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Science**

*Bridging the democratic gap: Can NGOs link local
communities to international environmental
institutions?*

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Abstract

How can NGOs contribute to strengthening the democratic legitimacy of international intergovernmental institutions? The thesis pursues two lines of enquiry in order to contribute to this discussion in the context of global environmental politics: it looks at the external claims and internal practices of NGOs.

With regards to external claims the thesis investigates the democratic demands formulated by the NGO communities interacting with the UNFCCC and the CBD respectively. Demands for equitable representation at the intergovernmental level and for participation by civil society stakeholders are especially prominent among the NGOs engaged with the climate convention. The thesis finds a convergence around very similar democratic demands across the NGO community, most of which draw upon recurrent governance norms and existing instances of good practice within environmental institutions.

The thesis then turns to the internal practices of large international environmental NGOs to test the assumption that these organisations have the potential to act as “links” or as “transmission belts” between local communities and global policymaking processes. It proposes the adoption of a representation perspective for analysing the contribution of civil society organisations, and provides case studies of three large international environmental NGOs (WWF, Greenpeace and Friends of the Earth) and of the two issue-specific civil society networks that organise NGO activities around the two UN conventions referred to above (the Climate Action Network and the CBD Alliance).

The thesis shows that the potential for large NGOs to ‘represent’ local communities is shaped by organisational structures, decision-making processes, the strategy for bringing about change, funding sources, alliances and partnerships, and values. The findings underline the need to adopt a more differentiated understanding of the democratic contribution by civil society organisations to international intergovernmental institutions.

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List of abbreviations

ABS	Access and benefit sharing
AGM	Annual general meeting
AOSIS	Alliance of Small Island States
BGM	Biannual general meeting
CAN	Climate Action Network
CBD	Convention on Biological Diversity
CBDR	Common but differentiated responsibilities
CDM	Clean Development Mechanism
CITES	Convention on International Trade in Endangered Species
CFC	Chlorofluorocarbon
CJN!	Climate Justice Now!
COICA	Coordinating Body for Indigenous Organisations of the Amazon Basin
COP	Convention of the parties
CSD	Commission for Sustainable Development
CSO	Civil society organisation
DESA	Department of Economic and Social Affairs
DSD	Division for Sustainable Development
DRC	Democratic Republic of Congo
ECOSOC	Economic and Social Council
EDF	Environmental Defence Fund
EGM	Extraordinary general meeting
ENGO	Environmental nongovernmental organisation
EU	European Union
EIU	Economist Intelligence Unit
EU	European Union
FIELD	Foundation for International Environmental Law and Development
FoEI	Friends of the Earth International
FPIC	Free and prior informed consent
FSC	Forest Stewardship Council
G77	Group of 77
GDP	Gross domestic product
GEF	Global Environment Facility
GHG	Greenhouse gases
GMO	Genetically modified organism
ICLEI	International Council for Local Environmental Initiatives
IFI	International financial institution
IGO	International intergovernmental organisation
IIED	International Institute for Environment and Development

IIFB	International Indigenous Forum on Biosafety
IIPFCC	International Indigenous Peoples' Forum on Climate Change
ILO	International Labour Organisation
ILO 169	International Labour Organisation Convention Concerning Indigenous and Tribal Peoples in Independent Countries
IMF	International Monetary Fund
INC	Intergovernmental negotiating committee
INGO	International nongovernmental organisation
IPCC	Intergovernmental Panel on Climate Change
IPO	Indigenous peoples' organisation
IPRs	Intellectual property rights
IUCN	International Union for the Conservation of Nature and Natural Resources
LDC	Least developed country
MSC	Marine Stewardship Council
NGO	Nongovernmental organisation
OECD	Organisation for Economic Co-operation and Development
REDD	Reducing Emissions from Deforestation and Forest Degradation
SBSTA	Subsidiary Body for Scientific and Technical Advice
SIDS	Small island developing state
TAN	Transnational advocacy network
TNC	The Nature Conservancy
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNPFII	United Nations Permanent Forum on Indigenous Issues
WCD	World Commission on Dams
WCED	World Commission on Environment and Development
WG ABS	Ad-Hoc Open-ended Working Group on Access and Benefit-Sharing
WG 8(j)	Ad-Hoc Open-Ended Intersessional Working Group on Article 8(j)
WSSD	World Summit on Sustainable Development
WTO	World Trade Organisation
WWF	Worldwide Fund for Nature

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I. Introduction

How can the institutions of global governance become more accountable to the people whose lives they affect? How can large international nongovernmental organisations (NGOs) – which often direct much of their advocacy work towards these institutions – contribute to this objective? Can these groups act as ‘links’ between communities on the ground and international intergovernmental organisations (IGOs)? In what ways are the world’s most influential NGOs themselves actually accountable to local communities in developing countries – the very communities who are often marginalised in global policymaking processes? These are some of the key questions that have led to the more specific focus of this thesis.

i. Identifying the problem

The creation of a range of international institutions has constituted a central element of interstate relations since the end of World War Two. The establishment of the United Nations – “the parliament of man” (Kennedy 2006) – encapsulated the determination of political leaders to “save succeeding generations from the scourge of war” and “reaffirm faith in fundamental human rights” (preamble of the charter of the United Nations). The post-war period also saw the construction of the international economic governance structures designed to support the growth of free trade and the development of an integrated global financial marketplace in the shape of the Bretton Woods institutions.

More than 60 years later, the promises of international cooperation have been only partly fulfilled. While the world has been spared another global conflict and the world economy has (not always smoothly) proceeded along the trajectory of deeper economic integration, the existing system of global governance has failed to provide solutions to many of the most pressing global problems. This has been especially evident in the failure of international cooperative efforts to prevent some of the serious forms of

global environmental degradation, notably global climate change. Progress towards an effective international agreement has been painfully slow. This has led to widespread disillusionment with multilateral diplomacy and eroded the trust in international institutions.

The legitimacy of international institutions is not only being undermined when they fail to provide solutions to global problems. Another line of criticism relates to the fact that decisions within international institutions are often not taken in a fair, equitable and truly democratic manner. It is this side of the legitimacy deficit of international institutions that is of most concern to the questions addressed in this thesis – although the distinction between *how* decisions are made and the *results* achieved is often weak in practice. The complaint that decision-making processes within many international institutions are ‘unfair’ or ‘undemocratic’ is not only voiced by those member states that feel that they are being disadvantaged in international negotiations. Similar – and often even more far-reaching – forms of criticism have also come from the quarters of civil society. Highlighting the shortcomings of many international institutions and calling for higher standards of democracy and accountability has, however, not prevented many of these civil society groups from seeking dialogue and closer contact with a range of intergovernmental institutions. The institutions in turn have started engaging more closely with civil society over time. Opening up towards civil society has been one response by international institutions to the criticisms directed at them and is presented as evidence of an organisational shift towards greater transparency, participation and democracy.

The contribution of NGOs towards the democratic legitimacy of international institutions will be assessed in this thesis against one particular interpretation of the ‘problem’: the fact that international institutions are often not accountable to the people whose lives they affect the most. This research focus builds on the argument that the transfer of decision-making

authority by states to institutions at the global level risks undermining “the congruence between the ‘people’ that is being governed, and the ‘people’ that is supposed to govern” (Scharpf 1998, para. 17). The crucial legitimacy problem arising from this lack of congruence with respect to international institutions is that a small group of decision-makers might end up implementing policies, rules and regulations that have a substantial impact on the lives of citizens who are not able to hold these decision-makers to account. In Keohane’s opinion, the most serious normative problem at the international level lies in making these decision-makers accountable to the affected communities (Keohane 2003).

The notion that NGOs are able to enhance the democratic legitimacy of international institutions is not uncontroversial. Sympathetic voices on the one hand recognise the “democratising potential of the NGO phenomenon” in “carrying the voices and needs of the smallest communities to international attention, forging contacts between citizens’ groups across the world and offering citizens direct channels of participation in world affairs” (Boutros-Ghali 1996, 34). Critics point out, however, that these groups often fail to adhere to the same level of transparency, accountability or democracy that they demand of others. There is also the danger that a small number of powerful groups may end up monopolizing the relationships with international institutions, assuming influential gate-keeping roles in the process and leaving less powerful groups on the margins.

The objective of this thesis is to contribute to a more nuanced understanding of the democratic contribution of NGOs in international institutions. To what extent and in what ways does the participation of NGOs in international institutions contribute to overcoming the lack of democratic congruence outlined above? The often cited democratic norm that those affected by a decision should be included in the corresponding decision-making processes presents, of course, a challenging ideal in a constantly changing international system characterized by multiple loci of authority and diffuse lines of

affectedness and responsibility. Nonetheless, this norm may be used as an ideal for approximation – do existing and emerging linkages, processes and practices bring us closer to meeting this ideal or not?

ii. Setting the scene: actors and context

Actors and definitions

The thesis will be looking primarily at three categories of actors – international institutions, affected communities and international NGOs – and their inter-relationships.

The focus of this research is on one type of international institutions, namely international intergovernmental organisations or IGOs. IGOs are distinct from private or mixed (i.e. private-public) forms of governance institutions in that all their formal members are governments. As will be further discussed below (iii. Case selection), the focus of the empirical section of the thesis is on two United Nations conventions rather than on other types of intergovernmental organisations such as the international financial institutions (IFIs) or regional-level organisations. Both the restriction to purely intergovernmental institutions and the focus on the United Nations conventions are intended to allow for an easier comparison between the two cases.

‘Affected communities’ is the term used in this thesis to refer to citizens whose lives are directly affected by the decisions taken – or the ‘decision failures’ - by international institutions.¹ One example would be the inhabitants of low-lying coastal areas that are threatened by rising sea levels

¹ Of course, the criterion of ‘affectedness’ is by itself an extremely loose one. Any British or German citizen who has to pay higher prices for imported food products as a result of draught in the producer countries can claim to be affected by climate change. This constitutes a relatively weak form of affectedness. Of concern for this research are situations where health and livelihood risk being harmed and where citizens have few resources at their disposal to shield them from these impacts.

as a consequence of global warming. Another case is that of forest-dependent communities whose livelihoods are impacted by the international policies designed to reduce deforestation and forest degradation. As already outlined above, 'affectedness' in this sense should also translate into the opportunity to participate or be represented in the relevant decision-making process. Of most concern for this thesis are those instances where this is not the case: where people are affected by the outcome of a decision-making process but tend to be marginalised or excluded in the making of this decision (Scholte 2011, 15). As such, the term 'affected communities' is used primarily to denote citizens that are *both* affected and potentially marginalised.

The term 'international NGO' is used in this thesis for groups not formally associated with business or governmental interests, which have members (in the form of national organisations and/ or individuals) or conduct operations in several countries (usually both). Oftentimes these NGOs also engage with intergovernmental organisations as part of their advocacy (and service delivery) work and probably constitute the "category of civil society organisations (CSOs) with most presence in UN system policy forums" (McKeon with Kalafatic 2009, x).² However, in the parlance of the United Nations, NGOs constitute just one of several officially recognised stakeholder groups. The UN Division for Sustainable Development (DSD), for instance, works with nine "major groups". While NGOs are classified as one major group, they share this status with indigenous peoples, farmers, business and industry, women, youth, and trade unions, local authorities, and the scientific community. Moreover, the NGO constituency thus defined also includes regional, national and local NGOs.

In practice, efforts designed to enhance the participation of 'global civil society' are frequently synonymous with granting NGOs greater scope for involvement with IGOs (McKeon with Kalafatic 2009, 17; Sands 1998 cited in

² The term CSO is occasionally used interchangeably with NGO in this thesis.

Mason 2005, 30). The Report of the Commission on Global Governance, for instance, states, "Global Civil Society is best expressed in the global non-governmental movement" (Commission on Global Governance 1995, 254). Around 3500 NGOs currently have consultative status with the United Nations Economic and Social Council (ECOSOC). Behind this number, however, lie considerable differences in resources, power and influence. Many of the most influential organisations continue to be headquartered in Western Europe and North America. The recognition of the considerable prominence and influence of NGOs in international institutions has led many observers to call for more research into the accountability, transparency and representativeness of these groups (Van Rooy 2004; Collingwood 2006; MacDonald 2008; Erman and Uhlin 2010).

The reverse, however, also holds: it is precisely because of their considerable influence in global governance that large international NGOs hold the promise of acting as effective advocates for affected publics in global policy-making processes (cf. Princen 1994). The substantial resources they have at their disposal, their credibility, and good connections to many key governments mean that their voices are likely to be listened to. At the same time, international NGOs are exposed to different local realities through their membership or supporter base, their national offices and their operations on the ground. This means that they are potentially able to play a valuable role in bringing local interests, opinions and experiences to the global level. Unlike multinational corporations or business associations, their ultimate objective is not private profit but the attainment of some form of public good.³ As norm-driven actors, they should be motivated in principle to defend the interests of marginalised communities against the powerful. The fact that they are able to simultaneously reach out to the local and the global level holds the potential for international NGOs to act as democratic links

³ This distinction is disputed by Sell and Prakash (2004) who argue that "normative frameworks as well as instrumental objectives inform actions of both NGOs and business" (Sell and Prakash 2004, 144).

between local communities and international institutions. The notion of international NGOs as 'links' is illustrated in the diagram below (diagram 1).

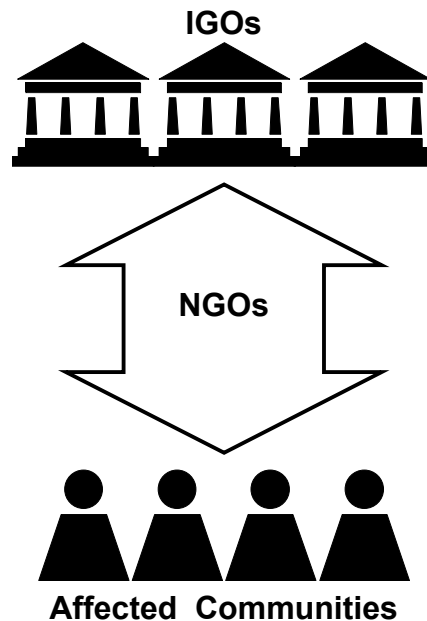


Diagram 1: NGOs as links between affected communities and IGOs

A global governance framework

The types of actors under investigation here render a theoretical framework with exclusive focus on nation-states as the only relevant actors in the international system inadequate. Instead, the theoretical underpinnings of the thesis can be found in the academic literature of what has been coined 'global governance'. While global governance appears to serve as an umbrella term that brings together a broad – and not necessarily always coherent – range of analyses and approaches, there are nevertheless a number of specific features that make it a useful lens to apply to this research question. According to Dingwerth and Pattberg, the concept of global governance differs from more state-centric analyses in International Relations in four important ways: it “implies a multiactor perspective on world politics”; it “conceives of world politics as a multilevel system in which local, national, regional, and global political processes are inseparably linked”; the focus on

the “plurality of mechanisms that horizontally link activities of various actors”; and the inclusion of “new spheres of authority” (Dingwerth and Pattberg 2006, 191-193). These four features are all relevant to this research project, albeit to varying degrees.

The multiactor perspective is probably the most obvious. A narrowly state-centric form of analysis fails to account for the plethora of actors involved in global environmental politics. These include not only NGOs, which are of most interest for this research, but also transnational corporations and business lobby groups, science-based organisations, supranational organisations, local community groups, social movements, and others. While the nature and actions of most IGOs are still controlled by the preferences of the member states, a range of non-state actors have in many cases gained considerable access and influence. This has given them a ‘voice’, if not a ‘vote’, in the making of global policies.

Secondly, the analysis of the interlinkages between different policy levels can also be extended to questions about how the actions of international organisations affect communities in different parts of the world, how these communities in turn are able to shape international policies – through governmental channels and other media - and “how ideas expressed in transnational forums affect and are affected by ideas and practices in national, regional, or local settings” (Dingwerth and Pattberg 2006, 192). The thesis seeks to explore the potential for international NGOs to strengthen interlinkages between local communities and global policy processes.

Thirdly, regarding the mechanisms of “horizontal” linkages, the authors also point to the less formal processes of coordination among public and private actors (including issue networks or advocacy coalitions (2006, 193)) that take place beside traditional intergovernmental negotiations. In the context of this research, this would involve looking at the way NGOs are organised around a particular IGO or a specific campaign, at the ways they coordinate

their activities with other international and/ or local partners, and at whether, for example, they tend to form ad-hoc coalitions or more permanent networks.

Private forms of governance such as the Global Reporting Initiative, the Equator Principles or the Forest Stewardship Council are examples of what Pattberg and Dingwerth point to as the fourth element of global governance. The implications of these forms of private rulemaking lie outside the conceptual parameters of this research. It is important to note, however, that the emergence of new forms of governance raises additional questions about the appropriateness of 'traditional' electoral forms of democratic control for holding power to account. Moreover, there is no a-priori reason why many of the arguments set out in this thesis should not also be applicable to these new spheres of authority. It is entirely appropriate to ask whether influential NGOs – who are often initiators of and partners in private forms of governance – are able to act as democratic links between local communities and these private rulemaking processes.

iii. Case selection

The empirical sections of the thesis focus on two international intergovernmental conventions and on five international NGOs and NGO networks. Most of the empirical analysis serves to understand the 'inner workings' of the five international NGOs and networks although a considerable chunk of the analysis is also devoted to the democratic demands formulated by civil society organisations vis-à-vis two United Nations conventions: the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention on Biological Diversity (CBD).

The two convention case studies were chosen because they were set up to address two types of environmental problems that can only be tackled successfully through international cooperation: catastrophic climate change and the rapid loss and the exploitation of biodiversity. In both instances, the

effects of these problems are felt most acutely among many of the world's poorest citizens. Moreover, oftentimes the very interventions set up to tackle these environmental problems also have substantial (and sometimes negative) impacts on the livelihoods of these communities. At the same time, however, these affected communities are frequently insufficiently represented in the formulation of the policies that determine these interventions. Both climate change and biodiversity have been the subject of much environmental NGO campaigning over recent years, although the issue of climate change has undoubtedly gathered the most attention. Art's 1998 analysis on the political influence of international NGOs also uses these two conventions as case studies (Arts 1998). He investigates the extent to which NGO demands have shaped the outcomes of the negotiations. While his focus on the influence of the NGOs on the results of the negotiations includes some discussion of demands for more participation (for example by indigenous peoples), this does not constitute the core of the analysis. By contrast, in this thesis, the emphasis of the discussion of the NGO contribution in the context of the two conventions is on their democratic – and largely procedural – demands rather than on their efforts to shape targets, commitments or sanctioning mechanisms.

The NGO case studies consist of three multi-issue international NGOs, namely Greenpeace International (Greenpeace), the Worldwide Fund for Nature International (WWF) and Friends of the Earth International (FoEI), as well as of two issue specific NGO networks: the Climate Action Network (CAN) and the CBD Alliance. In the cases of the three multi-issue NGOs, the focus is always on the international layer of the organisation. This is important to note as they are all made of national organisations that vary considerably in size and influence and can be relatively dissimilar.

Greenpeace, WWF and FoEI are three of the most prominent international environmental NGOs that have managed to stay consistently relevant since their inception. The three groups have to a large extent shaped the modern

environmental movement, especially in Western Europe. They also constitute the focus of Wapner's 1996 book on 'Environmental Activism and World Civic Politics', one of the few in-depth comparative analyses of environmental NGOs. In his book Wapner argues that the three organisations stand for different approaches of shaping "world civic politics" (Wapner 1996): Greenpeace directs its efforts at shaping environmental awareness, WWF stands for a strategy of empowering local communities, and FoEI lobbies state officials and international institutions. In the context of this research, Wapner's 1996 analysis serves as a useful point of reference for understanding how the three organisations have evolved since the early 1990s since many of the points made here about the NGOs' internal structures and priorities differ from the ones set out in his book.

The Climate Action Network and the CBD Alliance differ from the three organisations described above in that they are actually coalitions of autonomous and very diverse NGOs who have come together around the United Nations' climate and biodiversity convention respectively. The discussion of CAN is more extensive than that of the CBD Alliance, mainly because the latter possesses a very loose organisational structure that provides less material for analysis. Nonetheless, the CBD Alliance constitutes a useful point of comparison with CAN.

The rationale for including these two NGO networks emerges from the focus on the interlinkages between the different actors under investigation in this thesis. The focus of the thesis is on how international NGOs can act as democratic links between affected communities and international environmental institutions. This requires in the first instance to build a better understanding of how the organisational characteristics of different environmental NGOs (such as structure, policies and values) allow for the voices of affected communities to be 'represented' in the global positions of these NGOs. However, when it comes to trying to influence particular intergovernmental policymaking processes – such as the United Nations

Framework Convention on Climate Change or the Convention on Biological Diversity - many environmental NGOs coordinate their activities vis-à-vis these institutions with other nongovernmental groups in the shape of transnational issue networks. Many of the large international NGOs, including WWF, Greenpeace and FoEI, have played important roles in CAN since its creation. Therefore, in order to better understand the extent to which the voices of local communities are in fact represented by international NGOs vis-à-vis global environmental policymaking bodies, transnational NGO networks such as CAN are a crucial piece of the puzzle. Moreover, since these networks bring together organisations with a local or national focus as well those with a global outlook, they constitute good sites to study potential conflicts between local and global perspectives.

iv. Methodology

The empirical sections of the thesis (chapters IV, VI and VII) draw mainly on primary documentation published by various NGOs and other civil society groups (such as indigenous' peoples organisations), documentation produced by the two UN conventions and a range of interviews with both NGO and IGO representatives. The primary sources were supplemented with secondary sources offering in-depth case studies of individual NGOs and information on the relationship between NGOs and the two UN conventions.

The empirical findings presented in the section on the UNFCCC in chapter IV are mainly based on an analysis of documents produced by NGOs, published between the meeting in Bali in December 2007 and prior to the fifteenth Conference of the Parties in Copenhagen in December 2009. These include the written statements by environment and development NGOs submitted to the climate convention from late 2007 to mid-2009 and all available editions of the civil society newsletter ECO published between December 2007 and August 2009 (Bali 2007, Bangkok 2008, Bonn 2008, Accra 2008, Poznan 2008, Bonn I 2009, Bonn II 2009, Bonn III 2009). These NGO submissions can

be accessed on the UNFCCC website⁴ while the ECO newsletter can be found on the website of CAN.⁵ The focus of the analysis is primarily on the written statements put forward by CAN due to its prominent position within the climate convention NGO community; however, a number of separate submissions by individual environmental and development NGOs (such as WWF, Greenpeace and FoEI) and other NGO networks working on climate change (e.g. Ecosystems Climate Alliance) that are available on the climate convention website have also been included. Besides the NGO submissions to the climate convention, the analysis is based on a review of selected NGO-published materials on climate-related issues produced for a wider or policy audience. For the subsequent discussion of NGO demands in the context of the biodiversity convention, NGO submissions made in 2009 and 2010 responding to the call for inputs to the process of revising and updating the strategic plan⁶, NGO submissions made between 2007 and 2009 relating to the proposed global regime on access and benefit sharing⁷, and all available editions of the ECO newsletter produced for the eighth Conference of the Parties (COP) in 2006 and COP 9 in 2008 were analysed.⁸ Overall, however, demands for more equitable representation and participation structures feature much less in the NGO submissions in the context of the CBD compared to the UNFCCC. As a result, the discussion of NGO demands in the section on the CBD draws more heavily on secondary sources and pays greater attention to existing analyses of the early stages of the convention, when a number of crucial governance issues were being debated.

⁴ Website of the UNFCCC, Submissions by nongovernmental organisations, http://unfccc.int/parties_observers/ngo/submissions/items/3689.php

⁵ CAN International, ECO newsletter, <http://www.climatenetwork.org/eco-newsletters>

⁶ A revised and updated strategic plan for the 2011-2020 period was adopted at the tenth meeting of the COP in Nagoya, Japan, in October 2010.

⁷ The Nagoya Protocol on Access and Benefit-sharing was also adopted at this meeting.

⁸ The submissions are made available on the CBD website. Relating to the strategic plan: www.cbd.int/sp/sp2010+/inputs.shtml. Last accessed 25.03.2010. Relating to the ABS protocol: www.cbd.int/abs/submissions. Last accessed 06.12.2012. The CBD ECO newsletter is available on the website of the CBD Alliance: www.cbdalliance.org/ecos/. Last accessed 06.12.2012.

The sources used for the case studies of the five NGOs and NGO networks in chapters VI and VII consist of written information published by the NGOs (websites, annual reports, documents relating to their governance structure and internal decision-making procedures, internal guidelines, policy papers and position statements), of interviews with selected staff members and of analyses undertaken by other authors (secondary sources). Most of the empirical analysis undertaken for these chapters was conducted in 2009 and 2010. The primary documentation published by the NGOs themselves was usually accessed from the organisations' websites. One problem with using these documents is that they are not always clearly categorized and dated. NGO documents differ in nature depending on what audience they are produced for: the general public and supporters, funding organisations, or as 'internal' documents that are mainly addressed at the NGO's staff. This sometimes necessitates triangulating information found in one document with other sources. There were a number of instances where NGO interviewees referred to particular internal documents (such as WWF's internal governance review) but were not willing to share these documents. In general, however, the interviewees were happy to provide a general (but limited) account of the content of these documents.

A total of 17 individuals were interviewed (one interview was a telephone conference with two interviewees participating at the same time), mainly between October 2009 and July 2010. Two interviews (one with the chief of the New York office of the UN's Nongovernmental Liaison Service and one with the advisor to the Stakeholder Forum on Global Governance) were conducted with the intention of gathering background information on the broader role of NGOs within the UN system. Two staff members from the CBD responsible for liaising with civil society were also interviewed. The remaining interviews were conducted with staff members of the NGOs that are analysed in chapters VI and VII, except in one case where an interviewee had been a FoEI campaigner in the past and was now working for a predominantly Southern NGO coalition on forests. Most of the interviews

were conducted over Skype or on the telephone. The interviews lasted between 30-75 minutes (on average about 50 minutes). Getting interviews with NGO representatives proved challenging. A lack of responses may be due to the fact that many interview requests were made during 2009 – a busy year for the NGOs under investigation in this thesis due to the high-profile climate summit in December 2009. Once contact with one NGO representative had been established, it became easier to arrange interviews with colleagues, usually by introduction or recommendation. Prior to the interview, the interviewees received a set of questions, which was tailored to their specific organisation and job description. The interviews themselves, however, were semi-structured and frequently departed from the set of questions so as to not constrain the interviewees' responses and lines of thought. The job positions of a number of interviewees are provided in the thesis. Other interviewees preferred to remain anonymous and are therefore not identified in this way.

Compared to the large body of literature on the role of civil society in international relations per se, there is a relative shortage of in-depth analyses of individual NGOs. There are exceptions, of course, and those that are relevant to the NGOs under discussion in this thesis have been extremely useful for the analysis. These existing case studies tend to have a different focus to the one adopted in this thesis but nonetheless present a useful resource, especially since many of them also rely on interviews with NGO representatives and other forms of primary empirical research. It should be noted, however, that large NGOs – probably more so than many other organisations that often constitute objects for analysis in the field of International Relations – change over time and may adopt very different strategies or even values in response to changes in their external environment or internal developments, such as a change in leadership. This means that case studies of NGOs that are based on research undertaken a number of years ago are sometimes of limited applicability to the organisation today.

v. Thesis outline

Chapter II starts by explaining how the preferences and interests of citizens are ‘transmitted’ to international institutions via elected governmental delegates based on principal-agent analysis. In practice, the complexities of global policy-making and the institutional design of global governance mean that some communities, albeit affected by global policies, are not adequately represented in this way. The chapter discusses the various ‘democratic deficits’ associated with international institutions and sketches the role of civil society against this backdrop. The chapter outlines two ways in which civil society organisations might help to address this problem: ‘external’ demands for more democratic forms of decision-making in international institutions articulated by NGOs, and the notion that NGOs themselves may act as links between international institutions and affected communities. The chapter presents a number of scholarly analyses that have similarly tried to portray NGOs in ‘relational terms’ by focussing on the structure of interaction between large and influential civil society groups and communities or local community organisations. While these analyses yield useful insights, they do not assess the role of the NGOs and their links with these communities from the vantage point of bringing the voices of affected communities to international institutions.

Chapter III shows why the field of global environmental governance constitutes an appropriate field within which to situate this study. Global environmental problems can only be tackled effectively through international cooperation. While many forms of environmental degradation have severe consequences for the world’s poorest communities, existing forms of environmental governance are characterised by many of the participation and representation deficits discussed in the previous chapter. Chapter III provides a brief overview of the history of global environmental governance and sets out its ideational underpinnings. It discusses both the

turn towards more participatory norms and practices and the growing influence of private actors such as NGOs.

Chapter IV starts by examining the ‘external dimension’ of the NGO contribution in the form of democratic demands articulated by NGOs in the context of the global climate and biodiversity conventions. Part one of chapter IV illustrates the problems of climate change and biodiversity loss, outlines the characteristics of the two UN conventions set up to tackle them as well as of the role of NGOs therein. This is followed in part two of the chapter with an analysis of NGO demands in response to the alleged democratic deficits in the conventions. The analysis of NGO demands distinguishes between responses to representation inequities at the intergovernmental level and participation deficits and finds a convergence around very similar democratic demands across the NGO community, most of which draw upon recurrent governance norms and existing instances of good practice within global institutions.

Chapter V returns to the idea of NGOs as links between affected communities and international institutions and seeks to develop a conceptual framework for understanding the intrinsic potential of NGOs for bringing the voices of affected communities to global policy-making processes. The point of departure is Pitkin’s 1967 work on representation, which is firmly grounded in a traditional nation-state setting. The problems with applying Pitkin’s insights to the role of transnational NGOs in an international policy-making context are acknowledged and discussed. Nonetheless, the chapter shows that many of the insights gained from a ‘representation perspective’ - especially the importance of responsiveness for democratic representation - can be used for thinking about the role of NGOs. On this basis the chapter develops a number of research questions to guide the subsequent empirical analysis of individual NGOs in the following chapters.

The purpose of **chapters VI and VII** is to offer a practical illustration of how different international environmental NGOs and NGO networks may be able to act as democratic links between local communities and international institutions. The analysis of each organisation first tries to identify different forms of responsiveness before discussing why the organisation has adopted corresponding structures, policies and priorities. As stated above, the two chapters discuss three multi-issue international NGOs (WWF, Greenpeace and FoEI) and two issue-based NGO networks (Climate Action Network and the CBD Alliance). **Chapter VI** looks at WWF and Greenpeace as two examples of relatively hierarchical organisations, while **chapter VII** turns to FoEI, CAN and the CBD Alliance, all of which are more accurately characterised as networks.

Chapter VIII draws on the findings of the previous two chapters to assess a range of organisational characteristics that shape the potential of NGOs to assume representative functions at the interface between local communities and international institutions. These include organisational structure, decision-making processes, the strategy for bringing about change, resource and funding sources, alliances and partnerships, and values. It presents a number of general conclusions regarding this 'internal' dimension of the NGOs' contribution. The discussion is then opened up further to include both the findings relating to the two issue-specific NGO networks, and the analysis of the 'external' NGO demands. Finally, the chapter restates the contributions made by the thesis in empirical, theoretical and policy terms, discusses a number of limitations, and provides suggestions for further research.

II. Democratic deficits in global governance and the role of NGOs

The purpose of this chapter is to illustrate and contextualise the key problems, which give rise to the research questions addressed in the thesis. The most fundamental - but extremely broad - problem underpinning this research is the question of how international organisations can become more democratically accountable to the communities who are affected by policies developed at the international level. The focus of the thesis is more specifically on the contribution of international NGOs and the objective of this chapter is therefore also to build a conceptual bridge linking the broad problem of a global democratic deficit to the more specific contribution of international NGOs.

This chapter is structured as follows. The first section (i) will use principal-agent analysis to set out how citizen preferences are 'transmitted' to international organisations via elected governmental delegates in a (simplified) liberal institutionalist model. The complex realities of global policy-making and the current institutional design of global governance make it impossible, however, for all citizens to be fairly represented in global policy-making processes. Section (ii) will therefore offer a relatively broad outline of the various 'democratic deficits' that are associated with global institutions and have the effect of undermining the principle of democratic "congruence" in global politics (Scharpf 1998, para.17). The participation by civil society organisations is discussed as one possible remedy to these deficits in section (iii). In particular the internal democratic practices of participating civil society organisations, as well as their external democratic demands vis-à-vis the institutions of global governance are singled out for further investigation. Section (iv) returns to the question of how international NGOs relate to local communities and community-based organisations and offers some empirical insights on these relational

dynamics from existing analyses. A conclusion and an overview of the next steps are provided in section (v).

i. Linking citizens to international institutions

According to standard liberal-institutionalist analyses, international institutions exist because they provide important benefits for their members. Intergovernmental institutions are set up by states to facilitate the provision of global public goods which states are unable to deliver unilaterally. The World Bank defines global public goods as

“aspects of development that reach across borders: examples include the environment, public health, and international trade and financial infrastructure. Actions are often needed that extend beyond what market systems or individual countries can do on their own – developing new vaccines, for instance, and reducing carbon emissions to address global warming” (World Bank 2011).

The mitigation of global public ‘bads’ such as disease, pollution or global warming also presents a public good in this sense. When the welfare of the citizens of individual states risks being undermined by global public problems, governments may choose to work together to tackle trans-boundary challenges at the functionally optimum level, be it bilaterally, regionally or globally. International organisations draw legitimacy from their ability to deliver such goods effectively. This has been referred to as the “output legitimacy” of institutions (Scharpf 1999).

Principal-agent analysis presents the relationship between states and international organisations as one of delegation, with states (the principals) delegating certain governance functions to IGOs (the agents). Principal-agent analysis can then be used to explain divergences between the original preferences of states and the outputs delivered by IGOs, and looks at the various mechanisms principals can employ to control their agents (Barnett and Finnemore 2004; Hawkins et al 2006). The act of delegation is defined as “a conditional grant of authority from a *principal* to an *agent* that empowers

the latter to act on behalf of the former” (Hawkins et al 2006, 7). However, delegation does not mean that the actions of the agent are always in full accordance with the principal’s preferences. In principal-agent analysis, the divergence of the agent’s outputs from the principal’s preferences is referred to as “agency slack” (Nielson and Tierney 2003). This must be differentiated, however, from an acceptable degree of agent autonomy, which may well be in the principal’s interest.

The relevance of the principal-agent model to the idea of democratic international institutions becomes clearer when applied to the interconnected acts of delegation that are found at both the domestic and the international levels. The relationship between state principals and IGO agents does not exist in vacuum but constitutes one (important) link in a larger delegation chain. Elected governments can, of course, be understood as agents themselves to whom the domestic electorate has delegated the task of undertaking essential governance functions. Seen from this perspective, governments function as so-called “proximate principals”, with citizens acting as the “ultimate principals” (Nielson and Tierney 2003, 242). The basic unit from which all other subsequent acts of delegation arise is in this view the individual (or, collectively, the citizens), as long as he or she is in a position to exercise his or her basic democratic rights. It is important to note that according to liberal internationalism, individuals remain the ultimate democratic reference point (Moravcsik 1997, 516/517). However, the longer the chain of delegation between the “ultimate principals” and the implementing agents, the more diluted the opportunities for controlling these agents become. This has been held up as a structural obstacle to the existence of democratic international organisations (Dahl 1999).

The principal-agent model offers a useful – albeit simplified – account of interest transmission from citizens to international organisations. Viewed from the perspective of democratic legitimacy, the relationship between the principal and the agent mirrors that between the represented and the

representative, which will be discussed more fully in chapter V of the thesis.⁹ According to liberal internationalism, “representative institutions and practices constitute the critical ‘transmission belt’ by which the preferences and social power of individuals and groups are translated into state policy” (Moravcsik 1997, 518). While principal-agent analysis is primarily concerned with the outputs of the agent’s actions (and the extent to which these correspond to the principal’s preferences), theories of representation also examine the extent to which the principal is able to exert (democratic) control over the agent. In this relationship, the delegation of authority – whereby the agent is endowed with a mandate to act in the interest of the principal on certain issues - is only one side of the coin. This aspect has to be matched with an element of accountability, whereby the principal is informed about the actions of the agent and has access to mechanisms for sanctioning the agent if he consistently oversteps this mandate (Pitkin 1967). Democracy is hence viewed “as a system of popular control over governmental policies and decisions” (Dahl 1999, 20).

In order to be able to exert a degree of democratic control over the actions of IGOs, citizens need to have access to institutions and mechanisms for authorisation and accountability that make it possible for their preferences to be transmitted upwards to policymakers in international organisations. In

⁹ Chapter V will attempt to apply the concept of representation to the relationship between NGOs and affected communities. This construct presents a departure from more ‘traditional’ models of representation that frequently focus exclusively on the citizens of a state and their elected representatives. Although theories of representation must, in turn, be distinguished from principal-agent analysis (which may, or may not be, concerned with the issue of democracy) it is noteworthy that the role of non-state actors is not one that has been investigated in detail by scholars employing the principal-agent model, which tends to focus on states as unitary and rational actors. Lake and McCubbins, however, point out that incorporating the role of third parties, including NGOs, represents the research frontier in the field of principal-agent analysis (Lake and McCubbins 2006, 341). As a subject for further research, they propose looking at the relationship between the growth in the number of international NGOs and the trend towards greater delegation in international relations (ibid, 360). According to the authors, the role of third parties can be incorporated into principal-agent models in terms of the benefits they offer to the principal. Principals can make use of the information provided by third parties about the actions of the agent, thus reducing the costs incurred by the principal in supervising the agent. The emphasis of this model is thus on the information, knowledge and expertise supplied by NGOs (and not on their democratic contribution).

an ideal world, the very individuals affected by the decisions taken in international organisations are the same citizens that are able to hold these institutions to account. Applied to the issue of ecological risk, this means that, “all those potentially affected by risks should have some meaningful opportunity to participate or otherwise be represented in the making of the policies or decisions which generate such risks” (Eckersley 2000, 118). This is the principle of democratic “congruence” discussed by Scharpf (1998, para.17). In practice, international organisations fail to fulfil this demanding requirement for a host of reasons, some of which will be set out in the next section.

ii. Democratic deficits in global policy-making

The discrepancy between decision-makers and affected citizens, or “choice-bearers” and “choice-makers” (Marchetti 2008) in global politics, is a key problem for the democratic legitimacy of international institutions. In light of the extensive literature on the democratic legitimacy of global institutions – spanning questions such as whether global democracy is indeed desirable and feasible, what forms it could take, what impediments currently (or structurally) prevent its realisation, how existing institutions may be reformed to become more transparent, accountable and representative – the discussion below is by necessity selective and cursory and will use this discrepancy as its point of departure. The objective is to highlight a number of key problems against which to later discuss the potential (but limited) contribution of international NGOs. From the previous section it should be evident that this thesis looks at citizens, and not states, as the ultimate principals of IGOs. This section will focus on the obstacles likely to impede the transmission of preferences from affected citizens, via elected representatives, to international organisations. The focus is therefore on the democratic “input legitimacy” (Scharpf 1999) of intergovernmental organisations – the democratic quality of the processes through which decisions are taken and policies are formulated in these venues. Input legitimacy pertains to aspects such as representation, participation and

deliberation and must be conceptually distinguished from the organisation's ability to successfully deliver global public goods ("output legitimacy" (ibid)).

As put previously, the creation and maintenance of international institutions is largely necessitated by the existence of trans-boundary challenges that states are unable to tackle unilaterally. These global challenges have become more numerous and acute with the intensification of globalization. In an interdependent world states find it increasingly difficult to cater to their citizens' concerns in a unilateral manner. Decisions taken within one country may have considerable impact on citizens in other countries and vice versa: the national political, economic and social domains of individual countries have become increasingly vulnerable to international developments. According to Held, "the operation of states in an ever more complex international system both limits their autonomy (in some spheres radically) and impinges increasingly upon their sovereignty" (Held 1995, 135). Both the process of globalization and the increasingly global nature of many large-scale problems thus present a serious challenge to domestic democracy (Held and Hervey 2009). States are caught in a catch-22 situation: their democratic sovereignty is undermined by the emergence of transnational challenges and problems. While governments may be able to tackle these challenges more effectively through institutionalized forms of international cooperation, the need to coordinate policies with other states in turn creates new problems of democratic control and influence.¹⁰ The ability of individual states to push for international policies that are closely aligned with their own national interests is, of course, to a large degree a reflection of their political, military or economic power in the international system. Less powerful states are less likely to be able to impact these policies, even if they are as – or more – affected by the global challenges that need to be addressed.

¹⁰ International institutions are set up, of course, not only in reaction to the process of globalisation. Many of the policies that have emanated from international organisations such as the WTO or the IMF are intended to push for the deeper integration of domestic economies into the global economy. In this sense, international organisations are also actively promoting the process of globalisation.

At the most fundamental level the extent to which individual citizens can effectively be represented in international institutions is dependent on the quality of domestic democratic life and the opportunities for democratic participation at the local and national level. Free and regular elections are the cornerstone of representative democracies; complemented by a public space where free and open debate can take place. Strong democracies are characterised not only by elections but also by opportunities for citizens to participate in civic life, join interest groups and draw on information provided by a free and independent media. Most worrying from a democratic perspective are situations where citizens are denied a voice in political affairs because of the absence of democracy in particular countries (i.e. in undemocratic states) or a range of other material factors that undermine democracy and democratic participation domestically (for example corruption, civil war, extreme poverty). The direct oppression of citizens' rights, or the material lack of capacity to exercise them effectively, constitutes the most direct violation of democratic norms. According to the Economist Intelligence Unit's (EIU) 'Democracy Index 2010', only 12.3% of the world's population lives in "full democracies", 37.2% in "flawed democracies", 14.0% in "hybrid regimes", and 36.5% in authoritarian regimes (EIU 2010, 1). The latter are largely based in the Middle East and North Africa, with a substantial number also found in Asia, the former Soviet Union and Sub-Saharan Africa (EIU 2010, 8). This is also illustrated by the regional 'democracy index average' in 2010: 3.43 for the Middle East and North Africa, 4.23 for Sub-Saharan Africa, 5.53 for Asia and Australasia, 6.37 for Latin America and the Caribbean, 5.55 for Eastern Europe, 8.45 for Western Europe, and 8.63 for North America (EIU 2010, 9). According to the authors of the 2010 assessment, the world experienced stagnation in democratisation between 2006 (when the first such index was constructed) and 2008 (the year of the second index) but "outright decline" between 2008 and 2010 (EIU 2010, 8).

Even in functioning democracies with regular and free elections and fewer material (socio-economic) constraints on the ability of all citizens to participate in political life, there are a number of factors contributing to a 'democratic disconnect' between citizens and global politics. Many international policy issues are highly complex and the relevance of these issues to their everyday lives may not be immediately obvious to citizens. As a result, citizens may shun acquiring information and knowledge about international politics and are more likely to take political decisions on the basis of issues perceived to be closer to home. While the decision (or 'default setting') of leaving international policy making to the experts can be rational in light of the high individual costs of acquiring and processing information, this also carries a number of risks. Influential interest groups can exploit this situation to actively push their particular agenda, even if this happens at the expense of the majority of citizens. Some aspects of international politics (such as trade) are therefore especially vulnerable to capture by well-organised special interests.

Moving from the domestic to the global level, the structural design and formal and informal working practices of international organisations are also of potential concern from a democratic perspective. Many international organisations (especially the IFIs) are routinely criticised for replicating in their governance structures the existing global power imbalances between wealthy industrialised and poor developing countries. Rather than contributing towards overcoming global disparities, these organisational structures mean that the voices of citizen in economically weak or in very populous countries are effectively given less weight than those of their counterparts in Northern countries. This is illustrated, for example, by formal voting structures, but also by informal consensus building shaped by the interests of the most powerful, and the resort by powerful countries to small and unrepresentative organisations that include only a handful of countries.

Without examining in detail the large variety of voting arrangements found in international organisations, it is nonetheless useful to distinguish between the two main models of voting patterns associated with the UN and the Bretton Woods institutions respectively. These are the one-country one-vote model based on the principle of sovereign equality and the quota model derived from member countries' share of global GDP and financial contributions to the organisation. Both models present their own challenges in terms of democratic equality among citizens. The one-country one-vote model is the one employed in the UN General Assembly. It obviously fails completely to grasp demographic differences between states, bestowing the same number of votes on a small island state with only a few people as on a country with a huge population like India or China. As a result, within the one-country one-vote system, citizens of demographically large countries are underrepresented. In contrast, the quota model based on economic weight systematically favours citizens of rich countries. In the IMF, for example, the United States wield 16.75 % of the voting power (despite representing only 4.6 % of the global population) and are thus the only country that can singularly veto decision on quota adjustment and changes to the IMF's articles of agreement (Chowla, Oatham and Wren 2007).¹¹ Despite recent reforms (agreed in 2008; entered into effect in 2011) to strengthen the voting power of emerging and developing countries within the IMF, the economies of the G7 continue to hold 43% of votes (down from 45.1 % prior

¹¹ This figure has been updated to reflect the more recent changes to the distribution of votes within the IMF. Up-to-date figures can be found on the IMF website, IMF Members' Quotas and Voting Power, and IMF Board of Governors, <http://www.imf.org/external/np/sec/memdir/members.aspx>. Last accessed 30.09.2012

to the 2008 reforms) while the group of low-income countries holds 4.5 % of votes (up from 4%).¹²

The formal distribution of votes is not the only mechanism that favours certain countries over others in the international system. The Global Environment Facility (GEF), for example, has sought to overcome some of the shortcomings inherent in applying either the one-country one-vote or the quota system by adopting the principle of double-weighted majority.¹³ In practice, the GEF tends to avoid resorting to a formal vote, preferring instead to reach agreement through negotiations and consensus building. Even in this formally more 'democratic' arrangement powerful states are likely to dominate the proceedings due to their financial clout and greater resources, and because they have bigger delegations at the negotiations and are better able to link outcomes in one issue area to results in another. Different degrees of influence within international institutions are thus "indicative not only of the problem of unequal access to decision-making, but of inequality of all types of resources" (Held and Hervey 2009, 11). Since formal decision-making rules and procedures do frequently not reflect the 'real-world' distribution of power they risk being deliberately sidelined by the more powerful parties during the crucial stages of negotiations. This was apparent, for instance, during the COP-15 in Copenhagen, which "marked a new multi-

¹² According to the IMF low-income countries are "Poverty Reduction & Growth Trust (PRGT) eligible countries with annual per capita income below the prevailing operational International Development Association (IDA) cut-off in 2008 (US\$1,135) or below twice IDA's cut-off for countries meeting the definition of a small country under the PRGT eligibility criteria. Zimbabwe is included." Website of the IMF, Quota and Voting Shares Before and After Implementation of Reforms Agreed in 2008 and 2010 (In percentage shares of total IMF quota), Note viii. Retrieved from: http://www.imf.org/external/np/sec/pr/2011/pdfs/quota_tbl.pdf. Last accessed 30.09.2012. Around 72 countries are eligible for the PRGT. IMF Website, List of LIC DSAs for PRGT-Eligible Countries. Retrieved from: <http://www.imf.org/external/pubs/ft/dsa/dsalist.pdf>. Last accessed 30.09.2012

¹³ The principle of double-weighted majority requires a sixty percent majority of the total number of participant states, as well as the approval of donor countries representing a sixty percent majority of the total amount of financial contributions. This voting system constitutes a compromise arrangement between the UN and Bretton Woods systems. Payne and Samhat point out that this arrangement may be called a "double veto" as it gives the donor states an implicit threat of veto but also grants a mechanism to the South "for blocking projects and procedures urged upon them by the North" (Payne and Samhat 2004, 95).

polar global climate order where multilateral principles were marginalised and replaced by a non-transparent bargaining process between coalitions of willing states” (Bäckstrand 2012, 681).

In addition to unequal representation (formal and informal) within particular IGOs, we also need to look at the problem of exclusion more generally. This relates both to limited membership decision-making bodies within existing IGOs (such as the UN Security Council) and to new intergovernmental initiatives that include only a limited number of countries. Examples of the latter include the various G-groupings found at the international level, ranging from the G-77 made up of developing countries to the G8, G20, G3 and others (Forman and Segaar 2006, 209). Small and ‘exclusive’ groupings of states are problematic from a democratic perspective if their influence and impacts extend to citizens resident in countries beyond their immediate membership. Other examples of powerful organisations that exert influence beyond their membership include the OECD, the Basle Committee and the G10 within the IMF (Forman and Segaar 2006, 210). As Forman and Segaar point out, concerns about the democratic legitimacy and accountability of many of these informal G-groupings are also linked to the fact that they have few or no mechanisms of accountability oversight and no public records exist of their meetings and discussions (Forman and Segaar 2006, 213).

Another trend that may be interpreted as a potential threat to democratic participation in global policymaking is the substantial role of corporate actors and the embrace of market-oriented policy instruments (Cashore 2002). It is manifested in the emergence of purely private forms of governance and the proliferation of market initiatives (Bernstein et al 2012), as well as the considerable influence of corporate stakeholders in intergovernmental institutions or public-private partnerships. Held and McGrew argue that,

“the locus of legitimacy has shifted away from the public to the quasi-public and private sector, both at the domestic and

international level. The private agents, primarily multinational corporations, have been the greatest beneficiaries of this tendency and have consequently acquired the status of stakeholders in global governance to the detriment of citizens participation” (Held and McGrew 2000, 10).

According to Coleman and Porter, “Private authority poses challenges for democracy because the norms, practices and rules that flow out of these institutions may affect the social and economic well-being of members of societies well beyond the firms or other actors involved” (Coleman and Porter 2000, 381). Dingwerth, however, argues that forms of private governance are not necessarily less legitimate in democratic terms than intergovernmental forms of governance as long as they are “designed as an inclusive, transparent and deliberative process” (Dingwerth 2007, 3).

Finally, a special case of democratic exclusion in global politics needs to be mentioned briefly at this point. This case relates to minorities within individual states who share close bonds with similarly positioned minorities in other countries. One prominent example of this type of trans-border or transnational constituency is the case of indigenous peoples, who live in many individual countries but rarely constitute a majority within them. Some estimates speak about a group of “some 370 million individuals, representing more than 5000 distinct peoples living in more than 70 countries” (Secretariat of the UNPFII 2008, 10). Indigenous peoples are disproportionately more likely to be affected by poverty and a lack of education and often struggle with accessing basic public services (Secretariat of the UNPFII 2008, 10). Marchetti and others argue that indigenous peoples “are structurally excluded from representation at the international level, although they could potentially count as relevant actors if aggregated globally” (Marchetti 2008, 18). Demands for better participation provisions for indigenous peoples in those global policymaking processes that affect them are found in many of the sources analysed for this thesis (see in particular the discussion in chapter IV).

This section has attempted to illustrate some of the reasons for why citizens' voices risk becoming 'lost' in institutions of global governance. One key point arising from the discussion above is the fact that the various democratic deficits inherent in global policy-making processes result in asymmetrical patterns of participation and representation at the international level. Structurally, citizens in democratic, wealthy and powerful countries are likely to be better represented than citizens in weak democracies and poor countries.¹⁴ However, seen from the perspective of democratic legitimacy, it is in particular those citizens that are affected yet simultaneously marginalised or excluded from global policy-making processes that present cause for concern. While the objective here is not to develop hard and fast criteria for pinpointing those affected communities whose marginalisation from global political processes is most serious from a democratic perspective,¹⁵ the discussion above has shown that the marginalisation or exclusion "of a vast portion of the world population from transnational decision-making processes" (Marchetti 2008, 20) is strongly correlated with power asymmetries at the international level. From this perspective it is useful to "refocus the discussion of global democracy on the crucial pathology of political exclusion (..) when an actor is deprived of his/ her entitlements to influence public decisions at the international and global level" (Archibugi et al 2010, 105)

iii. Filling the gap? NGOs and global democratic deficits

The preceding discussion has shown that global policy-making is characterised by very different types of democratic flaws – the identification of the most appropriate 'solutions' will thus depend on the specific causes that are being addressed. The challenge is enormous and it is therefore not

¹⁴ Organised interests are also likely to be better represented than diffuse interests but this is not the focus of this research.

¹⁵ MacDonald (2008) addresses this challenge. Her goal is to construct theoretically rigorous benchmarks that can be used to determine at what point 'affectedness' translates into the democratic entitlement to participate in the relevant decision-making process. Her contribution will be discussed in more detail in chapter V of this thesis.

surprising that these issues continue to be heavily debated in academic and policy circles. A number of reforms have been implemented within international organisations over recent years, many in response to growing concerns about democratic shortcomings – amounting, in the eyes of some observers, to a broader “deliberative turn” in (environmental) policymaking (Bäckstrand et al 2010a). Initiatives include steps to increase the transparency of IGOs, changes to the formal governance structures to give more voting rights to Southern governments, and – of most interest to this chapter - a marked increase in the level of engagement with civil society actors (Steffek and Nanz 2008). But how convincing is the notion on the part of many policymakers and academics that NGOs can represent the voices, interests and perspectives of affected communities in global policymaking venues?

The concept of ‘civil society’ in combination with ‘democracy’ and ‘international organisations’ does not automatically conjure up images of peaceful cooperation. More radical civil society groups – frequently associated with the anti-globalisation and the global justice movement – have been among the most vocal and prominent critics of international organisations, especially the International Monetary Fund (IMF), the World Bank and the World Trade Organisation (WTO). Many of these groups were involved in the massive anti-WTO street protests at the WTO’s ministerial conference in Seattle in 1999. Less visibly perhaps, a number of CSOs have established themselves as knowledgeable watchdogs of these institutions through collecting and making available information about their activities, holding the institutions accountable for their environmental and social impacts on citizens in developing countries, and calling for higher standards of representativeness and participation. Examples of this type of NGOs include the Bank Information Center (www.bicusa.org) and CEE Bank Watch (www.bankwatch.org). Still further along the ‘cooperation-seeking’ end of the spectrum are located the large number of NGOs that have proactively sought the engagement and dialogue with international organisations, hoping

to change existing structures and processes from within. There is debate among both practitioners and academic observers as to where along the 'confrontation to cooperation spectrum' civil society groups should operate. Dryzek points out that there are different conceptualisations of global civil society at play, from ones that see its proper role in terms of contestation of power to others that emphasise its contributions to governance (Dryzek 2012). Individual groups may struggle to find the right balance between making use of the opportunities available for cooperation with international organisations and maintaining a suitable distance that allows them to act as independent observers and critical watchdogs or challengers of the status quo.

One way that NGOs may help to address some of the democratic deficits of international institutions is by helping them connect better with the affected communities. By "linking the local to the international levels of politics" (Princen 1994, 33), NGOs make it possible for local communities to "upstream" their grievances to international institutions, in the hope that changes at the global level will protect their interests more effectively than local politics alone (Princen 1994, 40). Similarly, Steffek and Nanz argue that, "organised civil society [thus] has the potential to function as a 'transmission belt' between a global citizenry and the institutions of global governance" (Steffek and Nanz 2008, 3). Payne and Samhat suggest that the participation of NGOs "lends voice to excluded constituencies in global politics" (Payne and Samhat 2004, 27). The participation by civil society organisations is often viewed as additional and supplementary to intergovernmental channels of representation in world politics. Through bypassing "the traditional diplomatic channels of governmental representation, the participation of civil society may establish an additional and more direct link between decision-makers and their transnational constituency" (Kissling and Steffek 2008, 208).

References to this type of role for CSOs are also found in the popular academic and policy debates on 'stakeholder engagement', where the alleged democratic and efficiency contributions of civil society to global governance institutions are often conflated. The fields of global environmental politics, sustainable development and health have all seen a proliferation of various forms of stakeholder engagement processes, such as multi-stakeholder dialogues, consultations and partnerships that bring together governmental and nongovernmental actors in governance arrangements. The direct involvement of relevant stakeholders in these processes is considered to enhance the chances for the successful on-the-ground implementation of particular policies. Some observers also see these initiatives as first steps towards the development of a "global stakeholder democracy" (Bäckstrand 2006; MacDonald 2008), which "draws variously upon principles of protecting the vulnerable, functional representation, affectedness and expertise" (Bäckstrand 2006, 472). This model is generally not conceived as a fully-fledged substitute for democratic intergovernmentalism but, again, as complementary to "intergovernmental decision-making by providing a key mechanism for transmission of civil society deliberations to the public arena of decision-making" (Smith 2003, 79-80 cited in Bäckstrand 2006, 475). The stakeholder model similarly relies on the assumption that particular organisations and/ or individuals can act as legitimate spokespersons, or 'representatives' for wider communities (often major groups) affected by, or with a stake in, global policies (Bäckstrand 2006, 476).

