated considerable authority, pertaining to both substantive and procedural expertise. National bureaucrats responsible for the implementation of the Montreal Protocol find themselves faced with the ever more complex requirements of the Protocol and its various amendments and they are very appreciative of the respective services provided for them by the Ozone Secretariat.

Moreover, the Secretariat acquired significant moral authority as a neutral broker between developed and developing country parties. It is credited, even lauded, for the neutrality and professionalism of its officers as well as the level of transparency in the Secretariat's activities—the latter being a seldom heard of compliment in a United Nations context. Officers are well aware that this amounts to a precious asset regarding their Secretariat's standing vis-à-vis the parties. Indeed, interviews revealed a sense of pride among the Secretariat's officers concerning their harmonic and smooth relations to parties both in the North and the South and find this underscored by the difficulties that other international agencies have in this respect.⁶⁵

Finally, the expert as well as the moral authority of the Ozone Secretariat have traditionally been strengthened by its top executives and their diplomatic skills. The significant role of leadership can be traced to the time when the secretariat function was run by the Ozone Unit of the United Nations Environment Programme. This pertains in particular to the unanimous praise for the charismatic leadership exerted by the former UNEP Executive Director Mostafa Tolba who receives credit for seeing through governments' final compromises in the making of both the Vienna Convention and the Montreal Protocol.⁶⁶ Likewise, the Secretariat's professional staff, as well as national delegates, laud his successor Madhava Sarma who was formally the first Ex-

⁶⁴ See Biermann (1997) for details.

⁶⁵ Examples abound. Prominently, the World Bank and the IMF are loathed as hegemonic instruments of industrial superpowers in the South whereas organizations such as UNCTAD, UNIDO or, as discussed above, the UNCCD Secretariat are discredited as propaganda platforms of developing countries in the North.

⁶⁶ See, for instance, Benedick (1998), Haas (1992), and Canan and Reichman (2002). Notably, Tolba's role in ozone negotiations was one of the main cases around which Oran Young modelled his conceptualization of entrepreneurial leadership in international environmental negotiations (Young, 1991).

ecutive Secretary of the Ozone Secretariat.⁶⁷ Like his predecessor, he has been described as a charismatic and skilful diplomat who was respected as an authoritative mediator by industrialised and developing countries alike. In particular he has been credited for breaking negotiation deadlocks through personal interventions at various Meetings of the Parties that were crucial in bringing about ambitious amendments to the Montreal Protocol.

On a note below, the organizational culture does not appear to have significant explanatory value with regard to how the Ozone Secretariat achieves its effects either in the cognitive or the normative dimension. However, its small professional staff of highly qualified and committed individuals is representative both of the high bureaucratic authority and professionalism that stakeholders attribute to the Secretariat and the dedication to the cause of ozone layer protection that has been typical for its leadership ever since. It thus appears as a working place of idealists rather than as a host of ‘career officials’.

Conclusions

In this paper we have explored the specific role of international treaty secretariats in the field of international environmental governance, whereby we looked at the secretariats not as mere state instruments but as political actors in their own right. The comparative conclusions of our case study sample—comprising of four international environmental treaty secretariats—are summarized in two tables below. Table 1 provides a comparative survey of the cognitive and normative effects of each of the secretariats examined. The observed effects have been evaluated in relative terms, employing an ordinary low—medium—high scale. A second table indicates qualitative statements to each of the four explanatory variables discussed above and highlights those with the biggest explanatory power for the effects that can be attributed to the activities of the respective secretariat.

Table 1: Effects Across Cases

	UNFCCC	UNCCD	UNEP-CBD	UNEP-Ozone
Cognitive	low	medium/high	low	medium
Normative	low	medium	medium/high	low/medium

What can be seen from the first table is the variation among our four cases with regard to cognitive and normative effects. While these effects are consistently low or medium in the case of the UNFCCC and the UNCCD Secretariats, the CBD and the Ozone Secretariats have different ratings in the different qualities of their external effects. In addition to earlier studies of environmental treaty secretariats (Sandford, 1994, 1996) our findings reveal a variance in the patterns of external effects among the cases. Some are more focused on cognitive effects while others are stronger in normative effects.

⁶⁷ Sarma served as the Executive Secretary for the Montreal Protocol from 1987 to 2000, when upon his retirement he was succeeded by the Deputy Executive Secretary Michael Graber on an interim basis. Only in 2002 did Michael Gonzalez become the Montreal Protocol’s third Executive Secretary.

