Why is there no World Environment Organisation? Explaining the absence of international environmental governance reform

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Abstract. In the past forty years numerous proposals to improve the fragmented international environmental governance (IEG) system have been developed, many of which call for the establishment of an international environment organisation. Although consensus exists among governments and scholars that the system needs improvement, no substantial decisions regarding its reform have been taken to date. Based on a literature study and more than twenty interviews, this article identifies the main barriers for IEG reform, using three theories of new institutionalism: historical, discursive and rational choice institutionalism. Historical institutionalism draws attention to the way in which the complex nature and the ad-hoc and diffused development of the IEG system prevent institutional change. It also shows that power inequalities and lack of trust between nation-states hamper debates concerning IEG reform. Drawing on discursive institutionalism, the incentive to maintain the status quo can be identified as a key hurdle, which is mainly caused by the fear of nation-states and international organisations to lose their authority to another international environment organisation. Discursive institutionalism shows that a mobilisation of bias and the nature of the debates concerning IEG reform —which are fragmented, unclear and tend to recycle issues— thwart progress towards agreement. Finally, rational choice institutionalism suggests that fundamental differences in national and institutional self-interests are important barriers to IEG reform. The article concludes with a reflection on the utility of the theories of new institutionalism, showing that despite some fundamental differences the three theories complement rather than contradict one another in their explanation of the absence of IEG reform.

Key words: institutional change, international environmental governance architecture/reform, new institutionalism, political processes, World/United Nations Environment Organisation.

Abbreviations: CSD – Commission on Sustainable Development, DI – Discursive Institutionalism, EMG – Environment Management Group, EU – European Union, G77 – Group of 77, GMEF – Global Ministerial Environment Forum, HI – Historical Institutionalism, IEG – International Environmental Governance, MEAs – Multilateral Environmental Agreements, RI – Rational Choice Institutionalism, UN – United Nations, UNEO – United Nations Environment Organisation, UNEP – United Nations Environment Programme, US – United States of America, WEO – World Environment Organisation, WSSD – World Summit on Sustainable Development

1. Introduction

The international environmental governance (IEG) system that aims to reduce the degradation of the global environment is highly complex, with many international environmental and non-environmental institutions and agreements dealing with all sorts of often overlapping environmental issues. The United Nations Environment Programme (UNEP), whose mandate is to coordinate the United Nations (UN) environmental activities, is closest to being the "leading global environmental authority" (Governing Council UNEP, 1997; par. 2). Other international environmental organisations include the UN Commission on Sustainable Development (CSD), UNEP's Global Ministerial Environment Forum (GMEF) and UNEP's Environment Management Group (EMG) (Kanie, 2007; Ivanova and Roy, 2007). There are also many non-environmental international organisations with environmental responsibilities, such as the Food and Agriculture Organisation, the World Health Organisation, the World Bank, and many others. In addition, hundreds of Multilateral Environmental Agreements (MEAs) address various international, national and regional environmental issues, all operating with their own secretariat. Within this complex international system for environmental governance there is no single organisation that possesses the authority or political strength to effectively coordinate all international environmental efforts (Inomata, 2008). Reasons for why UNEP lacks authority to fulfil such a role are its insufficient and unreliable budget; its weak legal status; and the overlap of UNEP's mandate with those of many other international organisations that have environmental responsibilities but are not prepared to defer to UNEP (Tarasofsky, 2002; Desai, 2006; Bauer, 2007; Biermann, 2001; interviews, 2009).

While some argue that a system with loose, decentralised and dense networks of institutions and actors is the best design for managing global environmental problems, there is a general consensus among nation-states that the IEG system is not adequate enough to deal with the many environmental problems in this world. Commonly cited areas of concern are the fragmentation of the system; the lack of cooperation and coordination; overlapping and sometimes conflicting mandates between organisations; the proliferation of MEAs; the lack of enforcement, implementation and effectiveness of IEG; the lack of overall vision; inefficient use of resources; and the many conflicts and imbalances that exist with other (e.g. trade) regimes (Najam et al. 2006; Hoare and Tarasofsky, 2007; Elliott, 2005; Lodefalk and Whalley, 2002).

Since well before the establishment of UNEP in 1972 a growing number of proposals have been developed by nation-states, UN commissions and scholars to address these areas of concern. Many of these call for the establishment of an overarching and coordinating body, a World or United Nations Environment Organisation. The proposals differ hugely in terms of the scale of the organisation, the functions it could fulfil, and the implications it has for the system.[1] The proposal that is most widely advocated and most frequently discussed in the UN General Assembly is the one to upgrade UNEP from a UN programme to a specialised agency, most often called a United Nations Environment Organisation (UNEO). A UNEO

would have its own budget, increased staff and financial resources, a broadened mandate, and enhanced legal powers (Biermann, 2000; Bauer and Biermann, 2005).

The nature of and proposals for IEG reform have been and still are subject to many academic and political debates, the latter of which particularly take place within the UN system. Despite the huge number of proposals and the many debates that have taken place in the past decades, no action has been undertaken, nor any decisions been made to embark upon a substantial reform of the system or to establish an international environment organisation. Many scholars and practitioners involved in the debates concerning IEG reform are of the opinion that the debates are characterised by very little progress; some even speak of a 'deadlock' (interviews, 2009).