While the notion of NGOs as links between local communities and international institutions holds the promise of greater global democracy, it also encounters considerable challenges. One set of objections relates to the specific attendance and participation patterns of NGOs in international institutions (Bexell, Tallberg and Uhlin 2011, 87). Despite the popularity of the stakeholder participation rhetoric among policy-makers, many civil society organisations feel that their participation is largely symbolic and that the 'real' negotiations continue to take place behind closed doors. Despite the

enormous interest and level of mobilisation by civil society around the Copenhagen climate summit in December 2009, for example, civil society representatives were by and large physically barred from entering the convention centre. According to Bäckstrand,

“The diversity of discourses, from professionalised NGOs on the ‘inside’ to the protesting global climate justice movement on the ‘outside’ amounts to a transnational public sphere (..) However, COP-15 lacked formal mechanisms to represent stakeholder interests in the agenda-setting and negotiations, as well as participatory policy innovations to promote institutions, institutional interactions between stakeholders and decision-makers” (Bäckstrand 2012, 682).

Although the organisers of the Copenhagen summit were widely criticised for their apparent hostility towards civil society groups, complaints about insufficient access are not new. While considerable opportunities for participation may exist on paper, opportunities for actual influence are limited.

Moreover, a number of observers have pointed to the fact that many of the power imbalances undermining equitable representation among governments are, in fact, mirrored (or even exacerbated) at the level of civil society (Carr and Norman 2008; Hoffman 2012). The result can be a “double representation of the west and north through both powerful states and NGOs” (Kahler 2005, Biermann and Pattberg 2008 cited in Held and Hervey 2009, 10). An analysis of the participants at the UN Stakeholders Implementation Conference (IC), for example, which followed the 2002 World Summit on Sustainable Development (WSSD) shows that

“despite the explicit aim to rectify power imbalances as measured by national representation, the world’s ‘stakeholders’ were less represented at the IC than at the WSSD forum. The WSSD drew representation from 180 countries (including representation from heads of state), whereas only 49 countries were represented at the IC” (Carr and Norman 2008, 362).

While practical considerations such as the physical location of an international meeting (or IGO secretariat) and the availability of government-provided funds enabling CSOs to attend are obvious key factors that explain specific attendance patterns, structural power differentials among societal groups are probably even more important. Large and well-resourced organisations (often based in the global North) not only have the resources to employ designated liaison staff for particular IGOs and to send multiple delegates to meetings, but may also be in a position to offer concrete benefits to governmental delegates and IGO staff (briefing papers, access to experts, accessible scientific analyses) that further strengthen their influence with these key decision-makers. Examining the role of NGOs in global conservation policy-making Holmes finds that a small number of very big and well-resourced groups have been the primary beneficiaries of the trend towards the devolution of responsibilities from the interstate to the non-state level (Holmes 2011, 7)

However, even leaving aside the problems arising at the level of interaction between NGOs and international institutions, there have been growing calls for more research into the legitimacy of the participating NGOs themselves (Van Rooy 2004; Collingwood 2006; Kissling and Steffek 2008; Erman and Uhlin 2010; Bexell, Tallberg and Uhlin 2010). Kissling and Steffek (2008), for instance, offer a very systematic analysis of civil society participation as a “cure for the democratic deficit” in global and European governance, but concentrate their attention on the level of interaction between governance institutions and CSOs. They acknowledge, however, that this does not go far enough and that “future research on the potentially democratising effects of civil society participation in international governance should, therefore, shift its focus from IOs to CSOs” (Kissling and Steffek 2008, 216). Uhlin (2010) differentiates between the input, throughput and output legitimacy of nonstate actors. He considers representation and inclusion elements of input legitimacy; transparency, accountability, participation and deliberation part of throughput legitimacy (2010, 24), and uses the term “democratic output

legitimacy” to denote the democratic consequences of private actors’ actions (Uhlin 2010, 32). He does not intend these “different dimensions of democratic legitimacy” to be used as “operational criteria for empirical research ‘measuring’ the democratic legitimacy of different TNAs”, but suggests that they may nonetheless serve as points of departure for an empirical evaluation (Uhlin 2010, 33). Initiatives to assess the “accountability” of NGO have also been undertaken outside the academic field. One notable example is the ‘Global Accountability Project’ by the One World Trust, which uses similar indicators to assess and compare elements of transparency, participation, evaluation and complaints mechanisms within NGOs, international corporations and IGOs (Blagescu and Lloyd 2006).

An empirical analysis of NGOs as democratic links between local communities and international institutions will thus contribute further to this emerging field of research on the legitimacy of NGOs. While there is considerable overlap with the broader ‘democratic legitimacy of NGOs’ debate, the particular focus adopted in this thesis is, however, more specific. Of most concern here is the relationship between affected communities (as outlined earlier) and international NGOs and the extent and the ways in which the NGOs are able and willing to incorporate the views and preferences of these communities in their own policy positions. The difference in emphasis between conceptualising NGOs as ‘democratic conduits’ for these communities and assessing the democratic legitimacy of NGOs in more general terms can be illustrated with respect to the important criteria of transparency. Transparency – regarding, for example, the sources of income, expenditures, and the social and environmental impact of their activities – is widely considered an essential prerequisite for establishing the democratic legitimacy or ‘accountability’ of private actors. Judged in terms of the ‘linkage’ role, however, the main concern is the information that the NGO makes available specifically to the affected communities, not to the public at large. There may even be instances where, in order to work with these communities, NGOs may have to restrict the information they make available

to other actors. An example would be an NGO working with communities whose human rights are under threat and where the identities of these communities have to be concealed to protect them from persecution, retaliation or other forms of potential harm. Similarly, with regards to the criterion of participation, an empirical analysis of the ability and willingness of CSOs to involve their members or supporters in their internal decision-making and in how they define political priorities (Kissling and Steffek 2008, 216) is, undoubtedly, essential for understanding their ability to act as 'links'. Nonetheless, it is important to bear in mind that members or other supporters are, in many cases, not the same as the affected communities who are marginalised in global policy-making processes.

This is not to deny that NGOs as participants in global political processes have their own political agendas, interests and ambitions. This thesis suggests, however, that their contribution to global politics has the potential to and in some circumstances actually does go beyond this: NGOs may also act as 'representatives' of other citizens. In this NGOs are similar to what Warren (2008) has termed "citizen representatives": this "involves citizens themselves serving in *representative capacities*: lay citizens represent other citizens" (Warren 2008, 50). He makes the point that many initiatives that are often talked about as practical applications of "participatory democracy" (such as citizen juries, stakeholder meetings, public submissions, focus groups and others) in fact "involve[s] a form of representation that depends upon the *active participation of a relatively few citizens who function as representatives of other citizens*" (Warren 2008, 51). The structure and nature of global policy-making further amplifies this distinction between 'participation by the few' and 'representation of the many' and makes it much harder for lay citizens to participate. In this environment, international NGOs are one of several (albeit a relatively powerful category of) groups that 'stand for' citizens more broadly.

Besides potentially *themselves* acting as democratic links between citizens and international institutions, NGOs may also put pressure on IGOs to build more direct links with their affected constituencies on the ground. This may involve holding IGOs to account for their impacts and calling for fairer participation procedures and equitable representation within the target institutions. The notion that the democratic contribution of civil society actors can and should be assessed both with reference to their internal practices *and* their 'external' democratic demands has already been put forward most explicitly by a number of scholars concerned with the role and practices of social movements. Marchetti, for instance, argues that "social movements formulate external claims that force the strengthening of democratic practices in international institutions" while also strengthening democracy through their "internal practices" (Marchetti 2008, 165). A comparative study of democratic visions and practices by social movement organisations associated with the global justice movement finds that,

"conceptions of democracy emerge as particularly relevant for this movement, committed to addressing external as well as internal transformation. Regarding the external, the movement must adapt to challenges to representative democracy (..)"
(della Porta 2009, 6)

Della Porta refers to this as the "external dimension of democracy", besides the different forms of "internal" democracy adopted by the social movement organisations. While the social movement organisations analysed in the study tend to consider the international financial institutions and the WTO as 'anti-democratic' and thus practically (and ideationally) beyond reform, "the orientation towards strengthening the institutions of global governance, but at the same time democratising them, is in fact especially visible in the attitudes towards the UN or the EU" (della Porta 2009, 10).

Simply encouraging more participation by civil society groups is not in itself sufficient for addressing the problem of representation and participation asymmetries at the international level. In fact, an overreliance on the stakeholder participation rhetoric can become a smokescreen that diverts

attention from the more structural causes of inequality at the intergovernmental level. In the eyes of a non-Western commentator, this carries the danger that, “tweaking levels of participatory democracy at the margins of global institutions ignores the substantive bases of the legitimacy of those institutions in the first place, i.e. the power and the privileges of Western states” (Mahbubani 2011, 133). There is no fast and easy solution for addressing global democratic deficits in a highly complex world. Real progress can only be made by adopting a multi-level policy of small steps, addressing forms of democratic exclusion from the local to the global level, and searching for ways to achieve both more equitable forms of intergovernmental representation and greater participation by affected citizens.

While this thesis does not attempt a thorough and comprehensive exploration of what institutional reforms would best address the representation inequities and power imbalances that characterise many global institutions today, it is nonetheless important to consider how these issues are taken up and approached by civil society organisations. This thesis therefore pursues two lines of inquiry: it seeks to analyse the internal practices of individual INGOs for evidence of responsiveness to communities on the ground, and examines the demands and proposals emanating from participating civil society groups for strengthening the democratic legitimacy of two UN conventions. A better understanding of these two forms of democratic contributions by civil society actors – the internal and external dimensions referred to above – would constitute important groundwork for drawing better informed conclusions about the ability of NGOs to strengthen the democratic legitimacy of international institutions.

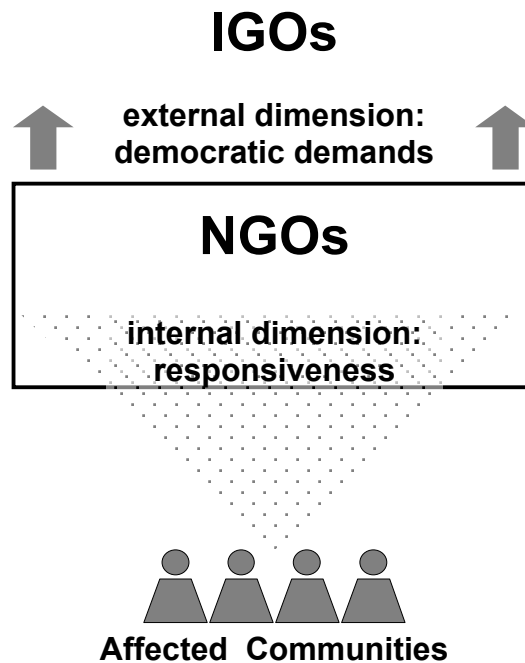


Diagram 2: External and internal dimension of NGOs' democratic contribution

iv. Existing accounts of NGOs as links

The role of international NGOs in bringing the voices of local communities to global politics has already been explored by a number of authors, albeit not always against the backdrop of the democratic deficits outlined above. It is nonetheless helpful to offer a short overview of three different analyses that present CSOs from a relational perspective and seek to gain a better understanding of how larger groups relate to community-based organisations or communities on the ground – shedding some light on the ability of NGOs to act as ‘links’ from the local to the global level. The purpose of this section is therefore to present three different pieces of research that present CSOs from a relational perspective. Keck and Sikkink (1998), Bob (2005) and Hertel (2006) are all useful in illuminating particular aspects of the relationship between international NGOs and local actors and how this relationship is played out in a situation of structural inequality. These accounts are useful as they allow us to gain some important empirical and theoretical insights into the role of NGOs as links between local groups and

global political processes against which the model of NGOs as 'representatives' can be developed in chapter V.

Keck and Sikkink's analysis of transnational advocacy networks (TANs) counts as one of the pioneering pieces of research on the role and influence of transnational NGO campaigns. Using three case studies on human rights advocacy in Latin America, environmental advocacy in networks and transnational networks on violence against women, they present transnational campaigns networks as norm entrepreneurs who "try not only to influence policy outcomes, but to transform the terms and nature of the debate" (Keck and Sikkink 1998, 2). The authors develop a typology of tactics these actors employ to get targets (states or international organisations) to move closer to their own ideas and values. These tactics include information politics ("the ability to quickly and credibly generate politically useful information and move it to where it has the most impact"), symbolic politics ("the ability to call upon symbols, actions, or stories that make sense of a situation for an audience that is frequently far away"), leverage politics ("the ability to call upon powerful actors to affect a situation where weaker members of a network are unlikely to have influence"), and accountability politics ("the effort to hold powerful actors to their previously stated policies or principles") (Keck and Sikkink 1998, 16). In Keck and Sikkink's analysis, national or local actors that are unable to bring their concerns to their own government when domestic channels for representation are blocked resort to building relationships with groups in other countries or with transnational networks with the aim of getting these external groups to exert direct or indirect (via other governments or international organisations) pressure on their own national government.

Keck and Sikkink's work provides a good starting point for thinking about the relationship between local groups and international NGOs and the issue of representation. Firstly, the "boomerang" strategy outlined by Keck and Sikkink is a response by local actors to a "blockage" of domestic claims (Keck

and Sikkink 1998, 12): in other words, a representation failure through conventional democratic channels. Tarrow points out that this does not necessarily have to correspond to the outright repression of domestic claims; it may simply be the case that foreign actors are more responsive to these claims than domestic political institutions (Tarrow 2005, 146). From the perspective of certain local actors, international NGOs may therefore substitute as potentially more effective representatives than domestic institutions. If international NGOs then manage to contribute towards the attainment of policy outcomes that are closer to the original preferences of these groups, it is possible to talk of a successful implementation of “leverage politics” (Keck and Sikkink 1998, 16). The idea that NGOs can act as ‘links’ between local communities and international forums is thus implicit in Keck and Sikkink’s analysis but not subjected to critical scrutiny.

Applying a representation approach to transnational advocacy networks or to the relationship between local groups and international NGOs more broadly would also help to illuminate the dynamics that exist in the interactions between different groups. While Keck and Sikkink point out that advocacy networks may involve a range of actors from national and international NGOs, local social movements, foundations, the media, religious and political associations, vocal individuals to parts of regional and international intergovernmental organisations (Keck and Sikkink 1998, 9), they devote less attention to analysing the relationships among these different actors. At the same time, their case study on the Polonoroeste campaign on deforestation in the Brazilian Amazon shows how the relationship between local activists and the “Washington activists” (Keck and Sikkink 1998, 140) changed in the course of the campaign throughout the 1980s, with the voices and experiences of the locally affected groups gradually increasing in importance. The dynamics and the discourse of the campaign itself changed towards an emphasis on participation and “partnership’ in which genuine links between organisations of those suffering harm and those speaking for them were crucial to the campaign’s

legitimacy” (Keck and Sikkink 1998, 142). Keck and Sikkink do not focus on the nature of these links or on the mechanisms through which the shift towards participation and partnership was implemented in the campaign network and whether it did indeed lead to campaign objectives that corresponded more closely to the preferences of the local communities. Moreover, they touch only briefly upon the issue of unequal power relationships between actors in transnational campaign networks. However, these omissions are justified by the focus of their work, which is on the effect and impact of transnational advocacy networks on international normative changes and does not extend to analysing the networks themselves. Other scholars have tackled this issue directly.

Bob (2004) and Hertel (2006) have both offered new perspectives on the dynamics that exist between the different actors in transnational campaigns. Their focus is on the relationship between actors at the local level and international NGOs (Hertel refers to campaigns). Particular attention is paid to the power dynamics between these actors. Whereas Bob emphasizes the “marketing” imperatives that constrain the autonomy and potential for impact by local social movements, Hertel looks more closely at the means for influence available to local activists.

Bob analyses the relationship between international NGOs and social movements in the “global morality market” (Bob 2005, 4). He points to the fact that out of the plethora of social movements worldwide, only a few manage to attract large-scale public attention and win the support of powerful global players. Rather than a playground open to all, global civil society is better understood as a “Darwinian arena in which the successful prosper but the weak wither” (Bob 2005, 8). As a result, local or national social movements resort to competing over NGO support, which, if it can be obtained, is considered an important source of influence and leverage in putting more effective pressure on their own national governments. This competition, however, takes place in a situation of structural inequalities

between powerful international NGOs and resource-poor local movements. He observes that local movements end up changing their strategies, legitimising discourses or internal structures in their attempts to attract support. Those movements that possess more experience or material resources to pursue a successful 'marketing' strategy are likely to win at this game. Less experienced movements that do not play by the rules, get left behind. International NGOs in turn, also have something to gain from this exchange: largely non-material, motivational resources that provide meaning for their activities (Bob 2005, 14/15).

According to Bob, the likelihood of a particular movement becoming adopted by an NGO patron is largely dependent on the degree to which it overlaps with the target NGO on five critical attributes: substantive goals, customary tactics, ethical precepts, cultural attitudes, and organisational needs (Bob 2005, 26). Accordingly, the movement is more likely to succeed at gaining support if it manages to strategically "frame" these critical attributes to appeal to the target NGO (Bob 2005, 27). Bob also points to the centrality of "gatekeepers" in network formation: large and influential players with a reputation for credibility whose decision to support a particular cause or movement is likely to be imitated by other international groups who rely on the gatekeepers' judgement (Bob 2005, 18). Examples of such gatekeeper NGOs include Amnesty International or Human Rights Watch in the field of Human Rights or WWF, Greenpeace or FoEI with respect to environmental politics (ibid).

Bob's analysis shows that the concerns of local groups, once taken up by transnational actors and put forward in a global arena, are not necessarily 'authentic' reflections of their experiences. He outlines a number of structural factors that make it impossible to talk about either a linear or a balanced transmission of preferences from the grassroots up. His work shows that the voices of those who know the rules of the international NGO circuit are likely to dominate the discourse – global advocacy as an exclusive private members

club. In fact, Bob argues that the need for local movements to engage in self-marketing can even lead to situations whereby “pressure to conform to NGO concerns can contravene a movement’s original goals and tactics” (Bob 2005, 184). International NGOs in turn also have strong incentives to devote themselves to those groups whose profile most closely matches their own requirements. Bob’s analysis is useful from a representation perspective as he shows how both local groups and international NGOs work towards minimising the risk for conflict in their relationship. His work is also insightful if we want to determine what or whom NGOs claim to represent. As highlighted by Bob’s work this involves critically questioning whether existing (ex-ante) preferences of affected citizens are taken up by the NGOs in the process of representation or whether the NGOs themselves play a part in creating these very preferences (or even the communities) in the first place (Castiglione and Warren 2006, 13). Overall, Bob’s research focus is on the need for adaptation that allows local movements to survive in the “global morality market” and he does not account for how local actors in turn may potentially succeed in impacting the dominant discourse despite their situation of relative weakness vis-à-vis other actors.

It is this potential for influence by local actors over international campaigns that constitutes the focus of Hertel’s (2006) analysis. She seeks to explain more precisely how apparently materially or politically less powerful actors can succeed in shaping the normative agenda of a campaign once launched. To do this, Hertel demonstrates that affected groups resort to two types of mechanisms to influence the development of international norms: “blocking” and “backdoor moves”. Blocking occurs when actors at the receiving end of a campaign succeed in “halting or at least significantly stalling a campaign’s progress in order to pressure senders to change their frame” (Hertel 2006, 6). Backdoor moves are more subtle: the receiving-end activists do not openly challenge the normative elements of the campaign but still manage to insert their own reference points and/ or policy proposals (Hertel 2006, 6). In emphasising that local groups themselves engage in a screening process

with respect to the international campaigns they participate in, Hertel differs from Bob whose analysis focuses on the ability of the most powerful players within these campaigns (i.e. large international NGOs) to accept or reject 'applicants'. Hertel therefore allows more scope for independent influence by local social movements than Bob, who treats their power as a function of the benefits they can offer international NGOs, reduced by their (much larger) need for NGO support (Bob 2005, 20). Hertel's focus on the potential for influence by local groups on transnational campaign highlights another important element of the concept of representation: the notion that this is not a one-way relationship but that the representative and the represented are mutually constitutive and that it is important to pay attention to the role of both parties.

v. Conclusion and next steps

Traditionally, the democratic legitimacy of intergovernmental institutions has been derived directly from the assumption that citizens are represented through their governments. As the discussion in this chapter has shown, reality is far more complex and there are myriad reasons for why the voices of citizens might not be heard in global policymaking processes. The discrepancy between democratic control and actual or potential affectedness risks undermining "the congruence between the 'people' that is being governed, and the 'people' that is supposed to govern" (Scharpf 1998, para. 17).

Concerns about democratic deficits in international institutions have often been followed by calls for civil society organisations to come to the rescue. The contribution of NGOs and other CSOs to the democratic legitimacy of international institutions can be broadly classified in two categories set out by Marchetti (2008): "external claims" and "internal practices". With regards to the external claims, the focus of this research is on demands formulated by NGOs that address issues of representation and participation within IGOs. A closer look at the internal practices allows us to draw conclusions about the

extent to which NGOs implement democratic standards within their own organisations, and in particular about their ability to act as democratic intermediaries, or links, between affected communities and international institutions. This dual focus also offers an empirical investigation of the criticism that NGOs frequently do not live up to the same standards and ideals they demand of others.

Let us turn first to the issue of external claims. Chapter IV of the thesis will investigate to what extent - and how - debates relating to the democratic legitimacy of global institutions are taken up by and played out within the NGO communities interacting with the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity respectively. In order to capture some of the key points outlined in the discussion of democratic deficits above, the chapter will distinguish between NGO proposals targeted at representation inequities among governments and NGO demands for strengthening opportunities for participation by societal stakeholders (Koenig-Archibugi 2006, 14).

Two sets of research questions will therefore guide the analysis of the NGO **external** democratic demands in the context of the two conventions:

1. To what extent do NGOs criticise the formal and informal distribution of influence among governments and what reforms do they propose and support?
2. How important are demands for greater participation by affected communities and community-based organisations? What shape do these demands take and what role do they play in different contexts?

Addressing the external before the internal dimension has the advantage of using the analysis of the 'problem' - the alleged democratic shortcomings within particular international institutions - as the point of departure. It also helps to ground the analysis of individual environmental NGOs in a better

understanding of the context they operate in. Moreover, the discussion of the democratic deficits in two actual conventions helps to gain a more specific understanding of who is most affected by the policies emanating from these institutions and the extent to which these affected communities are represented or marginalised in the decision-making processes.

As the discussion in this chapter has shown, we often find a more or less explicit assumption among policymakers and scholars that civil society organisations can act as ‘links’ between local communities and global policymaking processes. However, specific empirical analyses of what exactly such linkages mean and how they may be operationalised are in short supply. Does this merely imply that civil society groups are better than international policymakers at having an ear at the ground and picking up ideas and demands from the local level? Or does it refer to more formalized forms of decision-making that involve mechanisms for responsiveness within the civil society organisations themselves? Chapter V will address this issue by proposing a representation perspective for analyzing civil society organisations. The subsequent chapters will then try to gather empirical insights through an analysis of the decision-making procedure of three large international multi-issue NGOs and two issue-specific NGO networks. Through an analysis of the possibilities for democratic practices and structures within NGOs, the thesis tries to develop a clearer understanding of the **internal** potential of NGOs for bringing the voices of affected publics to international organisations, guided by the following research questions:

1. What are the structures and processes allowing for the participation by and responsiveness to local communities that can be found within international NGOs?
2. What drives or motivates NGOs to act as ‘representatives’ of local communities in international organisations?
3. What are the potential conflicts and challenges that NGOs face in pursuing this role?

4. What are the effects and consequences of NGOs acting as representatives in this way?

An important caveat emerging from the discussion in this chapter is the fact that analysing the democratic demands by NGOs vis-à-vis other global actors still does not address the fundamental problem of democratic shortcomings at the national level. This level of analysis falls outside the scope of this study. It should be acknowledged, however, that many NGO roles and activities on the ground – such as education, capacity-building and supporting local development – are potentially important in strengthening the ability of citizens to participate more fully and effectively in democratic life (at the local, national and international levels). Wapner refers to this as the “politics of localism” through which NGOs “attempt to empower local communities so they can better control their environmental and developmental destinies and, in so doing, have an impact on wider spheres of collective life” (1996, 73).

III. Global environmental governance

This chapter aims to provide a brief trajectory and overview of global environmental governance, focussing on the intergovernmental institutions and the participation of non-state actors therein. There are a number of reasons why the environment constitutes an appropriate issue area within which to situate this study.

Firstly, trans-boundary environmental problems and the search for appropriate responses have emerged as central concerns for policymakers over recent decades. According to Falkner, “states have come to accept a basic form of global environmental responsibility that has grown into an emerging primary institution” (Falkner 2012, 514). The growing acceptance of environmental responsibility has led to the search for multilateral responses to many of the most pressing environmental problems. Nonetheless, environmentalism continues to present “a challenger norm in international society” that competes with “existing primary institutions of sovereignty, international law and the market” (Falkner 2012, 515).

Secondly, despite the search for multilateral responses, policy-making processes at the international level are not subject to the forms of democratic control and participation found domestically. Global environmental governance is prone to many of the democratic problems discussed in the previous chapter. Many of the dominant interpretations of what constitute global environmental threats and desirable environmental outcomes have been developed without the participation of the most affected parties (Forsyth 2003, 10). Furthermore, many of the strategies designed to achieve environmental protection have serious, and sometimes negative, consequences for the lives of communities on the grounds – although these same communities are often not responsible for causing the environmental destruction in the first place. The affected communities are frequently not, or

only insufficiently, consulted in the design and implementation of environmental protection projects and policies.

Thirdly, non-state actors, including NGOs, already play an important role in international environmental politics, more so than in many international issue areas (Arts 2006). Most environmental problems are not the product of deliberate state policies – they are a far cry from the ‘security dilemma’ that arises from states pursuing their self-interest according to the Realist paradigm. Instead, environmental degradation is better understood as a by-product of the dense web of processes of production and consumption that characterise the world economy. Every day, millions of individual decisions affecting the environment are taken not by governmental actors but by business, consumers and citizens. Effective strategies for change require broad societal backing and the involvement of a wide range of actors.

The chapter is structured as follows. Section (i) will provide a brief overview of the history of global environmental governance, with reference to the large global UN conferences on the environment starting in 1972. The main intergovernmental institutions of global environmental governance – the United Nations Environment Programme, the Commission on Sustainable Development and the Global Environment Facility – are all institutional offspring of these conferences. Section (ii) will illustrate the ideational underpinnings of global environmental governance and show how the concept of sustainable development has emerged as a central leitmotif. The gradual establishment of participatory norms and practices in global environmental governance constitutes the focus of section (iii) while section (iv) will focus more specifically on the participation of NGOs. A brief conclusion (v) will provide the link to the subsequent chapters.

i. The institutions of global environmental governance

The large and highly visible UN-sponsored conferences on the environment and development that have taken place at regular intervals since the 1970s

are milestones in the history of global environmental politics. The most important multilateral organisations and conventions explicitly mandated with protecting the global environment or addressing particular environmental challenges such as climate change are the institutional offspring of these conferences.

UN conferences and agreements

The 1972 United Nations Conference on the Human Environment held in Stockholm, “a watershed in the development of international environmental law” (Elliott 2004, 7), established a number of precedents that helped shape the nascent system of global environmental governance. Among the conference’s outputs were

- (i) A non-binding ‘Declaration on the Human Environment’ containing 26 principles concerning the environment and development;
- (ii) An ‘Action Plan for the Human Environment’ outlining 109 recommendations spanning six broad areas (human settlements, resource management, pollution, development, social aspects of the environment, and international organisations); and
- (iii) A resolution on the ‘Institutional and Financial Arrangements for International Environmental Cooperation’

It was the latter which paved the way for the creation by the UN General Assembly of the United Nations Environment Programme (UNEP) designed to oversee and coordinate environmental activities within the UN system. Innovative about the conference’s format was the fact that a formal NGO conference and an informal ‘People’s Forum’ took place in parallel with the official proceedings. While the NGOs’ influence on official conference proceedings and outcomes was minimal, the gathering still had important benefits in terms of bringing together activists from a range of countries, regions and backgrounds.

Twenty years would pass until the next global conference on the environment. These two decades following Stockholm saw a number of noteworthy international initiatives, such as the treaties designed to tackle the trade in endangered species or the threat of desertification, as well as the publication of influential reports, including the Club of Rome's 1972 'Limits to Growth' report and the Brundtland Commission's 'Our Common Future' in 1987. This was also the period during which the Green Movement rapidly grew in size in a number of European countries. Environmental disasters such as the toxic gas leak at Bhopal in 1984, which killed over 3000 people¹⁶, and the fallout from the Chernobyl nuclear disaster in 1986 contributed to a heightened sense of concern among citizens. At the same time the 1980s saw the opening for signature of what is generally considered one of the few examples of successful international cooperation on an environmental issue: the Montreal Protocol on Substances that Deplete the Ozone Layer, which entered into force on 1 January 1989 (Litfin 1995). As a result of the growing influence of the global South in multilateral negotiations, the protocol included a number of specific provisions designed to alleviate the economic costs of eliminating CFCs to developing countries.

The 1992 United Nations Conference on Environment and Development (UNCED) held in Rio was attended by 176 delegates and received unprecedented levels of media and public attention (Connelly and Smith 2003, 238). In parallel with the official conference over 18,000 NGO representatives from all over the world came together for the Global Forum, a parallel summit specifically for NGO participants (Carr and Norman 2008, 361). However, most of them were not allowed into the government negotiations and the Global Forum was in fact held in specially constructed

¹⁶ Some campaigners claim that the true number of Bhopal victims lies much higher, with around 20,000 people dying later as a result of injuries and long-term health effects suffered. BBC Website (no year). 'On this day: 03. December 1984'. BBC Website: http://news.bbc.co.uk/onthisday/hi/dates/stories/december/3/newsid_2698000/2698709.stm Last accessed 29.04.2008.

tents about 40 kilometres from the official discussions (Chatterjee and Finger 1994, 63). Five agreements were signed at Rio: the Rio Declaration, Agenda 21, the Declaration on Forest Principles, the Framework Convention on Climate Change and the Convention on Biological Diversity. The latter two had been negotiated separately but were opened for signature during the conference and are therefore considered part of the UNCED process. It was also at the Rio summit that the Global Environment Facility was created as the funding mechanism for global environmental issues.

The Rio Declaration, a set of nonbinding guiding principles for national and international environmental behaviour, endorsed the polluter pays principle¹⁷ and the precautionary principle¹⁸ as well as expressing support for greater participation and transparency in environmental policymaking. The declaration also coined the much-quoted phrase of ‘common but differentiated responsibilities’ (‘CBDR’ - principle 7) for the environment. The ‘CBDR’ principle holds that countries should assume different levels of commitment for global environmental protection, depending on their level of development and capacity to act, as well as on the extent to which they have contributed to these problems in the first place. Furthermore, the Rio Declaration singled out for importance the contributions to effective environmental protection of a number of stakeholder groups, mentioning specifically the need for full participation by women (Principle 20), the importance to engage “the youth of the world” (Principle 21) and that “indigenous people and their communities and other local communities have a vital role in environmental management and development” (Principle 22) (United Nations 1992a).

¹⁷ According to the polluter pays principle “all costs should be borne by the polluter, so that polluters should not otherwise have an unfair commercial or competitive advantage” (Elliot 2004, 143). The internalisation of environmental externalities is key to this principle.

¹⁸ The precautionary principle is usually interpreted to mean that, in the face of scientific uncertainty, policy-makers should act early to prevent harm rather than wait until harm occurs. At the international level, the application of the precautionary principle has led to trade disputes between the European Union and the United States, most prominently over the use of hormones in beef.

Agenda 21 was intended as a “comprehensive plan of action to be taken globally, nationally and locally by organisations of the United Nations System, Governments, and Major Groups in every area in which humans impact on the environment” (UN 1992b). Its forty chapters are split into four sections on ‘Social and Economic Dimensions’, ‘Conservation and Management of Resources for Development’, ‘Strengthening the Role of Major Groups’ and ‘Means of Implementation’ (ibid). In late 1992 the UN General Assembly set up the Commission on Sustainable Development (CSD) as the body charged to monitor and review implementation of Agenda 21.

The next big international conference on the global environment took place in Johannesburg in 2002 as a 10-year follow-up to UNCED and is known as the World Summit on Sustainable Development (WSSD). In reaction to the disappointing situation at Rio where NGOs had met in relative isolation from official proceedings and thus had had little opportunity for influence, the UN-sponsored ‘Stakeholders for Our Common Future Implementation Conference’ was formed (Carr and Norman 2008). The objective of this initiative was to allow 331 stakeholder representatives from 50 countries to get together subsequent to the WSSD, develop common positions on the key items addressed at the official conference and therefore exert a more targeted influence on the planning and implementation process (Carr and Norman 2008, 359). Separately from this, business groups used the opportunity to organise a concurrent business forum (DeSombre 2006, 29). The Johannesburg Summit also institutionalised new connections between the different types of actors involved in the field of environmental politics. Among its key outcomes was the creation of so-called type II partnerships for implementation – initiatives that brought together business, governments and civil society actors.¹⁹

¹⁹ As of late 2011, the website of the UN Division for Sustainable Development lists 348 partnerships “contributing to the implementation of Agenda 21, Rio+5 and the Johannesburg Plan of Implementation” Website of the Division for Sustainable Development. <http://webapps01.un.org/dsd/partnerships/public/statisticsResults.do> Last accessed 18.10.2011

The timing of the WSSD was unfortunate: it was brought forward by a couple of weeks to the end of August in order to avoid clashing with the one-year anniversary of the 9/11 attacks. Still, the fact that the threat of large-scale terror attacks was now occupying the attention of the United States and her allies may go some way towards explaining why environmental issues became relegated to the margins of the international political agenda, with major states unwilling to take on substantial new commitments in that field. Moreover, Elliott considers the 'Johannesburg Plan of Implementation' as "particularly weak on the issues of rights and justice which (..) are central to sustainable development and environmental protection" (Elliott 2004, 27). While it contained a number of seemingly "progressive normative statements", these were consistently "qualified by a deference to national law" (Elliott 2004, 27).

The main environmental IGOs

The key bodies mandated to deal with global environmental politics are the United Nations Environment Programme (UNEP), the Commission for Sustainable Development (CSD) and the Global Environment Facility. The first two are squarely located within the UN system while the GEF constitutes a hybrid arrangement, coordinated jointly by UNEP, UNDP and the World Bank (with the latter exerting most influence). Two important issue-focussed conventions – the UN Framework Convention on Climate Change and the Convention on Biological Diversity – will be discussed in the next chapter.

The United Nations Environment Programme has already been mentioned as the main institutional outcome of the Stockholm Conference. UNEP is incorporated as a subsidiary body to the UN General Assembly and reports to the Economic and Social Council (ECOSOC). The decision to situate the newly created UNEP secretariat in Nairobi, Kenya, was an acknowledgement of the growing influence of developing countries within the UN system in the 1960s and 1970s. It also reflected the recognition that the management of

environmental issues is central to the development agenda – a point made repeatedly by developing country delegates at the Stockholm Conference. The choice of location makes it at times hard for UNEP to maintain close links with other UN programmes and the agencies that it is charged with overseeing and necessitates a disproportionate amount of air travel on the part of UNEP personnel (DeSombre 2006, 11)

UNEP is run by an ECOSOC elected 58-member governing council, which adheres to the principle of geographical representation and contains 16 seats for African states, 13 for Asian states, 6 for Eastern European states, 10 for Latin American states, and 13 seats for Western Europe and ‘other’ countries.²⁰ Governing council meetings take place every two years and are held concurrently with the ‘Global Ministerial Environmental Forum’. Day-to-day management is facilitated by the secretariat under the leadership of the executive director. UNEP has a history of high-visibility and proactive executive directors: starting with Maurice Strong, followed by Mostafa Tolba, Elizabeth Dowdswell, Klaus Toepfer, and currently Achim Steiner.

The Commission on Sustainable Development (CSD) is, as was already mentioned, one of the outcomes of the 1992 Rio Summit mandated with overseeing the implementation of Agenda 21. Its 53 member governments are elected by ECOSOC on the basis of regional representation and the commission also reports to ECOSOC (Elliott 2004, 98). After the 2002 WSSD the commission also received the responsibility for monitoring the execution of the ‘Johannesburg Plan of Implementation’ in its mandate (DeSombre 2006, 32). In addition to monitoring the progress of these agreements, the CSD is charged with the broad task of promoting “the integration of environment and development concerns within the UN system and among governments” (Elliott 2004, 98). Its impact, however, has been limited.

²⁰ Website of the United Nations Environment Programme. Rules of Procedure of the Governing Council of the United Nations Environment Programme. <http://www.unep.org/Documents.Multilingual/Default.asp?Documentid=77&Articleid=1158&L=En> Last accessed 18.10.2011

Despite its above-mentioned review functions, the CSD has no powers of enforcement or means for sanctioning laggards (Elliott 2004, 98). DeSombre sees the primary impact of the CSD in the creation of norms, the generation of information and development of capacity; moreover, the commission “plays an important role in bringing non-state actors into the otherwise largely intergovernmental focus within the United Nations, and increases access by these actors in UN discussions and negotiations” (DeSombre 2006, 34).

The Global Environment Facility is sometimes considered the most significant outcome of the 1992 UNCED, where it was designated as the official funding instrument for Agenda 21. It is the single largest source of funding for the global environment. Since its inception it has committed “\$9.5 billion, supplemented by more than \$42 billion in cofinancing, for more than 2,700 projects in more than 165 developing countries and countries with economies in transition” (Global Environment Facility 2011). It is the only multi-convention financing facility in existence and performs this function for the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC), the Stockholm Convention on Persistent Organic Pollutants, and the UN Convention to Combat Desertification. It also supports the multilateral fund of the Montreal Protocol. The institutional design of the GEF is unusual in that it has three implementing agencies (the World Bank, UNEP and UNDP) that – at least formally – participate in the organisation on an equal basis. In reality, however, the World Bank exerts by far the most influence and also houses the GEF secretariat, although this is considered functionally independent of the Bank (Young 2002). Its main governing body is the council: the delegates are elected on the basis of equitable geographical representation and it is formally accountable to the GEF assembly, which meets every three years.

Measured in terms of their contribution to halting or reversing global environmental degradation the intergovernmental institutions of

environmental governance have, on balance, performed poorly. The reasons for their weak track record range from severe funding shortages, a lack of support from key governments, diffusion of responsibility across competing agencies, to accusations of bureaucratic inefficiency and lack of competence.²¹ UNEP, for instance, has to mostly rely on voluntary donations by its member states as a result of its status as a 'program' rather than a 'specialised agency' (DeSombre 2006, 12). This makes the organisation highly susceptible to fluctuations in states' support for particular environmental issues.

Critics have also pointed out that the absence of one central authority to oversee global environmental policy within the UN system hampers effectiveness (Biermann 2000). Besides the bodies already mentioned there are a host of agencies addressing particular environmental issues, while often failing to coordinate their activities among each other. The United Nations Development Programme (UNDP) for instance, deals with a range of environmental issues in pursuing its sustainable development mandate. A number of other agencies such as the Food and Agriculture Organisation, the World Health Organisation and the World Meteorological Organisation act on issues as diverse as food safety, the use of pesticides and climate change, all of which are closely linked to environmental politics. This dispersal of environmental responsibilities across many distinct UN agencies and programmes has given rise to accusations of overlap, bureaucratic inefficiency and rivalry among agencies.

Calls for reform have been around for decades, ranging from demands to strengthen the position of UNEP to the abolition of the current plethora of agencies involved in various aspects of environmental governance, to replace

²¹ According to the Economist, UNEP is casually referred to in UN circles "as 'INEPT' for its lack of focus and reliance on glossy brochures." *The Economist* 'High hopes and slender means', October 29 2007
http://www.economist.com/world/international/displaystory.cfm?story_id=10049715 Last accessed 02.05.2008

them with a single new World Environment Organisation.²² Also noteworthy is the long-standing proposal to turn the defunct Trusteeship Council, one of the UN's six principal organs, into a body charged with overseeing the protection of the global environment. Like all the other demands for substantial reform of the UN system, this suggestion has not attracted the support of the most powerful states that hold the veto over any amendments to the UN charter. In an attempt to invigorate the debate on UN reform, a group of academics have recently articulated the 'Hakone Vision' in which they call for the establishment of a Sustainable Development Council, possibly "organised as a dual-chamber system, consisting of governments on the one side and issue-specific representatives from non-state actors on the other" (Kanie et al 2012, 301).

ii. The ideational underpinnings of modern environmentalism

The birth of the modern environmental movement in the industrialised world is generally dated back to Rachel Carson's 1962 publication of 'Silent Spring', although a limited number of environmental issues had already made it onto the international political agenda long before that decade.²³ While concerned in particular with the effects of the large-scale and indiscriminate use of pesticides on birdlife, Carson's book helped trigger a broader awareness of the adverse effects on the environment of many existing human and industrial practices. In 1968, Garrett Hardin employed the metaphor of the "tragedy of the commons" in his article for the journal *Science* (Hardin 1968) – the term was quickly associated not only with the perceived threat posed by rapid global population growth but also became a shorthand for many of the Malthusian concerns about the limitations of the earth's carrying capacity. Here were thus already two key themes that came to have a profound impact on the shape of global environmental politics in the

²² A good overview of the state of the debate around the establishment of a World Environment Organisation is provided by Biermann and Bauer (eds.) (2005).

²³ Note, for example, the first international treaty on flora signed in Bern in 1889, a series of further agreements on flora in the 1920s and 1950s, as well as the first agreement on fauna in 1902: the Convention for the Protection of Birds useful to Agriculture (Greene 1999, 389).

following decades: concerns about the impact of rising levels of pollution on a fragile ecological balance (with serious implications for human health), together with a growing awareness of how environmental challenges at a global scale were inextricably tied to trends in population growth and economic development.

In 1972, the same year as the Stockholm Conference, the Club of Rome²⁴ published its report on the 'Limits to Growth'. The model developed in 'Limits to Growth' predicted that humanity's ecological footprint would eventually overshoot the planet's carrying capacity, leading to contraction.²⁵ This line of argument bears resemblance to much earlier thinking about the connection between resource scarcity and population growth. In the 18th Century, Thomas Malthus wrote 'An Essay on the Principle of Population' in which he argued that population growth would eventually result in food shortages and lead to a struggle for survival among humans. The 'limits to growth' scenario is one of impending and inevitable gloom for mankind if the world's population follows its natural inclination to reproduce and pursue economic betterment. Resource scarcity presents one given limit to continued growth; another is posed by the fact that the planet's ability to assimilate ever greater quantities of waste will eventually be exhausted, leading to a build-up of toxic pollution that endangers human survival.

Back in the 18th century Malthus proposed a radical solution to the population dilemma. In his worldview the cause of rapid population growth was the tendency of the poor to reproduce at unsustainable levels, a practice encouraged by the fact that the state provided them with a basic level of subsistence food. He believed that without this form of assistance the poor

²⁴ According to its website, "the Club of Rome was founded in 1968 as an informal association of independent leading personalities from politics, business and science." Its aims are, among others, "to identify the most crucial problems which will determine the future of humanity" and "to develop and propose practical solutions to the challenges identified." The Club of Rome Website <http://www.clubofrome.org/?p=324> Last accessed 13.10.2011

²⁵ The Club of Rome, '40 years Limits of Growth'. Video viewable at <http://www.clubofrome.org/?p=326> Last accessed 13.10.2011

would be driven to have fewer children – advocating in essence that it would be preferable to let them starve now than in the future. While Malthus’ policy recommendations are easily refuted (for one, poorer families tend to have more children not less, thus the argument that economic deprivation will limit population growth does not hold), the underlying logic of ultimately unsustainable population growth is not only found in the ‘Limits to Growth’ report but was also taken up by a number of other academics and scholars during that period. One example of this type of thinking is Paul Ehrlich’s 1968 book ‘The Population Bomb’ which famously stated that the “battle to feed all of humanity is over” and argued that mass starvation was imminent (Ehrlich 1968).

A new generation of thinkers, however, challenged the underlying assumptions and the implications of neo-Malthusianism, for example in the form of “the Promethean Response” (Dryzek 2005, 57). This “response” is the claim that the very concept of limits is mistaken and fails to account for the efficiency of the market in managing scarcity as well as for the ability of humans to employ technology to adapt to new and changing circumstances. Against the doom and gloom scenario put forward by those adhering to the ‘limits to growth’ thesis, the Prometheans subscribe to an optimistic view of the future and man’s ability to come up with technical solutions to evolving challenges. Dryzek (2005) refers to Julian Simon’s work in the 1980s and Bjorn Lomborg’s ‘The Sceptical Environmentalist’ published in 2001 as two key texts that display continuity in their Promethean assumptions. It is also worth mentioning Beckerman who maintains that there is no real conflict between economic growth and the environment and puts forward many arguments that are also found in Lomborg’s work (Beckermann 1995).

The belief that economic growth and environmental protection are fundamentally compatible underpins the dominant ‘sustainable development’ discourse in global environmental governance. In 1983 the UN Secretary General commissioned a report on the pressing environmental and

development challenges facing the international community. The independent World Commission on Environment and Development (WCED) was set up by the General Assembly and entrusted with the task of producing this analysis. Gro Harlem Brundtland, the former Prime Minister of Norway, headed the commission and in 1987 presented 'Our Common Future' (also referred to as the Brundtland Report) to the UN General Assembly. This report has been credited with introducing the concept of sustainable development into the mainstream international political discourse, defining it as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (WCED 1987, 8). Lafferty identifies three basic elements in the commission's usage of the term 'sustainable development': firstly, "the element of so-called 'physical sustainability', whereby human development must be assessed with respect to the limits of nature and overall global ecological balance"; secondly, "an element of 'global equity', whereby the extractive and distributional aspects of environment-and-development should be equitably divided among living generations, both locally and globally"; thirdly "an element of 'generational equity' whereby the environment-and-development relationship must be assessed with respect to the needs of future generations" (Lafferty 1996, 188-189).

The fact that the Brundtland Commission sought to integrate concerns of equity among living generations into the international environmental discourse reflected a growing acceptance of the political demands put forward by the governments of the global South. Developing countries traditionally regarded a narrow focus on environmental protection as a potential obstacle to their right to development. From Stockholm onwards they therefore tried to link environmental to developmental concerns by pointing to the problem of poverty as one of the main causes of unsustainable practices by citizens in developing countries. These attempts at creating linkages met with some initial resistance from a number of developed

countries.²⁶ In the run-up to the Stockholm Conference of 1972 the US voted against a resolution stating that environmental protection efforts must not hinder development in the third world (Keck and Sikkink 1998, 124). By 1992, however, the concept of sustainable development had emerged as the ideational pillar of global environmental governance, “a ‘global bargain’ (...) struck between North and South on the basis of the acceptance from both sides of the desirability of achieving a truly global economy which would guarantee growth and better environmental records to all” (De Campos Melle 2000, 35).

In addition to linking environmental protection efforts to the fight against poverty, developing country governments also pointed out repeatedly that it were, in fact, the current lifestyles and consumptions patterns in the North that put the greatest strain on shared natural resources – countries that had reached their high levels of development with scant regard for sustainable practices. UNCED’s Agenda 21, Chapter 4, captured this by stating that the “major cause of continued deterioration of the global environment is the unsustainable pattern of consumption and production, particular in industrialised countries” (UN 1992). At the same time, industrialised country governments began to emphasize the fact that their efforts towards environmental protection risked being cancelled out by the enormous future environmental impact of rapidly developing countries such as India and China. The principle of ‘common but differentiated responsibilities’ was thus held up as “an attempt to meet Northern concerns that all countries have obligations and Southern concerns that those obligations are not the same” (Elliott 2004, 174).

Although sustainable development has emerged as the central leitmotif for global environmental governance, the concept is not without its critics. These

²⁶ But note that – as always – analysing the debate as a North vs. South conflict means oversimplifying it. The position of some European countries (notably Sweden) differed remarkably from that of the US during the Stockholm process (Keck and Sikkink 1998, 123-4).

argue that it is far from certain whether any approach is really able to cater in equal measure to the goals of both sustainability and development and that there is, in fact, a trade-off between the two. Those who believe that current resources should primarily be used to finance and support economic development in poor countries rely on the argument that industrialised countries are able to 'decouple' economic growth from ecological damage and have shown improvements across a broad spectrum of environmental indicators (Connelly and Smith 2003, 68). In this view, increased sensitivity towards environmental concerns and popular support for greater regulatory efforts to combat pollution will come naturally once countries reach a certain level of economic development. Opponents of this view question the validity of the 'decoupling' thesis on the grounds that it relies on the displacement of pollution and energy-consumption to less industrialised countries and point out that it is still far from certain that decoupling can really be achieved in a systematic fashion through public policy in the long term (Connelly and Smith 2003, 69). They argue that it is naive to assume that "existing political, economic, and social institutions can internalise the care for the environment" (Hajer 1995, 25).

In short, critical voices believe that current sustainable development strategies do not challenge the very norms and practices that are the cause of environmental degradation in the first place. The UNCED process and its legacy on the institutional design of global environmental governance is, in this view, characterised as a prime example of "the compromise of liberal environmentalism" (Bernstein 2001). It has reinforced a problem-solving approach within the fixed parameters of the liberal economic order without questioning its key pillars and core values. In fact, the Rio Conference has been described as a process that "fully institutionalised the shift from seeing industry and wealth as the cause of environmental degradation to viewing them as the solution to environmental problems" (DeSombre 2005, 28). The pro-growth and pro-development paradigm is, according to Chatterjee and Finger (1994), shared not only by the global North but also by Southern elites

and most international NGOs. Through participating in global environmental conferences but without exerting any influence, international NGOs have become co-opted into (and have thereby legitimised) the very process and hegemonic discourse of sustainable development that many of them sought to criticize originally (Chatterjee and Finger 1994, 103).

Connelly and Smith, however, also point to the emergence of an alternative trajectory to ecological modernisation within contemporary green political theory: they term this “ecological democratisation” (Connelly and Smith 2003, 71). The dominant institutions of global environmental governance have historically neglected the “experiences and needs of the disenfranchised” (Connelly and Smith 2003, 71), in both their interpretation and implementation of sustainable governance and in how they identify the problems to be addressed: “many explanations of environmental degradation within political ecology have been constructed without the participation of affected peoples, and without acknowledging how explanations may reflect social framings” (Forsyth 2003, 10). This ‘blind spot’ can only be addressed through encouraging the participation of these communities in the relevant decision-making processes, in the hope that “through the democratisation of technological, economic and political decision making [that] the legitimacy of (and trust in) institutions will be rebuilt” (Connelly and Smith 2003, 71). “

iii. Strengthening participation in global environmental governance

Environmental politics is often still classified as an area of ‘low politics’ in International Relations and is therefore seen as lacking some of the saliency and inherent tensions that characterize more traditional security concerns.²⁷ The classification of many environmental issues as low saliency politics makes it easier for non-state actors to participate in and influence

²⁷ The view of environmental politics as distinct from the classical security agenda is, of course, strongly contested. In particular, any conflict analysis that takes account of the problem of growing resource scarcity acknowledges the fact that environmental degradation and continuing resource depletion are already important contributing factors in many civil conflicts. Some fear that the same factors will also lead to interstate conflict in future.

environmental negotiations and decision-making processes. Specific features of environmental politics also mitigate in favour of participatory practices: the need for scientific input, the importance of gathering and analyzing information about environmental degradation, the need to address all groups within society to achieve more sustainable patterns of production and consumption, and the importance of establishing links from the global to the local in order to realise effective implementation. In addition to these 'output'-related factors, the abovementioned democratic considerations have also shaped the development of participatory norms in global environmental governance. This section will briefly illustrate some of the ways participatory norms have cropped up in global environmental politics over recent years and will introduce epistemic communities and business as two important groups of non-state actors involved. The following section will then turn to the role of nongovernmental organisations (NGOs), the category of non-state actors that constitutes the focus of the analysis.

The growing emphasis on participation by non-state actors in international environmental agreements is a relatively recent phenomenon. The Ramsar Convention on Wetlands (1971), for example, merely "assigns 'bureau duties' to the International Union for the Conservation of Nature (IUCN)" (Raustiala 1997, 722) – a 'special case' NGO that also counts governments among its members. The 1974 Convention for the Preservation of Marine Pollution from Land-based Sources does not mention the rights of non-state actors to observe or participate (Raustiala 1997, 722). On the other hand, a number of treaties and agreements signed during the 1970s provided important precedents in terms of granting greater access to non-state actors. An early trendsetter in terms of institutionalizing the role of NGOs in international environmental agreements was the 1973 Convention on International Trade in Endangered Species (CITES), which gave NGOs the right to participate in meetings of the Conference of the Parties (Raustiala 1997, 722-723; Payne and Samhat 2004, 61). Later environmental agreements such as the 1989 Montreal Protocol on Substances that Deplete the Ozone Layer or the 1992

UN Framework Convention on Climate Change also included specific mechanisms for NGO participation.

The need for the participation by relevant stakeholders already constituted an important element of the notion of sustainable development put forward by the Brundtland Commission. The preparatory work for the Brundtland Report of 1987 had included a series of public consultations with concerned citizens and organisations between March 1985 and February 1987 (Elliott 2004, 14). The participatory dimension of sustainable development was further developed in principle 10 of the 1992 Rio Declaration, which states that, “environmental issues are best handled with participation of all concerned citizens, at the relevant level” (United Nations 1992a). The declaration also emphasizes the importance of public bodies providing citizens with access to information concerning the environment (“including information on hazardous materials and activities in their communities”) and access to complaints and response mechanisms, including redress and remedy (ibid). Similarly, Agenda 21, designed to provide the blueprint for implementation of the Rio Declaration, holds in article 23.1 that “critical to the effective implementation of the objectives, policies and mechanisms agreed to by Governments in all programme areas of Agenda 21 will be the commitment and genuine involvement of all social groups” (UN 1992b). The nine ‘major groups’ singled out at Rio as having a legitimate interest in participating in the formulation and implementation of sustainable development strategies are business, farmers, indigenous people, local governments, NGOs, the scientific community, trade unions, women and youth.

While both the Rio Declaration and Agenda 21 constitute non-binding commitments, the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters is a regional binding instrument and as such, the most important institutionalisation in treaty law of the commitment to participation made at

Rio (Mason 2005, 78). The Aarhus convention employs a “non-territorial definition of the ‘public concerned’”, which encompasses “those natural or legal persons affected or likely to be affected by, or having an interest in, the relevant decision-making” (Mason 2005, 78). At their 2005 meeting in Kazakhstan, the parties to the convention agreed to adopt the so-called ‘Almaty Guidelines’, which focus more explicitly on the “application of the principles of the Convention in international environmental decision-making processes and within the framework of international organisations in matters relating to the environment” (United Nations Economic Commission for Europe 2005).