Moreover, variance is significant across our cases. Even though they have been designed and mandated very similarly, the secretariats clearly generate different effects. Whereas the Climate Secretariat has rather limited effects beyond its official mandate, all others generate sizeable effects with external actors such as national governments, NGOs or private businesses. This contradicts the commonly held view in International Relations whereafter international agencies are merely perceived of instruments in the hands of their state principals. Our insight into their specific dynamics and actor quality thus raises new questions with regard to the exact degree and spread of their influence as well as to the legitimacy and accountability of this kind of influence. However, all secretariats in our sample appear to have unfolded their potential to advance the mandate of the underlying agreements and our studies did not reveal a misappropriation of funds or gross diversions from general policy goals.⁶⁸

Comparing the explanatory factors across our four cases brings to the fore two categories of factors with regard to their explanatory power. First, there are those factors that have strong explanatory power with regard to the observed variation of external effects. Namely problem structure, bureaucratic authority and leadership qualify for this category given their strong co-variation with observed effects. In particular, leadership appears to explain very well the variation across the cases with the Climate Secretariat co-varying with weak leadership and the medium influences of the others being in line with their relatively strong leadership. Bureaucratic authority is another internally controlled variable that is particularly strong in explaining the observed influences in two cases. Second, we find an auxiliary variable, namely organizational culture, that appears to have no strong explanatory power but that does not contradict our explanatory scheme.

Table 2: Explanations

	UNFCCC	UNCCD	UNEP-CBD	UNEP-Ozone
Problem Structure	major explanation as strong constraining factor	constraining factor, but also leeway to act through lack of focus	constraining factor, but also leeway to act through complexity	limited explanatory value in terms of secretariat activity
Bureaucratic Authority	High by way of efficient, high quality and neutral servicing of the parties	enabling factor but adversely affected by lack of neutrality and advocacy behavior	high by way of efficient, high quality and neutral servicing of the parties	“inherited” from UNEP and successfully maintained as the hub of the regime
Organizational Culture	(reflects strong constraints)	(possibly supports advocacy behavior)	little explanatory value	limited explanatory value
Leadership	passivity due to strong constraints	strong, challenging constraints by way of advocacy behavior	strong, facilitative for normative effects	traditionally strong, but possibly of decreasing relevance compared to regime creation phase

⁶⁸ With the disputable exception of the allegations against the UNCCD Secretariat described above.

In sum, the patterns and means to generate the observed effects follow two general schemes. The first adheres to a more technocratic mode as in the case of the secretariats to the UNFCCC, CBD and Montreal Protocol respectively. All of them seem well managed and comply in most cases with the preferences of most member states. By contrast, the UNCCD Secretariat follows what could be described as an advocacy approach. Its work strives to support particular affected countries, occasionally even against the apparent interests of powerful developed countries. As has been shown, both approaches are capable of generating effects. Whether and why Secretariats choose either one of these approaches needs to be studied further. Our findings suggest that behavioral choices for treaty secretariats are linked, in particular, to problem structure and leadership patterns. To conclude, we implore students of international politics to systematically consider the relevance of international secretariats when analyzing the complex processes of international governance.

Annex: Basic Facts

	UNFCCC	UNCCD	UNEP-CBD	UNEP-Ozone
secretariat established	1996	1998	1995	1987
secretariat location	Bonn, Germany	Bonn, Germany	Montréal, Canada	Nairobi, Kenya
secretariat staff (total)*	133 (2003)	67 (2003)	62 (2003)	15 (2003)
core budget (USD)*	32.9 million (2002/2003)	15.3 million (2002/2003)	20.8 million (2002/2003)	8.8 million** (2002/2003)
functions explicit in the respective treaty	§ 8	§ 23.2	§ 24	§ 12+
• <i>arrange & service meetings for COP and sub-bodies</i>	X	X	X	X
• <i>compilation & transmission of parties' reports</i>	X	X		X
• <i>preparation & presentation of reports on the execution of secretariat functions</i>	X	X	X	
• <i>facilitate assistance for developing countries to meet information requirements</i>	X	X		
• <i>facilitate technical assistance upon request</i>				X
• <i>coordination with other rele-</i>	X	X	X	

* For the sake of comparable authoritative data we draw in this table on the Fridtjof Nansen Institute's International Yearbook of Co-operation on Environment and Development 2003/2004 (Schram Stokke and Thommessen, 2003) although more recent and/or more precise data are available in some cases. Staff numbers include professional and general personnel.

** Aggregated core budgets for the servicing of the Vienna Convention and the Montreal Protocol based on (ibid.).

+ Montreal Protocol on Substances that Deplete the Ozone Layer (UNEP, 2003, 344).

<i>vant bodies</i>				
• <i>enter into administrative and contractual arrangements as required to be effective</i>	X	X		
• <i>encourage non-parties to attend meetings & provide them with information</i>				X
• <i>perform functions assigned by any protocol</i>	X		X	X
• <i>such other functions as determined by the parties</i>	X	X	X	X

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