

From International Politics to Global Governance? The Case of Nature Conservation

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ABSTRACT

The literature on global governance is replete with references to fundamental world political change. At the same time, it often remains vague when it comes to specifying what exactly has changed and to what extent systematic empirical evidence supports the notion that world politics has changed. In a first step, this paper therefore disaggregates the *global governance thesis* into four major claims. Subsequently, I subject these claims to an empirical test and apply the *global governance thesis* to the politics of nature conservation. The analysis reveals that all four claims need to be qualified. First, conservation-related regulation has not necessarily been internationalized. Second, the relative weight of different forms of conservation governance has not changed significantly over the last decades. Third, the procedural norms on which regulation beyond the state is based have changed only partially in the way envisaged by the global governance literature. And finally, the distribution of governance resources among key actors of global conservation governance has changed only for some types of resources.

Keywords: global governance, environment, nature conservation, internationalization, norm change.

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1 Introduction

Since at least the early 1990s, the literature on world politics is replete with references to fundamental change.¹ World politics is in an era of “turbulence” (Rosenau 1990), societies are entering a “global age” (Albrow 1996) and the national constellation that has characterized world politics since the 17th century has been replaced by a “post-national constellation” (Habermas 1998; Zürn 2002). In short, world politics is no longer what it used to be. As a result, the concepts we used to describe the old realities are no longer seen as appropriate and the label “international politics” is increasingly replaced by the new label of “global governance” (Rosenau 1999).

At the same time the global governance literature shares some similarities with the globalization literature of the early 1990s. The concept is only vaguely defined and serves primarily to give expression to a widely shared feeling of change. What exactly is changing becomes, however, less clear. Moreover, the case for change is mostly supported by illustrative examples rather than by systematic evidence. In the globalization literature, WalMart or George Soros served as prime examples. In the global governance literature, the Internet Corporation of Assigned Names and Numbers (ICANN), the World Commission on Dams (WCD) or the World Summit on the Information Society (WSIS) fulfil a similar function. As a result, both the early globalization literature and the contemporary global governance literature face difficulties when they are asked to demonstrate that there is more than a feeling and that profound change is actually underway.

Luckily, the globalization literature of the late 1990s has shown how such weaknesses can be overcome with the help of a dual strategy of sharpening the concepts and collecting systematic evidence (Beisheim et al. 1999; Held et al. 1999). The global governance literature would greatly benefit from taking a similar step. Basically, taking this step would entail taking a number of fundamental questions more seriously: Has world politics really changed that much? Has it really changed in the ways identified by the global governance literature? And is there a uniform pattern across policy fields or is the change stronger or weaker in some policy areas?

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In this paper, I take a first limited step in this endeavour. More precisely, I examine the validity of what I call the *global governance thesis* in one particular issue area, namely the politics of nature conservation. In section 2, I introduce the *global governance thesis* in more detail and dissect it into four major claims. In section 3, I then examine whether the development of world conservation politics between the 1970s and 2005 is compatible with these four claims. The evaluation suggests that only some indicators point towards a shift from international conservation politics to global conservation governance and that the strong *global governance thesis* needs to be qualified as far as conservation politics is concerned. In section 4, I summarize the main arguments and discuss their implications for our study of global governance.

2 From International Politics to Global Governance: The Core Argument

To assess the major tenets of the global governance literature, it is best to disaggregate the rather grand claim that world politics has undergone profound change into more specific and hence manageable claims. James Rosenau's early work on global governance provides a good starting point for such an endeavour. In *Turbulence in World Politics*, Rosenau (1990: 11) defines turbulence as the combined change of three parameters of world politics. In his view, the current era is the first since the Peace of Westphalia in which all three parameters are changing:

In the case of the structural parameter, the transformation is marked by a bifurcation in which the state-centric system now coexists with an equally powerful, though more decentralized, multi-centric system. (...) In the case of the relational parameter, the long-standing pattern whereby compliance with authority tends to be unquestioning and automatic is conceived to have been replaced by a more elaborate set of norms that make the successful exercise of authority much more problematic (...). Lastly, at the micro level, the analytical skills of individuals have increased to a point where they now play a different and significant role in world politics, a role which has intensified both the processes of structural bifurcation and the breakdown of authority relations.

Rosenau's account of world political change as a multi-dimensional phenomenon matches with the accounts of many other authors who use the global governance label for their own works – although many would probably add the internationalisation of regulation as a further

dimension of change (Held et al. 1999; Zürn 1998). In sum the *global governance thesis* can thus be disaggregated into four major claims:

1. Regulation has increasingly shifted from the national level to policy levels beyond the state (*Internationalisation*).
2. Spheres of authority beyond the state have multiplied (*Diffusion of authority*).
3. The procedural norms on which regulation beyond the state is based have changed (*Changing norms of governance*).
4. The resources that are required to govern effectively and efficiently are distributed among an increasing range of actors (*Distribution of governance resources*).

Let us look at each of these claims in a little more detail:

Regulation has increasingly shifted from the national level to policy levels beyond the state. This first assumption is relatively simple in that it assumes that rule-making beyond the state has outpaced rule-making within states. While everyone agrees that regulatory systems beyond the state are becoming increasingly dense – the number of multilateral environmental agreements has, for instance, grown from only a few in the early 20th century to over 900 in the 21st (Mitchell 2002-2008) – it is not immediately obvious that this constitutes an internationalisation (or even a globalization) of politics. A better indicator for the latter is the ratio of national and international legislation, where some authors have indeed argued that international legislation is increasing a faster pace than national legislation (Zürn 2002). Others, such as David Held and colleagues (1999) basically put a stronger emphasis on the scope of international regulation. In their view, we live in times of an internationalisation of politics because international law is no longer limited to inter-state relations, but also regulates the behaviour non-governmental entities and individuals. In short, transboundary governance increasingly addresses issues *behind the border* of individual states (see also Zürn et al. 2007).

Spheres of authority beyond the state have multiplied. Rosenau speaks of a bifurcation of world politics in which the state-centred world of world politics is complemented by an increasingly self-conscious and largely independent multi-centred world of world politics. Similar arguments can be found elsewhere in the global governance literature. For instance, authors from the English school of international relations have argued that we are moving from international society to world society (Buzan 2004; Clark 2007; Dunne 2005) and

legalization scholars point to parallel developments in the realms international and transnational politics (Zangl and Zürn 2004a). Taken together, these claims can be summarized in the statement that world politics is (increasingly) more than just intergovernmental politics and that spheres of authority beyond the state have multiplied. This idea is captured in Rosenau’s (1995: 16) statement that,

Global governance is the sum of myriad—literally millions of—control mechanisms driven by different histories, goals, structures, and processes. (...) In terms of governance, the world is too disaggregated for grand logics that postulate a measure of global coherence.