Bäckstrand (2006) points out that, by the time of the World Summit on Sustainable Development in Johannesburg in 2002 the sustainable development debate had further progressed from the emphasis on participation by the ‘major groups’ evident at Rio. The objective was now to create modes of participation “structured to encourage deliberation and collaboration of disparate actors with a stake in implementation of Agenda 21” (Bäckstrand 2006, 470). New efforts were concentrated on ‘multi-stakeholderships’, which, Bäckstrand argues, move “beyond participation to include new forms of hybrid governance and deliberation between state, business and civil society” (Bäckstrand 2006, 470). In her case study of the WSSD, she points to “two distinctive deliberative mechanisms, which aimed at facilitating interaction between governmental delegates and non-state actors” (Bäckstrand 2006, 482): Multi-stakeholder dialogues and partnership initiatives (the type II agreements mentioned above). Type II agreements are intended to facilitate the implementation of Agenda 21, thus helping to “reduce the ‘implementation gap’ in sustainable development by ‘results-based’ and ‘outcome-oriented’ partnerships” (Bäckstrand 2006, 488). They consist of voluntary cooperative arrangements between governmental, corporate and NGO actors designed to deliver benefits in areas as diverse as health, conservation and sustainable development. Multi-stakeholder dialogues by contrast, serve to shape the process of policy-development; they

are initiated by the CSD and used to bring together governmental delegates and representatives of major groups for the purpose of exchanging information and views on the issues under discussion. These dialogues were used both in the preparatory process leading up to the WSSD, as well as during the summit in Johannesburg itself.

Besides NGOs as the most prominent representatives of global civil society, two other stakeholder groups have also come to play very influential roles in international environmental policy-making: scientists, or epistemic communities, and business. Scientists are important participants in most environmental regimes, with scientific organisations generally granted observer status at conferences of parties and other policy-making fora (Elliott 2004, 115). Haas defines epistemic communities as “transnational networks of knowledge-based communities that are both politically empowered through their claims to exercise authoritative knowledge and motivated by shared causal and principled beliefs” (Haas 1990, 349 cited in Elliott 2004, 115-6). According to Litfin, the power of epistemic communities “derives from their perceived ability to make authoritative knowledge claims” (Litfin 1995, 251). In the context of global environmental politics it is important to pay attention to the way scientific knowledge (or uncertainty) is “framed” to support particular political objectives (Litfin 1995, 255). The important point to note is that science is rarely value-free and that “social and political framings are woven into both the formulation of scientific explanations of environmental problems, and the solutions proposed to reduce them” (Forsyth 2003, 1).

Business lobby groups and companies have also come to play an increasingly influential role in shaping international environmental policy. They exert influence through direct participation as an important stakeholder group in multilateral environmental negotiations, through the lobbying of government delegates and the use of domestic political channels, their relationship with the media, and the funding of relevant research and business-friendly NGOs.

Business does not constitute a monolithic interest group in environmental politics and different industries and sectors may occupy very different positions on the same environmental issue (Falkner 2008). NGOs can exploit these differences among corporate actors and enter into alliances with more progressive business groups – a form of partnership politics that is increasingly common in environmental politics (of course, corporate actors also use these alliances strategically). While variations exist among corporations depending on the nature of their industry and their individual position vis-à-vis peers, it can be reasonably assumed that business is (on balance) more likely than other segments of society to oppose stringent regulatory frameworks designed to reduce environmental pollution and lobby in favour of self-regulatory approaches.

In chapter II, the case of indigenous peoples was pointed out as an example of a transnational constituency at risk of democratic exclusion from global policy-making processes (Marchetti 2008). Just like NGOs, the scientific community and business, indigenous people constitute one of the UN's 'major groups'. The rights of indigenous peoples are recognized in a number of international agreements and legal frameworks, most directly in the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the ILO Convention Nr. 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989) and the Convention on Biological Diversity (discussed in chapter IV). The United Nations Permanent Forum on Indigenous Issues (UNIPFII) was set up in 2000 and reports to ECOSOC. The forum's 16 members are nominated in equal parts by governments and indigenous peoples. It has the mandate to discuss and raise awareness of indigenous issues within ECOSOC's areas of work and has a recommendation and coordination role on indigenous issues within the broader UN system (Secretariat of the UNPFII 2008, 2).

Despite the formal recognition of indigenous peoples and their rights in the UN system, there is a lack of definitional clarity as to what communities

might be defined as indigenous. According to Article 33 of the UNDRIP, “Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions” (UNGA 2008). This reflects a somewhat circular logic according to which a local community has the right to self-identify as ‘indigenous’ and will be recognized as such. In practice, indigenous peoples are usually associated with a particular relationship to the lands they inhabit and with a sense of community that sets them apart from the majority of the population:

“The term ‘indigenous peoples’ has become a general denominator for distinct peoples who, through historical processes, have been pursuing their own concept and way of human development in a given socio-economic, political and historical context. Throughout history, these distinct groups of peoples have tried to maintain their group identity, languages, traditional beliefs, worldviews and way of life and, most importantly, the control and management of their lands, territories and natural resources, which allow and sustain them to live as peoples.” (Secretariat of the UNPFII 2008, 7)

The international recognition of the status of indigenous peoples together with the relative definitional vagueness creates incentives and opportunities for local communities to self-identify as indigenous. The discourse of indigenous peoples can be strategically deployed by local communities and can help them to access better developed channels for participation. Some warn, however, that

“there is a heavy price to be paid for the emphasis placed by proponents of indigenous knowledge on cultural purity, continuity, and alterity. Such efforts at cultural conservation make no room for the vast majority of the world’s poor, who live on the margins of subsistence and the most degraded ecological conditions but who cannot claim to be ‘indigenous people’ in the limited definition accorded that term.” (Gupta 1998, 289 quoted in Dove 2006, 193-194)

The various efforts and initiatives undertaken by international environmental institutions with the proclaimed objective of fostering more and broader participation by key stakeholders certainly look impressive on paper. To what extent they amount to a democratisation of global politics –

and specifically encourage greater inclusion of marginalised groups in international environmental policy-making – remains questionable. Despite the hype surrounding the apparently broad societal participation at the UNCED and (to a lesser degree) the WSSD, the official conference documents were hardly affected by various NGOs (Chatterjee and Finger 1994, 96). The discrepancies in power and influence among the various participants are considerable: clearly states hold a privileged position and control channels for access by other actors. However, even among non-state actors, the ability to fully exploit these channels and influence policy outcomes is to a large degree a function of their respective resources, bargaining assets and connections to key governmental actors.

iv. The role of environmental NGOs

Paralleling the shift in multilateral environmental initiatives from an early narrow concentration on conservation issues to a broader sustainable development perspective, environmental NGOs have also shifted the focus of their attention and activities to new environmental challenges over time. While a small number of organisations such as the UK-based Royal Society for the Protection of Birds as well as the Sierra Club and the National Audubon Society in the US can trace their history back to the early 20th century, the majority of environmental NGOs, particularly those with an international focus, only formed after World War Two.²⁸ As more and more groups vied to occupy a place on the newly emerging international environmental agenda, they also expanded the scope of their operations. ‘New’ environmental issues included pollution, the use of pesticides and fertilisers, nuclear power, resource depletion and waste management (Ahmed and Potter 2006, 210). While the Stockholm Conference in 1972 provided a valuable opportunity for these groups to come together at a global level, the years following Stockholm were, however, characterised by declining public interest in environmental issues. The impact of the 1973 oil

²⁸ WWF was set up in 1961; FoEI in 1969 and Greenpeace in 1971.

crisis, economic recession and high unemployment rates in many Western countries, and a critical backlash against the doom scenarios painted by environmentalists in the late 1960s contributed to this decline (Arts 1998, 20).

This trend started to reverse again from the mid-1980s. As mentioned before, the 1980s were a decade characterised by a sense of impending crisis and deep concern about the planet's future in many European countries and in the United States, a feeling reinforced by a number of environmental disasters during that period. As environmental concerns once again entered mainstream consciousness, membership in many US and European environmental organisations increased rapidly. In the US alone, membership in the Environmental Defence Fund (EDF) doubled between 1985 and 1990, and again between 1990 and 1991. The Nature Conservancy and the Natural Resources Defence Council both grew by a factor of 2.7 between 1985 and 1990, the World Wildlife Fund – US grew 5.6 times and Greenpeace increased its membership from 400,000 to 850,000.²⁹

In the developing world, too, the environment became a rallying point for concerned citizens in the 1980s. Keck and Sikkink point to the wave of democratic transitions in Latin America during that period as giving rise to an enabling context for new movements and old conservation groups to coordinate their activities (Keck and Sikkink 1998, 130). In South and Southeast Asia environmental advocacy groups connected with existing community groups and NGOs working directly with the poor, and environmental concerns were taken up in the formulation of alternative visions of development (Keck and Sikkink 1998, 130). Chatterjee and Finger refer to these groups as “second generation” NGOs – groups that sought to integrate sustainability concerns with a broader struggle for a community-

²⁹ These numbers are quoted by Keck and Sikkink (1998, 128). Source: Data from National Wildlife Federation, *The Conservation Directory* (Washington, D.C.: National Wildlife Federation, 1976, 1982, 1986, 1990). All numbers relate to the US.

based and participatory approach to development (Chatterjee and Finger 1994, 74). Elliott in turn distinguishes these groups from “third generation” NGOs: groups concerned with linking these local efforts to a larger “simultaneous challenge to global environment and development frameworks” (Elliott 2004, 120). The emergence of networks including both developed and developing country activists over the last decade should also be noted, allowing a broad range of groups to coordinate their strategies and activities at the transnational level.

Analyses of the role of NGOs in global environmental governance may be broadly classified as one of the following: those that regard NGOs as democratising agents in global environmental governance; those that concentrate on the efficiency contributions NGOs make to intergovernmental negotiation processes and agreement implementation; and those that analyse the role of NGOs in terms of their impact on normative developments in global environmental politics. As most of the analysis undertaken in this thesis focuses on the NGOs’ potential for making democratic contributions to global environmental governance, this section shall briefly illustrate the two other roles. Many of these distinctions are, however, of a theoretical nature and the different types of roles often converge in practice.

From the perspective of the efficiency or “output legitimacy” (Scharpf 1999) of global governance, NGOs are able to offer a number of very concrete benefits such as knowledge, expertise, information and other resources. By pursuing ‘insider strategies’, i.e. directly working with international organisations, NGOs may have the opportunity to participate in policy deliberations, albeit almost always in a much more restricted fashion than governments, and often only in a tokenistic way. Writing about epistemic communities, Litfin (1995) uses the term “knowledge brokers” for those groups that act as interpretative intermediaries between factual information and policymakers. This role description also applies to the more research-orientated NGOs that are sometimes able to “frame” and interpret

information for policymakers as to support their own values and beliefs. According to Litfin this “is a substantial source of power, especially under conditions of scientific uncertainty such as those which characterise environmental problems” (Litfin 1995, 254). Scientific information is, however, not the only relevant form of knowledge that NGOs can offer to policy-makers. Yet another important source of influence is their ability to provide local perspectives on global issues, through the provision of “earth-centred knowledge” (Princen 1994, 36).

Raustiala, who analyses the relationship between states, NGOs and environmental institutions from the perspective of neoliberal institutionalist theory, emphasises the benefits NGOs are able to offer governments in the process of regime creation and maintenance (Raustiala 1997). A key strength of NGOs is their ability to produce, analyse and present information through policy research and development. This allows states to “maximise policy information and research while minimising expenditures” (Raustiala 1997, 727). Developing countries in particular are likely to benefit from having access to this relatively cost-effective pool of information and expertise. Raustiala gives the example of the collaboration between the NGO FIELD and the Alliance of Small Island States (AOSIS) in the context of the climate change negotiations, where FIELD provided advice and legal expertise to the AOSIS delegates (Raustiala 1997, 728). Other functions assumed by NGOs and related to the provision of information include the monitoring of state commitments, acting as “fire-alarms” that alert governments and the public to undesired delegate actions, and reporting on ongoing negotiations (Raustiala 1997, 729).

The role of NGOs as ‘service providers’ for governments and international organisations has been strengthened over recent decades, largely as a result of the popularity of the ‘partnership’ model in development and environmental policy implementation. The World Bank is a good example of this trend: the total number of World Bank projects with civil society

involvement has increased from 50 in 1990 to 294 in 2009 (81% of the World Bank's projects in 2009) (IBRD/ World Bank 2009, 25). Two specific examples of such partnerships from the environmental field are the 'World Bank-WWF Global Forest Alliance', which was created in 1998 and is now active in 30 countries, and the 'Critical Ecosystem Partnership Fund', a 150 million dollar initiative, financed and run by a consortium of private and public actors including Conservation International, the World Bank, the Global Environment Facility, the MacArthur Foundation and the Japanese government (Chapin 2004, 24). NGOs make attractive project partners for a number of reasons: they are likely to possess considerable expertise and on-the-ground experience, may be able to work in a more flexible and less bureaucratic way than governmental agencies, and are sometimes preferred by recipient governments. While such 'partnerships' may give NGOs some scope for influencing the projects they are involved in and/ or shaping future thinking on particular issues, by and large their influence remains limited to "the confluence of governmental incentives and NGO comparative advantages and resources" (Raustiala 1997, 720). Power continues to lie with states and the participation of other actors does not constitute a qualitative transformation of global governance. Critics contend, moreover, that in becoming 'agents' of governments, NGOs expose themselves to co-optation by dominant institutions and discourses (Chatterjee and Finger 1994).

The risk of co-optation is less apparent when NGOs pursue so-called 'outsider strategies.' In these roles NGOs strive to maintain a critical distance to the loci of power, or "empowered spaces" (Dryzek 2009). Their objectives lie in 'holding power to account' in the widest sense. There are a number of ways through which NGOs work towards this goal: by building public expectations in order to increase the pressure on policy-makers; passing information about the actions of governmental delegates in international negotiations to their domestic media and/ or political opposition; and highlighting the failure and shortcomings of governments in meeting their international commitments. Many NGOs also focus on the malpractices of corporations,

especially in developing countries, and try to bring these to the attention of policy-makers and consumers in the industrialised world (Wapner 1996). Strategies for holding corporate actors to account include initiating lawsuits, calling for consumer boycotts, and building pressure on governmental representations to take action (which may include pushing for stricter regulation). These strategies are likely to be particularly successful when their targets have a high public profile or have previously made pledges to improve their environmental performance that they fail to meet. In practice, the boundaries between insider and outsider roles are often fluid: “groups move between these categories over time depending on which strategies they adopt; and the insider-outsider distinction describes, in reality, a spectrum of access and influence rather than a hard-and-fast dichotomy” (Newell 2005, 99).

Like in many other issue areas, environmental NGOs often work at the cutting edge of promoting the acceptance of new environmental norms and values. Efforts designed to deal with many large-scale environmental challenges such as climate change or the conservation of biodiversity mean that the costs are borne by present generations whereas any benefits may not be apparent until a long time into the future. Election cycles and other short-term feedback mechanisms designed to ensure accountability in democratic political systems, however, limit the capacity and willingness of governments to respond to environmental challenges with long horizons. NGOs do not work under these constraints to the same extent: their motivation for action is more likely to be based on ideals and norms and they are therefore in a good position to advocate long-term strategies that may prove unpopular at present. As a result, NGOs have been portrayed as guardians of the interests of future generations and it is argued that the “transnational development of intergenerational equity would seem to be encouraged by extending participation rights to NGOs in the formulation and implementation of international environmental laws and standards” (Mason 2005, 31).

Wapner analyses environmental NGOs as “cultural agents that shape the way vast numbers of people understand themselves and the world around them” (Wapner 2002, 38). Environmental NGOs work towards changing and realigning the ideational underpinnings of existing environmentally destructive social practices. In East Asia, to cite one of Wapner’s examples, a number of wild animals such as bears, tigers and rhinos are sought after and caught for their allegedly health-promoting benefits (such as bear bile or rhino horn). Among the strategies employed by NGOs to fight these practices are attempts to change existing belief systems through dialogue and awareness-raising activities targeted at consumers and health practitioners (Wapner 2002, 47). One of the first global campaigns designed and executed by environmental NGOs with the objective of changing broad societal attitudes centred on the protection of whales. In this case, the environmental movement achieved considerable success in the 1970s and 1980s in changing existing perceptions of whales from a resource traditionally exploited by humans to one of an endangered specie worthy of particular protection, and portraying whales as creatures with “anthropomorphic qualities” (Wapner 2002, 48). These normative and cultural changes can have a profound effect on the institutions of global governance, although it is difficult to establish and measure clear causal links.

v. Conclusion

The chapter sketched the emergence of the current intergovernmental architecture of global environmental governance and introduced the main UN institutions responsible for global environmental issues. It also illustrated how the thinking about environmental protection has evolved over recent years and how participatory ideas and practices have become more widespread in international efforts to combat environmental degradation. Environmental NGOs and other non-state actors have been quick to seize the opportunities offered to them and have strengthened their engagement with international IGOs over recent decades.

The current system of global environmental governance is, however, far from 'democratic'. Environmental policy responses continue to be shaped by the interests of the most powerful but not necessarily the most affected or vulnerable states. Moreover, participation rights for civil society organisations might look good on paper but actually offer only very limited opportunities for exerting real influence – in particular for the most affected communities. The next chapter will analyse the democratic shortcomings of two UN conventions and ask whether and how NGOs have responded to these.

IV. The external dimension: NGO democratic demands in the global climate and biodiversity conventions.

This chapter seeks to investigate NGO demands for more democratic forms of governance in the United Nations climate and biodiversity conventions. The analysis is intended to provide a more specific empirical illustration and examination of the theoretical arguments relating to democratic deficits within global policy-making processes outlined before. Chapter II introduced Marchetti's (2008) distinction of two types of potential contributions by NGOs to more democratic forms of governance at the global level: formulating "external claims that force the strengthening of democratic practices in international institutions" on the one hand, and working through the "internal practices of democracy" (Marchetti 2008, 165) on the other. The focus of the chapter is on the external claims and demands made by NGOs vis-à-vis the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD), which might contribute to "the strengthening of democratic practices in international institutions". The issue of "internal practices of democracy" of NGOs will be addressed (in part) theoretically in chapter V and empirically in chapters VI and VII.

NGO demands for more democratic forms of governance in the context of the two framework conventions cannot be meaningfully analysed without an understanding of the problems of climate change and biodiversity loss and the specific characteristics of the intergovernmental conventions set up to tackle them. This chapter therefore consists of two parts. Part one will offer an overview of the climate and the biodiversity conventions and the participation of NGOs therein. This is followed in part two of the chapter by an analysis of NGO demands in response to the alleged democratic deficits in the conventions. The discussion of NGO demands will distinguish between

responses to representation inequities at the intergovernmental level and participation deficits in the two conventions. Rather than a straightforward comparison, the analysis is skewed towards the climate convention. This is because the issue of climate change has triggered a particularly intense debate around issues of democracy, not only within academia, but also among governments and NGOs. This is also reflected in the availability of sources for empirical analysis. Nonetheless, highlighting both the divergences and similarities in the way NGOs have responded (or not) to alleged representation inequities and participation deficits in the two conventions makes it possible to move beyond an idiosyncratic assessment of the UNFCCC and link the discussion to the broader field of environmental politics (admittedly, in the UN context only). On a more practical level it also helps to better understand the many 'cross-references' to other environmental regimes made by NGOs in the UNFCCC context, which will be discussed in the conclusion.

PART ONE: The United Nations climate and biodiversity conventions and the role of NGOs

The United Nations Framework Convention on Climate Change and the Convention on Biological Diversity are both institutional outcomes of the 1992 Earth Summit. The issues of climate change and global biodiversity loss are suitable examples of the type of transnational challenges that states cannot tackle unilaterally and hence necessitate international cooperation. Both present highly complex and far-reaching global problems that already affect millions of people the world over and – unless they can be successfully addressed – will create further havoc in many of the world's poorest regions. Furthermore, as UN bodies they share a number of formal governance features (such as the one state – one vote principle) and are characterised by a relatively high degree of openness towards participation by non-state actors. The two conventions therefore constitute good cases for comparison.

i. The United Nations Framework Convention on Climate Change

The likely future impacts of climate change on the world's ecosystems and the livelihoods of millions of humans are so immense that most environmental (as well as social and economic) issues can no longer be analysed in isolation from this global challenge. Melting glaciers, rising sea levels, an increased frequency and intensity of extreme weather events such as droughts, floods and cyclones, an increase in certain infectious diseases, and an accelerating rate of biodiversity loss in key regions are among the already observed and expected consequences of an increase in global mean temperature. While most policy-makers acknowledge the need for urgent action on climate change, both with respect to mitigation and adaptation, measurable progress has been slow or non-existent.

Anthropogenic climate change is the result of the increasing concentration of carbon dioxide and other greenhouse gases in the global atmosphere. International efforts to control climate change have therefore primarily sought to control the emission of greenhouse gases (GHGs), although there is a growing recognition of the need for adaptation measures, especially in those countries most vulnerable to the effects of climate change. Global atmospheric concentrations of carbon dioxide now stand at over 380 parts per million (ppm), up from 280ppm before the start of the industrial revolution (IPCC 2007).³⁰ The International Panel on Climate Change's (IPCC) Fourth Assessment Report calculates that the global average surface temperature at the end of the 21st century could be between 1.1 and 6.4 degrees Celsius above the temperature at the end of the 20th century, depending on whether and by how much the increase in CO₂ emissions can be slowed down (IPCC 2007).

³⁰ The IPCC's Fourth Assessment Report: Climate Change 2007 uses a figure of 379 ppm for 2005. Since then, the concentration of CO₂ in the atmosphere has almost certainly increased further so that the IPCC's Fifth Assessment Report due in 2014 is likely to report an even higher number.

Largely thanks to the relentless campaigning by environmental NGOs over recent years, most states have proclaimed their support for limiting the increase in global temperature to two degrees Celsius. For this to be achieved, emissions would need to peak in the next 10-20 years and decline markedly thereafter. Climate scientists have calculated that – in theory - there is a reasonable chance of reaching the two degrees target if global emissions are halved by 2050 compared to 1990 (Ulmer 2009). The current global emissions path, however, offers little reason for hoping that this target will be met in time. According to the International Energy Agency, global CO2 emissions from the energy sector reached a new record in 2010 and show no sign of declining. While major developing countries, notably China and India, are responsible for most of the growth in global emissions, the OECD countries continue to have the highest emissions on a per capita basis (International Energy Agency 2011).

The proclaimed objective of the UNFCCC is to achieve “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” (UNFCCC 1992). The convention is considered one of the most important outcomes of the 1992 Earth Summit and entered into force in 1994, once ratified by 50 countries. Parties to the convention were not required to take concrete abatement measures: they merely agree to pursue collaborative action and research on climate change mitigation and to participate in a voluntary reporting mechanism, the national greenhouse gas inventory. As such, the convention itself did not provide any legally binding targets for GHG emissions in member countries.³¹ These were later agreed in a supplementary agreement to the convention, the Kyoto Protocol, which was

³¹ This is not unusual given the UNFCCC’s status as a ‘framework convention’. A framework convention “establishes the general architecture of the regime, including, for example, its objectives, principles, basic obligations, and institutions” (Bodanksy 2010, 186). Additional protocols are negotiated to set out more specific commitments building on the more general objectives of the convention.

adopted at the third Conference of the Parties (COP-3) in 1997 and entered into force at the COP-11 in Montreal in 2005.

The Kyoto Protocol sets binding emission targets for 37 industrialised countries and the European Union. Specific emission caps are only imposed on the developed countries listed in Annex 1 of the protocol, while developing countries are exempt from such reduction commitments. The protocol also established three types of 'Flexible Mechanisms' to help Annex 1 countries achieve their reduction targets. These market-based mitigation policies work on the economic efficiency case that emission reductions should be done as cost effectively as possible. As the effect on the atmosphere is the same, no matter where in the world emission cuts take place, the mechanisms are designed to steer investments in GHG reduction initiatives to those places where the highest returns, in terms of reduced emissions, can be realised. Emission trading allows states that have reduced their emissions more than required by the protocol to sell the excess in the form of 'carbon credits' to other countries to use for their own reduction obligations. Joint Implementation means that developed countries parties can receive credit for emission reduction projects undertaken in other Annex 1 countries (the economies in transition that are also included in Annex 1). The Clean Development Mechanism (CDM), by contrast, refers to emissions permits that developed countries (and the private sector) are able to acquire through investing in emission reduction projects in developing countries (non-Annex 1 countries). Besides the emission reduction effects, these CDM-accredited projects are also intended to yield benefits for sustainable development in these countries.

Although the United States participated in the 1997 negotiations and signed the agreement, the Bush administration announced in 2001 that it would not ratify the Kyoto Protocol, arguing that the protocol would harm the economic interests of the United States and that the absence of targets for fast developing economies such as China and India was undermining the

credibility of the agreement. The European Union, by contrast, tried to establish itself as international leader in global climate change action in the 1990s. EU member countries took on relatively ambitious reduction targets, jointly agreeing to a 20% decrease in GHG emissions below 1990 levels by 2020. Russia also refused initially to participate in the Kyoto Protocol but changed its position and eventually ratified it in 2004.³² Most of the G77 countries are opposed to binding emissions limitations on the basis of their extremely low per capita emissions and the overriding need for development in their countries. However, with emissions rising rapidly in the major developing economies, industrialised countries began to insist that a post-Kyoto agreement would have to include more stringent provisions relating to developing country emissions targets. This division has become the defining fault line of global climate politics and one of the main obstacles to progress.

The objective of the COP-15, which met in Copenhagen in December 2009, was to reach a new agreement to take over from the Kyoto Protocol, due to expire in 2012. At their meeting in Bali in December 2007, the parties to the convention had already agreed on the 'Bali Roadmap', which outlined the steps "to reach an agreement on long-term cooperative action up and beyond 2012 to be adopted at its 15th session in Copenhagen in December 2009" (UNFCCC 2007). The new agreement was to include four 'building blocks': mitigation, adaptation, technology transfer, and financing. With respect to mitigation, the new agreement would have to do the following: set new targets for Annex 1 countries; agree on comparable targets for the United States; and come up with first time targets for many developing countries. Parties at the Bali meeting also addressed a range of other issues, such as governance of the Adaptation Fund of the Kyoto Protocol, reducing emissions from deforestation, technology transfer and changes to the Clean Development Mechanisms.

³² Giddens attributes the Russian change of mind to the fact that the country needed EU support for joining WTO and the fact that Russia received very favourable terms under the Kyoto Protocol, which effectively allowed it to profit from selling 'hot air emissions' (Giddens 2009, 188).

Although vested with high expectations, the COP-15 failed to come up with either a legally binding agreement or numerical reduction targets. Instead, in a last-minute ditch to save the negotiations, the heads of states of a small group of countries hammered out a document, which was presented to the plenary for adoption on the final day of the conference. The group engaging in this form of 'backroom bargaining' included only a small number of around 25 countries, with the final breakthrough achieved by an even smaller meeting between the heads of states of the US, China, India and Brazil (Bodansky 2010, 4-5). Since this arrangement completely bypassed the regular inclusive negotiation format typical of UN summits, many developing countries complained about being ignored by the 'big players'. However, the process was also notable for sidelining the European Union during the crucial hours, which until Copenhagen had been seen as a leader in the climate negotiations. In the immediate aftermath the developments at the Copenhagen summit were widely interpreted as a reflection of a new geopolitical reality, in which real veto power lies with major emerging economies such as China and India.

Due to the fierce opposition of a small handful of developing countries led by Sudan, Bolivia and Venezuela, the Copenhagen Accord was not formally integrated into the UN process; instead the parties merely 'took note' of the accord in the final document. This development only served, in the eyes of some commentators, to further demonstrate what many had already agreed on: that the Copenhagen summit would go down as a particularly shameful episode in the UN-led fight against climate change. In fact, many disappointed observers started questioning the very ability of the UN process to deliver, at a global scale and within the required timeframe, the progress needed to prevent the high costs of global warming. Some advocated a refocusing on local and national processes (Maier 2010), while others pointed to the need to allow for a "building bloc" approach at the international level, "which develops different elements of climate governance in an incremental fashion

and embeds them in a broader political framework” (Falkner, Stephan and Vogler 2010, 252).

Once the Copenhagen dust had settled, however, there were also voices arguing that the record was not necessarily as dismal as portrayed in the immediate aftermath of the summit. A relatively large number of countries made use of the subsequent opportunity to pledge specific mitigation actions. For the first time such promises also came from major developing countries such as China and India who both pledged reductions in the carbon intensity of their economies. Moreover, the accord contained some promises for new money from developed countries: these included the promise of additional funding in the range of \$30 billion for the period 2010-2012 for both mitigation and adaptation (so-called ‘fast-start finance’); the goal of raising \$100 billion by 2020 from both private and public sources to help developing countries’ mitigation efforts, and promises for more multilateral funding for adaptation “to be delivered through effective and efficient fund arrangements, with a governance structure providing for equal representation of developed and developing countries” (UNFCCC 2009).

NGO participation in the UNFCCC

The fact that the UNFCCC was ‘born’ at the 1992 UNCED meant that NGOs were able to capitalise on the relatively high levels of civil society visibility and participation that are often associated with the Earth Summit (see previous chapter). In line with broader UN practice, the right of NGOs to become observers to the UNFCCC meetings was hence enshrined in the convention text from the start. NGOs may be admitted as long as they are “qualified in matters covered by the Convention” and unless “at least one third of the Parties present object” (UNFCCC 1992). The UNFCCC includes business and industry associations as well as research institutions and universities in its definition of interested NGOs. National and international

NGOs in the sense understood in this thesis constitute therefore a subset – albeit a substantial one - of all the NGOs listed on the UNFCCC website.³³

NGOs that are admitted as observers to the convention have formed themselves into six loose constituencies: business and industry NGOs, local government and municipal authorities, indigenous peoples organisations (IPOs), research and independent nongovernmental organisations, trade unions, and environmental NGOs (ENGOS). The constituency status of three more groups (farmers, women and youth) was under review until COP-17. Each constituency is linked to a designated ‘focal point’ with the objective of facilitating more effective dialogue between the observer NGOs and the secretariat. The UNFCCC secretariat is careful to point out, however, that participation in a particular constituency is voluntary, “neither official nor binding” and that it “does not preclude direct communication with the secretariat by any observer organisation, nor does it imply any ‘sovereignty’ over the constituency on the part of the focal point organisation” (UNFCCC n.d. ‘Non-governmental organisation observer constituencies’). The international secretariat of the Climate Action Network constitutes the formal ‘constituency focal point’ for the constituency of ‘environmental NGOs’ at the UNFCCC, although CAN’s members also include development NGOs. It is worth noting that unlike the Convention on Biological Diversity, the UNFCCC has no separate provision for the participation of indigenous peoples – a point of criticism frequently made by some of its civil society stakeholders.

The number of admitted NGO observer organisations has expanded continuously since the creation of the UNFCCC: from 178 at the COP-1 to around 1400 at the time of COP-16 (UNFCCC 2010). Of course, not all of these groups are able to send representatives to all relevant COPs. Analysing the

³³ Most the NGOs as defined in chapter 1 (not linked to business or governmental interests) classify themselves either as environmental NGOs, as research and independent NGOs, or ‘without constituency’.

influence of NGOs on the Kyoto Protocol between 1995-1997, Betsill (2008) notes that 40 ENGOs sent representatives to at least two negotiating sessions during that period. Greenpeace, WWF and FoEI (the three NGOs that will be analysed in chapters VI and VII) had the largest delegations at these meetings. Although the UNFCCC has some grants available to encourage the participation of Southern NGOs, only a quarter of the attending groups came from the global South and these were frequently only represented by one or two delegates (Betsill 2008, 46). The level of NGO attendance at previous UNFCCC COPs is dwarfed, however, by the massive turnout by civil society groups in Copenhagen. The total number of individual NGO observers registered to participate in the COP-15 was around 20,600 – compared to 3900 at the COP-14 in 2008 and 5000 at the COP-13 (Bali) in 2007 (Fisher 2010, 13). The Danish organisers resorted to strictly limiting access to the conference building in the second week of the negotiations, effectively leaving many civil society attendees out in the cold.

Of course, a focus on the interventions of environmental NGOs made directly at the COPs of the UNFCCC and the Kyoto Protocol offers only a limited snapshot of a much wider spectrum of activities. NGO influence may, in fact, be largest not in their position as official observers (or protestors) at these meetings but by shaping the agenda of particular governments before they even arrive at the negotiations, i.e. through lobbying governments and mobilising public opinion in their home countries (Newell 2000). Similarly, sometimes NGOs find themselves in the privileged position of enjoying particularly high levels of access to certain governmental delegations. The Swiss government, for example, has in the past allocated three seats on its negotiating team to nongovernmental participants: one for academics, one for business and one for environmental NGOs (Raustiala and Bridgeman 2007, 18). Another frequently discussed example of close government-NGO cooperation relates to the advisory services provided by the Foundation of Environmental Law and Development (FIELD) for the delegation of the Alliance of Small Island States (Raustiala 1997, 728). McGregor explains that,

as direct access to the convention centre became more and more restricted for NGOs towards the end of the Copenhagen negotiations, many governments started adding NGO representatives to their own delegations, thus enabling the NGOs “more privileged access” than they would have had as NGO observers (McGregor 2011, 3).

Even before the COP-15 illustrated the huge gap between the demands made by NGOs and the meagre results of Copenhagen, the relatively limited influence of these groups on the actual outcome of climate change negotiations had already been documented. Betsill (2008), for instance, finds that ENGOs had little effect on the outcome of the Kyoto Protocol negotiations during the period 1995 to 1997 but influenced the negotiations process. For example, CAN’s objectives between 1995-1997 included a commitment by industrialised countries to reduce their emissions 20% below 1990 levels by 2005; the final protocol merely requires them to reduce their aggregate GHG emissions 5.2% below 1990 levels by the period 2008-2012 (Betsill 2008, 52). Moreover, although CAN was opposed to emissions trading for industrialised countries and to the inclusion of carbon credits from sinks during the negotiations, both mechanisms found their way into the final agreement (ibid). However, as Betsill and Corell point out, this in itself is not necessarily sufficient evidence for a lack of NGO influence. NGOs may be tempted to make very stringent demands in order to ‘turn up the heat’ on governmental delegates and to shift the yardstick by which the agreement is considered successful, while in private recognising even outcomes below their publicly proclaimed preferences as positive achievements (Betsill and Corell 2008, 27).

ii. The United Nations Convention on Biological Diversity

The global politics of conservation encompasses a wide and varied spectrum of concerns: the protection of particular species, habitats and ecosystems, biological resources and genetic diversity. Far from being a narrowly ‘green’ issue, it is linked to a host of social, economic and political considerations.

According to Elliott, the conservation agenda is not only characterised by “political tensions” over “appropriate management strategies”, but also “bound up in disagreements over sustainable use, commodification and intellectual property rights, utility rather than amenity value, the imperative of sovereign ownership of natural resources, conflicting values and cultural traditions, and disputes about what constitutes a local or global problem” (Elliott 2004, 29).

In popular discourse, the protection of biological diversity is often reduced to the need to ‘save’ particular endangered species from becoming extinct. In fact, the term ‘biodiversity’ encompasses more than this; besides “diversity of species” it also refers to the “genetic diversity *within* species and the diversity of habitat that supports biological life” (Elliott 2004, 30). This means that the problem of biodiversity loss encompasses not only the extinction of species but also the degradation of whole ecosystems, as well as the erosion of genetic diversity. This broad understanding of the challenge makes it almost impossible to put precise numbers on the scale of the problem, to single out specific causes or to develop simple solutions. According to the CBD, species are being lost at a rate of 50-100 times the natural rate (Secretariat of the CBD 2000, 5), while IUCN claims that the rate of species extinction is up to 1000 to 10,000 times the ‘background’ or natural rate (IUCN 2007). At the 2002 Johannesburg Summit, governments agreed to achieve a “significant reduction” in the rate of biodiversity loss by 2010 but have failed to meet this commitment. The Millennium Ecosystem Assessment Report identified five “direct drivers” of biodiversity loss: habitat change, climate change, invasive species, over-exploitation and pollution

(Millennium Ecosystem Assessment 2005).³⁴ These drivers in turn are linked to “indirect drivers”: “population change (including growth and migration), change in economic activity (including economic growth, disparities in wealth, and trade patterns), sociopolitical factors (including factors ranging from the presence of conflict to public participation in decision-making), cultural factors, and technological change” (Millennium Ecosystem Assessment 2005, 19). Similar to the problem of climate change, rapid and irreversible biodiversity loss is fundamentally linked to human activity which risks, according to the CBD, “creating the greatest extinction crisis since the natural disaster that wiped out the dinosaurs 65 million years ago” (Secretariat of the CBD 2000, 6).

Despite the enormity of this challenge the problem of global biodiversity loss has received far less public attention than climate change over recent years and has not triggered anything close to the high level of popular and business mobilisation that took place in the run-up to Copenhagen in 2009. There are also fewer comprehensive academic analyses on the global politics of conservation, especially by scholars with a political and social science background (rather than conservation biologists) than exist on global climate politics. With respect to this research, the fact that the CBD has not been subject to the same ‘hype’ as the climate negotiations has made it easier to gain access and conduct interviews with key NGO and CBD policy-makers. At the same time, the relative shortage of academic analyses from political and social scientists of the CBD has been a challenge. Although the two conventions share the same lineage as institutional outcomes of the 1992 UNCED, relative to the climate convention, the CBD comes across like the little-known sibling of a high-profile Hollywood celebrity.

³⁴ The Millennium Ecosystem Assessment (MA) was initiated by former UN Secretary General Kofi Annan in 2001. Its objective “was to assess the consequences of ecosystem change for human well-being and the scientific basis for action needed to enhance the conservation and sustainable use of those systems and their contribution to human well-being. The MA has involved the work of more than 1360 experts worldwide.” The findings of the assessment exercise were formally approved by the board in 2005. Website of the Millennium Ecosystem Assessment: <http://www.maweb.org/en/About.aspx>. Last accessed 17.09.2012

The draft of the convention opened for signature at Rio in 1992 was the result of an intense negotiation process under the auspices of the United Nations Environment Programme (UNEP). The intergovernmental negotiation committee (INC) meetings for the CBD started a few months after those for the UNFCCC³⁵, and it is likely that the biodiversity negotiations were somewhat affected by the developments in the climate arena. For example, many Southern countries were unhappy with the way the climate negotiations were developing and were determined to instead secure their interests through the new biodiversity convention (McGraw 2002, 15). UNEP also felt sidelined in the climate negotiations now proceeding under the UN General Assembly and consequently “was anxious to justify its institutional existence” (McGraw 2002, 15) in the biodiversity arena instead. Moreover, developing countries were happy for UNEP to play a central role as they considered biodiversity a more technical and scientific issue, with fewer political and economic implications, than climate change (Arts 1998, 163).³⁶ UNEP therefore became the ‘mid-wife’ to the CBD; reflecting on the first ten years of the convention, Klaus Toepfer (the former head of UNEP) still refers to his sense of “parental pride” in noting the CBD’s achievements to date (Toepfer 2004, 1).

The CBD entered into force in December 1993, following ratification by 30 countries.³⁷ Its stated objectives are, firstly, the conservation of biological diversity; secondly, the sustainable use of its components, and, thirdly, the fair and equitable sharing of the benefits arising from the utilisation of

³⁵ UNFCCC INC1 in Feb 1991; CBD INC1 in June/ July 1991 (Art 1998, 104/ 164)

³⁶ The climate issue, by contrast, was strongly perceived as a political and economic one by developing countries from the start. As such, they preferred negotiations to take place under the auspices of the UN General Assembly instead of a specialised agency such as the WMO, UNEP or IPCC (Arts 1998, 104-105). Rosendal (2000) offers a slightly different explanation. According to her, the move to UNEP reflected the US and IUCN’s hopes that in this forum the issue of conservation could be delinked from the controversial discussions around utilisation, economic value and property rights (Rosendal 2000, 112).

³⁷ The United States decided not to become party to the Convention (it signed, but did not ratify the treaty) largely due to domestic opposition to the Convention by the powerful US biotechnology industry.

genetic resources (CBD, Article 1). The convention of parties meets every two years to review progress under the convention, identify new priorities and set work plans for members. The convention's permanent secretariat is located in Montreal, Canada. The Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) meets in between the COP meetings and is tasked with providing "expert assessments and reports to the COP on all aspects of its work" (Herkenrath 2002, 30). The SBSTTA's mandate is very broad and includes functions such as providing advice, undertaking assessments and the development of methodologies.

The parties to the convention are asked "to develop national strategies, plans or programmes for the conservation and sustainable use of biological diversity" and to integrate "the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies" (CBD article 6). They are also asked to engage in the identification and monitoring of biodiversity (article 7) and undertake impact assessments (article 14). The convention addresses both in-situ and ex-situ conservation measures³⁸; the establishment of protected areas constitutes a major component of the former (article 8). Many of the solutions proposed by the CBD indicate that the problem of biodiversity loss is seen as a market failure and hence effective solutions need to put an economic value on biodiversity: the "challenge is to find economic policies that motivate conservation and sustainable use by creating financial incentives for those who would otherwise over-use or damage the resource" (Secretariat of the CBD 2000, 7).

The third objective of the convention relating to the fair and equitable sharing of benefits responds to concerns by developing countries over the centuries-old practice of 'bioprospecting' by foreign explorers, scientists and corporations, without providing adequate compensation to the original

³⁸ In-situ conservation refers to on-site conservation, or the protecting of a particular species in its natural habitat. Ex-situ conservation means 'off-site conservation', whereby a particular species is protected outside of its natural habitat, for example in a zoo, botanical garden or in a seed bank.

'owners' of biological resources. One specific case, described by Schröder and Pogge (2009), may be used to illustrate the implications of this practice. In 1991, Merck, a German pharmaceutical company, obtained a patent on a treatment for glaucoma, sold in the form of eye drops. The active ingredient was found in the leaves of a bush, which grows exclusively in the Amazon region and Merck started sourcing the substance from Brazil. Merck was then under no legal obligation to share the proceeds from this product with either Brazil or the local communities who were harvesting the leaves; moreover, a Brazilian citizen would have to purchase the product at German prices and a Brazilian company would have to pay royalties to Merck if it wanted to produce a generic version of the medicine (Schröder and Pogge 2009, 269). Developing countries argued that this type of scenario was far too common and ethically objectionable and supported the creation of a legal instrument on access and benefit sharing (ABS) at the international level. This finally took shape in the form of an 'International Protocol on Access and Benefit Sharing', which was agreed on at the much-anticipated 10th meeting of the COP in Nagoya, Japan, in October 2010. The two other main issues tackled in Nagoya were the development of a new strategic plan for 2011-2020 and an agreement on how to raise additional financial resources for the convention.³⁹

NGO participation in the CBD

The formal rules governing NGO participation in the CBD are similar to those in the UNFCCC. NGOs need to have a thematic link to the convention ("qualified in a field relating to conservation and sustainable use of biological diversity") and their participation must not be objected to by more than a third of the parties (CBD Article 23 (5)). According to the rules of procedure, "Such observers may, upon the invitation of the President, participate

³⁹ In 2000, the parties adopted the Cartagena Protocol on Biosafety, which aims to regulate the trans-boundary movement of living organisms that could adversely affect biodiversity. The protocol entered into force in 2003. As the CBD itself provides more than ample material for discussion, this chapter will not look at the Cartagena Protocol, nor will it discuss the range of NGO activities associated with the protocol (for a discussion of these see Burgiel 2008).

without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent” (Secretariat of the CBD 2005). Besides the large international NGOs, there are also many smaller and often nationally or regionally focused NGOs present at the COPs. One major determinant of the geographical spread of observer NGOs is, of course, the location of the meeting of the parties. NGOs in the respective host country tend to be particularly active in the run-up to and during the COP, and are often instrumental in coordinating broader NGO activities and working in partnership around the convention. During the 2008 COP in Bonn, for example, the German NGO network Forum for Environment and Development played this role. Similarly, the Japan Civil Society Network for the CBD was set up in January 2009 to lay the groundwork for civil society participation at the 10th COP in Nagoya, Japan, in October 2010. On a more permanent basis, however, the NGOs participating in the CBD are not organised through a formal umbrella organisation, or constituency focal point, directly comparable to the Climate Action Network. A more informal network of civil society organisations and NGOs working on issues of biodiversity exists in the shape of the CBD Alliance, which was set up after the COP-6 in 2002.⁴⁰

Unlike the UNFCCC, the CBD does not publish statistics on the number of NGO participants on its website. However, NGO interviewees familiar with both conventions agree that, while the number of NGO participants in the CBD has increased since the early 1990s, they present a relatively small group compared to the multitude of NGOs clustered around the climate convention. The difference in ‘quantitative’ NGO participation characterized the two conventions even prior to their formal entry into force: according to Arts, the international negotiating committee (INC) meetings of the UNFCCC were in general visited by about 50 to 75 organisations whereas only about 5 to 10 NGOs made it to the biodiversity INCs (Arts 1998, 169). Following the 1992

⁴⁰ The structure and role of the CBD Alliance and how it differs from CAN will be looked at in detail in chapter VII of the thesis.

Rio Conference, where the convention was opened for signature, the NGOs started to pay more attention. Arts links this to the United States' refusal to ratify and to the fact that it had now become apparent that the CBD was about more than narrow conservation issues, with its mandate extending to developmental, economic and environmental issues (Arts 1998, 170). Organisations such as Greenpeace International, FoEI, the Environment Liaison Centre International (ELCI), the Third World Network (TWN) and Birdlife International all started to participate in the convention after the Rio Conference (ibid). An NGO interviewee involved with the CBD from the mid-1990s onwards maintains that there was a very strong Southern NGO presence from the start, with "clearly a majority of Southern CSO representatives" at several conferences in the late 1990s (interview with director of Global Forest Coalition, 07.04.2010). In the CBD, she argues, "Southern delegates see the strategic advantages of having NGOs and IPOs participate in the development and implementation of policies" (ibid).

NGO representatives with a track record of engaging with the CBD find that the CBD is relatively open to civil society participation, compared to many other international environmental conventions, including the UNFCCC. Equally, the NGOs appear to prefer a strategy of engagement with the CBD rather than more confrontational 'outsider' tactics: unlike in the case of the climate negotiations, there were almost no protest activities organised around the meetings of the CBD in the 1990s (Arts 1998, 170). There are a number of possible explanations for the relative openness of the CBD to civil society. Firstly, as already indicated above, the politics of global biodiversity are characterised by less high-level political and economic bargaining than global climate policy. Moreover, the conservation community has long recognised that the involvement of a wide range of societal and local stakeholders is a crucial pre-condition for the successful implementation of conservation projects. This is also echoed in the convention's 'ecosystem approach' to conservation, which emphasizes that the objectives of natural resource management "are a matter of societal choice" and should "involve

all relevant sectors of society” (Secretariat of the CBD 2004). Another explanation lies in the fact that the CBD is hosted by UNEP, which has always tended to work closely with NGOs and civil society organisations and has, because of its geographical location in Nairobi, also enjoyed relatively good relations with Southern groups.

The CBD secretariat also seems keen to reassure the NGOs that their contributions to the work of the convention are indeed valued; in a message to the “environmental NGOs of our planet” Dr Ahmed Djoghlaif, the executive secretary of the CBD, acknowledges that NGOs “played a leading role in the initial conception, negotiation and adoption of the Convention on Biological Diversity, and continue to shape policy development” and invites them to bring their “ideas and enthusiasm” to the eighth COP (Secretariat of the CBD 2006). One interviewee mentioned that Dr Djoghlaif makes a point of paying a visit to the NGO meeting that takes place just prior to the COP and welcoming the participants personally, and to tell them that they are valuable contributors to the CBD (interview with biodiversity campaigner, Greenpeace International, 05.03.2010). The extent to which formal participation rights for civil society and the language of participation really translate into concrete NGO influence on policy outcomes is questioned, however, both by researchers and some NGO practitioners, with one interviewee doubting that NGO participation goes much beyond “coming and giving statements” (interview with biodiversity campaigner, Greenpeace International, 08.03.2010).

NGOs are generally permitted to attend working group and plenary sessions at the CBD and, subject to permission by the chair, allowed to take the floor at the end of the session (following the statements by governments and other IGOs). NGOs rarely speak as individual organisations; the “weight of practice” is to deliver joint statements (interview with senior legal advisor and senior environmental affairs officer, outreach & major groups, CBD, 09.03.2010). Occasionally, the chair may exclude NGOs from particularly contentious

discussions or they are unable to give their statements due to time constraints (ibid; interview with biodiversity campaigner, Greenpeace International, 05.03.2010). In addition, NGOs are sometimes able to comment on draft papers that are circulated by the CBD secretariat; they can submit statements online and participate in online discussion forums on particular issues, such as the revision and updating of the strategic plan.⁴¹ It appears that those NGOs (and particular individuals from NGOs) that are able to offer expertise and competence on specific issues in the negotiations can use these to build long-term working relationships with particular delegates and officials. On issues such as living modified organisms NGOs were able to offer their expertise to some developing country delegations that - in the early phase of the negotiations - had had little exposure to what was then a relatively new issue on the global agenda (interview with biodiversity campaigner, Greenpeace International, 08.03.2010).

In fact, with a few important exceptions such as the treaty on ABS, the focus of the CBD has increasingly shifted from policy development to implementation over recent years. This means that the participation of civil society organisations at the national level has become more important, whereas there is less scope now for NGOs to contribute to the development of new policies. Civil society organisations play an important role in monitoring countries' progress in implementing nationally the commitments they have made at the international level. The CBD also encourages the participation of these groups in the 'National Biodiversity Strategies and Action Plans' processes, which constitute "a major tool for implementing the CBD at the national level" (Herkenrath 2002, 29).

⁴¹ A revised strategic plan for the post-2010 period was adopted at the 10th COP in October 2010.

PART TWO: Representation and participation deficits and NGO responses

The purpose of the second part of this chapter is to discuss potential representation and participation deficits in the climate and biodiversity conventions and to show how NGOs have responded to these. As such it seeks to offer a more specific interpretation of some of the shortcomings relating to the democratic “input legitimacy” (Scharpf 1999) of global policymaking that were already discussed in more general terms in chapter II. As laid out before, a crucial precondition for democratic legitimacy is that those affected by a particular political decision have a say in how this decision is made and are given the opportunity to influence its outcome. This ideal is more likely to be approximated in international institutions with a governance structure that allows even relatively weak (in economic or military terms) states to shape the policies that affect their citizens. In addition, facilities that allow for direct participation by societal stakeholders, notably the most affected communities, in the formulation of those policies that will impact their lives should supplement intergovernmental channels of representation.

The following discussions of the UNFCCC and the CBD adopt slightly different perspectives on the representation and participation deficits in the two conventions. The UNFCCC is analysed predominantly ‘through the eyes’ of the NGO community – representation and participation deficits are presented as seen by the NGOs. This has not been possible to quite the same extent for the CBD as NGOs that are involved in the biodiversity convention are relatively less focused on issues of fairness and equity in the governance structure of the convention. Some of the possible reasons for this will be explored below. This means that there is simply less empirical material available that shows NGO criticisms of alleged democratic shortcomings in the biodiversity convention and NGO proposals on how to address these. The way the analysis of the CBD is undertaken also differs from that of the UNFCCC in a

second regard. Broadly speaking, whereas most of the debates in the context of the UNFCCC are around the development of policies and new institutions, the focus of the CBD's work has shifted more to creating the right conditions for implementation at the national level (the discussion around a International Protocol on Access and Benefit Sharing and the development of a new strategic plan constitute the two notable exceptions). Since the intention of this thesis is to analyse the NGO contributions to global policymaking (rather than implementation), the case of the CBD necessitates a reflection on past discussions around some of the more contentious policy and governance issues, many of which resulted in a compromise between developing and developed countries. Both of these factors mean that, in the case of the CBD, the discussion of the democratic legitimacy and NGO concerns therewith draws more heavily on academic analyses and secondary sources than in the case of the UNFCCC. Nonetheless, the CBD provides a valuable case for comparison with the climate convention – not only due to the many structural similarities of the two conventions highlighted before, but also because of the frequent references to the CBD made by NGOs in the context of the UNFCCC.

iii. Representation inequities and NGO responses

IGOs are most likely to approximate the ideal of equitable representation when characterised by both formal and informal decision-making procedures that guarantee fair representation for developing countries. The discussion around potential representation inequities at the intergovernmental level therefore needs to address the question of weight (Koenig-Archibugi 2006, 14): how fairly are representation rights distributed among the member states? Falk speaks about the need for “horizontal reforms” that seek “to make the system more legitimate with respect to relations among sovereign states” (Falk 2005, 171). Linked to these procedural concerns are more substantive concerns: what issues are included in the agenda and in the final policies?

Representation inequities and NGO responses: the case of the UNFCCC⁴²

As a UN treaty, the climate convention's system of representation corresponds to the one state - one vote arrangement. As such, the formal allocation of votes among countries appears at first glance less problematic from the viewpoint of democratic legitimacy than alternative arrangements based on financial contributions or economic power that are used, for example, in the Bretton Woods institutions. The issue of voting has, however, proved contentious since COP-1. The parties to the convention have not been able to agree on rule 42 of the rules of procedure, which allows for decisions to be taken by a two third majority. As a result, decisions can only be achieved on a consensus basis. The problem with consensus decision-making is that it can lead to agreements along the 'lowest common denominator' and that individual or small groups of countries are easily able to block progress. This 'flaw' in the UNFCCC process became clearly evident at the Copenhagen Summit, where the parties not only failed to come up with an ambitious agreement, but where the little which was agreed on could not be formally adopted due to the veto of a small handful of countries. On the other hand, the promise of UN style decision-making is that countries are – at least on paper – equal participants and are more likely to recognise the legitimacy of decisions that they have all agreed to.

The NGO submissions that include demands for equitable representation among governments tend to refer to new and proposed institutions, particular with respect to climate finance, where there are still uncertainties regarding the governance structures. The question of how these bodies may be governed in a democratic yet effective fashion has precipitated intense debates at the intergovernmental level and among nongovernmental observers.

⁴² The sections that deal with NGO responses to representation and participation in the UNFCCC have been published in Dombrowski (2010).

The detailed draft design for a future Copenhagen treaty submitted by a group of NGOs illustrates this point. The proposal stresses that the governance structure of the proposed 'Copenhagen Climate Facility' "should reflect a democratic decision-making structure with an equitable and balanced regional representation, ensuring significant representation from developing countries" (David Suzuki Foundation et al 2009). Moreover, "securing the representation of the most vulnerable countries should be a priority, as they will be most impacted by unchecked climate change" (ibid). The WWF makes a similar point in its proposal for 'Technology Action Programmes', which envisages an executive board of technology "with balanced representation of developing and developed countries" (WWF 2008a). There is some - perhaps deliberate - ambiguity regarding the precise meaning of 'balanced', 'equitable' or 'significant' in these submissions. While some NGOs shun away from specifying a clear ratio in their proposals, others are explicitly demanding majority representation for developing countries. CAN, for instance, calls for "equitable representation" and "representative governance" in a future financial mechanism and argues that it should be modelled on the structure of the Kyoto Protocol's Adaptation Fund Board (CAN 2009a, CAN2009b). This means that a majority of developing countries should make up the board of the proposed financial mechanism, together with "specific and significant representation" for the "most vulnerable developing countries" (CAN 2007). According to CAN, "a developing country majority is more equitable than an equal distribution between AI and non-AI countries" since "there are 41 Annex-I countries and 151 non-Annex-I countries" (CAN 2009a). A group of development NGOs is also more explicit in their proposal for a UN climate fund, whose executive board should operate on the basis of the "one country one vote rule and a majority representation for non-Annex 1 countries" (Christian Aid on behalf of APRODEV 2009).

The governance structure of the Adaptation Fund Board of the Kyoto Protocol is repeatedly referred to in the NGO documents as exemplary: it

“scores a first in representative governance”, mainly because of the fact that it has majority representation from developing countries (CAN 2009e). As such, it serves as a template for the design of other climate funds (CAN 2009a). The demands for equitable representation and participation in climate policy-making are justified on both normative and efficiency-based grounds. The normative argument presents more representation for vulnerable countries (and communities) as a precondition for achieving global justice as it is these countries that will be suffering most from the negative impacts of climate change without having contributed substantially to the current levels of greenhouse gases in the atmosphere. NGOs also employ the rationale of effectiveness, arguing that institutions that are accepted as legitimate by developing countries are more likely to succeed in promoting a shift towards low-carbon development. These normative and practical considerations also seem to explain NGO support for any future financial mechanism to be based within the UN structure (under the authority of the Conference of the Parties) rather than in other existing or new international institutions.