The aim of this article is two-fold. First, it seeks to explain why no decisions have been taken yet to substantially reform the IEG system or to set up an international environment organisation. In doing so, the article addresses a timely topic: despite the four decades of debates on the problems of and possible solutions for the increasingly fragmented system for international environmental governance, few studies have been carried out that seek to explain why these debates have not led to clear decisions on the best design for the system. Most research in this field focuses on the design of the system itself, not on the negotiations concerning the design. The analysis in this article makes use of three theories of new institutionalism: historical, rational choice and discursive institutionalism. The second aim of this article is, therefore, to assess the extent to which these three schools of thought yield complementary rather than contradictory explanations of the absence of IEG reform. The analysis in this article is based on primary and secondary sources, including twenty-two semi-structured interviews with scholars and practitioners in the field of international environmental governance (see list of interviewees).

The outline of this article is as follows. Section 2 gives a historical overview of the most important discussions and assessments that have taken place on IEG reform, focusing mainly on those within the UN system in the last decades. Section 3 applies the three theories of new institutionalism in answering the key question of this article, namely why no decisions have been made to date concerning the reform of the IEG system. The concluding section contains a reflection on the utility of the three theories and explains how a combination of these has led to complementary rather than contradictory analyses of the factors explaining the absence of IEG reform.

2. History of the debates on IEG reform

The current debates regarding the quality of the international system for environmental governance date back to the late 1960s and early 1970s. The growing concerns about the pressing environmental problems at that time resulted in the convening of the first environmental World Summit in 1972, the United Nations Conference on Human Environment. Although the creation of the United Nations Environment Programme that followed the conference eased the concerns about the quality of the IEG system somewhat, the structure of the system was again debated during and in the run-up to the UN Conference on Environment and Development in 1992.

This second environmental World Summit resulted in the establishment of the UN Commission on Sustainable Development (CSD), which task is to stimulate global, national and local action by UN bodies to promote sustainable development (Dodds et al. 2002).

Despite the establishment of yet another new body for environmental governance, dissatisfaction with the IEG system remained (Biermann, 2000; Bauer and Biermann, 2005). In 1998 the UN Task Force on Environment and Human Settlements concluded that the IEG system had substantial overlaps, unrecognised linkages and gaps, and that there was a need for more environmental coordination. The Task Force's recommendations resulted in the establishment of the United Nations Environment Management Group (EMG) and the Global Ministerial Environment Forum (GMEF) (High level Forum of UNEMG, 2006). Both were an attempt to increase the coherence in international environmental policy. While the EMG's objective is to improve policy coherence and collaboration between the growing and often overlapping UN environmental bodies, the GMEF aims at being a forum in which to discuss and review important environmental policy issues (High level Forum of UNEMG, 2006; Charnovitz, 2002). The GMEF recommended that the third major environmental conference, the World Summit on Sustainable Development (WSSD) that took place in 2002 in Johannesburg, review the needs for a strengthened architecture for international environmental governance based on an assessment of existing institutional weaknesses, future needs and a set of options for reform (UNEP, 2001a). Although the WSSD called for a stronger collaboration within the UN system and underlined the need to eliminate duplication of functions and continue the attempt for greater integration, efficiency and coordination (High level Forum of UNEMG, 2006), scientists and non-governmental organisations argued that the Summit did not achieve much, as it was unable to deliver a solid, actionable proposal and only rephrased what had been agreed upon in other forums (Ivanova, 2007; Elliott, 2005).

From 2004 to 2007 the proposal to upgrade UNEP to a fully fledged specialised agency, a United Nations Environment Organisation (UNEO), received special attention. Especially France under President Jacques Chirac made efforts to push for this proposal and managed to bring together both developed and developing nations to discuss the proposal in among others the so-called 'Group of Friends of the UNEO' in 2007. The Group of Friends was an effort to push for the establishment of a UNEO by building a strong coalition and break the impasse that existed due to differences in opinion on the future of the IEG system. Nevertheless, the group failed to enter into serious discussions on the possibility to set up a UNEO. Many scholars and practitioners of IEG reform argued that the European Union merely provided political support rather than active commitment, and that most (francophone) developing countries were involved because they experienced pressure from France to participate in the Group. The Group of Friends of the UNEO became and remained inactive when Jacques Chirac left office in May 2007 (interviews, 2009).

In 2006 the High-Level Panel on United Nations System-Wide Coherence was established. This initiative could be seen as part of the wider UN reform process for a stronger, more effective and more coherent UN

system (UN, 2006). The High-Level Panel stated in its 'Delivering as One' report that "[t]he international system is complex, fraught with duplication, and lacks coordination" (UN, 2006; p. 20). UNEP was considered to be the right organisation to set global standards and coordinate system-wide environmental activities, but was considered "weak, under-funded, and ineffective in its core functions" (UN, 2006; p.20). The High-Level Panel recommended that UN organisations cooperate more effectively and eliminate duplication; that UNEP be upgraded with a renewed mandate, improved funding and stronger coordination of system-wide environmental policies; and that an independent assessment of the current UN IEG system be carried out with an eye on further reforming the IEG system, which should include an analysis of different proposals to upgrade UNEP (UN, 2006).

The assessment that followed this last recommendation was carried out by the so-called Joint Inspection Unit, which released its report in December 2008. It contained twelve recommendations requesting action from the United Nations (GMEF, 2009a). It stated that "UNEP will not be able to position itself as the leading authority that sets the global environmental agenda and promotes within the UN system a coherent implementation of the environmental dimension of sustainable development" (Inomata, 2008; p. 30), and that therefore any future reform of the international environmental governance system needs to build on the reform of UNEP (Inomata, 2008).