What would be a good indicator for this diffusion of authority? If we conceive of intergovernmental regulation as the Westphalian mode of governance, then the relative weight of intergovernmental regulation vis-à-vis alternative forms of regulation beyond the state would be a relatively simple measure. Among those alternative forms, supranational governance, transgovernmental governance and transnational governance are the most common categories (cf. Dingwerth and Pattberg 2009; see also Figure 1).² The question thus is: If we compare world politics in the 1970s and the 1990s, can we observe an increase in the relative weight of the supranational, transgovernmental and pillars of world politics?

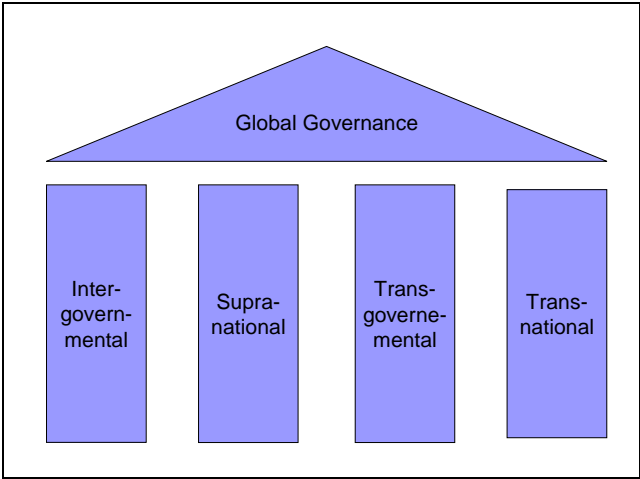


Figure 1: The four pillars of world politics.

² Supranational governance is distinct from intergovernmental governance in that states can be bound by a decision even without their consent – that is, either by the decisions of a qualified majority of states or by an independent political or judiciary body ‘above’ the states (Hawkins et al. 2006; Tallberg 2002). Transgovernmental governance is rule-based transboundary coordination among governmental entities that act relatively independently from their central governments – e.g. the coordination of central banks in the so-called Basel Accords on banking regulation (Keohane and Nye 1974; Slaughter 2004). Transnational governance is rule-based transboundary coordination among private actors, including non-governmental organizations, business corporations and a host of other non-state entities (Cutler, Haufler and Porter 1999; Hall and Biersteker 2002; Pattberg 2007).

The procedural norms on which regulation beyond the state is based have changed. A third claim of the global governance literature is that the ‘governance norm’ has changed from a Westphalian to a post-Westphalian conception of legitimate rule-making. While the old norm stipulated that rules beyond the states are legitimate as long as states had voluntarily consented to them, the new norm expands both the range of legitimate rule-makers and the range of procedural standards that need to be met to qualify a rule as legitimate. In sum, the new norm can tentatively be framed as follows: Rules beyond the state are legitimate to the extent that recognized representatives of affected interests have agreed upon them in a decision-making process that meets reasonable standards of inclusiveness, transparency, accountability and deliberativeness (Dingwerth 2007b). Variants of this statement can be found in the legalisation and constitutionalisation literatures (Zangl and Zürn 2004b), in John Ruggie’s (2004) argument that inter-state politics is increasingly embedded in “broader frameworks of sociality” (ibid.: 509), and in writings that identify a move from executive to cosmopolitan multilateralism (Held 2003). Moreover, the new norm is advertised by the normative or programmatic strand of the global governance literature, including the final report of the Commission on Global Governance (1995).

But how can we identify this norm shift in the real world? Surely, the literature about the real world is an indicator, but authors may also be wrong in their evaluations of the norm shift. As a result, it is best to take a closer look at legitimation discourses and trace how standards of appropriateness have changed over time. The fact that many, if not most, international organisations are openly criticized for being exclusive, intransparent and unaccountable points to a significant norm change. And the fact that, in responding to their critics, organisations such as the UN, the WTO or the EU rarely deny the standard, but promise to enhance their inclusiveness, transparency and accountability is further evidence. Yet, as with the other claims, reliable data about the existence, strength and shape of the norm shift across different policy areas is still lacking. In the empirical section of this paper, I use the texts of international conservation agreements as a source to generate such data for the field of conservation governance.

The resources that are required to govern effectively and efficiently are distributed among an increasing range of actors. Finally, the claim that world politics is characterized by a plurality of actors is at the heart of most accounts of global governance (cf. Karns and Mingst 2004). In the political realm, actors are actors by virtue of the resources they can control and bring to

the policy process (Dingwerth and Pattberg 2009). As a result, we can translate this fourth claim into the claim that the political, financial, cognitive and moral resources that are required to govern effectively and efficiently are distributed among an increasing range of actors (Nölke 2004). If it is correct that world politics in the 1990s and 2000s is characterized by a greater plurality of actors than previous decades of world politics, then we would need to be able to identify either a greater demand for resources controlled by non-state actors and/or a more even distribution of governance resources among different types of actors.

3 Towards Global Conservation Governance? Assessing the Global Governance Thesis

The main advantage of disaggregating the *global governance thesis* into more concrete claims is to make the general claim that world politics is undergoing profound change empirically testable. In this section, I therefore seek to examine to what extent empirical evidence in one issue area, namely the politics of nature conservation, supports the various claims associated with the *global governance thesis*.

The politics of nature conservation is an interesting case for various reasons. First, it has a relatively long history as an international policy field and is thus particularly suited for the analysis of change. Bilateral treaties on nature conservation were already signed in the first years of the 20th century, for instance between Serbia and Romania (1902) or between Serbia and Hungary (1903). Multilateral treaties followed a few decades thereafter with the *Convention relative to the Preservation of Fauna and Flora in their Natural State* (1933) and the *Convention on Nature Protection and Wild Life Preservation in the Western Hemisphere* (1940). Second, the international politics of nature conservation have frequently led the way in the development of innovative norms and instruments of international environmental politics. To some extent, the field may thus be seen as representative of the broader field of environmental politics. And finally, conservation politics is characterised by the co-existence of some areas of decision-making that are less directly influenced by economic and societal globalization – for instance the conservation of the Siberian crane – and of other areas in which economic and societal globalization exerts considerable direct effects – for instance the conservation of the world’s forests and biological diversity. It is thus particularly suited for a critical investigation of the rather grand claim that world politics *in general* has gone “from international politics to global governance”. In the following, I will thus examine to what extent conservation-related rule-making has moved beyond the state (section 3.1), to what

extent authority has moved towards alternative forms of governance beyond the state (section 3.2), and to what extent norms of global governance (section 3.3) and the demand and supply of governance resources (section 3.4) have changed in this particular policy field.