The twin principles of country ownership and subsidiarity in policy-making and implementation are also crucial for enhancing opportunities for participation by developing countries and for maximizing the effectiveness of climate action and therefore enjoy wide support across the NGO community. They are intended to ensure that the most affected countries—as well as particular stakeholder groups within these countries—have the greatest possible influence over determining national priorities for adaptation and mitigation action and the allocation of financial resources. One way of operationalising these principles is the creation of a country-level coordinating body, which would be linked not only to the global climate convention process but also to various domestic stakeholder groups. The NGO proposal for so-called in-country coordinating mechanisms, for example, is modelled on similar mechanisms employed by the Global Fund to Fight Tuberculosis, AIDS and Malaria (hereafter referred to as the Global

Fund).⁴³ In the context of the climate convention, these are presented as a way of facilitating “a country-driven process, representing all relevant stakeholders, particularly the most vulnerable communities, ensuring a bottom-up approach to identify adaptation needs on local, sub-national and national levels” (CAN 2009b; CAN 2009d). Similar to this is the proposal for the creation of multi-stakeholder national groups as national implementing partners for the climate convention (Christian Aid on behalf of APRODEV 2009). These proposals bring together two modes of responses to the alleged representation and participation deficits in global climate governance outlined above. They are intended to address representation and participation failings at the intergovernmental level by giving developing countries a greater say in how funding, particularly in the context of adaptation, is to be allocated and used nationally, but also firmly endorse the principle of stakeholder participation. This second aspect - NGO support for the participation of particularly affected and especially vulnerable stakeholder groups at all levels of climate policy-making—will be discussed further below.

Interestingly, despite expressing their support for the principle of subsidiarity in the climate convention context, the NGO submissions analysed here contain hardly any explicit references to the role of sub-national entities or cities in the global climate regime. Local governments and municipal authorities present a separate constituency group and in their own submissions demand a more substantial formal role for cities and local authorities in the climate convention. Besides their broad calls for the participation of all relevant stakeholders at all levels of decision-making, the environmental and development NGOs do not appear to attach much priority to supporting these demands. This is noteworthy, given that “by 2030, two-thirds of humanity will live in urban centres where more than 73% of all

⁴³ The Global Fund’s guidelines for its country coordinating mechanisms can be found on the Fund’s website and share many features with the NGO proposals in the context of the UNFCCC: <http://www.theglobalfund.org/en/ccm/guidelines/?lang=en>. Last accessed 19.09.2012

energy is consumed today” (ICLEI 2009). Besides the fact that actions taken by cities and other sub-national actors already present an important contribution to global mitigation and adaptation efforts, these sub-national levels of governance present potentially valuable opportunities for facilitating the participation by locally affected communities in the politics of climate change.

It is often impossible to distinguish between procedural and substantive equity and fairness demands in the NGO positions. The demands for more equitable representation by governments outlined here tend to go hand in hand with NGO support for issues that are considered especially important by developing countries, both as underlying ethical principles and as desirable policy outcomes. For example, many NGO submissions to the climate convention emphasise the fact that the moral responsibility for climate change lies with industrialised countries and that these countries need to take the lead in cutting emissions (the ‘responsibility argument’). NGOs also support demands for the provision of financial resources and technology transfer to strengthen adaptation measures in those regions of the developing world that are particularly vulnerable to the consequences of climate change (the ‘vulnerability argument’). Finally, as pointed out by analysts of NGO influence in climate negotiations, a number of NGOs have offered expertise and information services as direct support for some developing country delegations (Raustiala 1997; Newell 2000). In this way, NGOs are, to some extent, addressing the problem that capacity and resource shortages can be important reasons for less effective participation by smaller developing countries’ delegations in global negotiations.

Representation inequities and NGO responses: the case of CBD

As in the UNFCCC, parties to the CBD are formally represented on a one country – one vote basis and adhere to the principle of consensus decision-making. The CBD’s rules of procedure mention the possibility of having a vote as a last recourse if consensus cannot be reached. Just as in the UNFCCC,

however, the relevant paragraph is bracketed which means that parties have not been able to agree on this issue. Of course, as in other international fora, the formal rules for representation tell us little about the practical realities of how power is distributed based on capacity and resources among the governments. The bargaining power of governmental delegates is not only a function of what they have to offer the other parties, but is also likely to be a reflection of their negotiating skills, and their understanding of and expertise in the issues at stake. Since the CBD addresses a wide range of issues, many of which are highly technical in nature, governments that are only able to send a few delegates or have not had the opportunity to gain substantial experience on specific issues can be at a disadvantage. This problem is further compounded when several negotiation sessions are taking place simultaneously during the COPs, leaving countries with very few delegates thinly spread on the negotiations (Rosendal 2000), or when highly technical negotiations are conducted in English.

There is, unlike in the case of the UNFCCC, little evidence of NGO concern with formal governmental representation inequities in the CBD. There are a number of possible explanations for this divergence in NGO responses to the two conventions. One may simply be the fact that – relative to many other international forums – the convention text reflects many demands by Southern countries and its decision-making structure is relatively egalitarian. From the early days of the convention, developing countries have had a relatively strong standing therein. Another (linked) explanation may be related to the nature of the issue. Many aspects of biodiversity conservation have been less politicised at the international level and have not been as explicitly linked to questions of global justice as climate change politics. One exception to this is the debate on access and benefit sharing; however, although this issue is highly political it has attracted much less public attention than climate change. For the most part, however, the debates at the CBD appear more focused on implementation issues and less on questions of governance relating to new decision-making bodies (such as the proposed

financial mechanism or REDD board in the case of the UNFCCC). As such, many of the NGOs have similarly chosen to focus on implementation-related issues. Finally, the nature and composition of the participating NGOs in the CBD, or at least that of the individual NGO representatives they send to the convention, might explain the different levels of emphasis placed on democratic demands. The following discussion will briefly explore these factors.

Broader structural factors and the particular nature of the issue determine the conditions under which countries are able to exert influence in the biodiversity negotiations. Most of the world's biodiversity is located in a number of Southern mega-diverse countries whereas most of the technologies needed to exploit this commercially are based in Northern countries. Insofar as companies and research institutions in Northern countries want access to the genetic resources of the global South, mega-diverse countries can, at least in theory, derive substantial bargaining strength from the fact that they have sovereign control over their biological resources. It is worth contrasting this situation with the climate negotiations, where the nature of the issue (i.e. the need to reduce global emissions) effectively renders the largest current and future polluters – Northern and major developing countries – most influential. However, Rosendal also makes the valuable point that “as long as developed countries have free access to germplasm through international gene banks, they have an incentive to remain *free-riders* in reaping the benefits from genetic resources” (Rosendal 2000, 170).

According to the same author (Rosendal 2000) the text of the convention as opened for signature in 1992 reflected a number of important changes from the status quo ante at the insistence of Southern countries. Through affirming the sovereign control of countries over their biological resources and citing the fair and equitable sharing of the benefits of genetic resources as one of its three overarching objectives, the CBD represents an instrument through

which Southern countries attempted to rectify an existing global imbalance between users and providers of genetic resources. Most importantly, biological and genetic resources could no longer be considered to fall under the 'common heritage of mankind' principle, which, in practice, had been interpreted as a 'free access' regime by actors in the global North. The very fact that the CBD's scope goes beyond narrow conservation issues, as initially envisaged by a number of Northern countries, and encompasses bigger developmental questions and equity concerns is also a reflection of Southern priorities at the time. Not all observers share this assessment of the convention as a victory for the global South, however – especially in light of the limited success of the CBD in achieving its objectives since 1993. It is evident, for instance, that the funds provided by the Global Environment Facility (which in turn depends largely on contributions by the OECD countries) are not sufficient for the many tasks that have been bestowed onto the CBD by its members. Moreover, the CBD's principle of countries' sovereignty over their biological and genetic resources might be relatively weak in the face of intellectual property rights (IPRs) promoted by the WTO and the United States. From this perspective, the impact of the CBD and its associated norms is extremely limited as other global economic policies and institutions have a much greater role – and often countervailing influence - in the world economy.

Pre-shadowing the debates in the UNFCCC, the question of funding and how the CBD's financial mechanism should be governed proved especially contentious during the CBD's negotiation phase. The G77 developing countries demanded the creation of a new financial mechanism for the CBD, under the authority of the COP, while OECD countries favoured the Global Environment Facility as the CBD's permanent financial mechanism. According to McGraw, the decision to designate the GEF as the financial mechanism on an initially 'interim basis' was a compromise between Northern and Southern countries (McGraw 2002, 27). However, in a concession to developing countries, the convention text also states, that "the

mechanism shall function under the authority and guidance of, and be accountable to, the Conference of the Parties for purposes of this Convention” (CBD, Article 21 (1)). Other points of disagreement concerned the definition of incremental costs and the appropriate criteria for designing CBD projects (i.e. should these encompass broad national criteria or narrow biodiversity objectives) (Rosendal 2000, 167; Arts 1998, 221). Continuing disagreements between parties meant that they were unable to agree on a permanent financial mechanism to replace the GEF and simply extended the GEF’s interim status instead, subject to reforms in the GEF’s governance structure. On the crucial issue of funding then, formal representation rights among governments follow the restructured GEF model, which operates according to the principle of a double-weighted majority, thus combining the UN-style one country one vote system with representation rights that reflect the economic strength and financial contributions of member countries.

It is also important to note that most of the few NGOs that were present in the formation stage of the CBD were large Northern-based conservation focused groups who did not share the positions of developing countries at the time. According to Rosendal (1991, 33 cited in Rosendal 2000, 94) the few conservation NGOs that were involved in the early stages of the CBD’s formation such as the IUCN and WWF actually feared that no conservation agreement could be reached if the broader social and equity concerns of developing countries were included in the negotiations. On the issue of financing, only Greenpeace made a forceful intervention on the legal incompatibility of the CBD and the GEF at the first COP, arguing that this arrangement did not meet the requirement set out in the treaty that the financial mechanism should operate under the authority and guidance of the COP (Arts 1998, 223). However, on this issue Greenpeace was not supported by other participating NGOs such as World Resources Institute, EDF and WWF who saw the continued debate as an unnecessary distraction (Arts 1998, 223).

More recently it appears that in the CBD and among the NGOs associated with it debates over the appropriate governance of a new or revised financial mechanism have receded into the background in light of the more pressing need to generate new and more funds for conservation work in developing countries. The problem of insufficient funds constitutes a major obstacle to successful implementation of the convention. One possible solution has been put forward by IUCN: the creation of a 'Green Development Mechanism' modelled on the UNFCCC's CDM which could help to generate new and additional funding from the private sectors, and therefore require little or no government funding (IUCN 2009). This proposal is - not surprisingly - seen critically by many other NGOs who point to the mixed record of the CDM, in particular its failure to achieve substantial global emission cuts and to apply stringent social and ecological safeguards.

Despite the seemingly strong influence of developing countries within the CBD, the NGO representatives interviewed for this chapter acknowledged that some small and developing countries (especially the Small Island Developing States (SIDS) and the Least Developed Countries (LDCs)) can be at a disadvantage in the CBD negotiations, as their delegations are often under-staffed and not as experienced on some of the issues discussed. A number of NGO interviewees pointed to examples of NGOs working with disadvantaged governments in these situations, offering their expertise (such as in the GMO case referred to above) or even providing translation services. It appears that a number of NGOs, especially the well-resourced ones who also possess substantial scientific expertise, have been able to offer their expertise to governmental delegations, sometimes building long-term working relationships, or even including representatives from their national offices in country delegations. Some NGOs are reluctant, however, to give much detail on this aspect of their work in order not to jeopardise their working relationships with the governments in question (interview with director of global policy, WWF International, 11.02.2010). Of course, it can also be argued that the capacity shortages of some governmental delegations

present one opportunity for influence for the NGOs. Instead of having to wait until the end of the negotiating sessions, where they may, at the discretion of the chair, be permitted to take the floor as observers, they are able to input directly into the contributions by parties, which are bound to carry more weight. This source of influence should not be seen in a subversive way, however, as it is always the governments who decide whether and to what extent to rely on NGO input (and as such will also be using it to their advantage).

Finally, the fact that demands for equity, justice and democracy feature more prominently in the NGO submissions to the UNFCCC than in the NGO submissions to the CBD is also a reflection of the different compositions of the respective NGO communities. As shown in the discussion in part one, the NGOs engaged with or otherwise targeting the UNFCCC are from a wide range of backgrounds and include many groups that do not have environmental politics as their primary focus and often take a more overtly political or social stance. Framing the global politics of climate change in the language of 'climate justice' has helped to bring together these very different groups around a common agenda of linking climate change policy to social justice and equity considerations. The wider NGO community has, by contrast, not responded to the challenge of biodiversity loss with a unifying idea of 'biodiversity justice'. Instead, the NGOs most engaged with the CBD tend to come from a conservation background, or at least send members of staff with a background in conservation biology or genetics to the meetings. This would explain why NGO interventions tend to be more technical and less politicized than in the case of the UNFCCC.

Representation inequities and NGO responses in the two conventions

The analysis shows that the NGOs engaged with the UNFCCC and CBD respectively have placed very different degrees of emphasis on issues of inequitable representation in their written submissions to the conventions. Possible reasons for this divergence – in particular for the lack of NGO

demands for more equitable representation structures in the case of the CBD - were explored above. In the case of the UNFCCC, the governance structure of the proposed finance facility has emerged as the main target of NGO demands for fair representation among governments. In particular the Kyoto Protocol Adaptation Fund Board is heralded by the NGOs as a template for the governance structure of other finance mechanisms. The need to situate any new institutions firmly within the UN structure is also widely stressed in the NGO submissions. The principles of country ownership and subsidiarity allow developing countries to shape those elements of climate policy that affect their citizens and may be operationalised in mechanisms similar to the Global Fund's in-country coordinating mechanisms.

Discussed above were primarily procedural demands voiced by NGOs and issues of formal governance. Of course, as was already discussed in chapter II of the thesis, the formal distribution of votes is rarely an accurate reflection of the true distribution of power and influence among participants. The observation that "all states may legally be equal in many global forums, but some states are clearly more equal than others" (Hoffman 2012, 2) certainly applies to the two UN conventions under discussion here. The issue of the how NGOs respond to the more informal representation imbalance among governments has, admittedly, only been touched on. There is some – anecdotal – evidence of NGOs offering support to delegates that may be disadvantaged due to language barriers, the small size of their delegations or the fact that they possess relatively less expertise and specialized technical knowledge in some issues under discussion than the much larger and well-resourced delegations from rich countries. However, these instances cannot count as systematic responses by NGOs to fundamental problems of power imbalances among governments.

Of course, both the 'real' distribution of power, understood in the sense of "real-world influence in determining substantive outcomes" (Hoffman 2012, 3), and the NGO responses to this are much harder to gauge. Formal

procedural demands have the advantage that they are easier to identify. Moreover, the existence of formally democratic structures in international institutions is perhaps not a sufficient but certainly a necessary condition if strongly impacted countries are to have influence in the making of those decisions that affect their citizens. As set out before, the democratic gap between decision-making processes and affected communities might also be narrowed through the creation of direct means of access for societal stakeholders. This will be the focus of the next section.

iv. Participation deficits and NGO responses

NGO support for the greater participation by affected stakeholders at the different levels of policymaking constitutes the second category of NGO responses identified here. In this sense, NGOs are pushing for broader societal access to decision-making (Koenig-Archibugi 2006, 14; Bäckstrand and Lövbrand 2006, 55), beyond, and in co-existence with, the channels for representation through national governments. This corresponds to demands for “vertical reforms, taking greater account of actors other than states and recognising transnational social forces whose prominence and role exhibit the growing obsolescence of any system of global governance that relies exclusively on a Westphalian conception of world order” (Falk 2005, 171).

Participation deficits and NGO responses: the UNFCCC⁴⁴

In the case of the climate convention, it is possible to distinguish between two types of NGO demands designed to support the participation of particularly affected and/or vulnerable groups: proposals for climate convention-linked domestic-level mechanisms that allow for participation by stakeholders in the local and national context, and proposals for institutionalising participation at the international level directly.

⁴⁴ The discussion of NGO responses to participation deficits in the UNFCCC has been published in Dombrowski (2010).

National policy-making bodies such as the 'in-country coordinating mechanisms' discussed above are intended to address potential representation inequities at the international intergovernmental level by giving governments, especially those of recipient countries, more control over their national climate policy priorities. However, these mechanisms are also intended to enable the participation of a diverse range of societal stakeholders in the policy-making process. NGOs are particularly careful to point out that the participation of those who are especially affected or vulnerable, notably marginalised communities, indigenous peoples, women and youth should be prioritised. CAN, for example, argues that "National Adaptation Plans or Strategies should be prepared with the full involvement of civil society, vulnerable communities, and the private sector" (CAN 2009) and that: "It is imperative that the most vulnerable people, who have contributed least to climate change but are most affected by it, are at the heart of decision-making about adaptation and risk management" (CAN 2008).

A number of references indicate a preference by some NGOs for the development of mandatory standards for stakeholder participation, applicable in particular to indigenous peoples and local communities (David Suzuki Foundation et al 2009; Global Witness on behalf of the Ecosystem Climate Alliance 2009; Forest Peoples Programme 2009). Such standards would be developed and agreed internationally (and in cooperation with the affected stakeholders) and implemented in the domestic context. The proposed in-country coordinating mechanisms, for instance, are supposed to "follow guidelines for adequate, active and meaningful stakeholder participation", to be developed by the executive committee of the proposed Copenhagen climate facility (David Suzuki Foundation et al 2009). The guidelines developed by the World Commission on Dams (WCD) are repeatedly cited as an example of best practice with regard to stakeholder participation, which could serve as a template for similar guidelines in the context of climate policy (Forest Peoples Programme 2009). Several of the

NGO submissions express support for some level of monitoring and enforcement of such standards, especially in their positions on the REDD (Reducing Emissions from Deforestation and Forest Degradation) mechanism (discussed below). This would include third party monitoring or the creation of an independent ombudsman to guarantee that countries follow social and governance-related standards, including those relating to the participation of indigenous peoples (Schroeder 2010) and local communities, in their REDD policies. Country performance may even be linked to the allocation of REDD funds (Global Witness on behalf of the Ecosystem Alliance 2009).

While making the adoption of certain principles on stakeholder participation a pre-condition for funding eligibility may, at first glance, appear to be an effective way of securing public participation in national climate policy-making, such proposals also risk alienating those governments who consider the imposition of social standards an interference in domestic political processes. This problem became apparent during the debate on formulating mandatory standards for participatory impact assessments and independent appeals mechanisms in CDM projects, whereby “Developing country governments opposed the imposition of all such protections, arguing that as sovereign states they alone would design CDM national processes” (Fogel 2004, 113). Another problem with relying on standardized participation mechanisms in the domestic context lies in the fact that some of the most affected communities are often marginalised from domestic political processes for a host of wider economic and socio-cultural reasons. Capacity building and the recognition of cultural, political and economic rights are hence important elements of democratic participation - a challenge also widely acknowledged by the NGOs.

Besides expressing support for multi-stakeholder processes in the national context, the NGOs also emphasise the need for participation by particularly affected groups, especially indigenous peoples, at the international level,

namely in the climate convention directly. In order to achieve this, they are calling on parties to “create means by which indigenous peoples are directly represented in the climate negotiation process” (Climate Law and Policy Project 2009). The participation practices employed by the Convention on Biological Diversity and the UN Convention to Combat Desertification are referred to as instances of good practice that the climate convention should also adopt. More specifically, indigenous peoples should have the “right to speak directly to texts under negotiation and to participate in contact groups and friends of the chair meetings where matters (like forests and related issues) may affect them” (ibid). Parties should also be encouraged to include representatives of indigenous peoples and local communities in their official delegations. The importance of allocating funding to support the participation of indigenous peoples is also acknowledged (Coordinating Body of Indigenous Organisations of the Amazon Basin 2009). Relatively less attention is given to participation rights for other stakeholder groups such as farmers, youth or women.

Reducing Emissions from Deforestation and Forest Degradation (REDD)

One of the issues which have triggered much NGO lobbying at the UNFCCC over recent years has been the question of how to avoid emissions from deforestation. The creation of an international mechanism for ‘Reducing Emissions from Deforestation and Degradation’ (REDD) constitutes one of the work areas of the Bali action plan. The objective is to develop internationally accepted methodologies for REDD credits, which are expected to play an important role as part of the post-2012 climate agreement. The case of REDD is a good example of international policymaking with potentially very serious impacts on local communities, especially forest-dependent indigenous peoples. So far, however, these affected communities have not been given any formal opportunities to contribute to the negotiations about a future agreement on REDD. Indigenous peoples’ representatives expressed their frustration with their exclusion from the climate negotiations in Bali in 2007, when they staged protests and wore

gags with the letters 'UNFCCC' written on them (Climate and Capitalism 2007). The case of REDD therefore presents a highly relevant example of how international NGOs have responded to concerns over participation and representation deficits in a specific instance of climate related policy-making and of their proposed solutions.

The need for recognising and respecting the rights of indigenous peoples and other local communities, together with calls for securing their participation in the decision-making on REDD-related policies, feature prominently in the relevant NGO submissions to the UNFCCC. NGOs argue for the inclusion of participation norms and principles in the design of the REDD mechanism, pointing out that these norms are already set out in a range of international instruments and included in other international environmental agreements and conventions, such as the Convention on Biological Diversity. They also outline some of the more specific modalities through which the participation of indigenous peoples and local communities may be ensured at the various levels of REDD decision-making: for example, through participatory mapping of land tenure rights, provisions for social and environmental impact assessment, and the establishment of independent complaints mechanisms. In addition, NGOs are putting forward a number of substantive demands which are of great importance to indigenous peoples: the recognition of their rights to traditional lands, territories and resources and ways of life, compensation for ecological services provided by indigenous communities, and guarantees that local communities get to benefit from the REDD proceeds.

CAN stresses that “any approach to REDD must ensure full and effective participation by indigenous peoples and local communities in all stages of decision-making” (CAN 2009a). Provisions for participation within the UNFCCC should be modelled on those employed by the Convention on Biological Diversity and the UN Permanent Forum on Indigenous Issues (CAN 2009a). The parties are called upon to integrate the specific principles set out

in the UN Declarations on the Rights of Indigenous Peoples (UNDRIP) into the REDD mechanism. These include – most crucially – the right to free and prior informed consent (FPIC) and the right to participate in decision-making on matters that affect them, but also the recognition of their rights to their traditional lands and the right to seek redress. NGOs advocate the inclusion of indigenous peoples and local communities at both the level of international decision-making as well as within those countries that decide to implement REDD projects. Internationally, participation should be facilitated in “all relevant workshops, meeting and submissions on REDD methodologies” and “Parties should be encouraged to include representatives of indigenous peoples and local communities in their delegations” (FoEI 2009a). Furthermore, indigenous peoples “must be afforded a formal structure within the UNFCCC negotiation process that not only allows for the full, direct and active participation of indigenous peoples but also provides funding and support for this participation” (Coordinating Body of Indigenous Organisations of the Amazon Basin 2009). At the national level, NGOs “recommend the establishment of national multi-stakeholder REDD groups, involving rights holders and stakeholders, particularly indigenous peoples, local communities and civil society, to engage in REDD ‘readiness’, including developing national REDD plans and systems for monitoring and verification” (Global Witness on behalf of the Ecosystem Alliance 2009). They also argue that “(m)apping and clarifying land tenure and rights to land, territories and resources in a participatory manner must be a prerequisite for establishing REDD schemes” and that REDD projects need to be accompanied by participatory social impact monitoring and include conflict resolution mechanisms that are accessible to local communities (CAN 2009a).

While most of the NGO submissions consistently link “indigenous peoples *and* local communities”, the identity of these non-indigenous communities remains unspecified. Moreover, the frequent references to the UN Permanent Forum on Indigenous Issues and the UN Declaration on the Rights of

Indigenous Peoples as appropriate guidelines for developing participation norms and mechanisms within REDD also indicate that the primary concern lies with protecting the rights of indigenous peoples specifically. It is, however, not unreasonable to suggest that REDD will also impact other local communities who do not identify themselves as 'indigenous' and whose interests may in some cases even conflict with those of indigenous peoples in the area. The emphasis in the NGO submissions on the need to ensure the participation of *indigenous peoples* as opposed to other potentially affected communities suggests perhaps that NGOs are likely to be particularly responsive to the demands of groups who have already succeeded in achieving a level of political mobilisation and visibility.

The NGO positions on REDD mirror many of the demands raised by indigenous peoples' organisations (IPOs) themselves, in both their own submissions to the UNFCCC and in indigenous peoples' declarations on climate change and forest policies (Indigenous Peoples Global Summit on Climate Change 2009). These similarities may be largely because the *language* of participation has by now reached the highest levels of policy-making in the context of climate change and is increasingly becoming accepted as part of the dominant elite discourses on climate change. A comparison of the NGO positions as outlined in their UNFCCC submissions and the submissions made by IPOs shows significant overlap in the procedural principles espoused, such as the issue of FPIC, participation at all levels of decision-making, and independent redress mechanisms.

Although the support for formal participation rights by indigenous communities is found across the NGO community, there are important differences when it comes to more fundamental worldviews. The IPOs tend to emphasize the larger political and economic context constraining the struggle for their rights. They highlight their experience of historical exploitation and racism at the hand of governments and corporations and present the recognition of their rights (i.e. the recognition of indigenous

peoples as rights-holders and not as stakeholders) as the essential prerequisite for their participation in any REDD-related processes: “Indigenous peoples’ rights and resource rights must be recognised prior to the inclusion of our lands, territories and forests in REDD schemes” (International Alliance of Indigenous-Tribal Peoples of the Tropical Forests 2009). Moreover, many indigenous peoples organisations reject market-based solutions such as carbon trading, the CDM and REDD in principle and present their own relationship to Nature and “unique ‘global’ and ‘social’ knowledges” (Fogel 2004, 118; also see discussion by Smith 2007) as viable alternatives of human-nature co-existence:

“IIPFCC (International Indigenous Peoples’ Forum on Climate Change) continues to oppose the commercialisation and commodification of forests and recommends that Parties and other key actors to be educated to understand the different, holistic world view of indigenous peoples and to understand the different values that forests have for indigenous peoples and for humankind” (International Alliance of Indigenous-Tribal Peoples of the Tropical Forests 2009).

The extent, to which environmental NGOs share this sceptical view of markets and are open to alternative paradigms, such as that put forward by indigenous peoples, varies across the NGO community. Some environmentalists are questioning the very legitimacy of market-based mechanisms per se “as part of a more general critique of any perceived marketization or commodification of nature” while others are concerned about the potential for distortions and misuse, including “scandals and loopholes in existing markets, rent-seeking and windfall profits, to questioning their lack of long-term effectiveness and uptake” (Bernstein et al 2012, 5). These variations will be explored in more depth in chapters VI and VII of the thesis. It is in particular those groups that work closely with social movements and the climate justice movement that are more naturally aligned with the positions put forward by the IPOs. Moreover, certain governments in the climate negotiations, notably Bolivia, have to some degree, also espoused the perspectives of indigenous peoples. Most of the large international NGOs, however, with perhaps the exception of FoEI, do

not reject market-based solutions in principle and often consider these essential for successful climate action. This is especially the case for the US-based conservation groups such as The Nature Conservancy (TNC) who argue in favour of “a system of financial incentives, carbon credit markets and technical assistance that would allow developing nations to generate the funds needed to conserve forests, reduce emissions, protect biodiversity and improve local livelihoods” (The Nature Conservancy 2009).

Alternative perspectives emanating from civil society groups find it increasingly difficult to be listened to in the UNFCCC context where market-based solutions are now considered cornerstones of global action on climate change. Speaking about the issue of forest carbon markets, one interviewee remarked that alternative voices are also marginalised due to a concurrent bias by funders: “alternatives are being squeezed about because that’s not where the funding is going” (interview with director of Global Forest Coalition, 07.04.2010).

Participation deficits and NGO responses: the CBD

The participation by indigenous peoples in the CBD is often heralded as exemplary, as evidenced by many of the NGO submissions in the context of the climate negotiations discussed above. According to a guide to the CBD published by the United Nations University, “indigenous and local peoples have created considerable political space to participate in and influence the CBD process” (UNU 2008, 7). The convention’s provisions relating to indigenous peoples and local communities and its corresponding participatory mechanisms are largely a reflection of their essential role in the conservation of biological diversity and the fact that the impacts of biodiversity loss and habitat destruction are most acutely felt at the local level. In many parts of the world – and particularly in the mega-diverse countries mentioned above – local communities, indigenous peoples, fisherfolk, small farmers, forest dwellers and pastoralists directly depend on biodiversity for their livelihoods. Moreover, many indigenous peoples also

attach great spiritual value to particular sites, species and ecosystems and are often guardians of a wealth of traditional knowledge on how to conserve and use biodiversity in a sustainable manner.

In particular the convention's article 8(j) makes it stand out from other international environmental conventions, including the UNFCCC. The article encourages parties to respect the knowledge and practices of indigenous peoples and local communities, and to work with them to enable the equitable sharing of the benefits of this knowledge. LePrestre suggests that article 8(j) "has become one of the more powerful instruments that indigenous populations have at their disposal for protecting and promoting their rights relative to those of the state and civil society at large, although article 15 emphasizes the rights of governments over their population" (LePrestre 2002, 314).

The importance of biodiversity to indigenous peoples, the provisions of Article 8(j) relating to the need to "respect, preserve and maintain" traditional and indigenous knowledge, and the desirability of "equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices" are issues that, according to Arts, were addressed in all successive drafts of the convention, indicating a shared awareness among governments of their importance (Arts 1998, 177). Arts shows that the CBD's early references to indigenous peoples were not brought about by NGO lobbying and are more likely to have been taken from UNEP's preparatory documents for the negotiations (Arts 1998, 183).

One of the major innovations about the CBD was the creation of an open-ended working group on Article 8(j) in 1998, which also included indigenous participants. Indigenous peoples are also engaged in the CBD processes through the International Indigenous Forum on Biosafety (IIFB), formed at COP-3 in Buenos Aires in 1996. According to one observer, the process of indigenous peoples' participation in the CBD "has created remarkable new

precedents for United Nations negotiating forums” (Herity 2004, 25). He notes the following ways in which meetings have been adapted to allow for better input by indigenous participants:

“Caucus space is provided for them, as well as basic office equipment. The meeting room is arranged so that aboriginal representatives share the space from front to back with the government Party representatives instead of being delegated to the back row. A regionally balanced number of them are invited to participate in Bureau meetings. They are invited to co-chair working group sessions. They are able to speak in sequence with government representatives, rather than having to wait until all Parties have spoken” (Herity 2004, 25).

While the rights of indigenous peoples are thus enshrined in the text of the CBD and a number of mechanisms exist to enable their participation at the global level, it is – as was also noted in the discussion on REDD above - not clear to what extent these participatory norms and practices also extend to the more amorphous category of ‘local communities’. On paper, at least, the convention’s documents consistently refer to ‘indigenous peoples and local communities’. In practice, however, it is much easier for the secretariat to identify legitimate representatives of indigenous peoples organisations than to explain who would constitute an appropriate local community representative.

The – in contrast to the UNFCCC – relatively strong position of indigenous groups within the CBD means that demands for more participation by affected communities have not featured as prominently among the biodiversity NGOs as among the climate NGOs. Indeed, the survey of NGO submissions and position papers on CBD-related issues reveals very few references to the need to further strengthen participation by societal stakeholders in the CBD’s policy-making processes beyond expressing their support for the already existing provisions of article 8(j) and similar participation rights in the convention. Exceptions to this are the submissions by the Forest Peoples Programme, which “works to secure the rights of forest peoples to control their lands and destinies” (Forest Peoples Programme

2009b). In its submissions on the revision of the CBD's strategic plan FPP repeatedly calls for the more frequent inclusion of terms like 'participatory' and 'participation' by indigenous and local communities, and more emphasis on human rights and rights-based approaches (ibid).

However, given the costs of participating in the COPs and the fact that the CBD does not provide funding for Southern civil society organisations to come to the meetings, there are nonetheless practical obstacles to equitable participation by civil society organisations. While the large international conservation organisations are able to send large delegations to the meetings of the parties, the ability of Southern organisations to participate is subject to serious funding shortages. However, a number of influential Northern-based NGOs such as WWF and Greenpeace claim to have deliberately sought to increase the participation of their own campaigners based in the global South and to bring staff from their national offices in developing countries to the meetings of the COP. These organisations are also sometimes funding the attendance of local communities representatives, who are often given the chance to articulate their positions and talk about their experiences in face-to-face meetings with governmental delegates, at side events and during press conferences.

While these efforts may be seen as steps in the right direction, they are not sufficient to overcome structural inequalities. Especially civil society groups from the global South are critical of the fact that the large conservation groups yield enormous influence in the CBD. An important source of influence for large and well-resourced conservation NGOs such as WWF, TNC and the Sierra Club are their financial contribution to global conservation programmes, especially protected areas. According to one interviewee representing a network of predominantly Southern NGOs the close working relationship between a small number of large conservation NGOs and the CBD secretariat has further intensified over recent years and is making it harder for poorly-resourced groups to make their voices heard in the CBD.

Many Southern groups and indigenous peoples' groups are particularly sceptical of the market-friendly attitudes of some European and North American conservation organisations and their links with business. One NGO interviewee remarked that relations among the CBD NGOs are sometimes characterised by "mistrust" and "tensions because of the role of larger NGOs that work a lot with industry." This mirrors findings by academic observers on the role of a small number of extremely well connected and wealthy non-governmental groups that are able to exert considerable influence on policy as part of a "transnational conservation elite" (Holmes 2011).

Access and benefit sharing (ABS)

The third and final objective of the CBD is the access to genetic resources and the fair and equitable sharing of the benefits arising from their use. This issue is commonly shortened to 'access and benefit sharing' or ABS. While article 3 of the CBD confirms that states have the sovereign right to exploit their own resources, article 15 calls on Parties "to create conditions to facilitate access to genetic resources for environmentally sound uses by other Contracting Parties" (CBD, Article 15 (2)). The same article states that access to genetic resources will be on "mutually agreed terms" and "subject to prior informed consent" (CBD Article 15 (5)), and that parties will take measures to enable "sharing in a fair and equitable way the results of research and development and the benefits arising from the commercial and other utilisation of genetic resources with the Contracting Party providing such resources" (CBD Article 15 (7)).

The fact that an international regime on ABS was only adopted in October 2010, 17 years after the entry into force of the convention, shows that it has been extremely difficult to find common ground among a wide range of different stakeholders. This does not mean that the CBD has not had a wider regulatory and perhaps normative effect on ABS practices by a range of actors, both governmental and private: many scientific institutions and private corporations have used the principles articulated by the CBD to

develop their own codes of conduct in relation to ABS or to support the elaboration of legislation in provider countries (Siebenhuener, Dedeurwaerdere and Brousseau 2005, 440). While a number of these countries (mainly developing countries) have adopted national ABS legislation since the entry into force of the CBD, no developed country has done so (Rosendal 2006, 440). Developing countries are also those who have long argued in favour of a legally binding multilateral protocol, while many developed countries preferred a non-binding regime.

At the COP 5 in 2000, the parties decided to set up the Ad-Hoc Open-ended Working Group on Access and Benefit-Sharing (WG ABS). Initially, the Group focused its efforts on producing a set of voluntary guidelines on ABS, which became known as the 2002 'Bonn Guidelines'. Since 2004, the working group has concentrated its efforts on coming up with a viable international regime on access to genetic resources and benefit sharing. Although the COP decided to mandate the WG ABS to negotiate the international regime in collaboration with the Ad-Hoc Open-Ended Intersessional Working Group on Article 8(j) (WG 8(j)), thus "ensuring the participation of indigenous and local communities, non-governmental organisations, industry and scientific and academic institutions, as well as intergovernmental organisations" (COP decision VII/ 19D), indigenous peoples and local communities enjoy much more restricted participation rights in the WG ABS than in the WG 8(j). While they are able to participate on a similar footing to governments in the WG 8(j), the WG ABS permits them to attend as observers only. Hence, one major challenge for civil society organisations fighting for the participation of indigenous peoples in the ABS negotiations has been to ensure that the two working group processes are linked (interview with director of Global Forest Coalition, 07.04.2010).

The debate on ABS is a good example of how a number of NGOs and indigenous peoples organisations have tried to promote a community-based interpretation of property rights over a purely governmental one. The CBD's

recognition of states' sovereign rights over their resources (article 3) is an important stance against the century-old practice of free access to Southern countries' genetic resources without sharing the benefits. The fact that large corporations based in rich countries had in the past often profited from the exploitation of the genetic resources of developing countries (and local communities) without adequate compensation for the original 'owners' of these resources contributed to accusations of 'biopiracy' by these corporate actors. The problem is, however, that a narrow interpretation of sovereignty fails to recognise the rights of local communities over local resources. Indigenous peoples organisations and a number of NGOs have emphasised that the requirement of FPIC of local communities (not only governments) needs to be incorporated in the international agreement and that these communities are entitled to the benefits from genetic materials and forms of traditional knowledge sourced from their territories.

A number of submissions (largely by indigenous peoples groups and their supporters) emphasize the need to enshrine the principle of FPIC of indigenous peoples and local communities. They also want clear references to UNDRIP, ILO Convention 169 and other international legal instruments that emphasise the rights of indigenous peoples and their participation in the decision-making processes that affect them. Indigenous peoples' representatives are demanding that "any decision-making about the rules to regulate the buying and selling of those genes and Indigenous knowledge must include our right to make our own decisions about what will be the best path for our future generations based on our own cultural and spiritual beliefs and related customary and/or codified laws" (Kanehe 2008). It is interesting to note the submission of the research institutes such as the International Institute for Environment and Development (IIED) and a number of Southern research and community associations. The submission contains the findings of an action-research project that "entailed participatory studies with indigenous and local communities in areas of important biological diversity" (IIED et al 2009, 1). They demand that

“governments wishing to effectively implement the CBD should rethink their interpretation of ‘state sovereignty’ of genetic resources to ensure that customary rights are also recognised” (IIED et al 2009, 4) and that “those seeking access need to obtain the PIC of the community through the appropriate and recognised community structures and institutions, e.g. traditional authorities and elders, as identified by the community” (IIED et al 2009, 5). While less specific in their demands, WWF also calls on parties to further elaborate and eventually include the principle of prior informed consent of holders of traditional knowledge and community-level distribution of benefits arising out of traditional knowledge (WWF 2008c).

Similar to the case of REDD, a number of key differences between indigenous peoples and these types of NGO demands remain, however. Some IPOs fundamentally oppose the use of patents for genetic resources on the grounds that “life cannot be bought, owned, sold, discovered or patented” (Indigenous Peoples Council on Bio-colonialism 1995 quoted in Swiderska et al 2008, 61). These groups are opposed on principle to any international regime that legitimises patents, even if it manages to protect the rights of local communities. Moreover, according to Boisvert and Caron (2002, 154), the central role ascribed to intellectual property rights in the CBD implies a strong ideological commitment to private property rights over the concept of common resources. As such, the CBD adopts a view similar to Hardin’s ‘Tragedy of the Commons’, according to which overexploitation is an inevitable consequence of the absence of private ownership. This means that,

“even if the text of the Convention seems to pave the way for the claims of autonomy of the South and of rural and indigenous communities, the prevailing context does not allow defining of really innovative solutions. In spite of their strong opposition to the commoditization of life forms and related knowledge, the NGOs and countries of the South intending to promote community rights are constrained to formulate their propositions within a market framework” (Boisvert and Caron 2002, 162).

It appears that these more fundamental critiques of intellectual property are relatively marginalised in the ABS discussions and they are not espoused by the international NGOs.

Participation deficits and NGO responses in the two conventions

Again, the written submissions by NGOs are relatively more concerned with demands for more participation in the case of the UNFCCC than in the CBD. This might be explained by the fact that the design of new institutions such as the finance mechanism or REDD is still under discussion in the climate convention; consequently there is potentially more scope for including participatory provisions from the outset. Moreover, the biodiversity convention, in contrast to the UNFCCC, is already often held up as exemplary when it comes to the direct participation of indigenous peoples: their right to participation is enshrined in the text of the convention and they have succeeded in carving out a number of important mechanisms for participation. IPOs – with wide support from across the NGO community – are keen to ensure the integration of similar participatory provisions in the new ABS regime.

v. Conclusion

This chapter has tried to offer an empirical analysis of what was previously introduced as the “external dimension” (Marchetti 2008; della Porta 2009) of the democratic contribution of NGOs to institutions of global governance: NGO critiques of representation and participation deficits and their demands for more equitable and participatory governance structures. Many of the NGO documents surveyed in the context of the climate convention include demands for ‘fair’ representation by governments; the NGOs are also concerned with drawing attention to issues that are of particular relevance to potentially underrepresented countries in the negotiations. In practice, procedural demands for equity tend to go hand in hand with these substantive demands although this analysis has focused on the former. The analysis has been skewed towards the demands articulated by NGOs in the

context of global climate governance largely due to the fact that questions of democracy feature much more prominently in the NGO submissions to the UNFCCC than in the NGO submissions to the CBD. This relative difference in emphasis is not immediately obvious given that the two conventions have the same formal voting rights for members ('one-country one-vote' although decisions are usually taken by consensus), are part of the UN system which is said "to be infused by a participatory norm of governance" (Jönsson and Tallberg 2010, 242) and are both important institutions in the field of global environmental politics, a field where participatory norms are also relatively well established.

A number of factors were discussed in order to explain this difference. The issue characteristics of the global environmental problems the conventions were set up to address give a first indication. Climate change is often presented in relatively mono-causal terms: global warming is the direct result of anthropogenic CO₂ emissions (and other greenhouse gases) and thus constitutes a direct product of fossil-fuelled industrialisation. For countries that are still heavily dependent on fossil fuels for economic growth, emission reductions are perceived to carry a heavy price and to weaken economic competitiveness. The 'cost' of preserving biodiversity is not as immediately apparent as in the case of reducing CO₂ emissions. Countries' economic interests are – in light of the global dependency on fossil fuels – larger and more tangible in the case of climate than conservation policy. Debates around responsibility, justice and equity have also proved more contentious in the case of climate policy. As a result the political and economic stakes are perceived to be higher – making the question of who gets to say what more pertinent. Moreover, due to the focus on emission reductions in the international negotiations it is the largest emitters – the industrialised and major developing countries - that have the power to sabotage a global agreement. In the case of biodiversity loss, by contrast, the cooperation of the mega-diverse countries of the global South is key to progress, a constellation that strengthens their bargaining power in this field.

Another explanation lies in the fact that the design of important new institutions is still at the heart of the climate negotiations whereas the CBD is (with the exception of ABS) more heavily focussed on implementation. This is reflected in the NGO submission to the UNFCCC where the eventual governance structure of the proposed climate facility and the REDD mechanism are the focus of demands for more equitable representation. With respect to the participation by societal stakeholders, the CBD's provisions for the participation by indigenous peoples are generally heralded as exemplary whereas the lack of similar structures in the UNFCCC constitutes a major point of criticism among IPOs and NGOs. Finally, the issue of climate change has brought together a more diverse set of NGOs over recent years. Many of these groups are not from a traditional 'green' background and are more actively engaging with questions of democracy and justice than some of the conservation-focussed groups that work with the CBD. The main explanatory factors for the difference in emphasis are summarised in the following table.

	UNFCCC	UNCBD
Issue characteristics	Climate change inextricably linked to economic growth	Biodiversity loss perceived as largely technical and scientific issue during negotiations (Arts 1998)
	Historical responsibility for climate change: question of global justice	Equity concerns are partly addressed in third objective of convention (relating to fair and equitable sharing of benefits)
	Major emitters need to be on board: strengthens their bargaining power	Mega-diverse countries in Global South hold most of world's biodiversity: strengthens their bargaining power
Stage of policy cycle	Decision-making: debate around design of new institutions (climate finance facility and REDD)	Focus on implementation: recognition of need to include range of stakeholders (Exception: ABS)
Participation rights for IPs	No separate provision for the participation of indigenous peoples	Participation rights are enshrined in CBD (Art. 8 (j)), UN Perm. Forum on Indigenous Issues
Composition of NGOs	NGOs come from a wide range of backgrounds (development, human rights, environment, churches etc.). 'Climate justice' acts as umbrella concept	Predominantly environmental NGOs and groups with conservation focus
	Pursue both engagement and confrontation	Hardly any protest activities
Impact on NGO demands	Strong emphasis on democratic demands	Weak emphasis on democratic demands

Table 1: Main factors shaping prevalence of democratic demands by NGOs in the UNFCCC and UNCBD

It is notable, however, that – although relatively prevalent – the representation demands articulated by the NGOs in the UNFCCC context are not especially innovative or radical. In fact, most of these demands are voiced in a similar form by developing countries themselves so that it is easy for the NGOs to bandwagon. More value may be added by the NGO demands for greater participation by societal stakeholders. Here, the NGO demands concern participation at both the national and international level. Particular emphasis is given to creating institutions at the national level that would strengthen principles of country ownership and subsidiarity and offer opportunities for participation by national and local stakeholders. The need to ensure the participation by indigenous peoples is most frequently referred to while other stakeholder groups are rarely specifically mentioned (besides the amorphous category of local communities). The support for the principle of FPIC in the proposed ABS regime but also in REDD constitutes a particularly notable participation demands.

What has also emerged in the discussion above, especially in the analysis of participation demands, is the importance of ‘reference institutions’. There is a clear pattern whereby NGOs link many of their proposals and demands to existing institutions that they consider exemplary in terms of representativeness or participation. The design of the Adaptation Fund Board of the Kyoto Protocol, for instance, is considered exemplary in terms of developing country representation. Country-level coordination bodies might – according to the NGOs – be modelled on similar mechanisms employed by the Global Fund. While these bodies can be interpreted as strengthening country ownership and subsidiarity and hence would allow for more influence by developing countries in many climate policy related decision, the NGO proposals stress that these national-level mechanisms need to be accessible to national and local stakeholders. Both the Global Fund and the WCD guidelines are heralded as models for participation. In fact, the very existence of these reference institutions may in turn shape the content of the

democratic demands formulated by NGOs. It is evident, for instance, that most of the participation demands refer to the need to include provisions that guarantee the participation of indigenous peoples in the relevant decision-making processes. Here, the existing range of institutional recognitions of the rights of indigenous peoples has clearly impacted the NGO discourse and lends weight to their demands. It may be suggested that it is harder to formulate specific demands for participation by other societal groups where such reference institutions are less well developed, for instance with respect to the participation of women or small-scale farmers.

The following table provides an overview of the procedural democratic demands made by NGOs that were identified in the analysis, together with, what has been termed here, 'reference institutions'.

	Target institution	Desired outcome	Reference institutions
UNFCCC	UNFCCC	Participation	CBD, UN Convention to Combat Desertification
	Climate finance facility	Equitable representation	Kyoto Protocol Adaptation Fund Board
	Country-level coordinating bodies	Country ownership & subsidiarity	Global Fund,
		Participation	WCD
REDD	Participation, FPIC	UNDRIP, CBD (Art. 8 (j)), UN Perm. Forum on Indigenous Issues	
CBD	ABS regime	Participation, FPIC	UNDRIP, CBD (Art. 8 (j)), UN Perm. Forum on Indigenous Issues, ILO Convention 169

Table 2: Overview of recurrent NGO procedural democratic demands in the UNFCCC and CBD

The frequent references to what has been termed here ‘reference institutions’ underscores that successful practices of democracy can act as useful discursive tools for NGO advocacy. A discussion of the extent to which institutions such as the Adaptation Fund Board of the Kyoto Protocol, the Global Fund or the WCD really live up to these democratic ideals goes beyond the scope of this analysis. However, it might be worth briefly pointing out a few points based on other assessments, which seem to indicate that there are limits to such a ‘copy and paste’ approach. The Adaptation Fund Board, for

instance, which is repeatedly referred to as a template for the design of the governance structure of a new finance fund, appears to score high on representation but low on participation – an outcome that the NGOs would certainly not welcome. According to Abbott and Gartner, the Adaptation Fund Board of the Kyoto Protocol “marks a significant retreat” from previous participatory practices environmental institutions and offers only limited participation opportunities for civil society at the Board meetings. While projects are supposed to be “country-driven”, “the AF interprets that principle to emphasize the role of governments, with no meaningful participation by stakeholders” (Abbott and Gartner 2011, 6).

The analysis has shown that there is widespread support among NGOs for “vertical” and “horizontal reforms” (Falk 2005) in the context of the UNFCCC. Determining the extent to which these formal demands translate into actual influence would require substantial further empirical research which cannot be accommodated in this thesis. Besides, the overall democratic legitimacy of an institution is also a function of that of the participating actors (Erman and Uhlin 2010, 4). The next chapter will therefore shift the focus to the level of international NGOs to explore to what extent these organisation can legitimately act as ‘representatives’ of local communities vis-à-vis international institutions.

V. The internal dimension: NGOs as democratic links between affected communities and international institutions

The idea that the engagement with civil society actors can help to overcome some of the democratic deficits found in the institutions of global governance is not only attractive from a theoretical perspective, but also holds practical appeal. As ‘intermediaries’ between affected communities and international organisations NGOs might contribute to bringing local voices to global policy-making processes, and in doing so, contribute to more legitimate institutions and policies. Such an approach could ‘supplement’ the traditional modes of preference transmission through intergovernmental processes (Bäckstrand 2006, MacDonald 2008). The often cited democratic norm that those affected by a decision should be included in the corresponding decision-making processes presents, of course, a challenging ideal in a constantly changing international system characterised by multiple loci of authority and diffuse lines of affectedness and responsibility. Nonetheless, this norm may be used as an ideal for approximation – do existing and emerging linkages, processes and practices bring global governance closer to meeting this ideal or not?

The purpose of this chapter is to shed further light on the potential for international NGOs to act as democratic links between affected publics and international decision-making processes. Having explored the “external dimension” in the form of NGO demands for more democratic global policies and governance structures in the previous chapter, this chapter turns to the *intrinsic* potential of NGOs for bringing the voices of affected publics to international organisations, as evident in the internal workings of the NGOs. For the sake of clarity, it is worth stating again the fundamental assumption of this thesis that international NGOs are not (necessarily) synonymous with communities affected by the decisions of international institutions. The question of how large and influential transnational NGOs relate to communities on the ground presents an important field of enquiry.

The notion that international NGOs might act as democratic channels or “transmission belts” (Steffek and Nanz 2008) between local communities and international organisations implies a particular conceptualization of the role of NGOs. The objective of this chapter is to investigate the extent to which thinking about the practice of democratic representation can help to create a more specific account of NGOs as “links” (Princen 1994) or “transmission belts” than implied by these and similar terms. It should be acknowledged at the outset, however, that this particular conceptualisation of the role of international NGOs is not uncontested – many observers and practitioners see the main functions of international NGOs vis-à-vis institutions of global governance very differently. Chapter II and III of the thesis have already provided an overview of the various functions of NGOs in global governance, with a particular focus on global environmental politics. NGOs assume a wide variety of functions and roles in global governance, not all of which are relevant from a democratic perspective. However, these different roles are not necessarily mutually exclusive (although conflicts may arise between them) and NGOs are likely to fulfil more than one function concurrently.

The chapter proceeds as follows. It will start by introducing a classical account of representation as developed by Hanna Fenichel Pitkin in her seminal 1967 work ‘The Concept of Representation’ (i). Pitkin provides a good grounding against which the notion of NGOs as representatives can be further explored. Section (ii) discusses the limits of and problems with applying too rigid an account of representation to transnational non-state actors such as international NGOs. Against the backdrop of these concerns, section (iii) takes the plunge and attempts to draw a number of conclusions and develop ways forward for how the concept of democratic representation can be adapted to the role of international NGOs as links between local communities and international organisations. A number of research questions to guide the subsequent empirical analysis of international NGOs

(in chapters VI and VII) will be set out in section (iv). This is followed by a short conclusion in section (v).

i. What is representation?

Theories of representation are traditionally squarely rooted in the domestic context. While we may come across terms such as ‘representative’ and ‘unrepresentative’ or ‘to represent’ in accounts of international politics, it is generally taken for granted that the meaning of these terms is uncontested and does not warrant critical discussion. However, the same term may carry slightly different meanings whether we are talking about the fact that a government is unrepresentative of its citizens (not democratically elected or acting against the interests and wishes of the majority of its people), that an international organisation is mainly representative of rich countries (yielding most influence), or that a particular civil society group represents the interests of future generation (speaks for future generations). In order to gain a clearer understanding of what the concept of representation actually entails and how – if at all – it may be applied to the roles assumed by international NGOs, it is worth going back to those thinkers who have discussed it most thoroughly in relation to domestic politics.

Pitkin’s book on ‘The Concept of Representation’ presents an extraordinarily in-depth conceptual analysis of what ‘representation’ means. Her careful dissection of the concept into the different elements of representation and the implications of the various views of representation for political practice provides a good starting point for investigation.

In the introduction to “The Concept of Representation”, Pitkin describes the general understanding of representation as “the making present *in some sense* of something which is nevertheless *not* present literally or in fact” (Pitkin 1967, 8). She points out that this understanding immediately leads us to ask how the absent thing is made present and who considers it so (Pitkin 1967, 9). Different answers to these questions have led theorists of

representation to come up with a range of definitions for the concept. Pitkin attempts to classify and differentiate these and she identifies “formalistic representation”, “descriptive representation”, “symbolic representation” and representing as “acting for” (or “substantive representation”). Out of these four views of representation, she argues that formalistic, descriptive and substantive representation are most suited to explaining the theoretical underpinnings and empirical realities of political representation from a democratic perspective. Applying symbolic representation to the political sphere means viewing the ruler as a symbol and representative only “to the extent that those he rules and represents believe in him; representing means being-believed-in or accepted-as a symbol of the nation by the represented” (Pitkin 1967, 104). The fact that this view presents the representative as essentially passive and without special obligations makes it hard to pass a qualitative judgment on the representative’s role and thus renders it ill-suited to the context of democratic political representation: “It makes no sense to ask whether a symbol represents well, for there is no such thing as mis-symbolising” (Pitkin 1967, 110).

Formalistic views of representation

Formalistic views of representation focus on the institutional mechanisms that designate a representative. Pitkin distinguishes between two dimensions of the formalistic view of representation: the “authorisation view” and the “accountability view”. At the international level this would apply to a government delegate who has been sent to attend international negotiations by her government and is acting as an authorised representative. Authorisation means that she has been given a right to act which she did not have before, while the government has become responsible for the consequences of her actions. The accountability view is also relevant in this example even though the two are conceptually distinct (and according to Pitkin, “diametrically opposed” (1967, 55)): the representative must be responsible to the represented for her actions and may be subject to sanctions if she does not act as expected of her.

Formalistic representation can thus also be conceptualised as a simple principal-agent relationship whereby authorisation and accountability constitute the means through which the principal can exert control over the agent. While authorisation grants a representative new authority and rights and frees her “from the usual responsibility for one’s actions” as it is the principal who assumed responsibility for the agent’s actions (Pitkin 1967, 55), accountability has the opposite effect. It acts as a corrective to granting the representative too much freedom of action and emphasizes obligations and controls (Pitkin 1967, 57). Both have as “their defining criterion for representation [something that] lies outside the activity of representing itself”: the act of authorisation before it begins or the being held to account after it ends (Pitkin 1967, 59). Looked at individually, the two dimensions of formalistic representation give rise to different accounts of political representation. Authorisation is, according to an account of representation that builds on Pitkin’s analysis, the action “through which Y selects/ directs X with respect to (good) Z, and that responsibility over actions/ decisions of X rests with Y.” Accountability on the other hand, means that “X provides, or could provide, an account of his/her decisions or actions to Y with respect to Z, and that Y has a sanction over X with regard to Z” (Castiglione and Warren 2006, 6).

Pitkin’s criticism of the narrow formalistic views concerns their emphasis on institutional mechanisms while not providing clear guidance or standards on how the representative is supposed to act while carrying out the task of representing. She argues that relying on these views alone makes it impossible to judge the quality of representation. This assertion may seem initially counter-intuitive with respect to how the concept of accountability is commonly used but Pitkin maintains that based on the logic of accountability a bad representative “could not be criticized as long as he let himself be removed from office at the end of his term” (Pitkin 1967, 58).

Descriptive views of representation

Descriptive representation is the view of representation that corresponds to the notion of “standing for”. Unlike the formalistic view, this view does not conceptualise representation as acting once authorised or before being held to account. Instead the emphasis is on “the representative’s characteristics, on what he *is* or is *like*, on being something rather than doing something” (Pitkin 1967, 61). The representative “stands for” others “by virtue of a correspondence or connection between them, a resemblance or reflection” (ibid.) In this view representation is achieved if the members of the relevant decision-making body (be it the legislature or otherwise) mirror – ideally in a proportional relationship – the make-up of society at large. A body that fails to accurately reflect society in this way is thus not considered representative. It is according to this logic that Beatrice and Sidney Webb condemned the House of Lords as “the worst representative assembly ever created, in that it contains absolutely no members of the manual working class; none of the great class of shopkeepers, clerks and teachers; none of the half of all citizens who are of the female sex” (Sydney and Beatrice Webb, 1896, quoted in Pitkin 1967, 61).

Pitkin, however, warns against relying on descriptive forms of representation in a democratic context. Understanding the function of representation as one of supplying information about the represented inevitably raises the question of what kind of information about the represented is relevant (Pitkin 1967, 87). The identification of politically relevant characteristics is influenced by prevailing social and political norms that are subject to change and may always be contested. Furthermore, descriptive representation carries the risk of essentialism, or tendency to assume that people’s characteristics are a guide to their actions (Pitkin 1967, 89). Why should we assume that a female representative would necessarily act in the interest of women? Another problem with descriptive representation is that the represented may not actually desire representatives in their own image. Instead they may feel more effectively represented by representatives that

have very different characteristics or qualities to their own, perhaps in the form of superior knowledge or expertise or simply higher talent. Very importantly, Pitkin also maintains that, “the descriptive view has no room for representation as accountability” (Pitkin 1967, 89), or only a very weak form of it that is limited to giving accurate information about the constituents.

In contrast to Pitkin, Mansbridge offers a more optimistic assessment of descriptive representation, arguing that it can offer substantial democratic benefits in specific circumstances (Mansbridge 1999). Despite carrying a number of costs, including lesser talent, reduced accountability and the risk of essentialism, descriptive representation may, according to Mansbridge, still succeed in promoting the interests of disadvantaged groups in situations of deliberative representative democracy. These benefits are contingent and most likely to outweigh the costs of descriptive representation in (i) contexts of mistrust and (ii) when interests are uncrystallised. She argues that in these specific circumstances shared experience lowers the barriers to communication between representatives and constituents and can thus improve the quality of deliberation. Furthermore, descriptive representation may fulfil two other functions: that of “creating a social meaning of ‘ability to rule’ for members of a group in historical contexts where that ability has been seriously questioned” and “increasing the polity’s de facto legitimacy in the contexts of past discrimination” (Mansbridge 1999, 628). Because of the contingent nature of these benefits, Mansbridge advocates institutionalising fluid forms of representation (Mansbridge 1999, 652).

Representation as ‘acting for’

According to Pitkin, none of the views of representation discussed thus far offer a substantive picture of the actual activity of representing, “of the substance or content of acting for others, as distinct from its external and formal trappings” (Pitkin 1967, 114). Central to her discussion of representation as “acting for” is what she terms the “mandate-independence controversy” (Pitkin 1967, 145). This forces us to consider whether a

representative ought to act in strict accordance with his constituents' preferences or whether he should employ his own independent judgment, as to what actions and policies are most likely to further the constituents' interests in the long term – should he act as delegate or trustee? Taken to the extreme, both views appear to diverge from what representation is actually about: the paradoxical requirement that the represented must be both present and not present. Nevertheless, Pitkin maintains that the delegate and trustee concepts respectively are helpful in terms of setting the external parameters of what constitutes the activity of representation, or substantive representation. It is this view that “we invoke wherever we see representing without any formalities – without the exercise of another’s rights or the ascription of normative consequences, without an ‘official’ representer” (Pitkin 1967, 142).

Pitkin also notes that the “mandate-independence controversy” only arises when we are talking about the representation of human beings (rather than abstract concepts), where the “represented must also be (conceived as) capable of independent action and judgment” and hence there exists at the least the potential for “conflict between representative and represented about what is to be done” (Pitkin 1967, 209). The representative ought to act in the interest of the represented, which – and this is key to democratic representation - must include some element of *responsiveness* to the represented. At the same time, he or she must also display a degree of independent judgment – substantive representation is more than acting as a passive mouthpiece. The concept of ‘interest’ itself may be used to illustrate this tension. Pitkin points out that there are two different understandings of interest – the first corresponding to having an interest/ a stake in (welfare) and the second closer to what we mean when we talk about taking an interest in or finding something interesting (attention/ concern) (Pitkin 1967, 156). In theory at least, the first may be objectively determined whereas the second understanding is subjective. The two interpretations

may therefore be in conflict with each other although people are generally assumed to care about the issues they have a stake in.

Pitkin appears to be the first modern political scientist to provide such a detailed and comprehensive account of the concept of representation. As a result, her work continues to be referenced in many (if not most) later scholarly analyses of political representation. The point here is not to provide a detailed discussion or critique of Pitkin's work but use her very clear dissection of the concept of representation as a basis for further thinking about what elements of this concept can be applied to international NGOs as intermediaries between affected communities and international organisations. However, applying Pitkin's insights in order to explore whether international NGOs can and do assume representative functions as intermediaries between affected communities and international organisations constitutes an obvious departure from at least two key premises underpinning Pitkin's analysis. Firstly, it would mean extracting the concept of democratic representation from a pure domestic-level analysis, centred on the institution of elections, and applying it to the sphere of global governance. Secondly, the types of actors engaging in activities of representation would change. While formally designated representatives are easily identified in traditional accounts of representation, 'informal' representatives such as NGOs are harder to pinpoint. The question then is: can we really just take representation theory for a walk to such a different context?

ii. The challenge of 'taking representation for a walk'

The purpose of this section is to identify some of the main challenges that arise when using 'traditional' representation insights to think about the role of private actors, including NGOs, which operate beyond the confines of the nation-state. The focus will be on three sets of concerns with regards to exploring representation by civil society actors: the absence of democratic elections; the fact that representation might be an inappropriate role for

NGOs; and the question of whether in this case it is not more plausible to speak about the representation of ideas or discourses rather than the representation of individuals. This list is certainly not exhaustive. However, since the overall objective of this chapter is to take the plunge and draw some conclusions about NGOs as representatives, the focus will be on explaining why these challenges are not as severe as they may first appear and on highlighting ways forward.

Democracy involves giving those affected by political decisions the chance to participate in the making of them. However, in most accounts, this basic requirement is coupled with the need for political equality. In a democratic system, citizens should be able to enjoy equal representation. At the formal level, the requirement for equality is most easily met through a system of universal franchise where each citizen holds the same number of votes, coupled with free and fair elections. Elections are the cornerstone of liberal democracies; the “formality, regularity, equality, publicity and transparency of free and fair elections remain a profound source of strength for representative claims for the duly elected” (Saward 2009, 4). Representative claims made by unelected actors such as NGOs can never fall into this category. In fact, talking about ‘representation’ without the central requirement for democratic elections carries a number of dangers. A crucial one is the potential neglect of the principle of democratic equality: without an “equivalent equality of influence of voice in the non-electoral domain (...) advantages of education, income, and other unequally distributed resources are more likely to translate into patterns of over- and underrepresentation” (Warren 2001, Cain et al. 2003, Strolovitch 2006 cited in Urbinati and Warren 2008, 405).

The requirement of equal access to decision-making is, however, rarely met in practice. The fact that each citizen holds the same number of votes does not protect a democratic system against the exercise of undue influence due to “advantages of education, income, and other unequally distributed

resources” (ibid.). In fact, even in a functioning democracy, there are concerns that citizens are marginalised from political debates and decisions due to educational and socio-economic constraints. It is part of the democratic responsibility of political leaders and civil society to proactively reach out to these communities and to find ways to facilitate and encourage their participation. Moreover, as the discussion of global democratic deficits in chapter II already illustrated, problems of unequal access are further amplified if decisions are taken at the global rather than the domestic level. There would be little need for NGOs to act as democratic intermediaries between marginalised communities and international policymaking processes if conditions of equal access were indeed met. However, this is not the case in practice and it is against the democratic deficiencies of global institutions – against the reality of unequal access – that the potential contribution of civil society actors must be assessed. This requires a more thorough understanding of the various – non-electoral – mechanisms through which civil society organisations might help to overcome participation and representation asymmetries at the global level.

Moreover, in a highly complex international system with multiple loci of authority and lines of responsibility, resulting in various forms of ‘affectedness’ for highly diverse constituencies with very different possibilities for democratic control, representation without formal elections may actually offer certain benefits. As potential advantages of “unelected representative claimants” Saward notes that they “don’t have to represent the whole person’s interests or wants”, but can stand for “a continuous, evolving sense of us” and “can be temporary representatives as circumstances demand in a fast-changing political world.” Moreover, they “are not spatially challenged by the borders of nations, but can claim to speak for interests (or would-be constituencies) that span different countries with a greater freedom than elected actors can” and “have to make their claims explicit” – meaning that they “have to work harder to make their representative claims convincing because the symbolic architecture of our

political system doesn't do that work for them." These features of unelected representatives mean that they can "open up new patterns of representation that are alternatives to elective pattern" (Saward 2009, 8).

A second line of arguments levelled against the idea that NGOs can assume representative functions in global politics maintains that the focus on this role is an inappropriate one. A 'weak' variant of this argument merely holds that other sources of NGO legitimacy are more important, either their contributions to the effectiveness of global policymaking, or – with an emphasis on strengthening democracy – the "democratic output legitimacy" (Uhlen 2010) of NGOs themselves. In this latter view, it does not matter whether the NGOs themselves engage in forms of representation or are internally democratic as long as, through their activities, they contribute to the democratisation of global governance. This may be achieved through their role in the "construction and diffusion of democratic norms" in global governance (Uhlen 2010, 32). The previous chapter provided some examples of the types of democratic norms espoused by NGOs in the context of the climate change and biodiversity regimes.

A stronger form of the inappropriateness argument holds that NGOs that come to define their own role as one of representing particular constituencies or a wider public may actually have a counter-productive effect on democracy. Peruzzotti (2010) for instance, distinguishes between the "mirror-logic" of representation and the "creative" side of representation. According to the mirror-logic, "good representation entails properly reflecting the structure of interests and opinions that prevails in society at a certain time" (Peruzotti 2010, 160). What he calls the "creative" side of representation refers to "claims that are abstract and normative and that might not necessarily reflect existing constituencies" (Peruzotti 2010, 160). Advocacy NGOs constitute a special category of actors who sometimes "claim to express the interests of constituencies that do not yet exist" in order to "bring about a new constituency or to empower and organise voiceless

groups” (Peruzotti 2010, 162). He argues that this creative side of representation is “at odds with the standard account of political accountability, which is predicated on the notion that representatives are responsive to constituents who are already constituted and thus are able to delegate their power to them” (Peruzotti 2010, 163). Peruzotti cautions, that “the development of a civil society that is too accountable and representative of different stakeholders or groups would undermine the creative dimension of the practice of democratic representation” (Peruzotti 2010, 155).

Peruzotti’s argument is particularly salient in the case of environmental NGOs who are often portrayed as representatives of future generations or non-human species who cannot speak for themselves. There is indeed the risk that an overemphasis on accountability to living stakeholders undermines the ability of NGOs to defend the interests of future generations. In most cases, NGOs will probably move between the two roles: they will both make claims about “the interests of constituencies that do not yet exist” as well as claims reflecting existing constituencies. In the first case, the NGOs have no choice but to employ their own judgement as to what those interests constitute – which overlaps with the role of trusteeship discussed before. In the second case, the claim to represent a particular constituency needs to be substantiated with forms of responsiveness in order to qualify as democratic. Except in very clear-cut cases (such as that of future generations) there is a risk of confusion: the “creative” form of representation identified by Peruzotti can easily be misconstrued when, for example, the “voiceless groups” are not as voiceless as made out by the NGOs. While Peruzotti argues that, “It is the force of their arguments, their track record in certain areas, the expertise they have accumulated on certain issues, rather than their ability to effectively mirror certain groups, that provides the source of their legitimacy and credibility” (Peruzotti 2010, 166), it is hard to pinpoint what exactly these NGO roles tell us about their contribution to more *democratic* forms of governance. In fact, Peruzotti himself returns to the importance of examining the relationship between represented and representatives in his conclusion,

arguing that “the quality of democratic representation largely depends on the existence of adequate institutional bridges between represented and representatives that could establish a generalized situation of political responsiveness” (Peruzotti 2010, 167).

Anderson and Reiff (2004) make their case even more fervently: they declare to be “unmoved by the claims of representativeness” made by international NGOs and argue that “salvation for the international NGO movement lie(s) in giving up the pretension, however seductive, of the ideology of global civil society” (Anderson and Rieff 2004, 38). In the domestic setting, they argue, it is precisely because NGOs are not expected to be representative in the electoral sense that they are free to put forward their own interpretation of the common good. While domestic NGOs can thus play an important role in terms of contributing to the quality of public discourse, they cannot and do not claim to be representative and as such, “do not stand between the people and their elected representatives, because the ballot box does” (Anderson and Rieff 2004, 30). A democratic setting provides the legitimate context and the institutional constraints within which civil society can push their own ideas and ideals. This condition does not hold in an undemocratic international system. According to the authors, international NGOs’ “claims to intermediation and representation” are exactly what domestic civil society can afford to eschew because of the existence of elections (ibid). Moreover, because international NGOs are permitted to get away with such claims, they can escape the need to “prove their expertise and competence” and avoid the requirements of practical accountability (Anderson and Rieff 2004, 34). International NGOs should, the authors advise, “give up their dreams of representing the people of the world – indeed, devote fewer resources to advocacy and to creating a system of global governance and more time and care to the actual needs of their actual constituencies, and re-establish their claims of expertise and competence” (Anderson and Rieff 2004, 36).

Anderson and Rieff's argument exaggerates the "claims of representativeness" made by international NGOs. Contrary to their assertion, it is not true that international NGOs are able to get away with claims of 'representing global civil society': these claims have been subject to critical scrutiny in academic and policy circles for some time now. The 'false claim' (allegedly made by international NGOs and their supporters) that Anderson and Rieff attack is that international NGOs can play a role comparable to that of elected representatives in the domestic context. This threshold is clearly too high and therefore easily dismissed. Little insight can be gained by passing a verdict of 'representativeness' or the lack of it, based on standards directly derived from democratic domestic representation. It seems sensible to heed Keohane's warning that it is

"crucial to evaluate institutions according to dynamic rather than static criteria. Being forced to make static judgments – is an institution legitimate or not? – can lead to a Hobson's choice between simply accepting institutions that are in many respects unjust, or rejecting institutions that are better than the feasible alternatives" (Keohane 2011, 103).

A similar response to the charge of unrepresentativeness is made by Dryzek who asks

"Unrepresentative compared to what? Compared to some ideal model of egalitarian democracy, global civil society may do badly. Compared to other realities in a global order dominated by large corporations, hegemonic states, neoliberal market thinking, secretive and unresponsive international organizations, low-visibility financial networks, and military might, global civil society does rather well. The criticisms of unrepresentativeness do not do justice to what is possible and what is not in global politics. The egalitarian democracy in whose name the criticisms are made has never existed in global politics, and there are good reasons for that." (Dryzek 2012, 107)

The way forward lies in adopting a more nuanced approach to explore the idea of NGOs as 'representing' actors and understand the activity of representation as a continuum that will vary across contexts and functions.

Such an understanding of ‘representing’ as opposed to ‘representative’ (in static or absolute terms) helps to gain insight into how NGOs may act for the “actual needs of their actual constituencies” (Anderson and Rieff 2004, 36) in a responsive, legitimate and effective manner. It allows us to move beyond an ideological debate around whether or not international NGOs are synonymous with ‘global civil society’ (the existence of which Anderson and Rieff also dispute) and leads us to ask more specifically whether and how NGOs are able to make a practical contribution to the better representation of marginalised communities, for whom the ballot box is not an option.

The question of ‘who’ gets represented can – at least formally - be solved relatively easily in the classical interpretation of representation within the nation-state. Domestic level accounts of representation have as their point of departure a territorially defined constituency. This is obviously not the case when trying to apply representation insights to a transnational setting. Here, constituencies are spread across borders and individuals do not necessarily share clear defining characteristics such as a common nationality, language or culture. In fact, the absence of a clearly delineated ‘demos’ at the international level is often held up as a primary reason for why global democracy is impossible. The problem with viewing representative democracy as intrinsically and exclusively linked to the nation-state, however, is that

“Non-geographical constituencies – those emerging from race, ethnicity, class, gender, environment, global trade, and so on – are represented only insofar as they intersect with the circumstances of location, producing only an accidental relationship between democratic autonomy (particularly the distributions of opportunities necessary for self-determination) and forms of representation” (Bohman 2007; cf. Gould 2004, Held & Koenig-Archibugi 2005 cited in Urbinati and Warren 2008, 396).

Moreover, once we start disaggregating the notion of ‘constituency’ in any political setting (domestic or transnational), new complexities arise. Any democratic constituency is, of course, made up of individuals – but what

aspects of these individuals do ultimately get 'represented' in a democratic representative system? Saward points out that the "representation of our interests and identities in politics is always incomplete and partial" (Saward 2009, f 3) and that "the variety and range of our interests are subject to more-or-less constant change" (Saward 2009, 4). This means that representatives "invariably...highlight particular, selective, aspects of us, their constituents, and downplay others that don't suit them" (Saward 2009, 4). A similar point is made by Castiglione and Warren (2006), who argue that,

"from the perspective of those who are represented, what is represented are not persons as such, but some of the interests, identities, and values that persons have or hold. Representative relationships select for specific aspects of persons, by framing wants, desires, discontents, values and judgments in ways that they become publicly visible, articulated in language and symbols, and thus politically salient" (Castiglione and Warren 2006, 13).

Given then that it is not a person in his or her entirety that gets represented in a representative relationship, the focus turns to identifying those features of a group of individuals, which can get represented. Again, this allows us to work with an understanding of representation, which is more fluid than in very traditional accounts. It also means that representative relationships are not necessarily mutually exclusive – different facets of one's personality may be represented in different ways and through different representatives. Some observers have argued that, when it comes to transnational politics, it is easier and more practical to leave the idea of the representation of individuals behind and focus instead on the representation of ideas or discourses. Dryzek and Nyemeyer, for example, make the case for "discursive representation", arguing that it is "one way to redeem the promise of deliberative democracy when the deliberative participation of all affected by a decision is infeasible" (Dryzek and Nyemeyer 2008, 481). Referring to Pitkin's definition of representation as the "substantive acting for others", they hold that "'others' may be captured in terms of the discourses to which they subscribe" (Dryzek and Nyemeyer 2008, 481). In order to operationalise "discursive representation" they propose the creation of a "Chamber of

Discourses” which would contain carefully selected representatives of relevant discourses on an issue (Dryzek and Nyemeyer 2008, 485).

To sum up, as evident from the various arguments presented above, detaching the concept of representation from the context of the democratic nation-state is not without problems and raises a number of challenges. However, some of these challenges are not as severe as they may appear at first sight. For one, it is important to apply the right yardstick when speaking about the democratic legitimacy of NGOs. Of course, it is easy to dismiss the idea of NGOs as representatives if measured against the democratic credentials of elected governments. NGOs will not and cannot act as ‘substitutes’ for democratically elected governmental representatives. This should not be required of them for the governance powers and influence over policy outcomes of NGOs are unlikely to rival that of governments.⁴⁵ However, this does not preclude the idea that they can play a valuable role in making up certain shortfalls when it comes to the participation and representation of affected but marginalised communities in global politics. This may mean, however, that when it comes to representation by NGOs domestic-level standards will have to be calibrated to fit the very different context and it may be that, as Keohane pointed out with respect to the democratic legitimacy of global governance, “the threshold of acceptability that is appropriate to use should be lower than it would be in a well-ordered domestic society” (Keohane 2011, 100).

The way forward, as will be set out in more detail in the following section, lies in disaggregating the concept of representation into its constituent parts to see which elements can be applied – in what form – to international NGOs. This involves a distinction “between generic norms of democracy and the institutions and practices through which the norms are realised” (Urbinati

⁴⁵ Where private actors are, in fact, able to constrain the autonomy of democratically elected governments – which in practice, has been more of a danger with market-based actors than CSOs – this does indeed create problems in terms of democracy (Coleman and Porter 2000).

and Warren 2008, 395). Roughly following Pitkin's classification, we can point to the importance of authorisation and accountability in the relationship between the represented and the representative; the potential – but not uncontroversial – contribution of descriptive representation; and the tension – but also interdependency - between trusteeship and delegation. It is likely that these various elements emerge in some form or another whenever we talk about political representation, although they coexist in an unstable equilibrium and are not clearly distinct in practice. The next section will attempt to apply these key elements of representation to the activities of international NGOs.

iii. Conceptualising NGOs as representatives in global governance

There are, of course, a number of fundamental differences between suggesting that international NGOs may act as representatives and traditional understandings of political representation in a domestic setting. The most obvious distinction is that NGOs can never have a democratic mandate that corresponds to that of democratically elected governments. Since elections constitute the primary means of authorisation and accountability in any democratic system, other representative claims can only ever be supplementary and do not possess the same democratic legitimacy. This fact is, of course, recognised in the very structure of intergovernmental processes: NGOs are generally only ever accorded a 'voice', not a 'vote'.⁴⁶

At the same time the notion that NGOs can informally 'stand in' for the interests and concerns of marginalised groups already pervades much of the discourse on the democratising potential of global civil society (see discussion in section iii. of chapter II). A systematic exploration of this role

⁴⁶ The tripartite governing structure of the International Labour Organisation (ILO) is frequently pointed to as a notable departure from this state of affairs. In the case of the ILO, (national) employers' and workers' representatives are able to vote alongside governmental delegates.

that goes beyond ideal-type theorising and also tries to explore the associated practical challenges and constraints is, however, still missing. A number of theorists have pointed out that representation occurs in the transnational arena and that theories of representation need to be adapted to adequately capture these dynamics (Kuper 2004; Castiglione and Warren 2006; MacDonald 2008; Saward 2009). These authors suggest looking for the “functional equivalents” (Castiglione and Warren 2006, 15) to domestic-level views of representation at the transnational level.

This section tries to develop some insights on the applicability of the various elements of democratic representation – authorisation and accountability, descriptive representation, and trusteeship and delegation – to the activities of international NGOs. In doing so, it also draws on the work of a range of further scholars (besides Pitkin) who have discussed political representation in both traditional and non-traditional terms. MacDonald (2008) offers an excellent theoretical account of NGOs as representatives in a “global stakeholder democracy”, and develops a number of extremely useful points, which are highly relevant for the approach taken in this thesis. There are, however, a number of key differences to her argument that because NGOs exercise substantial public power of their own, they need to subject to democratic control by the constituencies impacted by this particular form of (NGO) public power. The point of departure in this thesis, in contrast, is not the exercise of public power by the NGOs themselves but their ‘voice contributions’ to international policymaking processes. Ultimately – as will be further argued below – the representative potential of NGOs under investigation in this thesis is limited to their deliberative contributions in global politics and not related to any executive function.

Authorisation and accountability of international NGOs

A first obvious observation with regards to the formalistic view of representation is that the classical principal-agent model that underpins it is only inadequately suited to capturing the empirical reality of the relationship

between NGOs and citizens. Especially with regards to the relationship between international NGOs and affected communities we are usually hard-pressed to identify either an act of authorisation or mechanisms for accountability in the sense understood by Pitkin. This is closely related to the asymmetrical power relationship between NGOs and affected communities – it is difficult to speak of a principal-agent relationship if the potential principal essentially lacks mechanisms for exerting control over the agent. At the same time, in both policy and academic circles NGOs are frequently encouraged to ‘become more accountable’ or ‘strengthen their accountability to beneficiaries’. The fact that the language of formalistic representation is employed in this context may be explained in two ways. Firstly, the language of accountability with respect to NGOs makes more sense if – instead of focusing on the relationship between NGOs and affected communities – we substitute different groups as principals, such as members, donors or regulatory authorities, who maybe in a position to exert a degree of control over the actions of the NGO ‘agent’. A second explanation lies in the fact that the term ‘accountability’ is frequently used in a way that Pitkin would probably not recognise: it is given a voluntaristic connotation that relies on the concept of ‘providing an account’ and largely avoids the problem of sanctioning mechanisms.

The notion of accountability – albeit conceptually more loosely defined than Pitkin’s – is therefore already a recurrent theme in many discussions of NGO legitimacy and effectiveness. Practical mechanisms for strengthening NGO accountability in this sense focus on regulatory initiatives designed to hold NGOs to account (such as the financial reporting requirements to the Charity Commission in the UK), reporting requirements to bilateral or private donors, or internal governance structures of NGOs. NGOs are also increasingly undertaking a range of voluntary initiatives with the declared objective of strengthening their own accountability. In 2006, for example, a group of large international advocacy NGOs adopted the International NGO Accountability Charter (‘INGO Accountability Charter’) and collectively

pledged to enhance their accountability and transparency through implementing principles of good governance, regular reporting on activities and achievements, defining effective evaluation procedures and communicating with stakeholders. The main focus of most of these initiatives continues to be on strengthening transparency, performance and financial accountability rather than enabling the democratic participation of citizens (both members and non-members) in NGO decision-making processes. These are important objectives but they do not necessarily lend support to NGO claims to be speaking for communities on the ground. At the same time, these initiatives – though largely designed to strengthen ‘upward’ rather than ‘downward’ accountability to beneficiaries – should not be dismissed outright from a democratic perspective. The first group of stakeholders identified by the signatories of the INGO Accountability Charter is the “peoples – including future generations – whose rights we seek to protect and advance” (INGO Accountability Charter 2005). Moreover, reporting requirements to donors may include information on how NGOs have worked in partnership with local communities and/or indigenous peoples, especially in the area of conservation (Chapin 2004).

In the absence of elections, a number of authors have suggested approaching the notion of NGO representation by looking for the “functional equivalents to the relationship between authorisation and accountability that is at work in election cycles” (Castiglione and Warren 2006, 15) or “non-electoral mechanisms of authorisation and accountability” (MacDonald 2008, 165). Since the term ‘equivalents’ can be misleading in this context, the thesis will mainly refer to ‘forms’ or ‘mechanisms’ of authorisation and accountability. It is possible to detect traces of authorisation, for example, in the ability of a group to attract a following, either through membership entrance (individuals or other groups joining) (Van Rooy 2004) or large-scale public mobilisation (such as the climate protests leading up to Copenhagen), or perhaps in an increase in financial resources – especially if those reflect an

increase in public support more broadly.⁴⁷ Again, one needs to be careful about linking these mechanisms to the potential existence of an NGO's mandate to speak for the most affected and marginalised communities. Where membership entrance and an increase in individual contributions take place in only a few European or Northern countries, this would not make the organisation better suited to represent, for instance, communities affected by climate change in the developing world. By contrast, if an organisation can point to a growth in membership in developing countries or among those communities likely to be particularly affected by a global problem or policy (for example, impacts linked to climate change or REDD), it would have a stronger claim to represent the communities in question.

Other potential mechanisms that could fulfil functions similar to authorisation and accountability in the relationship between affected communities and international NGOs may be found in the 'internal' democratic practices and structures of NGOs. Possible examples include consultations with local communities linked to the development of those policy positions that concern these communities – in other words, participatory deliberative processes that enable local communities to engage in a form of “stakeholder signalling” (MacDonald 2008). It may be wrong, however, to overemphasize the distinction between 'internal' and 'external' stakeholders that is sometimes made in the literature. A number of international NGOs – such as FoEI, for example – are structured as networks, so that their member organisations themselves are actually community-based groups. Hence, the distinction between local or national member groups of international NGOs and affected communities themselves can sometimes be difficult to draw in practice, especially in the case of more loosely structured networks with close links to the grassroots. The relevant point here is that local communities are not necessarily only included in NGO policy and decision-making processes as 'externals' or non-members but

⁴⁷ A substantial increase in the number or size of individual donations could constitute a form of democratic authorisation whereas a large one-off donation by a company would not.

that, depending on the rootedness of the member groups in their local environment, internal democratic processes may also contribute to the development of an international NGO's mandate to represent local communities.

It is important to note that 'stakeholder consultations' and other participatory decision-making processes within NGOs conflate the mechanisms of authorisation and accountability. These more deliberative mechanisms and structures also involve a shift of emphasis in the use of the term accountability from the idea of 'being held to account' in favour of 'giving account'. At first glance this may seem to be a much weaker form of accountability, offering far less control to the represented. It is, however, worth reminding ourselves of Pitkin's warning that the concept of accountability by itself offers no guidance as to how the representative should act and behave while carrying out his role – it only focuses on the consequences he is likely to suffer post facto, if the represented consider him to have failed as a representative. It is conceivable that 'giving an account' constitutes not a one-off event but an ongoing process that prompts the representative to reconcile his account with his own expectations of the role, with the expectations of the represented and also to measure it by the standards set by his peers and donors.

Authorisation and accountability are the two formal mechanisms that together shape the democratic mandate of a representative. As such, they are essential prerequisites for democratic representation. Representation as 'acting for', however, also includes provisions for trusteeship – the representative is more than just a passive delegate responding to the preferences of the represented. The implications of this dichotomy inherent in the concept of representation for the role of international NGOs will be discussed below, following a brief look at the role of descriptive representation.

Descriptive representation by international NGOs

For the purpose of this discussion it is worth following Pitkin's classification that sees descriptive representation as an independent category rather than merely treating it as a functional equivalent to authorisation at the transnational level as Castiglione and Warren (2006) do. Interestingly, despite the widely recognised shortcomings of descriptive views of representation – the risk of essentialism, the danger of ignoring what type of information about the represented is relevant, and the lack of accountability mechanisms – it is on this basis that international NGOs are often found wanting. For example, many of the large international NGOs have their supporter base in wealthy industrialised countries, are likely to have a predominance of staff (at least in senior positions) who have been educated in European and US universities and their main source of funding is either from donations by wealthy supporters (sometimes corporations) or from governments of industrialised states. Much of the critical academic and policy discourse holds the underlying assumption that because of these descriptive discrepancies between large NGOs and the majority of the world's population who live in very different socioeconomic and cultural circumstances, international NGOs cannot be truly representative of the world's citizens or the poor.

The concept of descriptive representation is central to many discussions around how marginalised groups can be more effectively represented in national legislatures. Phillips, for example, distinguishes between a "politics of ideas" and a "politics of presence" (Phillips 1995). The difference is that a politics of ideas can be detached from the descriptive identity of the represented while a politics of presence relies on shared experience between the represented and the representative. In domestic and international politics, demands for greater political participation by different societal groups are justified as a form of "politics of presence". For example, the reasoning behind the participation of 'major groups' in international environmental negotiations is that these groups have unique experiences and

perspectives that shape their approach to the issue under discussion. Major group representatives claim to be speaking on behalf of those whose characteristics they share (e.g. women, indigenous peoples, youth), thus they are assuming the role of descriptive representatives.

It is not unreasonable to suggest that even international NGOs try to engage in a “politics of presence”. Insofar as policymakers and IGOs place greater emphasis on including more diverse perspectives in their decision-making procedures, providing information about the ‘authentic experiences’ of affected communities become a potentially important source of influence for NGOs. Those organisations that have access to such ‘experience-derived’ knowledge may be able to use it strategically in their interactions with IGOs. One common approach for international NGOs is to use the resources and standing at their disposal to support the attendance of community members at international conferences which otherwise – largely for financial and other capacity reasons – they would have not been able to go to. In this sense, the role of international NGOs is perhaps best understood as *facilitators* that enable the direct participation of community spokespersons in international fora. Yet another strategy is that of bringing community testimonies not only to international political negotiations but also to a global public. By providing local communities with an opportunity to speak about their experiences before a large audience, NGOs are not only targeting policy-makers directly but are also attempting to create a greater awareness of the concrete on-the-ground impacts of environmental challenges and policies among citizens in less vulnerable regions. The underlying expectation is that this knowledge will mobilise citizens to take and push for political action – even if they are not personally impacted themselves.

Descriptive representation is not without shortcomings. The fact – as pointed out by Pitkin and others – that it does not rely on authorisation and accountability presents one problem from a democratic perspective. There are also practical considerations: it is not necessarily obvious that local

groups should favour a representative (an individual or an organisation) because this representative shares their characteristics or experiences. From the perspective of the represented, the relationship between them and the representative is only one side of the coin. A second – and potentially more important aspect - is whether the representative is in a strong position to exercise influence in the organisation where they seek representation. The choice of an appropriate representative is thus also a function of who is most likely to be able to exert influence in their favour in the target organisation. A representative who shares their descriptive qualities but lacks influence within the target organisation is likely to be an ineffective representative. On the other hand, the represented may consider someone who is not very much ‘like’ them but has a good standing within the organisation a desirable representative. There are thus (at least) two criteria involved in determining an effective representative from the perspective of the represented: Does she/he share our interests? Does he/she have opportunities for influence? A degree of compromise may be acceptable with respect to the first criteria if the second is strong enough to compensate. This observation is interesting because it directs our attention back to the relevant political and institutional context in which the represented seek representation. International organisations attract closely networked individuals who frequently share a common educational and socio-economic background (or at least bond over after-work drinks in their regular haunts). Certain NGOs and those working for them are likely to be better connected in that environment than other groups that find it harder to establish personal contacts due to differences in culture and language, or for financial or geographic reasons.

Responsiveness - the key to democratic representation

As explained in the previous section, substantive representation, or representing as ‘acting for’, involves elements of both responsiveness and independent judgement on the part of the representative. This dualistic aspect of representation is also referred to as the mandate-independence controversy (Pitkin 1967, 209). The activity of representing is thus perhaps

better understood as a continuum of roles that are limited on either side by the 'pure' forms of trusteeship and delegation respectively. As pointed out by Pitkin and others, both trustee and mandate versions taken to the extreme contradict the core assumption of what representation is about: the paradoxical requirement that the represented must be both present and not present.

The elements of representation discussed so far – authorisation, accountability and even the “politics of presence” (Philips 1995) – do not address the need for independent judgment by the representative, although this feature also constitutes a crucial condition of substantive representation. It is, in fact, because the representative has the capacity to employ independent judgment that substantive representation is compatible with democratic deliberation. Deliberative democracy is a “process through which initial preferences are transformed in order to take into account the points of views of the others” (Miller 1993, 75 cited in della Porta 2009, 2). It requires that participants are able to evaluate – and amend – their judgments in light of the reasons presented by other participants (MacDonald 2008, 117). This is only possible if representatives are more than “mere agents” (Pitkin 1967, 122), who are completely bound by the mandate determined by their principals, i.e. the represented.

Let us assume for a moment that NGOs act as 'pure' trustees. The notion of trusteeship is, according to Pitkin, often associated with the Burkean model of interest representation according to which “representation has nothing to do with obeying popular wishes, but means enactment of the national good by a select elite” (Pitkin 1967, 170). The conception of NGOs as trustees relies on them being able to discern 'objectively' what is in the best interest of the people they claim to speak for. The different levels of expertise held by different NGOs would then constitute one of the main mechanisms for determining the respective validity of claims of trusteeship (i.e. an organisation is better at discerning what is in the public good because it has

more knowledge on the issue). These 'objective' interests may not be the same as the subjective preferences or interests held by particular constituents and they may even conflict with these attached interests. For instance, NGOs may argue that substantial changes in current consumption and production patterns are needed in order to cut greenhouse gas emissions in wealthy countries. The publics potentially affected by these changes are, however, likely to oppose them, partly as a result of an insufficient understanding of the contribution of their daily practices to the problem of climate change, and partly because they prioritise short-term gains over any potential benefits in the distant future. Yet another example is NGO support for the establishment of protected areas in order to protect particular species, which may be opposed by the communities living in these sites. There is no doubt that – in particular circumstances - it is precisely their ability to push these kinds of 'objective' values without being constrained by a 'popular mandate', which makes NGOs valuable participants in domestic and global political processes. Election cycles and other short-term feedback mechanisms designed to ensure accountability in democratic political systems limit the capacity and willingness of governments to respond to environmental challenges with long horizons. NGOs do not work under these constraints to the same extent and are therefore in a good position to advocate long-term strategies that may prove unpopular at present. Moreover, they are thus in a stronger position to propose and support new norms, values and practices that are not yet accepted by the population at large but may gain growing support over time (Peruzotti 2010). Finally, a 'trustee' function for NGOs can serve as a valuable mechanism for protecting the interests of 'stakeholders' that are – a priori - unable to participate in democratic processes at the national and global level, such as future generations (or maybe animals).

In fact – given that NGOs lack a formal democratic mandate based on elections – the concept of trusteeship probably captures the actual roles and activities of many NGOs in world politics more easily than the notion of NGOs

as democratic representatives. However, trusteeship in its 'pure' form lacks the element of responsiveness, which constitutes the essential feature of democratic representation. As such, the central argument in this thesis is that the conception of the role of NGOs as trustees does not adequately address the problem of democratic exclusion outlined previously: the fact that international NGOs may have access to sites of public power from which affected local communities are effectively excluded. The question of whether these insider NGOs are able to speak for these marginalised communities in a *democratic* way hinges to a large extent on the relationship between the NGOs and the communities in question. In particular, we need to detect some evidence of responsiveness by NGOs to these communities in order to substantiate the view that they are indeed working to advance the attached interests of these communities.

The focus of this thesis is not on investigating forms of trusteeship. The fact that such claims exist is taken as a given – by their very nature, NGOs are likely to espouse their own version of the public good.⁴⁸ Instead the focus of the following chapters will be on the element of responsiveness that characterises the mandate form of representation: what evidence is there for 'participation' by those most affected by global problems and policies in the development of NGO positions? To what extent and in what ways do international NGOs display responsiveness towards the interests, preferences and values of these local communities? Are they able to bring their interests, values and preferences to the loci of global power, which they try to influence? The fact that trusteeship – and independent judgement on the part of the NGOs – coexists with such mechanisms of participation and responsiveness does not preclude the possibility of NGOs acting as representatives. It does mean, however, that substantive representation cannot be reduced to a simple congruency test between the 'original interests' of the represented constituency and those put forward by the

⁴⁸ Note the reference to public good rather than private good since the assumption is that NGOs are by and large altruistically motivated actors.

representative. It also creates the potential for conflict between the attached interests of local communities and their unattached interests, as interpreted by the NGOs.

Already briefly referred to above and in the previous chapter, MacDonald's (2008) concept of NGO representatives in a global stakeholder democracy builds on the premise that NGOs exercise considerable public power in their own right. The public power of NGOs manifests itself in two main ways: their role in creating regulative social norms (MacDonald 2008, 63) and the imposition of material constraints upon people on the ground (2008, 71). MacDonald sees evidence of NGO public power in, for example, the contribution of NGOs to the development of UN-generated norms, or to private initiatives such as the Ethical Trading Initiative or the Global Reporting Initiative (2008, 68). She also points to the imposition of material constraints by NGOs, arguing that these can arise in situations when NGO actions "are materially facilitated and enforced through the violence of armies and police-forces" (2008, 73), when "international laws and key policy decisions that they have played a significant part in producing are enforced through economic sanctions or other forms of economic pressure and coercion" (ibid), or as a result of the opportunity costs of NGO resource allocation in developing countries (2008, 79). To the extent that the exercise of these forms of NGO power "impacts in some problematic way upon the capacity of a group of individuals to lead autonomous lives", it should be subject to democratic control (2008, 35).

MacDonald argues that non-electoral authorisation needs to be constituted of two distinct elements (corresponding to the functional elements of electoral authorisation): "mechanisms of delegation for specifying the range of public political tasks that the representative is entitled to perform" and "mechanisms for empowerment" (MacDonald 2008, 180). Non-electoral accountability consists of mechanisms of transparency and mechanisms of public empowerment (2008, 185). In light of the fact that those groups of

individuals whose lives are problematically impacted by the activities of NGOs tend to lack the ability to empower or disempower the NGOs, MacDonald suggests that other actors (governments, donors) may do this in lieu. She considers this acceptable from a democratic perspective as long as these alternative authorisation and accountability relationships are linked to stakeholder delegation mechanisms. For instance, donors may stipulate stakeholder participation as a condition for NGO funding (MacDonald 2008, 208).

Despite MacDonald's claim to be able to "identify a more pragmatic path to global democratisation, which can be accommodated within the existing institutional structures of global politics" (MacDonald 2008, 32), it is far from clear that NGOs actually do exercise public power to the potentially concerning degree that her model requires in order to justify democratic controls on NGOs. Most of MacDonald's examples of NGO public power – some of which were listed above – relate to situations where the contribution of NGOs to specific outcomes is actually questionable and the actions of other, more powerful actors, are likely to matter more. For instance, the imposition of economic sanctions as well as the material facilitation of NGO actions by armies and police forces are examples of the exercise of state power rather than NGO power. While there is some evidence of NGOs contributing to the development of global regulative social norms (relating to human rights or corporate accountability, for example), these norms are 'operationalised' by other actors (namely governments or corporations) and the extent to which they have a problematic and autonomy-constraining impact on citizens is questionable.

Of course, MacDonald is right in suggesting that NGOs should be accountable to those individuals whose lives they affect in a problematic way. Moreover, while she focuses her analysis on NGOs and their 'stakeholder constituencies', she suggests that the same mechanisms (i.e. non-electoral authorisation and accountability) may be applied to other actors, such as

corporations. However, MacDonald's model does not seem to capture the possibility for NGOs to act as democratic links between affected communities and *other* agents of public power. She argues that it is only those individuals who suffer "problematic impacts on their autonomous capacities" (MacDonald 2008, 85) as a *result of NGO actions* that should be entitled to wield democratic control over NGOs. Yet, this is not what the idea of NGOs as representatives of local communities or as 'stakeholder representatives' vis-à-vis international organisations (or businesses for that matter) usually implies. This point is well illustrated in the case of a particular group of communities who are often marginalised in international policy-making processes. In fact, MacDonald herself uses the example of indigenous peoples to show the democratic shortcomings of nation-state representation. Indigenous peoples are systematically underrepresented because their "territorial concentration in particular territorial states is insufficient to provide proportional representation in global society" (MacDonald 2008, 130). It is not clear, however, how MacDonald's account of 'global stakeholder democracy' would address this problem in global politics.

By contrast, the democratic 'objective' investigated in this thesis is to render international institutions more accountable to the communities they affect – through the help of NGOs. The ultimate point of reference is therefore different to that of MacDonald. Moreover, rather than arguing that NGOs *should* be subject to democratic control by affected communities (through forms of authorisation and accountability), the starting point here is their potential for doing so. There is also a different understanding of who is in need of more, or better, representation by NGOs in global politics. While MacDonald argues that these can only be those groups of individuals directly impacted by the exercise of NGO power, the focus of the present work is on those groups (potentially) most impacted by the exercise of IGO power. The exercise of public power by NGOs (as defined by MacDonald) is therefore not a necessary precondition for them acting as representatives of these groups in international organisations – what matters more is the practical fact that

international NGOs have a louder voice than marginalised communities in world politics. The question of whether NGOs are responsible for particular outcomes (impact of public power) remains open, but can be conceptually distinguished from what Warren has termed “accountability for interest and value representation” (Warren 2008, 61).

iv. Research questions

Having outlined the particular understanding employed in this thesis of how NGOs may act as democratic links between affected communities and international organisations, this section will set out a number of specific research questions to guide further empirical analysis of how this could (and does) work in practice. Broadly speaking, the empirical analysis will try to explore the following issues:

1. What are the structures and processes allowing for the participation by and responsiveness to local communities that can be found within international NGOs?
2. What drives or motivates NGOs to act as ‘representatives’ of local communities in international organisations?
3. What are the potential conflicts and challenges that NGOs face in pursuing this role?
4. What are the effects and consequences of NGOs acting as representatives in this way?

The following will set out a number of possible factors, which may help us to approach each question.

1. Structures and processes

The geographical spread of an organisation constitutes a basic but important determinant of the degree of potential contact with and exposure to communities affected by global policies, especially in the global South. However, it is not only the organisational presence around the world in the

form of offices or national member organisations which counts, but also the degree to which these offices can shape the NGO's global positions. The formal governance structure of the NGO might provide important clues for sketching the opportunities for influence available to the NGO's member offices or affiliates. The availability and quality of internal democratic structures and processes will determine the ability of member organisations and individual members to participate in the decision-making processes of the global organisation. In addition, it is worth enquiring into the existence of institutionalised mechanisms for direct consultation with local communities and local community organisations that cannot be classified as 'organisational members'. A comprehensive assessment would also have to consider the existence of alliances or partnerships with Southern CSOs and community-based organisations. More difficult to assess are 'soft' factors such as the importance attached to deliberation processes and reaching consensus within the organisation.

2. Drivers and motives

The spread of participatory norms in the broader fields of sustainable development and environmental politics is likely to shape the motivation of NGOs to develop their responsiveness to local communities. This might happen both through an acceptance of these values for their own sake but also for more pragmatic reasons in instances where participatory processes are expected to lead to better results. The dominant values within individual NGOs, such as their commitment to a social justice agenda, will probably determine their receptiveness to participatory ideas. In addition, material pressure by other actors may come into play: for example, when donors insist on evidence of stakeholder participation or IGOs demand a degree of 'representativeness' as a condition for participation. Reputational concerns might lead Northern NGOs to reach out more proactively to community-based organisations in the global South in order to pre-empt or react to criticisms of an alleged lack of representativeness.

3. Conflicts and challenges

Enquiring into the conflicts and challenges associated with implementing forms of responsiveness to local communities necessitates an analysis of the potential trade-offs between more participatory practices and the effectiveness of decision-making. There may also be trade-offs with other organisational values in instances where interests of local communities clash with the values of the organisation or other organisational stakeholders, including donors or members. An exploration of the conflicts and challenges of representative functions will help to understand the limits thereof.

4. Effects of representative practices

Finally, it is worth trying to determine the effects of representative practices. What impact do these actually have – on the substantive content of the NGO's policy positions, on relations among the NGO's organisational members, on relations with other NGOs, and on relations with international organisations?

v. Conclusion

The preceding discussion has shown that a thorough investigation into the concept of representation, such as that offered by Pitkin, offers a good starting point for thinking about how certain elements of representation may be applied in new contexts. Detaching the concept of representation from its traditional reference points of democracy within the nation-state, a bordered constituency and the institution of elections, presents a number of challenges. A possible way to proceed lies in focusing on those aspects of representation that are both 'detachable' and 'transferable' to different types of representative relationships. Representing as an activity is then more accurately understood as a spectrum of relationships between the represented and the representative. The key feature of all democratic representative relationships is, however, responsiveness by the representative towards those that he or she claims to represent. To what extent does the relationship between international NGOs and local communities show evidence of such mechanisms for responsiveness? This is

the question, which will be tackled in the following two chapters through an empirical investigation into the internal democratic practices and the relationships with external stakeholders of several major international NGOs and NGO networks active in field of global environmental politics.

VI. Responsiveness in centralised NGOs: WWF and Greenpeace

The purpose of this chapter and the next is to give a more practical illustration of how international environmental NGOs and NGO networks may be able to act as democratic links between local communities and global public policy-making processes. The following analysis therefore tries to address the challenge set out in chapter two of the thesis: if NGOs that participate in global public policy-making processes are to be conceptualised as “transmission belts” between affected citizens on the ground and the sites of global public power, we need to have a clearer understanding of how the structures, decision-making processes and values espoused by these NGOs allow them to play this role. In other words, the objective is to peek inside the ‘black box’ and find out how particular NGOs work in practice.

The NGOs analysed in this and the following chapter are transnational in that they have offices in many countries around the world and share a global outlook in the focus of their policies and campaigns. They are also broadly acknowledged to be among the most influential NGOs in the field of global environmental politics. Scholars like Wapner (1996) and Rootes (2006) have already undertaken comparative analyses of the Worldwide Fund for Nature, Greenpeace and Friends of the Earth as these groups are considered to represent an interesting cross-section of distinct characteristics and different approaches among environmental NGOs. The decision to group together WWF and Greenpeace in this chapter and to look at FoEI, together with two convention-centred networks (CAN and the CBD Alliance) in the next chapter, can be justified in light of the different organisational structures of these groups. While WWF and Greenpeace are relatively centralised and ‘top-down’ organisations, FoEI is better described as a ‘flat’ network. These structural characteristics present very different points of departure for exploring their role as links between local communities and global institutions. While the analysis of this small sample of organisations does not

necessarily allow us to draw general conclusions about the myriad of local, national and international groups active on global environmental issues, the organisations appear to be valuable starting points for further exploring some of the ideas set out in the previous chapters. The selection of the NGOs is, however, biased as a result of the particular conceptual perspective adopted in this research: their legitimacy is not principally derived from the production of scientific knowledge (such as, for example, the International Institute for Sustainable Development (IISD)), nor can they be classified as organisations with a predominately eco-centric outlook (such as the Earth First! Groups).

Yet another disclaimer is warranted. The description of the organisations as set out below reflects the most accurate portrayal possible as of summer 2010, given the practical constraints relating to accessibility and verifiability. What is important to note, however, is that these organisations are continually evolving and that some of the observations made here may no longer be applicable in a few years' time. FoEI – which will be discussed in the next chapter - is a good example of an organisation that has undergone a radical process of restructuring and ideological reorientation over time (Doherty 2006), to the extent that Wapner's 1996 analysis is only partially applicable to the network today. WWF underwent a number of important changes in its governance structure while this particular research was being undertaken and the description below tries to reflect these. Greenpeace – which in the past had often been portrayed as a Northern and elitist group – appointed a new executive director in late 2009. Kumi Naidoo is the former head of CIVICUS – the so called “world's citizen assembly” – and one of the pioneers of citizen participation in world politics. When most of the empirical research on Greenpeace was concluded in summer 2010, it remained to be seen to what extent he would bring to bear his ideas and former experiences on the organisation.

The analysis of each organisation will first try to identify different forms of responsiveness, as set out in the research questions introduced at the end of the previous chapter (“structures and processes”). This will be followed by a comprehensive discussion that will try address the three remaining research questions and consider drivers and motives, challenges and conflicts, as well as possible consequences of these structures and processes. Particularly interesting issues arising from the analysis of individual organisations will be given more attention, especially where these relate to challenges and conflicts the organisations have encountered in becoming more responsive to their members and to local communities. This is therefore not a straightforward comparison – the objective is more to discern existing ‘representation practices’ within particular ENGOs and to discuss how these are facilitated or constrained by the organisations’ characteristics. Moreover, the various elements are linked in practice, so that an “organisation’s identity shapes its structure and strategy, but the relationships among these dimensions are not simply linear; they are, to varying extents, recursive, as choices concerning structure and strategy feed back upon organisational identity” (Rootes 2006, 779).

i. WWF: a global conservation organisation

WWF was formed as the World Wildlife Fund in 1961 but changed its legal name to WWF - World Wide Fund for Nature (keeping the old initials) in 1986. It was originally set up as a fundraising organisation by a small group of mainly British conservationists, who had connections with existing conservation organisations. In its early fundraising campaigns, the organisation adopted a ‘crisis narrative’: human interference was portrayed as posing a potentially irrevocable threat to natural habitats and campaigns singled out particular (high-profile) species in urgent need of protection. In later years, WWF expanded the scope of its activities, implementing a wide range of conservation projects around the world, and placing more emphasis on sustainable development and the involvement of local communities in the establishment of protected areas for conservation.

WWF International is an independent foundation, registered under Swiss law and governed by an international board of trustees, with its headquarters located in Gland, Switzerland. The organisation has over 5000 staff worldwide and over five million supporters (WWF 2011, 48). In 2010, WWF's global (i.e. network wide) income was €525 million. Around 57% of this came from individual contributions, 17% from governments and aid agencies, 6% from foundations and 11% from corporations; 8% was earned income (WWF 2011, 42/43). The organisation has offices in over 80 countries around the world, whereby it distinguishes between independent national offices, with their own board of trustees, which "can raise funds and carry out work autonomously" (WWF n.d. 'How is WWF run?'), and offices, which are "outposts" of WWF International and managed by the international secretariat (interview with director of network relations, WWF International, 21.01.2010). The independent offices have contractual licensing agreements with WWF International that enable them to use the WWF "brand", but also require them to "march in step and play the same tune" (ibid). WWF also maintains offices in Brussels and Washington that carry out lobby work directed at the European Union and the Bretton Woods institutions respectively.

WWF claims that it tries to achieve change through constructive engagement with key governmental and business actors, in line with the maxim that 'you can't bake a cake if you're not in the kitchen'. These forms of engagement go beyond trying to influence the attitudes and behaviours of these actors from the 'outside' and involve working in partnership with governmental agencies and companies. WWF's work with IGOs involves both lobbying and advocacy work on particular issues at the policy level (notably biological diversity, fisheries, forests, climate change) and a number of on-the-ground conservation partnerships. Working at the policy level, WWF produces a wide range of scientific background papers and analyses, position papers, joint statements with other NGOs, and specific documents targeting national

governments and delegates at international conferences and COPs (such as those of the UNFCCC and the CBD). WWF staff are also sometimes able to attend these international meetings as part of the official delegations of friendly governments – a reflection of the considerable recognition and standing the organisation enjoys among policymakers. In addition, WWF has established itself as an important implementing partner in its own right for international environmental agencies such as UNEP, running training programmes and managing protected areas and other conservation projects on the ground.

The fact that WWF proactively seeks out engagement and partnerships with business organisations and accepts corporate funding is one large difference between this organisation and Greenpeace or FoEI, who both refuse any corporate donations.⁴⁹ With regards to Alcock's (2008) classification of ENGOs, WWF can be found on the "sustainability-efficiency interface", as evidenced by its attitude to corporate actors, the research conducted as part of its macroeconomics programme and the support for self-regulatory initiatives by business. According to its website, WWF works with business in a number of ways ranging from campaigning and lobbying on issues of production, consumption and regulation; engaging in on-the-ground conservation partnerships; offering companies the chance to join its 'Corporate Club'; accepting corporate support for conservation activities; entering into licensing agreements that allow companies to use the WWF logo on products; and working with media associations to carry WWF's messages to a wider audience (WWF n.d. 'How we work'). WWF was also centrally involved in the creation of two important international certification bodies: the Forest Stewardship Council (FSC) and the Marine Stewardship Council (MSC). Furthermore, WWF participates in the Roundtable on Sustainable Palm Oil and the Roundtable for Responsible Soy. WWF's engagement with business in some of these fora has attracted criticism, not

⁴⁹ Although Greenpeace does occasionally work with business it does not accept corporate funding.

only from other environmental groups but also in the mainstream media (Roth 2009; Vidal 2011; Langenau 2011).

ii. Exploring forms of responsiveness in WWF

Responsiveness to member organisations and supporters

The WWF network is present in many parts of the world through its national offices. While most of the early national organisations set up in the 1960s and early 1970s were based in Western Europe and Canada/ North America, WWF had also opened offices in South Africa, India, Pakistan, Japan and Malaysia by the early 1970s. The trend towards internationalisation intensified during the 1990s and after the turn of the millennium, especially in Central and Eastern Europe, although WWF had already maintained an office in Russia since 1995.⁵⁰ As of June 2010, the WWF International website lists 23 offices in Europe (including Russia and Turkey), 19 offices in Asia, 14 offices in the Americas, 8 in Africa and 3 in Oceania.