As a follow-up to the 'Delivering as One' report, the General Assembly began informal consultations on the UN IEG system in March 2006. The so-called informal consultative process on the institutional framework for the UN's environmental activities showed that, although there was consensus that the IEG system needs to be strengthened to improve coordination and coherence, there was no consensus on how this should be achieved. The informal consultations led to the General Assembly Co-Chairs' Option Paper, presented in June 2007 (GMEF, 2009a; Inomata, 2008). This Option Paper highlighted a number of options for UNEP's reform[2] and seven building blocks for strengthening the current UN system for international environmental governance (UN, 2007).[3]

The co-chairs of the Option Paper had ensured that countries were willing to further discuss the various issues that were raised in the Paper. On the basis of these discussions the co-chairs submitted a draft resolution to the General Assembly in May 2008, called "Strengthening the environmental activities in the United Nations system" (GMEF, 2009b). Some of the recommendations included: strengthen the capacities of UNEP; establish a working group to discuss options for IEG reform; and submit to the General Assembly a report on the implementation of the resolution, the challenges of the UN IEG system, and recommendations to strengthen it (UN General Assembly, 2009a). The resolution was adjusted at its latest in January 2009 and was then still a draft version. The informal consultations led to the suggestion to launch formal negotiations by September 2009. However, the ambassadors who led the consultations and negotiations on the draft resolution concluded in mid February 2009 that the progress had been so slow that they had decided to stop the negotiations in the General Assembly altogether. They did not feel a resolution with real content could

still be the outcome of the negotiations, as some countries wanted to discuss it line-by-line and were only willing to agree with the resolution after much of its content was removed. The ambassadors requested the Global Ministerial Environment Forum to take over the discussions again (Efforts to reform…, 2009; interviews, 2009).

During the twenty-fifth session of the GMEF in February 2009 it was decided to set up a Consultative Group of Ministers or High-Level Representatives on International Environmental Governance. After several meetings, the group presented a set of options for improving the IEG system to the GMEF at its eleventh special session in February 2010, with a view of providing inputs into the UN General Assembly (UNEP, 2009; interviews, 2009). During this session, the consultative group identified several objectives and functions, as well as broader reform options for the UN international environmental governance system.[4] The options for broader reform included: enhancing UNEP; creating an umbrella organisation for sustainable development; creating a specialised agency for the environment; reforming the Economic and Social Council and the CSD; and streamlining the present IEG structure. Though the consultative group stressed the need to further assess these options for broader reform, and though it stated that incremental and broader reform could go hand in hand, the emphasis of the group's recommendations laid with incremental reform (GMEF, 2010).

The many debates that have taken place in the last forty years have led to a consensus among governments on some general criteria that a strengthened IEG system should meet. These include: having an evolutionary, step-by-step reform process rather than an institutional revolution; building with and within the existing institutions, especially UNEP; keeping Nairobi as the headquarters of the main environmental UN body; retaining the central role of MEAs, improving their coordination, but respecting their autonomy; taking into consideration not only environmental issues, but also developmental ones; taking into consideration the constraints and development needs of developing countries; and creating a system that is effective, responsive, legitimate, transparent and fairly represented (Kanie, 2007; UNEP, 2001a; 2001b; Desai, 2006; GMEF, 2009a; Inomata, 2008; Ivanova, 2005a; interviews, 2009).

Despite these points of agreement, no decisions have been made yet to (substantially) reform the IEG system. The next section explains why, making use of three theories of new institutionalism.

3. Explaining the absence of IEG reform

The theories of new institutionalism can be used to describe the relationship between institutions and behaviour, and to explain the process of institutional origins and changes (Hall and Taylor, 1996). In this section three theories of new institutionalism are used to explain why, despite the large number of debates, proposals, and assessments concerning the architecture of the IEG system, described in the previous section, no decisions have been made to date on the best institutional design for the system.

4.1 Historical institutionalism

Historical institutionalism focuses on the way in which historical developments or the context of a given situation —often in the form of institutions— structure the current and future developments by influencing the interactions between actors. Institutions are seen as relatively persistent and as one of the central factors in defining the context and pushing developments along so-called 'trajectories'. The same forces can have very different outcomes in one situation than in another because the (institutional) context is different and exerts its influence. This is what historical institutionalists call 'path dependency' (Hall and Taylor, 1996). Since not all developments are purposive, unintended consequences and inefficiencies can occur in such trajectories.

With the use of historical institutionalism we can put forward several possible explanations for why no substantial reform of the IEG system has occurred to date. First, historical institutionalism's concept of path dependency helps explain why in the past thirty years a rapid increase of international organisations in the environmental arena has occurred (Ivanova, 2005a). Many of these relatively new organisations were efforts by the United Nations to coordinate environmental activities or discuss options to improve this coordination, UNEP being the first one, after which among others the EMG, GMEF and the CSD followed. While some are of the opinion that the creation of these bodies has been an improvement to the situation, many argue that some of them only make the system more complicated and increase the overlap and duplication between existing organisations with environmental responsibilities (Ivanova, 2005a; interviews, 2009). The establishment of organisations within the IEG system has often been done without due consideration of how they might interact with the overall system (UNEP, 2001a), and has to a large extent been ad-hoc, diffused, and rather chaotic (Dodds et al. 2002). This makes the system more complex, so that it becomes ever more difficult to change it in a substantial way (Desai, 2006; Velasquez, 2001). Some argue that there is not enough institutional space anymore to create a full-fledged international organisation for the environment (Ivanova, 2005a). Using historical institutionalism, we can argue that the complex institutional structure of the IEG system generates certain 'trajectories' which warrant the creation of small new bodies, because this is often much easier than changing or dismantling old ones, or setting up large new ones (such as a WEO/UNEO) to coordinate the entire system (Ivanova, 2005a,b; Andresen, 2001; Charnovitz, 2005; Velasquez, 2001; interviews, 2009).