3.1 *Internationalization of Regulation*

Looking at the mere ratio of international regulation to national legislation on conservation issues, it is difficult to identify an internationalization of conservation politics. Table 1 presents the results of two searches of the EcoLex database of environmental regulation maintained by the UN Food and Agricultural Organization (FAO), the International Union for the Conservation of Nature (IUCN) and the UN Environment Programme (UNEP). The first search includes the subject areas “wildlife species & ecosystems” and “forests”, the second search includes all records that contain the word “conservation”. Both searches compare conservation-related legislative activities in the decade from 1976 to 1985 with similar activities between 1996 and 2005.

	1976-1985	1996-2005	Increase factor
Subject areas “wildlife species & ecosystems” and “forests”			
Multilateral agreements	24	27	1.125
International court decisions	0	8	NA
National legislation	12 (674)	71 (4159)	5.916 (6.170)
National court decisions ³	5	42	8.4
Search term “conservation”			
Multilateral agreements	37	50	1.351
European Community legislation	20 (32)	154 (221)	7.700 (6.906)
International court decisions	0	15	NA
National legislation	385 (814)	1390 (5378)	3.610 (6.606)
National court decisions ²	4	50	12.500

*Table 1: National and international legislation on wildlife conservation and forests.*⁴

³ The category “national court decisions” only includes decisions by supreme courts; cf. <http://www.ecolex.org>.

⁴ Information is based on the EcoLex Database (www.ecolex.org). Multilateral agreements include protocols and amendments. For national and European legislation, the number indicates the number of national laws enacted in the respective period, while the number in brackets indicates the total number of legislative acts, including the categories “miscellaneous” and “regulation”.

As the figures in the right column indicate, the number of multilateral agreements increased rather slowly (factor 1.125 and 1.351) compared to the number of national laws on conservation issues (factor 5.916 and 3.610). The big exception is the steep rise in European Community legislation in the second search – here, the 20 legislative acts from the early decade are followed by 154 acts in the more recent period (factor 7.7).⁵ As a result, one could speak of a Europeanization, but not necessarily of an internationalization of conservation governance.

Besides this observation, the appearance of international court decisions in the 1990s can be read as a second sign of internationalization. For the period from 1976 to 1985, the database does not list any international court cases for both searches. In contrast, between 1996 and 2005, the European Court of Justice, the European Court of Human Rights, the International Court of Environmental Arbitration and Conciliation and the International Tribunal for the Law of the Sea heard a total of 19 cases related on conservation issues, thus indicating a rise in the relevance of international law compared to the earlier decade.⁶

Beyond these exceptions, the numbers however do not lend support to the conclusion that international legislation has outpaced national regulation on conservation issues. Yet the first claim associated with the *global governance thesis* is not necessarily based on mere numbers. Instead, it frequently relates to the substance of regulation. To assess this claim, it is thus necessary to look at the international regulations in more detail and establish to what extent they increasingly address so-called *behind-the-border* (BTB) issues.

	1976-1985	1996-2005
No direct BTB implications	14	21
Weak direct BTB implications	5	2
Significant direct BTB implications	1	1
Not applicable	3	0
Total	23	24

Table 2: Scope of conservation-related multilateral environmental agreements.

⁵ The first search did not produce any results for European Community legislation.

⁶ Four international court cases appear in both search results.

The analysis of the texts of 47 of the 51 multilateral agreements on “wildlife species and ecosystems” and “forests” listed in Table 1 (see Annex 1 for the names of the agreements) however does not support this modified internationalisation claim either (see Table 2).⁷ At least in conservation politics, international regulation has not moved beyond the border of individual states. In the early decade, 14 of 23 agreements addressed strictly inter-state relations, while only one – the International Convention for the Protection of New Varieties of Plants as amended in 1978 – had significant direct effects on individuals in signatory states. Five other conservation agreements were coded as having a weak behind-the-border dimension since they prohibited activities that were of interest to only a very small share of the population, for instance the hunting or catch of particular types of animals. In the second period, the numbers are similar. Almost all agreements more or less exclusively address the activities of governments, and only one – the International Treaty on Plant Genetic Resources for Food and Agriculture (2001) – has significant direct effects behind the borders in as much as it determines the scope of farmers’ rights in relation to genetic resources and new plant varieties.

In sum, the first claim of the *global governance thesis* is thus problematic when applied to the issue area of conservation politics. It may hold if we adopt a weaker reading of the internationalization thesis – for instance as the notion that international rule-making is no longer limited to codifying existing national practices, but has become an important driving force of national legislation, or as the idea that international rule-making complements rather than replaces domestic legislation.⁸ The data indicated in this section however preclude a stronger reading of the internationalization thesis.

3.2 Diffusion of Authority

To assess the second claim of the *global governance thesis* I will, in the following subsection, examine to what extent conservation-related rule-making has shifted from the

⁷ The Third ACP-EEC Convention (1984), the Treaty for the Establishment of the Eastern African Community (1999) and the Constitutive Act of the African Union (2000) were excluded from the analysis because conservation was not a primary concern of the agreements. The Agreement between the Government of Republic of Kazakhstan, Government of Kyrgyz Republic and Government of Republic of Uzbekistan on cooperation in the sphere of biological diversity conservation of West Tien Shan (1998) was excluded because the original text of the agreement was not available for the purpose of this study.

⁸ Beyond such a weaker reading, internationalization may also have become a reality for some (the *rule-takers* in international policy-making) rather than for others (the *rule-makers* in international policy-making). A more detailed study of the internationalization of conservation governance would thus most likely lead to a more heterogeneous picture in which internationalization is a reality for some, but not necessarily for all, societies.

intergovernmental pillar to the supranational (section 3.2.1), transgovernmental (section 3.2.2) and transnational (section 3.2.3) pillars of world politics.

3.2.1 Supranational Conservation Governance

To establish the extent to which authority has been delegated to supranational bodies, it is worth to have a further look at the 47 multilateral agreements identified in the top half of Table 1. As Table 3 indicates, the largest group of agreements in both time periods are strictly intergovernmental. In other words, they neither create new decision-making bodies that can issue binding regulations independently of the consent of each individual state party, nor do they allow for majority voting. The number of agreements with supranational elements – that is, with provisions for majority voting or for compulsory arbitration tribunals – increased only minimally from three in the first decade to five in the second decade.