WWF claims to have five million members worldwide. As noted above, individual contributions are the most important, although not the only, source of funding for WWF. These individual contributions are made up of both regular membership fees and irregular donations from individuals. Individual members join their national WWF organisation. Most of the individual supporters of WWF come from the Netherlands, the United Kingdom and the United States. Membership essentially involves setting up a regular payment to WWF and comes with certain benefits such as receiving regular publications and updates from WWF. In the case of WWF, as with most other membership based international NGOs, individual membership can be understood as a way of 'signalling' one's support for the wider objectives and values that are associated with WWF; it is not a way of directly

⁵⁰ These dates are taken from the individual national offices' websites. However, the founding dates were not available for all of them.

participating or inputting into the development of WWF's policies. WWF's members have traditionally been attracted to the organisation out of a concern over the threat of extinction of particular high-profile species and many of them make use of the possibility to 'adopt' an animal through WWF. There are also deliberate efforts on the part of many national offices to reach out to young supporters, offering special membership packages for children or teenagers.

The very focus of WWF's early work – preserving single high-profile species in their natural habitats – required the organisation to operate internationally from the start. According to Rootes, WWF has managed to escape “the local/ global dilemma to the extent that it has always had an unambiguously transnational identity and remit, with a primary commitment to practical conservation work abroad” (Rootes 2006, 781). The organisation's growth in the 1980s and early 1990s put increasing pressure on the very hierarchical and top-down governance structure that WWF had adopted in 1961. In 1993, the international board of WWF therefore ratified new statutes that would allow a greater number of national office representatives to be present on the international board than before (interview with director of network relations, WWF International, 21.01.2010). In this arrangement, the national member organisations were divided into different groups (based on a combination of criteria including geographic balance and financial strength), with each group nominating a trustee for a period of four years (One World Trust 2006). The three largest national member organisations (Netherlands, United Kingdom, United States) were given permanent seats on the board. The 1993 statutes stipulated that the international board should be made up of no more than 20 trustees, the majority of which should be “members of the Boards of National Organisations (...) nominated by National Organisations.”⁵¹ The new

⁵¹ The 1993 statutes also stipulated that the number of trustees might be increased to 25 if voted upon by the board and that the “Trustees not nominated by National Organisations shall be co-opted by the Board” (WWF Statutes ratified in 1993).

arrangement seemed to work well for some time but in December 2009, following a thorough internal review of its governance structure WWF decided once more to make a number of formal changes and subsequently adopted revised statutes and bylaws. The 2009 changes were designed to limit “internal democracy” within the network in order to enhance the vigour and effectiveness of decision-making (interview with director of network relations, WWF International, 21.01.2010).

According to the new statutes, fewer national organisations than before are directly represented on the international board. Instead, a newly established council has been specifically designated as a forum for deliberation among the national organisations. The council is made up of the chairpersons or presidents of the boards of national organisations (and WWF associates), together with presidents and vice-presidents emeriti. It is the international council that now appoints a smaller international board (the size of the board has been reduced from 20 to 13 trustees).⁵² The nomination and selection process within the council combines a ‘ranking’ method whereby national chairs are able to list their preferred candidates in order of preference, with an evaluation of other criteria such as geographical spread, skills and gender balance by a nomination committee within the council (interview with director of network relations, WWF International, 21.01.2010). As before, the three largest national offices have permanent seats on the international board, which means that the council’s power of nomination and selection apply to the remaining seats only. Out of these, 3-6 are allocated to external representative and 3-6 are held by further national board members (the precise numbers are unspecified as a result of disagreements over whether ‘internal’ trustees should constitute a majority) (ibid). The new board includes more external representatives than before to avoid the “danger of the organisation becoming too inward-looking” (ibid). These external representatives are primarily selected on the basis of the skills and

⁵² This description applies to the WWF Statutes ratified in 2009.

competencies they bring to the organisation. Overall, WWF appears to have accepted decreased responsiveness to its national members organisations at the governance level in order to promote greater network-wide effectiveness.

The formal governance structure offers only a partial picture of how decisions around specific policy issues and advocacy positions are made within the organisation. According to the director of global policy, policies are generally “consulted broadly around the network.” When developing a *new* policy (rather than merely making some changes or updating an existing one) the network follows “a more formal process, probably getting a steering group together involving people from the various disciplines that might cover it.” The objective of the process is to identify – via the national offices – the “people with the experience to engage in a discussion on a position.” On occasion, this needs to be based on the prior development of expertise, knowledge and experience in some regional and national offices that have not worked on a particular issue before. In the early stages of WWF’s work on climate change, for example, the organisation had to undertake internal capacity building to develop climate expertise, specifically in Asia (interview with WWF International director of global policy, 11.02.2010).

What is notable about this account of WWF’s policy development processes is the value placed on specialist and expert knowledge within the organisation. This reflects one of WWF’s main sources of legitimacy and influence with governments and IGOs: the organisation’s ability to provide high-calibre expert assessment and policy analysis. As a result, the emphasis in WWF’s internal decision-making processes is on *informed* participation – by individuals with an in-depth understanding and knowledge about the issues at stake – rather than participation open to all. However, it would be wrong to infer from the value attached to scientific expertise within the organisation that local realities and voices are ignored. Drawing a rigid dichotomy between ‘participatory’ and ‘expert-led’ processes is misleading. Instead, it is

important to acknowledge that the understanding of expertise has evolved in the wider conservation arena to become more open to local interpretations of problems and solutions. In order to be credible and legitimate, 'expert' voices – those within the organisation but also the organisation as a whole in its communications towards the outside world – have to demonstrate an in-depth understanding of the situation on the ground. In recognition of this, WWF has increasingly attempted to devolve project-level decision-making powers to the local level since the 1990s and has “increased staff capacity in countries where it works, and gives them more responsibility in developing, negotiating, funding and administering the programme” (Jeanrenaud 2002, 31).

Responsiveness to local communities

In the development and implementation of its conservation projects, WWF claims to subscribe to the principle of stakeholder participation. According to its website, WWF adopted a revised mission and strategy in 1990 which aimed “to decentralise WWF’s decision-making and to increase co-operation with local people” (WWF n.d. ‘WWF in the 1990s’). One of WWF’s guiding principles is to “involve local communities and indigenous peoples in the planning and execution of its field programmes, respecting their cultural as well as economic needs” (WWF n.d. ‘WWF’s mission, guiding principles and goals’). In fact, key documents intended to provide practical guidance to WWF staff include references to “stakeholder analysis”, “disadvantaged groups”, “effective participation and information-sharing”, etc. (WWF 2007). WWF defines a stakeholder as

“Any individual, group, or institution who has a vested interest in the natural resources of the project area and/or who potentially will be affected by project activities and have something to gain or lose if conditions change or stay the same” (WWF 2005, 1).

The ‘WWF Standards of Conservation Project and Programme Management’, together with a range of other operational guidelines, apply both to project and programme level and encourage conservation practitioners “to make

sure you identify, and as appropriate, engage key stakeholders, paying particular attention to indigenous, marginalised and overly powerful peoples” (WWF 2007, 2). As the definition above shows, however, the term stakeholder is used broadly and refers not only to those (potentially) affected by the project but also those with the power to determine its chances of success and would include governmental and business actors as well as local communities. The underlying rationale of undertaking a stakeholder analysis (and developing a stakeholder strategy) is therefore mainly presented as strategic – their engagement is not necessarily seen as a goal in itself but instrumental to achieving sustainable conservation success.

Of particular interest for this study is WWF’s policy on indigenous peoples.⁵³ The WWF policy acknowledges that indigenous peoples “are among the earth’s most important stewards, as evidenced by the high degree of correspondence between the lands, waters and territories of indigenous peoples and the remaining high-biodiversity regions of the world” (WWF 2008b, i). In 1996, WWF became “the first major conservation organisation to formally adopt a policy recognising the rights of indigenous peoples” (WWF 2008b, iii). It acknowledged “their rights to their traditional ‘lands, territories and resources’ and endorsed the key principle of ‘free, prior informed consent’” (Springer and Alcorn 2007, i). Its original 1996 policy was updated in 2008 and published as the ‘Indigenous Peoples and Conservation: WWF Statement of Principles’ (WWF 2008b), together with a separate analysis and guidance to mainstreaming the policy in project and programme management (Larsen and Springer 2008).

The ‘Statement of Principles’ commits the organisation to “identify, seek out, and consult with legitimate representatives of relevant indigenous peoples’ organisations at the earliest stages of programme development” and “provide

⁵³ As argued in chapter II, the case of indigenous peoples constitutes an important example of a constituency that is often underrepresented through intergovernmental systems of representation.

fora for consultation between WWF and affected peoples, so that information can be shared on an ongoing basis, and problems, grievances, and disputes related to the partnership can be resolved in a timely manner” (WWF 2008b, 5). WWF also pledges to support indigenous peoples in instances where their rights are contested by other stakeholders, to “seek out and/or invest in the development of legitimate and transparent mechanisms to resolve conflicts at local, regional, national, and international levels” and “seek to ensure that the primary rights and interests of indigenous peoples are well represented in such fora, including investment to inform and prepare indigenous peoples’ representatives to take part in negotiations” (WWF 2008b, 6).

Although it certainly sounds impressive on paper, it is not clear to what extent WWF staff are aware of and able to work with indigenous peoples on the basis of these principles in their day-to-day operations. In an evaluation published in 2007 (i.e. prior to the adoption of the revised principles), the authors found that awareness and implementation of the principles were uneven across the surveyed programmes and that WWF “does not currently have systems to support and monitor policy implementation at a Network level, and responses indicated that formal mechanisms are also not in place at country/programme levels” (Springer and Alcorn 2007, 6). Interviews by the authors with indigenous peoples’ representatives also showed that they felt “that WWF needs to do more to ensure that people are involved as rights holders and key decision makers” and that the current wide-spread participatory approaches employed in WWF programmes do not always meet indigenous groups’ “expectations for collaboration based on shared decision-making” (Springer and Alcorn 2007, iv).

One of the main recommendations made by the authors of the 2007 review of WWF’s partnerships with indigenous peoples and local communities was to develop a “WWF policy to address key elements of socially responsible conservation as they relate to local communities” (Springer and Alcorn 2007, v). Furthermore, the authors also found that WWF staff “would welcome a

policy addressing work with local communities”, in addition to the organisation’s policy on indigenous peoples (Springer and Alcorn 2007, iv). Nonetheless, the revised 2008 policy is explicitly titled ‘Indigenous Peoples and Conservation: WWF Statement of Principles’ and WWF does not have a similarly developed international policy relating to local communities (besides the more general references to local communities as one stakeholder group of many that need to be taken into account in the design and implementation of conservation project and programme management). The director of global policy acknowledges that the existence of an international legal framework designed to protect the rights of indigenous peoples motivated WWF “to look at what we were doing at the national level and pull it together at a policy level” (interview with WWF International director of global policy, 11.02.2010). In the absence of a specific international framework on local communities, WWF lacked the incentive to adopt a comparable policy on local communities throughout the network

iii. Responsiveness in WWF: motives, challenges and effects

One of the most interesting points arising from the discussion above is the fact that the very recent changes to WWF’s formal governance structure have the effect of reducing the presence of national organisations on the international board – thus limiting one important mechanism of ‘responsiveness’ by the international organisation to the national member organisations. According to the director of network relations, “the model that WWF has adopted is a combination: democracy in the council, rigour in the international board” (interview with director of network relations, WWF International, 21.01.2010). In light of the fact that the council is set to meet only once a year its function is largely supervisory. More direct decision-making power lies with the board, which – according to the statutes - meets at least four times a year. While it was also the case before that only a limited number of national organisations had a representative on the international board (normally the national office chairperson), a system of rotation nonetheless ensured that all autonomous offices would be directly

represented on the board at some point. In the new (2009) model, this is no longer the case. Why did WWF decide to restrict responsiveness to, or limit the direct influence of, its national member organisations at the governance level?

It appears that the more participatory governance model adopted in 1991 did not prove as successful as hoped in the long term. One problem that the network encountered was the fact that rather than encouraging deliberation about what was “in the best interest of the network as a whole”, those trustees who were also the chairpersons of the national organisations would sometimes be more concerned with protecting the interests of their own national organisations and, rather than working towards a consensus, discussions on the board were characterised by positional bargaining (interview with director of network relations, WWF International, 21.01.2010). Perhaps as a result of this, network-wide decision-making proved cumbersome and was judged to be ineffective at times. Decisions would sometimes boil down to the “lowest common denominator” among the trustees (ibid). It is clearly desirable from a democratic representation perspective to have a wide range of national offices input into the decision-making and policy formulation process, especially if those national offices are based in regions of the world where citizens are particularly vulnerable to environmental degradation and if the views of the national offices are informed by the interests and perspectives of these affected communities.⁵⁴ However, the case of WWF also illustrates the price of broadly participatory forms of decision-making: a potential lack of effectiveness and the danger of sliding towards forms of zero sum bargaining rather than pursuing the ‘common good’.

⁵⁴ Of course, this assumption would require further empirical analysis. We cannot infer from geographical proximity alone that the positions and interests of the national offices are indeed informed by local communities. However, national offices in developing countries will be most directly involved in projects on the ground and working with local communities; moreover, through employing local staff, they are also likely to have a better understanding of local realities.

Achieving effectiveness and ensuring coherence – getting the constituent units to ‘march to the same tune’ – is a challenge for most large organisations, especially global and diverse networks. In particular, it can be challenging to combine broadly participatory and democratic forms of decision-making with the requirements of organisational effectiveness. This potential trade-off applies to a wide variety of organisations – including IGOs – and is certainly not unique to the NGO sector. The extent to which an organisation is likely to prioritise output-legitimacy orientated values (relating to effectiveness, speed of decision-making, the benefits of speaking with ‘one voice’) over input-legitimacy orientated values (democratic deliberation, including all members and affected stakeholders in the decision-making processes, trying to address power asymmetries among participants) will vary depending on the particular normative and strategic context the organisation finds itself in. Unlike some of the groups closely associated with the global justice movement (including FoEI), WWF is not an organisation that prioritises democratic values in their own right but generally sees them as instrumental to achieving other policy objectives.

WWF also differs from some of the more informal and deliberately diverse networks in that the organisation is more constrained by the need to protect the highly recognisable WWF ‘brand’. The value of the global WWF ‘brand’ could easily be undermined by the actions of an individual national member organisation or even an individual employee claiming to speak for WWF, especially if they were to put forward positions that the global organisation, or even particular national organisations, would find difficult to defend vis-à-vis the wider public. WWF Germany, for instance, has been at pains to publicly distance itself from the pro-GMO claims made by Dr Jason Clay, whose job position is ‘Senior Vice President of Market Transformation’ at WWF USA. While WWF International has a clear anti-GMO position, WWF Germany also acknowledges that “individual country organisations hold a divergent opinion”, especially in “states where genetically modified plants already constitute a very large share of agriculture, such as in the USA and

Argentina. Those countries take a neutral but not opposing stance towards genetic engineering. WWF Germany in contrast rejects genetic engineering” (WWF Germany n.d. ‘TV Doku im Detail: Gentechnik’. Own translation).

Differences in opinion such as these can also complicate the more informal decision-making processes. Interviewees at WWF pointed to a number of further issue areas where conflicts between the national organisations have occurred and acknowledged that the network is not immune to tensions between Northern and Southern offices, sometimes aggravated by differences in income and resources. These potentially difficult issues include the sustainable use of wildlife, in particular in situations where individual countries have a tradition of hunting a particular (threatened) specie, or where this represents an important sector of the economy. Specific examples that have created tensions in the network in the past include whaling, the use of elephant ivory, and seal and polar bear hunting. However, such debates cannot be explained in simplistic North-South terms: on the issue of elephant ivory, for example, while the South African office supports a sustainable use approach, the West African office is strongly opposed to this (interview with director of network relations, WWF International, 21.01.2010).

The network does, however, strive to overcome these internal differences through further discussions and meetings, sometimes by enlisting the help of an external facilitator (interview with WWF International director of global policy, 11.02.2010). The parties in the debate are also called upon to focus on common ground and on the good of the network as a whole and, as a result, “it’s rare that there is an outright conflict at the end of the day; most people have an acceptance of and an understanding that within a network there are things that you have to compromise on for the overall objective of the network itself” (ibid). Moreover, the network is able to draw lessons from its own disagreements and can use these constructively to strengthen its impact on the international negotiations on the issue: “The advantage that we would have is that by engaging the offices around the world we have already

anticipated quite a few of the issues that will arise when the governments get together and have found ways around them and can help them get round them as well” (ibid). This quote underlines the point made before that WWF considers participatory processes largely in light of the fact that they enable the organisation to strengthen the impact of its projects and consolidate its influence with other policymakers. This is also supported by the organisation’s emphasis on ‘informed’ participation, which may require concurrent internal capacity building in relation to particular issues (see the point on climate change raised above).

Although WWF today emphasises the fact that it engages closely with local communities and indigenous peoples in its conservation work on the ground, this has not always been a priority for the organisation. A common type of discourse among environmentalists in the 1960s and 1970s was to pit ‘nature’ against ‘man’ and portray humans as the ‘problem’. Many warned of the danger of population growth in the developing world and the concurrent threat of a “tragedy of the commons” (Hardin 1968). Accordingly, many of WWF’s publications from this period focussed on poaching of wildlife, overgrazing, and the degradation of vegetation in key habitats (Jeanrenaud 2002, 112). These preservationist ideas and strategies tended, according to Jeanrenaud (2002, 112), to dominate over those who advocated more anthropocentric approaches to conservation. As thinking about sustainable development progressed throughout the 1980s and 1990s, WWF’s work evolved accordingly and the organisation started to place more emphasis on participatory and rights-based approaches in its conservation work.

WWF first introduced the term ‘sustainable development’ in 1980 (Denton, 1993 cited in Rootes 2006, 771). The work with other NGOs, including development and humanitarian groups, in the run-up to the 1992 Earth Summit further influenced the organisation’s thinking on sustainable development (Rootes 2006, 771). WWF’s strategy and thinking about conservation work today is closely linked to this concept and also recognises

the importance of working in partnership with local communities rather than treating them as obstacles to successful conservation work (an attitude prevalent in earlier preservationist thinking). This is not only reflected in the organisation's publications directed at external audiences but also in some of the internal policies WWF subscribes to, notably the 'Statement of Principles' discussed above. This shift reflects a broader trend towards more participatory approaches in the conservation and development community, which, in the late 1980s and early 1990s, led to a groundswell of initiatives such as "community-based natural resource management', 'community-based conservation', 'sustainable development and use', 'grassroots conservation', 'devolution of resource rights to local communities', and – perhaps most commonly – 'integrated conservation and development programs' (ICDPs)" (Chapin 2004, 20). According to Jeanrenaud (2002), the adoption by WWF of the term 'community conservation' was not only a response to feedback from the field but also "to pressure to include the label in project proposals to donors because, post-UNCED, it was becoming increasingly important for fundraising purposes" (Jeanrenaud 2002, 113). More recently, however, concerns have been raised about the consequences of conservation groups, including WWF, returning to a "protectionist conservation paradigm (which) views human use of nature as inimical to biodiversity conservation" (Beymer-Farris and Bassett 2012, 333) in the implementation of carbon forestry programmes linked to REDD.

The extent to which conservation groups such as WWF are indeed prepared to listen to, strengthen and elevate the voices of local communities is thus subject to debate. Wapner (1996), for instance, sees WWF's work as an important contribution to "world civic politics" and argues that, by engaging in "eco-development" projects on the ground, WWF empowers local communities to participate directly in safeguarding the environments they live in. He refers to this as a "strategy of localism", fundamental to which is that "political strategies are forged by actual people in the context of their concrete struggles for economic and environmental well-being.

Transnational activists listen to local inhabitants and try to articulate their visions. This entails, as mentioned, local participation” (Wapner 1996, 115). Localism, according to Wapner, “finds its conceptual origins in the grassroots traditions that emphasize local organisation as a form of larger transformation” (ibid). Jeanrenaud, however, questions that the adoption of a participatory rhetoric really reflects a fundamental change in organisational values from the preservationist tradition and argues that “mainstream conservation discourses have been reworked in less radical ways, framing people as ‘a resource’ for conservation as defined from above” (Jeanrenaud 2002, 117).

Chapin’s (2004) verdict is even more critical. In an explosive 2004 article in *World Watch*, he accused the large US-based conservation organisations (such as Conservation International, The Nature Conservancy, Wildlife Conservation Society but also WWF) of ignoring and even violating the rights of indigenous peoples, partly as result of their competition for the large amounts of cash coming from governmental agencies and corporations (Chapin, 2004).⁵⁵ Although funders increasingly prioritised programs designed to work with local and indigenous communities, the conservationists lacked the experience of working with these groups and as a result, community-based conservation projects “were generally paternalistic, lacking in expertise, and one-sided” (Chapin 2004, 20). Even worse, he argues, is the fact that global conservation organisations use their enormous resources to suppress local alternatives:

“In dealing with smaller organisations, either they tend to use their sheer heft to press their agendas unilaterally or they exclude the smaller groups altogether. A common tactic is to create new organisations out of whole cloth in foreign countries, implanting local bodies as extensions of themselves” (Chapin 2004, 25).

Although WWF countered many of Chapin’s allegations, the organisation

⁵⁵ Chapin acknowledges, however, that some of his criticisms are probably more applicable to WWF-US than WWF International (Chapin 2004, 28).

subsequently – and in response to the criticisms - pledged to “openly re-evaluate the WWF policy on indigenous peoples and strengthen its enforcement and monitoring mechanisms”, “examine WWF’s large scale conservation programmes as they relate to indigenous and local communities”, and to “listen more closely to the voice of indigenous peoples and ensure that their concerns are addressed in the design and implementation of WWF field projects.”⁵⁶ The ‘Indigenous Peoples and Conservation: WWF Statement of Principles’ (2008) discussed above are the outcome of these commitments. There is little doubt, however, that the enforcement of network-wide standards across all of WWF’s conservation work on the ground presents a considerable challenge for an organisation as large as WWF.

It is difficult to pass a firm verdict on the extent to which participatory norms and practices are truly entrenched and consistently implemented in WWF. There is little doubt that WWF practices various forms of stakeholder participation on the ground. This is, however, largely to implement policies developed by conservation and sustainable development ‘experts’, and informed by scientific evaluations. Nevertheless, Jeanrenaud maintains that “the notions of community and participation should not be dismissed altogether, not least because they provide important room for manoeuvre for local groups and means for articulating, negotiating and legitimising their concerns” (Agrawal 1997; Li 1996 cited in Jeanrenaud 2002, 117). When it comes to global policy – as opposed to the project level – WWF’s support for more ‘people-centred’ solutions and a sustainable development agenda can perhaps be seen as “a logical development from its analysis of the promotion of its initial objectives” (Rootes 2006, 772). This is because of the organisation’s acknowledgement that “poverty and over-consumption” constitute the greatest threats to the environment (WWF-UK Annual Review

⁵⁶ World Wildlife Fund Response to Mac Chapin’s article (2005). Letter signed by Carter S. Roberts, Chief Conservation Officer WWF-US, and Chris Hails, Programme Director WWF International. Reprinted in *World Watch* (January/ February 2005). ‘From Readers’.

2003-4: 3 quoted in Rootes 2006, 772). Despite this recognition, addressing these two problems directly are not central features of WWF's work and despite taking on new issues such as climate change WWF continues to subscribe to a relatively 'green' agenda.

The case of WWF also raises questions about the extent to which the reliance on certain funding sources may affect the potential for the organisation to act as a "transmission belt" between local communities and international organisations. The first concerns WWF's close relationship with the international agencies themselves and its role in implementing donor-funded programmes on the ground; the second relates to WWF's willingness to accept corporate donations. One key trend in international environmental politics has been that large international NGOs such as WWF have in many cases become implementing partners for international organisations and are receiving a substantial share of funding from public sources, i.e. from governmental agencies. This raises the question to what extent the NGOs are increasingly themselves becoming parts of the "environmental governance state" (Doyle and Doherty 2006, 883). The fact that their interests (especially financial) are so closely enmeshed with the interests of donor governments may put into doubt that they are still able and willing to question or oppose official policies, the priorities of key governments, and dominant discourses at the international level. Rootes believes that WWF has been able to avoid becoming co-opted despite working increasingly closely with public international agencies:

"Institutionalisation does not necessarily imply de-radicalisation. WWF widened its political (rather than simply conservationist) scope, even as it became more institutionalised and professionalised, becoming a prominent critic of environmentally damaging oil pipeline projects in the Caucasus and Siberia, and playing a leading role in NGO resistance to proposed trade rules at the WTO meeting in Cancun in 2003, as well as being a vociferous lobbyist of the World Bank and other international agencies" (Rootes 2006, 777).

A similar issue is raised by WWF's pro-business attitude, as evidenced by its willingness to engage with corporations and accept corporate funding. At the risk of not doing full justice to the wide range of pragmatic, principled or innovative positions vis-à-vis markets within the environmental NGO community, it can be said that – on balance – many Southern groups tend to be more critical of market actors and that indigenous peoples in particular display a relatively high level of distrust towards multinational corporations (no doubt informed by a history of conflicts and exploitation). While it is not necessary for local communities or local community organisations and international NGOs such as WWF to always see eye to eye on policy issues, diverging attitudes towards business may in certain instances constitute such a fundamental point of disagreement (in the eyes of market-critical groups) that it would preclude the establishment of close relations between market-critical local groups and market-friendly NGOs such as WWF.

iv. Greenpeace: getting the world to take notice

Committed and fearless activists, who are prepared to take on much more powerful corporate interests and governments, sometimes risking their own lives in the process: this is the image many people associate with Greenpeace. Greenpeace's story starts with a handful of activists who in 1971 decided to sail a boat to Amchitka, a small island off the West Coast of Alaska, with the intention of preventing the nuclear tests that were being conducted there by the US government. This mission (albeit unsuccessful at stopping the tests at the time) set the tone for subsequent campaigns. Although the organisation soon expanded its focus beyond the anti-nuclear agenda to encompass a wide range of environmental issues, risky and highly visible acts of protest – 'spectacular actions' - continue to be associated with Greenpeace today.

Throughout the 1980s and 1990s Greenpeace ran high-profile campaigns against whaling, toxins and pollution, acid rain, ozone depletion, genetic engineering, deforestation and climate change. The organisation has therefore largely continued to prioritise 'green' (as well as human health

related) issues over the sustainable development agenda in its campaigns. Its main targets have been governments and corporations. The 1995 Brent Spar episode – Greenpeace’s campaign against Shell, which ultimately forced the company to abandon its plan of disposing of the disused oil storage facility at sea – is often held up as emblematic of Greenpeace’s approach. Greenpeace has also played a pivotal role in the Stop Climate Chaos Coalition of NGOs, whose climate protests prior to the 2009 Copenhagen summit were attended by thousands of concerned citizens worldwide.

The organisation Greenpeace consists of Greenpeace International (Stichting Greenpeace Council) based in Amsterdam and of 28 national and regional offices around the world (as some of these offices work in more than one country, the organisations claims to have a presence in 40 countries). In November 2008, Greenpeace opened its first offices on the African continent (Greenpeace 2009a, 25). Back in Amsterdam, Greenpeace International is responsible for the development of the organisation’s international positions and campaigns and for maintaining contacts with supporters and donors in countries where Greenpeace does not have an office. Greenpeace International also monitors the development and performance of national and regional Greenpeace offices. According to the website, the “national/regional offices are largely autonomous in carrying out jointly agreed global campaign strategies within the local context they operate in, and in seeking the necessary financial support from donors to fund this work” (Greenpeace 2011a). Their licensing agreement with Greenpeace International allows them to use the name ‘Greenpeace’; in return they contribute financially to Greenpeace International and help develop and participate in the international campaigns program.

Greenpeace prides itself in the fact that it does not accept funding from governments or corporations. The organisation’s fundraising income (amounting to 197 million Euros in 2008) comes from individual supporters and trusts, with the Greenpeace offices in Germany, the Netherlands, USA, UK

and Switzerland raising 58% of the global income in 2008 (Greenpeace 2009a, 26). Interestingly, Greenpeace Argentina and Greenpeace Southeast Asia were the fastest growing offices in 2008 (in terms of fundraising income relative to 2007). Globally, Greenpeace employs over 2400 people in more than 40 countries (Greenpeace 2009a, 28), with 150 working for Greenpeace International.

Greenpeace pursues 'outsider' and 'insider' strategies simultaneously: while it seeks confrontation and holds powerful actors to account through its high-profile campaigns, it also lobbies decision-makers directly and pursues constructive engagement with governments and business. For Greenpeace, these two strategies complement each other and are deployed as necessary to achieve its environmental objectives: "In pursuing our mission, we have no permanent allies or enemies" (Greenpeace, n.d., 'About Greenpeace'). As part of the climate campaign, for example, Greenpeace activists pursue non-violent direct action, which may involve blocking the entrance to the headquarters of energy firms and forming human chains to prevent the constructions of new coal power stations. On the other hand, the organisation works with IT companies to reduce their ecological footprints as part of its 'Cool IT Campaign' launched in 2009. 'Outsider' and 'insider' strategies can literally take place simultaneously such as when Greenpeace activists were protesting outside a World Business Council for Sustainable Development side event to the UNFCCC meeting in Durban in December 2011 (with a banner reading "Listen to the people, not the polluters"), while Kumi Naidoo, the executive director of GPI, was inside, lobbying the participants of that same meeting.⁵⁷

⁵⁷ This situation is described in a New York Times article about Kumi Naidoo, published in December 2011 (Broder 2011).

v. Exploring forms of responsiveness in Greenpeace

Responsiveness to member organisations and supporters

High-level strategic decision-making within Greenpeace International takes place among the executive directors of the national offices, not at board level. Greenpeace's board of directors has a largely supervisory function; it approves the annual budget of the organisations and the audited accounts, and appoints and supervises the executive director. The board directors are individuals selected from outside the organisation ("they must be independent of Greenpeace's internal affairs") and chosen to collectively "provide the skill, input and experience representing the world at large" (Greenpeace 2009a, 4).⁵⁸

As noted above, Greenpeace has 28 national and regional offices around the world. Until 1987, Greenpeace was present only in developed countries, notably in North America, Europe, Australia and New Zealand (Eden 2004, 600). Argentina was the organisation's first office in a developing country; it opened in 1987. Since then, Greenpeace has gradually expanded its presence around the world: first on the American continent with the opening of the Brazilian office in 1991 in the run-up to UNCED, and Mexico and Chile in 1993. The Chinese office opened in 1997, Greenpeace Southeast Asia (Philippines and Thailand) in 2000 and Greenpeace India was set up in 2001 (Eden 2004, 600). In late 2008 Greenpeace opened its first office in Africa – located in Johannesburg – followed by a second office in the Democratic Republic of Congo (DRC) and a third office in Senegal in 2010. According to Greenpeace insiders, the organisation and its policy-making processes have benefitted from having more global input through its national offices:

"Especially over the last few years, we have seen a real strengthening of our offices in places like China, India, Indonesia, we just opened Greenpeace Africa in Johannesburg.

⁵⁸ Other aims include a "wide geographical representation and gender balance", as well as "good spread of expertise in areas such as activism, the environment, communications, management, finance and law" (Greenpeace 2009a, 4).

And these places carry equal weight around the organisation when we do things like policy setting, campaigns. I feel that we are in a much stronger and more global position now than we were ten years ago or something” (interview with climate campaigner, Greenpeace International, 08.03.2010).

Although Greenpeace has sometimes been described as a very centralised, tightly structured and top-down organisation (Eden 2004; Rootes 2006), it consisted of little more than multiple groups of committed activists in various countries during its early years. The organisation can trace its roots to the Make a Wave Committee (later to adopt the name Greenpeace) in British Columbia in the early 1970s. Their actions inspired similar protests in other countries by groups who also adopted the name ‘Greenpeace’ but often without clearly defined institutional linkages to the Canadian group. This unstructured expansion triggered an intense discussion between different individuals within Greenpeace as to whether the organisation should adopt a top-down centralised structure or continue to exist as a loose affiliation of activists in different countries, carrying out autonomous campaigns under the (unprotected) name ‘Greenpeace’ (Weyler 2004; Connolly 2008). Those in favour of a centralised model – whereby the Amsterdam headquarters would coordinate the global strategy of the organisation – won out and the organisation has essentially maintained the same structure since 1979 (Eden 2004). Rootes (2006) describes Greenpeace’s organisational structure as very top-down, whereby Greenpeace International “licenses national or regional branches to use the Greenpeace name only so long as they pursue a centrally determined agenda.” This “may make for a more coherent campaigning and minimise inter-national wrangling, but it does not encourage the expression of a diversity of national and regional views from which other partners might learn” (Rootes 2006, 783). The nature of much of Greenpeace’s ‘core business’ – high-visibility campaigning and spectacular actions – certainly requires a high degree of centralisation and tight control over the public image of the organisation. However, these constraints do not prevent the national offices from responding to the specific characteristics of

their localities and regions and adapting their campaigns to the context they operate in.

According to the Greenpeace website, the organisation's decision-making process with respect to strategy and policy formulation is supported by a "consultative international decision making process in which the National/Regional Offices are the main stakeholders" (Greenpeace 2011a). Global campaigns are developed by campaign committees made up of campaigners from various national offices, working on the same issues (for example, climate change, deforestation, etc) (interview with climate campaigner, Greenpeace International, 08.03.2010; interview with executive director, Greenpeace Africa, 03.07.2010). However, there is no further information available on what precisely this process entails and the organisation acknowledges elsewhere that it does not have a formal written policy for adopting or implementing its decisions. Interviewees at Greenpeace point to a number of consultative and participatory elements in the decision-making process but the examples are of a general nature and relatively vague. They stress, for instance, that policy documents are circulated in draft form "so that everyone can have an opportunity to participate and put their ideas into it" (interview with climate campaigner, Greenpeace International, 08.03.2010). Electronic communications in particular have made "it much easier to communicate with your colleagues around the world (on policy development). It is much quicker to get input from your colleague in the Amazon or the Congo" (interview with biodiversity campaigner, Greenpeace International, 05.03.2010). Campaign teams (who will also be attending international meetings in their respective issue fields) are selected to include campaigners from various national and regional offices (interview with biodiversity campaigner, Greenpeace International, 08.03.2010). It is, however, the programme director "who gets the final say on a specific policy approach" and who will take an executive decision if no consensus can be reached on "one or two outstanding issues" (interview with climate campaigner, Greenpeace International, 08.03.2010). Professional

campaigners are the key decision-makers within Greenpeace and one activist in Canada describes them as “a highly professionalised vanguard in which general directions flow from the top down while specific tactics are devised within local cells” (Greenpeace activist quoted in Eden 2006, 599).

It is worth noting, however, that even where Greenpeace has a global position on a particular issue, it does not mean that all the national offices are running national campaigns on this issue. The campaigning choices by the individual offices appear to be somewhat less “coherent” or “centrally determined” than suggested in Rootes’ analysis and are also responding to the particular ecological, political and economic context the national office operates in. While, for example, most of the European offices have an active campaign on genetically modified organisms (GMOs), this is not the case for Greenpeace US.⁵⁹ The newly opened Greenpeace office in South Africa has decided to adopt climate change as its campaign priority due to the South African economy’s dependence on coal, while the DRC office is focusing on the problem of deforestation and the challenge of protecting the DRC’s rainforest (interview with executive director, Greenpeace Africa, 03.07.2010). This observation is also supported by Eden (2004) who compares the campaign priorities of a number of national Greenpeace offices and finds that “campaigning choices are sometimes opportunistic as well as highly dynamic and, although strategy is coordinated globally, it is very much shaped by national interests” (Eden 2004, 604).

Individual supporters are particularly significant for Greenpeace. Although Rootes describes Greenpeace as a “tightly-run organisation, the decisions of whose directors are made in relative isolation from the supporters” (Rootes

⁵⁹ The reason for this particular divergence is apparently a tactical response to the prevailing domestic political context in the United States (interview biodiversity campaigner, Greenpeace International, 08.03.2010). Although the interviewee claims that there is a broad consensus around GMOs within Greenpeace, it is notable that the organisation was heavily criticised – by scientists, development NGOs and many Southern civil society groups – for its complete rejection of all forms of genetically modified food, including golden rice (Bond 2001)

2006, 782), it is important to remember that Greenpeace is almost entirely funded by individual contributions (as well as by trusts) and refuses to accept corporate and government funding. This gives Greenpeace a much stronger claim to speak “for 2.8 million supporters worldwide” (Greenpeace n.d. ‘About Greenpeace’) than other NGOs who enjoy substantial financial backing from business and government agencies. The reliance on individual contributions also makes it particularly important for the organisation to protect its public image, to gauge the expectations of its supporters and to support policies that they care about. However, while membership entry and exit and the granting and withdrawal of financial support are obviously important mechanisms of ‘authorisation’ by individual supporters, they are also relatively blunt ones. The organisation itself acknowledges that there are only limited means through which Greenpeace’s supporters can participate in the decision-making processes within the organisation other than by signalling their support through financial contributions and their disapproval through the withdrawal thereof: “one of the primary ways in which Greenpeace supporters can voice complaints about the organisation’s advocacy activities, after learning about them from our own publications and the media, is by cancelling membership and related donations” (Greenpeace 2009b, 10).

From time to time there are signs that some Greenpeace supporters feel disenfranchised by their lack of voice within the organisation. An example of this is the controversy sparked by the appointment of Tzeporah Berman as co-head of GPI’s energy and climate campaign in early 2010.⁶⁰ In order to

⁶⁰ The decision to hire her caused dismay among a small group of vocal Greenpeace activists and supporters, mainly based in British Columbia, who argued that because of her track record of pursuing a collaborative approach towards a number of large corporations in BC, she represented the face of ‘corporate sell out’. Much of the controversy was played out in online discussion fora and blogs: http://www.vanmag.com/News_and_Features/Tzeporah_Berman_s_Green_Idea+?page=0%2C7; <http://www.straight.com/article-298791/vancouver/tzeporah-berman-dismisses-online-campaign-against-her-new-greenpeace-job>; <http://www.straight.com/article-215030/tzeporah-berman-responds-critics-bc-environmental-movement>; <http://desmoglob.com/canabalizing-environmentalism-tzeporah-berman-under-attack>.

protest against her appointment – and to highlight the lack of internal democracy within Greenpeace – a small group of disgruntled supporters launched the website www.savegreenpeace.org. The site claimed to present a number of anonymous quotes from current Greenpeace staff and long-time supporters, many of whom linked their anger at this particular hiring decision by Greenpeace International to the organisation’s lack of democratic and participatory structures: “if Greenpeace was a democratic membership-based organisation, like so many other large environmental organisations, problems like the hiring of Tzeporah Berman would be averted”; “we are completely disenfranchised from any consultation into decisions made by Greenpeace International. There is no transparency, and we don’t feel like we can do anything”; “no consultation with activists and organisers in Canada”; “I am concerned with the lack of consultation from GPI”. Of course, the authenticity of these anonymous quotes cannot be verified. Moreover, it would be wrong to draw general conclusion from one specific case – and it is important to note that the website’s petition opposing her recruitment only listed around 160 signatories (as of July 2010), most of whom were based in BC, and that the website has been taken down since. Nonetheless, the supporters’ complaints about the lack of internal democracy are notable and seem to support Rootes’ claim that “there is no mechanism by which they might influence policy. Greenpeace remains an elite-directed campaign organisation” (Rootes 2006, 781).⁶¹

In 1991, Greenpeace counted over 4.8 million supporters worldwide. This number declined throughout the 1990s to a low of around 2.4 million in 1999 and picked up thereafter (Eden 2004, 598). However, the formal number of

⁶¹ A few months after Berman assumed her job, the website was re-launched (in early July 2010) with the broader mission to encourage discussion on how to “democratise existing environmental organisations and create organisations that are accountable, solidarity-driven, transparent, and funded in ways that do not compromise their missions.” Visitors to the site were invited to add their comments on how to democratise Greenpeace, which is described as a “canary in the coal mine of corporate environmentalism. If we can democratise Greenpeace and get it back on track, that will show the way for other NGOs.” (www.savegreenpeace.org, last accessed on 02.07.2010). The website was subsequently deactivated and can no longer be accessed (as of December 2011).

financial supporters is only a partial indicator of the level of public ideational support for Greenpeace. In fact, over recent years Greenpeace has made a deliberate effort to reach out to a new breed of supporter, using emails, social networking sites and online petitions. These media allow individuals to express their support for particular Greenpeace campaigns without necessarily becoming financial supporters. Others are prepared to take action 'offline' when called upon by Greenpeace: individually, for example through their purchasing choices, or by participating in Greenpeace-coordinated campaigns and protests. In fact, the organisation's ability to mobilise large numbers of concerned citizens around the world – by joining online protests, boycotting particular companies or participating in street protests – is becoming increasingly important. This became particularly apparent during the large climate demonstrations around the world in the run-up to the Copenhagen summit at the end of 2009, in which Greenpeace (together with a number of other NGOs) played a major part.

Responsiveness to local communities

It is difficult to detect clear mechanisms through which Greenpeace may be responsive to local communities – in particular in developing countries - in the formulation of its policy positions and campaign priorities. Greenpeace's supporter base is predominantly located in Europe and North America, with most financial contributions (in descending order) coming from Germany, the Netherlands, United States, Scandinavia, United Kingdom and France. However, the organisation claims that its offices in Brazil, India, Africa, East Asia and Southeast Asia are seeing strong growth (Greenpeace 2011b, 20). As a global campaigning organisation, Greenpeace has not traditionally thought of itself as an organisation in need of developing mechanisms of responsiveness and accountability to local communities. However, there are – relatively recent - signs that Greenpeace is starting to develop its community-level work in particular regions and is increasingly prioritising people-centred solutions, as well as poverty and social equity issues at the global level.

As a founding member and signatory to the INGO Accountability Charter, Greenpeace has started to assess its compliance with the charter on the basis of a set of reporting standards developed for the charter signatories by the Global Reporting Initiative. One of the issues the charter signatories are asked to report on is whether the NGO's programmes are conducted in genuine partnership with local communities, whether its programmes aim for sustainable development and whether they are appropriate for local needs and conditions. In its interim report Greenpeace argues that these specific requirements are not applicable to the organisation based on the following rationale:

“These questions are in their current form not applicable to the Greenpeace International advocacy/ campaigning programme. Greenpeace does not execute local development projects. There where we do interact and cooperate with local communities in the context of a campaign, this work is of a strategic coalition/ alliance nature. As it is critically important to the potential success of a project, assessment of the potential impact of such work is carefully integrated in the project objective setting, research and development stage. Because of the incidental and widely varying nature of such co-operations, it is not possible to define standard GP criteria for this” (Greenpeace International 2009b).

It is true that, unlike WWF, Greenpeace does not conduct conservation or sustainable development projects on the ground and is in this sense not involved in operational partnerships with community-based organisations. The same, however, applies to some of the other INGO Charter signatories such as Amnesty International or Transparency International. While Amnesty acknowledges that it is only partially in compliance with the partnership indicators, it states: “we are working to strengthen these (policies to support partnerships) and their implementation through our planning and operational processes” (Amnesty 2008). TI claims to be fully in compliance with this indicator. The inapplicability of these indicators to the work of Greenpeace may therefore not be as obvious as the organisation makes out in its interim report.

“Bearing witness” is one of the key strategies that Greenpeace uses to deepen the ecological sensibility of citizens and policy-makers around the world (Wapner 1996). “Bearing witness” often involves spectacular and media-savvy forms of direct action, such as when the ships of Greenpeace activists confront much larger whaling vessels on the high seas. In these cases, it is Greenpeace campaigners who are willing to confront environmental wrongdoers and bring their actions to the world’s attention. A somewhat different but related strategy that similarly relies on the power of witness testimonies to sway the opinions of citizens and key decision-makers is to bring individuals who are directly suffering the consequences of environmental degradation either face-to-face with policymakers or to the attention of a wider public (and especially publics in Europe and the United States). The following quotes provide some examples of how Greenpeace employs this strategy to try to influence international policy-making processes:

“We took one of our ships down to the Pacific islands to work with islanders to give testimonies on climate change, what it means for them and their future, and make sure that these are out in the public domain” (interview with climate campaigner, Greenpeace International, 08.03.2010).

“we bring some of the testimonies on climate change into one-on-one meetings with a minister or even head of state” (ibid).

“we bring people from the different regions, local partners or people who are particularly affected, for example by deforestation or logging, to have them talk about the issues. For example, someone from Papua New Guinea may be coming to talk about what’s happening there, companies are cutting down ancient forests” (interview with biodiversity campaigner, Greenpeace International, 05.03.2010).

By making it possible for these community members to attend international conferences (or at least the side events) and giving them a platform to express their concerns, Greenpeace is working directly to bring the voices of affected communities to international policy-making processes. For Greenpeace, the main value of these testimonies is strategic – decision-

makers, the media and the public in developed countries will hopefully be stirred by these very personal accounts and be more likely to take action or create pressure for change. The potential democratic 'side-effects' of this strategy consist in offering marginalised communities the chance to get somewhat closer to the sites of power and allowing their voices to be heard more loudly at the international level.

The degree to which the mobilisation of local communities matters varies with the different national offices. The African executive director argues that it is crucial "to take the community mobilisation angle in all our campaigns" but acknowledges that the African offices differ in that respect from most other Greenpeace offices around the world. According to her, Greenpeace can only establish its relevance in the African continent if it focuses on working directly with communities, while tapping into the global network to bring their stories and concerns to the attention of policy-makers and the public abroad (interview with executive director, Greenpeace Africa, 03.07.2010). Since the Greenpeace offices in Africa are a relatively recent addition to the organisation, however, it still remains to be seen to what extent their work with local communities will inform and shape Greenpeace's global priorities over time.

vi. Responsiveness in Greenpeace: motives, challenges and effects

At first glance, the notion that NGOs can act as democratic links between local communities and global environmental policymaking processes appears especially unsuitable to an organisation such as Greenpeace. Unlike WWF, Greenpeace does not work with local communities in the context of actual conservation work on the ground and is therefore not exposed to local realities in the same way. Unlike FoEI, who will be discussed in the following chapter, Greenpeace does not unite a wide range of local community groups from around the world within its network. Instead, Greenpeace's characteristics seem to render it ill-suited to 'represent' local communities: the primary focus on effective global campaigning, the overriding importance

(in resource and capacity terms) of a small number of developed country national offices within the global network, and the organisation's financial dependence on contributions from supporters in Northern countries. However, the global structure of the organisation, the use of 'community testimonies', a growing recognition of the need to develop partnerships with a range of different organisations to pursue an effective global climate campaign, and a greater focus on the links between poverty, justice and climate change are all factors that hold some promise of a 'representative role' for Greenpeace, as set out in the previous chapter. Nonetheless, considerable limitations remain.

Let us first consider the nature of Greenpeace's relationship with its supporters. In the interim report on its compliance with the NGO Accountability Charter, Greenpeace makes the obvious point that individual supporters can stop their financial contributions if they are unhappy with Greenpeace's work. There is no doubt that the number of individual paying supporters is a key measure for gauging the degree to which concerned citizens 'authorise' Greenpeace's actions as an expression of their own values. This is important in the case of Greenpeace as the organisation refuses governmental and corporate donations. One problem with this assertion is, however, that no corresponding voice mechanism exists for those individuals around the world that are not supporting the organisation financially (and may not be in a position to do so). Since the vast majority of Greenpeace's fundraising income comes from Europe, North America and Canada, the 2.9 million supporters that Greenpeace International could justifiably claim to represent on the basis of their financial 'authorisation' do not exactly present a global constituency, nor do they include members of those communities who are most vulnerable to the impacts of environmental change and least able to exert democratic control over the global policy decisions affecting their lives. However, it would be wrong to criticise Greenpeace on this count as the organisation never – contrary to what NGO critics often assert – makes the explicit claim to represent poor communities in developing countries. In

fact, interviewees at Greenpeace are clearly uncomfortable with the notion of speaking for or on behalf of local communities: “we are always a bit uncomfortable representing other people or communities’ views; it’s always better if the person or community can represent their own views although that’s not always practically possible (...). I think that speaking on behalf of individuals is difficult, speaking on behalf of the global common and greater good is something we can be comfortable with” (interview with climate campaigner, Greenpeace International, 08.03.2010).

Many of Greenpeace’s stunts are highly professional affairs designed to achieve maximum impact in terms of media coverage and public attention. This may require getting activists into locations from which they would otherwise be barred from entering (such as the heads of states dinner during the Copenhagen summit), taking personal risks, using methods deemed morally objectionable by some, and even facing the possibility of legal action (court cases, of course, can provide an excellent opportunity for Greenpeace to further amplify the message it wants to get across). It is clear that these types of spectacular actions’ call for decisions to be made in an executive, centralised, and sometimes secretive manner. As a campaigning organisation Greenpeace is also able to react quickly to new environmental and political developments and can use this agility to make the most of any new windows of opportunity. This in turn means that campaigning choices are often opportunistic: they are more likely to be made in response to external events than developed through a broadly participatory and deliberative (and probably more lengthy) process.

A similar point can be made about Greenpeace’s attitude towards partnerships and alliance-formation – the organisation acknowledges on the website that “in pursuing our mission we have no permanent allies or enemies.” While Greenpeace undoubtedly values this flexibility as a key asset when it comes to effective campaigning, it could also mean that it is less likely to invest money, time and staff resources in developing close relationships

with local community organisations and other civil society organisations. Greenpeace has been characterised as an organisation that, on balance, tends to prefer to act alone rather than engage in joint campaigns with other NGOs (Rootes 2006, 784). While it is possible that networking presents a lower priority for Greenpeace than for some of the NGO peers, alliance work has been a crucial feature of the organisation's climate campaign. Over recent years Greenpeace has not only reached out to new partners such as the International Trade Union Congress in its climate work, but was also closely involved in the Global Campaign for Climate Action (GCCA) and its 'public face', the TckTckTck Campaign, which brought together a diverse coalition of NGOs, including groups such as Oxfam, CIVICUS and IndyACT, in the run-up to the Copenhagen summit. In fact, the new executive director Kumi Naidoo was already the GCCA's board chair before assuming his position at Greenpeace International at the end of 2009.

There are also some indications that Greenpeace is increasingly starting to integrate poverty and social justice issues into its campaigns (O'Neill and VanDeever 2005). Again, this is a departure from earlier assessments of the organisation, which find that Greenpeace has traditionally shied away from the development agenda and social justice issues in the North-South context, even during the Earth Summit (Lamb 1996 cited in Rootes 2006, 782). Greenpeace does not embrace these concerns to the same degree as many other organisations (FoEI, for example) and its global climate campaign continues to focus on 'solutions' to the climate crisis. However, the Global Campaign for Climate Action's vision of a 'Fair, Ambitious and Binding' treaty clearly acknowledges the fact that a global deal needs to include substantial financial transfers from developed to developing countries and is supported not only by Greenpeace but also by a diverse coalitions of other NGOs, including groups with a primary focus on poverty alleviations, health or social justice issues. While the issue characteristics of climate change have undoubtedly brought the linkages between environment, equity and development more clearly to the forefront than some of the 'older' campaign

issues (e.g. oceans, acid rain, whale-hunting), it has also encouraged Greenpeace to seek alliances with new partners and, through these new connections, brought the organisation into closer contact with the global justice movement. Greenpeace campaigners also attended the World People's Conference on Climate Change and the Rights of Mother Earth held in Bolivia in April 2010.⁶²

Two other recent developments within the organisation are noteworthy, although it remains to be seen to what extent these will shape Greenpeace's values, strategies and priorities over time. As was already mentioned above, the new Greenpeace offices in South Africa, the DRC and Senegal exemplify a greater focus within the organisation on the African continent. The executive director of Greenpeace Africa considers it important for the African offices to go beyond campaigning and work to "address people's needs". This entails empowering local communities and making them aware of their rights vis-à-vis governments and corporations, providing practical support, for example through solar energy projects, as well as mobilising communities to take action themselves. At the same time – again, necessitated by the regional context and the needs of the people on the ground – Greenpeace Africa will be focussing more on poverty and development issues than many of the other Greenpeace offices around the world: "this gives a development dimension that you don't have in other countries where Greenpeace operates and that's what makes us different" (interview with executive director, Greenpeace Africa, 03.07.2010). While the African offices' work on environment, poverty and development, as well as on community empowerment, does not in itself signify a broader organisational shift towards these issues and approaches, it may offer practical learning opportunities for the entire organisation on working with and mobilising

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Greenpeace website:
<http://www.greenpeace.org/international/en/news/Blogs/makingwaves/greenpeace-at-the-world-peoples-conference-on/blog/11651/> . Last accessed 5.1.2013

local communities in developing countries (interview with executive director, Greenpeace Africa, 03.07.2010).

In late 2009 the board of Greenpeace International announced that Kumi Naidoo would be the organisation's new executive director. Kumi Naidoo is South African by birth but had to leave the country and settled in the UK as a result of his involvement in the anti-Apartheid struggle. As a life-long civil and human rights activist, former secretary general and CEO of CIVICUS: World Alliance for Citizen Participation (which is dedicated to strengthening global citizen action and civil society), and founding chair of the Global Call to Action Against Poverty, Kumi Naidoo is not from a typically 'green' background. He is clear about the fact that he considers the climate issue to be inextricably linked to the fight against poverty and global justice, as evidenced in these extracts from a commentary he wrote for the BBC the week he assumed his new position:

"I see a need to bring together the poverty movement and the environmental movement as we face up to the greatest challenge of our time: climate change. (...) I believe the struggles against poverty and climate change are inextricably linked, while the solutions are the same. (...) Justice is applicable to all of life: human, plant and animal. This is why I came to Greenpeace - for climate justice" (Naidoo 2009).

It is, at the time of writing, too early to judge Kumi Naidoo's impact on the development of Greenpeace's campaign priorities, the organisation's willingness to engage more closely with the global justice movement, and the extent to which he will bring his former experiences with citizen participation to bear on Greenpeace's modus operandi. However, the timing of his appointment indicates a clear willingness at the governing level of Greenpeace International to deepen the links between the organisation's climate work and the global poverty and justice agendas.

vii. Conclusion

Greenpeace and WWF have, in different ways, become two of the most prominent organisations associated with the modern environmental movement and the rise of a 'green conscience' since the 1960s. Nonetheless, as this chapter has shown, the two organisations differ both in the specifics of what they want to achieve and – more succinctly - in how they go about it. What these two organisations have in common, however, is that they have evolved according to a 'top-down logic': they are both characterised by a relatively hierarchical organisational structure. Before turning to a more systematic comparative discussion of both the potential and the limitations of these two organisations for acting as conduits between marginalised local communities and global policymaking processes, it is therefore instructive to also focus on a different category of environmental NGOs. The following chapter will investigate the cases of FoEI and CAN (with a somewhat briefer comparative look at the CBD Alliance) who differ from both Greenpeace and WWF in that they operate based on a 'bottom-up logic' and are better characterised as networks. The final chapter of the thesis (chapter VIII) will then adopt a comparative perspective to look at the respective factors that facilitate or inhibit the ability of these organisations to assume representative functions vis-à-vis global environmental institutions.

VII. Responsiveness in networks: Friends of the Earth International, the Climate Action Network and the CBD Alliance

Friends of the Earth International and the Climate Action Network differ from both WWF and Greenpeace in that they are better described as networks of organisations, that is to say their members are relatively autonomous groups that by and large *join* the network as pre-existing organisations.⁶³ In the case of WWF and Greenpeace, new member groups are generally *set up* by the central organisation. This means that FoEI and CAN are characterised by a more horizontal structure and have much more heterogeneous memberships. It is not surprising then that groups such as FoEI also display more open ‘arguing’ than the relatively more hierarchical NGOs where values, positions and strategy can more easily be determined in a top-down fashion. Sociologists talk about the challenge of negotiating and re-negotiating group identities (Smith 2002; Doherty 2006). This is likely to be especially challenging for transnational networks that bring together a highly diverse range of organisations from very different cultural, political and material contexts. The three networks portrayed here have responded to this challenge in different ways.

i. Friends of the Earth International: building global solidarity

On its website FoEI introduces itself as the “world’s largest grassroots environmental network” (FoEI n.d. ‘FoEI homepage’). FoEI differs from both Greenpeace and WWF in the particularly democratic and participatory nature of its internal decision-making processes and its relatively radical agenda (both aspects will be discussed below). Its approach is firmly anchored within the ‘environmental justice’ tradition of environmental

⁶³ The CBD Alliance presents a ‘special case’ in that it does not have formal members but sees its role as a ‘platform’ or ‘broker’ to support the CSOs working in the context of the CBD. In this chapter, a brief overview of the CBD Alliance is mainly provided as a basis for comparison with CAN.

thought: it criticizes the neoliberal underpinnings of the current system of global governance and treats environmental progress as inextricably linked to social justice, human rights and the empowerment and participation of marginalised communities. FoEI makes a direct connection between the values it espouses internally and the change it seeks in the world: its mission statement includes “living the change we wish to see and working together in solidarity” (FoEI n.d. ‘Our mission and vision’).