In analyses of institutions and their developments, historical institutionalism puts emphasis on power and asymmetrical power relations (power inequalities) between actors. Historical institutionalists argue that these power relations influence the creation (and prevention) of new institutions (Hall and Taylor, 1996). This helps to reveal a second possible explanation for the absence of IEG reform. Much of the controversy on whether and how to reform the IEG system exists alongside a North-South division. The 'widening trust gap' between North and South influences the options for IEG reform that are being considered, and makes an agreement on such reform difficult to achieve (Van Schalkwyk, 2009; p. 1). The gap increases the reservations of the South towards proposals for an

international environment organisation, which they perceive as a Northern initiative and a potential threat to their development. This is discussed in further detail in section 4.2.2. The problem with the North-South division is that if the IEG system is substantially changed, it needs to be approved by all nation-states, since individual countries continue to have a veto power over a decision to reform the system (interviews, 2009). According to hegemonic theory of international regime formation, a global authority such as a United Nations or World Environment Organisation can only come into existence if the strongest actors assert the necessary power to create it (Porter and Brown, 1991). The problem is that many of the proposals to create an environment organisation come from less powerful states, and some of the most powerful states (e.g. the US and China) are opposed to or at best sceptical about these proposals (Najam, 2005).

A third and last insight that historical institutionalism provides us with is that not only power inequalities between countries prevent institutional reform, but also between organisations that are part of the IEG system. Many of these organisations encroach upon UNEP's areas of work and are not prepared to defer to UNEP since they often had environmental responsibilities even before UNEP was established, resulting in so-called 'turf wars' (Tarasofsky, 2002; Desai, 2006; Bauer, 2007; Biermann, 2001; Ivanova, 2005a; interviews, 2009). These turf wars and the reluctance of organisations to give up part of their sovereignty, mandate or budget to a new environmental body are part of the reason for why it is so difficult to substantially reform the IEG system.

4.2 Discursive institutionalism

Discursive institutionalism (DI) puts emphasis on the role of discourses in politics. Discourses can mean 1) interactive processes by which ideas are expressed (i.e. where, when, how and why it is said) and 2) the ideas that actors express (i.e. what is said) (Schmidt, 2008). The use of discourse as a concept enables DI to have a much more dynamic approach to institutional change than the other schools of thought within new institutionalism. Discourses enable actors to think, speak and act about or with institutions, and hence to change, maintain or create them, even while these actors are interacting within existing institutions. DI treats institutions not only as given (i.e. as the context in which actors speak, think and act), but also as the result of the very practices of speaking, thinking and acting (Schmidt, 2008).

4.2.1 Discourses as interactive processes
The first meaning of discourse, the interactive processes, enables actors to discuss about reforming the institutional structure of the IEG system or creating new institutions like an environment organisation (Schmidt, 2008). Discursive institutionalism is a useful framework to study the ways in which ideas about IEG reform are presented, to whom and where, which helps to explain why these ideas are dominant or not (Schmidt, 2008). Below I discuss four characteristics of the interactive processes that concern IEG reform, and how these characteristics influence possible outcomes of the debates.

A first important characteristic of the interactive processes concerning the topic of IEG reform is that they tend to be highly fragmented (UNEP, 2001b; Ivanova, 2005a). As the South-African Minister of Environmental Affairs and Tourism, Marthinus van Schalkwyk, said in a speech during a session of GMEF in February 2009: "I believe that it is not only the system that is fragmented, but also the debate on fixing the system. This debate has been afloat without a compass on a sea of uncertainty marked by competing agendas for far too long" (Van Schalkwyk, 2009; p. 1). The debates are scattered in many different locations around the world, which is a cause of great inefficiency, puts high demands on UN staff, and makes it difficult to retain a good view of the bigger picture (UNEP, 2001b; Ivanova, 2005a). Especially developing countries have difficulties attending all the meetings and working groups, as they often have limited resources and representatives available (Biermann, 2007; Gupta, 2005).

Second, there is a lot of unclarity in the debates around IEG reform. The existing proposals for reform and/or a new environment organisation contain huge variations in the functions, design and implications of an environment organisation (Ivanova, 2007). None of the proposals delivers a fully-fledged, analytically grounded and practical reform blueprint (UNNGLS, 2007; Ivanova, 2005a, 2007; Oberthür and Gehring, 2004; Charnovitz, 2002; interviews, 2009). Due to the large number of and variety in proposals, most actors mean different things when talking about reform (Biermann, 2001). Government representatives and civil society groups argue that they cannot form an opinion on which of the proposals —if any— they favour, since it is not clear what exactly the proposals entail (UNNGLS, 2007). Furthermore, advocates of an international environment organisation frequently fail to show why an international environment organisation would fulfil the important goals they think the IEG system should meet more effectively than the existing institutional arrangements or than alternatives for reform. They use normative rather than analytical or empirical arguments to explain the need for such an organisation (Oberthür and Gehring, 2004; Ivanova, 2005b, 2007). As Whalley and Zissimos (2002; p. 620) pointed out: "(…) calls [for an international environment organisation] have not really focused on central or substantive environmental policy problems. The issue is not seeking out mutually agreed statements of principle of what constitutes sound environmental management".