If we count the agreements with secretariats as intergovernmental – which they formally are and which also seems factually correct given their limited competencies – then 17 of 23 and 18 of 24 agreements are intergovernmental in the first and second period, respectively. This finding also resonates with the experience from the politics of forest conservation where the major international processes remain firmly intergovernmental.

	1976-1985	1996-2005
Strictly intergovernmental	13	10
Intergovernmental with Secretariat	4	8
Including supranational elements	3	5
Not applicable	3	1
Total	23	24

Table 3: Forms of international conservation governance.

In addition to international conservation agreements, the international court cases mentioned in the previous section can serve as a further indicator for supranationalisation. Here, the involvement of the European Court of Justice (ECJ) in four of the eight cases identified in the

thematic search again illustrates that supranational conservation governance is mainly restricted to the European Communities:⁹

- In *Commission of the European Communities v. Republic of Finland* (2005), the ECJ ruled that the government of Finland had failed to comply with its duties under an EC Directive on the conservation of wild birds when it had allowed the spring hunting of various species of birds.
- In *Commission of the European Communities v. Ireland* (2002), the Court held that Ireland was in breach of its international obligations when it failed to prevent the deterioration of natural habitats for species protected by international and European conservation law.
- In *Criminal Proceedings against Xavier Tridon* (2001), the Court ruled that the French government was allowed to prohibit all commercial uses of captive-born and bred specimens protected by international conservation law and that such legislation did not constitute a barrier to trade.
- In *Criminal Proceedings v. Jan Nilsson* (2003), the ECJ specified the European regulations to implement the Convention on International Trade in Endangered Species (CITES), in particular in relation to the concepts of “acquired” and “worked” specimen.

The comparison with the other four international court cases further illustrates the relatively low level of supranationalisation beyond the European Union. Thus, in none of the four cases, an international court issued a binding ruling on a conservation-related aspect of the behaviour of a particular state or state agency. Instead, one case dealt with the right to a fair trial, a second ruling focused on the admissibility rather than the merits of a case and the third and fourth case are limited to consultative opinions:

- In *Case of Kyrtatos v. Greece* (2003), the European Court of Human Rights ruled that Greece had infringed upon the complainant’s right to a fair trial when it failed to implement the ruling of the Supreme Administrative Courts that declared construction works in a swamp nearby the complainant’s home illegal. The Court however ruled that the environmental damage caused by the construction did not infringe upon the complainant’s right to respect for his private and family life protected under Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

⁹ The following descriptions are based on the abstracts provided by the EcoLex database; cf. <http://www.ecolex.org>.

- In the *Southern Bluefin Tuna cases (New Zealand v. Japan; Australia v. Japan)* (1999), the International Tribunal for the Law of the Sea ordered that Australia, Japan and New Zealand take provisional measures and avoid any activities that might further aggravate the dispute among the parties over the protection of southern bluefin tuna. Moreover, the Tribunal asked the parties to resume negotiations with a view to reaching a mutual agreement on their activities related to the protection of southern bluefin tuna.
- In *Consultative Opinion on the Compatibility between Certain Provisions of the Convention on Biological Diversity and the Agreement on Trade Related Aspects of Intellectual Property Rights as to the Protection of Traditional Knowledge* (2003), the International Court of Environmental Arbitration and Conciliation examined whether there existed inherent contradictions between the obligations of the Convention on Biological Diversity (CBD) and the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS). It argued that there were no such contradictions since both agreements served different purposes, but that efforts should be made to design national patent legislation in a way that gives full effect to the principle of equitable benefit sharing inscribed in the CBD.
- In *Protection of the Meridian Frog (Hyla Meridionalis)* (2000), the International Court of Environmental Arbitration and Conciliation argued in its consultative opinion that the intention to fill a local dam in the Basque region of Spain would contravene the state's obligations under national and international conservation law since the dam area was the only remaining habitat of the meridian frog that was listed in Appendix II of the Convention of the Conservation of European Wildlife and Natural Habitats as a strictly protected species.

In conclusion, the European experience cannot be generalised. In contrast, the supranationalisation of conservation politics has advanced only minimally since the 1970s and 1980s. Yet, the claim of the global governance literature is not only that authority has shifted upwards, but also that it has shifted 'sideways' to transgovernmental and transnational forms of governance. So what about these?

3.2.2 Transgovernmental Conservation Governance

Since it often operates in informal networks and since publicity is not usually among its primary goals, *transgovernmental governance* is difficult to identify. Moreover, the classical contributions to the literature on transgovernmental cooperation have relatively little to say

about cooperation in the field of the environment (cf. Keohane and Nye 1974; Slaughter 2004), while the literature on global environmental governance is relatively silent on transgovernmental cooperation. Finally, existing discussions of transgovernmental environmental arrangements primarily focus on the governance of transboundary water courses such as the Great Lakes (Klinke 2006) or on projects such as the International Partnership for Pollution Prevention (IP3) between the US Environmental Protection Agency (EPA) and its counterpart in the Brazilian state of Sao Paulo (Garcia Johnson 2001). In contrast, analyses of conservation-related transgovernmental networks are rare. This may indicate the absence of transgovernmental conservation governance, but it hardly suffices to demonstrate it. A closer look at the three major transgovernmental environmental institutions and their activities in the field of nature conservation may thus be helpful:

- Founded by the Dutch and US environmental agencies in 1989, the *International Network for Environmental Compliance and Enforcement* (INECE) seeks to promote the awareness and capacities of public agencies in relation to the compliance with and enforcement of environmental regulations. Among its nine thematic areas, two have a direct link to conservation, namely wildlife and illegal logging. In both areas, transboundary cooperation of national agencies, including police and attorney, is substantial and dates back to the early 1990s. The INECE has developed Principles of Environmental Enforcement and offers training courses for putting these principles into practice. Moreover, it supports various activities intended to link enforcement practitioners from different countries and combat environmental crimes more effectively.¹⁰
- Also founded in 1989, the *Global Legislators Organisation for a Balanced Environment* (GLOBE) is a transnational organization of parliamentarians that fits Anne Marie Slaughter's (2004) broader notion of a transgovernmental network as transboundary cooperative arrangements of members of the executive, legislative and judiciary branches of national government. The main activity of GLOBE is to facilitate dialogue among parliamentarians of various countries. In doing so, the organisation focuses on a limited range of thematic areas. Currently these are the G8+5 Climate Change Dialogue, the G8 Illegal Logging Dialogue, and the Millennium Ecosystem Dialogue. The latter two are directly linked to conservation issues in as much as they relate to forest conservation and ecosystem maintenance, respectively.¹¹ Yet both dialogues are relatively new and are primarily geared towards the preparation of new international instruments so that the

¹⁰ See <http://www.inece.org> (last accessed 20 May 2008) for further details.