Friends of the Earth was founded in San Francisco in 1969 by David Brower, who had just resigned from his position as executive director of the Sierra Club (Carmin and Bast 2009, 356). Frustrated by what he perceived to be serious flaws in the Sierra Club’s organisational model and approach, Brower envisaged the new organisation to be transnational, decentralised and overtly political. Together with environmental activists from four countries (France, Sweden, England and USA), he established the international layer of Friends of the Earth, FoEI, in 1971 (Doherty 2006, 863). Brower used the image of the Californian ‘bristlecone pine’ to explain his vision of FoEI’s organisational structure: there would be “no hierarchical coordinator and no highly organised bureaucratic structure” but “each bristlecone, given a chance, knew exactly what to do, and can last far longer than anything we ever dreamed up” (Brower 1985 quoted in Timmer 2007, 5). Decentralisation, the autonomy of member groups and flat decision-making structures were thus integral elements of the network from the start.

Soon after the organisation had been created, FoEI became an active player in the anti-nuclear movement. It also lobbied hard to ban whaling in the 1970s (thus contributing to the 1982 moratorium on commercial whaling) and turned its focus to ozone-depleting substances, tropical rainforests and pesticides in the 1980s. During this time FoEI started to welcome more and more member groups from the global South into the network.⁶⁴ That decade

⁶⁴ See appendix in Doherty 2006, 878-880

the organisation also began campaigning for the adoption of social and environmental standards by the World Bank. In the 1990s, FoEI intensified its efforts directed at international organisations such as the World Bank, the IMF and the WTO, calling attention to the anti-environmental record of these institutions. While FoEI has always pursued a dual strategy of protest and ‘inside’ lobbying, the network appears to have shifted towards a greater emphasis on ‘resistance’ over recent years. Today FoEI stands for a highly political and socially progressive form of environmentalism whereby ‘green’ issues and questions of equity and justice are inextricably linked. This is well illustrated by FoEI’s six international programmes and campaigns in 2009: climate justice and energy; food sovereignty; agrofuels; forests and biodiversity; economic justice – resisting neoliberalism; and gender.

ii. Exploring forms of responsiveness within FoEI

Responsiveness to members

FoEI is structured as a federation, made up of 77 Friends of the Earth member groups and 13 affiliates around the world in 2009 (FoEI 2010b). Anheier and Themudo define a federation as an organisation “based on the principle of subsidiarity, whereby power rests with the local units rather than the coordinating centre” (2002, 204). Through its national groups (which are often umbrella groups bringing together other local organisations), the network unites more than 5000 local groups and claims to have over two million members and supporters (FoEI n.d. ‘Who we are’). The network has an international secretariat based in Amsterdam, which was set up in 1981. Its small size relative to the international headquarters or secretariats of WWF and Greenpeace – it employed around 20 staff and volunteers in 2009 (FoEI 2010b) – is a good indicator of the fact that FoEI is not a ‘top-heavy’ organisation and that power resides with the member groups. According to the 2009 financial report, FoEI’s annual income was 2.7 million Euros, of which only 12% came from membership fees from the

member groups, and the majority (86%) from other donors (FoEI 2010a).⁶⁵ FoEI's most important donors in 2009 were the Dutch Ministry of Foreign Affairs, the Isvara Foundation, Novib and the European Union. The work of the international secretariat is overseen by the executive committee which meets several times a year and is elected by the member groups at the biannual general meeting (BGM).

FoEI is very decentralised: the national members are autonomous organisations that comply with the guidelines established by the federation. Unlike in the case of WWF or Greenpeace, which 'set up' national offices in new countries, already existing local groups apply for membership to the FoEI network. So, for instance, Citizens for Justice is also Friends of the Earth Malawi, and Otros Mundos, a Mexican community-based organisation working with people from cooperatives, communities and social organisations, constitutes Friends of the Earth Mexico. New members are encouraged but not obliged to adopt the name 'Friends of the Earth' in their own languages and only about half of them have done so. Potential members should meet a number of criteria, for example, alignment "with FoEI's vision (of both the federation and the world), core values and mission"; they should "have participatory democracy or other forms of participatory decision-making processes"; and "work effectively on both the national and grassroots levels, and work to strengthen social movements in their local, national and international contexts" (FoEI n.d. 'Criteria for membership'). New members have to be approved by the BGM and are first accorded 'associate' status for a couple of years before they are upgraded to full members (also at the BGM). Not all applicants make it to full membership status and those who do can still be "expelled for corruption, other infringements of rules or for failure to maintain effective campaigning" (Doherty 2006, 864).

⁶⁵ Note that these figures are for the international body only, not the network as a whole. Contributions by individual supporters are made the national member groups for whom this constitutes a main source of income.

The BGM is the main global decision-making body within the network. The meeting lasts one week and allows delegates from the member groups to strengthen their personal bonds and engage in in-depth discussions about the network's values and priorities, about current campaigns and future strategic direction, and the most appropriate forms of interaction and coordination among the groups. Besides the global BGM, regional meetings also provide important venues for bringing together more limited groupings of members. Representatives report at the BGM on the outcome of the regional discussions. Although the network only had two formal regional structures in 2009 (FoE Europe and FoE Latin America and the Caribbean), similar but less formalised groupings also exist elsewhere. Further strengthening regional cooperation and delegating "more development and decision-making processes to the regional structures" are considered important elements of FoEI's membership development strategies. This also implies creating "space for regions to take on additional political objectives and strategies that are more regionally relevant" (FoEI 2010b). Exchanges at the regional level are considered particularly valuable because they are less likely to be hampered by language and cultural differences and members can jointly "map out the political landscape facing the region" (interview with climate campaigner, FoEI, 06.05.2010)

Timmer finds that the BGM constitutes the "lifeblood of the organisation" (2007, 166), thanks to the vibrant exchange that takes place among the members. All members enjoy an equal vote at the BGM (although decisions are usually taken by consensus rather than voted upon), irrespective of their financial contributions to the network or the size of their own member constituencies. Due to FoEI's geographical spread, Southern member organisations hold the majority of votes at the BGM. One consequence of this is that individual members in the North are formally underrepresented in the network since the Northern based groups tend to have much larger

individual membership bases (Anheier and Themudo 2002, 212).⁶⁶ FoE Germany (Bund für Umwelt und Naturschutz), for instance, with 350,000 individual members has the same formal voting strength as FoE Chile with 4,450 members (Doherty 2006, appendix).⁶⁷ These differences reflect the organisational diversity within the network: member groups are not required to conform to a particular form of organisation and do not have to have a large base of individual members.

Because FoEI values the diversity of its member groups and does not seek to present a 'unified front' to the outside world, its website includes relatively open descriptions of the tensions and disagreements that can occur in the process of searching for consensus within the network. This is, without a doubt, an important difference to more 'brand-oriented' organisations such as WWF and Greenpeace. One consequence of FoEI's commitment to a decentralised structure, bottom-up decision-making processes and respect for the wide diversity among the members is that the network is sometimes slow to come up with global positions and that, "any claim about the identity or strategy shared by the Federation is (...) recognised as potentially difficult" (Doherty 2006, 872). FoEI develops global positions in response to demands by members: "if national member groups want us to have a stronger or different position at the international level" (interview with climate campaigner, FoEI, 06.05.2010). The process can be "long and arduous" since the network tries to make sure that the relevant documents are, where possible, available to groups in their own language and that there is sufficient time for discussion in "national and regional spaces" (ibid). Rather than working for the international secretariat in Amsterdam, the campaign coordinators are often based with national member groups. Unless members have jointly agreed on a specific position, campaigners will shun away from making statements on behalf of the federation on these issues. Individual

⁶⁶ However, due to the strong emphasis on reaching consensus through deliberation within the network, formal voting power is likely to be of secondary importance.

⁶⁷ The number of individual members relates to the year 2002.

member groups are, however, still entitled to put forward their own positions as long as they do not claim to speak on behalf of the federation as a whole.

In 2006, the network adopted – for the first time – a strategic plan for FoEI. FoEI emphasize that the process of arriving at the plan was “bottom-up, inclusive and participatory, and was based on our engagement at the local level and with grassroots communities.” The outcome is, according to FoEI, a “powerful and profound reshaping” of their international work, with the aim to “transition from a lobbying and advocacy organisation into a worldwide environmental movement that supports the grassroots activities of its member groups, mobilises people to act in solidarity with each other, and promotes socially just and environmentally sustainable societies” (FoEI 2007, 3). The new strategic plan consists of four key strategic themes for the next ten years: “mobilise”, “resist”, “transform”, and “strengthen Friends of the Earth International”. The objectives covered by these themes include: “to continue the gradual shift of our network towards a truly grassroots environmental movement” and expanding links with other social movements (‘mobilise’); the grounding of all work in local realities while using influence at the international level to challenge the global economic system (‘resist’); promoting more sustainable production and consumption patterns (‘transform’); and building the capacity of member groups at all levels (‘strengthen Friends of the Earth International’) (FoEI 2008). According to Doherty’s (2006) excellent analysis the strategic plan is the outcome of a challenging process of “negotiating a transnational identity” to overcome a number of ideological fissures that brought FoEI close to breaking point around 2002/2003. One outcome of this process was a stronger embrace of Southern positions by the network as a whole; another was the re-affirmation of the value of diversity among members. This is well illustrated in this quote from the 2008 Annual Report:

“FoEI has become strong enough to allow for disagreement and uncertainty. We can accept that immediate solutions aren’t

always available; and that processes themselves are an essential part of the solutions. These solutions do not determine who is right and who is wrong; they are founded in the process of respecting different realities and perspectives and building the answers together” (FoEI 2009b).

FoEI’s crisis started when Accion Ecologica (FoE Ecuador) announced its departure from the network due to what they considered to be unbridgeable differences between the network’s Northern and Southern members. Doherty argues that it was the 2002 WSSD which brought many of the North-South tensions among FoEI’s member groups to the foreground (Doherty 2006, 868); these had, however, already been simmering prior to this. In a 2000 edition of FoEI’s newsletter, for instance, Kevin Dunion, former chair of FoEI, refers to a number of “deep-rooted concerns” within the network. He particularly points to the different positions among members vis-à-vis the ‘environmental space’ versus ‘ecological debt’ debate⁶⁸; unhappiness among Southern groups about campaign planning being too influenced by short-term tactical considerations such as getting media coverage and fundraising, whereas they would like more emphasis on structural causes in FoEI’s campaigns; and concerns among some Southern groups regarding the willingness of Northern members to engage with corporations and promote various forms of corporate accountability (Dunion 2000).

In spite of the apparent North-South dimension, Doherty points out that the debate was, in fact, more nuanced and that both among the developed and the developing country member groups there were differences in opinion as to how radical a stance FoEI should adopt in its rejection of capitalism and its strategy to support this goal (Doherty 2006, 860). As the debates became more heated, FoEI members decided to embark on a process of reconciliation and to focus on redefining and acknowledging the bonds holding the network

⁶⁸ The concept of ‘environmental space’ implies “equal rights to resource consumption for all peoples of the world within the carrying capacity of the planet” (FoE Netherlands 1992), whereas ‘ecological debt’ also encompasses the recognition of the historical responsibility of industrialised countries: “the cumulative debt of northern industrialised nations to Third World countries for resource plundering, biodiversity loss, environmental damage and the free occupation of environmental space to deposit wastes” (FoEI n.d. ‘Ecological debt).

together. To this end FoEI convened an extraordinary general meeting (EGM) in Cartagena in September 2003 where they experimented with a number of new forms of dialogue among members groups. Doherty highlights the use of the 'Open Space' method, whereby "participants were assumed to be individuals, not representatives of groups" and "to have no differentiating commitments or responsibilities" (Doherty 2006, 873). This observation is interesting, as it suggests that FoEI was keen to discourage participants from understanding their role in terms of 'speaking for' a wider constituency – be it their colleagues back home, the members of their national organisation, or the grassroots they may be working with. However, the point does not necessarily apply to the other forms of communication employed at and around the 2003 EGM, including an internet discussion forum and an inner/outer circle method, "which uses a delegate system to make debating and decision-making about issues among 68 member groups more manageable" (FoEI 2004, 6).

In 2004 the network started to undergo a "strategic visioning and planning process" designed to "address issues such as solidarity, alliance building, political differences, decision-making, internal leadership, identity and participation" (FoEI 2005, 3). In 2005 this process led the network to adopt a new mission statement. The new mission statement consists of six principles that demonstrate clearly the central importance of environmental justice to the values espoused by FoEI. In fact, only one of the six principles is devoted to purely ecological objectives ("halt and reverse environmental degradation and the depletion of natural resources"), while all others emphasize social justice, the need for societal change, democratic empowerment, grassroots participation and solidarity. The adoption of the strategic plan mentioned above is another outcome from this process.

Responsiveness to local communities

Strengthening the participation by communities in the decision-making processes (at the local, national and international level) that affect them is a

core element and objective of FoEI's work. Among the many examples of member groups' projects designed to support this aim is the work by FoE groups in Indonesia and Papua New Guinea with mining-affected communities so that these were better able to input into the World Bank's Extractive Industries Review (FoEI 2004); FoE Columbia's efforts to build the capacity of local communities to actively participate in the national debate on water privatisation (FoEI 2008); and the exchanges between communities affected by the West African Gas Pipeline project organised by FoE groups in Nigeria, Ghana and Togo (FoEI 2007). In this work, the network is guided by the objective to empower local communities and to "(open) up spaces so that they can speak for themselves" (interview with climate campaigner, FoEI, 06.05.2010). The closeness to the grassroots – through its own member groups and through alliances with social movements – is an absolutely integral part of FoEI's self-understanding and the network prides itself in the fact that: "Our international positions are informed and strengthened by our work with communities, and our alliances with indigenous peoples, farmers' movements, trade unions, human rights groups and others" (FoEI n.d. 'About Friends of the Earth International').

Although FoEI describes itself as a 'grassroots network', there are different conceptions among its members of who the 'grassroots' actually are, how member groups relate to the grassroots, and to what extent their position can and should be informed by their work with the grassroots. At the 2008 BGM, FoEI member groups discussed these questions and agreed to use the term 'grassroots' to refer to "communities affected by injustices or unsustainable development. Also, people who are coming from those communities, who are organising themselves and are working for change, are considered 'grassroots'. This includes both people from the North and South." They acknowledged, however, the difficulties associated with any claims to 'speak for' grassroots communities and came to the conclusion that, "To ensure the integrity of our work, we also emphasised the need to recognise that the

priorities of the grassroots inform our work, but they do not define our political agenda or campaigns” (FoEI 2009b).

At the BGM in Croatia in 2004, Ricardo Navarro, the retiring chair of FoEI, called the organisation a social movement as opposed to an NGO (Doherty 2006, 867). FoEI has since distanced itself from this description, again as a result of an internal discussion on its role in the broader political context of different social movements: “It is clear that FoEI is not a movement. We are an international network of grassroots organisations. In the broader context, FoEI acts as a social change organisation which aims to move a movement of people in support of our vision and mission, which is based upon principles of social justice and environmental sustainability” (FoEI 2010b). What is clear is that the network’s alliances with a number of social movements are an important facet of FoEI’s work and are continuing to shape FoEI’s identity. These alliances also present key components of FoEI’s strategic plan, which states under the theme ‘mobilise’: “Our members want to proactively expand our alliances with other movements, including labour, women, and indigenous peoples, and to build broad public support for our activities” (FoEI 2008). Of particular importance to FoEI is the alliance with La Via Campesina. La Via Campesina, “the international movement which brings together millions of peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants and agricultural workers from around the world,” has around 150 organisational members from 70 countries in Asia, Africa, Europe and the Americas (La Via Campesina 2011). Besides La Via Campesina, FoEI is also working to establish a similar relationship with the World March of Women.

iii. Responsiveness in FoEI: motives, challenges and effects

Many of FoEI’s international positions are influenced by its work with local communities and social movements in the global South. This is the result of both FoEI’s commitment to decentralisation within the network (“ensuring the programme strategies are rooted in local realities, and that FoEI policy

proposals reflect the priorities of those communities most affected by unsustainable development” (FoEI 2010)) and its strategy of working closely with social movements at the level of strategy development and in organising joint activities. For instance, La Via Campesina developed the idea of ‘food sovereignty’ in the run-up to the World Food Summit in 1996. FoEI’s international food sovereignty programme works to further the objectives of the ‘Nyeleni Forum’ (the first World Forum for Food Sovereignty) held in Mali in 2007 and organised by La Via Campesina and other social movements from the global South. Many of FoEI’s activities in the food sovereignty programme are organised jointly with La Via Campesina. Similar relationships exist in FoEI’s climate justice and energy programme where in 2009 the network also collaborated with La Via Campesina, the World March of Women and the new Movement of Victims Affected by Climate Change in Central America (FoEI 2010).

FoEI does not only promote the global justice agenda in its international positions, it also seeks to ‘live’ social justice and democratic forms of interaction within the network. The fact that the network has come to espouse values around participation and social justice both internally and towards the outside world makes FoEI a particularly interesting case to study in researching the idea of NGOs as democratic links between marginalised communities and global institutions:

“A microcosm of the planet earth, our small, diverse network is familiar with both conflict and solidarity. We strongly believe in the need for democracy, transparency, accountability, participation and equity in decision-making at all levels, not only within our organisation but also at the governmental and institutional levels” (Navarro 2004, 3).

Why has FoEI prioritised responsiveness to the grassroots to such a degree and made it such an integral part of its own identity? What are the challenges associated with the commitment to decentralisation, bottom-up decision-making processes and closeness to local communities and social movements? And does this make the network a particularly good example of how

international networked civil society organisations may act as 'democratic transmission belts' in world politics?

The particular outlook and values that have characterised FoEI from its inception are clearly central explanatory factors. Despite the considerable diversity among its members, it is the convergence around common values that keeps the network together. These values are not based on a narrowly ecological or conservationist interpretation of environmental politics. More than many other international environmental NGOs, FoEI has always emphasised the 'human' dimension of environmental politics, and has linked environmental struggles to a wider social justice agenda: "we take an unusual stance among environmental groups, in that we focus almost as much on social justice issues as on environmental issues, and we are very interested in the intersections between environmental and social issues" (FoE spokesperson quoted in Carmin and Bast 2009, 357)

This means that FoEI's focus is more naturally aligned with the demands of civil society groups in the global South than other environmental groups that also originated in the global North. Moreover, this focus positions the network as a key player in both the global environmental and the global justice movement, so that it can assume the dual roles of pushing for a greater recognition of justice issues in the environmental arena, as well as highlighting the environmental dimension within the global justice movement:

"Often the political priorities of non-environmental organisations correspond more closely to our agenda than the campaign priorities or strategies chosen by our environmental colleagues at WWF, Greenpeace, or groups within the Climate Action Network", so that, "it is our task to push for issues of social justice within their more purely environmental agenda" (FoEI secretariat summary document for NOVIB, 2003, quoted in Doherty 2006, 867)

"The deeply entrenched view that the development process is a critical source of environmental problems, and therefore that

environment can not be separated from human rights and social equity, shapes the specific ways in which FoE engages the global justice movement” (Carmin and Bast 2009, 357)

Closely related to these worldviews are FoEI’s commitments to internal democracy, solidarity with social movements and participation by the grassroots. While the distinction between internal and external lines of accountability is useful in analysing more hierarchical and ‘closed’ groups such as WWF and Greenpeace, differentiating between members and grassroots or local communities becomes much harder in the case of FoEI. As was already described above, FoEI considers itself a network of grassroots organisations and has pursued a deliberate strategy of decentralisation and valuing, rather than suppressing, the diversity among its member groups. This is only possible because of the fact that FoEI is less concerned about maintaining a ‘unified front’ vis-à-vis the outside world and sees the autonomy of its member groups together with the potential for conflict, and its ability to address these conflicts through dialogue, as integral elements of its identity.

FoEI’s commitment to democratic and equitable forms of dialogue among its members (where the influence of member groups is decoupled – at least formally – from financial clout and the number of individual supporters) has allowed for a stronger embrace of Southern positions by the network. The period of conflict and internal debate that FoEI experienced after the departure of Accion Ecologica in 2002 mirrors similar conflicts experienced by other transnational social movements:

“In particular, political conditions faced by activists from much of the global South lead them towards more radical critiques and more confrontational strategies for change. Northern activists may or may not adopt the structural critiques of their Southern counterparts, but they tend to adopt reformist strategies that are more consistent with institutionalized political discourse and practices” (Smith 2002, 521)

In the case of FoEI, the international network has come to embrace the views of its Southern members even more fully over recent years. In the

'environmental space' versus 'ecological debt' debate for instance, the network has embraced demands for recognising the latter. Moreover, FoEI rejects market-based mechanisms such as REDD or carbon markets as solutions to environmental problems. One interesting consequence has also been a shift of focus away from international institutions. In becoming more participatory and committed to local voices, social movements and the grassroots in the global South, FoEI has also become more radical in its opposition to dominant institutions and seems to be distancing itself from pursuing direct engagement with state elites, market players and many international organisations. The 2007 annual report states that "(o)ur participation in international fora will thus become secondary to our resistance work" (FoEI 2008). This stance contrasts with earlier depictions of FoEI's strategy; Wapner, for example, locates the activities of FoEI at the "intersection between national and international processes" and describes how the organisation lobbies state officials directly, promotes more responsible corporate practices (through its involvement in Ceres for instance), and tries to influence international institutional structures (Wapner 1996). Judging from more recent analyses of the network (Doherty 2006; Rootes 2006) and from the way FoEI portrays itself in its own words, this characterisation needs to be at least partially revised.

This observation needs to be qualified with two further remarks. Firstly, the disillusionment with international intergovernmental processes is most pronounced among Southern groups. They are thus more likely to shun international meetings than Northern groups. One interviewee suggested that this might reinforce skewed attendance patterns at international intergovernmental conferences, where Northern groups are still choosing to participate as NGO observers while Southern groups are more interested in alternative fora and local and national processes (interview with director of Global Forest Coalition⁶⁹, 07.04.2010). Although FoEI as a network may

⁶⁹ The individual was formerly a campaigner for FoEI.

decide to focus more on domestic and local actions and less on the UNFCCC process for instance, members groups from Europe and North America still choose to attend the meetings of the climate convention as national FoE groups. As a result, the attendance pattern of delegates from FoE groups at the international negotiations might continue to be regionally unbalanced, and not only because of different financial resources by member groups. The result is that, “although FoEI doesn’t want to have a regionally unbalanced team they will always have it because of people’s own will. You can’t tell people please don’t show up at the climate negotiations because we have too many Europeans there” (interview with director of Global Forest Coalition⁷⁰, 07.04.2010).

Secondly, as was also remarked by an interviewee, the political demands of a number of Latin American left-wing governments resonate with the demands of social movements and the positions espoused by FoEI (interview with climate campaigner, FoEI, 06.05.2010). This means that even within the intergovernmental processes, there are “official” voices that have adopted the language of the anti-hegemony and the ideas of global justice that FoEI pursues as alternatives to the neoliberal world order.

The case of FoEI raises a number of challenging questions for the idea that NGOs can act as conduits between local communities and global policymaking processes. If the ‘local’ is actively resisting the ‘global’ (Fogel 2004) the logical consequence for a grassroots-based organisation may be to turn away from global institutions in the search for alternative paradigms and venues. However, given the great diversity within the FoEI network, such a conclusion is not necessarily applicable to all member organisations and different national organisations may choose to pursue their own strategies vis-à-vis their governments and intergovernmental fora. Moreover, even within the intergovernmental processes multiple and competing discourses can be found. Some of these discourses are closer to the environmental

⁷⁰ The individual was formerly a campaigner for FoEI.

justice agenda espoused by networks such as FoEI and therefore present the possibility for these organisations to align themselves with the demands of individual governments.

iv. The Climate Action Network

CAN differs from the three international ENGOs described in this and the previous chapter in that it is actually a coalition of autonomous and very diverse NGOs that have come together with the explicit purpose of shaping global climate policy. The vast majority of CAN's activities are targeted at the UNFCCC. As an example of an influential NGO network that operates specifically at the interface between one particular international institution and the wider NGO community, CAN constitutes an interesting object for further investigating some of the questions set out in chapter V. Many large international NGOs, including WWF, Greenpeace and FoEI, have played important roles in CAN since its creation and CAN has certainly influenced the strategies these organisations have employed vis-à-vis the climate convention. Moreover, CAN unites a wide range of NGOs from around the world within its network and therefore constitutes an interesting case study in its own right in investigating how and whether local communities are in fact represented by international NGOs vis-à-vis global environmental policymaking bodies. Due to the particular focus of CAN (on the UNFCCC) and the fact that it is actually a 'coalition' of independent NGOs, it can, however, not be directly compared to the multi-issue, transnational groups portrayed thus far.

CAN's vision is of "a world striving towards and achieving the protection of the global climate in a manner which promotes equity and social justice between peoples, sustainable development of all communities, and protection of the global environment" (CAN 2002). As of early 2010, CAN claims to have over 500 member organisations worldwide, although that number has substantially risen further since (CAN n.d. 'About CAN'). CAN acts as the designated 'constituency focal point' for the environmental and

development NGOs with observer status at the UNFCCC. Its responsibilities in this role include acting as a conduit for the exchange of official information between the constituency members and the secretariat, and coordinating observer interactions at sessions. During the UNFCCC sessions, CAN organises regular meetings among its members to help them share information and expertise about the issues under negotiation and coordinate their activities. CAN also produces the ECO newsletter, a short bulletin which is published daily during the negotiations and presents a critical commentary on the proceedings, and is an important source of information for both civil society and governmental attendants. Moreover, CAN has developed a tradition of holding a 'Fossil of the Day' ceremony during which the governmental party (or parties) that – according to CAN – has (or have) been the biggest obstacle to progress on a given day is singled out and awarded this 'prize'. During high-profile negotiations such as the Copenhagen summit, this ceremony manages to attract considerable media coverage. CAN's activities are coordinated by a small international secretariat (with four and a half permanent staff as of March 2010 (interview with executive director, CAN International, 17.03.2010) which used to be based near the UNFCCC secretariat in Bonn but is now located in Washington DC.

v. Exploring forms of responsiveness in CAN

The origins of CAN date back to an NGO meeting in Loccum (Germany) in 1989, where several European and North American environmental NGOs decided to work in a concerted fashion in order to push for more intergovernmental action on global climate change. The participants included both scientific and research organisations and advocacy groups, as well as international and national organisations. The three large international environmental NGOs discussed thus far – WWF, Greenpeace and FoEI – were all present at the meeting (McGregor 2009, 95) and have played important roles in the network since. Around the time of its creation, CAN consisted of 63 NGOs from 22 countries and operated initially under the guidance of the Environmental Defence Fund (EDF) and Greenpeace (Newell 2000, 126).

Although CAN's early member groups were all from developed countries, these participants undertook deliberate efforts to expand the network to include groups from Southern countries (McGregor 2009, 107). By 1993, CAN had seven regional blocks "as networking nodes with individual coordinators and subsets" (Duwe 2001, 179): Europe, Central and Eastern Europe, South Asia, South-East Asia, Africa, Asia, Latin America, the United States.

In line with its geographic expansion, CAN's membership has also grown rapidly over the years: from 63 member organisations when it was first founded in 1989, to 333 members groups in 2002, and over 500 member organisations as of early 2010 (CAN n.d. 'About CAN'). At the same time, the composition of CAN's membership has become more diverse – a reflection of the growing awareness of the climate change problem among individuals and organisations that are not from a 'traditional' environmental background. CAN's members began to include groups as varied as development organisations, churches and consumer NGOs (interview with board member, CAN Europe, 09.11.2009). This considerable growth in membership can itself be seen as a form of authorisation (Castiglione and Warren 2006), and it has arguably strengthened not only the legitimacy of the network but also its credibility and influence with governmental delegates (interview with executive director, CAN International, 17.03.2010). On the other hand, maintaining a consistent and manageable flow of information, overcoming power and resource differences to enable equal participation, developing common positions and coming to consensus on what are often highly controversial questions have become increasingly challenging objectives. The considerable expansion in membership also prompted CAN to undertake a number of initiatives to develop more formalised democratic decision-making structures within the network that can be reconciled with the need for effectiveness. The adoption of the CAN charter in 2002 is a notable example.

CAN started work on preparing a formal document, outlining and clarifying the membership rules, network rules and guiding principles for network governance in 2001. Prior to this, CAN had been described as an “informal network with a specified but unwritten set of rules for good conduct” (Duwe 2001, 179). CAN’s members discussed and accepted the draft charter at the CAN general assembly held in October 2002 at COP8 in New Delhi (McGregor 2009, 130). Some members voiced their concerns about the network becoming too centralised and one organisation – the Climate Network Africa, based in Kenya – withdrew as a result (ibid). The new charter requires CAN members to “respect and apply the rules of this Charter, support the vision, mission and activities of CAN, and bind itself to the CAN Code of Conduct” (CAN 2002). The charter also recognises “that voting by members will not promote fairness of decision-making” since the “CAN membership is not equally representative of all national, regional and other constituencies” (CAN 2002). Instead, CAN strives for “sufficient consensus” whereby “the support for a decision by most of the members in their constituent groups, with only a small minority dissenting, will also be deemed to be full consensus in special circumstances” (CAN 2002).

Organisations that want to join CAN apply for membership to their regional nodes. ‘Nodes’ are associations of CAN members in a particular country or group of countries. With the exception of large international NGOs (who apply to and are only members of CAN International), organisations are asked to become members of their national and regional nodes, which makes them members of CAN International by default. The nodes are an important feature of CAN’s governance structure as they assume a representative role for the member groups in their respective countries or regions (which does not preclude the direct participation by individual groups in the development of CAN’s positions). They also play an important role in coordinating a common perspective among a more tightly knit national or regional ‘sub-community’ of member groups within the larger network. National and regional nodes are expected to have their own governing bodies, “based on

principles of accountability to its members and transparency” (CAN 2002). The network is particularly keen to strengthen cooperation and interaction among member groups at the regional level and has undertaken a number of initiatives to that effect, such as regional capacity building workshops. The significance attached to the regional nodes is also reflected in the provisions governing the CAN general assembly, the highest decision making body of the global network. The charter requires the general assembly to be convened at least every two years but in practice meetings tend to happen more frequently as they take place around the UNFCCC sessions. For the assembly to be properly convened, at least 90% of the following must be present: representatives of each national node or their corresponding regional node, each regional node, as well as representatives of each of the international member NGOs (with offices in more than 20 countries) (CAN 2002). The assembly is tasked with addressing “the vision and strategy of CAN, and both the substance of future climate solutions as well as the governance, administration and funding of the global network” (CAN 2002).

Policy working groups within the network develop CAN’s positions on the more technical issues under discussion in the climate negotiations. These thematic sub-groupings are open to any interested CAN member and most of CAN’s positions are first debated and developed within these working groups, before a draft position statement is circulated among the broader CAN membership for comments and approval. Due to the size and geographical spread of the network, policy discussions happen to a large extent in electronic form, for example via the internal email exchange or through web-based collaborative editing tools. The UNFCCC COPs and other inter-sessional meetings constitute important opportunities for face-to-face discussion. For policy proposals to become official CAN policies they need to be endorsed by members on a non-objection basis. In practice, this can mean that “if we put forward a draft position and don’t hear any objections within an ample time period, it’s taken as consensus” (interview with executive director, CAN International, 17.03.2010).

An earlier in-depth case study of CAN was undertaken by Duwe (2001) and is based on primary research conducted mainly prior to September 2000. While he finds that the network coordinators are committed to the idea of the network as a truly global community, language, funding and capacity differences among members still constitute practical challenges to equal participation. Power differences are, for example, evident in the fact that CAN Europe and US-CAN maintain permanent offices with full-time staff in Brussels and Washington respectively, whereas most of the other regional coordinators are dividing their time between their own NGOs and the work for CAN (Duwe 2001, 179). Duwe identifies different perceptions among the network members towards CAN itself and the network's ability to help address the root causes of global climate change. While some groups focus almost exclusively on the environmental challenge, others emphasize the equity dimension of climate politics. He also finds that some individuals ("those disappointed or preoccupied with other work or issues") feel antagonised and excluded from the dialogue (Duwe 2001, 185). Duwe identifies as a main reason for the discontent of some members the fact that the participation of many Southern NGOs at the international negotiations is funded by donors via CAN – this places the network coordinators in a position of power vis-à-vis these groups who depend on CAN in order to be able to send a representative to the UNFCCC sessions (Duwe 2001, 188). In spite of these problems and tensions, he finds that "CAN has institutionalized the inclusion of underrepresented views to some extent, and that there are valuable initiatives to facilitate cooperation" and concludes that "existing efforts and mechanisms and the visible potential for transcending severe gaps in priorities and capacity outweigh the power imbalances" (Duwe 2001, 189).

A number of developments have taken place within CAN since 2001 that demonstrate the network's awareness of the problems identified by Duwe and its intention to address them. CAN's secretariat is formally charged with

ensuring “sufficient voice from the developing world” when organising global meetings, largely through making appropriate funding arrangements, and has also appointed a designated ‘Southern Capacity Programme Coordinator’ to help the network to achieve this goal. While CAN has been running capacity building projects on a small scale for a number of years, the additional funding (from foundations and a few governments) available in the run-up to the 2009 Copenhagen Summit allowed the network to scale up and consolidate its ‘Southern Capacity Building Programme’ (interview with executive director, CAN International, 17.03.2010). The programme “aims to strengthen the capacity and voice of CAN Southern NGO members to influence the international and national negotiation processes towards creating a robust post-2012 global architecture for climate protection efforts” (CAN n.d. ‘Southern Capacity Programme’). According to CAN International’s executive director, the early stages of the programme have shown success “in reinvigorating some of the different CAN regions and have led a number of Southern participants taking on coordinating roles or engaging more extensively in the different policy working groups” (interview with executive director, CAN International, 17.03.2010). The programme works with “a group of participants representing all regions of the world that are equipped with relevant knowledge and skills to engage with their respective decision-makers at home as well as during the negotiations” (CAN n.d. ‘Southern Capacity Programme’). Starting in 2010, CAN has also provided regular funding support for ‘Southern Capacity Programme Fellows’ from a cross-section of developing countries, including (in 2010) Tuvalu, Indonesia, Uruguay, the Ivory Coast, India, Senegal, Bhutan and others, to enable their attendance at UNFCCC events and more active participation in the activities of CAN. As part of the ‘Southern Capacity Building Programme’, CAN now also publishes a short newsletter called ‘Voice’ in which it presents “Frontline views – voices from communities in developing countries most affected by escalating climate change impacts.”

vi. Responsiveness in CAN: motives, challenges and effects

Two of CAN's strategies as set out in its 2002 charter are "contributing to the establishment of global, regional, national and local climate change agendas through mobilising a genuinely inclusive civil society process at all levels" and "addressing the participatory gap through the creation of inclusive processes" (CAN 2002). Since the network does not have individual but organisational members, any grassroots work is undertaken by the members groups directly and autonomously.⁷¹ CAN does not set out requirements for internal democracy within the member groups since it brings together such a wide range of organisations, of which membership based groups are only one category. Moreover, CAN itself does not engage in on-the-ground work – its mission is to "influence the design and development of an effective global strategy to reduce greenhouse gas emission" (CAN 2002). Assessed from the perspective of its potential contribution to overcoming the democratic deficits in global climate policy processes, the network is able to point to its global membership, its ability to formulate common positions despite the considerable diversity of its member groups, and its efforts to strengthen the voice and participation of Southern civil society groups, both within CAN itself and the global climate policy-making process more broadly. Much hinges upon the internal power dynamics within CAN and the ability of Southern groups, particularly of organisations with close and credible links to communities in the global South, to shape the network's positions and policies.

The rapid increase in the number of member organisations since when it was first founded, and especially over recent years, has strengthened the role of CAN vis-à-vis policymakers and delegates in the climate negotiations and has enabled the network to speak with a more global voice than before. As it became more diverse, however, both geographically and in terms of the

⁷¹ This is why the previous section looked only at forms of responsiveness to member organisations and not to 'external' local communities (which was also assessed in the discussions of the three multi-issue INGOs).

range of concerns and priorities of its members, CAN had to develop decision-making structures that would be responsive to members but also allow the network to develop joint positions on the growing number of issues under discussion in the climate negotiations. As with other networks, the development of common positions has become more difficult as CAN has expanded in size. One interviewee argues that CAN was in fact more effective in the past and has lost some of its flexibility and agility as a result of the inflow of new members. This is largely to do with the fact that many of the new members are not from a climate – or even a traditional environmental – background and only have a “particular or temporary interest in climate change” (interview with board member, CAN Europe, 09.11.2009). The interviewee is critical of the fact that network has become “more ideological and less pragmatic” as a result (interview with board member, CAN Europe, 09.11.2009). Others, however, also see practical benefits in having to work through a wider range of perspectives in the development of common positions. Although this may render the process more lengthy, it also helps to open the eyes of those involved to the complexities of some of the most challenging issues – thus ultimately leading to stronger results:

“We have a really broad membership so just coming to consensus on really challenging policy positions can take more time and effort than in the past. I think we would all say it’s for the better in terms of having a thoroughly nuanced approach and position on difficult issues” (interview with executive director, CAN International, 17.03.2010).

In the case of CAN it was mainly the growing constituency of Southern member groups who tried to push for more emphasis on the equity aspects of climate politics in CAN’s common policy statements (Duwe 2001). Duwe recounts, for instance, a “heated exchange between the Indian Centre for Science and Environment (CSE) and the US World Resources Institute (WRI) in the run-up to Rio” (Duwe 2001, 179) over whether population growth or overconsumption constituted the root of the climate problem. While CAN has come to embrace many of the concerns of its Southern members more fully

since then, there are certain issues on which it is difficult for some of the groups to see eye to eye. Speaking about forest policy, one interviewee claims, for example, that “CAN has not been able to get a radical position on a lot of issues because of opposition from powerful US groups which are basically funded by large corporations” (interview with director of Global Forest Coalition, 07.04.2010).

The fact that certain differences among members cannot be bridged is also illustrated in the relationship between FoEI and CAN. As FoEI started to embrace a more radical climate justice agenda and became more committed to the rejection of market-based mechanisms, it found itself in growing disagreement with the more conservative environmental groups within CAN. In addition to these ideological differences, FoEI’s strong emphasis on internal participatory processes and working jointly with social movements also contributed to its growing detachment from CAN: “our way of working and developing our policies – that didn’t always tally with CAN. We are working through different kinds of processes” (interview with climate campaigner, FoEI, 06.05.2010). FoEI eventually decided to withdraw from CAN and started to work more closely with the new Climate Justice Now! (CJN!) network, which had emerged in the period after the Bali conference. Since international and national groups are admitted separately to CAN, however, some of the national FoE organisations have stayed members of CAN and FoE as a network therefore continues to maintain institutional links with CAN.

This considerable growth in membership since its creation has strengthened CAN’s claim to represent a truly global constituency of NGOs in its coordinating role vis-à-vis the UNFCCC. CAN has adopted an internal governance structure designed to allow its increasingly diverse membership to develop common policy positions. It has also undertaken important steps to address the very unequal distribution of resources – and hence ability to participate effectively in CAN and in the UNFCCC processes – among its

members. Nonetheless, very practical obstacles to participation remain, such as the near exclusive use of English as the language of communication within CAN (interview with director of Global Forest Coalition, 07.04.2010). It might also be hypothesized that the emergence of a 'rival representative' of Southern CSOs and social movements in the shape of CJN! has had positive effects on CAN's efforts to strengthen its responsiveness to Southern members over recent years, although this finding would need to be substantiated with more specific analysis.

vii. Comparison with the CBD Alliance

While in the case of the UNFCCC, CAN acts as the designated focal point for the constituency of development and environmental NGOs, no such formal umbrella organisation exists for the NGOs engaging with the United Nations CBD. The closest counterpart to CAN in the context of the biodiversity convention would be the CBD Alliance, a more informal network of civil society organisations and NGOs working on issues of biodiversity around the convention. Unlike CAN, however, the CBD Alliance does not have formal members. Instead, the alliance refers to the "global civil society community around the CBD" as its primary constituency, encompassing "non-governmental organisations, Indigenous Peoples' Organisations, community based organisations and social movements" (CBD Alliance n.d.). Its aim is to "facilitate more diverse, coordinated and effective civil society input into CBD policymaking (...) premised on the belief that global policymaking should be a transparent und democratic undertaking" (CBD Alliance 2012a).

Trying to undertake an in-depth investigation into forms of responsiveness within the CBD Alliance would be relatively meaningless in light of the fact that the CBD Alliance presents a much looser network than any of the organisations analysed thus far and possesses very little in terms of a permanent organisational infrastructure. A brief look at the CBD Alliance is, however, useful as a basis for comparison with CAN. The two networks differ not only in terms of their organisational structure but also in terms of the

importance they attach to speaking with one voice versus promoting a diversity of voices. While CAN tries to develop common policy positions within the network in order to be able to enhance the overall impact of civil society in the climate negotiations, the CBD Alliance openly acknowledges the diversity of perspectives and opinions among its affiliated organisations and thus avoids the search for consensus positions.

The main activities of the CBD Alliance include the “general coordination and communication among civil society throughout the inter-sessional and sessional periods”, the provision of financial support for Southern-based CSOs and indigenous peoples’ organisations and social movement representatives to participate in CBD meetings, and the publication and distribution of the ECO newsletter (CBD Alliance n.d. ‘What does the CBD Alliance do?’). The alliance emerged from a project started by the Environmental Liaison Centre International and only developed into a separate organisation between COP7 (in 2004) and COP8 (in 2006) (interview with coordinator, CBD Alliance, 11.05.2010). The CBD Alliance is not funded by the convention but, like CAN, has to raise its money from other sources: its core funding in 2010 came from SwedBio, the ‘Resilience and Development Programme’ of the Stockholm Resilience Centre (based at Stockholm University), with some additional funding coming from the Oxfam Novib Fund and the Christensen Fund. The alliance continues to struggle with funding shortfalls and operates on a very limited budget (interview with director of Global Forest Coalition, 07.04.2010).⁷² As of 2010, there was one fulltime and one part-time coordinator working for the CBD Alliance.

Describing its governance and organisational structure, the CBD Alliance admits that it “has always had a bit of an identity crisis: is it an Alliance, or a network? Does it have members? What *is* it?” (CBD Alliance n.d.). The same document explains that its loose organisational structure and ‘informality’

⁷² Precise figures were not available, as the CBD Alliance does not publish a financial report.

allow the alliance to keep its overheads low and avoid time-consuming decision-making processes. It also states that, “Given the current capacity of the CBD Alliance, in terms of staff, admin and funding, it is not feasible at this time to move towards a formal membership structure” (ibid). The alliance has a self-selected board with 11 members (for the 2009-2010 term), participation in which is open to individuals affiliated with various civil society groups around the CBD. Two seats on the board are reserved for representatives from the International Indigenous Forum for Biodiversity (IIFB). In May 2010 the alliance created a smaller executive committee from among the board members to manage day-to-day activities (CBD Alliance 2012a)

The CBD Alliance explicitly rejects any representative function on behalf of other civil society groups: “the Alliance does not represent civil society organisations around the CBD – nor do we speak for the diversity of civil society voices” (CBD Alliance 2012a). In its publications (such as the ‘media kit’ and the ‘Top 10 for COP 10’), the alliance is careful to point out that the objective is to present various viewpoints rather than to develop any consensus-based positions or demands. Instead, the network sees its role in the following terms: “The CBD Alliance does not represent any organisations, but rather we ‘add value’ to existing civil society work – we support the work of all organisations as per our mandate” (CBD Alliance n.d). It is up to the individual CSOs to decide how to draw on the CBD Alliance: “people develop common positions together and we provide the space for this to happen” through “continually providing the space for collectivities to form” (interview with coordinator, CBD Alliance, 11.05.2010). These may happen, for example, at the meetings organised by the alliance for civil society around the CBD meetings. Since there are only a limited number of speaking slots available for civil society representatives during the sessions of the CBD, the groups have to decide among themselves who will deliver a statement. However, even in these cases, civil society representatives will normally not speak on

behalf of the CBD Alliance but single out certain groups or speak “on behalf of many CSOs gathered here” (ibid)

The fact that the alliance shuns away from potentially difficult processes of policy and position development means that it has been able to avoid the conflicts that CAN has encountered. Among the NGOs engaging with the CBD are both very market-friendly and highly market-critical groups, whose positions on ABS, for example, are in stark contrast. The CBD Alliance has avoided ‘internalising’ these conflicts. However, this is also largely explained by the fact that many of the large Northern conservation NGOs (who, in the case of CAN, have often been criticised by other members for their closeness to business) have stayed relatively aloof from the alliance. The relationship between them is perhaps best characterised as one of ‘friendly co-existence’. Due the large delegations and the substantial expertise that these groups bring to the CBD meetings, they are less dependent on the services provided by the alliance. In fact, the CBD Alliance’s focus on the smaller CSOs engaging with the CBD provides an important counterweight to the strong influence of a small number of large NGOs there.

Rather than trying to help CSOs to speak with ‘one voice’ in the CBD context, the alliance seeks specifically to support the active participation of marginalised groups. One way in which the alliance tries to achieve this is through providing funding for them to attend the COPs. While such funding was previously provided on an ad hoc basis, the network decided in 2009/10 “to switch to a system of selecting more long term ‘supported partners’ who would be funded to attend not singular, but a series of meetings on a specific area of expertise” (CBD Alliance 2010, 12). However, the fact that the CBD Alliance was only able to fund four ‘supported partners’ (all from indigenous peoples’ organisations) in 2010 is an indication of the tight financial constraints the network faces.

Besides funding attendance, the alliance also uses the publications it produces around the CBD COPs to give a platform to voices from Southern NGOs, IPOs and social movement organisations. One of the key outputs of the CBD Alliance is the regular publication of ECO (similar in style to the bulletin published by CAN in the UNFCCC context), which offers an often very critical commentary on the negotiations and on the actions and positions of particular governments. In May 2008 the secretariat of the CBD started producing its own newsletter, 'square brackets', for civil society in cooperation with the CBD Alliance. In this publication, the CBD Alliance also seeks to ensure that "content (is) contributed by southern, community-based and Indigenous Peoples' organisations" (CBD Alliance 2010, 3) but acknowledges that "it is less independent than the ECO" and that "contributors cannot 'name names', or Parties" (CBD Alliance 2010, 7).

Unlike CAN, the CBD Alliance's objective is not to develop consensus across the CSOs engaging with the CBD. Instead the CBD Alliance understands its role more as a 'broker' or 'platform' for interested CSOs and tries to provide information about the issues under discussion in the negotiations and opportunities for networking with other groups. The alliance puts particular emphasis on supporting the participation by Southern groups, IPOs, local communities and social movements in this way. Going beyond this role would require much more substantial funding than the alliance currently receives. The following table summarises the main points of difference between CAN and the CBD Alliance that were discussed above.

	Climate Action Network	CBD Alliance
Formal status	Designated 'focal point' for NGOs with observer status at UNFCCC	No formal 'focal point' status within CBD
Membership	Organisations apply for membership to national or regional nodes	No formal members; serves global civil society community around the CBD
Governance	Charter adopted in 2002: CAN general assembly is highest decision-making body	Loose network structure; self-selected board
Staff	Small secretariat	Position of coordinator
Main objectives/ functions	Exchange of information between NGOs and UNFCCC secretariat and development of common positions among members	Support coordination and communication among civil society community around CBD
	Objective is to support civil society to speak with one voice on global climate issues.	Objective is to present diversity of viewpoints rather than support development of common positions
Addressing barriers to participation	Secretariat charged with ensuring participation by groups from developing countries (NB Southern Capacity Building Program)	Focus is on providing support for small Southern CSOs and IPOs engaging with CBD (but limited financial means)
Policy positions	Policy working groups develop positions; need to be endorsed by members	Does not seek to develop common policy positions

Table 3: Differences in organisational structure and function of Climate Action Network and CBD Alliance

viii. Conclusion

This chapter has looked at three very different networks: FoEI, a multi-issue NGO, which embarked on a process of grounding its work and its identity at the grassroots level, and two issue-specific NGO networks that focus their efforts on the UNFCCC and the CBD respectively and do so in very different ways. Unlike WWF and Greenpeace, these three groups are characterised by highly diverse memberships, which renders coordination processes potentially more difficult. Each group has emphasized different forms of responsiveness. FoEI's has focussed on further strengthening internal democratic and participatory processes and tries to ground all its work at the grassroots level. Reflecting the values of local member groups, it takes a highly critical stance towards many of the solutions promoted within the current institutions of environmental governance and has become less willing to work within the existing structures. CAN – whose *raison d'être* is to bring the combined power of NGOs to bear on the UNFCCC negotiations – has gone to considerable lengths to develop common ground among an ever larger and more heterogeneous membership base but has encountered a number of difficulties in the process. The CBD Alliance, in contrast, avoids the formulation of common political positions and tries to actively promote the diversity of the CSOs engaging with the CBD. The alliance is, however, constrained by a lack of resources and can only act as a limited 'counterweight' to the large, well-funded and influential international conservation NGOs working with the CBD. The next chapter will turn to the lessons that can be drawn from the analyses of the organisations looked at in this and the previous chapter and ask what these cases tell us about their potential to act as 'representatives' of local communities in international institutions.

VIII. “Living the change we want to see”? NGOs as democratic links and democratic demand makers

How can NGOs contribute to linking affected communities to international institutions? Can they act as democratic conduits, which display responsiveness towards local communities on the one hand, and are able to make their voices heard in international institutions on the other? What evidence is there for democratic practices and forms of responsiveness within international NGOs? What are the democratic demands directed at international intergovernmental institutions by civil society organisations? This thesis has attempted to offer some answers to these questions.

This thesis adopted a dual focus on NGOs as both democratic links and democratic demand makers, which necessitated an investigation of both internal practices and external demands. The rationale for this dual approach was the assumption that the point of reference should not only be the democratic legitimacy of the NGOs, but ultimately that of the international institutions they engage with. Of course, the internal and external dimensions presented here are not exhaustive – they do not capture the full spectrum of activities through which NGOs may contribute to the democratic legitimacy of international institutions – nor are they two sides of the same coin. The most effective route to strengthening the democratic legitimacy of IGOs lies in institutional reforms designed to promote the equitable representation of member states and the participation of civil society stakeholders. There is a long way, however, from demanding these types of reforms to actually taking credit for their implementation. In other words, NGO influence over these potentially very large levers for change is limited and involves getting a wide range of other actors (especially governments) on board. This is different in the case of their own internal practices, over which the NGOs have much more influence. The adoption of more democratic practices by individual NGOs might well have a strongly transformative effect on the organisation itself, but only a limited and indirect effect on the IGOs that it interacts with.

Nonetheless, the two dimensions are related. If existing and emerging participatory spaces within international institutions are occupied by nonstate actors who do not represent affected citizens but, for example, commercial interests or global elites, more participation would undermine, not strengthen, the democratic legitimacy of these institutions.

This final chapter will outline the conclusions that have emerged from the analysis, highlight the contribution of the thesis and also acknowledge its limitations. Drawing on the findings from the previous two chapters, the first section (i) will discuss the factors that, with particular reference to the cases of WWF, Greenpeace and FoEI (and with additional insights from the discussions of CAN and the CBD Alliance), shape the potential of these organisations to act as representatives of local communities. Conclusions regarding the role of NGOs as representatives based on the conceptual framework derived from Pitkin are presented in section (ii). Relating to the findings of the analysis of 'external' democratic demands formulated by NGOs, section (iii) asks whether IGOs – especially the UNFCCC in the case of climate policy – are indeed the right targets or whether NGOs should direct their efforts elsewhere. The thesis' contribution to the academic debate in empirical and theoretical terms is set out in section (iv), together with a discussion of possible policy implications. This section will also show the limitations of the research and suggest a number of ways in which some of the ideas put forward in this thesis may be further developed. A short conclusion (v) sums up the chapter.

i. What shapes the 'representative' role of NGOs?

The analysis of the three large multi-issue ENGOs in the previous chapters provides important insights into how particular organisational characteristics determine the potential of these groups to implement forms of responsiveness to affected communities and hence shape their potential to act as democratic 'links' between these communities and international institutions. The following organisational characteristics appear especially

relevant: organisational structure (including geographical spread); decision-making processes; strategy for bringing about change; resource type/funding; alliances with other groups; and values.⁷³ These different characteristics are interrelated and often influence each other. While, for example, particular features of the formal governance structure set the broad parameters for how members get to participate in decision-making processes (e.g. do all member organisations participate in the AGM and do they elect the board?), many key decisions are often taken in a much more informal way and are, if at all, habitually nodded off by the board. Furthermore, the values espoused by an organisation are likely to determine the type of alliances it will enter into, and these alliances in turn will likely shape the organisation's beliefs and values. The following table lists the organisational characteristics referred to above and shows the specific aspects associated with each.

⁷³Rootes' (2006) analysis of how the British branches of WWF, Greenpeace and FoEI have responded to the challenge of globalisation identifies a range of similar factors to explain their divergent responses: "strategy and tactics, organisational structures and relationships with other actors in the environmental movement network" (Rootes, 2006, 784).

Organisational characteristic	Associated aspects
Organisational structure	<ul style="list-style-type: none"> • Presence around the world • Centralisation vs. decentralisation • Formal governance structure (<i>overlaps with decision-making processes</i>)
Decision-making processes	<ul style="list-style-type: none"> • Participation by <ul style="list-style-type: none"> – Staff from around the world – Member organisations/ offices – Individual members • Opportunities for input by affected communities <ul style="list-style-type: none"> – Policies/ guidelines
Strategy for bringing about change	<ul style="list-style-type: none"> • Choice of methods • Target audiences • Focus on local vs. international
Resource type/ funding	<ul style="list-style-type: none"> • Individual donations/ paying supporters • Funding from foundations or government agencies • Funding from business actors and corporations
Alliances and partnerships	<ul style="list-style-type: none"> • Relations with business • Relations with social movements • Global justice movement (<i>overlaps with values</i>)
Values	<ul style="list-style-type: none"> • Climate justice (emphasis on fairness and equity) • Value of participation • Role of markets

Table 4: Organisational characteristics (with associated aspects) shaping the potential for international NGOs to act as representatives of affected communities

The impact of each of these characteristics on the role of NGOs as representatives will be discussed below. The table at the start of each subsection gives a first indication of how the organisational characteristics and associated aspects outlined above differ between the three organisations. The subsequent discussion then tries to discern the way these differences shape the potential of NGOs to assume representative functions, drawing on

the findings from the empirical analyses in the previous chapters. Points of similarity are not presented in the tables but addressed in the discussion.