Third and related to this, many are of the opinion that the current debate about the reform of the IEG system focuses too much on the institutional question. It seems to circle around the same proposals for a new environment organisation for years (interviews, 2009) and runs the risk of resulting in "yet another inward looking dialogue and potentially a weaker mandate for the environment and sustainable development across the UN system" (Van Schalkwyk, 2009; p. 3). A much heard phrase is that "form should follow function" (Desai, 2006; Ivanova, 2005b; Dodds et al. 2002; interviews, 2009). This means that there should be a very clear idea of what the problem is and what should be improved, before discussing possible options for reform.

A final complication in the debates concerning IEG reform is their tendency to recycle. Actors engaged in negotiations with a complex

negotiating agenda —such as IEG reform— tend to postpone some of the issues to later negotiations in order to reduce complexity. In this way actors create enduring negotiating processes by having each new forum call for the implementation of what the previous forum proposed. Hyvarinen and Brack (2000 in Charnovitz, 2002) call this the tendency to 'recycle' decisions. All regimes do this to some extent, but it is especially common in the environment regime (Dodds et al. 2002; interviews, 2009). The tendency to recycle is apparent from the historical overview of environmental conferences, statements and agreements in section 2. It shows that over the years, statements regarding the IEG system, its perceived weaknesses and the goals for its reform were, instead of building up on one another, repeated many times in different agreements and assessments.

4.2.2 Discourses as different levels of ideas

According to discursive institutionalists, the second meaning of discourse, the ideas, exists at three different levels in politics. The first level covers the specific policies or policy solutions proposed by policy-makers. The second level encompasses the more general programmes that are the basis for the policies in the first level, which define the frames of reference that policy-makers have of the world around them. The second level of ideas includes the problems to be solved; the issues to be considered; the goals to be achieved; the ideals that are used; and the norms, methods and instruments to be applied. Finally, the third level covers the public philosophies or sentiments: the world views that form the basis for the previous two levels. Whereas the policy ideas and programmatic ideas (first and second level) are discussed and debated, the third level sits at the background as an underlying assumption and is hardly ever contested (Schmidt, 2008). Because this makes the third level hard to study, it is not analysed in this article. The distinction discursive institutionalism makes between different levels of ideas enables us to identify which level of ideas contains most differences in opinion regarding the best design for the IEG system. Below I discuss the main points of agreement and disagreement between nation-states at the second and the first level of ideas.

Section 2 showed that most countries agree on the definition of the problem, the goals that need to be achieved and the ideals and norms that are to be used; all ideas belonging to the second level. However, the second level also contains many controversial ideas.

One controversy concerns the question as to which approach should be used to reform the IEG system. The US and other JUSCANZ countries (Japan, Canada, Australia and New Zealand) are of the opinion that a practical, bottom-up, fragmented and decentralised approach with less bureaucracy is the best way to organise international environmental governance. The EU and its allies on the other hand favour a more top-down and coordinated approach with their proposal for a more powerful and full-fledged organisation for the environment (Andresen, 2001; interviews, 2009).

Another example of a controversial idea in the second level is the concept of sustainable development. The introduction of this concept brought with it the recognition that developmental and environmental issues need to be simultaneously addressed and that policies should focus on the

interactions between these issues (Kanie, 2007). However, the concept has also brought controversy between countries, mainly because it is a rather vague concept that cannot be easily operationalised. Northern countries generally use a different definition of the concept than Southern countries (Najam, 2005; interviews, 2009). Najam (2005) argues that the North soon became wary with the 'fuzziness' of the concept, and often wants to treat environmental issues separately from developmental issues. This makes the South fear that the definitional problem is used as an excuse not to do anything with the concept at all and maintain the status quo. Still, the South insists on treating the environment within the framework of sustainable development, and some argue that Southern states use the fuzzy concept as a means to justify continuing with development as usual (Najam, 2005; interviews, 2009). The concept of sustainable development as a discourse not only influences the relation between Northern and Southern countries, but also the attention environmental issues receive. While some argue that the concept of sustainable development has significantly broadened the environmental and development agenda, with opportunities to place a combination of both higher on the agenda (Kanie, 2007; interviews, 2009), others argue that the concept is "elbowing out" environmental protection (Charnovitz, 2005, p.100). Charnovitz (2005) for example argues that environmental issues receive less attention due to the merger with the poverty reduction agenda. Charnovitz points to the outcomes of the last world summit in 2002 (the WSSD), which he claims paid much more attention to issues of development rather than environment.

Discursive institutionalism holds that ideas in the second level form the basis for (and hence influence) ideas in the first level. This helps to explain how sustainable development (the second level of ideas) has become an important framework in which more and more environmental issues and policies (the first level of ideas) are being placed. In this light we can analyze the way in which the debates between North and South concerning the concept of sustainable development influence their preferred policy proposals with regard to IEG reform. Whereas many countries in the North (especially the members of the European Union) would like to establish a specialised agency for the environment, many countries in the South prefer one that deals with sustainable development (interviews, 2009).

As is apparent from the huge number of calls and proposals for IEG reform in the last forty years, the ideas in the first level are most controversial. Some argue that this controversy is one of the main factors that can explain why no decisions have been made with regard to reforming the IEG system (Hoare and Tarasofsky, 2007; Najam et al. 2006; interviews, 2009). One contentious issue is that of how to finance the IEG system. It is generally agreed that adequate and predictable financial resources are important for strengthening international environmental governance (UN General Assembly, 2009b; UNEP, 2009). But whether new and additional resources are needed, where these resources should come from and where they should go to is still a point of debate (UN General Assembly, 2009b; interviews, 2009). The G77 wants the focus to be on development and capacity-building in the South, with additional financing provided, whereas the United States is in favour of reform that makes the UN more cost-effective and efficient without increasing its budget (UNEP, 2009).