¹¹ See <http://www.globeinternational.org> (last accessed 20 May 2008) for further details.

overall contribution of GLOBE to an *independent* transgovernmental pillar of global conservation governance is likely to be limited.

- Finally, the *International Council of Local Environmental Initiatives* (ICLEI) is an association of local and regional government organizations committed to sustainable development. Founded in 1990, it currently runs transboundary programmes on issues such as sustainable cities, climate change and water. A biodiversity initiative was only added in 2006. It now prepares “an ICLEI Biodiversity Program which will provide a framework for ICLEI members to integrate biodiversity conservation into planning, policy and decision making” (ICLEI 2008). As a part of the initiative, the organisation has, together with the UN Environment Programme and UN-HABITAT, developed a series of case studies to identify best practices in the area of local and regional biodiversity conservation. Moreover, ICLEI has set up a Local Action for Biodiversity programme in which 20 cities seek to cooperate and develop better knowledge and practices in relation to local biodiversity management. Finally, ICLEI participates in the network Countdown 2010, the members of which seek to contribute, through advocacy and other activities, to the target of the World Summit on Sustainable Development to “achieve by 2010 a significant reduction in the current rate of loss of biological diversity”. Overall, conservation-related activities have thus remained a side-issue of the activities of ICLEI for the first fifteen years and have only recently began to gain prominence. The relative neglect of conservation politics is for instance documented by the fact that, with a single exception, the terms “nature” and “conservation” virtually never appear in the various biennial and triennial reports of ICLEI (cf. ICLEI 1993, 1995, 1997, 1999, 2003).¹²

In sum, like the supranational pillar, the transgovernmental pillar of global conservation governance seems to have become only gradually thicker in the 1990s and 2000s. Transboundary cooperation of enforcement agencies has certainly become more regular. And a few more recent initiatives of parliamentarians and local governments and environmental agencies also hint at an increasing relevance of transgovernmental cooperation on conservation-related issues. Compared to national and intergovernmental regulation, the “third pillar” of global conservation governance however remains relatively thin.

¹² The exception is the mentioning of the “Nature Cities” network in the 1996-1997 biennial report: “Begun in 1996, this is a network of European local governments engaged in nature conservation and species protection that have, while undertaking related initiatives, created employment within these areas. The project focuses on the exchange of information and experiences among participants” (ICLEI 1997: 41-42). Yet no further information on the network is provided in other publications of the organisation.

3.2.3 Transnational Conservation Governance

In comparison to supranational and transgovernmental forms of governance, transnational conservation governance is fairly widespread. In the area of forest conservation, the Forest Stewardship Council (FSC), the Sustainable Forestry Initiative (SFI), the Programme for the Endorsement of Forest Certification schemes (PEFC) and a number of other organisations have established transboundary certification schemes in which governmental actors are not or only marginally involved. Similar initiatives can be found in marine conservation where the Marine Stewardship Council (MSC) and the Marine Aquarium Council (MAC) have partially copied the models from the forest sector. Although the impacts of these transnational governance schemes have yet to be determined with greater precision, the general understanding in the literature is that the certification schemes constitute an increasingly solid and relevant transnational pillar of global environmental governance (cf. Cashore, Auld and Newsom 2004, Dingwerth 2007a, Gulbrandsen 2004, Pattberg 2007).

At the same time, transnational conservation governance is hardly a novelty. In contrast, the activities of the World Conservation Union (IUCN) have ensured that the transnational pillar of global conservation governance has been relevant for at least a few decades. Founded in 1948 and having remained a somewhat rare hybrid between a non-governmental advocacy organization and a functional international organization, the IUCN has defined the field of nature conservation politics more than any other organization (cf. Holdgate 1999). Through its Environmental Law Programme, its Commission on Environmental Law and, since 2003, its Academy on Environmental Law, it has been able to shape key concepts and ideas of conservation politics. Through administering the World Commission on Protected Areas (WCPA), through its offices in over 60 countries, and through numerous programmes and projects, it has shaped the practice of conservation politics around the world. As a result, the IUCN has been a key player in global conservation governance long before it established cooperative arrangements with transnational corporations (e.g. Shell Ltd.) and business associations (e.g. the International Council on Mining and Metals) – a move that scholars of global governance would classify as characteristic of the “NGO-industrial complex” (Gereffi, Garcia-Johnson and Sasser 2001) or the “new transnationalism” (Dingwerth 2007a) that is often seen as distinguishing the new world of global governance from the old world of international politics.

In sum, a closer look at the field of conservation politics suggests that the second claim of the *global governance thesis* needs to be qualified, as well. While the previous section illustrated that the internationalization of conservation-related regulation is mostly limited to the context of European integration, this section reveals that there is only a gradual shift from intergovernmental governance to other forms of governance beyond the state. More precisely, the levels of supranational and transgovernmental governance have remained relatively low, while the strength of the transnational pillar of conservation governance is not entirely new.

3.3 *Changing Norms of Global Governance?*

The third claim associated with the *global governance thesis* is that the meta-norms of global governance have changed. While the old norm exclusively recognised states as legitimate rule-makers, the new norm acknowledges that non-state actors may also create – or partake in the creation of – legitimate rules. Moreover, compliance with procedural norms of transparency, accountability and deliberativeness is said to have become more central to legitimate rules to their target audiences (Beisheim and Dingwerth 2008; Dingwerth 2007b).

The evidence from conservation politics confirms the first part of this claim. Thus, a further examination of the texts of international conservation agreements reveals that provisions for the participation of non-state actors are more frequent between 1996 and 2005 than between 1976 and 1985. In the earlier decade, only five of out twenty-three agreements recognised non-state actors as legitimate participants in international conservation governance. In the later decade, the ratio is reversed. Here, only six out of twenty-four agreements do *not* include recognition of non-state actors and their right to participate in negotiations (Table 4).

	1976-1985	1996-2005
Not mentioned	18	6
General recognition	2	6
Specific recognition	3	12
Total	23	24

Table 4: *Participatory norms in international conservation governance.*

Moreover, the language of the participatory provisions also changes over time. The following excerpt from Article VII, paragraph 9 of the *Convention on the Conservation of Migratory Species of Wild Animals* (1979) may be deemed representative of earlier participatory provisions:

Any agency or body technically qualified in protection, conservation and management of migratory species, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference of the Parties by observers, shall be admitted unless at least one-third of the Parties present object: a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located. Once admitted, these observers shall have the right to participate but not to vote.

