

GARNET mobility
JERP 5.3.1 “Global Environmental Governance”

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Research project

“Can new forms of global governance and the participation of private actors contribute to a better implementation of Multilateral Environmental Agreements in Africa?”

There are more than 150 Multilateral Environmental Agreements (MEAs) forming a web of international regimes with various degrees of effectiveness (Biermann and Bauer 2004). The study of these regimes is grounded in the theory of International Relations and up to now mainly covered regime formation, policy formulation, compliance measures, and the (in)effectiveness of such regimes whenever the relevant agreements were implemented (Young 1997, Young 1999 ; Vogler 2000). Like most IR literature the international regime analysis tends to overlook the dynamics of Third World actors. Its analytical focus is rather the global society (the international system in mainstream IR vocabulary), although most of the time the root causes of ineffective implementation lay at national or sub-national levels. These factors are rarely addressed – with few exceptions such as a case-study on Cameroon (Blaikie and Simo 1998). Yet this neglected task is of primary importance if the current trend of environmental degradation is to be slowed down at the global level (UNEP 2002).

Although African states are parties to most MEAs and there is a certain level of formal compliance the lack of effective implementation on the ground is certainly related to a wide range of factors such as their characteristics as Quasi-States (Jackson 1990), some non representative and non accountable political structures, the bad governance at national and sub-national level, a set of cultural values alien to Western political thought and so on. It is argued elsewhere that the nation state structure and the political elite’s behaviour are crucial areas of analysis when trying to understand the interplay between global and local regimes of environmental management across the spatial scale (Compagnon forthcoming). However, such a study of factors of MEAs’ poor implementation in Africa is the main focus of another GARNET mobility project presented by Steffen Bauer from the Free University Berlin, who will come to work on this specific topic in Bordeaux in 2007.

The purpose of the present research is to approach the implementation challenge from a different angle. Numerous efforts to reform the African state and make the politicians more

accountable have met limited success up to date. Quite often the use of environmental conditionality by international donors stumbles on cynical claims from corrupt governments that these conditions violate their national sovereignty. Chad's government decision in early 2006 to renege on its commitments to the World Bank to use the oil proceeds for investing in sustainable development with a focus on poverty alleviation is a case in point. Although state reform deserves to remain on the national and international policy agendas it is worth exploring other avenues, both in terms of policy relevance and in terms of governance theory. The participation of private actors to global environmental governance is one of the emerging research field in this respect (Levy and Newell 2005). It belongs to a broader debate on the new forms of international governance (Risse, 2004).

In the wake of the UN induced process of global conferences on the environment – later on sustainable development -, and with a growing reluctance of states to further commit themselves to regimes with strictly bounding rules supported by coercive measures, precise targets or rising financial commitments, there has been a greater participation of private actors both to the negotiation processes and to the implementation plans for various MEAs. At the World Summit on Sustainable Development in 2002 their involvement was endorsed both by the UN Secretary General and by most member states, obviously with hope to transfer to the private sector a substantial share of MEAs' implementation costs (Hale and Mauzerall 2004). Climate change, biodiversity, and forest management regimes (Pattberg 2005a) among others provide for such new forms of private involvement in public governance. In addition other autonomous processes with some implications for the environment such the negotiation of ISO standards contribute to this burgeoning field (Pattberg 2005b). Private governance “emerges at the global level where the interactions among private actors [...] give rise to institutional arrangements that structure and direct actors' behaviour in an issue-specific area” (Falkner 2003: 72-73).

At a theoretical level the question is whether this trend will produce a new form of public space or merely amounts to a privatisation of public governance. This is, however, a somewhat circular debate, and one based on simplistic assumptions about what is public and what is private. As Falkner rightly points out: “Hybrid private-public governance emerges out of the interactions of private actors, either with the involvement of states or with the later adoption, or codification, by states and/or intergovernmental organizations. States are not the driving force behind the creation of such governance systems, but lend them strength through official recognition or incorporation into international law ... The new agenda in global governance is defined by an intricate private-public nexus in which private and public authorities work hand-in-hand to redefine the parameters of global policy-making.” (Falkner 2003: 76, 84).

Arguably the relations between private actors and states will vary significantly whether we look at Third World LDCs or at Western powers, and within the Third World. This not just a rehash of the three decades old but still relevant debate on the MNCs versus Third World governments. Through privatised environmental governance business corporations perform new functions, broker new alliances with some international or local NGOs hitherto critical of their role (Compagnon 2005). However, from both a descriptive and normative perspective there is no need to idealise privatised governance: there is obviously threshold for companies beyond which they will object working against their short-term interest (profit making). Besides even when contributing to public governance industrialists might not be bereft of self-serving – perhaps hidden - motives which are worth enquiring about.

This research will focus on the potential benefits but also the possible shortcomings of private mechanisms of global governance with respect to the implementation of MEAs in Africa. The limited number of such experiments on the ground does preclude an assessment on whether this new policy recipe has any chance of succeeding in contemporary Africa with the current political dispensation. Thus some of the central research questions would be:

* What are the examples of private environmental governance currently at work in Africa? What is there impact on the ground?

* How can these practices be linked to MEA implementation of the lack thereof? Can they contribute to overcome some of the common obstacles in environmental policy in Africa? Or on the contrary are they an additional hindrance?

* What role play external actors (NGOs, donors, international organisations) in this process? What kind of coalitions are built locally or across the political scale to promote a wiser environmental governance?

* Can the European Union contribute to a better environmental governance by working more closely with private actors involved in Africa, or on the contrary should the EU be more cautious in its approach?

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