Another controversial issue in the first level of ideas is what UNEP's fundamental role and the scope of its mandate should be. Most countries in the North want UNEP to be a science-based organisation, which mandate is primarily the production of scientific knowledge. However, many countries in the South rather see UNEP as an organisation that can support (developing) countries with capacity-building (interviews, 2009).

The distinction between first and second level of ideas helps to reveal that the differences in views on the best architecture for international environmental governance include very basic ones. This makes reaching a consensus on the way forward with the IEG system extremely difficult, and might even stall the future process on IEG reform (Andresen, 2007; interviews, 2009). The report on the informal consultations of the General Assembly on the institutional framework for the United Nations' environment work stated that: "The co-chairs found themselves in a situation, in which the attempt to move to a decision increased the difficulties in finding consensus" (UN General Assembly, 2009b; p. 7). Indeed, some believe that the US and the Group of 77 (G77) were deliberately delaying efforts to arrive at consensus with their numerous suggestions for changes and deletions to the text of the resolution. The ambassadors leading the informal consultations concerning the draft resolution "Strengthening the environmental activities in the United Nations system" announced in February 2009 that the reason for why further consultations in the immediate future would be unproductive was that the competing interests of the UN Member States were too great to overcome (Efforts to reform…, 2009; interviews, 2009).

4.2.3 The mobilisation of bias
Discursive institutionalism takes the view of the cultural approach. This means that behaviour is not fully strategic, but bound by an actor's world view. Actors are prevented or encouraged to use, change or create institutions in a certain way, because some patterns of behaviour are conventional or taken for granted while others are not. In other words, actors are socialised by the institutions in which or with which they work. Socialisation influences actors' preferences, goals, and the options they consider. This helps to explain why institutions are so difficult to change (Hall and Taylor, 1996; Schmidt, 2008). One can also speak of a 'mobilisation of bias' (term developed by Schattschneider, 1960) that is present in all political organisation: the dominant values, myths, established political procedures and rules of the game.

The mobilisation of bias can make actors resistant to change. This gives insight in why nation-states have an incentive to maintain the status quo: they feel comfortable with the current system and have learned to use it to their individual and institutional advantage. Only few of them are motivated to push for substantial changes in the IEG system (Najam et al. 2006; Desai, 2006; interviews, 2009). Many argue that any kind of hierarchic environment organisation will meet with heavy resistance. Though countries have created international organisations and MEAs to which they delegate some of their authority in carefully prescribed areas under agreed upon norms and policies, it appears unlikely that either developing or developed countries are prepared to give up part of their

sovereignty to a supranational agency for the environment (Biermann, 2000; Dodds et al. 2002; Simonis, 2002; Gupta, 2005). Some scholars even go so far as to argue that out of fear for infringement upon their national sovereignty, governments have deliberately filled the IEG system with small, weak and underfunded international organisations that have overlapping and conflicting mandates (Ivanova and Roy, 2007; interviews, 2009).

According to Dimitrov (2005) the reason for why countries create such small organisations is because they cannot afford to give the impression that they are not doing something about pressing environmental issues. It is a way to show that states are taking action on the issue of IEG reform without having to substantially change the UN environmental governance system. Thus, the norm to do at least *something* —i.e. the mobilisation of bias— causes states to make incremental changes to the IEG system by setting up new organisations.

Not only nation-states, also the international organisations and secretariats of Multilateral Environmental Agreements that are part of the IEG system have an interest in maintaining the highly fragmented system in order to keep their autonomy (Charnovitz, 2005). They fear to lose their work programme, budget or staff if reform of the IEG system entails elimination of duplication among organisations (Ivanova, 2005a; Peichert, 2007). Many of these international organisations have an aversion to be coordinated. As often pointed out by UN officials: "everyone wants to coordinate, but no-one wants to be coordinated" (Ivanova, 2005a; p. 12). This makes the creation of a new institution that (according to many proposals) should have the mandate to coordinate other UN organisations and MEA secretariats extremely difficult. Thus, the mobilisation of bias ensures that proposals that favour incremental changes are much more dominant than the ones that advocate a total overhaul of the entire system with more coordination and less duplication (Najam et al. 2006; Desai, 2006).

The mobilisation of bias helps explain that —although there are other institutions in which discussions on the reform of the IEG system take place— most of it is discussed within the UN system. The political procedures, dominant values and rules of the game in the discussions within the UN have a large influence on the possible outcomes as well as what actors consider as possible outcomes. For example, the idea to create a United Nations Environment Organisation is much more dominant than the proposals to establish a World Environment Organisation outside the UN system, the latter of which are hardly discussed, if at all (interviews, 2009).

Within the UN, many discussions on IEG reform take place in forums, sessions or working-groups that are organised by UNEP. As Bauer (2007; p. 9) formulated it: "The process basically warrants that the reform debate continues within the confines of UNEP and, as such, is organised first and foremost through the UNEP Secretariat". Since UNEP is so heavily involved in the discussions itself, the idea of bypassing UNEP is not considered a very viable option in these discussions. And because UNEP only has fifty-eight members, it is not possible to decide on reforming the IEG system during the meetings of the Governing Council of UNEP. A decision to change the IEG system within the UN can only be taken in the

UN General Assembly (interviews, 2009), which is difficult and time-consuming.

4.3 Rational choice institutionalism

Instead of a cultural approach, rational choice institutionalism is based on a calculus approach. The calculus approach holds that actors behave entirely instrumentally and in a strategic way in order to maximise the attainment of their own interests (Schmidt, 2008).