While similar provisions are also found in later international legal instruments (cf. Raustiala 1997), a number of conservation treaties from 1996 to 2005 include more far-reaching provisions for decision-making at both the international and the national level:

- Article VII of the *Inter-American Convention for the Protection and Conservation of Sea Turtles* (1996) establishes a Consultative Committee and asks the parties to the agreements to “appoint, by consensus, three representatives with recognized expertise in matters pertaining to this Convention, from each of the following groups: (i) the scientific community; (ii) the private sector; and (iii) nongovernmental organizations.” A similar provision is also included in the *Cooperative Agreement for the Conservation of Sea Turtles of the Caribbean Coast of Costa Rica, Nicaragua and Panama* of the same year.
- In their *Memorandum of Understanding concerning Conservation Measures for the Siberian Crane* (1998), the signatory states “extend an invitation to Wetlands International and to the Cracid and Crane Breeding and Conservation Centre to sign the instrument as Co-operating Organizations”. Other organizations like the Secretariat of the Convention on Migratory Species, the International Crane Foundation, and the Wild Bird Society of Japan had already joined as “co-operating organizations” before that date.
- In the preamble to their *Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa* (1999), the signatory states acknowledge “the desirability of involving all Range States, as well as concerned third parties and relevant intergovernmental and non-governmental organizations, *in a common initiative*” (emphasis added).
- Article 3.2 of the *SADC Protocol on Wildlife Conservation and Law Enforcement* (1999) calls upon the members of the Southern African Development Community (SADC) to

“ensure co-operation at the national level among governmental authorities, non-governmental organisations hereinafter referred to as NGOs, and the private sector”.

- The *SADC Protocol on Forestry* (2002) encourages member states of the SADC “to operate in partnership with non-governmental organisations, inter-governmental organisations and other entities and institutions” (Article 4.12). Moreover, it calls upon signatories to “ensure that national processes and procedures (...) involve (...) consultation with affected communities and private sector enterprises engaged in forestry and forest-related activities and all other relevant stakeholders” (Article 8.3) and to “give interested and affected parties the right to participate in decision-making regarding natural forests and forests on public or state land” (Article 11).
- The revised version of the *African Convention on the Conservation of Nature and Natural Resources* (2003) asks state parties to “adopt legislative and regulatory measures necessary to ensure timely and appropriate (...) participation of the public in decision-making with a potentially significant environmental impact” (Art. XVI) and to “take the measures necessary to enable active participation by the local communities in the process of planning and management of natural resources upon which such communities depend with a view to creating local incentives for the conservation and sustainable use of such resources” (Art. XVII).

In sum, several of the more recent treaties include provisions that explicitly recognize particular non-state actors as “partners” in international conservation governance – a language that cannot be found in the earlier agreements. Yet, while participatory norms are clearly on the rise, the texts of the agreements do not lend support to similar claims related to procedural norms of transparency, accountability or deliberativeness.

Transparency provisions are rare in both time periods. Moreover, they usually demand transparency on substantive issues – that is, on state performance in relation to the goals of an agreement – rather than transparent decision-making processes. In the earlier decade, the *International Convention for the Protection of New Varieties of Plants as amended on 23.10.1978* for instance requires signatories to “ensure that the public is informed of matters concerning such protection, including as a minimum the periodical publication of the list of titles of protection issued.” In later period, the *SADC Protocol on Wildlife Conservation and Law Enforcement* (1999) and the *African Convention on the Conservation of Nature and Natural Resources* (2003) include similar requirements for information sharing and public

information, and the *SADC Protocol on Forestry* (2002) demands that interested and affected parties shall “have access to any information held by public or private bodies that is necessary” so that they may effectively exercise their right to participation in public decision-making.¹³

Accountability provisions are even scarcer. Beyond provisions for dispute settlement and arbitration that focus on horizontal accountability among signatories, they are mostly limited to those parts of agreements that deal with the relation between the secretariats and the parties to an agreement. Even here, however, only the *Agreement on the Conservation of Albatrosses and Petrels* (2001) includes an explicit reference to accountability when it asks, in Article X, the convention secretariat to “to develop a system of performance indicators to measure the effectiveness and efficiency of the Secretariat and report to each ordinary session of the Meeting of the Parties in terms of these”. A shift towards accountability norms can thus not be inferred from the analysis of the treaties investigated for the purpose of this study.

Finally, the number of deliberative elements – for instance in the form of scientific councils or independent and law-based arbitration panels – is relatively low in the first decade and increases only slightly in the second time period. Only two agreements from the earlier decade – the *Convention on the Conservation of Migratory Species of Wild Animals* (1979) and the *Convention on the Conservation of Antarctic Marine Living Resources* (1980) – establish scientific committees. This number rises to five agreements with scientific or advisory committees in the more recent decade.

In addition, some agreements include a more general recognition of the norm of reason-giving in their provisions for treaty amendments. For instance, Article XI of the *Convention on the Conservation of Migratory Species of Wild Animals* (1979) stipulates that (emphasis added):

The text of any proposed amendment [to Appendices I and II] *and the reasons for it, based on the best scientific evidence available*, shall be communicated to the Secretariat at least one hundred and fifty days before the meeting and shall promptly be communicated by the Secretariat to all Parties. Any comments on the

¹³ In addition, a more general recognition of transparency norms can be found in the *International Treaty on Plant Genetic Resources for Food and Agriculture* (2001), where Article 10.2 informs that “the Contracting Parties agree to establish a multilateral system, which is efficient, effective, and transparent, both to facilitate access to plant genetic resources for food and agriculture, and to share, in a fair and equitable way, the benefits arising from the utilization of these resources, on a complementary and mutually reinforcing basis.”

text by the Parties shall be communicated to the Secretariat not less than sixty days before the meeting begins. The Secretariat shall, immediately after the last day for submission of comments, communicate to the Parties all comments submitted by that day

Similar provisions are also found in later agreements such as the *Protocol to amend the Convention on Wetlands of International Importance especially as Waterfowl Habitat* (1982), *the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area* (1996) or the *Agreement on the Conservation of Albatrosses and Petrels* (2001).¹⁴ Since they appear in agreements from both the earlier and the more recent decade, they however do not support the conclusion that deliberative norms have gained strength in conservation governance.