Organisational structure

	WWF International	Greenpeace International	Friends of the Earth International
Presence around the world	Offices in Global South from 1970s	Offices in Global South from 1980s.	Offices in Global South from 1980s.
	Present in around 80 countries	Present in around 40 countries	Present in around 77 countries. Member groups are often umbrella organisations for local groups.
Centralisation vs decentralisation	Centralised	Centralised	Decentralised
	New offices are set up by central organisation; licensing agreement with WWF International	New offices are set up by central organisation; licensing agreement with Greenpeace International	Existing organisations apply to join FoEI: members highly diverse in terms of structure, size, issue focus
Formal governance structure (overlaps with decision-making)	Council appoints members of international board (internal and external)	Board members must of independent of GPI's internal affairs	Board members are elected at BGM

Table 5: Comparison of organisational structure of WWF International, Greenpeace International and Friends of the Earth International

One very basic requirement for an INGO to be able to 'represent' affected communities in global policymaking processes is to have an institutional presence in those parts of the world where these communities are based. The number and strength of national offices or network members in countries of the global South is a first indicator of an INGO's potential for receiving input from those communities on the ground. All of the analysed organisations in the previous two chapters have expanded their international presence since their inception. Although the NGOs were all originally set up in Western Europe or North America, WWF started opening offices in a number of developing countries as early as the 1970s and Greenpeace and FoEI followed suit in the 1980s. Similarly, CAN established various regional nodes in the years immediately following its creation in 1989 and has experienced a large influx of members from developing countries over recent years. Out of the three multi-issue NGOs, FoEI is the one with the most entrenched presence in the global South today, in particular due to the fact that many of the national FoE groups are themselves networks of local and community-based CSOs.

Of course, an institutional presence in countries of the global South is by itself only an enabling factor and tells us little about the extent to which offices or member organisations in these countries are able to inform the policy positions that the global organisation puts forward at the international level. There are almost always substantial differences relating to income, the number of individual supporters, staff members, and the relationship with the respective national government among the national member organisations. These different resources translate into an unequal distribution of influence within the global organisation, be it at the formal governance level or in terms of the more informal decision-making processes. One important consideration is thus whether an NGO tries to implement forms of responsiveness designed to mitigate these internal power imbalances. In addition, national member organisations, in particular in developing countries, would need to be able to operate with a degree of

autonomy in order to be able to 'pick up' the concerns of local communities there and feed these 'upwards' into the policymaking processes of the global organisation. While giving more independence to local and national offices could strengthen their ability to respond to their respective local and national contexts, too much decentralisation can also undermine the ability of the organisation to speak with one voice or maintain a clearly recognisable 'brand' or image. One important point of differentiation between the centralised groups and networks analysed here is whether the new offices abroad are set up based on strategic considerations (WWF and Greenpeace) or whether pre-existing civil society groups apply to join a network (FoEI and CAN). In the latter case, the members are able to enjoy much more autonomy from the central organisation's headquarters, have a stronger independent organisational identity and are in principle always able to make use of an 'exit option' by leaving the network. This also means that the greater degree of diversity among the members makes it often challenging to try to speak with one voice on global policy issues.

The formal governance structure of an NGO, as laid out in its statutes, is only an approximate indicator of the extent of responsiveness to member organisations, as many policy decisions are in practice taken by the organisation's executives. The board's function is often largely supervisory and therefore it includes individuals external to the organisation (as in the case of WWF and Greenpeace). In the case of FoEI, the board members are elected at the biannual general meeting, which constitutes a key forum for exchange and deliberation among members. Its importance to the network is highlighted by the fact that the BGM lasts an entire week. With the exception of FoEI therefore, the formal governance structure of the INGOs provides little indication of the level of internal democracy within the organisation. More practical insight may be gained from looking at the more informal decision-making processes (discussed below).

The importance of the regional level is especially apparent in the discussion of FoEI and CAN. FoEI recognises the value of encouraging deliberation among groups based in the same region and plans to further strengthen its regional structures. CAN acquired its structure of regional nodes soon after its creation and has also undertaken deliberate efforts to strengthen cooperation and interaction among members at the regional levels over recent years. This indicates that exchanges at the regional level are, in some instances, more productive than deliberations among members from around the world, since groups from the same region often struggle with similar challenges and are more likely to be able to relate to each other's experiences. The analysis of these networks shows that the regional level has an important intermediating function between local level concerns and global coordination processes.

Decision-making processes

	WWF International	Greenpeace International	Friends of the Earth International
Participation by staff, member organisations and individual supporters	Policy positions are subject to consultation around organisation and/or developed by international committees or steering groups	Policy positions are subject to consultation around organisation and/or developed by international committees or steering groups	Decisions are taken bottom-up. BGM is venue for deliberation among members. Global positions are developed through highly participatory process.
	Individuals signal support through membership and/or donations	Individuals signal support through membership and/or donations	Individuals can participate in policy discussion through local groups
Opportunities for input by affected communities	WWF Intl. has formal standards for stakeholder engagement in conservation work	No formal policy at international level; use of community testimonies	Network is made up of over 5000 local groups, mainly based in Global South

Table 6: Comparison of decision-making processes of WWF International, Greenpeace International and Friends of the Earth International

The extent to which elements of responsiveness are truly evident in the decision-making processes of an organisation is extremely hard to assess. Formal governing documents such as the articles of agreement and bylaws are only vague indicators and oftentimes have relatively little impact on how operational and strategic decisions are taken in practice. It is not surprising that interviewees tend to claim that an organisation tries to involve a representative cross-section of its staff – including those based in various national offices around the world – in its decision-making processes. Such

personal impressions are, however, likely to be selective and subjective and should therefore be treated with a good degree of scepticism. Some interviewees also acknowledged the fact that some national offices have more influence than others and that lengthy consultation processes are sometimes avoided for reasons of practicality.

FoEI places great emphasis on the democratic and participatory nature of the process through which decisions are taken. Members are not encouraged to 'sign up' to joint decisions; instead relations among them are characterised by a lively exchange of views, discussion and dialogue. One consequence of this very process-orientated approach is that the network sometimes struggles (or avoids) to speak with one voice on specific global policy issues. Compared to FoEI, the decision-making styles of both Greenpeace and WWF can be described as primarily 'top-down'. Still, interviewees from both organisations are keen to point out that policies on particular issues are subject to broad consultation around the network and/or are developed by planning committees or steering groups that bring together individuals from around the organisation who possess expertise on that particular issue. Conflicts over positions among members may still arise but sometimes have the advantage that the organisation is able to better prepare itself for points of disagreement with or among governments in international negotiations (interview with director of global policy, WWF International, 11.02.2010). Technology is an important enabler of more participatory decision-making processes in all the assessed organisations. Services such as email, intranet discussion fora, Skype or web-based collaborative editing tools have made it much easier, faster and cheaper to gather input from colleagues from around the world. Social media have also opened up new ways for NGOs to interact with their individual supporters from around the world (through, for example, discussions on blogs, Facebook, Twitter). Overall, however, individual supporters are not really able to participate in the NGOs' decision-making processes in a systematic way.

The extent to which an organisation engages with affected communities or community-based organisations in developing countries is also hard to assess. While particular examples of engagement can always be found, these tell us little about the extent to which forms of responsiveness are implemented in a more systematic fashion in the organisation's decision-making processes. One exception are organisation-wide standards such as WWF's 'Standards of Conservation Project and Programme Management', although examples such as these do not necessarily reflect a deeply entrenched participation culture within an organisation. The fact that many of FoEI's member groups in developing countries consist of local community organisations makes this organisation stand out from the other international environmental NGOs.

A number of crosscutting points can be made about the possibilities for and challenges of including forms of participation and responsiveness in decision-making processes. One obvious fact is that more complex or technical issues are harder to deal with through broadly participatory processes and require a considerable degree of prior knowledge and expertise. Other obstacles to participatory processes include the uneven distribution of resources within an organisation, as well as time pressure and the need to react quickly to new developments. Moreover, the particular interests of individual member groups and the 'greater good' of the international organisation may not be naturally aligned. There are a number of 'soft' mechanisms available for dealing with conflict such as the use of dialogue techniques or mediators. However, interviewees from WWF and Greenpeace also point out that there are limits to how far the organisation will go to find a compromise and that it will ultimately resort to more 'executive' forms of decision-making. This presents, once more, a point of differentiation from FoEI, which has gone to great lengths to address and discuss the differences among its members. For networks made up of autonomous organisations the option of exit from the network usually presents the last recourse if differences cannot be bridged.

Strategies for bringing about change

	WWF International	Greenpeace International	Friends of the Earth International
Choice of methods	Practical conservation work; lobbying and advocacy; provision of knowledge and expertise	Awareness-raising: 'bearing witness' and high-publicity 'stunts'; lobbying and advocacy; mobilisation	Supports and empowers local CSOs in their struggle for environmental and social justice.
	Mainly insider strategies	Insider and outsider strategies	Mainly outsider strategies
Target audiences	Governments, business and international institutions	The public, governments and international institutions	Local CSOs, 'grassroots' (shift away from international institutions)
Focus on local vs. international	International and local (practical conservation work)	International	Local

Table 7: Comparison of strategies for bringing about change of WWF International, Greenpeace International and Friends of the Earth International

The strategies for bringing about change adopted by a particular NGO shape the extent to which the organisation prioritises responsiveness to local communities in its work and the opportunities available for doing so. On-the-ground conservation projects are at the heart of WWF's work. At the same time, the organisation also seeks to leverage change through lobbying and working in partnership with decision-makers at the national and international levels. Greenpeace's high publicity stunts and its efforts to mobilise a large number of citizens around its campaigns (especially on

climate change in the run-up to Copenhagen) are designed to increase the pressure on decision-makers; in addition, the organisation also conducts behind-the-scenes lobbying of politicians and business. FoEI's vision of change starts from within: through its member groups it supports and empowers local CSOs and communities in their individual and joint struggles for greater environmental justice. More than the other two NGOs, FoEI's campaigns go beyond purely environmental issues to encompass social concerns.

There are a number of ways in which the organisations' 'core business' determines the extent and the ways in which they choose to practice responsiveness to local communities. WWF works closely with local communities in its conservation projects and has pledged in a number of internal guidelines to involve these communities – with a particular emphasis on indigenous peoples – in the decisions that relate to its operational work. Through the practical conservation aspect of its work, WWF is therefore closely exposed to the day-to-day realities of many local communities in developing countries. Its engagement with local communities in conservation work prompted Wapner (1997) to argue that WWF's work results in the empowerment of these communities vis-à-vis other powerful actors in a local and national setting. However, the objectives of WWF's projects are often not developed in partnership with the local communities but by conservation experts, or are set by WWF's external partners, often governments or international agencies. Conflicts may arise when the communities on the ground oppose these objectives or the ways through which they are pursued. In fact, the organisation has more than once found itself at the receiving end of criticisms for allegedly failing to protect the interests of local communities or even promoting their resettlement away from protected areas (for example, Beymer-Farris and Bassett 2012; Huisman 2012). WWF has usually denied these allegations, pointing to its policies on stakeholder engagement and indigenous communities. However, these engagement processes tend to take place at the local and national level,

in the context of the respective conservation projects, and there is no evidence that consultation processes with local communities directly shape the organisation's global policy positions.

Greenpeace's tactics also shape the opportunities for practicing forms of responsiveness. As was mentioned in the discussion of Greenpeace, the success of its high-profile stunts usually requires an element of surprise, which necessitates the involvement of only a small group of campaigners in the preparations and decision-making at short notice to quickly respond to opportunities as and when they arise and therefore precludes more participatory approaches. These stunts, however, are only one element of Greenpeace's campaigning work. Reaching out to a more global and diverse audience through the internet and social media in support of the campaigns has become increasingly important over recent years. Greenpeace aims to mobilize supporters to participate in both online as well as offline forms of protest. The success of these strategies depends to a large degree on the ability of the organisation to understand what issues motivate supporters to take what type of actions and therefore requires it to be responsive to an increasingly global target audience.

FoEI has changed the nature of its strategies for achieving change over recent years. As discussed in the previous chapter, the group has embarked on a process of transitioning from a lobbying and advocacy organisation into a transnational environmental movement with close links to the grassroots. While individual national member organisation may choose to continue their campaign work directed at their respective governments or at IGOs, the international network is distancing itself from these processes. This contrasts with earlier depictions that locate the organisation's activities at the "intersection between national and international processes" (Wapner 1996, 132). The FoEI portrayed here places an explicit emphasis on participation and 'downward accountability'. There is little doubt that, through its multiple member groups in countries of the global South and the culture of

participation within the network, FoEI is in a very strong position to speak for local communities from around the world. Moreover, through supporting local communities in fighting against marginalisation, exclusion or suppression in their respective environments, the network can contribute to empowerment and the realisation of community rights within local and domestic settings. Listening to the voices of its members has prompted FoEI to adopt a more overtly critical stance towards dominant institutions of global governance and the solutions propagated therein.

As a cross-cutting point it is worth pointing to the practice of bringing ‘community testimonials’ or ‘witnesses’ to the attention of a wider public or a particular target audience in the context of international negotiations. NGOs often see this as the most practical and direct way of making the voices of affected communities heard in international institutions but are also aware of the limitations of this approach. On the one hand, of course, this practice may simply be understood as a clever piece of PR strategy, employed in the hope that associating a human face and an individual storyline with a complex human problem such as climate change is going to appeal on a more emotional level to decision-makers and/ or donors. Moreover, the NGO sponsor will usually decide who gets to participate and to what extent – which means that participation might be understood as primarily instrumental to achieving their goals. On the other hand, however, it can also be understood as opening up spaces for participation or descriptive representation (i.e. an individual speaks for a community whose experiences he or she shares) in very practical terms. One interviewee, for example, tells of an indigenous community leader who, at the invitation of Conservation International (CI), “was able to organise the Conservation International side events with full indigenous participation”, something that according to her, “almost never happens with CI, they always have these Washington money-makers talking about how to save tropical rainforests and now you had this group of quite radical indigenous peoples talking about how their rights should be put first” (interview with director of Global Forest Coalition,

07.04.2010). It is also worth mentioning that both CAN and the CBD Alliance, who used to fund the attendance of representatives from Southern and community-based CSOs on an ad-hoc basis, have shifted to a system whereby they try to provide long-term support for the participation of particular individuals in order to enable more constructive participation.

The relative emphasis placed on 'insider' or 'outsider' strategies by individual NGOs acts as a filter for the type of local demands and positions that the organisation is willing to incorporate in its international policy positions. In order to achieve change WWF, for example, plays by the 'rules of the game' and aims to maintain and strengthen its credibility with the global elites. As a result of this WWF enjoys good access to key decision-makers but also embraces relatively moderate points of view. By contrast, groups that espouse 'outsider' strategies (protests, civil disobedience and sometimes direct action) and do not seek the 'approval' of those in power are also more likely to challenge dominant institutions and norms.

Rootes speaks about a "division of labour" among environmental NGOs, with WWF, for example "capitalizing upon the agenda-setting actions of more radical groups" (Rootes 2006, 770). However, according to Fisher's (2010) explanation of the failure of civil society to play a constructive role at the Copenhagen summit in December 2009, the pursuit of outsider strategies by many of the civil society groups led to a situation whereby even those groups that worked with delegates 'on the inside' ended up being marginalised. She reckons that the prior call for large-scale protests and the engagement in non-violent direct action by many civil society groups contributed to the decision on the part of the Danish organisers "to limit access to NGO delegations."⁷⁴ She concludes that: "Although outsider tactics are an effective means of gaining media attention, they have the unintended consequence of

⁷⁴ This explanation is challenged by McGregor who argues that the decision to restrict access was primarily related to fire restrictions and security concerns (2011, 4).

increasing the disenfranchisement of civil society in international regimes” (Fisher 2010, 16).

The assumption that insider strategies can be equated with ‘constructive engagement’ is, of course, subjective. Conversely it can be argued that insider strategies are vulnerable to co-optation by political elites. NGOs that choose to engage in this way work within existing discourses, power relations and dominant institutions and rarely challenges these structures outright. If, however, civil society organisations believe that the dominant institutions of global governance and the discourses that underpin them (such as that of sustainable development) are beyond repair or themselves sources of environmental injustice, it is only logical to reject reformist approaches and search for alternatives. The consequence of reduced influence in international institutions is, in this view, not a ‘price’ as such. Other approaches are considered more effective in the pursuit of global justice and sustainability. The choice of strategy for CSOs depends to a large extent on the overlap between their objectives and those of the target institutions (Dryzek 2012, 110). According to Dryzek, CSOs pursuing social justice or environmental objectives should refrain from engagement with overtly neoliberal institutions such as the IMF and the WTO but may succeed in the search for common ground with the World Bank and UNEP (ibid).

Resource type/ funding

	WWF International	Greenpeace International	Friends of the Earth International
Resource type/ funding	Individual contributions. Funding from governments and intl. agencies, corporate donations and foundations	Individual contributions. Refuses money from governments and corporations	Individual contributions. Grants from some governmental bodies and foundations. Refuses corporate donations

Table 8: Comparison of main funding sources of WWF International, Greenpeace International and Friends of the Earth International

The composition of an NGO's income stream is also likely to shape the extent to which the organisation is able and willing to prioritise responsiveness to local communities. The most important sources of income for the NGOs profiled here are donations and contributions from individual supporters, funding from foundations and (inter-) governmental agencies and donations from business.

WWF, Greenpeace and FoEI all rely on individual supporters as a main source of income. Elements of authorisation and accountability can certainly be found in the decision of a multitude of individuals to 'vote with their wallets' by supporting the organisations financially or, vice versa, sanctioning them with the withdrawal of their support. While WWF's individual supporters can be labelled 'conservative' with respect to both ends and means, Greenpeace supporters are likely to welcome the more radical approach taken by the organisation, including the willingness of its

campaigners to risk arrest or other legal consequences.⁷⁵ FoEI's supporters are harder to classify due to the very different identities of the national FoE groups in different countries. In general, however, they will share the assumption that social and environmental problems are inextricably linked. A common feature for all organisations is that the majority of the individual donations stem from supporters in Western Europe and North America. The responsiveness to paying supporters is therefore divergent from the types of mechanisms necessary to ensure responsiveness to affected communities in developing countries. It is possible to advance the argument that the responsiveness to paying supporters in the global North may in some cases correspond to a form of "accountability-by-proxy" (Koenig-Archibugi and MacDonald 2012) for affected communities in the global South, whereby paying supporters sanction the organisation if it is found to act against the interests of local communities. This is, however, only likely to happen in cases of very serious (and publicised) conflict and does not hold up from a democratic representation perspective based on Pitkin as it lacks the element of direct responsiveness to the communities. One related point that emerged from the discussion of Greenpeace is the growth of fundraising income from offices in developing countries (albeit from a very low base), which may change the dynamics outlined above over time.

The need to raise funds from individual supporters can also create conflicts between the need for clear and simple public messages and the very complex challenges generated by many global environmental problems – leading the organisations to reject more complex "alternative representations of people/nature relations and social interests" (Jeanrenaud 2002, 119). Marketing necessities such as protecting a clearly recognisable 'brand identity' across a large organisation may create the need to keep dissenting perspectives in

⁷⁵ In an article for The Guardian, environmental consultant Solitaire Townsend distinguishes between the "types of people" who would support Greenpeace and WWF: "If environmental problems make you really pissed off and you want to get out there and stick it to the man, you go to Greenpeace. If they make you sad, and you want to sit in your room with a cuddly toy and look at picture of cute animals, you would go to WWF" (Townsend 2011).

check. In reality, however, this tension is perhaps not as stifling as it appears at first glance, even for a relatively conservative organisation such as WWF. This is illustrated by the results of a “corporate review” that WWF undertook in 1998 (Rootes 2006, 771). According to Rootes, WWF was surprised to find that “its audiences did not, as expected, see WWF’s proper role as confined to conservation, but believed WWF should be covering a wide range of issues of which sustainable development was a key element” (ibid). In most instances, moreover, NGOs are likely to get around the conflict between PR needs and developing constructive policy positions quite pragmatically, by simply tailoring their output such as publications to the respective audiences (i.e. glossy annual reports for paying supporters and more technical policy papers for governmental decision-makers).

Of course, individual donations are not the only source of income for these NGOs. Other large funding sources for WWF International are governments and aid agencies; money which is often linked to WWF’s role in implementing donor-funded projects on the ground. The fact that this gives WWF considerable power vis-à-vis smaller and less well resourced local community organisations has already been pointed out (Chapin 2004). Moreover, it is understandable that institutional donors often want to see concrete results within a clear timeframe. Participatory processes, however, might be ‘messy’ and lengthy and not fit many standard approaches for impact measurement. The pressure to prove quick results (sometimes in order to secure follow-up funding) may therefore undermine the practices of responsiveness in NGO projects. At the same time, however, governmental agencies and foundations are also likely to react sensitively to allegations of conflict between local communities and implementing NGO partners – which means that it is in WWF’s interest to pursue collaborative and participatory solutions to challenges that might arise. In some instances, the funding may even come with ‘strings attached’ specifying social safeguards, the implementation of international norms for the participation of indigenous peoples and other provisions relating to community participation (Chapin

2004). This trend is also reflected in a growing number of 'participatory' social impact assessment tools.

It is easy to assume that the NGOs' dependence on income from individual supporters and, in some instances, businesses from the global North creates incentives against them becoming more responsive to local communities in the global South. Some observers have argued that the reluctance of Northern NGOs to address the issue of consumption patterns in industrialised countries is linked to their concerns about alienating their supporter bases and political allies there, including corporate supporters (O'Neill and VanDeever 2005, 203). It has also been argued that the focus on pleasing donors in the shape of governments, aid agencies or large foundations has led to an emphasis on 'upward accountability' – with the assumption that this also results in a neglect of 'downward accountability' to local communities on the ground.

Many of these alleged influences are, however, not as stifling as perhaps perceived. The risk that donors are going to withhold funding as a result of an organisation becoming more responsive to local communities on the ground is small and mitigated by the factors outlined above. Still, it is possible that social, human rights or equity issues are not necessarily a primary concern for supporters of environmental or conservation NGOs. While FoEI supporters have always been prone to see social and environmental issues as closely linked, even those supporters that are sometimes assumed to care only about narrow green issues or cuddly panda bears have learned that environmental protection and conservation can only work if humans are part of the solution. Public agencies and foundations that fund NGOs are themselves engaged in or at least exposed to the discourse of stakeholder participation and therefore likely to support participatory approaches. As for corporate donors, potential impacts are likely to differ depending on the business interests at stake. Conflicts of interests are most apparent when corporations have extensive operations in developing

countries, with potentially negative impacts on the livelihoods of local communities. In those instances it is important that the NGO that accepts corporate money has strict organisational policies and guidelines to prevent any attempt at undue influence.

Alliances and partnerships

	WWF International	Greenpeace International	Friends of the Earth International
Relations with social movements	None	Becoming more important	Alliances with social movements including La Via Campesina
Relations with business	Promotes self-regulatory initiatives	Some but not a key feature	No
Global Justice Movement	Shapes context organisation operates in	Has become increasingly important	Strong links

Table 9: Comparison of alliances and partnerships of WWF International, Greenpeace International and Friends of the Earth International

Large international NGOs with roots in the global North are not naturally the type of civil society organisations most closely in touch with the struggles of local communities in the global South. Southern-based social movements such as La Via Campesina, the transnational peasant farmers’ network, or the Indigenous Environmental Network, an alliance of indigenous peoples, constitute more authentic interlocutors on the basis of their membership. Better-resourced and more tightly centralised organisations have the advantage, however, that they are often well connected with key decision-makers within international institutions or governments and are therefore more effective at exerting influence. Through interacting with social

movements from the global South, international NGOs are likely to pick up ideas, demands and discourses that they might then incorporate in their international policy positions and 'carry' to international fora.

Out of the three multi-issue environmental NGOs, FoEI is undoubtedly the one that works most closely with social movements and has started developing global policy positions in dialogue with them. The further intensification of its alliances with social movements is one of the components of FoEI's strategic plan. For the network this constitutes a logical extension of its focus on internal democratic processes and working with the grassroots: "the reason we can work in that sphere is because many of our groups are part of that movement. (...) Their ways of working are similarly democratic. They have similar targets. (...) We tend to talk the same language, operate the same way (...) (interview with climate campaigner, FoEI, 06.05.2010).

The organisational characteristics of WWF and Greenpeace mean that these two NGOs are less likely to be naturally 'in sync' with social movements than FoEI. However, for Greenpeace in particular, contacts with movement organisations have become more important over recent years. A further deepening of these relationships would, however, probably require the organisation to rethink its main strategies for achieving global change. Through the emergence of the climate justice movement (see also discussion in next section) many of the demands emanating from social movements in the global South have begun to crop up more prominently in the international debates on climate change. This has undoubtedly also shaped the way more conservative NGOs, which have traditionally not engaged in close interactions with social movements, have started framing their positions.

Finally, as a point arising from the discussion of CAN, it might be interesting to further investigate the hypothesis that not only its alliances shape the

responsiveness of an NGO to affected communities, but also the emergence of 'rival representatives'. Climate Justice Now! (CJN!), which formed at the time of the Bali Conference represents a more justice-focussed climate network of CSOs and movements, many of which come from countries of the global South. In demanding the recognition of the historical responsibility for climate change and ecological debt by industrialised countries and in rejecting market-based mechanisms, the network is more closely aligned with many of the demands coming from Southern CSOs and social movements than CAN. Further analysis would be required to investigate to what extent the emergence of CJN! contributed to efforts within CAN to strengthen its responsiveness to Southern members.

A very different form of 'alliance' is that of corporate partnerships. WWF in particular not only accepts corporate donations but also works directly with companies in an attempt to promote more sustainable practices by industry. WWF has played an important role in the set-up of a number of self-regulatory initiatives by business, such as the Roundtable on Sustainable Palm Oil and the Roundtable for Responsible Soy, as well as certification bodies such as the Forest Stewardship Council (FSC) and the Marine Stewardship Council (MSC). Through its support for these private forms of governance WWF contributes to the legitimisation of the role of corporations as "regulator" (Tienhaara, Orsini and Falkner 2012, 49). To the extent that these initiatives have a 'displacement effect' on governmental forms of regulation, the ability of local communities to be represented through their governments is potentially diminished. This makes the quality of the participatory provisions of these initiatives and the extent to which they allow for local communities to influence decision-making processes all the more important. Ensuring that these forms of responsiveness are provided for in these initiatives constitutes an important role for participating NGOs such as WWF.

Values

	WWF International	Greenpeace International	Friends of the Earth International
Value of participation (intrinsic)	Output-oriented values dominant (“sustainability-efficiency” Alcock 2008)	Output-oriented values dominant (“sustainability-equity” Alcock 2008)	Process-oriented values dominant (participation, democracy, solidarity)
Role of markets	Support for market-based approaches	Does not reject market-based approaches in principle	Rejection of market-based approaches in principle

Table 10: Comparison of dominant values of WWF International, Greenpeace International and Friends of the Earth International

Dominant values are important elements of organisational culture and they are probably the most important determinants of the extent to which an NGO is willing to practise responsiveness to local communities. Values cannot really be treated as a distinct category to the different organisational characteristics outlined above as values underpin and are in turn influenced by many of them. Organisational values are therefore simultaneously enabling factors but also shaped by greater responsiveness to marginalised communities.

Conceptually, it is possible to distinguish between the values attached to the processes within the organisation and the values reflected in the positions that the organisation puts forward in the international arena (although, again, the two are closely linked in practice). An organisation that prioritises democratic and participatory decision-making processes is more likely to create internal spaces where the voices of marginalised communities can be heard. In the case of FoEI, it is the processes of democratic deliberation that have become just as, if not more, important than the outcomes. Developing

common policy positions is less important for the network than the broader convergence around shared values and the practice of solidarity among members. As a result of its commitment to democratic values in its internal relations the network is willing to accept potential trade-offs, such as reduced 'efficiency' (for example, in terms of the speed of decision-making).

A second consideration concerns the values that shape the organisation's worldview and hence the positions that it puts forward at the international level. These values determine the external parameters within which forms of responsiveness might then come to shape the NGO's policies. For example, as was repeatedly found in the analysis of both 'external demands' and 'internal practices', divergent attitudes vis-à-vis markets constitute fault lines that cannot easily be smoothed over.

The voices coming from marginalised affected communities are often more radical than the dominant discourses among policy elites, including many Northern NGOs (Smith 2002). Those local communities that organise themselves politically tend to do so in opposition to powerful actors or externally imposed policies that impact their lives negatively. Their political organisation constitutes a form of resistance against much more powerful corporations, governmental bodies or politicians. As a result, their demands are often more radical, anti-hegemonic or critical of corporate power. By contrast, communities that benefit from the status quo are less likely to take political action, unless their status is threatened and will therefore be less 'visible' among civil society. The extent to which international NGOs are prepared to respond to the more radical critiques of many Southern CSO, community-based organisations or IPOs depends on the extent to which these fit with the organisation's existing values and dominant strategies (Bob 2005).

ii. The internal dimension: conclusion and broader trends

This thesis has tried to explore the extent to which international NGOs might contribute to making the voices of affected communities heard in international institutions. Proposing a representation perspective to analyse the role of international NGOs is a bold endeavour in light of the commonly voiced criticisms that these organisations are elitist, detached from the real needs of communities in developing countries and therefore ‘unrepresentative’ of the vast majority of the world’s population. In further exploring the notion that even large international NGOs with Northern origins can act as democratic links between affected communities and international institutions, this thesis has aimed to counter some of these criticisms. The discussion of the concept of representation together with the analysis of individual NGOs has shown that there is indeed some potential for large international NGOs and NGO networks to act as representatives of marginalised communities in global policymaking processes. However, this potential is also severely constrained and shaped by organisational characteristics such as the formal structure, decision-making processes, the strategy for bringing about change, the funding base, alliances and partnerships, as well as values. As the discussion above and the analyses in the previous chapters have shown, NGOs differ in their potential, ability and willingness to act as ‘representatives’ of local communities in global environmental governance. The rebuttal of arguments advanced by some NGO critics relating to the predominance of developed country NGOs within global civil society, their reliance on supporters and donors in the global North and the absence of internal democracy in these organisations, can therefore only be partial.⁷⁶

The investigation of internal practices by NGOs used as its point of departure Pitkin’s concept of “substantive representation”. Substantive representation

⁷⁶ Moreover, there are numerous groups that are often also included in the definition of NGOs but to whom the conceptual framework developed here cannot be applied to (such as ‘pure’ research groups or NGOs that were set up to promote business interests).

conceives of the activity of representing as “distinct from its external or formal trappings” (Pitkin 1967, 114). This makes this concept better suited than other accounts of representation for application to this relatively ‘un-orthodox’ context – the internal practices of international environmental NGOs. Key to substantive representation is, according to Pitkin, evidence of responsiveness to the represented. The empirical analyses of different NGOs in this thesis therefore focussed on identifying different forms of responsiveness through which the interests, preferences and values of the represented are transmitted to those doing the representing. Those in need of more and better representation were defined in the context of this thesis as local communities negatively affected by policies developed in international inter-governmental institutions. While the analysis has identified a number of ways in which international NGOs can potentially develop responsiveness to local communities (through, for example, their global presence, internal guidelines for stakeholder participation, or interactions with social movements), it also found that this potential is usually only weakly realised to date. Nonetheless, there are a number of broader trends at work that could prompt NGOs to further continue strengthening their responsiveness to marginalised communities in the future. Drawing on Pitkin’s categories, such a development might be interpreted as a shift from trusteeship towards mandate-based forms of representation. It is suggested here that at least two broad global trends in environmental politics (and beyond) contribute to a gradual shift of the role of international NGOs towards stronger responsiveness to marginalised communities and hence to exercising mandate-based forms of representation rather than acting as trustees: firstly, the ‘participatory turn’ in global politics and secondly, the growing importance of equity and justice issues, which has brought many CSOs to engage more closely with existing patterns of marginalisation and find ways to overcome these.

The notion of a ‘participatory turn’ in global environmental politics and world politics more broadly was already discussed in chapter III (section iii.)

of the thesis. This development is very similar to what Bäckstrand et al have called the “deliberative turn” and which they describe as “an increased attention in environmental politics to procedural qualities such as participation, dialogue, transparency and accountability” (Bäckstrand et al 2010a, 3). At the international institutional level this has involved an emphasis on the participation by organised civil society and other private actors in environmental decision-making processes and forms of governance. However, participatory norms have also ‘cropped up’ in slightly different disguises in other contexts. For instance, critical questions around the accountability and legitimacy of NGOs have led to a degree of self-examination by civil society groups themselves. One response has been a growing emphasis on working with, rather than just ‘for’, the supposed beneficiaries of NGO projects. Both the development and conservation discourses have similarly witnessed a shift towards participatory approaches that sees beneficiaries and local communities not as passive recipients but as rights-holders. On a whole different level, the internet has had a hugely transformative effect on the possibilities for participation by citizens (Kanie et al 2012, 298). Secretive or hierarchical forms of decision-making are at odds with the promises of open democracy and mass mobilisation online. Groups such as Avaaz, which was only launched in 2007, allow millions of individuals worldwide to express their support for particular political, social or environmental issues at the click of a button. The various developments recounted here are of a very disparate nature. Nonetheless, it can be argued that each one contributes in a different way to the ideal that citizens are able to participate in the making of the decisions that affect and concern them.

Yet another development is the ascendancy of the global justice movement, as well as the growing influence of Southern civil society groups in the field of global environmental politics. Organisations such as the Third World Network and Focus on the Global South have already for a long time made important contributions to placing considerations of justice and equity on the environmental NGOs’ agenda. More recently, Climate Justice Now! has

evolved as “a network of organisations and movements from around the globe committed to the fight for social, ecological and gender justice”.⁷⁷ The success of these organisations in framing climate change in justice and equity terms has forced even ‘traditional’ environmental NGOs to open up to these debates and to justify their own demands more explicitly in these terms. This does not necessarily imply that reformist international environmental NGOs have ‘internalised’ the more radical discourse of environmental justice. What might be at play, however, has been referred to as the “civilizing force of hypocrisy” (Elster 1998, 12 quoted in Dryzek 2009, 9), whereby the “public exchange may come to proceed in terms of the principles, and so the principles take effect (...) irrespective of the initial motivations” (Dryzek 2009, 10).

Searching for forms of responsiveness, which Pitkin considers a defining element of substantive representation, has guided the empirical analysis of the various NGOs in this thesis. While many forms of responsiveness to local communities are to date still nascent, operate indirectly or are only weakly developed in practice, there is growing pressure on international NGOs to demonstrate evidence of responsiveness to members, a broader public and communities that are marginalised in global policy-making processes. Provided that there is indeed a gradual shift towards mandate-based forms of representation taking place, we could expect NGOs to become more accountable to a wider range of stakeholders over time. Is this, however, an unambiguously positive development? Drawing on Pitkin, the activity of representation was presented as a spectrum of activities located between trustee and mandate forms of representation. The element of trusteeship in its pure form, it was argued, lacks responsiveness to the represented and does therefore not meet the democratic threshold. Nonetheless, there is much value in the idea that NGOs can act as trustees for certain constituencies, especially future generations, who as the Brundtland

⁷⁷ Website of CJN! <http://www.climate-justice-now.org/>. Last accessed 18.12.2012

Commission stated in 1987: “do not vote; they have no political or financial power; they cannot challenge our decisions” (WCED 1987, 8). A trustee model of representation can act as an important counterweight to some of the weaknesses inherent in mandate-based forms of representation, whereby the realisation of present-day interests may restrict the choices available to future generations. The potential contribution of NGOs as trustees in this sense should therefore not easily be dismissed. In fact, present day citizens who care strongly about the wellbeing of future generations are likely to welcome the advocacy work undertaken by some NGOs on behalf of future generations. Through, for example, supporting these NGOs financially they might ‘authorize’ their role as trustees. However, the important point of differentiation is that the constituency doing the authorizing and that on whose behalf the NGOs is claiming to act are not the same. This is acceptable if – as in the important case of future generations – the represented are not able to speak for themselves. However, if the represented are actually able to speak up and participate, there is cause for concern from a democratic perspective. Substantive representation as understood by Pitkin does not seek to resolve the tensions between these two interpretations of the roles of representatives. In fact, it is precisely this ‘controversy’ which substantive representation has to navigate in practice.

The discussion in the previous section of this chapter has drawn mainly on the analysis of the three multi-issue ENGOs: WWF, Greenpeace and FoEI. CAN and the CBD Alliance differ from these groups in that their *raison d’être* is strategic and limited to shaping civil society input into the global policymaking processes on climate and biodiversity respectively. They constitute networks of completely autonomous NGOs and are not united by one organisational identity. Strictly speaking, rather than providing us with insights into the internal practices of individual organisations, the comparative discussion of CAN and the CBD Alliance in the previous chapter (chapter VII) helps to illuminate the dynamics characterising “the plurality of mechanisms that horizontally link activities of various actors” (Dingwerth

and Pattberg 2006, 193) in global governance (see discussion in chapter II). In addition to the vertical linkages that NGOs might help to establish between local communities and international institutions, the nature of these horizontal linkages among groups of different size and influence shapes the opportunities for access and participation open to them.

CAN in particular has played an important role in bringing together a wide range of NGOs interested in the issue of climate change with the intention of strengthening their overall influence through the development of joint positions. Large Northern based, well-resourced environmental NGOs have had a very strong standing within CAN since the network's inception. Their influence was increasingly challenged as CAN's membership became more diverse, not only geographically but also in terms of the concerns new members brought to the table (human rights, social issues, justice etc.). The departure of FoEI from CAN as well as the establishment of an alternative network in the form of Climate Justice Now! has shown the limits of finding common ground among an ever more heterogeneous NGO community. The big ideological fissures among global civil society over the issue of capitalism and the role of markets, and the divergent views of the dominant institutions of global governance as legitimate or fundamentally beyond reform, could not be bridged. The CBD Alliance has largely managed to avoid these ideological clashes as a result of the fact that it does not seek to develop joint positions among the groups it interacts with.⁷⁸

iii. The external dimension: are IGOs the right target?

The examination of the democratic demands formulated by NGOs vis-à-vis the UNFCCC and CBD, which was presented in chapter IV, found that democratic demands are much more prevalent in the case of the former. The reasons for the difference in emphasis include the particular characteristics

⁷⁸ Table 3 in chapter VII sets out the main differences in terms of organisational characteristics and functions of the CAN and the CBD Alliance.

of the issues of climate change and biodiversity loss, the relatively stronger focus on national implementation in the CBD versus the debates around building new institutions in the UNFCCC, the better developed provisions for participation by indigenous peoples in the biodiversity convention, as well as the composition and focus of the respective NGO communities engaged with the two conventions. Not exactly surprising is the finding that, overall, demands for more participation by societal stakeholders are better developed and more frequently voiced than demands relating to equitable representation through governments. After all, the NGOs themselves are most likely to benefit from these participatory provisions and will almost certainly subscribe to a positive assessment of the benefits of civil society participation. The NGO demands were replete with references to particular international institutions that are widely regarded as being especially representative (such as the Adaptation Fund Board of the Kyoto Protocol) or participatory (Global Fund, WCD, etc.). By advocating the implementation of comparable standards in the UNFCCC, the NGOs are trying to contribute to the transfer of particular democratic norms from one institutional setting to another. This would support the general observation that NGOs can act as “norm entrepreneurs spreading a norm that global policy making should be more inclusive and accountable to affected stakeholders” (Tallberg and Uhlin 2012, 212/213).

The desirability of more equitable, participatory and therefore democratic international institutions has not really been questioned in this thesis. In light of the weak progress made on the environmental protection front to date it is worth asking, however, if broadly inclusive, representative and consensus-orientated processes are really able to deliver stronger results. A closer examination of the “links and trade-offs between input and output legitimacy” (Biermann and Gupta 2011, 1861) would most likely come to the conclusion that the relationship is highly ambiguous. Drawing on a range of empirical analyses of participatory environmental policy practices, Bäckstrand et al point to “central tensions or trade-offs between the ambition

to increase democratic engagement and to promote effective environmental problem-solving” (2010b, 225). With respect to the UNFCCC, some explanations for the slow progress towards a global agreement have focussed on the cumbersome decision-making process within the UN and have resulted in calls for alternative approaches. Underlying some of the criticisms of the UN process are often deeper (but not always stated) doubts about the fundamental ability of democratic and inclusive processes to deliver the type of fast and fundamental changes necessary to drastically reduce emissions in industrialised countries and change the emissions trajectory of the major developing countries.

These debates gained in intensity within the NGO community after the Copenhagen ‘fiasco’ in 2009. They were for the most part, however, conducted behind closed doors and have not yet led to a fundamental adjustment of positions. Most NGOs continue to publicly subscribe to the UN process and call for a global agreement. A rare and self-critical public defection from this position is made by Maier (2010) who holds that NGOs have become sidetracked by the justice and equity discussions taking place in the UN context and by joining the calls for ever greater amounts of payments and technology transfer to developing countries. Instead of focusing their energies on the UNFCCC process, he believes that NGOs could achieve more by building on and helping to further strengthen those domestic policies that have already managed to deliver substantial results (he directs his argument at NGOs from Germany). Other supporters of such a “bottom-up approach” hold

“that climate change policies should be designed and implemented at the lowest feasible level of organisation. This does not mean that everything should be done at the local community level, but that where something can be done at a local, city, regional or single-nation level, then it makes sound sense to focus policy attention there, without the need to fit it into a formal global charter for action” (Rayner 2010, 617).

Some analysts warn, however, of the danger of “a collapse into a decentralised, purely bottom-up approach” that would mean “the disintegration of global climate policy” (Falkner, Stephan and Vogler 2010, 261). While Falkner, Stephan and Vogler agree that “the push for a ‘global deal’ is producing diminishing returns” (2010, 260), they still see value in striving for an overarching international framework for climate policy. They argue, however, that this may more effectively be achieved through a “‘building blocks’ approach, which develops different elements of climate governance in an incremental fashion and embeds them in an international political framework” (2010, 252). Such a process “would recognise that domestic policies need to be embedded in a broader international effort, within the UNFCCC or through an affiliated negotiating process” (Falkner, Stephan and Vogler 2010, 259). This would allow, however, for partial agreements to be reached on particular issues, as well as for the emergence of “coalitions of the willing (...) where a small proportion of states need to be in the vanguard” (Giddens 2009, 226).

The “fragmentation” of the global climate architecture has important implications for issues of democracy, equitable representation and participation that are yet to be explored in depth (Biermann et al 2009, 30). Bottom-up approaches, for instance, may at first glance appear more promising than top-down approaches for enabling the participation of local communities. They do not, however, by themselves manage to address the problems of equity and representation that arise as a result of the divergence between responsibility and affectedness in the case of climate change. The same point applies to “an approach based on agreements or partnerships between individual nations, groups of countries and regions” (Giddens 2009, 220). A defining feature of these more ‘functional’ institutions is that “their logic would be power-centred – both in terms of negotiating bargains quite narrowly around the core interests of the major powers and in terms of the fora being essentially hierarchical and exclusionary” (Hurrell and Sengupta 2012, 476). Only a global framework can cater to demands for representation

and participation that are based both on affectedness and the ability to shape outcomes.

iv. Contributions, limitations and ways forward

This thesis has touched on a wide range of debates around the democratic legitimacy of international institutions, the various potential contributions of NGOs thereto, and the ability (or inability) of international NGOs to act as 'links' between affected communities and international institutions in the context of global environmental politics. In doing so, the thesis has made use of the findings from the empirical analysis of internal practices of international NGOs as well as their external democratic demands. Moreover, the discussion has brought together insights from the literature on global democracy, representation theory, environmental politics, the role of non-state actors in global politics, and existing analyses of individual NGOs. Rather than trying to confirm or disconfirm a set hypothesis along the lines of 'NGOs are representative(s)', the thesis proceeded on the basis of a range of research questions. The thesis did not take an existing theory from the standard social science toolbox and apply it to new data. Instead, it followed an exploratory approach and treaded on new ground both with respect to the conceptual framework as well as the empirical analysis. Many of the findings discussed in this and the previous chapters are tentative. Nonetheless, they present important contributions to an emerging debate and can lead the way for further investigation.

The contribution of this thesis is threefold. Firstly, the thesis has provided a new comparative empirical analysis of the democratic demands made by CSOs in their interactions with the UNFCCC and the CBD. Secondly, it has presented case studies of the internal workings of the three most prominent international ENGOs and of two issue-specific NGO networks. These case studies differ from existing empirical analyses of these organisations in that their focus is specifically on investigating the notion that NGOs can link local communities to international organisations. Thirdly, the thesis has put

forward a new framework for thinking about this 'linkage' role of international NGOs based on Pitkin's seminal work on the concept of representation.

The thesis is located within the body of International Relations literature that is concerned with the contribution of civil society to the democratisation of global governance. Within this relatively broad field, the thesis speaks to a number of more specific questions. Firstly, in adopting the 'dual focus' on internal practices and external demands, the thesis responds to a call made predominantly by scholars of social movements and applies it to NGOs: the fact that the democratic contribution of civil society actors should be assessed both with reference to their internal practices and their external democratic demands (Marchetti 2008; della Porta 2009). The comparative investigation of the NGOs' democratic demands directed at two conventions in chapter IV offers an additional take on the role of NGOs in the "construction and diffusion of democratic norms" (Uhlen 2010, 32).

The investigation of internal practices by NGOs and the effect that they have on representation responds to the frequently voiced calls for more research into the accountability, transparency and legitimacy of international civil society organisations (VanRooy 2004; Collingwood 2006; Kissling and Steffek 2008; Erman and Uhlin 2010; Bexell, Tallberg and Uhlin 2010). The application of the concept of representation to the role of NGOs allows for a more systematic conceptualisation and investigation into how NGOs might help to link "the local to the international levels of politics" (Princen 1994, 33) or act as "transmission belts" (Steffek and Nanz 2008) between local communities and international institutions. In focussing on this linkage role, the particular approach adopted in this thesis also differs from that of MacDonald (2008). While she argues that NGOs should be subject to democratic control on the basis of the public power they exercise, this thesis explores the potential contribution of NGOs in linking affected communities to a third agent of public power: international institutions.

The issue of representation has often had the effect of polarising the debate on the role and contribution of NGOs. However, neither a simplified ‘transmission belt model’ nor an across-the-board criticism of powerful NGOs as fundamentally ‘unrepresentative’ of the world’s poor capture the diversity of practices among them. One main contribution of this thesis lies in enriching the debate on the role of NGOs in global governance with a more nuanced understanding of their potential to represent local communities in international institutions. Through the analysis of the internal practices of various international NGOs and the identification of a range of organisational characteristics that shape their roles as ‘representatives’ the thesis addresses a gap in the research on the democratising potential of NGOs. A further empirical contribution of the thesis lies in its analysis of the internal structures and the coordination processes within the Climate Action Network and the CBD Alliance. It shows how a wide range of independent NGOs can work together to ‘channel’ their inputs into particular global policymaking processes and what challenges they face. While CAN has already been the subject of a number of academic analyses, these have mostly been in relation to the influence it has exerted on the negotiations. Seemingly no academic research exists on the role of the CBD Alliance in the context of the biodiversity convention.

In theoretical terms, the thesis enters new ground in applying Piktin’s concept of substantive representation to the ‘representative role’ of NGOs. The argument that substantive representation may be taking place even in the absence of formal elections follows the line of reasoning put forward by Castiglione and Warren (2006) and others that elements of representation can be detached from the nation-state context. This perspective presents a riposte to the ‘nobody elected the NGOs’ argument that is sometimes used to discredit democratic claims by and about global civil society (Anderson and Rieff 2004). The particular conceptualisation of representation employed in this thesis also differs from the notion of “discursive representation” or the

“representation of discourses” (Dryzek and Nyemeyer 2008; Dryzek 2012). In this view, representation at the transnational level is not about the representation of individuals but about the “discourses to which they subscribe” (Dryzek and Nyemeyer 2008, 481). Provided that we are indeed witnessing a participatory or “deliberative turn” (Bäckstrand et al 2010a) in global environmental politics, the two conceptualisations of representation may actually overlap in practice. The question of how to operationalise participation and responsiveness to communities on the ground is already shaping the terms in which a wide range of discourses across the environmental policy field are being conducted.

For the most part, however, analysts of NGOs shun the concept of representation both because of its rootedness in the domestic context and the fact that the activity of ‘representing’ is quickly associated with the outcome of ‘representative’ – implying a normative judgement of the role of NGOs. Instead the debate has usually been conducted in the language of ‘NGO accountability’: a more generic and potentially less loaded term than representation. Scholte views accountability “primarily as a means to constrain power and make it responsive to the people that it affects, especially people who tend otherwise to be marginalised and silenced” (2011, 15). An important facet of the concept is the distinction between “internal” and “external” accountability (Keohane 2003 quoted in Biermann and Gupta 2011, 1857) which corresponds to responsiveness to ‘internal’ and ‘external’ stakeholders, as discussed in the NGO case studies. It is worth asking whether there are any advantages to using the concept of representation over that of accountability when thinking about the democratic contribution of private actors such as NGOs.

A first observation should be that these are not two different concepts but, in fact, closely related. Accountability is, as was discussed in chapter V, a key element of representation; yet representation can also be understood in a broader sense. In addition to accountability, it also encompasses

authorisation and, on the other side of the representation spectrum, the notion of trusteeship. The activity of representing includes accountability but also goes beyond this. Moreover, and especially pertinent with respect to the particular interpretation of the democratic deficit of international institutions outlined in chapter II of the thesis, the concept of representation is better suited than the concept of accountability for examining the idea that NGOs can act as links between two other types of actors. While most debates around NGO accountability are concerned with the type of sanctions available to stakeholders to control the NGOs' actions – for example, stopping or shaping a project on the ground – the focus here is different. The point of departure in this research is that international institutions should be accountable to those communities impacted by their decisions. These forms of “external accountability” by IGOs to the affected communities are, however, only weakly developed. Conceptualising NGOs as potential representatives focuses our attention on the extent to which it can credibly be claimed that they speak for these impacted communities in the “empowered spaces” (Dryzek 2009). It is true, however, that this difference in emphasis has been very hard to capture empirically as both an accountability framework and a democratic representation framework rely primarily on evidence of responsiveness.

The contribution of the thesis to the policy debate can largely be formulated in the form of recommendations, relating, for example, to how NGOs can strengthen their responsiveness to local communities. What has become apparent is that ‘paper initiatives’ such as internal policies or codes of conduct are by themselves not sufficient to implement ‘downward’ accountability practices within an organisation. Developing a culture of participation and responsiveness requires time, effort and resources. Some of the specific steps organisations could take involve, for example, inviting local community representatives to become external board members, and supporting and strengthening dialogue among member groups and external stakeholders at the regional level. Organisations that choose to go down the

route of greater responsiveness to local communities need to be aware, however, of the potential opportunity costs such as slower decision-making processes and perhaps more open conflict within the organisation. Nonetheless, allowing for constructive disagreement as a possible consequence of more 'bottom-up' decision-making processes enables organisational learning and might actually strengthen the final positions.

There are also important implications for funders (such as foundations or international agencies) who need to be conscious of the fact that certain demands for 'upward accountability' can make it more challenging for the sponsored organisation to implement practices of participation and democracy. On the one hand, it is understandable that funders want to see fast and impressive results in return for their money. On the other hand, an excessive focus on output and impact tracking and the creation of a 'target culture' can undermine the ability of organisations to take decision in an inclusive, participatory and democratic fashion - something which often necessitates a more lengthy process of consultations. To overcome this dilemma, impact targets set by funders can be matched with (jointly developed) democratic process requirements, setting out not only the desired results but also how they should be achieved. In addition, funders urgently need to increase their efforts to fund Southern civil society groups, even if this happens at the expense of the 'usual suspects'. The fact that Southern CSOs are in most cases still vastly outnumbered by their Northern counterparts in international meetings is primarily (though not exclusively) a problem of insufficient resources.

The limitations of NGO representation and responsiveness, however, also underline the importance of creating direct means for access for affected communities to international institutions, independent of 'NGO sponsors' (for example, in the form of ombudsman processes). Moreover, some of the policy proposals for developing "more institutionalized involvement of civil society representatives in intergovernmental decision-making" (Biermann and

Gupta 2011, 1863) might consider linking participation rights for NGOs to requirements for accountability, responsiveness and internal democracy. This might help to overcome a strict insider/ outsider divide and open up mechanisms for input by communities (including non-members), thus reinforcing the idea of NGOs as links between international institutions and affected citizens.

The approach followed in this thesis also has a number of important limitations that need to be acknowledged. Methodologically, interviews need to be treated with caution as interviewees often adopt the language of the researcher, which makes it hard to get 'authentic' answers. This problem was unavoidable in the context of this research as many of the interviewees were themselves familiar with the policy and academic debates relating to NGO accountability and stakeholder participation. Consequently, there is little doubt that responses were often (consciously or subconsciously) phrased in such a way as to 'please' the interviewer. It might be possible to overcome this bias through conducting an even broader range of interviews, not only with current NGO staff, but also former staff and external stakeholders. There is, however, on balance, a diminishing value added by each additional interview once a sufficient number has been conducted. The more pragmatic approach – which was also followed in this thesis – is to use interviews as only one of several types of sources and supplement the analysis with written primary documentation and secondary analyses.

Another limitation applies to the analysis of procedural democratic demands conducted for chapter IV. Due to the relatively generic language employed by the NGOs in their submissions, it was impossible to draw out much evidence of variation among the democratic demands made by different NGOs. In fact, the convergence around very similar formal procedural standards across the spectrum of radical to reformist groups is notable. Of course, by specifically looking out for these demands, no insight was gained as to what organisations are actually silent on these issues. Moreover, contrary

positions (i.e. opposing more democratic and participatory forms of decision-making) that might be held by individual NGOs are unlikely to be included in written submissions.

There are a number of ways in which the ideas presented in this thesis may and should be further developed. Due to the relatively broad conceptual framework 'linking' local communities to international institutions via international NGOs (who constituted the focus of the analysis), the thesis did not manage to pay sufficient attention to the level of the local communities. In fact, in variously speaking about 'the poor', 'the marginalised' and 'the represented', the thesis may be criticised for subscribing to a discourse that downplays the independent agency and resilience of these communities. Research that focuses more specifically on the level of the local communities provides an important counterweight to this tendency. This could be done, for example, through conducting a sufficient number of in-depth case studies of how particular NGOs have worked – or failed to work – with particular communities in the context of specific campaigns and how local communities were able to exert influence in these instances (cf. Hertel 2006). This approach might help to explore specific instances of 'interest transmission' from local communities via NGOs to international institutions.

At the level of the NGOs, further work might go both deeper and wider. The analysis of the five different NGOs and NGO networks undertaken in this thesis allowed for a comparative exploration of crosscutting factors. More in-depth case studies of individual organisations, conducted for example through participant observation over a period of time, might add additional insights into the 'hidden' power dynamics that characterise intra-organisational relations. In addition, the analysis should be expanded to a wider range of organisations, especially Southern NGOs. To what extent have major NGO players from the global South tried to implement forms of responsiveness to local communities? Are the factors that shape their potential for doing so the same as for their Northern counterparts or do they

differ? Moreover, it would be instructive to look beyond environmental NGOs at organisations active in other issue areas where practices of accountability to beneficiaries are often more developed. One particularly noteworthy organisation in this regard is the group ActionAid, which has developed its own 'Accountability Planning and Learning System' (ALPS).⁷⁹

Another area that might be further explored is the impact of civil society actors on democratisation processes within institutions of environmental governance. Compared to other issue areas such as human rights or trade, NGO visions and initiatives relating to "horizontal" and "vertical" reforms (Falk 2005, 171) within environmental institutions have been relatively less explored. There is scope here for further investigation that goes beyond identifying demands and tries to trace the actual impact of NGOs on reform processes across different institutions.

v. Conclusion

Can NGOs link local communities to international organisations? The answer is clearly not a resounding, but only a *very* contingent, 'yes'. The thesis has shown that there is indeed some potential for international NGOs to act as representatives of local communities in international organisations. This potential is, however, only weakly realised to date and it is shaped and restricted by a range of organisational characteristics. NGO 'transmission belts' do not run smoothly. They may get jammed, crammed or overloaded with expectations.

The engagement by international NGOs with international institutions is therefore no substitute for the direct participation of affected communities themselves. An important democratic contribution for influential INGOs lies in using their standing and influence with global policymakers, as well as

⁷⁹ ActionAid (2006). Accountability Planning and Learning System, http://www.actionaid.org/sites/files/actionaid/actionaids_accountability_learning_and_planning_system.pdf last accessed 01.12.2012

their resources, to lobby for and support more equitable and participatory forms of decision-making at the international level. The discussion is far from complete, however, and this final chapter has highlighted a number of areas for further analysis in this still emerging field of research.

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