Rational choice institutionalism considers politics as a series of collective action dilemmas: situations in which, because of the absence or insufficiency of institutional arrangements, actors act to maximise the attainment of their preferences, but end up producing an outcome that is collectively sub-optimal (Hall and Taylor, 1996). The perceived problems with the system for international environmental governance can be seen as a collective action dilemma. Most actors involved in the debates around IEG reform seem to be more concerned with safeguarding their national and institutional interests than with collectively solving international environmental problems (Peichert, 2007; Ivanova and Roy, 2007; Najam et al. 2006; interviews, 2009). Rational choice institutionalists see the absence of institutional arrangements as an important cause for collective action dilemmas. They believe, however, that institutions are only set up by means of voluntary agreements between involved actors. Actors will therefore only set up a new institution such as a WEO or UNEO if it fulfils certain functions that serve their interests and help them maximise the attainment of their goals. Following the logic of rational choice institutionalism, we need to consider the functions an international environment organisation could fulfil, and analyse whether these functions are of interest to the involved actors (Hall and Taylor, 1996).

Strengthening and/or reforming international environmental governance requires strong political will from nation-states, which ultimately decide about the future of the IEG system. Not all nation-states are interested in a strong system for international environmental governance. According to many, there is a lack of political will to establish an environment organisation as an attempt to strengthen the IEG system (Efforts to reform…, 2009; Hoare and Tarasofsky, 2007; IEG Dossier, 2009; Kanie, 2007; Najam et al. 2006; Charnovitz, 2005; Bauer, 2007; interviews, 2009). As Bauer (2007; p. 23) argued: "The bigger picture [in international environmental governance] (...) is one of consistent unwillingness amongst governments to provide adequate means and substantive political decisions rather than symbolic actions". The problem is, as Kanie (2007) argued, that political will exists in the international community to discuss sustainable development institutions, but not to actually move forward.

The lack of political will among nation-states can be explained by a number of factors. First, the item of IEG reform is not considered a very urgent matter. Governments prefer to prioritize other pressing issues over IEG reform, such as international security issues, the financial crisis, climate change,[5] and the other seven clusters of the UN reform process,[4] (interviews, 2009). The report of the co-chairs of the consultations on

System-wide Coherence stated that they had not entered into detail on the environmental aspects, since "[i]t is simply the case that no appetite is detectable among Member States to pursue the Environment in the inter-governmental consultations on System-wide Coherences" (Kavanagh and Mahiga, 2008; p. 28).

Second, there is lack of public concern on the issue of IEG reform. Most businesses and civil society groups active in the field of international environmental policy are not very concerned about the issue, because it is hard to explain to their constituencies, far removed from actors not directly involved in the IEG system, and considered to be an internal affair of the United Nations (interviews, 2009).

A third and final factor that can explain the lack of political will is the fear for and uncertainties surrounding the establishment of an international environment organisation. The fear of countries and international organisations for the need to give up part of their sovereignty or control was already discussed in section 4.2.3. Other concerns that play a role are the complexities and costs of reforming the IEG system or establishing a specialised agency for the environment (IEG Dossier, 2009).

As argued above, rational choice institutionalism holds that actors will only set up a new institution if it fulfils certain functions that serve their interests and help them maximise the attainment of their goals. The problem with the lack of political will among governments is that international organisations such as UNEP are governed first and foremost by nation-states, which practically decide on everything the organisation does (Biermann, 2007; interviews, 2009). This means that if it is true that UNEP is too weak to properly fulfil its mandate within the IEG system, it is because countries have decided to keep it weak (Dodds et al. 2002; interviews, 2009). Opponents of an international environment organisation therefore argue that the establishment of such an organisation might not make a big difference. According to them, a real efficient organisation is not politically feasible, as there is no political will among countries to create a powerful organisation, whereas a politically feasible organisation would be too weak and inefficient (Najam, 2005; interviews, 2009).

4. Conclusion: critical reflection on the theories

The three schools of thought within new institutionalism used in this article take different approaches that emphasise either the structures that constrain actors' behaviour, the power of actors to work with and change these structures, or both. Despite their differences, Hall and Taylor (1996; p. 955) argue that the schools of thought within new institutionalism "share a great deal of common analytical ground on which the insights of one approach might be used to supplement or strengthen those of another". This concluding section shows that Hall and Taylor's statement regarding the complementarity of the three schools of thought also holds true when applying them to explain why no decisions have been taken to reform the international system for environmental governance.

The first school of thought discussed here, historical institutionalism, is a useful framework with which to study the historical development and institutional structure of the IEG system. It helps to understand why

institutional changes such as the reform of the IEG system are so hard to achieve. The rapid increase in international organisations and the manner in which these have been established create trajectories that make the system more and more complicated and increases the overlap and duplication between organisations. This makes it increasingly difficult to establish an international environment organisation that aims to coordinate the entire system.

The downside of historical institutionalism is that it does not enter into much detail on how exactly actors use institutions, and how they are influenced or constrained by them. On this point both rational choice institutionalism (RI) and discursive institutionalism (DI) complement historical institutionalism (HI). DI and RI focus not only on the structural side of institutions and on how institutions constrain actors' behaviour, but also on the agency actors possess to work with, change and/or create institutions.

Rational choice institutionalism sees actors as strategic calculators that try to maximise the attainment of their goals and use or set up institutions to meet this end. With the help of RI this article showed that there is a lack of political will to establish a new international organisation for the environment because its establishment does not fulfil functions that are in the interest of the involved actors. The differences in interest between nation-states make reaching a consensus on the way forward with the IEG system very difficult, and might even stall the future process on IEG reform. Discursive institutionalism's distinction between the first and second level of ideas complements this analysis by showing that the differences in opinion between countries concern very basic differences in views on how best to approach environmental issues.

A point of critique to RI is that it tends to view the creation of new institutions as a voluntary agreement between relatively equal and independent actors. It tends to downplay the influence of power inequalities in the process of institutional creation (Hall and Taylor, 1996). On this point historical institutionalism's focus on the asymmetrical power relations between actors can complement rational choice institutionalism. HI helps to reveal that the trust gap between Northern and Southern countries as well as the turf wars between international organisations within the IEG system make an agreement on IEG reform difficult to achieve.

Whereas RI and HI see institutions as given, static and something that exists outside actors (due to respectively fixed rationalist preferences or self-reinforcing historical paths), discursive institutionalism has a more dynamic view on institutions (Schmidt, 2008). According to DI, institutions exist not only outside actors, but also through their actions in the form of discourses. DI shows that an analysis of the nature of interactive processes is worthwhile, since it influences their outcomes as well as what the involved actors consider to be likely outcomes (Schmidt, 2008). Studying the interactive processes that concern discussions on IEG reform reveals that they are highly fragmented, unclear, and have a tendency to recycle decisions. These are important factors that hamper the progress in the debates.

Instead of RI's calculus approach, which is a rather thin and simplistic explanation of actor's behaviour, DI uses the cultural approach,

which holds that behaviour is not fully strategic, but bound by an actor's world view (Hall and Taylor, 1996). With the concept of mobilisation of bias DI provides the insight that actors are socialised in the institutional context of the IEG system, which helps to explain the difficulties in changing it. Both nation-states and international organisations have an interest in maintaining the highly fragmented system in order to keep their autonomy. The mobilisation of bias ensures that proposals calling for incremental changes are much more dominant than the ones that advocate a total overhaul of the entire system. The mobilisation of bias also helps to explain why some ideas —such as the idea of creating an organisation based on existing institutions (e.g. UNEP) inside the UN system— are more dominant than others.

At this moment it is expected that the next World Summit, which is to take place in Brazil in 2012, will provide a new chance to push for IEG reform. If we want to make headway on substantial IEG reform and move beyond incremental steps, the challenge for the run-up to this summit is to transform the politics of distrust, break the impasse and build further on a common vision for reform (Van Schalkwyk, 2009). It remains to be seen whether the barriers identified in this article can be overcome, and whether the time will be ripe during this next Summit to make real decisions regarding the future institutional structure of the system for international environmental governance.

Acknowledgement

Notes

1. For a categorisation of the proposals, see Biermann (2000), Bauer and Biermann (2005), and Lodefalk and Whalley (2002).
2. The Option Paper suggested that UNEP might be reformed by: enhancing UNEP's legal status, expanding its mandate and securing funding for an upgraded UNEP; building an institutional structure for UNEP similar to those of other UN specialised agencies; or upgrade UNEP to a United Nations Environment Organisation (UNEO) (UN, 2007).
3. The seven building blocks identified by the Option paper for strengthening the current UN system for international environmental governance were: 1) scientific assessment, monitoring and early warning capacity; 2) coordination and cooperation at the level of agencies; 3) Multilateral Environmental Agreements; 4) regional presence and activities at the regional level; 5) the Bali Strategic Plan, capacity-building and technology support; 6) information technology, partnerships and advocacy; and 7) financing (UN, 2007).
4. These include: create a strong and accessible science base and ensure its interface with policy; create a global authoritative voice for the environment; ensure effectiveness, coherence and efficiency within the UN system; secure predictable and sufficient funds for IEG; and ensure a cohesive approach to meet country needs (GMEF, 2010).

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Andresen, Steinar. Professor at the Fridtjof Nansen Institute, Norway. Telephone interview 08-06-2009.

Biermann, Frank. Professor of Political Science and Environmental Policy Sciences at the Vrije Universiteit in Amsterdam. Interview 18-05-2009, Amsterdam.

Dadema, Martijn. Representative of MinBuZa, Dutch ministry of Foreign Affairs, permanent mission of the Netherlands to the UN in Nairobi. Telephone interview 23-07-2009.

Dodds, Felix. Executive Director of Stakeholder Forum for a Sustainable Future. Telephone interview 16-06-2009.

Drammeh, Halifa Omar. Former Director of the Environment Management Group; former Deputy Director of the Division of Policy Development and Law. Telephone interview 15-05-2009.

Haas, Peter M. Professor at the Department of Political Science Faculty at University of Massachusetts. Telephone interview 26-05-2009.

Halle, Mark. European Representative and Director, Trade and Investment at the International Institute for Sustainable Development (IISD), Geneva. Telephone interview 26-06-2009.

Kakabadse, Yolanda. General Counsel and former Executive President of Fundación Futuro Latinoamericano in Ecuador, and former President of IUCN, Ecuador. Telephone interview 21-07-2009.

Levy, Marc. Deputy Director of the Centre for International Earth Science Information Network (CIESIN), Columbia University, New York. Telephone interview 23-06-2009.

Martimort-Asso, Benoît. In charge of the International Environmental Governance Programme at Sustainable Development and International Relations Institute (IDDRI), Paris. Telephone interview 29-06-2009.

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Obermeyer, Werner. Chief Inter-Agency Affairs, UNEP, New York. Telephone interview 23-06-2009.

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Whitten, Tony. Senior Biodiversity Specialist for the East Asia and Pacific Region at the World Bank, Washington, D.C. Telephone interview 24-07-2009.

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