Overall, the analysis of international agreements thus reveals a strong shift towards participatory norms, but only marginal increases in the centrality of norms related to transparency, accountability and deliberation. This finding resonates with the literature on conservation politics where participatory shifts have been explored – and generally acknowledged – at length (cf. McNeely 1995). In contrast, the other elements of the “new governance norm” have attracted considerably less attention. While this does not preclude the possibility that a closer analysis of other sources – for instance the rhetoric and practice of major international organisations in the field or of institutions in the other pillars of global governance – might provide different insights, the analysis in this subsection again illustrates that the bold claims associated with the *global governance thesis* may need to be qualified when they are applied to the level of particular policy fields.¹⁵ Before I discuss the implications of this conclusion, it will be worth to conclude the analysis and explore the fourth and final claim associated with the *global governance thesis*.

¹⁴ The *Protocol for the Implementation of the Alpine Convention in the Field of Mountain Forests* (1996) could also read as including a deliberative element when it asks, in Article 4, its signatories, to proceed “à des évaluations communes du développement de la politique forestière ainsi que de garantir une consultation réciproque avant l'adoption de décisions importantes pour la mise en œuvre du présent protocole”. Yet, the protocol does not include more specific instruments to ensure such “joint evaluations” and “reciprocal consultations”.

¹⁵ With regard to transnational conservation governance, it is striking that the rhetoric and practice of a scheme such as the Forest Stewardship Council (FSC) also primarily focuses on participation and inclusiveness and only to a much lesser extent on transparency, accountability and deliberation, even though these additional norms generally receive a strong backing in other areas of transnational governance (cf. Dingwerth 2007a).

3.4 Changes in the Demand and Supply of Governance Resources?

The discussion in section 3.1 already pointed out that the object of transboundary regulation on conservation-related issues has not changed fundamentally over the last decades – at least not in the particular sense that more recent regulations address behind-the-border issues while earlier regulations used to address inter-state issues. Nevertheless, one change is notable. The agreements that were signed between 1976 and 1985 almost exclusively included relatively broad and general conventions on the conservation of nature or of natural habitats. In contrast, several agreements signed between 1996 and 2005 address the conservation of particular species – for instance sea turtles, the Siberian crane, Albatrosses or the West African populations of the African elephant – or of particular natural habitats like the Alpine mountain forests. As a result, the more recent agreements lay down more precise prescriptions for state behaviour.

In part, this means that broader alliances are necessary to put the goals of the agreements into practice – to encourage a variety of actors to protect sea turtles, to monitor compliance at the local and regional level, and to enforce legislation domestically. As legislation has become more precise, the knowledge and services offered by specialised organisations can thus be expected to have gained further relevance. In relation to these issues, organisations such as TRAFFIC – a non-governmental network engaged in monitoring wildlife trade – the WWF, the IUCN, Conservation International, Wetlands International and many others provide not only crucial information, but also the training and education that is necessary to put the provisions of a conservation agreement into practice. On the demand side, the demand for knowledge from non-governmental organisations thus seems to have increased (see also Raustiala 1997). Moreover, while local knowledge may be less central to implement the broader conventions of the 1970s and 1980s, it is essential to put the more specific agreements of the 1990s and 2000s into practice.

A similar argument could be made for financial resources. Thus, the establishment of protected areas and natural parks often involves economic costs. In times of receding government expenditures, when conservation is rarely a top priority of national governments, funding from non-state actors becomes increasingly attractive. In the context of this development, both the WWF – traditionally an important player in the funding of conservation projects – and the IUCN have begun to seek more direct cooperation with the business sector. While such cooperation is also meant to reduce the ‘ecological footprint’ of

individual corporations, securing the necessary funds for conservation projects implemented by these organisations remains a primary objective.

On the supply side, things have also gradually changed with the enhanced specialisation of non-governmental organisations such as BirdLife International (reactivated in 1983), Conservation International (founded in 1987) or Wetlands International (founded in 1995). Overall, both the knowledge about conservation and the social capital that comes with being seen as legitimate actors in transboundary conservation governance however remain concentrated in the hands of only a handful of non-governmental organisations. In contrast, financial resources have become more diverse to the extent that government spending has declined in both absolute and relative terms.¹⁶ Moreover, governments themselves are increasingly searching for innovative financial instruments such as payments for environmental services. In this context, the cooperation of governmental and non-governmental agencies in organisations such as the Conservation Finance Alliance (CFA) can serve as an indicator of a shift in the distribution of funding for conservation.¹⁷

4 Conclusions

Authors who write about global governance frequently use the term to delineate the new, post-Westphalian, realities of world politics from the old, Westphalian realities. As I have argued in this paper, the global governance literature makes four bold claims in this regard:

1. Regulation has increasingly shifted from the national level to policy levels beyond the state.
2. Spheres of authority beyond the state have multiplied.
3. The procedural norms on which regulation beyond the state is based have changed.

¹⁶ For instance, bilateral official development assistance (ODA) for conservation-related purposes has dropped among OECD countries between 2002 and 2006. ODA for biosphere protection has declined from 114.6 million USD to 102.2 million USD, ODA for site preservation from 28.1 million USD to 18.4 million USD, and ODA for bio-diversity from 185.6 million USD to 176 million USD. Within the same time period, the total sum of bilateral ODA has doubled from 46.4 billion USD to 93.5 billion USD (data extracted from the Creditor Reporting System of the OECD; cf. <http://stats.oecd.org/WBOS/Index.aspx?DatasetCode=CRSNEW>, last accessed 28 May 2008).

¹⁷ The Conservation Finance Alliance has been established in 2002 as “a collaborative effort to promote sufficient and sustainable funding for biodiversity conservation worldwide”. Its membership includes NGOs like Conservation International (CI) or the WWF, government agencies like the German Agency for Technical Cooperation (GTZ) or the Royal Danish Ministry of Foreign Affairs (DANIDA), international organizations like UNEP or the UN Development Programme (UNDP) and private corporations such as PriceWaterhouseCooper or, as an observer, Chemonics International Inc. For further information, see <http://www.conservationfinance.org> (last accessed 27 May 2008).

4. The resources that are required to govern effectively and efficiently are distributed among an increasing range of actors.

Applied to the politics of nature conservation, all of these claims need to be qualified. First, international conservation regulation has not outpaced national conservation legislation. In contrast, with the exception of European legislation, the growth rate of international legislation is strikingly low. Moreover, the scope of international regulation has not increased fundamentally – like in the 1970s and 1980s, contemporary international conservation legislation rarely addresses issues *behind the border* of signatory states.

Second, just like in the 1970s and 1980s, conservation governance beyond the state consists primarily in intergovernmental and transnational governance. In contrast to the claim that a variety of spheres of authority are proliferating beyond the state, supranational and transgovernmental regulation has increased only gradually, if at all.

Third, the meta-norms of conservation governance have changed, but the change encompasses only a part of the broader claim of the global governance literature. On the one hand, the norm that representatives of affected interests should be able to meaningfully participate in international conservation governance is increasingly recognised. On the other hand, broader procedural norms related to transparency, accountability and deliberativeness are not appreciated in the same way. In conservation governance, the move towards a post-Westphalian norm of global governance has thus been realized only half-way.

Fourth and finally, shifts in the demand and supply of governance resources are most difficult to determine with precision. The general impression however is that the demand for cognitive and financial resources has indeed increased as transboundary conservation regulation has moved from general conventions to cooperation on more narrowly defined issues. Moreover, knowledge and funds for conservation governance appear to be more evenly distributed among a range of actors as a result of the increasing specialisation of non-governmental organisations and the decrease in the relative shares of government funding for conservation-related projects.

In the light of these qualifications, claims about “turbulence” (Rosenau 1990), a “world politics in transition” (Czempiel 1991), a “global age” (Albrow 1996) or a “post-national

constellation” (Habermas 1998) seem overly bold. At the same time, some change is visible and authors who tend to deny the *global governance thesis* by simply pointing to the stability of the primary structures of international order (see for instance Overbeek 2006, Waltz 1999) will need to account for that change. In sum, a more nuanced analysis of the shift from international politics to global governance is necessary. In my view, accomplishing this task will require two broad steps – a more systematic effort to describe and analyse the extent and shape of political change in different policy areas, and a more explicit attempt to theoretically link the various claims associated with the *global governance thesis*.

In relation to the first task, it seems fair to assume that the field of conservation governance is not representative of global governance at large. The results of similar studies may thus differ if the objects of study are the international policy fields of security, health, finance, climate change, corruption, telecommunication, trade, agriculture or chemical regulation. Currently, we lack the systematic data that would enable us to depict more accurately *how* other subject areas would differ – that is, in relation to which particular aspects of the *global governance thesis* there would be more or less change than in the field of conservation governance. In my view, it is a prime task of those of us who study processes and structures global governance to address this gap. Rather than continuing to ‘argue by example’, we will need to make a stronger and more systematic effort at collecting a variety of data that would enable us to identify more clearly which things have changed, when they have changed and where – in which issue areas, but also in which geographic regions – change has been more or less pronounced.

Building on this data, a second task constitutes in developing further elements of a theoretical model that can account for change and continuity at the level of individual policy fields. In addressing this particular task, we should not so much aspire to another grand theory of global governance, but rather seek to identify the particular social mechanisms – including their scope conditions – that inspire change or promote continuity. A model that is situated somewhere between the monocausality of simplistic structural or behavioural models on the one hand and the overcomplexity of Rosenau’s (1990, 1997) turbulence and frontier models on the other hand, is best suited to shed light on the phenomena that are commonly discussed under the heading of ‘global governance’. Since such a theoretical model is best grounded in a solid empirical foundation, the dual task of building a better empirical foundation and

building better models is not mutually exclusive, but mutually supportive – we just need to take it on.

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Appendix 1: Multilateral Agreements Analysed

Year	Treaty
1976	Convention on the Game Hunting Formalities Applicable to Tourists Entering Countries in the Conseil de l' Entente
	Convention on Conservation of Nature in the South Pacific
1977	Protocol amending the Benelux Convention on the Hunting and Protection of Birds
	Agreement on the Joint Regulations on Fauna and Flora
1978	Treaty for Amazonian Co-operation
	International Convention for the Protection of New Varieties of Plants as amended on 23.10.1978
1979	Additional Protocol to the European Convention for the Protection of Animals during International Transport
	Amendment to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Art.XI)
	Convention on the Conservation of Migratory Species of Wild Animals
	Convention on the Conservation of European Wildlife and Natural Habitats
	Convention for the Conservation and Management of the Vicuna
1980	Convention on the Conservation of Antarctic Marine Living Resources
	European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities
1982	Protocol Agreement on the Conservation of Common Natural Resources
	Benelux Convention on Nature Conservation and Landscape Protection
	Protocol to amend the Convention on Wetlands of International Importance especially as Waterfowl Habitat
1983	Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region
	Agreement between the Central African States concerning the Creation of a Special Fund for the Conservation of Wild Wild Fauna
	Agreement for Cooperation and Consultation between the Central African States for the Conservation of Wild Fauna
	Amendment to the Convention on International Trade in Endangered Species of

	Wild Fauna and Flora (Art.XXI)
1985	Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region
	Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region
	ASEAN Agreement on the Conservation of Nature and Natural Resources
1996	Protocol for the implementation of the Alpine Convention in the field of mountain forests
	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area
	Inter-American Convention for the Protection and Conservation of Sea Turtles
1998	Agreement between the Government of Republic of Kazakhstan, Government of Kyrgyz Republic and Government of Republic of Uzbekistan on cooperation in the sphere of biological diversity conservation of West Tien Shan
	Cooperative Agreement for the Conservation of Sea Turtles of the Caribbean Coast of Costa Rica, Nicaragua and Panama
	Protocole d' application de la convention alpine de 1991 dans le domaine du tourisme
	Memorandum of Understanding concerning Conservation Measures for the Siberian Crane
	Protocolo de Enmienda al Tratado de Cooperación Amazónica
1999	Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa
	Protocol on Wildlife Conservation and Law Enforcement
	International Agreement on the creation of a marine mammal sanctuary in the Mediterranean
2000	Amendment to the Agreement on the conservation of bats in Europe
2000 (cont'd)	International Agreement between the US Department of the Interior, Bureau of Land Management, US Department of Agriculture, Forest Service for the National Multi-Agency Coordination Group for and on behalf of the Government of the United States of America and the Secretary of the Department of Natural Resources and Environment for itself and as agent of the Crown in the right of each Australian State and Territory and the Crown in the right of New Zealand.

	European Landscape Convention
	Protocol for the implementation of the Alpine Convention of 1991 in the field of transport
	Agreement for the Establishment of a Commission for Controlling the Desert Locust in the Western Region
2001	Agreement on the Conservation of Albatrosses and Petrels
	Memorandum of Understanding concerning Conservation and Management of marine turtles and their habitats of the Indian Ocean and South East Asia
	International Treaty on Plant Genetic Resources for Food and Agriculture
2002	Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer (<i>Cervus elaphus bactrianus</i>)
	SADC Protocol on Forestry
	Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (<i>Otis tarda</i>)
2003	Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler (<i>Acrocephalus paludicola</i>)
	African Convention on the Conservation of Nature and Natural Resources (Revised Version)
2005	Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant