

ON TRANSNATIONAL ACTOR PARTICIPATION IN
GLOBAL ENVIRONMENTAL GOVERNANCE

Andreas Nordang Uhre
Stockholm Studies in Politics 152

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Andreas Nordang Uhre

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Abstract



The formal access of transnational actors (TNA) to international organizations (IO) has increased steadily over the past five decades, and a growing body of literature is at the moment concerned with the theoretical and normative implications of these developments. However, very little is known as of yet about who the TNAs in global governance are, where they come from, which issue areas they focus on, and when and where they choose to participate. Using analytical tools from interest group theory, in particular a subfield called population ecology, this study describes and explains the chronological development of two populations of TNAs in global governance, namely the observer communities of the United Nations Framework Convention on Climate Change and the United Nations Convention on Biological Diversity. TNAs' financial resources and their geographical proximity to global governance venues emerge as important factors influencing their capacity to participate, causing these TNA populations to be stratified and volatile.

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Abbreviations

ADP	Ad Hoc Working Group on the Durban Platform for Enhanced Action
AGBM	Ad Hoc Group on the Berlin Mandate
AHWGTL	Ad Hoc Working Group of Technical and Legal Experts
AWG-LCA	Ad Hoc Working Group on Long-term Cooperative Action under the Convention
CBD	Convention on Biological Diversity
CFC	Chlorofluorocarbons
COP	Conference of the Parties
CSO	Civil Society Organization
ENGO	Environmental Non-Governmental Organization
EP	European Parliament
EU	European Union
GPV	Geographical Proximity to Venue
ICNP	Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access and Benefit Sharing
IMF	International Monetary Fund
INC	Intergovernmental Negotiation Committee
INGO	International Non-Governmental Organization
IO	International Organization
IUCN	World Conservation Union
JWG	Joint Working Group on Compliance
MC	Ministerial Conference
MCP	Multilateral Consultative Process
MNC	Multinational Corporation
MOP	Meeting of the Parties to the Protocol
NGO	Non-Governmental Organization
OECD	Organization for Economic Co-operation and Development
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technical Advice
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
TNA	Transnational Actor
UN	United Nations
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme

UNFCCC	United Nations Framework Convention on Climate Change
US	United States of America
WBCSD	World Business Council for Sustainable Development
WG8J	Working Group on Article 8(j)
WGPA	Ad Hoc Open-Ended Working Group on Protected Areas
WGRI	Ad Hoc Open-Ended Working Group on the Review of Implementation of the Convention
WMO	World Meteorological Organization
WRI	World Resources Institute
WTO	World Trade Organization

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A wise man once posited that doing a PhD is quite like being in prison. Not a supermax prison, perhaps, but rather a minimum security facility where a sense of obligation is the only thing keeping the inmate from leaving. Now, standing at the gate and reflecting on my own stint of incarceration, I find the analogy more appropriate than ever.

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Some may consider the completion of a PhD simply a noteworthy personal achievement, testimony to the freshly minted doctor's determination and intellectual capacity. It is, however, more than that. This dissertation represents my taking a few small steps through a gate to which I was brought by a long succession of people who have influenced me throughout my life. A few of these I have known intimately, others I have never met, but it is nothing more than appropriate that some of them should be mentioned here. First and foremost are my mom and dad, who instilled in me an early love of reading and the value of not giving up until the task at hand is completed. I guess those long hours of homework and blizzard-ridden trips to the public library paid off in the end. Primary school teachers Ruth Nygård, Odd Strandbu and Ruth Haugland were my first academic beacons, while the one social studies lesson in high school into which Einar Lockert stepped on short notice definitively set me on the path on which this dissertation represents such a milestone. The masters of the modern adventure, Carl Barks and Don Rosa, bestowed the greatest gift of all: curiosity, while Aaron Sorkin, Ed Burns, David Simon, Joseph Stiglitz and Bob Wood-

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PART I

CHAPTER 1: INTRODUCTION

Much debate has been had in recent scholarship about the role of transnational actors (TNAs)¹ in global governance. It has been argued that increasing such actors' participation in international organizations (IOs) is one way to enhance the democratic legitimacy of international decision-making. Others have claimed that TNAs can act as a 'transmission belt' between a global *demos* and global policy-makers, increasing the capacity of the latter to make decisions responding to the needs of the former. While both these and other lines of reasoning are contested, recent investigations into the development of formal TNA access to IOs paint a consistent picture – global governance institutions are increasingly allowing TNAs to partake in their day-to-day operations: "formal openness has increased continuously over the last two decades, and there is no sign that this development slows down or has already come to an end" (Sommerer 2011: 25). These findings have led prominent analysts to argue that a 'transnational turn in global governance' is upon us (Held and McGrew 2002; Rosenau and Czempiel 1992; Tallberg and Jönsson 2010a).

However, while the bulk of existing research into the role of TNAs in global governance has focused on the reasons for this transnational turn and the normative and theoretical implications thereof, little has been done to empirically investigate who the TNAs participating in global governance are and which factors influence their participation. In other words, we do not know much about the *patterns of TNA participation* in global governance. This is the gap this study begins to fill. Drawing on interest group theory, it explores patterns of TNA participation in two of the most prominent global governance institutions of our time, namely the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD). In so doing, it answers two research questions, the first of which is descriptive: what are the principal patterns of TNA participation in the UNFCCC and the CBD? The second is explanatory: what factors influence patterns of TNA participation in the UNFCCC and the CBD?

The Research Problem

The period from the 1980s until today represents a fundamental change in how international affairs are conducted. Scholars have over the past two decades noted that the dominant mode of political organization at the international level has shifted from an intergovernmental form of operation

¹ Whereas terms like 'non-governmental organization' (NGO), 'civil society organization' (CSO) and 'organized interest' remain in wide employ, this study uses the term 'transnational actor' when describing both profit- and non-profit-oriented societal actors operating across borders. See Jönsson (2010) for an exhaustive discussion.

dominated by nation-states and their governments, to a more complex and multifaceted reality in which state- and non-state actors alike participate on a more equal footing (Raustiala 1997b; Keck and Sikkink 1998; Risse 2002; Tallberg and Jönsson 2010b). These developments present new challenges for political science.

Does it matter who the TNAs participating in global governance are and what compels or hinders them in this? I argue it does, for three reasons. *First*, if it is indeed as Rosenau and Czempiel (1992) argue, namely that we are living in an era where more and more decisions are made by global rather than national institutions, these should be democratic and representative. A debate regarding how and whether TNA participation makes global governance more democratic has been ongoing for years, but this debate has primarily focused on when, where and how TNAs are allowed to participate (Tallberg and Uhlin 2011). More empirical knowledge is needed about when, where and how TNAs *participate*. *Second*, the existence of patterns of inequality in non-state participation at the national level has been suggested for decades (Schattschneider 1960; Olson 1982; Leech 1998; Baumgartner and Leech 2001; Lowery et al. 2005), but we do not yet know whether these patterns also occur at the international level. This can only be established through an empirical investigation. *Third*, if it is demonstrated that patterns of inequality in non-state participation exist also at the international level, steps can be taken to rectify that. This cannot be done, however, until we understand the factors creating such patterns.

Given all this, the case for empirically analyzing TNA participation in global governance is in many ways a continuation of the case for why analyzing non-state participation in politics is important at the national and sub-national levels, perhaps captured most succinctly by Lowery and Gray (1995: 1): “If, as Truman claimed, high numbers of interest groups contribute to political stability, then we should be intrigued by how populations of groups are constructed...and if, as asserted by Schattschneider, our system of organized interests exhibits a distinctive economic bias, then we should be attentive to how those systems develop”.

Aims and Questions

In view of the research problem, two primary aims can be distinguished. First, this study aims to improve our knowledge of patterns of TNA participation in global environmental governance. Second, relying both on quantitative and qualitative methods, it aims to improve our knowledge of the factors influencing such patterns. These aims generate two research questions, the first of which is descriptive: What are the principal patterns of TNA participation in the UNFCCC and the CBD? The second question is ex-

planetary: what factors influence variation in patterns of TNA participation in global environmental governance?

The Debate

The topic of this study primarily relates to two bodies of literature in political science, where the first addresses the role played by TNAs in global governance and the second addresses the role of interest groups in politics. The first strand, the literature on TNAs in global governance, has focused on three broad topics: the formal access of TNAs to global governance institutions, the participation of TNAs in global governance and the influence of TNAs in global governance.

The debate on *TNA access* to global governance institutions has broadly followed three analytical tracks (Tallberg 2010). The first is a *functionalist* track assuming that as IOs have taken on an ever broader portfolio of activities they have been forced to enlist the help of TNAs in order to keep up with the workload (Raustiala 1997a). Further research has demonstrated that TNAs are now active at most stages of the policy process, but that their involvement is particularly strong in the policy formulation and implementation phases, with involvement in the decision-making and policy enforcement phases being more restricted (Tallberg et al. forthcoming). The second is a *legitimacy-focused* track in which the increasing openness of IOs towards TNAs are considered driven by an ever stronger norm, by some traced back to the establishment of the UN charter (Charnovitz 1997). Researchers within this strand assume that enjoying popular legitimacy is a core concern for IOs, and one way of achieving this is to increase TNA access (Reimann 2006). The third is a *power-oriented* strand in which global governance is viewed as the outcomes of negotiations among parties of asymmetric power. As such, state principals are expected to further TNA access only where this serves their own interests (Drezner 2007). This debate has, however, been flawed by an excessive focus on studies of single cases and policy areas. Comprehensive studies across time and policy areas have been wanting, and this has hindered the development of testable theories and hypotheses. Recent contributions have, however, signaled a shift towards more comprehensive studies, with Tallberg et al. (forthcoming) representing the state of the art.

The debate on TNA participation in global governance was for a long time primarily concerned with demonstrating that non-state actors actually mattered (Risse 2002). This was followed by mostly descriptive efforts demonstrating the various functions TNAs played in global environmental governance, with the main finding being that TNAs have kept expanding their involvement (Willetts 2006). Existing studies of TNA participation in global governance and IOs have been criticized, however (Tallberg et al.

forthcoming). As with studies of TNA access, the majority is single-case studies, which means they miss out on the broader picture that could be provided from a more comparative outlook. Related, this literature also suffers from a qualitative bias. Bar a few notable exceptions (Green and Colgan 2010; Grigorescu 2007; Koremenos 2011; Vabulas 2011), attempts to quantitatively map TNA participation across a wider sample of IOs have been few and far between. This has hampered the cumulation of comprehensive theories and hypotheses, as well as hindering efforts to investigate the factors influencing levels of TNA participation in global governance.

The debate on TNA *influence* in global governance has traditionally revolved around the degree to which business actors such as multinational corporations (MNC) have been able to weaken international environmental agreements (Newell 2005). While the measurement of influence has been one of the most notoriously difficult tasks in political science, recent methodological developments have reinvigorated the field and brought the hope of new advances in the years to come (c.f. Baumgartner et al. 2009; Mahoney 2008). However, a crucial preamble to a renewed discussion about TNA influence in global governance is a better understanding of which TNAs get to participate when, where and how. As mentioned above, this knowledge is at present largely missing, but this study aims to take the first steps towards providing it.

The second strand of literature addressed by this study is concerned with the role of interest groups in politics. While interest groups have been a major focus of inquiry since David Truman (1951), our understanding of their origin, development and impact varies considerably. We have been most successful in accounting for the incentives of group membership (Moe 1980; Olson 1965; Salisbury 1969), and considerable work has also been done on how groups behave politically (Moe 1980). Yet significant gaps remain, “most importantly how interest group systems develop and change” (Gray and Lowery 1993: 191). Recent work on the EU and WTO has, however, highlighted some trends. Transnational interest group systems do not grow at a steady pace, but rather go through three distinct phases. The initial phase sees the young interest group system characterized by sluggish growth. This has been ascribed to a lack of established channels of exchange between interest groups and policy makers, as well as a possible lack of legitimacy on the part of the young interest group system and a general lack of awareness on the part of eligible interest groups (Nownes 2004; Nownes and Lipinski 2005; Nownes 2010). This period of slow initial growth subsequently transforms into a middle period of more rapid growth, until a point in time is reached when growth halts as a result of population dynamics. Interest group systems thus follow a density-dependent mechanism in which their growing maturity and increasing den-

sity discourage further entry (Lowery and Gray 1995; Hanegraaff et al. 2011). Furthermore, recent empirical studies have pointed out the skewed nature of both national and transnational interest group systems, specifically an alleged dominance of business interests and groups located in the developed world (Baumgartner and Leech 2001; Berkhout and Lowery 2008; Esty 2001; Hanegraaff et al. 2011; Held and McGrew 2002; Mahoney 2008). Finally, studies of the EU and the WTO both point to the instability and high turnover rates experienced in transnational interest group systems. Berkhout and Lowery (2011: 12) find that “there is a large contingent of ‘tourists’ who visit Brussels presumably to influence policy on more specific and/or time-bound issues, and lack either the means or interest in establishing a more permanent presence before the Commission or the E[uropean] P[arliament]”. Simultaneously, Hanegraaff et al. (2011: 25) find that “the WTO system of interest representation is rather volatile. Repeat players – organizations that attend M[inisterial] C[onferences] more than once – remain a minority and the number of organizations exiting after attending one MC has grown over time. This indicates that for many organizations it is difficult or not attractive to keep a lobbying presence at WTO MCs”.

Also this literature has faced criticism. Much like the global governance literature, it is accused of focusing too narrowly on single case studies to present a comprehensive account of the role of interest groups in politics and how this changes over time. Furthermore, as interest group scholars have tried to take their research from the national to the international level, it has also become clear that some of the dynamics from national interest systems are not really replicated at the international level, causing problems when explanatory models developed in national contexts are introduced there (e.g. Messer et al. 2010).

Analytical Framework in Brief

This study is rooted in a subfield of interest group theory known as population ecology. Building on Truman’s (1951) observation that interest groups depend on various resources for their survival, political scientists turned to biology to develop theories for interest group birth, survival and death based on the available resources in the political system within which they operate. This was later picked up by Virginia Gray and David Lowery, who through a string of seminal publications in the 1990s laid the foundations for modern interest in the subfield. Over the past two decades, these two scholars and others have made major strides through applying this theoretical perspective to sub-national, national and, most recently, transnational populations of interest groups, and it is from this research tradition this study originates.

The first step of the study pertains to its descriptive ambition, which is to empirically analyze patterns of TNA participation in the UNFCCC and CBD. Whereas international relations theory does not really possess the tools to analyze TNA participation in a comprehensive manner, interest group theory does. This study relies prominently on three existing concepts from the interest group literature and builds the analytical framework around them. *Density* is a relative concept referring to the number of TNAs active within a certain area, either in geographical terms (Gray and Lowery 1996b; Halpin and Baxter 2008; Nownes 2004), in terms of policy area (Browne 1990) or in institutional terms (Hanegraaff et al. 2011a). In this study, it is applied as the number of groups present at a COP relative to the number of state Parties to the Conventions at that same moment in time. The *diversity* of interest group systems has long been a focus of investigation (Truman 1951; Olson 1965; Baumgartner and Leech 1998; Beyers et al. 2008), and refers in this study to the diversity of the participating TNAs in terms of geographical origin and issue orientation. Limited diversity is often looked at with skepticism because of the potential for skewed representation. *Volatility* points to the relationship between entry and exit rates, and is important for two reasons (Berkhout and Lowery 2011). It tells us something about how easy it is for new TNAs to enter a policy venue, and how easy it is for a new entry to stay in the system for a while, building contacts and competence that allows it to increase its network and influence.

The second step of the study pertains to its explanatory ambition. It empirically assesses independent variables in three dimensions in order to explain observed variations in patterns of TNA participation in the UNFCCC and the CBD. On the first dimension, *TNA-specific variables*, I assess whether TNAs with more financial resources at their disposal and geographical proximity to the venue at which the COP is held are more likely to participate. On the second dimension, *national level variables*, I assess whether TNAs from socioeconomically developed countries are more likely to participate than TNAs from developing countries. The variables included in this dimension are the internationalization of the national economy and the national level of democracy. On the third dimension, *IO-specific variables*, I look at whether variations in the IOs' institutional design, such as the level of formal TNA access to the IO, influence patterns of TNA participation.

The Contribution

This study makes a contribution to the research on TNA participation in global governance in three respects: theoretically, empirically and methodologically. Theoretically, this study is among the first to fuse global governance and interest group literature. Drawing on interest group theory to investigate a phenomenon traditionally associated with global governance

scholarship provides an example of what is possible given increased collaboration between these closely related, yet curiously estranged fields of inquiry. However, the idea of applying interest group theory to investigate populations of TNAs at the international level is not new. Bloodgood (2011: 96) argues that the analogy between TNAs and interest groups runs deeper than most observers have suspected, saying that “the UN, and associated agencies, as well as the EU have operating procedures similar to the US, including regulatory limits on access for [TNAs] and rules for formal participation. In this context, interest group theories are more directly applicable”. As such, this study’s mixing of interest group and global governance theory represents a substantive contribution.

Empirically, the study offers an in-depth description of patterns of TNA participation in global environmental governance over time. Scholars have investigated the role of TNAs in IOs for some time (e.g. Charnovitz 2000; Mahoney 2008), but have remained focused on policy areas such as trade and economic regulation, where one could assume that business and industry TNAs could be overrepresented. By looking closer at IOs concerned with global environmental governance, I remove my research from this possible source of selection bias, thereby giving some established findings in the literature a fresh look. Of course, the exclusive focus on cases concerned with the environment opens this study up to *other* types of bias, for example the possibility that environmental TNAs may be overrepresented in environmental IOs relative to global governance institutions concerned with other types of problems.

Methodologically, this study offers a contribution by demonstrating the value of a comparative framework with a temporal dimension triangulating quantitative and qualitative methods for the study of TNAs in global governance. The comparative approach, coupled with a novel data set, seeks to take this research area beyond its current focus on single-case studies. As Beyers et al. (2008: 1117) put it, “the limited accumulation of knowledge in these areas is due to the fact that much interest group research is still based on isolated case studies, weak conceptualization and one-sidedness in terms of research questions. There have been very limited efforts at integrating different approaches and linking them to more general political science problems”. This study takes first steps towards mending that gap.

Findings

The study demonstrates that TNA participation in global environmental governance is for the most part the realm of big, well-resourced, Western organizations. Available financial resources and distance to COP venue emerge as two main indicators of a TNA’s likelihood to participate at a COP, while a large majority of TNAs only get to participate when COPs happen to

take place in a location close to them. With the ambulating nature of UNFCCC and CBD COPs, this means most TNAs do not have a chance to play a constructive role in the process.

Descriptive Analysis

The UNFCCC and CBD's TNA population *density* corresponds well with theoretical expectations of a three-phased development. First, the new and unknown IO should see density hovering at a fairly low level due to its lack of salience and reputation. At some point we expect to see density go into an exponential growth phase before stabilizing somewhere around its natural equilibrium. The data for both IOs show such patterns, indicating that the TNA observer populations in both IOs have reached maturity and can be expected to maintain stable levels of participation for the foreseeable future.

The theoretical expectations for the *diversity* of the TNA populations are twofold. First, we expect such populations to be numerically dominated by business and industry. Second, we expect to see dominance by organizations located in Western, developed countries. On this, the findings are somewhat less conclusive. While the largest segment of observers in the UNFCCC do belong to the 'business and industry' cohort, the descriptive analysis shows that this numerical dominance has diminished over time, leading to a more balanced population of observers both in geographical and issue-orientation terms. The same pattern is visible for the geographical diversity, where the rest of the world has caught up to an initial domination of TNAs from the developed world. The peak of TNA participation in the UNFCCC, 2009's COP15 in Copenhagen, brought a massive mobilization which was spread fairly evenly across the globe. The descriptive analysis of the CBD generally tells the same story, but with a little twist. The 'Business and industry' cohort of TNAs is less dominant there than in the UNFCCC, and environmental organizations of various kinds make up the numerical majority of the TNA population. Due to enormous local influx at COPs held in South America and Eastern Asia, these two regions provide the bulk of observers on aggregate. However, the temporal analysis shows that the aggregate numbers are misleading as these huge mobilizations were clearly one-off events.

The *volatility* analysis provides both the most interesting and most puzzling findings of this study. The UNFCCC and the CBD display widely diverging trends, with the UNFCCC observer population demonstrating remarkable staying power and an average turnover rate of 34 percent. On the other hand, the CBD observer community shows a stable turnover rate of 74 percent, causing that observer population to be far less experienced than that of the UNFCCC.

Explanatory Analysis

The explanatory analysis empirically assesses independent variables in three dimensions, namely the TNA-level, national level and IO level. Assessing two independent variables at the *TNA level* demonstrates that financial resources and distance to COP venue play an important role in determining whether a TNA participates at COPs. The two hypotheses posited at the *national level* produce inconclusive results. No relationship between the home country's level of economic internationalization and a TNA's likelihood to attend COPs seems to exist. Being located in a democratic country, on the other hand, greatly improves a TNA's likelihood of attending COPs. The results at the *IO level* indicate that the level of formal TNA access plays but a limited role in influencing patterns of TNA participation. The same goes for influencing the stability of TNA participation, which seems unfazed by changes in formal TNA access.

The Plan of the Study

This study is composed of four parts. *Part I* consists of this introductory chapter, in which I have explained the rationale of the study, outlined the analytical framework and briefly introduced the findings. *Part II* presents the theoretical foundations of the study and puts it in its academic context: chapter two reviews the two strands of literature to which this study makes a contribution, the role of TNAs in global governance and the role of groups in politics. Chapter three presents the research design and methods of the study, while chapter four introduces the analytical framework and the independent variables. *Part III* is made up of the empirical element of the study: chapters five and six descriptively analyze the patterns of TNA participation in the UNFCCC and the CBD, whereas chapter seven assesses the independent variables presented in chapter three. *Part IV*, finally, consists of the concluding chapter eight, where I sum up the findings and draw the implications of the study for the study of TNAs in global environmental governance and the role of interest groups in politics.

PART II

CHAPTER 2: LITERATURE REVIEW

This chapter makes up the literature review of this study. While placing the dissertation in its proper scholarly context, it seeks to identify gaps in existing literature and make the case for why this study is needed. Primarily, the chapter drives home two main points: first, that existing research on TNA involvement in global governance has focused too strongly on the reasons for, and theoretical consequences of, the increased formal access of TNAs to IOs over the past decades. We still do not know much about TNA participation in IOs and, most importantly, we hardly know anything at all about the relationship between access and participation. Second, that a significant conceptual confusion exists in the global governance literature in which *TNA access* is used interchangeably with, or as a synonym for, *TNA participation*. This study thus argues in favor of a more focused and empirical approach, investigating patterns of TNA participation in global governance as a phenomenon separate from formal TNA access to IOs.

The chapter consists of three parts: the first looks at existing research on the role of TNAs in global governance, the second at recent developments in interest group theory. The third and final part sums up the chapter and points the way to the analytical framework laid out in chapter four.

The Role of TNAs in Global Governance

Over the past three decades, we have seen a gradual transformation of the way in which international affairs are conducted. The traditional arrangements of state-dominated international institutions have given way to a more flexible mode of operations in which states have seen their previously sovereign position fade somewhat and new, non-state actors have risen to a state of elevated prominence. Thomas Risse (2002: 255) summed up these developments best when he stated it was “certainly true that transnational actors – from multinational corporations (MNCs) to International Non-Governmental Organizations (INGOs) – have left their mark on the international system and that we cannot even start theorizing about the contemporary world system without taking their influence into account”. This is, however, not a recent phenomenon. While Charnovitz (1997) traces TNA participation in global governance as far back as the rise of the medieval Catholic Church, he argues that the emergence of issue-oriented NGOs began in earnest in the late eighteenth century. This study relates closest to the role of TNAs in modern IOs, and this chapter therefore focuses on TNAs in global governance from the time of the 1972 Stockholm Conference on the Human Environment onwards.

Research on the role of TNAs in global governance has broadly focused on four themes: formal TNA access to IOs, the participation of TNAs in IOs, the influence exercised by TNAs in IOs and the democratizing potential of

TNAs. This first section of the chapter provides an overview of existing research on these issues.

The Formal Access of TNAs in Global Governance

The formal access of TNAs tends to be denoted as one of several central dimensions of the institutional design of IOs. It is, in the words of Tallberg et al. (forthcoming: 31) “granted to TNAs either by the member states of an IO or by international bureaucracies servicing the IO, and consists of institutional mechanisms whereby TNAs may take part in the policy process of an IO”. Starting from the 1970s, IOs have expanded both resources and access for TNAs, and these developments have had profound impacts. The increased access to international institutions has been perhaps the most important factor in the rise of TNAs as influential players in world politics (Tallberg and Jönsson 2010: 5). The literature on formal TNA access to IOs has accumulated over the years, and this is a field that has enjoyed increased scholarly attention recently. However, until recently this literature suffered from a strong focus on single case studies of IOs or policy areas, making the development and testing of coherent theories and hypotheses difficult. As this section demonstrates, however, recent efforts including temporal large-n research has generated new and exciting findings.

Tallberg (2010) finds that three primary analytical tracks guide contemporary research on TNA access to IOs. *The first* is a functionalist approach focused on the expected benefits to states of increased TNA engagement. The general theoretical logic behind this school of thought is that IOs have come under pressure by the increased scope and complexity of the tasks they perform, therefore recruiting TNAs to perform such tasks as the IO may not be well suited to carry out itself and thus enhancing the IOs capacity to solve the problem it was created to solve (Raustiala 1997b). Furthermore, the fact that such access needs to be actively granted by states is taken as evidence of this being a desired development on their part (*ibid.*).

What services can TNAs offer that make state actors in IOs so eager to enlist them? Literature suggests TNAs can offer contribution at all stages of the policy process. First, they can act as providers of expertise and knowledge in the establishment phase of IOs or international regimes, helping IOs and their state principals make good policy and increasingly complex. Prominent examples here include the interaction between environmental NGOs and the Alliance of Small Island States in the context of the UNFCCC (Raustiala 1997a) the role of industry actors in the setup phase of the CBD (Betsill and Corell 2008) and the Commission of Experts during peace negotiations under the Yugoslav Civil War in the 1990s (Anonymous 1996). Second, TNAs can function as honest brokers in an implementation phase, as they have the legitimacy to keep watch on state actors and name

and shame states who fail to honor their commitments (Raustiala 1997b). Finally, TNAs may also be involved in implementation themselves, notably this tends to be the case with international relief and aid efforts (Reimann 2006; Brühl and Rosert 2009).

The second approach to TNA access to IOs is a legitimacy-focused orientation in which TNA participation in global governance is considered a norm, by some traced back to the establishment of the UN Charter (Charnovitz 1997). This norm is taken to have solidified within international development circles during the 1980s and then become institutionalized within the UN system in the 1990s (Reimann 2006), leading state principals to increasingly include TNAs in global governance institutions not as a means to strengthen their problem-solving capacities but to increase the legitimacy both of IOs and the policy-making process of which they are an integral part.

What explains the rise of this pro-TNA norm in global governance? The literature suggests several possibilities. First, international treaties such as the UN charter have functioned as a powerful conveyor and as such put pressure on other IOs to increase access for TNAs (Charnovitz 1997: 253). Whereas in the past, justification was needed to include TNAs in UN processes, the pro-TNA norm is now so well-established that this has been reversed and justification is needed in the cases where TNAs are excluded (Brühl and Rosert 2009). Second, Reimann (2006: 60) suggests that the move in the mid-1980s from a state-led model of development aid that had been dominant for decades towards a new approach in which NGOs would take the lead and implement development policies on the ground sparked the belief that “NGOs would be the ideal vehicle for reaching and including the ‘people’”. As the Cold War came to an end a few years later, this model morphed into a belief that NGOs would be the perfect partners for the promotion of the mix of liberal economics and democracy thought to be guiding the post-Cold War world (Weiss and Gordenker 1996). Third, a broad agreement exists that the inter-state mode of operation found in regional and global governance institutions such as the EU and the UN suffers from a democratic deficit that threatens to undermine the popular legitimacy of the ever-expanding number of policies in which such institutions are now involved (Føllesdal and Hix 2006; Steffek et al. 2008; Scholte 2011). In response to this, the argument has been made that states have resorted to increasingly including TNAs in IOs with the hope of increasing their democratic credentials (Steffek et al. 2008). This argument has found resonance also in international law circles, with some observers noting that “an international system which protects the right to non-governmental organization and which allows NGOs to participate provides a form and a

possibility for anyone who seeks to take part in international (legal) discourse (Lindblom 2005: 35).

The third approach to TNA access to IOs is power oriented and views global governance as the outcomes of negotiations among actors with asymmetric power relations. This approach holds that TNAs are instruments of the most powerful states and are recruited as instruments of state power in order to further the views of the most powerful state actors (Tallberg 2010). The basis for this point of view is that IOs are the product of the machinations of some powerful states, and less powerful states are as such compelled to join them even though they may have been opposed to the IO's creation to begin with. As such, the policy outcomes from IOs can also be expected to reflect the wishes of the most powerful states (Mearsheimer 1994/5; Moe 2005), and they will allow TNAs access or involvement only in the cases where this can be expected to further their own interests (Drezner 2007).

Is TNA access evenly granted across the spectrum of IOs, policy areas and policy phases? Steffek (2010) argues that TNA access is likely to be higher in policy areas where the need for external resources and expertise are particularly pressing. This is to a certain degree supported by findings across six policy fields, though perhaps not to the extent one could expect. Green (2010) finds that the increasing access to TNAs in environmental governance is a consequence of the trend for environmental governance institutions to take on ever more complex problems, leading to an increased need on the part of IOs to seek the policy expertise of TNAs. This is supported by her finding that TNAs are primarily given access to the policy formulation and -implementations phases, whereas access to the decision-making and policy-enforcing phases, where sovereignty costs for state principals would be higher, remains restricted. In the most comprehensive study of TNA access to global environmental governance institutions to date, Tallberg et al. (forthcoming) find that TNAs are granted the most access when carrying out functions such as monitoring and enforcements, with IOs relying on TNAs to collect information and file complaints with the appropriate bodies. On the limiting side, the incentive for state principals to allow TNAs access is most prominently tempered by the real or perceived sovereignty costs associated with higher inclusion of TNAs (*ibid.*).

TNA access to global environmental governance has a long history, and the environment is arguably the policy area in which TNAs have been allowed the greatest degree of access (Morphet 1996; Raustiala 1997a). Most interesting for our purposes is the modern side to this phenomenon, asserted by most observers to have started with the Stockholm UN Conference on the Human Environment in 1972 (Conca 1996). At Stockholm, TNAs attended the meetings of the Preparatory Committee as observers, and

several were allowed to take active part in the intergovernmental working groups which drafted recommendations for the Conference (Feraru 1974). Access has steadily expanded since then, and the watershed moment for standardization of TNA participation in global environmental governance is generally regarded to be the 1992 Rio Conference on Environment and Development. Most Rio and post-Rio agreements make explicit references to TNAs, and the legitimate role of TNAs in global environmental policy-making has been enshrined in such formal documents as Agenda 21 and the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Ecologic 2002).

TNA access to the UNFCCC and the CBD has been high from the start (Depledge 2005; Gunter Jr. 2005; Nasiritousi et al. 2011). Article 7.6 of the UNFCCC states that “any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object”. For the CBD, this provision was omitted from the Convention text but can be found in rule 7 of its Rules of Procedure. Being granted observer status means TNAs may attend, without the right to vote or make statements, plenary meetings of all bodies of the IOs, bar those meetings closed to the public (Betsill and Corell 2001). At times, though, the various TNA constituencies acknowledged by the UNFCCC and CBD are given the opportunity to address meetings and bodies. There are signs of an increasing amount of UNFCCC meetings being closed to TNA observers, a phenomenon the literature ascribes to things like the need for states to negotiate critical issues in privacy, the challenge of providing sufficient space for both state and TNA representatives to be in the same room at the same time, the discretion of the chair and a certain path dependency that can result in sessions staying closed because of tradition rather than any institutional argument (Nasiritousi et al. 2011).

Recent literature on TNA access to global governance institutions has generated substantial findings, both across IOs and policy fields. We know that TNA access varies from policy field to policy field, from IO to IO within the same policy field and even from session to session within the same IO. However, this literature suffers from two fundamental shortcomings towards whose amelioration this study aims to contribute: the primary shortcoming is a lack of comprehensive and comparative studies of TNA access over time. The focus on single-case studies in the field has prevented the formulation and testing of systematic hypotheses of the factors promoting and hindering TNA access to IOs. In the most comprehensive and systematic

study of TNA access to date, Tallberg et al. (forthcoming) have taken first steps towards mending this gap by tracking formal TNA access to 298 organizational bodies in 50 IOs over the period from 1950 to 2010 and using this data to test several hypotheses derived from various theoretical traditions. This study builds on their efforts, as it includes a temporal analysis of levels of formal TNA access to the UNFCCC and CBD in combination with its analysis of TNA participation in those two IOs. The other significant shortcoming in the field is a failure to link levels of TNA access to levels of TNA participation. In other words, does high access necessarily equal high participation? And to what extent do changes in TNA access correlate with changes in patterns of TNA participation? These are questions to which this field currently has few answers.

The Participation of TNAs in Global Governance

In contrast to access, TNA *participation* in global governance institutions refers to the degree and manner in which TNAs are able and willing to take advantage of the formal and informal access offered to them by IOs (Tallberg et al. forthcoming). Overall, as access has increased, so has participation. However, the exact nature of the relationship between these two is so far underresearched, as much of the literature “remains engaged in the exercise of proving against a state-centered picture of world politics that TNAs matter” (Risse 2002, cited in Tallberg and Jönsson 2010: 9) and few comprehensive or comparative efforts exist. For now I shall focus on the two dimensions of TNA participation that have been highlighted by the literature: first, the expanding yet contested role played by TNAs in global governance and, second, the increasing diversity in terms of geographical origin and issue orientation displayed by the TNAs that do participate.

Starting with the 1972 Stockholm Conference on the Human Environment, the UN World Conferences throughout the 1970s, 1980s and 1990s provided TNAs with an ever broader path of participation in global governance (Willetts 2000; Friedman et al. 2005). Another important milestone for the UN system was the Cardoso Report, which suggested several amendments of the way the organization dealt with TNAs yet did not receive the attention some observers felt it deserved (Willetts 2006; Willetts 2011). However, it has been argued by some observers that TNA participation to a certain extent has become a token effort to increase the democratic legitimacy of global governance institutions, and that while looking expansive on paper, TNA participation is stymied as much as possible by a significant cohort of states fundamentally opposed to TNAs. Nelson (1995) did the first assessment of the role of NGOs in the World Bank when he mapped NGO participation in 304 World Bank projects between 1973 and 1990. He finds that the increased participation of NGOs over the period is basically a fa-

çade: while the number of ‘NGO projects’ has undoubtedly increased, only 54 of them involved NGOs in project design and mostly left them to implement projects designed by World Bank staff. This, he argues, demonstrates a deep-rooted antipathy towards NGOs within the World Bank. Willetts (1996), while suggesting increasing NGO participation throughout the UN overall, also comments on the strong resistance to deepened and widened NGO participation offered by democratic and authoritarian governments alike. Florini and Senta (2000) underline this, as they document how the rise in NGO prominence after the global UN conferences in the late 1980s and early 1990s were followed by negotiations started in 1993 to expand NGO participation at the UN. Strong opposition from some governments surfaced, and as the question had moved to the General Assembly by 1995 a veritable anti-NGO backlash prevailed, resulting in the stymieing of meaningful expansion of TNA participation. Martens (2006), in his study of TNA participation at the 2005 UN World Summit, found further evidence that the resisting cohorts were winning the battle over TNA participation in the UN. Following the Rio +5 and Copenhagen +5 Special Sessions of the General Assembly, at which TNAs were active participants, the 2005 World Summit was expected to cement this trend in TNA participation. However, contrary to the two previous Special Sessions, the Summit was subject to the General Assembly Rules of Procedure. This meant that TNAs were completely excluded from the summit itself, as well as most of the preparatory process. Following this, Martens sees a ‘gloomy scenario’ for the future of UN-TNA relations but argues that the UN’s desperate need for increased public support may yet trump the resistance of some member governments. Finally, Ebrahim and Herz (2011) look at TNA participation in the World Bank and find that while an ‘NGO-World Bank Committee’ was formed as early as 1981, and the non-state members of this commission established their own working group in 1984 to develop and coordinate their efforts, only twelve percent of World Bank projects included NGO participation in its formative stage. “Thus the scope for participation becomes limited to refining established project proposals” (*ibid*: 63). Furthermore, the difference in TNA access described in the previous section is replicated as we look at patterns of participation: whereas it has been and remains high in areas like the environment and human rights, with areas like economic governance, security and, surprisingly, the rights of women seeing TNA participation stifled (Clark et al. 1998; Newell 2000; Bäckstrand 2008; Dryzek 2012).

The second development highlighted is the diversity, in geographical and issue-orientation terms, of TNAs in global governance. As mentioned above, increasing TNA participation has been held up as one possible route to increasing the legitimacy of global governance, and attracting a ‘representa-

tive' group of TNAs to the various IOs in existence would be a key part of this. As far as the geographical dimension is concerned, the sharp rise in the number of TNAs from the global south participating at World Conferences as these were held in developing countries has been taken as a clear sign of the geographical diversification of the TNA population engaging with the UN. By the 1990s, this population was much more diverse than at any other point in the UN's history, although Northern organizations were still numerically dominant (Friedman et al. 2005). Similarly, such patterns have been reported in other studies of TNA participation in global governance (Bantjes 2003; Hanegraaff et al. 2011a; Orr 2006; Piewitt 2010). The primary cause of the Northern dominance in participation has been suggested to be the availability of human and financial resources to TNAs, in particular the lack of such for those hailing from the global South (Friedman et al. 2005; Breitmeier and Rittberger 2000). This has been touted as a key problem with the current model of TNA participation in global governance, as this kind of skewed participation patterns suggest current TNA participation rather reinforces than counteracts existing power asymmetries in global governance, thus limiting IOs' ability to function as alternative venues of citizens' concerns (Steffek et al. 2008; Dingwerth 2008).

As far as the issue orientation of TNAs participating in global governance is concerned, observers have pointed out how the insulated nature of some IOs, such as the WTO, contributes to their being seen as serving special interests only, thereby undermining their legitimacy. Ensuring the participation of a 'representative' population of TNAs', not just in terms of their geographic origins but also the issues or constituencies they are seen to engage with or represent would provide global governance institutions with a path to ensure their own legitimacy in the eyes of the world (Esty 2001). However, beyond theoretical explorations and bar a few notable exceptions (Hanegraaff et al. 2011a; Cabré 2011), comprehensive mappings of the issue orientations of TNAs in global governance have not been undertaken. It is therefore hard to conclude to what extent the issue orientation of participating TNAs is so consistently skewed as to present a legitimacy problem on a grand scale. This study takes further steps towards that end as it comprehensively tracks the issue orientation of nearly 4,000 TNAs involved in two IOs over two decades.

TNA participation in global environmental governance has been and remains high (Steffek 2010; Brühl 2007). The UN Commission on Sustainable Development recognizes nine major groups of TNAs, mirrored in the NGO constituencies of the UNFCCC and CBD, all officially recognized through an accreditation mechanism developed specifically for TNAs (Pace 2002). This is in line with the UN's role as the IO that has most openly recognized and endorsed the need to collaborate with the TNAs (Weiss 1998). However,

the same is true in global environmental governance as in other policy fields: those who stand to suffer the most from environmental degradation are often found in rural, poor developing countries. TNAs with close ties to these groups are typically poorly funded, have little access to information, and often lack the resources necessary to make an impact in IOs and global processes (Breitmeier and Rittberger 2000), again suggesting that factors besides access may play decisive roles in influencing patterns of TNA participation in global governance. Simultaneously, much focus in the literature has been given to business actors and the role they play in global environmental governance, primarily as obstacles to processes of regulating environmentally damaging activities. The retreat of the state and the growing dependence on the market has caused some observers to fear that states are losing leverage in their relationship to multinational companies as they increasingly need to position themselves to attract the same companies to set up shop in their countries (Stopford and Strange 1991). Others have described how international regulation of business is moving towards a regulation *for* business rather than a regulation *of* business (Newell 2001), demonstrated by how it was concerns of the CBD's impact on US businesses that led President Bush to refuse to sign it (Raustiala 1997a). On the other hand, observers have pointed out how business actors have also played a constructive role in global governance by setting up 'private regimes' such as the International Organization for Standardization (ISO), the Forestry Stewardship Council (FSC) or the Marine Stewardship Council (MSC) (Falkner 2003). They are seen by some as an expression of a perceived need of businesses to enjoy the benefits of regimes, without wanting the exercise of state power to validate and enforce them (Newell 2005).

TNA participation in the UNFCCC and the CBD has, as touched on above, been high (Steffek 2010). TNAs of all kinds show up to COPs and make their voices heard. However, the problem remains that international negotiations remain interstate affairs, with limited possibilities for TNAs to play constructive roles (Weiss and Gordenker 1996; Raustiala 1997b; Levy and Newell 2005), especially in the most crucial stages of the negotiations (Oberthür et al. 2002; Steffek and Nanz 2008). As to the CBD, few studies have been done on that specific IO. Arts and Mack (2003) note how TNAs played a very active role in the negotiations of the Cartagena Protocol on Biosafety through lobbying, advocating, promoting and exerting public pressure both at COPs and at meetings of subsidiary bodies, and Bled (2009) notes a smaller than expected, albeit growing participation of business actors up through 2008's COP8 in Curitiba, Brazil.

The existing literature on TNA participation has over the years provided a lot of knowledge about how many TNAs participate in global governance institutions and what strategies they pursue under which conditions. The

general conclusion is of a trend towards more and more formalized participation by TNAs in global governance institutions. However, what has been largely missing is comprehensive studies of TNA participation in specific IOs over time. Whereas scholars such as Clark et al. (2005) can convincingly point out that the number of TNA participants *seems* to have increased from one UN world conference to the next, and that the number of participating TNAs from the global south *seems* to have increased as the conferences themselves moved south, this study is able to bring hard numbers to bear and describe patterns of TNA participation in two IOs over time in a precise manner. Furthermore, there is a tendency in the literature to treat TNA *access* and TNA *participation* as identical (i.e. Steffek 2010; Liese 2010). Bar a few exceptions, TNA participation has rarely been investigated as a separate phenomenon, and even rarer has it been investigated with formal TNA access as an independent variable. *This* is the core of this study's contribution.

The Influence of TNAs in Global Governance

The debate surrounding influence exercised in international relations by actors besides the nation-state began in earnest in the 1970s (Keohane and Nye 1972; Keohane and Nye 1977; Rosenau 1980). The focus in this debate initially lay on the role of multinational companies in developing countries and whether they hindered or promoted economic development. Due to the different but functionally equivalent paths of development chosen by the various components of what was previously labeled 'the third world' and the impossibility of pinning down the effects of multinationals in the various scenarios that played out, this debate largely died during the 1980s (Risse 2002). However, the debate on the role of business actors in global governance resurfaced in the 1990s, as International Political Economy (IPE) sought to mend the shortcomings of traditional IR theory in accounting for the perceived growing influence of business actors, painting them as players on a level field with states and NGOs. Stopford and Strange (1991) outline a world in which states compete for the means to create wealth within their territory than for power over more territory. The implication is that national choices of industrial policy and efficiency in economic management are beginning to override choices of foreign or defence policy as the primary influences on how resources are allocated.

The rise of the global environmental regimes in the 1990s brought a renewed focus on the capacity of TNAs to influence these very state-centric processes. A first wave of scholarship identified entry points at the level of national governments and international institutions, trying to determine how the input of experts, NGOs and economic actors at the various stages of the international policy cycle (Risse-Kappen 1995; Weiss and Gordenker

1996; Raustiala 1997b; Reinicke 1998; Cutler, Haufler and Porter 1999; Coleman and Perl 1999).

A second wave focused on how non-state actors function as norm entrepreneurs, thereby shaping international agendas, promoting shared principles and norms and thus fostering ‘global consciousness’ with major consequences for domestic politics and policies (Nadelmann 1990; Haas 1992; Wapner 1996; Smith et al. 1997; Keck and Sikkink 1998; Boli and Thomas 1999; Evangelista 1999).

Finally, a third wave of research focused on the *influence* wielded by non-state actors during the establishment and, subsequently, operation of international environmental regimes. Newell and Paterson (1998) argue that the states’ dependence on fossil energy and the need to cater to big business helps explain countries’ bargaining positions in global climate negotiations, and the dynamics of their climate policy making. They argue that in order to understand the development of the climate regime one has to look at how business actors behave both towards the regime itself and towards the governments making up the regime. They conclude that “when the centrality of fossil fuels in producing global warming is combined with the centrality of fossil energy in industrial economies, it becomes clear that the fundamental interests of major sectors of those economies are threatened by proposals to limit greenhouse gas emissions”. Rather than perceiving states as rational actors at the negotiating table, they argue that states’ actions must be understood in their context as players in the reproduction of capital. This set the stage for a new focus in the literature on business actors in global environmental governance, namely as players who could operate at several different levels and in different capacities within international environmental regimes. Corell (1999: 214) demonstrated that in the case of the UN Convention to Combat Desertification the experts from the formally appointed body of experts known as the International Panel of Experts on Desertification had little influence on the negotiations, whereas the various NGOs involved had. Betsill and Corell (2001) built on this to demonstrate across 14 case studies that NGOs could indeed influence such negotiations, depending on the circumstances. Ten Kate and Laird (2000) describe the financial aspect of the ‘grand bargain’ that is the CBD, in which technologically and financially rich governments get access to the resources of biologically rich, but often otherwise poor countries, in exchange for a fair and equitable sharing of benefits such as technology transfer. They claim the paradigm of regulation of global affairs through interstate regimes is now long gone, and that companies and national governments alike need to cooperate in the development of appropriate laws, policies and capacity-building activities (*ibid*: 264), thereby establishing that non-state (business) actors now operate on par with governments in global en-

vironmental governance. Daniel Levy (2005) argues that while the prospect of mandatory cuts to the use of fossil energy is a big threat to global business actors and one would expect the industry's first reaction to be fighting back. However, as Newell points out (2005), responses to this perceived threat varied considerably across businesses and not least across regions. On the other hand, there is little doubt that transnational business actors have also played a constructive role in the process of meeting anthropogenic climate change. Furthermore, Levy and Prakash (2003) found that the negotiations leading up to the Montreal Protocol were to a large extent pushed forward by the major US producers of ozone depleting gases (CFCs). In the end, the Montreal Protocol phased out all use of CFCs and stands to this day as perhaps the most successful environmental regime ever created. Esty and Winston (2009) hold up that whether this could have happened without DuPont's efforts is an unanswered question, but what is certain is that the competitive advantage brought about by the regime allowed the company to gain both market shares and profits. Scherer et al. (2006: 506-507) sum up these developments well when they state that "corporations do not replace governments". However, given that they participate in public deliberation, define norms and standards, and choose to accept third-party monitoring mechanisms and sanctions in case of non-compliance, they have, willingly or not, become politically engaged". Arts (2005) presents three cases in which he argues non-state actors of various kinds played significant roles, although he warns that "old, state-oriented governance has not disappeared at all nor is 'new' governance necessarily new...we do not observe a diachronic shift from government to governance in the global environmental arena, but the development of a 'multi-rule' system, in which different governance arrangements...emerge, interact and (partially) fuse". Raustiala and Bridgeman (2007) survey the varied roles of non-state actors in the international climate regime and warn against placing too much emphasis on the role they play, as "NGO input is often channeled or rejected at the discretion of the governments involved" (ibid: 29). Bled (2009) argues that the CBD's decision VIII/17 to further involve the private sector in the activities of the regime, taken at COP 8 in Curitiba in 2006, was mainly aimed at improving the IO's legitimacy by involving business more in policy formulation as well as implementation. This highlights a new aspect of the new role played by business in global environmental governance: rather than being the evil against which the forces of good, i.e. national governments, had to stand together to regulate, they now serve as norm entrepreneurs and suppliers of legitimacy to the previously so state-centric process of environmental regulation.

At this point, Pattberg and Stripple (2008: 384) argued that a fresh perspective on TNA participation in global climate governance was needed and

proposed an analytical framework making “a detailed assessment of agency beyond the state in regard to the institutional arrangements different actors create and sustain in order to address the problem of climate change and the resulting overarching architecture of climate governance”. Biermann and Pattberg (2008: 284), in taking stock of existing literature on global environmental governance and pointing the way forward, argued that “this field still awaits research programs that systematically analyze the emergence, effectiveness and legitimacy of transnational institutions in global environmental governance”. Not least, they argue, is it necessary to look at questions of equity over time: who is represented, by whom, and how are costs and benefits of climate regulation divided? Finally, Green and Colgan (2010) analyze whether the increased participation of non-state actors in global environmental politics really represents a power shift away from the nation state, or whether the actions of non-state actor simply reflect the preferences of states. They do concede, however, that “examining only one issue area does not provide a sufficient basis for a general judgment about the purported power shift. However, narrowing the scope allows for more rigorous analysis of this issue area”. This is, once again, a valid point to make. However, as this review of the literature on non-state actors in global environmental governance has shown, it leaves out large parts of a bigger picture which deserves far more attention than it has been afforded so far. As Knoke (1990: 3) noted, “influence is possible only when communication occurs”, referring to the need to first look at access to determine which parties are in a position to communicate. Corell (1999: 199) built on this when she stated that “[p]articipation in international negotiation processes is a clear way of gaining this access”. This sentiment underlines the importance of this study: the research on the role played by non-state actors in global environmental governance is ripe with examples of in-depth single-case studies. However, in order to debate the role played by such actors in global governance, we need to know who the actors who find themselves in the position to influence are. Studying participation in comparable IOs over time, therefore, adds significant knowledge which otherwise escapes the traditional single-case studies.

Scientifically measuring influence in political science has over the decades proven notoriously difficult. However, recent advances in methodology, particularly by Baumgartner et al. (2009) and Mahoney (2008), have relaunched this particular subfield with renewed energy and purpose. While the question of influence *per se* lies beyond the scope of this study, one could argue that it represents a contribution to that field nonetheless. A first step towards answering the question ‘who influences?’ is answering the question ‘who participates?’, and that is a question this study is able to answer very in-depth. As such, investigating patterns of TNA participation in

the UNFCCC and CBD is a key prelude to the deeper study of patterns of TNA influence in global environmental governance.

The Democratizing Potential of TNAs in Global Governance

The perceived democratic deficit in global governance has long been a central concern to scholars of international organizations, in particular of the EU and the UN. Of equal importance has been the debate around how best to ameliorate this, and one prominent suggestion is allowing organized civil society a more prominent role in IOs. Zürn (2000:211) identified early on that “denationalization leads to de-democratization”, as international institutions will have trouble to replicate the unifying potential of the nation-state. In lieu of a global demos, some kind of middle-man between those making decisions and those affected by them must be found. Grugel (2003: 263) then suggested TNAs can play that role, as he argues that global civil society actors are the catalysts of “democratization from below through the articulation of radical and new forms of transnational citizenship and social mobilization”.

After establishing that TNAs may serve a democratizing capacity in global governance, the debate shifted to under which conditions they are more likely to do so. The argument was made that TNAs’ capacity to bring about democratization of global governance in part hinges on qualities inherent in the TNAs themselves. Edwards (2001: 146), who argues there are four critical elements to TNAs being able to democratize global governance: “they have legitimacy and the right to represent their members: their structure is balanced between North and South, between grassroots and non-grassroots members, they have expertise on the issues and demonstrated solutions, strategies and policy alternatives and they have effective links and balance between their local, national and global work”. Batliwala (2002) examines the cases of Women in the Informal Economy Globalizing and Organizing (WIEGO) and Slum/Shack Dwellers International (SDI), and argues that grassroots organizations like these “enjoy a greater degree of legitimacy in the eyes of policymakers and multilateral institutions because of their grassroots base”. Koppell (2005) argues that an excessive focus on the need for TNAs to be ‘accountable’ in order to have the necessary legitimacy to act at the global level may in fact hamper their ability to be democratizing factors. There are simply too many definitions of accountability for TNAs to conform to them all, leading to confusion and expectations in terms of what TNAs and, consequently, global governance institutions could and should do. However, Holzscheiter and Hahn (2005: 25) argue that claiming to speak on behalf of the most underprivileged, victimized and voiceless is one of the “strongest underlying justifications for legitimate foreign-representation by NGOs”. The rise of grassroots movements which

can make stronger claims of being the ‘real’ representatives of these marginalized groups undermines the moral authority of those who were the first to speak up in favor of these groups, which may over time threaten the position of established international NGOs in global governance. Kissling and Steffek (2008:208) summed up the state of the art of thinking around these issues thus:

Organized civil society may serve as a ‘transmission belt’ between a global citizenry and international organizations, creating a new avenue for the concerns and interests of citizens to reach the venues of global or European policy-making. Hence, the presence of organized civil society may widen the range of arguments and concerns present in political deliberation quite significantly. As it bypasses 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.

In an innovative move, MacDonald (2008:194) argued that “democratically legitimate representative agency can be established not only through elections, but also through non-electoral mechanisms of authorization and accountability”, while Scholte (2011:312) dared, on the basis of thirteen well-documented case studies, to sum up the current state of affairs as “these conceptual empirical, testimonial and counterfactual considerations provide something approximating to ‘proof’ of CSO significance”.

How does this study contribute to the study of TNAs as a democratizing force in global governance? If patterns of inequality in TNA participation were to be found, that may have significant ramifications for both the UNFCCC and the CBD, not least in terms of their legitimacy. Steffek and Nanz (2008:7) point out that in order for global institutions to be considered legitimate by those affected by their decisions, there needs to be “a warranted presumption that public opinion is formed on the basis of adequate information, and that those whose interests are affected have an equal and effective opportunity to make their own interests...known”. Furthermore, Lee et al. (1997) argue that “while formal ‘ownership’ of the UN, in the sense of formal membership and voting powers, remains in the hands of governments, private companies are increasingly influencing decisions that are nominally the prerogative of governments”. The problem of legitimacy is not limited to for-profit TNAs, however. Greenwood (2007) demonstrates how, in the case of the EU, “there is a wealth of evidence about the limited capacity of EU citizen interest groups to bridge the gap between themselves and citizens in the member states”, suggesting that increased participation on the part of such groups may not necessarily provide the UNFCCC and the CBD with the legitimacy not already provided by

the participation of national governments which in many cases are the directly elected representatives of their citizens.

On the geographical dimension of TNA participation, Glenn (2008: 218) notes that “the democratic deficit of [IOs] vis-à-vis the developing world has resulted in a critical lack of legitimacy”, arguing (*ibid*: 234) that “many now see the [International Financial Institutions] and the WTO as pursuing the interests of, broadly speaking, the G7 core capitalist states and their corporations”. Consequently, IOs popularly seen as clubs where only the rich and powerful are afforded the chance to promote their interests and broader segments of the global population are systematically shut out will not stand much of a chance to establish themselves as legitimate fora for making decisions about the distribution of future global costs and benefits. It is thus in the interest of IOs to facilitate cooperation with the broadest possible samples of global civil society, an ambition stated by both the UNFCCC and the CBD. The question, then, is to what extent they succeed.

The Study of Interest Groups in Politics

As Lowery and Gray (2004a: 164) observe: “in the beginning, there was Truman (1951), at least for modern telling of the politics of interest representation”. The pluralist account of interest representation depicted an interest group population reflective of the distribution of interests in society at large. Actors compete on a level playing field to influence policy outcomes, and outcomes themselves represent the distribution of salient interests in society. Interest groups are seen as providing relevant information to policy makers and thereby support rather than undermine democratic governance.

Mancur Olson’s (1965) transactions perspective produced a paradigm shift in interest group research. No longer seeing interest representation as a benign reflection of public interest due to a collective action problem, Olson paints a picture of a world where interest group systems are biased towards small groups with significant resources and high stakes in the political game. “This nonrepresentative sample of interests in society is then expected to purchase policy via direct lobbying or indirect use of political action committee resources in electoral campaigns...indeed, far from being essential to a working democracy, organized interests in the economic approach are often viewed as pervasive threats to it” (Gray and Lowery 2004: 165-166).

While most works in the interest group literature acknowledge the existence of the collective action problem Olson identified, later research has accumulated so much additional knowledge that some reviewers have seen fit to ask the question whether “the problems discussed by Olson may have been given more prominence in the interest-group literature than they

deserve". Research carried out within the third great school of thought in interest group theory, neo-pluralism, clearly suggests so. Instead, in the neo-pluralist perspective, "interest systems are viewed far more like ongoing food fights than as a supermarket where goods are politely delivered upon payment" (Lowery and Gray 2004a: 169). However, regardless of what school of thought interest group researchers subscribe to, the field has over the decades been characterized by a pervasive interest in three questions: the mobilization, strategies and influence of organized groups in politics. This section of the chapter aims to bring us up to date on existing research on the role of interest groups in politics before delving into the specifics of population ecology in chapter four.

Mobilization

Truman (1951) argues that interest group mobilization is the result of two interrelated processes. The first is the fact that societies evolve and become more complex. "Simple societies have no associations", he argues (*ibid*: 57). The second is 'disturbances' that make those holding latent interests go out and form groups. He defines disturbances as shocks to the status quo which threaten interests held by individuals, which prompts these individuals to go out and defend them. Olson (1965) identified several obstacles to group formation, however, the most important of which being what he dubbed 'collective action problems', in that groups work to secure *collective* goods whereas what inspires individuals to act are *individual* goods, leading potential group members to free-ride by staying out of the group while enjoying the collective benefits produced by the interest groups' labors. Therefore, he argues, forming effective interest groups will be much easier for small and well-resourced constituencies, given the obstacles related to procuring the same level of resources and coherence from a larger and more diverse constituency of less-resourced individuals. However, the collective action problem has come under criticism. Lowry (1997) demonstrates that organization spending does not necessarily happen at the expense of the pursuit of collective goods, Moe (1980) shows that group members tend to overestimate their importance to group success, and Gray and Lowery (2001) showed that the bodies to which the collective action logic was originally applied, namely membership organizations, are sharply declining in numbers and at the time accounted for just 20 percent of registered lobby organizations in the American states.

This last change in mobilization patterns has been the focus of much recent research. Jordan and Maloney (1996) argue that the decision to join an interest group cannot be understood in light of the individual preferences alone, the group's effort to inform potential members of its existence must also be taken into account. They (1998: 2006) further argue that Ol-

son's idea of free-riding should be replaced with a civic voluntarism approach: potential members who still choose not to join groups do so not because of a lack of resources, but rather from political cynicism and a lack of belief in the effects of political action. Bosso (2003) finds that members matter, "even if they do nothing more than write checks" (ibid: 408). However, what Bosso points out is the increasing shift by interest groups away from the traditional member-based group towards a more professionalized form in which members increasingly serve as sources of revenue and "lawyers, scientists and policy experts are far more valuable in day-to-day policy debates at the national and international levels of discourse" (ibid: 410). This notion was continued by Fisher (2006), who argues that shutting the grassroots out of active political participation means killing grassroots engagement. Using the then-recent presidential campaign of John Kerry as an example, she holds that "when a group's future leaders are treated like cogs, and their employers hire them out to 'prospect' for donors, is it any wonder that the Left is fractured, disengaged, and losing the very fights they raise money to win?" (ibid: 85).

With the growth of transnational interest group populations, recent research has aimed to transfer existing models of interest group mobilization on to the international level. Warleigh (2001) finds that interest groups, once removed a further step from the national policy process and their grassroots origins, lose even more of their democratic credentials: "decision-making is normally left in the hands of key officers, with very little – if any – supporter input. NGOs usually make little or no effort to educate their supporters about the need for engagement with EU decision-makers..." (ibid: 623). Similarly, Saurugger (2007) finds that as the EU's political system clearly wants to channel popular participation through its elected institutions, the scope for grassroots participation through interest groups was never intended to be broad. Surveying about eight hundred German, French, British and EU trade unions, Eising (2004) tries to mend what he deems a lack of studies of the consequences for smaller, national interest groups of the move of more and more legislative and regulatory activities from EU member states to the international EU level. Eising assumes that what is needed to make an impact at the EU level are so-called 'governance capacities': first, "*negotiation capacities* denoting an interest group's ability to mediate between competing demands of state actors and members and to engage in self-regulation. [Second], *organizational resources* are crucial because the pursuit of complex multilevel strategies requires a lot of money, time, experience, and sustained effort. One would expect that interest groups with greater governance capacities find it easier to represent their interests in the multilevel setting". Eising concludes (ibid: 237) that "it appears that multilevel governance has a built-in tendency to work to the

disadvantage of weaker interests even though not each and every policy decision needs to reflect this asymmetry. While this general finding has been derived from the empirical analysis of a large number of business interests in three large member states, it may well hold for other contexts and types of actors". Eising (2007) further explores the notion that participation at the international level favors resource-rich interest groups. Analyzing the access of interest groups to EU institutions based on data from 800 business interest associations and 34 large firms, Eising (*ibid*: 399) finds that "...in the EU, a tightening political control of bureaucracy tips the balance in favor of big business. As a consequence, it is unlikely that recent efforts at institutionalizing the participation of civil society in the draft constitutional treaty and at regulating consultation patterns will offset such structural imbalances". Blavoukos and Pagoulatos (2008) investigate the impact of EU enlargement on the EU's interest group system. They find that each enlargement brings its own set of challenges, most importantly involving the number of countries involved and the nature of the interest group systems found in these countries. Most importantly, they find that a sudden influx of new interest groups may have macro impact on what they refer to as the *density, porosity* and *centralization* of the system, which may further impact the chances of individual interest groups to enter and survive in the EU's interest group system. Finally, Wonka et al. (2010) use the European Commission's CONECCSS database, the European Parliament's accreditation registry and Landmarks' 'European Public Affairs Directory' to create a dataset that captures the number and diversity of interest groups active at the EU level in 2007-2008. The picture of the EU interest group system coming to life through the resulting dataset is claimed to include "virtually all important actors that are regularly involved in EU lobbying" (*ibid*: 466), paving the way for new and exciting research in the field. Among the many interesting findings from this study, a couple stand out: first, groups representing business interests provide the largest share of groups mobilized for political action (*ibid*: 467). Second, "organizations from Eastern Europe [seem] so far to be hesitant to enter the Brussels scene, or at least by 2007-08 they had not made the transition to sustained activity in the EU capital" (*ibid*: 469).

The rise of TNA participation in global environmental governance and the increasing importance of transnational interest group systems this has caused present new challenges for interest group research. Not least is the question of whether smaller and broader interest groups stand a chance of mounting a sufficient level of presence at the international level, or whether the resource advantage Olson (1965) envisaged at the national level will get the better of them also internationally. The single case studies so prevalent in the literature have thus far been unable to present convincing an-

swers to this question, and this is why the temporal dimension of this study represents a contribution to this literature.

Strategies

The second question with which interest group research has traditionally been concerned is what *strategies* such groups use to accomplish their goals. This is, naturally, a very broad subject. Lobbying and lobbying tactics differ from country to country, and a literature review such as this could therefore easily be dragged into a vast comparison of the virtues of different political systems and their impacts on lobbying tactics. However, as this study builds on interest group research models developed in the context of US politics and then applied to the international level, it is to these research traditions we will stick also for this brief review.

In the body of literature concerned with interest groups lobbying the US Congress, there is basic agreement that interest groups will want to target representatives who have yet to land on a position in a policy question, as these are likely easier to sway (Denzau and Munger 1986). Furthermore, representatives with agenda-setting powers such as members and chairs of key committees are also heavily lobbied (Austen-Smith and Wright 1994; The Sunlight Foundation 2012). However, there is controversy surrounding the question of whether interest groups also lobby representatives who already agree with them, and why (Baumgartner and Leech 1996). Some have argued that interest groups will lobby those who agree with them all the time (Snyder 1992), whereas others have argued that groups lobby those who agree with them only when it is necessary to counteract opposing policy views (Austen-Smith and Wright 1994). Another important question when it comes to lobbying is whether a group resorts to insider or outsider tactics. Outsider tactics such as demonstrating or mass mailing representatives is a good way to galvanize the grassroots of an organization, and is therefore more likely to be used by membership groups, and due to the higher costs of organizing mass campaigns it is likely that these will be employed only on issues of the greatest importance to the group (Hojnacki and Kimball 1999).

Furthermore, a crucial question for lobbyists is which venue to lobby in. Holyoke (2003) investigates what makes interest groups choose certain venues over others. She (*ibid*: 334, *italics mine*) identifies “two decision points prior to decisions about whom and how to lobby Congress, the bureaucracy and the Supreme Court. The first is *whether* to lobby in a given venue and the second is *how intensively* to lobby”. Holyoke identifies three principal factors influencing these decisions, namely pressure from members, access to the policy venue and the density and behavior of other interest groups working on the same issue in the same venue. He concludes

that “lobbyists avoid venues where their opponents are strong and engage in low-cost lobbying tactics in venues where pressure from members and lawmakers demand that they lobby but prospects for success are dim. Lobbying, like most other types of political decisions, is strategic in that expectation of behavior by peers shapes and constraints the decisions made and the tactics selected” (*ibid*: 334).

With the rise of transnational interest group systems, researchers were forced to start asking those same questions over again. Scholars have argued that the first step for any cause to make it onto the international scene and win mainstream support, is for activists promoting obscure causes to manage to get ‘adopted’ by bigger actors, and that the best way to do this is to frame one’s plea for aid “not as a request for philanthropy but rather as exchanges proportional to the relative power of each party in the transaction” (Bob 2006: 5). This can be done in one of two ways: either by targeted lobbying through appearances at high-level NGO conferences or establishing permanent representation at NGO hubs such as New York, Geneva or Brussels. The second strategy is to engage in more general awareness-raising, usually through intermediaries such as the international media (*ibid.*). In the European Parliament, these decisions are heavily influenced by institutional constraints on lobbying, causing interest groups to target legislators who do not agree with them to a much larger degree than has been seen in the American literature (Marshall 2010). Once on the international playing field, interest groups depend on operating in coalitions, and as they can no longer rely on campaign donations and intense lobbying of individual representatives like in the domestic context they are forced to rely on providing information and acting as norm entrepreneurs on a grander scale (Keck and Sikkink 1998). The degree to which they are able to do so depends on the development of domestic and national opportunity structures, a result of long-term processes of international cooperation and treaty building (Tarrow 2005). However, interest groups active in the EU form coalitions at a much lower rate than their counterparts in the US, suggesting that the democratic deficit in the EU system makes the forging of broad coalitions reflecting concerns of a large segment of voters less powerful (Mahoney 2007).

One of the core elements of lobbying in transnational settings is *framing*. Joachim (2003: 2007) argues there are three types of framing processes. Diagnostic framing identifies a problem and its cause, aiming to make the recipient recognize the condition as unacceptable so as to make him act. Prognostic framing involves the proposition of a solution to a known problem, whereas motivational framing urges people to act on a certain problem. However, Joachim argues that no amount of framing can cover up a fundamental lack of knowledge, still universally acknowledged as ‘the

ultimate resource of NGOs'. Based on this, Joachim argues that successful players in transnational interest group systems are those who manage to balance opportunity structures, framing strategies and mobilizing structures. The key to doing this is to cultivate personal contacts in order to build strong alliances with IO officials and likeminded TNA operatives (Joachim and Locher 2009), emphasizing the importance of maintaining *presence over time* in order for TNAs to develop into proper players on the international field.

Once more, the argument goes that the single-case studies so prevalent in interest group and lobbying research have not told the full story of the tactics employed by interest groups and the degree to which they succeed. Describing empirically the degree to which TNAs manage to establish presence over time will, as such, be an important first step towards designing ever better studies of how groups conduct themselves when engaging governments at the international level.

Influence

Measuring the influence of interest groups in public policy-making is notoriously difficult, but as with so many other things in interest group research the starting point also in this section is David Truman (1951). As seen above, Truman and other early pluralists argued that the population of interest groups in a political system represented the distribution of interests in society, and the role of interest groups were to make sure that individuals of the same mind could come together and jointly express their views to policymakers, thereby providing these with more information and a better foundation on which to make decisions (Latham 1952; Bauer et al. 1963). This point of view was, again, challenged by Olson (1965), who argued that collective action problems saw to it that interest groups did not form naturally. Instead, due to differences in resource bases and the capacity to provide the selective incentives that spur individuals to participate, any interest group system will be biased in favor of narrow interests with a lot riding on policy outcomes (Schlozman and Tierney 1986). This transaction view on interest group influence was likened by Olson himself (1982) to shoppers in a supermarket, where desired policies are bought and paid for by lobbyists. In the 1990s, neopluralist research started questioning these two perspectives on lobbying. While still acknowledging the collective action problem, neopluralists have argued that plenty of means exist for interest groups to overcome it, resulting in interest group systems actually being made up a quite wide array of societal interests, causing both uncertainty and inefficiency as far as lobbying tactics go (Walker 1991; Berry 1999). In short, many, if not most of the shoppers at the policy supermarket will find themselves disappointed (Lowery 2007).

Empirically demonstrating the influence of interest groups in politics has in many ways been regarded ‘the Holy Grail’ of political science, and scholars in the US have been looking for it for a long time indeed. Whereas Truman (1951) argued that no influence could be exercised without access to policymakers, Ainsworth (1993) countered that access is no more than an intermediate objective and extrapolating from access to influence is therefore not possible. Regardless of what school of thought researchers find themselves in, there is more or less consensus that interest groups and elected officials to a certain degree engage in a symbiotic and mutually beneficial trade in which resources possessed by interest groups and desired by legislators are exchanged for political influence (Hall and Deardorff 2006). Most prominently among the resources held by Interest groups and coveted by policymakers figure money, information and political support (Dür 2008; Castanheira et al. 2006). Snyder (1992) argues that interest groups make long-term investments in politicians with the aim of creating self-enforcing relationships through mechanisms of repeat play, trust or reputation. However, conflict between short-term and long-term incentives undermines the ability of each side to credibly commit to long-term alliances (McCarthy and Rothenberg 1996), but Stratmann (1998) argues that a ‘contract’ between an interest group and a legislator is enforced by the lure of already received payments as well as the promise of future contributions as a reward for the desired legislative behavior. Regardless of this, however, the effectiveness of money in the form of campaign contributions remains in question (Stratmann 1998; Gordon 2001).

As we saw above, knowledge and information is still regarded the key resource held by interest groups. Some have claimed that information plays the most significant role at the early parts of the policy process (Austen-Smith 1993), whereas others have argued that coming in late or even withholding information from policymakers serves to influence the process (Ackermann 2007). At the same time, legislators are well aware of the strategic incentives for interest groups to release or withhold information as they see fit and should therefore be believed to distrust the information they are served by interest groups (Schlozman and Tierney 1986). As for political support, it has been argued that legislators choose policy so as to maximize political support (Stigler 1971). The most obvious way for this to happen would be for interest groups to express their support for an official in exchange for policies that favor their economic or other interests. Such support may influence the voting behavior of an ignorant or misinformed electorate, producing the ironic result of voters rewarding actions on behalf of elected officials that harm their personal or collective welfare (Dür 2008). Other concerns have included whether domestic regulatory agencies can be captured by large and well-resourced companies (Carpenter 2004; Yackee

2005), whether such agency have the freedom to choose which interest groups to interact with (Braun 2007), whether domestic interest groups can influence US foreign policy (Baumgartner et al. 2009) and to what extent interest groups are better off influencing EU legislation at the national or EU level (Schneider et al. 2007).

With the rise of transnational interest group systems, these arguments came up once again. There is considerable debate over whether the transaction perspective holds also in this context. Some have argued that the access goods of interest to EU officials are limited to information of various sorts (Bouwen 2002), whereas others have argued that what really matters is the degree of public support or resistance an interest group can claim to muster (Beyers and Kerremans 2004). Recent studies of the EU, however, have pointed to the institutional constraints of that organization and how they create some particular effects. Marshall (2012) highlights the quality of the staff vetting the information they are supplied by interest groups, as there are but limited opportunities for unbiased expert knowledge to enter the legislative process during the European Parliament (EP) draft report stage, making it hard for the generalist staff to counter eventual false or misleading information. Simultaneously, Klüver (2011) demonstrates the importance of strength in numbers when dealing with the EP. The bigger the coalition an interest group belongs to, the larger the chances of success.

While both global governance and interest group scholars have pondered the influence of TNAs/groups for a long time, they have done so separately. As such, this study represents a first step in bringing these two sub-fields closer together. Not necessarily in terms of the study of *influence*, which lies outside its scope, but in integrating theories and concepts from interest group research with the study of non-state participation in global governance to the benefit of both. As mentioned above, improving the study of participation is an important first step towards improving the study of influence, and that is one of the main contributions of this dissertation.

Summary

This literature review has placed this dissertation at the intersection of two prominent research traditions in political science – the role of TNAs in global governance and the role of interest groups in politics. As we have seen, both these fields have come a long way, and with non-state actors and lobbying across borders gaining ever more importance, there are new and exciting areas of research opening up in both fields. However, gaps exist in both literatures.

As far as the global governance literature is concerned, recent years have seen a surging interest in the increasing formal TNA access to global governance institutions and the theoretical reasons and philosophical implica-

tions thereof. There have been repeated calls for more comprehensive studies with emphasis on the temporal and comparative dimensions, and these have slowly begun to be heeded. However, in spite of this, studies of TNA *participation* remain few and far between. At times the two are treated as one and the same, with increasing access leading to assumptions about increased participation. Rarely is participation treated as a phenomenon in its own right, on which access is but one of several influencing factors. This study aims to take first steps towards ameliorating this. By treating participation as a separate phenomenon and empirically investigating it, this study makes inroads into linking TNA access with TNA participation, and the research on both will be better off for it.

As for the interest group literature, Beyers (2002: 586) observes that “despite the explosion of publications and research in this field, leading scholars express rather opposite views – often based on fragmented small-N case studies within one sector or related to one type of actors. Although these studies offer insight into the policy process and are powerful hypothesis-generating devices, it remains difficult to derive from them a coherent picture of the role of associations”. In other words, there are significant gaps yet to fill, and this study takes small, yet important steps in that direction. First, it offers a comprehensive study of TNA participation in IOs over time and, to a certain extent, the connection between levels of access and patterns of participation. This addresses some of Tallberg and Jönsson’s (2010a) grievances about the lack of comprehensive studies in the field and will address some of the other shortcomings in the literature dealt with in this chapter. Second, it makes an attempt to scale up existing concepts, theories and analytical tools in interest group theory, as it applies them to a new and previously underresearched phenomenon.

CHAPTER 3: RESEARCH DESIGN AND METHODS

This chapter presents the research design and methods of this study. It consists of four parts, where the first discusses the case selection, units of analysis and the comparative method. The second describes the quantitative aspect of the study, introducing the novel data set of the 3,698 TNAs which have obtained observer status in the UNFCCC and CBD between 1994 and 2011. The third part describes the qualitative part of the study, the selection of informants and the manner in which interviews were conducted, whereas the fourth and final section deals with the study's data sources.

Case Selection and the Comparative Method

The cases investigated in this study are patterns of TNA participation in the UNFCCC and the CBD, with the units of analysis being the individual TNAs participating at COPs as observers. As with most case studies, these were selected specifically for being well suited for the study, not through a randomized selection process. As Skocpol (1979:40) argues, when the number of cases in a study is limited they "need to be carefully selected and the criteria for grouping them together made explicit". The universe of cases thus consists of instances of global environmental governance in which TNAs participate. The UNFCCC and the CBD stand out among these for several reasons: they represent a policy area in which TNA participation has so far been insufficiently investigated, they display important similarities, all the while harboring enough differences to set them apart as two separate cases.

The reasons for selecting the UNFCCC and the CBD are threefold. First, recent studies of patterns of TNA participation in global governance have limited their focus to policy areas in which some forms of TNAs, most notably those with business and industry affiliations, have strong incentives to participate, such as global trade policies being made in the WTO (Hanegraaf et al. 2011a) and the political and economical unification of Europe at large through the EU (Messer et al. 2010; Berkhout and Lowery 2011). This means there is a window for studies investigating other policy areas in order to find out whether the results and conclusions of previous studies travel across the larger field of global governance. The environment stands out as a strong candidate for such investigation, as it is a 'soft' policy field in which a high degree of TNA participation should be expected, as well as arguably being the policy field in global governance with the longest history of institutionalized participation by TNAs (Steffek 2010).

Second, the UNFCCC and the CBD display several important similarities: both IOs were developed at a time when common, intergovernmental efforts were considered the most efficient solution to global problems. Still high off the success of the Montreal Protocol on Substances that Deplete

the Ozone Layer, non-state actors were offered the opportunity to participate as observers, but kept at arm's length from playing any official, substantial role in the negotiations themselves. This is reflected in both IOs' adoption of Article 61 of the UN Charter as the basis of their relationships with non-state actors, where 'consultation' is the key term. As a result, the mechanisms for TNA participation in these two IOs are almost identical, bar a clarification of the rules of admission published by the UNFCCC Secretariat in 2004. Furthermore, both were conceived a few years after the end of the Cold War, and in an atmosphere where 'civil society' was beginning to be thought of as a benign force to counter the influence of nation-states. Combined with a formative period of economic prosperity for most OECD states, domestic support for increased environmental protection and development assistance was high, and the all-encompassing nature of the problems make almost any group of citizens potential stakeholders (Yamin and Depledge 2004). Most importantly, both Conventions state TNA participation as a goal. The UNFCCC states that the Parties shall "promote and facilitate...public participation in addressing climate change and its effects and developing adequate responses (UNFCCC 1992: Article 6), whereas the CBD points out "the importance of, and the need to promote, international, regional and global cooperation among States and intergovernmental organizations and the non-governmental sector for the conservation of biological diversity and the sustainable use of its components". The UNFCCC and CBD are two of the world's central IOs in the area of global environmental governance, have both been signed by all UN member states and were both negotiated under the auspices of the United Nations Environment Programme (UNEP). Both were the results of Intergovernmental Negotiation Committees (INC) established by the UN General Assembly, and both adopted an institutional setup in which a Conference of the Parties (COP) would function as the supreme body of the IO with the discretion to establish subsidiary bodies as it saw fit. As a result, the institutional constructs of the two IOs are almost identical.

Third, the UNFCCC and CBD also display a range of differences. To begin with, the economic consequences in the short and medium term stemming from the UNFCCC are expected to be felt by most individuals and industries in the developed world, which has caused especially carbon-intensive US industries leading the charge in vigorous opposition to the regime (Levy 2005). For the CBD, the expected scope of economic impact is, for the time being, smaller, with the brunt of economic consequences expected to be borne by commercial interests related to the utilization of biodiversity, such as seed manufacturers and pharmaceuticals (Sprinz 2001). This is underlined by the fact that no organized opposition group has arisen in response to the CBD, contrary to the UNFCCC which saw powerful lobby organiza-

tions like the Global Climate Coalition working vigorously to undermine it (Levy 2005). Furthermore, the two IOs differ in the scope of state and societal measures they apply. Whereas the UNFCCC has come to include such global and far-reaching tools as the Climate Development Mechanism (CDM), amounting to a global carbon-trading market place, the CBD has produced more limited mechanisms such as the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit Sharing, seeking to regulate the economic exchanges, costs and benefits related to biodiversity. Finally, the two IOs differ in their salience, meaning the attention they are afforded by the world at large. The UNFCCC has become something of a global household name, culminating with the descent upon Copenhagen and COP15 in 2009 of 30,000 accredited observers, and 15,000 reporters applying for the approximately 5,000 media accreditation spots. The CBD stands in some contrast to this, with COP10 in Nagoya attracting mere 1,000 media representatives (CBD 2012j). Perhaps even more telling, COP10 was attended by one single North American journalist (Leahy 2010). The difference in attention being paid to these two IOs creates expectations that we will find differences also in patterns of TNA participation between them.

Is it reasonable to conceive of the UNFCCC and the CBD as two separate cases? After all, they are both members of the UN family of global regimes, some of the TNAs acting as observers are active within both of them, and it is to be expected that TNAs concerned by environmental policy-making pay attention to the goings-on of other environmental IOs even if they take no active part in them. I argue it is. Observer status in these two IOs and thus inclusion in these observations must be obtained through application to two separate bodies, the respective Secretariats of the CBD and UNFCCC. Observer status in one IO is thus independent of whether such status has been obtained in the other, thus serving to insulate the observations and increase their independence from each other.

Why Compare Cases?

As this is a *comparative* study of two cases, it is necessary to first discuss the pros and cons of conducting case studies before explaining why two cases are better than one. Gerring (2004) points out that while case studies have traditionally been held in a certain amount of contempt by the political science community, “much of what we know about the empirical world is drawn from case studies and case studies continue to constitute a large proportion of work generated by the discipline...”. He points out the varying definitions of case studies given in the literature, before proposing his own: “an intensive study of a single unit for the purpose of understanding a larger class of units” (*ibid*: 342), the purpose of which is to establish that some

form of correlation between variables takes place in a certain order. Furthermore, he points out how case studies “enjoy a natural advantage in research of an exploratory nature” (*ibid*: 349), because the closer examination of the single case allows the author to explore hypotheses that might elude the author operating with a higher number of cases. In the context of this study, this strikes me as a reasonable choice of method. This study engages with a phenomenon previously scarcely researched, to the extent where properly defined hypotheses or theoretical expectations cannot be said to exist. Looking closer at a limited number of cases furthermore allows me the freedom to look for unexpected relationships, thereby establishing hypotheses that can later be tested in larger-N research.

There are, naturally, weaknesses associated with the case study method. First and foremost among these is the fact that although well-suited to establishing good hypotheses in a path-breaking phase of investigation into a phenomenon, case studies have very few ways of escaping questions as to the generalizability of their findings. In other words, how much do we really know about a phenomenon after an in-depth investigation of one instance of it? In the words of Ragin (2000: 22), “research designs invariably face a choice between knowing more about less and knowing less about more, [and] the case study method may be defended, as well as criticized, along these lines”. Eckstein (1975) has suggested a possible way around this, namely by choosing cases that are particularly representative of the phenomenon they represent, so-called ‘crucial’ cases. However, this is not a route that is open to me as it would be difficult to justify at such an early stage of research into TNA participation in global governance that my cases are, in fact, crucial. The question is, then, what can realistically be done to increase the reliability of the case study method?

Lijphart (1975) introduced the comparative method as the foremost alternative to large-N statistical research. He argues that for system-level research, the basic choice is between the comparative and the statistical strategies (*ibid*: 165), by which he refers to comparative studies as small-N and statistical studies as large-N. The statistical strategy, he holds, is the stronger of the two, and the researcher should aim to ‘upgrade’ to this strategy whenever possible. However, Lijphart points out that analyzing a small number of cases allows the researcher to pay attention to details, make sure concepts are not stretched, that data is reliable, that indicators are valid and that the cases are really independent (*ibid*: 172).

I have chosen the comparative route for two reasons. Chief among these is that the comparison of these two cases allows me to say something about the importance of differences in IO design, economic importance and political salience for patterns of TNA participation. Furthermore, the fullness of the quantitative data available to me in my two cases is an im-

portant asset, enabling me to retrieve population data for twenty-seven out of the twenty-eight COPs that have been convened between these two IOs. As such, the comparative approach brings vital perspective to a study of such an exploratory nature, as I am able to point out both between-case as well as within-case variation as I go about answering my research questions. For instance, interpreting the absolute levels of interest group system density would be hard in a single-case design as there are hardly any other studies to which the numbers can be compared. This is true also in answering the explanatory part of my research questions: as we shall see, the perspective provided by comparison highlights some very interesting differences and similarities between the UNFCCC and the CBD.

Methods and Method Triangulation

This study applies three distinct methods to the investigation of TNA participation in global environmental governance. First, it carries out quantitative descriptive analyses of three dimensions of participation in both IOs. Second, it carries out a bivariate empirical assessment of the hypotheses set forth in chapter four. Finally, qualitative interviews are carried out as a complementary element.

The use of descriptive statistics as the main pillar of the study is based on the nature of the study, as it represents an early investigation of a new and previously underresearched phenomenon. Very little knowledge exists on patterns of TNA participation in global environmental governance, and it is necessary to first establish what they are before proceeding with the explanatory ambition that is part two of this study. This is no trifling matter. Gerring (2012:733) writes that while description traditionally has been viewed as a lower-status task in political science, “the current view of description within the discipline does not deny the importance of the task”.

Second, the use of bivariate statistical analysis to empirically assess the hypotheses set forth in chapter three allows me a good vantage point from which to draw the kind of broad causal conclusions this exploratory study calls for. The primary explanatory concern of this study is to establish whether relationships between my independent variables and the patterns of TNA participation exist, not test them statistically in order to precisely determine their strength. While regression analysis would certainly be one possible option as I assess the hypotheses, I find bivariate means comparison to be a more appropriate choice given the exploratory nature of this research, the lack of a comprehensive theoretical framework as well as adequate data for a large-n multivariate regression analysis.

Third, the use of semi-structured qualitative interviews provides breadth and depth to the statistical analysis, especially as it translates the broader statistical findings to human terms reflecting the reality of individual TNAs

participating in the UNFCCC and CBD. As such, they provide complementarity and may highlight elements and relationships missed in the larger statistical picture.

The Quantitative Data: Constructing the Data Set

The centerpiece of this study is a novel dataset with time-series information on TNA participation in the UNFCCC and the CBD. This dataset is an original contribution to existing research on TNA participation in global governance. The only other known study including this kind of systematic data over time is Hanegraaf et al. (2011a), in which TNA participation in the WTO was studied in the period from 1996 until 2009. In this section I introduce this dataset in three steps, first presenting its basic design, then explaining how the data was collected, processed and coded before finally discussing the strengths and weaknesses of this approach.

The Design of the Data Set

Systematic comparative evidence is rare in research on TNAs in global governance (Tallberg et al. forthcoming: 67), but this dataset contains data on three forms of variation among TNAs in the UNFCCC and the CBD.

Most importantly, the dataset includes complete data on TNA participation for all seventeen UNFCCC COPs and for nine out of the ten CBD COPs in the period 1994 – 2011. Such historical data is rare (*ibid.*), and the twenty-six observation points available for this study set it apart from previous studies. Hanegraaff et al. (2011a), for example, could only draw on observations from the seven WTO Ministerial Conferences held up until that point. I operate with two timelines, one for the UNFCCC stretching from 1995 until 2011 and another for the CBD stretching from 1994 until 2010. In the case of the UNFCCC, COPs have taken place on a yearly basis, whereas for the CBD COPs are biennial events. Additionally, the dataset includes information on *the location of headquarters* for 3,697 of the observer TNAs, opening for a comprehensive analysis of the variation of TNA participation also from a geographical perspective. Finally, the dataset contains information on *the issue orientation* of 3,430 of the TNA observers, enabling me to say something about how different interests have been represented in these IOs over time.

The dataset allows me to look closer at some established findings in the field and give these a fresh look. It will also enable a comparison of patterns of participation with variations in TNA access to these IOs, thereby establishing a first link between levels of formal TNA access to IOs and TNA participation.

Data Collection and Processing

The quantitative data collection was carried out in three phases. The first phase consisted of collecting participation data from the COPs. Following each COP, the Secretariats of the UNFCCC and CBD publish an official report which includes detailed lists of state, IO and TNA participants. These are available online, with the exception of the report from CBD COP 3. This could neither be retrieved through requests nor during a personal visit to the CBD Secretariat. These reports provided information on which TNAs attended which COPs, as such making up the back bone of the dataset. One feature of the UNFCCC observer population should be noted, however: when constructing the dataset, I noted that the UNFCCC Secretariat website features a database of all TNAs ever having been granted observer status. This list thus makes out the basis for my UNFCCC dataset, and comparing the TNAs on this list with the information from the official COP reports demonstrated that 163 TNAs appearing in the database had never attended a single COP (see figure 13). The CBD Secretariat keeps no such aggregate list, and the CBD database was therefore built solely on the basis of the COP reports. As such, I have no information on the aggregate number of TNAs being granted observer status in the CBD (see figure 30), meaning that observers that never attended COPs (if indeed such exist in the CBD) will be missing from the database.

The second phase of the data collection consisted of collecting and coding information on the TNAs not directly available through the official COP reports. This meant collecting and coding information on the geographical location of each organization's headquarters and the issues they concerned themselves with, which were to as large an extent as possible collected from the various organizations' websites. The information on issue orientation was coded on the basis of the mission statements on the TNAs' websites. If websites were not available or did not contain the desired information, secondary sources such as UN reports or the University of Antwerp's Yearbook of International Organizations were consulted. One example among many of how secondary sources were helpful is the Palestinian Institute for Arid Land and Environmental Studies (PIALES), which at the time of writing does not operate a website. However, the UN's Food and Agriculture Organization (FAO) released a country report on Palestine in 1996, in which we are informed that PIALES was founded in 1994 "with a mandate to act as the lead institution in the carrying out of research and implementation of activities to combat desertification, including the preservation and development of [plant genetic resources] and biodiversity" (FAO 1996: 26). This led to my coding PIALES in two categories, 'science and research' and 'environment and conservation', which would have been impossible were it not for the use of secondary sources. Another important

part of this phase was to screen every observer organization and remove governmental or intergovernmental organizations from the dataset, particularly a problem in the CBD, as these tend to be listed with TNAs in the official reports.

The third phase of the data collection consisted of repeating phases one and two, in order to make sure that the coding of the 46,194 individual observations of TNA participation in the two IOs and the location of their headquarters was correct. Only minor mistakes were uncovered the second time around.

Coding

The dataset consists of the 3,698 TNAs which have been granted observer status in the UNFCCC and CBD. These have been coded along five dimensions which will be used in the analyses in later chapters.

First, the analysis of the diversity of the UNFCCC and CBD interest group systems requires that the observer organizations be grouped according to some typology covering the specter of issues or organizational types. One possibility is that each TNA is coded according to the *constituency* it belongs to in the respective IO. The constituencies are not mentioned by any official document, but have evolved organically as TNAs with specific activities or spheres of activity have organized themselves into groups and requested formal recognition from the Secretariats. Much information, such as invitation for observers to attend workshops, is managed principally through the constituencies, and each constituency appoints a focal point to handle contact between the constituency and the IO (Yamin and Depledge 2004: 50). The UNFCCC currently recognizes nine constituencies: Business and Industry Non-Governmental Organizations, Environmental Non-Governmental Organizations, Farmers, Indigenous Peoples Organizations, Local Government and Municipal Authorities, Research and Independent Non-Governmental Organizations, Trade Unions Non-Governmental Organizations, Women and Gender and Youth Non-Governmental Organizations. Likewise, the CBD Secretariat recognizes eight constituencies: Intergovernmental Organizations, Academic Institutions, Indigenous Groups, Non-Governmental Organizations, Local Authorities, Industry, Parliamentarians and Others.

However, having coded each TNA according to the constituency they belong to, it became clear that this was not a typology upon which an investigation of the diversity of the interest group systems could build. Most importantly, many observers are still not members of constituencies (*ibid.*). Equally problematic is the fact that the constituencies do not provide a relevant starting point for an analysis like this, because the UNFCCC constituencies do not adequately reflect the spectrum of issues covered by parti-

pating NGOs. Also, the constituencies adopted by the UNFCCC Secretariat do not match those of the CBD and as such provide no viable basis for the comparative ambition of this study. In order to solve these problems, I opted for a typology developed by Cabré (2011). By selecting a subset of TNAs present at COP15 in Copenhagen, he sets up 22 independent (i.e. non-overlapping) categories which “can describe any NGO in the UNFCCC process” (*ibid*: 14). As seen below, this typology constitutes a much more sophisticated analytical tool.

Table 1: TNA Categories

Category	Description	Example
Built environment	NGOs dealing with cities, urban systems and urban planning	Architects Sans Frontières
Business & industry	Business and industry NGOs. Not included those specifically under another category, such as energy or forests, nor business-funded think tanks	International Chamber of Commerce
Climate change	NGOs whose <i>raison d'être</i> is addressing climate change	350.org, Alliance for Climate Protection
Development	NGOs whose main goal is development, poverty reduction, or human development	Action Aid
Education & capacity building	NGOs other than universities whose primary goal is education or capacity building	Capacity Building International
Energy	NGOs dealing with energy issues	World Sustainable Energy Coalition
Environment & conservation	NGOs whose main stated goal is environment or conservation. Forest-specific NGOs not included	The Nature Conservancy
Food, soils and agriculture	NGOs dealing with hunger, food production, agriculture and soil degradation	International Food Policy Research Institute (IFPRI)
Forest	NGOs dealing primarily with forests	Global Canopy Foundation
Indigenous peoples	NGOs dealing with indigenous peoples' issues or whose constituency consists primarily of indigenous peoples	Inuit Circumpolar Conference

Legal practice	Lawyer, legal and law-related NGOs	Canadian BAR Association
Other / unknown	NGOs that do not fit under any other category or whose mission could not be determined	Club of Madrid; International Organization of Supreme Audit Institutions
Religious/Spiritual	Faith-Based NGOs	Dharma Drum Mountain Buddhist Association, Lutheran World Federation
Rights & Justice	NGOs based on a rights and/or justice approach. NGOs with own rights-category such as women or indigenous peoples not included	Amnesty International
Science & Engineering	Scientific and engineering NGOs, excluding universities, not primarily involved in any of the other categories	Institute of Electrical and Electronics Engineers
Sustainable Development	NGOs whose stated main goal is sustainable development or both environment/sustainability and development	International Institute for Sustainable Development
Think Tank	Think tanks and NGOs focusing on policy and/or international relations	German Advisory Council on Global Change
Transport	Transport related NGOs	International Union of Railways
University	Higher education institutions	Boston University
Water, Oceans & Fisheries	NGOs addressing oceans, freshwater and fisheries issues	Oceana
Women	NGOs primarily concerned with women's rights and issues	International Council of Women
Youth & Children	NGOs addressing youth and children issues, or with youth as their primary constituency	World Organization of the Scout Movement

Source: Cabré 2011: 14-15

Adopting this typology brings some advantages. Most importantly, it improves our understanding of the composition and development of these TNA

populations compared to the constituencies adopted by the Secretariats. It also helps the study in its comparative ambition as it constitutes one common framework through which all the TNAs in the UNFCCC and the CBD can be classified.

At the same time, it is clear that the typology is problematic. It mixes organization type (think tank, university, religious) and issue orientation (forest, food etc.), and assigning each TNA to just one category, as Cabré does, fails to capture the fact that very few TNAs are concerned about just one topic. In order to ameliorate these shortcomings, I follow Cabré's suggestion and Hanegraaff et al.'s (2011a) practice of assigning each TNA in the UNFCCC and CBD to up to three categories each. Doing so provides us with a fuller picture of which the TNAs present at these COPs really are.

Second, the analysis of the geographical diversity of the UNFCCC and CBD interest group systems demands that each observer TNA be assigned a category of geographical origin. As mentioned above, home country is coded on the basis of the location of TNA headquarters, as stated on its website. Furthermore, each TNA is coded as to the geographical region from which it hails, using the United Nations' Statistics Division's macro geographical regions (United Nations 2012). This in order to scale up my findings and thus being able to address the so-called 'north-south' divide in global governance in a more tangible manner.

Third, each TNA is coded as 'present/not present' for each COP. However, in order to say something about how the composition of the interest group systems develops over time in terms of observers' ability to establish enduring presence, the TNAs are also coded according to Hanegraaff et al.'s (2011a) typology, distinguishing between, on the entry side, those who attend a COP for the first time (New entrants) and those who have attended every conference since their first entry into the interest group system (Repeat players)². On the exit side, I differentiate between those who were present at least at one of the previous COPs (partial repeat players) and those who were present at each previous COP since they first broke into the system but not the one in question (exiters).

The Qualitative Data

The second leg of this study is its qualitative part, in which seventeen interviews were carried out. This section describes how the interviewees were selected, how interviews were carried out, what questions were asked, and discusses some pros and cons related to the choices made in that connection.

² This represents an amendment of Hanegraaff et al.'s approach, in that they categorize 'repeat players' as organizations that have attended every MC from the start. In other words, unless an organization was present at MC1, it can never be categorized as a repeat player.

The primary objective of the qualitative part of the study was to dig deeper into the factors influencing patterns of TNA participation in global environmental governance, beyond what the quantitative analysis could offer.

Selection of Interviewees

In order to ensure a broad group of interviewees, I split the TNAs into two strata based on the number of COPs they had attended. I then proceeded to pick a number of TNAs from each and send out interview requests.

The *high participation* strata were made up of TNAs which had attended fifteen or more UNFCCC COPs and eight or more CBD COPs. This resulted in thirty-two interview requests being sent to UNFCCC observers and twenty to CBD observers, resulting in a tally of seven completed interviews from this cohort. Of these, four came from the UNFCCC and three from the CBD. The respondent TNAs were located in Canada, Germany, Belgium, the Netherlands and the USA. Correspondingly, the *low participation* strata consisted of those attending between one and five UNFCCC COPs and between one and three CBD COPs. Twenty-one interview requests were sent out to UNFCCC observers and twenty-six to CBD observers, resulting in a tally of five completed interviews from this cohort. Three of the respondents came from the UNFCCC and two from the CBD, and they were located in the USA, the United Kingdom and Pakistan. In total, ninety-nine interview requests were sent out to UNFCCC and CBD observer TNAs, resulting in twelve completed interviews. The low response rate and the skewed location of the responding TNAs may be due to a few factors: TNAs that attended early COPs but never again may simply have died. The fact that mostly TNAs located in rich, developed, Western countries responded to the requests may be a reflection of poor internet access on the part of TNAs from poorer countries and suggest that email may not be the most suitable tool if one wants to get in touch with such informants.

In addition to interviewing representatives from TNAs, there was an original ambition to also interview representatives from the Secretariats of the UNFCCC and the CBD. One junior and three senior staffers at the CBD Secretariat in Montreal were thus interviewed in March 2011. However, UNFCCC Secretariat personnel are not allowed to give interviews as a matter of policy. An interview request was directed to the UNFCCC Secretariat but was cordially rejected. Furthermore, two former Swedish chief negotiators to the UNFCCC were interviewed. In total, the qualitative data assembled for this study is based on seventeen completed interviews.

Data Collection

Interview requests were sent out by email. If a TNA website could be identified, emails were directed to the contact email listed there. If no website was

found, the contact data listed in the COP reports were used. Interview requests consisted of a short background to my dissertation project and a request to interview the person listed first among the TNA's delegates at the most recent COP it had taken part in. The reasoning behind this was that the person listed first would function as a head of delegation and thus be in the best position to answer questions. The COP reports do not list the individual observers alphabetically.

The interviews were conducted in four rounds. Round one consisted of face to face interviews with the two former Swedish chief negotiators in February 2010. Round two consisted of face to face interviews with two Swedish TNAs and the representatives of the CBD Secretariat between January and March 2011. The third round consisted of Skype interviews with the two cohorts of TNAs described above, carried out between March and July 2012, whereas the fourth round consisted of additional Skype interviews with TNA representatives in January and February 2013. These interviews were audio recorded and lasted between 25 and 45 minutes each. Video was neither utilized nor recorded. Two interviews in this round were also carried out in writing, through email. Methodologically, the literature suggests these arrangements are sound. While the use of phone interviews deprives the researcher of seeing the respondents' informal, nonverbal communication, it is appropriate when the researcher does not otherwise have access to the respondent (Creswell 1998). Similarly, Sturges and Hanrahan (2004) find that the method of interviewing does not influence the quality of the data collected.

As these interviews served exploratory purposes, it was desirable to utilize the flexibility that comes with conducting interviews orally and in real-time rather than gaining the slightly increased precision that comes with sending out a written formula. On the flip side, Hay-Gibson (2009) notes that while such technology can greatly facilitate the interview process, one should bear in mind the possible limitations of technological access and literacy when deciding to rely on it for interview purposes. This posed no problem for me during the actual data collection phase, as the informants were part of a global class of activists very well versed both in the English language and the use of relatively modern technology like Skype. Following the completion of the interviews, I transcribed the recordings ad verbatim myself, as recommended by Halcomb and Davidson (2006). Writers such as Britten (1995) have argued against this practice, due to the high costs associated with it in terms of time, physical and human resources. However, I chose to lean on those who have argued that this is central to the reliability, validity and veracity of qualitative data collection (Maclean et al. 2004; Seale and Silverman 1997).

Summary

This chapter has described the comparative design of this study and the methods I will employ in order to answer my research questions. It has described the novel dataset compiled for this study and defended the choices that had to be made in the course of its construction. It has also described the manner in which complementary qualitative interviews were carried out and argued that this mixed methods approach is sound in order to produce a comprehensive study of TNA participation in the UNFCCC and the CBD. The next chapter presents the study's analytical framework.

CHAPTER 4: ANALYTICAL FRAMEWORK

This chapter makes up the analytical framework of the study. It consists of two parts: the first introduces the population ecology perspective on interest group system research, which is the analytical tradition within which this study is carried out. This is followed by a discussion of the three dimensions of my dependent variable: density, diversity and volatility. The chapter lays out in detail the history, development and application of these concepts. The second part introduces the independent variables with which I attempt to explain the variations in the patterns of TNA participation in the UNFCCC and the CBD observed in chapters five and six. These are derived from traditional interest group literature and organized on three levels: TNA level, national level and IO level.

The decision to adopt an analytical framework based not on IR theory but rather on a subfield of interest group theory comes from the realization that IR theory does not have the necessary analytical tools to properly analyze TNA participation over time. Interest group theory, on the other hand, does. Concepts such as *density*, *diversity* and *volatility* have evolved through decades of research on the development of populations of national and sub-national interest groups and are well suited to capture and describe the development of whole populations of TNAs at the international level. This approach allows this study to analyze the development of the observer communities around the UNFCCC and the CBD in several dimensions and over time, providing new information on who participates when and where.

The Dependent Variable – TNA Participation

The dominant theoretical approach in the research on how interest groups form and survive, and, subsequently, how this leads to the formation and development of populations of such groups, has been and remains incentive theory. Its theoretical foundations were laid by Mancur Olson (1965) in *The Logic of Collective Action*. Whereas previous scholars of group formation had assumed people would form groups once their interests were threatened, Olson demonstrated that this was in fact not true as long as the benefits of group membership were available also to those who did not join, i.e. ‘free-riders’. This leads to the fundamental tenet of incentive theory, namely that “the development of a political group involves a ‘mutually satisfactory exchange’, with both leaders and followers experiencing a net gain from organizational involvement, as leaders offer incentives to members in exchange for support” (Cigler 1991: 110).

In contrast to incentive theory’s focus on individuals’ choices to the formation and survival of interest groups, a second school of thought has focused on the importance of external factors. Here, the focus lays on ‘politi-

cal opportunity structures', defined as "the institutional features or informal political alignments of a given political system" (McAdam 1995: 224). This line of reasoning holds that interest groups are dependent on the environment in which they operate for their long-term survival, as exemplified by Meyer and Imig's (1993: 262) conclusion that "interest group formation and survival reflects the external political environment". Given expanding political opportunity structures, they argue, "new groups form and existing groups flourish" (*ibid*). On the contrary, when opportunities wane, fewer groups form and extant groups languish (Nownes 2004: 51).

However, recent research on populations of interest groups and TNAs has suggested that the development of such groups depends on a combination of these two elements. Orr (2006) demonstrates that NGOs deciding whether to participate at the international level or not must take account of both conditions for participation in the IO in question but also domestic conditions such as available resources, what kind of influence the organization can expect to exert and so on. Hanegraaf et al. (2011b) argue that the decision of whether or not to participate mostly depends on national-level factors such as the interest groups' geographical location relative to where the global-level participation is to take place. The question is, therefore, whether it is possible to find a theoretical perspective that combines both the role of interest groups and external factors. Nownes (2004: 52) argues there is: organizational ecology, or as it is also known, population ecology. It is from that academic tradition this study derives most of its analytical tools, and the next part of the study explores its history and characteristics.

Population Ecology

Like so many other aspects of interest group research, the foundations of population ecology were laid by David Truman (1951). Pointing to the variety of resources interest groups depend upon for survival and influence, he noted that these were in fact not distributed according to democratic criteria such as membership size, but rather according to the standing enjoyed by the groups in political circles. This led scholars in the 1970s to focus on the kind of compensatory behavior engaged in by interest groups to make up for what they might be lacking in political contacts and standing. Wilson (1973: 263) concluded that "the easiest and most prudent maintenance strategy is to develop *autonomy* – that is, a distinctive area of competence, a clearly demarcated and exclusively served clientele or membership, and undisputed jurisdiction over a function, service, goal, or cause", leading contemporary scholars to argue that organizations competed for resources by adapting to their environments (Carroll 1988). Yet others pointed out the difficulties faced by organizations when trying to change and argued that most organizations are "characterized by strong inertial forces that limit the

amount and degree of change" (*ibid*: 2). Hannan and Carroll (1995: 23) argued that because "few organizations succeed at transformation... selection serves as the driving force of long-term change' in the organizational universe". In other words, population ecologists argue that the survival of interest groups in an environment is entirely dependent on the abundance of vital resources there. The study of such organizational selection is a population-level phenomenon, and population ecologists are thus mostly engaged with the study of populations rather than individual interest groups (Nownes 2004). It is through this academic tradition the major contribution to our understanding of interest group systems have come over the past two decades, and these will be duly illustrated below.

As for the application of population ecology to populations of TNAs, Hanegraaff et al. (2011a; 2011b) applied it to TNAs in the World Trade Organization (WTO), and as such have spearheaded an approach through which three central dimensions of participation are investigated simultaneously and over time. This study leans heavily on their approach, and I will return in more detail to some of their findings. Let us now move on to consider the three-dimensional operationalization of 'TNA participation' in this study.

Three Dimensions of TNA Participation – Density, Diversity and Volatility

The population ecology approach to interest group research has spawned three core concepts through which the development of populations of groups can be described. These will be treated in this study as dimensions of the dependent variable *TNA participation* – that is, the density, diversity and volatility of the populations of TNA populations coalesced around the UNFCCC and the CBD. The next part of this chapter lays out their development and historical application at the sub-national, national and international levels.

Density

David Truman (1951) suggested that growth or decline in interest group numbers reflected shocks to the equilibrium of interest representation at large. These shocks, he claimed, were destined to appear at irregular intervals, causing the rise or decline of interest group populations to occur in waves. Mancur Olson (1982), on the other hand, claimed that interest group formation was a linear process given economic growth and political stability, arguing that the unchecked accumulation of such groups that would follow periods of stability would eventually reach a point beyond which it would clog the political system and eventually halt economic growth. Browne (1990: 503-504) argues in an Olsonian vein that "private interest niches...allow for an almost unlimited number of interests to be-

come organized". Similarly, Thomas and Hrebenar (1990:138) recognize Olson's fundamental argument that interest group population density is in some way connected to the economic growth and complexity of a political system when they argue that "the more economically and socially developed [American] states will have a more extensive and diversified group life". *The number of interest groups active within a political system* thus makes up the first definition of interest group population density, and the concept has remained a recognized staple of interest group research ever since. However, the logic preceding this argument stretches back further than that, with scholars since James Madison consistently asserting that socioeconomic development leads to an increase in the number of groups, to a decline in the power of single dominant groups, and generally to a pluralistic interest group system (Lowery and Gray 1993a: 192).

Lowery and Gray made an important amendment to the concept, namely taking it from being an *absolute* to a *relative* measure. While still focusing on the sub-national level in the United States, rather than simply counting the number of active interest groups within each state, they argue (*ibid*: 193) that "the number of organizations in any state must be compared to some frame of reference that gives it meaning, for example, the number of interest groups per capita". Therefore, following Truman (1951), Schattschneider (1960) and Schlozman (1984), who all argued that the fundamental basis of group representation is economic, they conclude that population density is more appropriately measured by comparing the number of groups to the size of a state's economy, therefore adapting as their measure the 'average economic base', or the ratio of state economic size to the number of groups (*ibid*: 193). They find, however, that the conventional wisdom of interest group population growth being a by-product of economic growth and interest mobilization is wrong, as "the density of state interest group systems tends to decline as state economies increase in size" (*ibid*: 202). This, Lowery and Gray (1995: 3) argue, means that "understanding mobilization is unlikely to help us account for the structure of interest-group populations". To solve this problem, they moved to the natural sciences, citing biologists such as Colinvaux (1978: 12), who noted that "the way an animal breeds has very little to do with how many of it there are...the numbers that may live are set by the environment, and these are quite independent of how fast a species makes babies". In other words, what is important is not the ratio by which interest groups form, but rather what kind of restraints are put up by the environment in which they operate. Hannan and Freeman (1977, cited in Lowery and Gray 1995: 5) argue that this population ecology approach "model[s] the growth path of populations that exist on finite resources in a closed system". Applying population ecology to interest groups, thus, Lowery and Gray (*ibid*: 9) hold:

As noted earlier, most prior work assumes that interest-group population density is an artifact of the forces governing mobilization. In contrast, following the isomorphism principle, we assume that population density is determined by more than the ‘intrinsic’ rate at which new groups form. Like species, interest organizations can and do die (Lowery and Gray 1993[b]). Moreover, density-dependent relationships may feed back so as to alter mobilization rates of interest groups just as they alter reproductive rates of species. Following the isomorphism principle, then, we hypothesize that environmental constraints, not intrinsic rates of mobilization, produce differential selection and generate feedback mechanisms that fundamentally shape populations.

Likewise, building on their previous finding that interest group numbers do not grow *ad infinitum*, they “assume that interest-group density is set at an equilibrium level by the environment. If carrying capacities are infinite, then environmental constraints need not produce intense selection pressures or sharp, density-dependent feedback loops” (*ibid*: 9). Following their analysis, they find little support for Truman’s and Olson’s arguments that interest group density is solely the result of mobilization, but rather that “mobilization, while an important subject in its own right, is important in understanding population-level attributes only in the trivial sense of adding more entities to the hopper. Environmental constraints then determine the ultimate contours of organized-interest populations by bringing selective pressures to bear so that not all groups survive” (*ibid*: 24).

What can existing research tell us about how interest group population density develops over time? The scientific consensus thus far is twofold: first, density over time should be expected to describe an s-curve, with a first phase categorized by stable but low density as the new political system builds its reputation and salience. Second, a period of exponential growth as interest groups rush in to secure a place for themselves in the emerging polity. Third, a period of stable and high, or perhaps slightly declining, density as the resources within the system are divided and the chance for newcomers to establish themselves diminishes. A further implication of the theory is that the density of a given interest group population impacts the birth (foundation) and death (disbandment) rates of interest groups that could potentially participate in that same environment, as high density means a lower chance for a new group to survive. This implication, however, is not considered in this study as the entry or exit of a group at the global level does not automatically mean the group was founded or disbanded.

Nownes (2004) seeks to explain the proliferation of homosexual rights groups in the United States between 1950 and 1994, a proliferation that seemingly waned after 1994. He (*ibid*: 64) finds “a great deal of support for the theory of density dependence. First of all, just as the theory predicts, the number of homosexual rights interest groups started small, rose slowly

at first, entered a period of exponential growth, then peaked, and has declined slightly since...this pattern is strikingly similar to that shown in studies of labour unions, health maintenance organizations, newspaper publishers and dozens of other organizational populations". Furthermore, he finds solid support for the notion that density influences the founding rates of interest group populations, in the sense that "the number of foundings is highest when density is relatively low and lowest when density is relatively high". Nownes and Lipinski (2005) find the same pattern when investigating the relationship between interest group population density and interest group disbandment (death) in the United States. They (*ibid*: 312) find that "most deaths occur when density is at or near its peak. In fact, over half of all deaths occur in the last ten years of the period under study". They also find that the number of deaths is relatively low for the period 1972-84, which is a period of explosive growth in the size of the population, lending further support to the hypothesis of density-dependent mechanisms setting in once the interest group population reaches a saturation point. Nownes (2010) sums up these findings in a recent study of the population of transgender interest groups in the United States. Making his case in the introduction (*ibid*: 689) that "the general theory of density dependence has been tested against manifold organizational populations. It has not, however, been tested extensively against data on populations of overtly political organizations", Nownes sets out to once and for all bury Truman's and Olson's notions of interest group population growth being a phenomenon only related to the vital rates of birth and death. He finds (*ibid*: 697) that "for most of the period under study, the data conform more or less to the theory of density dependence. Specifically, the founding rate starts low and stays low for two decades as the population remains relatively small. As the population grows in the mid-1980s and 1990s, the founding rate grows as well. Then, in the late 1990s, the founding rate drops off again as the population appears to peak".

Recent years have seen attempts at transferring the density concept to transnational populations of interest groups. Messer et al. (2010) examine the density of the EU interest group population and raise important questions connected to applying traditional interest group theory to transnational populations of interest groups. They find that the EU interest group population has kept on growing at a high rate in spite of expectations posed by some analysts of an impending slowdown of this growth due to the perceived saturation of interest groups in Brussels. However, the lack of reliable data on the EU interest group population makes such predictions highly imprecise, meaning that a study such as mine, blessed as it is with near-perfect data series, may take us a long step towards establishing that such threshold levels exist and, possibly, what they are. Furthermore, Messer et

al.'s measure of density is the *absolute* number of active interest groups, as opposed to the *relative* measure applied by this study and others. This is a core problem when applying this concept to transnational interest group populations: what, in the case of applying a relative number, should the absolute number of interest groups be relative to? Lowery and Gray (1993a: 193) argue that density needs to be a relative measure and relate the absolute number of interest groups to the size of the economy in the political system in question. Hanegraaff et al. (2011a) use as their relative measure of density the number of attending TNAs at WTO Ministerial Conference (MC) divided by the number of WTO member states. In personal communication, however, Beyers (2011) maintains that this operationalization of density is less than perfect given the lack of an obvious parameter to which the absolute number of TNAs can be related. For this study, however, the overshadowing importance lies with the ability to describe developments in my two interest group populations consistently over time. Applying Hanegraaf et al.'s operationalization of number of TNAs relative to the number of parties to the Convention therefore seems defensible, as it is a measurement that can both be compared from COP to COP as well as to other studies of TNA population density over time.

What, then, are my theoretical expectations for the density dimension in this study? Going by the findings from previous studies relayed above, I expect the density of the UNFCCC and CBD TNA populations over time to describe a three-phased development in the shape of an s-curve: a first phase with stable but low density while the young IOs established themselves and built a reputation with global civil society. A second phase seeing density enter a period of exponential growth as more and more TNAs came to secure a place by the table while resources were still plentiful, and a third phase in which density stabilizes or even declines a little as resources dry up and new entrants find it difficult to establish themselves.

Diversity

The *diversity* of interest group populations has been a traditional concern in the literature (Baumgartner and Leech 1998; Beyers et al. 2008). Ever since Truman (1951), one of the fundamental insights of interest group research has been that the degree of economic complexity in a political system largely structures the degree to which interests are represented by organized groups, and the degree to which such developments influence who has a voice and who does not in any political system merits close attention.

What, exactly, does interest group population diversity mean? Gray and Lowery (1993: 82) point out that while a population may be diverse in terms of including a wide array of groups, it may not be especially diverse in terms of representing various class interests or geographic regions. They

(ibid: 83) therefore define diversity as “the extent to which a variety of economic and noneconomic interest are articulated by organized groups. A state with a range of groups representing private interests and social interest has a more diversified group system than a state whose groups come from only a few narrow interest categories”. In terms of method, they use American state data from 1980 on interest group populations, to which they apply a Herfindahl-type index of group concentration to determine system diversity. This index is developed by summing the squared proportions of a nominally measured variable across the values of the variable. Thus, given ten categories of interests, the most concentrated interest group populations (one in which all of the groups fell into only one category) would have an index value of 1.0. In contrast, a maximally diverse population, in which groups were equally distributed across the ten categories, would have an index value of .10. The resulting indicator measures concentration (or inversely measures diversity) with high values indicating high concentration/low diversity and low values indicating low concentration/high diversity” (ibid: 88-89). Gray and Lowery find that the average American state interest group system is quite diverse, with a mean of .1274 (ibid: 90). However, they find this diversity to be mainly between different kinds of economic interests, not at all across the profit-/non-profit divide. As a result, they conclude that “economic-based groups dominate state interest group systems”.

The diversity of interest group populations matters, not least because a lack of it casts doubt on the political system’s democratic legitimacy. In *The Logic of Collective Action*, Olson (1965) argues that national interest group populations are likely to experience increasing bias against the public interest because of the difficulties in overcoming the collective action-dilemma. Following up in *The Rise and Decline of Nations* (1982), he goes on to argue that special interests will mobilize consistently at a higher rate than representatives of collective interests (cited in Baumgartner and Leech 1998). Needless to say, such developments pose a threat to the idea of political systems as democratic and representative and have thus been the subject of much scrutiny. Baumgartner and Leech (2001) took advantage of the Lobbying Disclosure Act of 1995 to produce much more comprehensive data than had previously been available on the interest groups active in Washington DC and the issues on which they worked. They found that contrary to the two main studies of the interest group community in Washington, namely Schlozman and Tierney’s (1986) survey of interest group activities and Leech’s (1998) dissertation, “the extent of business predominance in the group system is greater than previously reported” (Baumgartner and Leech 2001: 1195). Organizing their sample of interest groups within eight different categories, they proceed to weight the individual associations

according to the resources available to them and their level of activity in the political process, this to be able to say something about who wins and who loses in the Washington political game. They find (*ibid*: 1197) that “businesses predominate in the lobbying disclosure reports, whether we look at simple numbers of registrations or whether we weight these activities by numbers of reports, numbers of issues mentioned, or levels of spending. Their level of activity, measured either by the number of reports they file, by the number of distinct issues mentioned in those reports, or by the amount of money spent, is even greater than has been found in previous surveys of the Washington interest-group system”, a skewed representation they attribute to the advantage business interests enjoy as far as resources are concerned. As they (*ibid*: 1207) conclude: “the vast size of the professional and business lobby in Washington ensures that trade groups, corporations, and those that represent them will be present in almost every issue being discussed in government. Unions, nonprofits and citizen groups will sometimes make their voices heard, but will often be absent. Rarely do these groups lobby alone. That may be the clearest statement of the privileged place of business”.

Lowery and Gray (2004b), on the other hand, raise an important question: when discussing whether special interests are overrepresented and extraordinarily powerful in political systems, one has to ask the question ‘overrepresented in relation to what’? They argue (*ibid*: 10) that “in a hypothetical and unobserved unbiased interest community, claimants of pervasive bias expect that the distribution of organizations engaged in lobbying should reflect the distribution of individual-level opinions. Observed deviations from this expected isomorphism constitute the core evidence for bias”. They go on to suggest two ways in which to make better founded inferences about bias in interest group populations: First, they suggest that assessments of levels of bias should “always entail comparison across time, jurisdictions or venues” (*ibid*: 21). Whereas a one-shot study of an interest group population cannot tell us much about the level of bias in the system, it can tell us something about whether bias in that particular venue is greater than in another venue. However, Lowery and Gray put more faith in their second solution: “empirically examining how the distribution of organizations, as one type of resource, biases public policy, rather than simply assuming such bias” (*ibid*:22). While that kind of data is not available to me in this study, it certainly should serve as a reminder that diversity and bias should not be thought of as equals.

Lowery et al. (2005) set out to examine why, in spite of a documented rise in citizens’ and public goods groups over the past few decades: the diversity of interest group populations across the United States seems not to change. Suggesting that prior studies of interest group diversity do not

offer appropriate analytical tools to explain the mechanisms regulating diversity, they propose four different explanations to variations in the density dependence of interest ‘guilds’, as they call them (*ibid*: 58): The ‘spatial concentration explanation’ suggests that the composition of state economies might change as they become larger, thereby influencing the relative growth rates of interest guilds. The ‘resource explanation’ suggests that guilds that are better endowed financially and in terms of institutional members will respond more powerfully to changes in the size of the economy than will more poorly endowed guilds. The ‘issue heterogeneity’ explanation suggests that guilds encompassing a wider array of interests will grow more rapidly as economies increase in size than will guilds with more homogenous interests. And finally, the ‘demography’ explanation highlights the role of both the absolute and relative number of potential institutional members of guilds in accounting for their responsiveness to the size of the economy.

Finding that demographic advantages give certain guilds of interest groups – notably for-profit guilds such as manufacturing, health, construction, banking and business service interests – long-term advantages versus non-profit guilds in responding to changes in state economies, Lowery et al. (*ibid*: 68) conclude that “it is economies of scale in industrial production that determine how many establishments within a guild can survive in an economy of a given size. In the final analysis, our results suggest that economies of scale in interest representation closely reflect economies of scale in industrial production. And this linkage ensures an increasing bias in interest communities of a type unfavorable to publicly oriented interest organizations as state economies become larger”.

Esty (2001) draws a line between interest group population diversity in international organizations and legitimacy. Discussing the various sources from which authoritative bodies draw their legitimacy, he (*ibid*: 10) argues that “with its efficacy-based claim to legitimacy under attack and lacking any undergirding in true popular sovereignty, the WTO needs a new foundation for its legitimacy. The organization needs to reestablish its reputation for efficacy and to build new connections to the publics around the world in whose name trade policy is advanced as well as to strengthen the broader institutional structure of checks and balances within which the WTO operates”. The ‘club profile’ of the global trade regime, where an insulated core of economists and politicians pursue goals of global trade and economic integration, means the WTO risks serious delegitimation if it is not seen to work in the public interest. Esty (*ibid*: 11) goes on to describe how, “unable to gain any real appreciation for how the trade regime worked, the public sees the WTO as a ‘black box’ where insiders take advantage of their access to the levers of power. Fears of special interest

domination is now prevalent...the belief that the WTO is dominated by multinational corporations and other elite interests cannot be assuaged without a more transparent policymaking process". The question is whether the alleged abundance of business organizations in the WTO decision-making process reported here by Esty and the likes of Held and McGrew (2002) and Hanegraaff et al. (2011a) is *sui generis* to the WTO or a generic feature of how interest group populations develop over time. This study offers new insights about that.

As mentioned above, Gray and Lowery (1993) point out that while an interest group population may be diverse in terms of including a wide array of groups, it may not be especially diverse in terms of representing various class interests or geographic regions. Following this, this study applies two dimensions of diversity: first, I map the distribution of interests represented in the UNFCCC TNA population based on Cabré's (2011) classification in which he splits the UNFCCC observer community into 22 independent categories. I amend Cabré's approach in one aspect: whereas he assigns one value per organization, I follow his (*ibid*: 20) suggestion and Hanegraaff et al.'s (2011: 461) practice of assigning up to three categories to each organization, allowing for a more sensitive assessment of the degree to which various interests are represented. Second, I map the country and region of origin, which will indicate how the observer community is distributed geographically. For both dimensions I also follow Lowey and Gray in applying a Herfindahl-like index, ranging from 0 to 1, for which a lower number indicates that a limited number of categories are home to most of the observer community and a higher number indicates a more even distribution. For this purpose I apply Simpson's Index of Diversity, calculated based on the following equation:

$$D = \frac{\sum n(n-1)}{N(N-1)}$$

n = the total number of interest groups in a certain category at a certain COP
 N = the total number of interest groups present at the COP

What theoretical expectations can be derived from the research reviewed above? As virtually every other population study has shown, we can expect the CBD and UNFCCC TNA populations to be dominated by business interests. The rationale for this assumption is that such TNAs have the necessary resources ready at an early stage of the process whereas, as Truman (1951) states, other segments of the observer population may over time be able to counterbalance by doubling down on their mobilization efforts. For example, one can assume that as the issues of climate change and biological diversity have gained traction with the broader public over the years, non-

business and industry TNAs could be able to attract increasing support and bolster their presence at COPs. In other words, we may expect the distribution of TNAs at COPs to be skewed in favor of business interests at an early stage but then even out over time. Simultaneously, as previous studies have suggested a numerical domination of TNAs based in Western countries (Bantjes 2003; Hanegraaff et al. 2011a; Orr 2006; Piewitt 2010), it seems reasonable to expect this to be the case also with TNA populations in the CBD and UNFCCC. This, of course, opens the question of whether we may expect the same development there, with a skewed geographical distribution of TNAs at the beginning which then evens out over time.

Volatility

Volatility is both the newest and least described of the three descriptive concepts in this analytical framework. It points to the extent to which interest groups are able to enter a specific area and maintain their lobby efforts over a longer period of time (Hanegraaff et al. 2011a). Early interest group scholars professed that interest groups, once established, would survive almost indefinitely. Olson (1982: 40), for example, argued that “organizations for collective action, at least for large groups, that can emerge often take a long time to emerge, but once established they usually survive until there is a social upheaval or some other form of violence or instability”. Recent research has, however, shown this to be unfounded (Carroll and Hannan 2000; Gray and Lowery 1997; Nownes and Lipinski 2005), which has led to renewed interest in how, when and why interest groups enter and exit political systems.

Volatility was first conceptualized by Anderson et al. (2004: 145), who argued that “interest communities are highly stable in the aggregate but highly volatile at the level of the individual organization”. Looking at entrance and exit rates from U.S. state interest group populations in the 1990s, they found that interest groups are far less persistent than was previously thought. Average turnover over two years was 54.55 percent, with new entries in the populations far less likely to appear in the next legislative session than groups with more experience in lobbying. Second, persistence seems to be unevenly distributed across interest guilds and organization types.

Berkhout and Lowery (2011) set out to explore the volatility of the EU interest group population. Although hampered by notoriously unreliable data, they find that it consists of three tiers of participants. The vast majority of groups are categorized as ‘tourists’, meaning they have neither the means nor the interest to establish more permanent presence in Brussels. On top of this, a small core of groups is labeled ‘permanent interests’, while a third tier of groups do not maintain a continuous presence but rather

drop in and out at irregular intervals. Finally, in a move from the European to the global level, Hanegraaff et al. (2011a) set out to explore the volatility of the WTO interest group population. They find (*ibid*: 23) that it is “characterized by strong fluctuations, a decreasing level of stability or increased volatility...all these trends point to the importance of contextual variables such as policy agenda and environmental selection criteria in addition to density-dependent mechanisms, and/or the strategic adoption of the interest groups themselves”.

What theoretical expectations can be drawn from the previous research relayed above? Given the high resource demands associated with maintaining a steady presence in IOs, it seems reasonable to assume that the hierarchy described by Berkhout and Lowery (2011) would be even more pronounced in my two case studies. This means expecting small elites of well-resourced observer TNAs being able to participate at COP after COP, with the majority of observers attending just occasionally. Another interesting question is whether the volatility of the UNFCCC and the CBD will be markedly different. Initially there seems to be little reason to assume so, due to the very similar nature of the IOs and the similar levels of formal TNA access they display.

This study defines TNA participation in the UNFCCC and CBD quite narrowly, focusing exclusively on *TNAs present at sessions of the COP*. The reason for this is twofold: first, there is a concern about the availability of data if the scope of the study was wider. Second, the COP is by far the most important body of these IOs. If you are not present there, you are not very likely to be present anywhere else. Therefore, there really is no other body in the IOs with the representative qualities of the COP for the purposes of this study.

Introducing Explanatory Variables in Three Dimensions

Having dealt with the three dimensions of my dependent variable, it is now time to move on to the second purpose of the chapter: introducing explanatory factors that can account for observed variation in patterns of TNA participation in the UNFCCC and the CBD as I lay them out in chapters five, six and seven.

As interest group research has moved from the sub-national to the national and subsequently to the international level, a vigorous debate has followed about the degree to which factors at the various levels influence the development of interest group populations at other levels. It seems rather self-explanatory, for example, that the availability of resources to interest groups at the national level impacts their ability to move to the global level. Therefore, any analysis of transnational populations of interest groups needs to consider factors at various levels when looking to assess

the factors impacting patterns of TNA participation. How to do this, then? Hanegraaff et al. (2011b: 6) rightly point out that “research on multi-layered interest group systems is not unique, but multi-layered systems are highly diverse in terms of how different levels interact as well as the heterogeneity of the constituent jurisdictions. This makes [sic] that we cannot just cut and paste research designs that have been used for other multi-layered systems”. Their solution is to propose that the most important level is the national: “the constraining and enabling factors are largely, but not only, situated at the national level and explanatory factors situated at this level are more fundamental than the particular institutional design of international organizations...a global-level analysis will not reveal the most important explanatory factors of global interest representation” (*ibid*: 7). They go on to propose four broad sets of explanatory factors, namely the potential size of the domestic constituency, the domestic institutional opportunity structure, government activity and the internal structure of interest organizations.

While agreeing that national factors are important when analyzing the development of TNA populations, this study takes a broader perspective than Hanegraaff et al. On top of considering hypotheses from the national level, I argue that factors pertaining both to the individual TNA and the IO in question matter to the development of TNA populations (Green and Colgan 2010; Liese 2010). This is in keeping with existing research traditions both from interest group and global governance research, which have focused both on attributes of individual TNAs such as financial and informational resources (Schlozman 1984; Schlozman and Tierney 1986, Bouwen 2002) as well as the importance of processes and resources found at the *national* level (Hanegraaff et al. 2011b) *and* factors at the IO level (Tallberg and Jönsson 2010b). For this reason, while analyzing patterns of TNA participation in the UNFCCC and the CBD I will organize my explanatory hypotheses according to these three levels: TNA level, national level and IO level.

TNA Level

The connection between financial resources and successful interest group activity is perhaps the oldest assumption held by interest group scholars (Gray and Lowery 1996a; Beyers and Kerremans 2007). This is a relationship which holds true in the national context and may therefore reasonably be assumed to hold also in an international context. As Newell (2000: 100) argues, “the financial resources that the lobbies have at their disposal enable them to press their case more effective as they are able to employ the best lobbyists and operate in a more professional manner”. Furthermore, taking your operation from the national to the global level incurs extra costs; in the cases of the UNFCCC and the CBD, COPs take place all over the

world, meaning that establishing a stable, recurring presence at them requires significant financial muscle. On top of this, Bouwen (2002: 369) points out how the three 'access goods' necessary to ensure participation in the EU's interest system are "expert knowledge, information about the European Encompassing Interest and Information about the Domestic Encompassing Interest". Information is, of course, also a resource which cannot be procured for free, so TNAs without the means to procure the necessary access goods to participate at the international level find themselves at a real disadvantage. Apart from the problem of maintaining physical presence in the venues where international policy is shaped, financial dire straits may also hamper the development of the TNAs in question: Brown and Kalegaonkar (2002: 236) argue that "scarcities in material resources also constrain capacities for large-scale or long-term initiatives...heavy reliance on donors can also constrain NGO criticisms of donor policies and threaten NGOs' autonomy to pursue their own agendas". In order to deal with this fundamental challenge, TNAs adopt different strategies. Brown and Kalegaonkar (ibid: 256) find that national and international 'support organizations' play increasingly strategic roles in the rise of the NGO sector in many countries and regions, providing among other things such as financial aid or information. Langhorne (2005: 338) describes how the increasingly important role played by TNAs in the international realm has placed a whole new range of demands on them, among other things, "build or expand the 'diplomatic' capacity within their organizations". He exemplifies this by citing how "the bigger and better endowed [TNAs], like Amnesty International or Save the Children International, have upgraded their organization's [sic] representation to the United Nations system, expanding their office(s) at the UN in New York or Geneva with more professional staff". At the same time, Langhorn (ibid.) points out how most TNAs do not have access to the resources necessary to ascend to that level of operation and are forced to make do with more low-level tactics, such as a reliance on modern information technology. From this follows H1:

H1: The more financial resources at the TNA's disposal, the higher the likelihood the TNA participates at COPs.

Piewitt (2010: 478), in her examination of civil society organizations' (CSO) participation in the WTO, finds that "the regional distribution of CSOs indicates a persistent north-south divide of represented civil society. However, the venue had an important impact on the regional distribution of participating CSOs. It is assumed that the accessibility for CSOs from non-OECD countries was most hampered by distance at the WTO Ministerial Conferences in Geneva and Seattle". This finding is corroborated by Hanegraaff et

al. (2011a: 19), who also find a strong representation of TNAs from countries of the Northern hemisphere. However, they also point to “a potential geographic effect, i.e. a strong representation of organizations from countries or regions close to the conference venue”. This is in line with their subsequent finding (*ibid*: 20) that “increased attendance of interest groups at the WTO or the openness of the WTO towards societal interests does [sic] not necessarily lead to a more diverse set of interests being represented”. Similarly, Bantjes (2003: 9) examines the importance of the summit venue and its importance in the construction of ‘global civil society’ in the context of the 2002 World Summit on Sustainable Development in Johannesburg. He finds that:

[F]or global summits, proximity has an enormous impact on accessibility and attendance. Those who could afford to get to Seattle found the city’s streets relatively open in the fall of 1999; the larger exclusion was to those, particularly from the ‘global south’, for whom intercontinental travel was prohibitively expensive. Rio and Johannesburg had the advantage of proximity to greater numbers from the global South. In both cases the Global Forums were to a degree ‘local’ events with the largest concentrations of NGOs coming from the host country, then from the larger region (44 percent from Latin America in Rio and 52 percent from Africa in Johannesburg). Still, regardless of location, NGOs from the developed world maintained a disproportionate presence and greater continuity of participation over time. There is a core of influential northern NGOs in regular attendance at parallel summits. By contrast, for example, the Latin American contingent dropped from 44 percent of the total in Rio to two percent in Johannesburg. Participation in the official UN deliberations at both summits was even more heavily weighted in favor of NGOs from the developed world. Indeed, the proportion of accredited NGOs from the ‘less developed’ countries fell from 33 to 24 percent between 1992 and 2002 and the proportion from ‘least developed’ fell from five to three percent.

From this follows H2:

H2: The closer a TNA’s headquarters are located to a COP venue, the higher the likelihood the TNA participates at COPs.

National Level

The second set of independent variables is located at the national level. While this study disagrees with Hanegraaff et al. (2011b) that the national level is the *only* level at which factors enabling or constraining TNA participation in international politics are located, it certainly agrees that a great deal of knowledge can be extracted from there. Therefore, this section introduces two independent variables located at the national level. Following up on Piewitt’s (2010) and Bantjes’ (2003) findings of dominance in various TNA populations by actors located in the Northern hemisphere, as well as

well-established earlier findings in the interest group literature of economic development as the primary predictor of interest group development, most of these indicators follow in the same vein.

Ever since the days of Truman (1951) and Schattschneider (1960), conventional wisdom has held that the fundamental basis of the size of national populations of interest groups is economical, particularly the complexity and level of development of national economies (Lowery and Gray 1993b). Lowery and Gray (*ibid*: 204) found that this relationship indeed did exist at the state level in the US, and that “as size [of the economy] increases, the average economic base of interest groups increases...”. Establishing a global equivalent to that variable seems to require the argument that countries with large, developed and *internationalized* economies would be likely to also host internationalized civil societies with the mindset to take the step from the national to the global level. Hirst and Thompson (2000) use a calculation of the so-called ‘ratio of merchandise trade as a percentage of merchandise’, in which they use the mean combined value of imports and exports relative to GDP size in order to determine how ‘open’ a national economy is at given points in time. Apart from showing that European economies were less open in the 1990s than prior to World War One, their measures of the internationalization/openness of national economies provide a sound basis on which to ascertain whether there is indeed a relationship between this and a country’s non-state representation at venues of global environmental governance. From this follows H3:

H3: The more internationalized the economy of a TNA’s host country, the higher the likelihood the TNA participates at COPs.

Hanegraaff et al. (2011b: 9) argue that countries with stronger democratic credentials produce larger domestic civil society populations and allocate more resources to them, thereby enabling a larger contingent of groups that could potentially establish presence at the international level. The logic behind this is that the freedom to assembly peacefully and petition the government is a right more easily, safely and commonly exercised under democratic than non-democratic rule. This may, in turn, establish a connection between the level of democracy in a country and its nonstate presence at the international level. From this follows H4:

H4: The more democratic a TNA’s host country, the higher the likelihood the TNA participates at COPs

IO Level

The last level of independent variables represents another point of departure from existing research for this dissertation. Whereas Hanegraaff et al. (2011b: 8) argue that “the assumption of *global-level* constituency variables is conceptually problematic” and should therefore not be pursued, this dissertation is open to the possibility that factors pertaining to the global level do indeed play a role in shaping patterns of TNA participation in IOs. Below I will suggest one such factor: formal access for non-state actors. Recent research has demonstrated empirically that IOs have increasingly opened up to TNA participation over the past two decades (Tallberg et al. forthcoming), but little is as of yet known about the influence of formal TNA access on patterns of TNA participation. As an experimental notion, I therefore hypothesize that higher TNA access may lead to higher TNA participation, and may also cause participation to take on a more erratic and unstable nature, increasing volatility. From this follow H5 and H6:

H5: *The higher the level of formal TNA access to an IO, the higher the number of TNA participants in the IO*

H6: *The higher the level of formal TNA access to an IO, the more volatile the TNA participation in the IO.*

Summary

This chapter has presented the analytical framework of this study. Starting with a thorough presentation of its theoretical foundation, it introduced three dimensions of participation through which the TNA populations around the UNFCCC and the CBD will be analyzed. Following that, it introduced independent variables in three dimensions. The second part of the chapter presented independent variables on three levels, representing the broadest attempt yet at explaining the factors influencing patterns of TNA participation in IOs, thereby merging previous research efforts in the field which have either focused exclusively on systemic (Messer et al. 2010) or national-level explanations (Hanegraaf et al. 2011b). The next is the first empirical chapter, and takes a closer look at the United Nations Framework Convention on Climate Change.

PART III

CHAPTER 5: THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

This is the first empirical chapter of the study and makes up the descriptive analysis of TNA participation in the UNFCCC over the period 1995 – 2011. The chapter consists of six parts. The two first provide a brief overview of the history of the UNFCCC and the scope and nature of TNA participation in it. This is followed by three parts analyzing the three dimensions of TNA participation discussed at length in chapter four: density, diversity and volatility. The final part sums up the findings of the chapter.

The main findings of this chapter are threefold. First, the density of the TNA population has developed according to the theoretical expectations of a three-phased curve. Second, business and industry TNAs based in rich and developed Western countries make up the majority of the observers, but the TNA population has over time become more diverse and balanced. Third, while the majority of TNAs have attended very few COPs, the population displays increasing stability.

The United Nations Framework Convention on Climate Change

The negotiations leading up to the UNFCCC started in 1988 with the Toronto Conference on ‘The Changing Atmosphere: Implications for Global Security’ (Ramakrishna 2003: 49). In November the same year, the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) established the Intergovernmental Panel on Climate Change (IPCC), which has gone on to become arguably the premier conveyor of scientific knowledge regarding anthropogenic climate change. In advance of its so-called First Assessment Report, the WMO and UNEP convened the first negotiating session for a framework convention on climate change, eventually attended by representatives of over 70 governments. Following this, the United Nations General Assembly established an Intergovernmental Negotiating Committee (INC) to lay the groundwork for a future framework convention, the first meeting of which was held in Washington DC in February 1991 (*ibid*: 50). The negotiations were completed after fifteen months, and in June 1992 the UNFCCC was opened for signature at the United Nations Conference on Environment and Development in Rio. It received the required number of ratifications by December 1993, entered into force on March 21, 1994 (*ibid*: 51) and has at present 195 parties.

The aim of the UNFCCC is to “protect the climate system for present and future generations” (UNEP 1992: 3), and a number of bodies have been set up under its auspices. First, the Conference of the Parties (COP), where representatives of all Parties to the Convention meet, is the highest decision-making authority and responsible for keeping international efforts to

address climate change on track. It reviews the implementation of the Convention and examines the commitments of Parties in light of the Convention's objective, new scientific findings and experience gained in implementing climate change policies. Furthermore, the Convention established two permanent subsidiary bodies: the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI). These bodies give advice to the COP and each has a specific mandate, under which they develop recommendations for the COP, normally in the form of draft decisions. These decisions do not have the legal or political significance of COP decisions, but may still be the subject of considerable contestation and debate. Both bodies operate 'under the guidance of the COP' and must report regularly to it (Yamin and Depledge 2004).

In addition to the two permanent subsidiary bodies, the COP has established seven open-ended subsidiary bodies, which operate on an ad-hoc basis with specific mandates and time frames. First, the Ad hoc Group on the Berlin Mandate (AGBM) was established at COP1 to conduct the negotiations of a Protocol to the Convention in order to address what many felt was an unacceptable vagueness in the formulations of the Protocol regarding the specific emission cuts to be undertaken by the Parties. This group met eight times and finished its work in time for the Protocol to be signed at COP3 held at Kyoto, Japan, in 1997. Second, the Ad hoc Group on Article 13, also established at COP1 to consider the functions and procedures of the multilateral consultative process (MCP) described in article 13 of the Convention. This group met six times in order to establish a framework for how the MCP should function (FCCC/AG13/1998), after which the ad hoc group was disbanded at COP4, held at Buenos Aires, Argentina, in 1998. Third, the Joint Working Group on compliance (JWG) was established at COP4 to conduct negotiations on designing a compliance system under Article 18 of the Kyoto Protocol (FCCC/CP/1998/16/Add.1: Decision 8/CP.4). Having forwarded a text reflecting the status of negotiations on compliance to the subsidiary bodies, the JWG was disbanded after COP6 part 1 at the Hague in November 2000 (Yamin and Depledge 2004: 422). Fifth, COP11, held in Montreal in late 2005, established the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP). Its mandate was to discuss future commitments for industrialized countries under the Kyoto Protocol (FCCC/CP/2005/5/Add.1: Decision 1/CP.11). In 2012, COP18 decided that the AWG-KP had fulfilled its mandate, and the group was disbanded. Sixth, COP13 (decision 1/CP.13) established the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) as the beginning of what is termed 'a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and

beyond 2012'. The original intention was for the working group to reach an agreed outcome and adopt a decision at COP15, to be held in Copenhagen in 2009. At COP15, however, the mandate of the AWG-LCA (decision 1/CP.15) was extended to enable it to continue its work with a view to presenting the outcome of its work to the COP for adoption at COP-16. COP-16, however, (decision 1/CP.16) extended the AWG-LCA for one more year, with the aim to present its results to COP-17 in Durban, South Africa, in December 2011. It was disbanded at the 2012 COP18 in Doha.

Seventh, the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) was established at COP17 in order to develop a legally binding agreement to replace the expiring Kyoto Protocol. The ADP is to complete its work as early as possible but no later than 2015.

Has the UNFCCC been a success so far? This is, naturally, a very difficult question to answer, and not one that is among the chief concerns of this study. It does, however, occur prudent in this brief initial summary of the history of the UNFCCC thus far to include some current thoughts on that topic. Starting with the overarching goal of reducing the signatories' net emissions of carbon dioxide, the European Union-sponsored report *Long-Term Trend in Global CO₂-Emissions* (Olivier et al. 2011: 6) finds that the premier achievement of the UNFCCC, the Kyoto Protocol, more or less meets its aspirations:

The industrialized countries that have ratified the Kyoto Protocol plus the non-ratifying USA have emitted approximately 7.5% less CO₂ in 2010 than in 1990 and collectively remain on target to meet the original Kyoto Protocol objective of a 5.2 % reduction. However, there are large national differences, with for instance over the period 1990 – 2010 decreases in CO₂ emissions in the EU and Russia, increases in the USA and stabilization in Japan. The efforts of the industrialized countries are increasingly hidden in the global picture where their share of CO₂ emissions has dropped from about two-thirds to less than half since 1990. Continued growth in the developing nations and economic recovery in the industrialized countries are the main reasons for a record breaking 5.8 % increase in 2010 in global CO₂ emissions to an absolute maximum of 33.0 billion ton.

Yamin and Depledge (2004: 562-563) argue, as seems to be supported by this report, that it is difficult to determine whether decreasing emissions of carbon dioxide stem from the impact of the UNFCCC itself, or if external factors such as the global economic crisis of the past three years is the main factor behind these developments. They do claim, though, that "the climate regime has been successful in making the business sector and others aware that the future is carbon-constrained by including long-term targets, such as in Article 2 of the Convention, and, in the shorter term, the quantified targets in Article 3 of the Protocol. But the COP now needs a better under-

standing of why climate policies in various countries are moving at their current speed and what should be done to increase the pace and depth of implementation". Steinar Andresen (2008: 62) echoes this when he argues that "...[UNFCCC's] effectiveness is low. There is [sic] some effects of the climate regime on the behavior of the many relevant target groups causing [Greenhouse Gas] emissions, but the results are so far limited as global emissions are still increasing steeply. Consequently, the UNFCCC has had an exceedingly modest impact on the problem at hand as the problem is more serious today than it was when the regime was established". Finally, Dimitrov (2010: 18) supports Andresen's notion of modest progress in 'aggregate climate policy' despite the UN climate process being "significantly damaged". He goes on to state (*ibid*: 22) that

[t]he current situation in the UN multilateral process is worse than before Copenhagen. Failure to adopt the lightest possible nonbinding declaration underscores the bleak prospects of the consensus-based UN process for responding to climate change...[p]aradoxically, climate policy developments worldwide are overall positive. Aggregate climate governance comprising regional, national, subnational and local policies as well as nonstate initiatives worldwide is [sic] steadily gaining speed. The Copenhagen disaster should not obscure the bigger and brighter picture: Today the vast majority of countries with significant emissions have pledged fairly ambitious domestic targets, many backed with detailed policy implementation plans.

TNA Participation in the UNFCCC

The focus on a certain degree of popular participation in the establishment of the UNFCCC was obvious from the start: Article 6 of the Convention states that "[i]n carrying out their commitments under Article 4, paragraph 1, the Parties shall promote and facilitate...the development and implementation of educational and public awareness programmes on climate change and its effects: public access to information on climate change and its effects and developing adequate responses". The key to participation in the UNFCCC for TNAs is to attain observer status. This status is grounded in Article 7.6 of the Convention:

Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

Furthermore, two additional criteria for obtaining observer status have been added, namely that applicant organizations must provide confirma-

tion of independent juridical personality as well as ‘confirmation of non-profit and/or tax-exempt status in a State member of the United Nations, or of one of its specialized agencies or of the International Atomic Energy Agency, or in a State Party to the International Court of Justice’ (FCCC/SBI/2004/5). The effect of this latter criterion is, according to Yamin and Depledge (2004: 435) that businesses are required to group together in non-profit coalitions, rather than representing themselves.

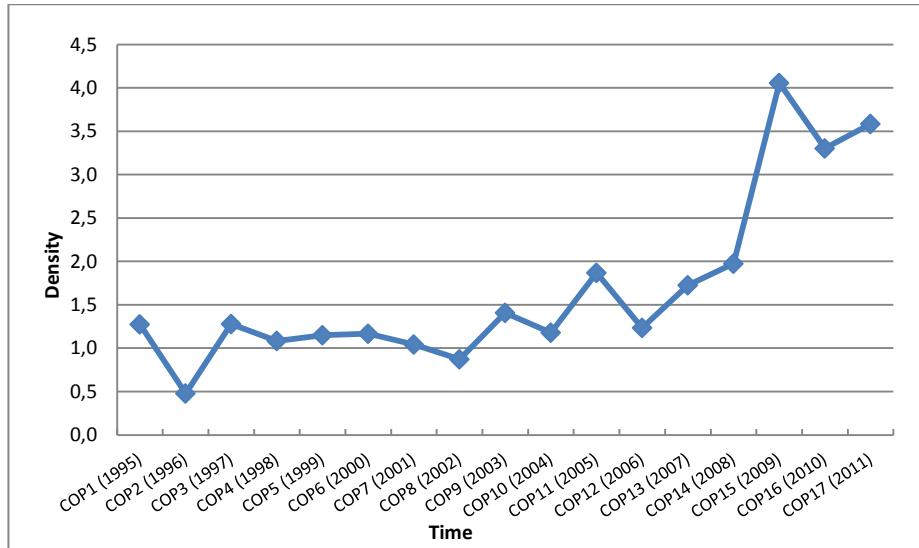
The accreditation itself is a two-step process. Applicants undergo a first screening by the Secretariat, on the basis of which a list of applicants is presented to the COP for formal admission. Due to the large number of TNAs seeking admission, applications received between sessions of the COP that have passed through the Secretariat and Bureau may be presented to the next standing body session for provisional admission, pending formal action by the COP. In accordance with Article 7.6, the entries on the screened list are granted formal observer status unless one third of the Parties present at the COP object (*ibid.*)

Once granted observer status, TNAs have the right to attend a wide array of different forums. As far as the core UNFCCC institutions are concerned, this includes meetings of the COP and, since the entry into force of the Kyoto Protocol in 2005, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), as well as the SBI, the SBSTA, ad hoc working groups and expert groups. However, the formal role of the observers under the UNFCCC is limited, as they enjoy neither the right to propose items for the agenda, address the meeting in which they are participating, nor vote. As a general practice, the various TNA constituencies are given the opportunity to address the COP/CMP and subsidiary bodies in plenary meetings (Chagas 2009: 3). However, evidence raises questions as to the value of this provision: during the UN Climate Change Conference in Bonn, July 2011, the penultimate negotiating session before COP 17, a total of nine minutes were allocated for all nine constituencies to address the presidency (WBCSD 2010).

The Density of the UNFCCC TNA Population

This study defines TNA population density as the number of TNAs participating at a COP relative to the number of state Parties to the Convention at the time of the COP. We recall how findings from previous research suggest a three-phased development, where density is stable at first due to the obscurity of the IO, its lack of legitimacy and the lack of interest in the issue in the global population at large. The second phase sets in when the IO musters the sufficient salience, prominence and legitimacy to start

Figure 1: UNFCCC TNA Population Density, 1995 - 2011



attracting the interest of wider constituencies, and sees density grow sharply. The third phase sets in when density reaches its natural equilibrium and stabilizes. This phase is assumed to be open-ended.

Figure 1 displays the density of the UNFCCC TNA population through the first seventeen COPs from 1995 until 2011. In line with the theoretical expectations laid out in chapter four it describes a three-phased development resembling an s-curve. The first phase sees density hovering fairly stable from COP1 until COP12 (1995 – 2006). The second phase, from COP13 to COP15 (2007 – 2009), sees density enter a period of exponential growth culminating with the massive mobilization of global civil society at COP15 in Copenhagen, where UNFCCC density peaks at 4.06. The third phase, starting at COP16 (2010 –), sees density contract a little from its 2009 peak, yet remain at a level almost three times as high as at the start of the exponential growth phase.

Interpreting these trends is a challenge. While it is hardly possible to say something specific about density drops from one specific COP to the next lest I resort to unwarranted speculation, hard information pulled from the quantitative dataset may help shed light on some of the long-term developments. Phase one consists of COPs 1-12 and is characterized by low, but stable density. Large fluctuations do not occur until towards the end of this phase, when COP11 in Montreal was the first to be held in North America and thus saw a significant influx of North American TNAs. North American participation tripled, from a total of 48 observer organizations at COP10 in Buenos Aires to 143 in Montreal. All the more puzzling, therefore, is the drop in density from COP11 to COP12. African participation actually

dropped from Montreal to Nairobi. Whereas we do note a minor increase in Kenyan and Eastern African participation – from 1 to 3 and 2 to 3 observers respectively, Africa as a whole went from 18 to 15 observer organizations at ‘the African COP’. It is not obvious why more African organizations were able to travel halfway around the world to attend COP11 in Montreal but not to show up at ‘the African COP’ at the heart of their own continent the following year.

Phase two consists of COPs 13, 14 and 15 and is characterized by exponential density growth. COP15 in Copenhagen saw density reach its historical high point of 4.06, and two things seem to account for this: first, a growing trend since COP12 was that once observers entered the system, they tended to return rather than drop out. Furthermore, COP15 attracted a tremendous number of new entrants. 317, or 40 percent, of the observers present at COP15 were there for the first time. These new entrants did come from every corner of the Earth, but were not evenly distributed: 44 percent came from Europe, 31 percent from North America. In terms of interest representation, every category saw its numbers swell. Universities were the largest single group, with fifteen percent of the new entrants being one. It seems clear that COP15 in Copenhagen was a truly global event, important to people from all over the planet and of all strides, creeds and affiliations.

Why did this culminate in 2009? Fisher (2010) points to the growth in the size of delegations that had participated in earlier meetings, along with new delegations wanting to participate in Copenhagen, while McGregor (2011) offers a somewhat more substantive view when he points to the vastly increased organizing capacities of the global environmental movement, represented by the Climate Action Network, the Global Climate Change Alliance and 350.org. He describes (*ibid*: 2) how “efforts by these groups to influence agenda-setting for COP-15 in 2009 have continued since COP-13 in Bali in 2007”, a claim which may well corroborate the steadily rising interest group density displayed in this chapter starting at COP13. Furthermore, he points out how the Global Day of Action, October 24th, 2009, when 350.org organized more than 5,000 events in 181 countries, did bring a huge amount of attention to the climate crisis we are facing. What seems clear, however, is that the massive mobilization at Copenhagen came with a price: both Fisher and McGregor agree on one major feature of COP15: effective TNA participation in the negotiations was no longer possible, and civil society experienced disenfranchisement. They disagree as to what the exact causes of this disenfranchisement were, however: Fisher (2010: 11) cites “increased registration, poor planning by the Danish organizers and the UNFCCC Secretariat, and the merging of movements” while McGregor (2011) points to the rushed and secretive process through which the Co-

penhagen Accord was negotiated, alleging it led to the disenfranchisement of both civil society and some of those countries in the world most exposed to the effects of global climate change.

Phase three begins with COP16, which took place in Cancun, Mexico in December 2010. Following the failure at Copenhagen, Cancun was seen as a ‘make or break’ point for the international climate change process. In the end, it was “considered by many negotiators and observers to be a success, reviving a ‘spirit of multilateralism’ and restoring faith in the UN process. Positive press described the meeting as a stepping stone towards maintaining an international legally binding commitment to reduce emissions” (Dooley 2011). While density dropped from its peak level at Copenhagen it did remain far above anything seen before COP15. This is significant, as it enables us to make some predictions about where the UNFCCC TNA population goes from here. Whereas COP15 attracted 307 new entrants, or a total of 40 percent, COP16 displayed a more experienced group of just twelve percent first-timers. In fact, of the 317 new entrants at Copenhagen, 192 chose to also attend Cancun. This is an indication that in spite of the breakdown in TNA participation at COP15, the majority of the TNAs for whom Copenhagen was the only COP experience found it a sufficiently rewarding exercise that attending COP16 seemed worthwhile. This is a sign that the dramatic increase leading up to Copenhagen was not solely spurred by the momentous events around the time, but suggests that the new entrants have both the means and determination to attend COPs on different continents and might be in for the long haul. If this is indeed the case, it could be interpreted as a sign that the UNFCCC TNA population has matured and will stabilize around the density level of Cancun. Some further trends stand out as well between Copenhagen and Cancun: European newcomers dropped out at a higher rate than North American ones, perhaps not surprising as COP16 took place in the Americas. Universities were the largest cohort among those who chose to return, whereas business TNAs were the largest group of dropouts, perhaps a sign that the business community is more aware of the ebbs and flows of the UNFCCC’s fortunes than those who are there for the sake of research.

This trend from COP16 continued through COP17 held in Durban, South Africa, in 2011. 169 of the newcomers at Copenhagen participated, 145 of which had also attended COP16. The fact that such a large proportion of those who joined the UNFCCC process in 2009 have been able to attend subsequent COPs on three continents suggests the TNA population of the UNFCCC is an increasingly resourceful and experienced group.

The Diversity of the UNFCCC TNA Population

Figure 2: Aggregate Issue Orientation UNFCCC, 1995 - 2011

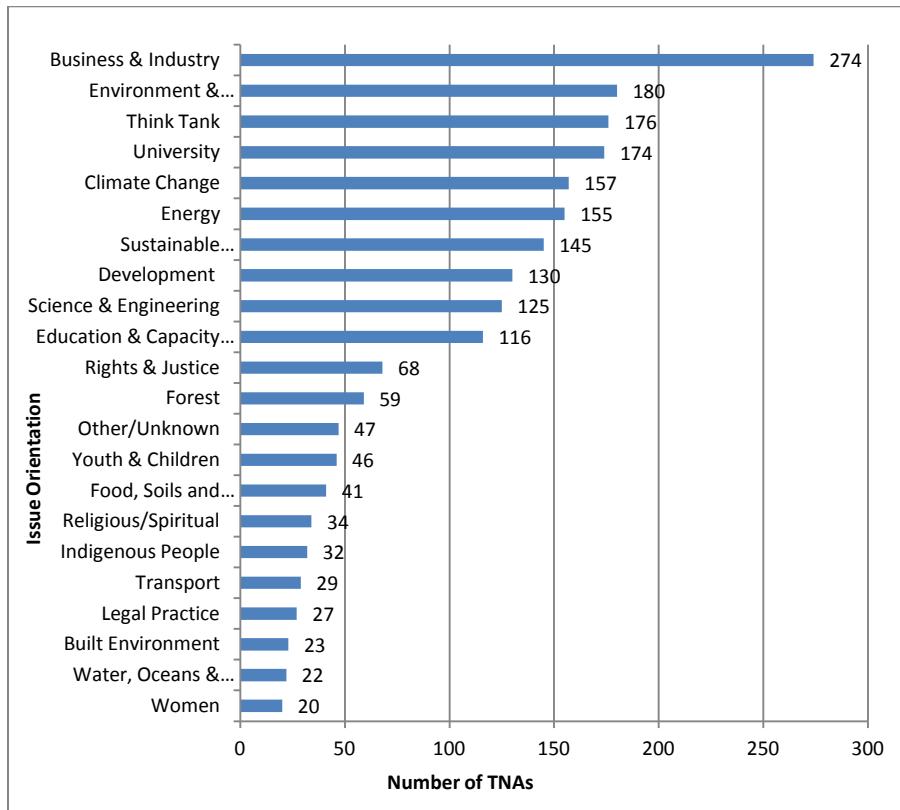


Figure 2 shows the overall diversity of the 1,403 TNAs ever to attend UNFCCC COPs for which issue areas could be determined. A further 47 have attended COPs but could not be categorized. Following Cabré and Hanegraaff et al. on assigning multiple categories to each observer, we end up with N = 2080. The resulting graph offers several alluring insights.

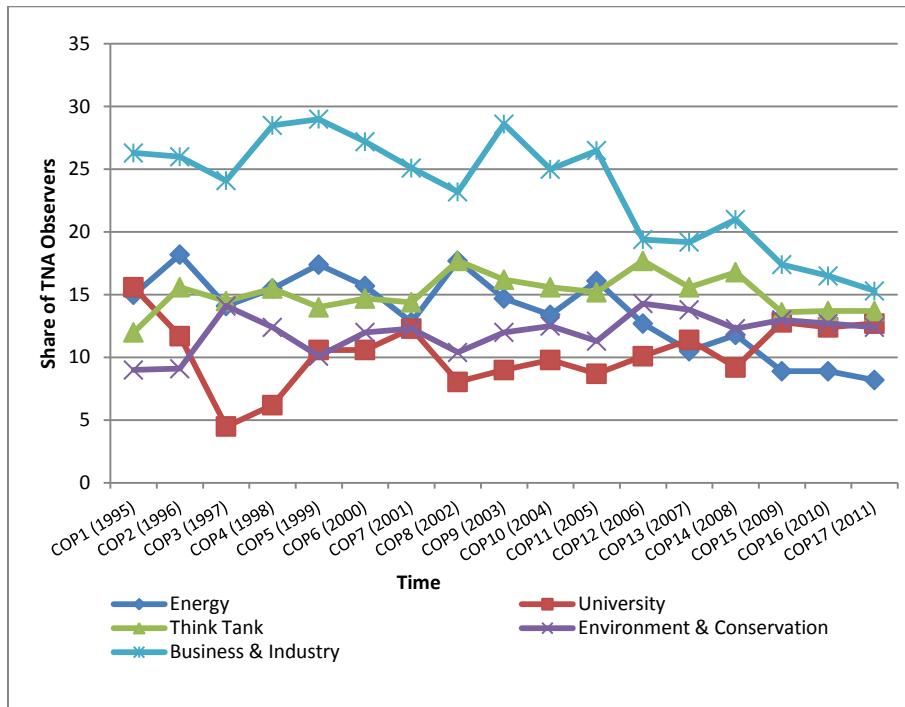
Most importantly, we note that business and industry TNAs has been the numerically dominant cohort in the UNFCCC TNA population between 1995 and 2011. At the other end of the scale, the trend of numerical presence being inversely correlated to vulnerability to climate change is also visible in the bars pertaining to some other cohorts of observers: women, water, oceans and fisheries, forest and agriculture interests are all at a disadvantage. This is a cause for concern, seeing as among these are groups that will be disproportionately affected by climate change yet are not represented by the observer community to any significant degree. This trend is exemplified by Schroeder (2010:326), who points out that “while small-island states received mention in the climate convention for their vulnerability to sea-level rise, Inuit people, for example, did not. The state-centric,

top-down architecture of the climate regime is more responsive to the vulnerability of entire states than to particular groups within states. Consequently, indigenous peoples are not mentioned anywhere in the climate convention or in its Kyoto Protocol". Similarly, Kruse (2013) finds that women generally are underrepresented among the state representatives to UNFCCC COPs. These findings thus suggest that women and other vulnerable groups suffer from a double democratic deficit in global environmental governance.

The findings from figure 2 offer support to some of the recent evidence from related research reported in chapter four. We remember how Esty (2001: 11) described "the belief that the WTO is dominated by multinational corporations and other elite interests", how Held and McGrew (2002:25) pointed out that "critics accuse international organizations like the WTO, IMF and the World Bank of accelerating globalization primarily (if not purely) in the interests of big business" and how Hanegraaff et al. (2011) found increasing dominance of business-related interest groups in the WTO. However, the aggregate number of TNAs belonging to each cohort tells just part of the story. Another question is how the distribution of the TNAs has developed over time, and the next figure takes a closer look at that.

Figure 3 displays the development of the five most populated cohorts of the UNFCCC over time, from COP1 until COP17. The reason for picking just the five most populated categories is that most other categories represent less than five percent of the TNAs present at any COP. I use percentages of the total number of observers present at each COP rather than absolute numbers. First, it expands on the story told above of business domination in the UNFCCC. Whereas business and industry remains the largest category throughout the period, we see a clear trend towards a less dominant position, at least numerically speaking. Hovering around the 25 percent level for

Figure 3: Top Five Issue Cohorts UNFCCC, 1995 - 2011 (%)



the first eleven years, COP12 in 2006 marks the beginning of a descent to a level somewhere around fifteen percent. This may suggest a trend not explored by recent research on TNA participation in global governance but outlined in earlier interest group literature such as Truman (1951): that countermobilization eventually evens out the short-term advantage enjoyed by small and resourced interests. The remaining four categories, energy, think tank, university and environment and conservation all show stable levels of participation throughout this period. This suggests that the mobilization we note has happened among the smaller categories of TNAs, not in the niches already well populated. Overall, figure 3 describes a TNA population around the UNFCCC on its way to a more even distribution, with a significant business dominance at first which over time has waned in the face of increased mobilization from other sectors of global civil society.

Figure 4: Aggregate Regional Diversity UNFCCC, 1995 - 2011

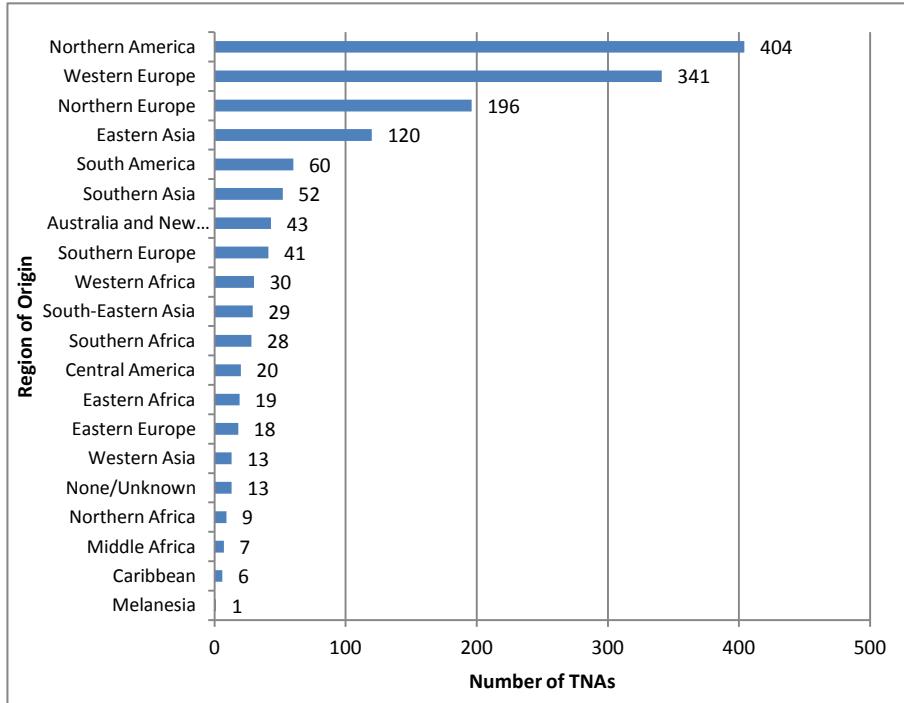


Figure 4 pertains to the second dimension of TNA population diversity, namely their geographical distribution, according to the United Nations Statistics Division's regions of the world. This is operationalized as the location of TNA headquarters. We note that the large majority of TNA observers in the UNFCCC in 1995 – 2011 have come from Northern America, Western and Northern Europe. Furthermore, we notice that regions immediately vulnerable to climate change, such as the island states in the Caribbean and Melanesia as well as sub-Saharan Africa, are not at all well represented among the TNAs. For some, this may of course be a reflection of a limited number of inhabitants. For others, it serves to highlight one important shortcoming with the UNFCCC's outreach to global civil society: large populations of humans directly threatened by climate change are not present among the TNA representatives to the UNFCCC.

Figure 5: The Five Best Represented Regions Over Time, UNFCCC 1995 - 2011 (%)

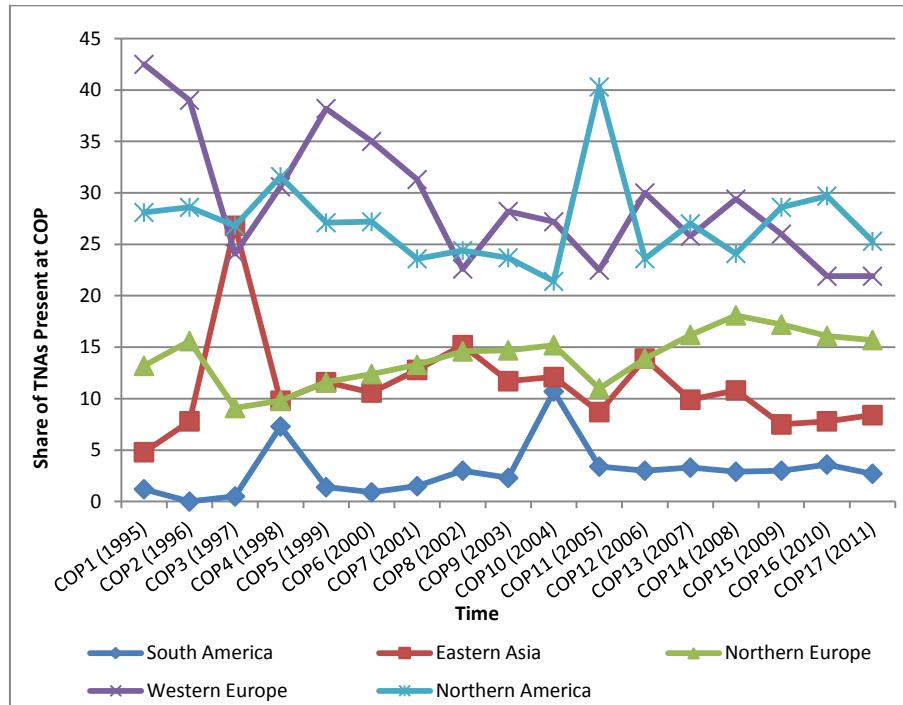


Figure 5 takes the analysis of regional diversity one step further. It describes the share of observers present at each COP during 1995 – 2011 hailing from each of the five best represented regions of the world. It shows that while Western European and Northern American TNAs have been numerically dominant at almost every COP so far, local participation spikes once a COP comes to the region. One example of this is COP3 in Kyoto, Japan, where East Asian TNAs made up a larger share of the observers than Western European TNAs. Three other regions, South America, Northern Europe and Eastern Asia have maintained fairly stable shares of the observer populations at the various COPs thus far.

The spike in Eastern Asian participation at COP3 points to an interesting trend. We note throughout this graph that there are spikes in regional participation when COPs are arranged in or near to these regions. Examples abound, such as the spike in South American participation at COPs 4 and 10 which both took place in Buenos Aires, the spike in Northern American participation at COP11 in Montreal as well as the less prominent spikes in Northern American TNA participation when COPs have been arranged closer to home such as COP 4 and 10 as well as COP16 in Cancun. These findings suggest the presence of what I have called a Geographical Proximity to Venue effect (GPV), to which I dedicate a separate section below.

Figure 6: Top Ten TNA Host Countries UNFCCC, 1995 - 2011

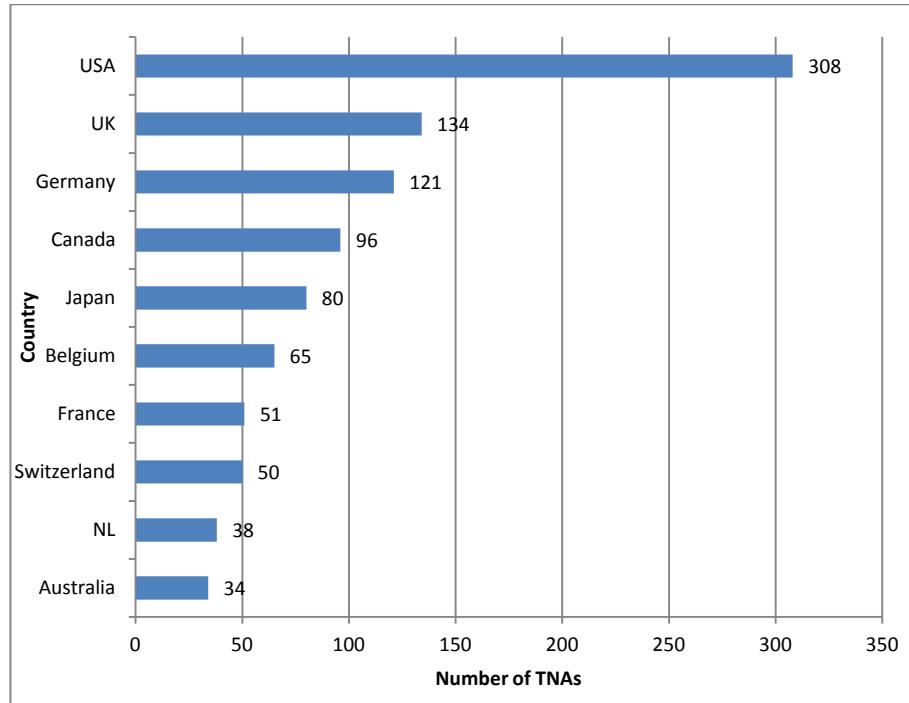


Figure 6 breaks the descriptive analysis of the UNFCCC's geographical diversity down one more step, as it shows the ten best represented among the TNAs' host *countries*. We note that the US is by far the single largest provider of TNAs to the UNFCCC. Furthermore, seven out of the ten countries belong to the primary regions identified above, while only Australia, France and Switzerland do not. We also note that even among the best represented countries, participation is concentrated at the top. Almost ten times as many UNFCCC TNAs call the US home as do Australia. This provides further support for the signs we now start seeing of the UNFCCC TNA population: it is concentrated in the richest and most developed countries in the world.

Figure 7: Top Five TNA Host Countries Over Time, UNFCCC 1995 - 2011 (%)

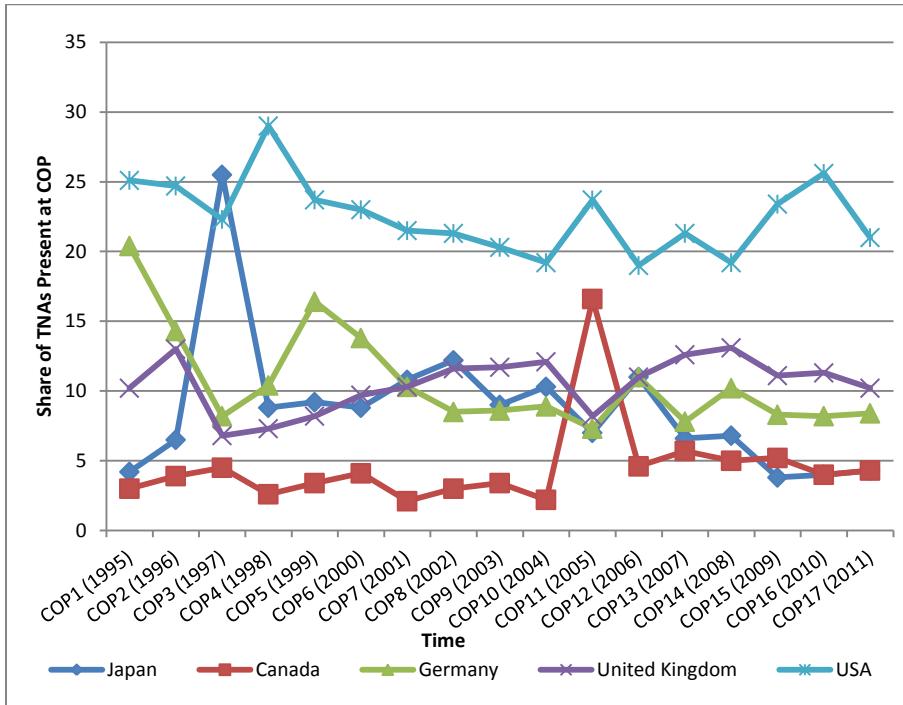
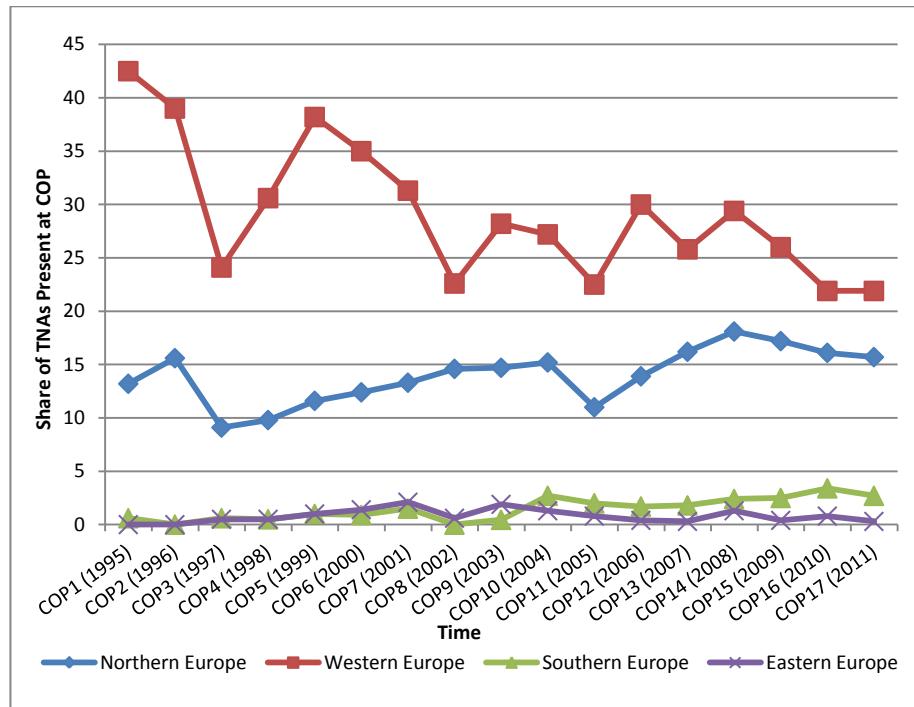


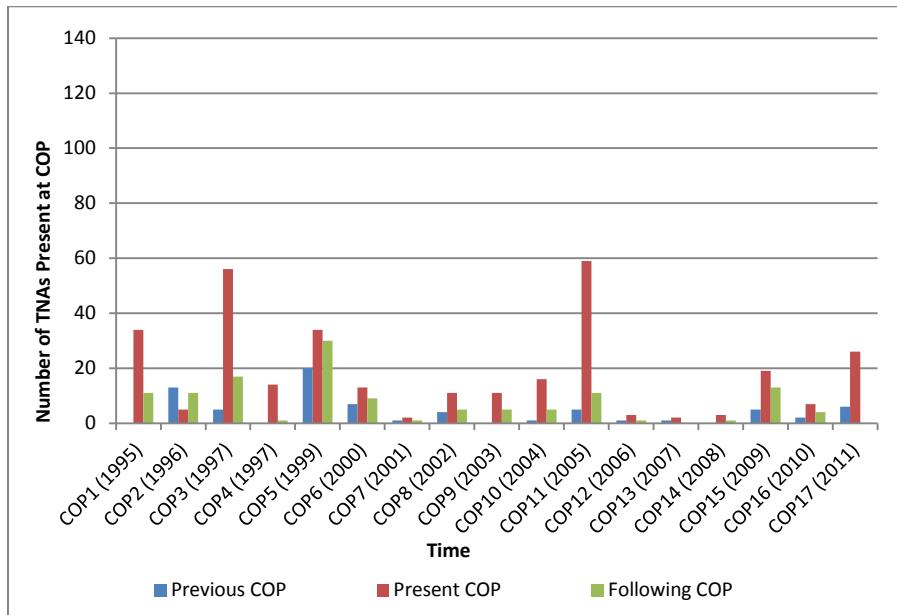
Figure 7 breaks this analysis down even further. Limited to the *five* top host countries, it depicts these five countries' share of the TNA population at UNFCCC COPs from 1995 – 2011. It displays the same pattern seen in figures 4, 5 and 6. The USA has had the largest proportion of TNAs at every COP bar COP3 in Kyoto, at which the Japanese contingent was the biggest. The other countries, Canada, the UK and Germany, show stable presence throughout the period except for Canadian participation spiking at COP11 in Montreal.

Figure 8: The Two Europes, UNFCCC (%)



So far, the common trend in the statistical material has been that the UNFCCC observer population is dominated by TNAs from Northern America and Europe, which may well lead one to expect a linear relationship between a country's socioeconomic development and the number of TNAs it sends to COPs. However, a closer look at one of these regions suggests there is more to this story. Figure 8 demonstrates the European share of the UNFCCC TNA population when split up into its four constituent parts: Northern, Western, Eastern and Southern Europe, and the results demonstrate that in fact there are two Europes. Whereas TNAs from Northern and Western Europe have made up significant portions of the observer population at every COP so far, hardly any TNAs from Southern and Eastern Europe have been involved in the process. The Southern European contingent saw a tiny bump at COP9 in Milan, but otherwise the region's TNA representation has been minimal. Eastern Europe demonstrates the same trends. Following low or non-existent participation since COP1, COP14 in Poznan strangely saw Eastern European participation hit its historical minimum.

Figure 9: GPV Effect UNFCCC, Country Level, 1995 - 2011



The next aspect of the diversity of the UNFCCC TNA population to be considered is what I have dubbed the GPV effect. The existence of this effect has been alluded to by previous researchers such as Clark et al. (2005). Hanegraaff et al. (2011: 464) found it in the WTO TNA population and described it as “a potential geographical effect, that is a strong representation of organizations from countries or regions close to the conference venue, which is most obvious when we compare the Seattle [Ministerial Conference] with the Doha MC. Organizations from the US outnumber other organizations by far at the Seattle MC (54 percent) whereas in Doha the number of US organizations sank to 27 percent of the overall population. In Doha, we also see an increase in the number of Asian and African organizations. This, most likely, is the result of the close proximity of Doha to these regions”. With better data available than previous researchers, this study shows that the GPV effect clearly is a feature of TNA populations in global governance. Figure 9 displays the absolute number of TNA participants from the host countries of all UNFCCC COPs between 1995 and 2011. It also displays the absolute number of participants from that country at the COPs immediately prior to and immediately following the COP in question. We note that national TNA participation spikes in COP host countries compared to both the preceding and the following COPs. This holds for every single COP. Interesting to observe is also that in most cases, the COP following the COP hosted in a given country sees a higher level of TNA participation from that country than the COP preceding it. This suggests that the GPV effect is

indeed more than just a one-time occasion, but also influences long-term participation in countries hosting COPs.

Similarly, figure 10 displays the absolute numbers of TNA participants from host *regions* for all UNFCCC COPs from 1995 to 2011, as well as the absolute numbers of TNA participants from the same region at the COPs immediately preceding and immediately following the COP in question. It displays the same trend as figure 9, with regional TNA participation spiking when a COP is arranged in it. We also note how TNA participation at the COP immediately following the ‘home’ COP outnumbers that at the COP immediately preceding it, for all but three COPs, suggesting that hosting a COP boosts future TNA participation also at the regional level.

Figure 10: GPV Effect UNFCCC, Regional Level, 1995 - 2011

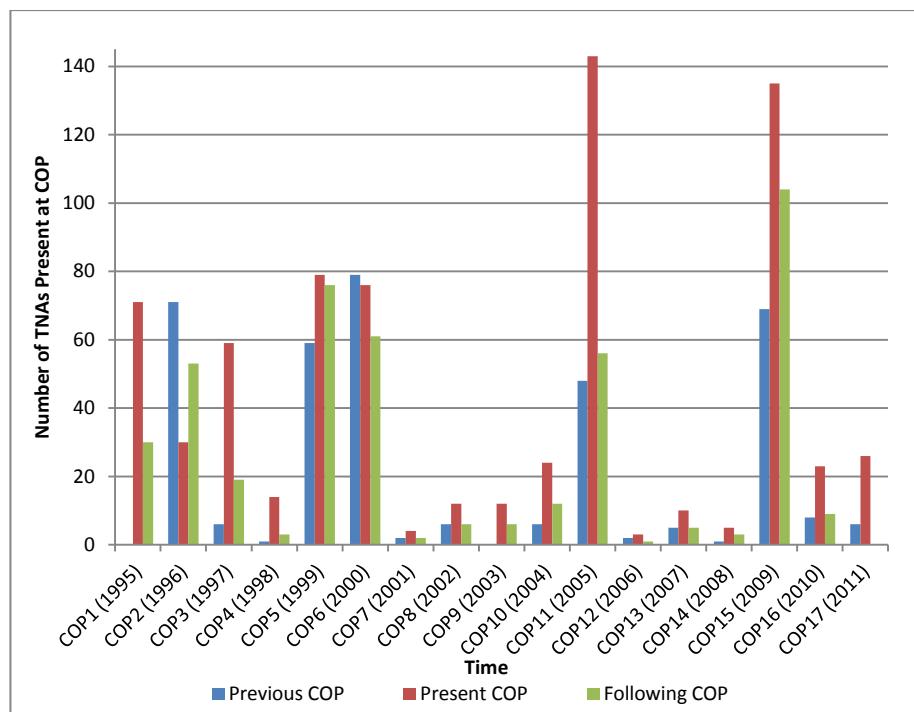


Figure 11: Simpson's Index of Diversity UNFCCC, Geography, 1995 - 2011

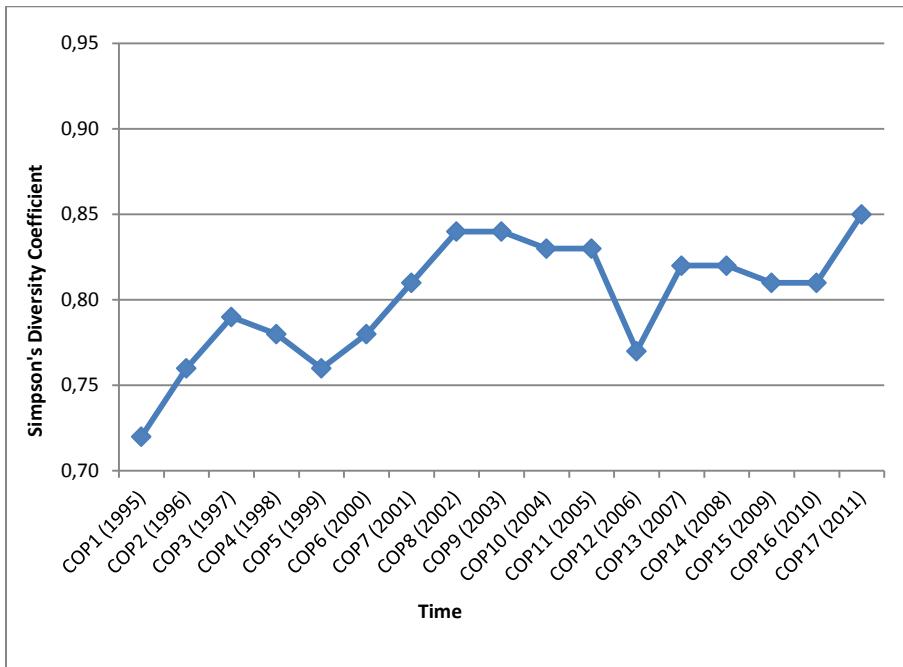


Figure 11 introduces Simpson's Index of Diversity. It displays the geographical diversity of the UNFCCC TNA population for every COP from 1995 to 2011. The main trend is the increasing balance of the UNFCCC observer population, which has steadily grown throughout this period. This is consistent with the trends we saw in figure 5, where Northern American and Western European TNAs started out with the lion's share of the TNA population but over time had come to see their numerical superiority diminish. Furthermore, we notice how those COPs where there has been higher influx of local TNAs are mirrored in this graph, such as COP11 in Montreal in which a large contingent of Northern American TNAs cause geographical diversity to drop. As such, figure 11 offers support to Truman's suggestions related above, namely that while well-resourced TNAs, or in this case TNAs from resource-rich countries, may have an initial advantage as far as mobilization is concerned, less resourced segments of civil society can catch up over time.

Figure 12: Simpson's Index of Diversity UNFCCC, Issue Orientation, 1995 - 2011

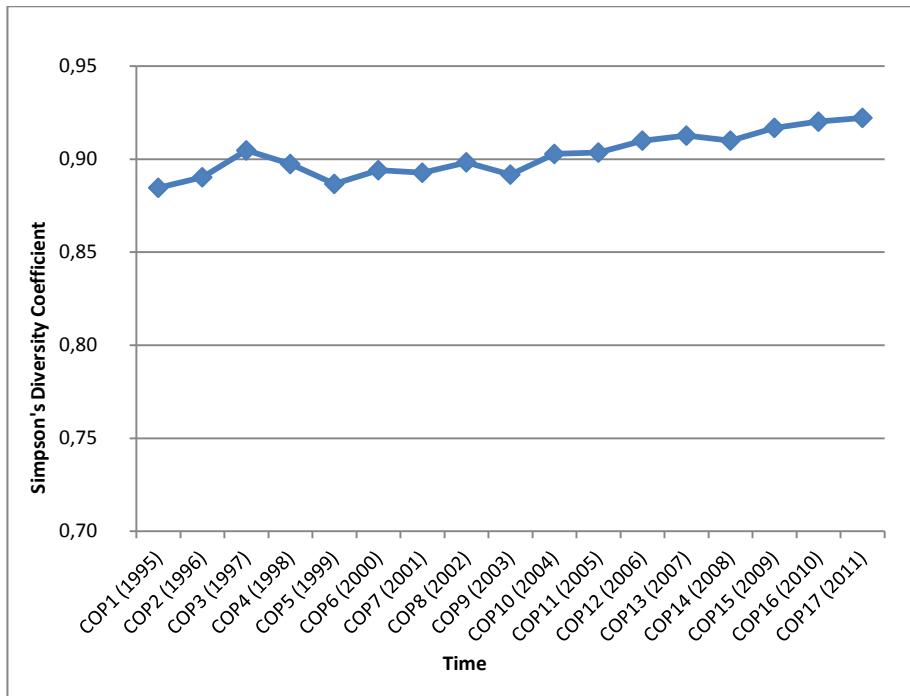


Figure 12 displays the issue diversity of the UNFCCC TNA population over time in terms of Simpson's Index of Diversity. The main trend is that the UNFCCC TNA population from 1995 – 2011 has represented a broad specter of interests and even diversified a little bit more over time. Along with some of the findings reported earlier in this chapter, this supports Truman's suggestion that while monied interests may have the advantage of mobilizing faster, less resourced groups have the chance to catch up over time and countermobilize.

The Volatility of the UNFCCC

Figure 13: Aggregate TNA Presence UNFCCC, 1995 - 2011

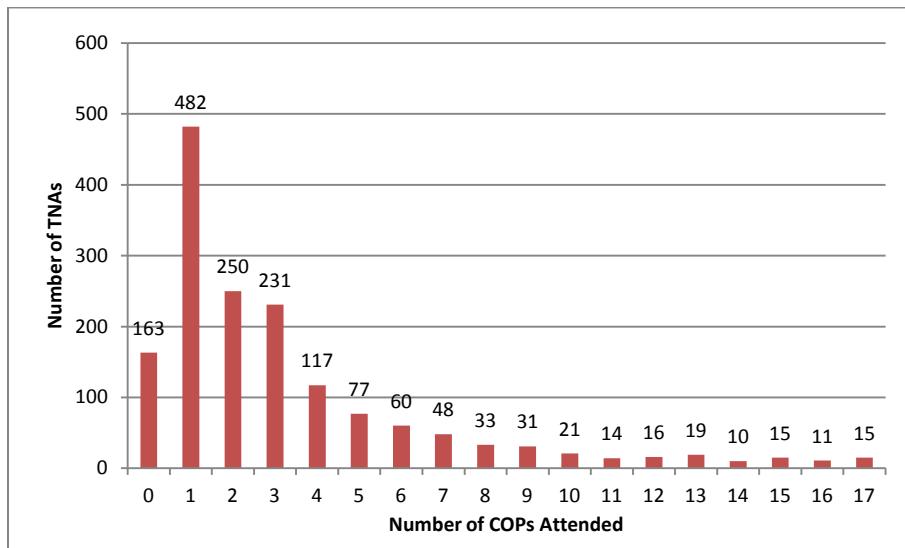


Figure 13 shows how many COPs have been attended by how many TNAs. As we see, most TNAs have attended few COPs, with the median number being 2 and the mean 3. At the other end of the scale we note that the group of TNAs which has attended most or all COPs is very small. Also of interest is the observation that 163 TNAs have been granted observer status but failed to show up for any COP. These findings suggest it is difficult for TNAs to maintain stable and recurring presence as observers to the UNFCCC. Assuming that TNAs want to be relevant to the process, and that one key element in doing so is participating in subsequent COPs to stay informed about the process and build personal relationships, these findings suggest that most COPs are able to attend fewer COPs than they would wish.

Figure 14: 1st Time Entry and Exit Rates UNFCCC, 1995 - 2011

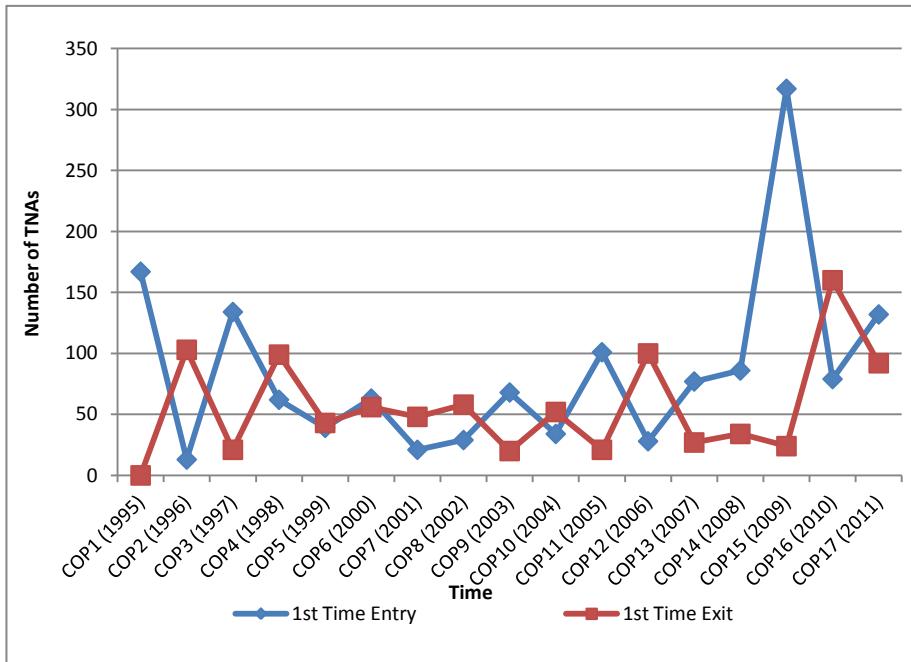


Figure 14 shows the entry and ‘first time exit’ rates of the UNFCCC TNA population over time. Entry rates are calculated as the number of TNAs attending a COP for the first time, whereas first time exit rates are calculated as the TNAs not attending a COP for the first time since attending their first COP. At the most basic level, we note that every COP so far has attracted newcomers. Furthermore, rising entry rates seem to be matched with dropping exit rates, perhaps supporting the idea that TNA populations are stable in the aggregate but unstable at the level of individual TNAs. Likewise, whereas some COPs are characterized by high entry and low exit rates, others display opposite characteristics, with high exit rates and low entry rates. Also interesting to note are the developments following the massive influx of new observers at Copenhagen, after which we naturally see a drop in entry rates and a rise in exit rates. However, it is worth noting that also COP16 in Cancun has an entry rate in the very upper echelons of what has been seen during the UNFCCC’s history. These findings seem to suggest that the failure of COP15 did not cause a complete loss of faith in the UNFCCC, as demonstrated by entry rates rebounding at COP17 in Durban following a small dip at COP16 in Cancun.

Figure 15: Total Entry and Exit Rates UNFCCC, 1995 - 2011

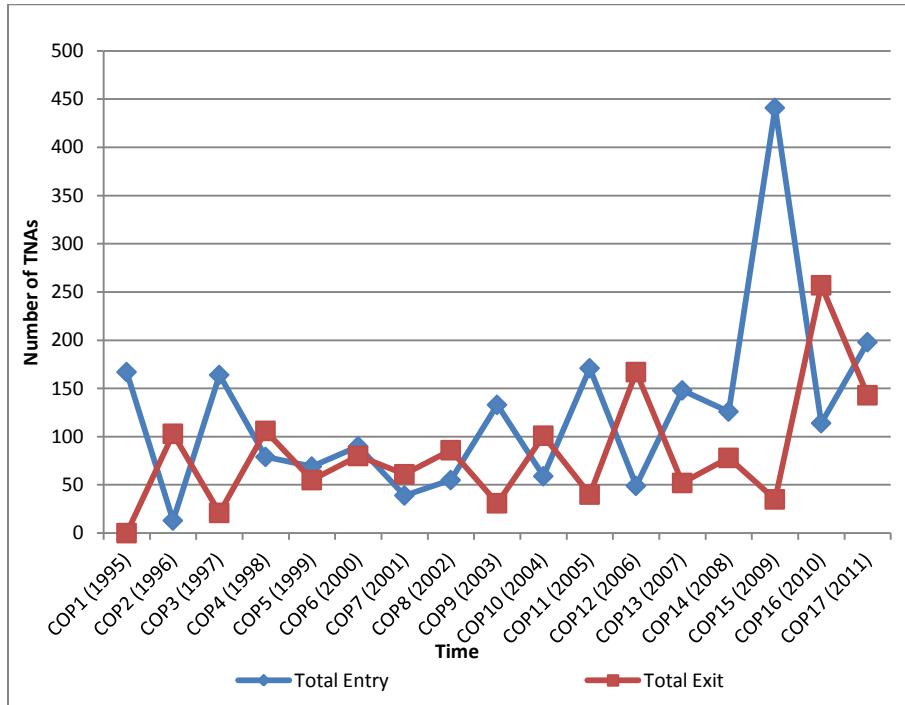


Figure 15 displays the total entry and exit rates of the UNFCCC COPs between 1995 and 2011. Total entry rates are calculated as TNAs that did not attend the previous COP but attended the COP in question, whereas total exit rates are calculated as TNAs that did attend the previous COP but not the COP in question. The trends displayed here are convergent with those seen in figure 14: rising entry rates converge with sinking exit rates and vice versa. We notice how exit rates start dropping markedly with COP13, contributing along with the simultaneous, steadily rising entry rates to the exponential growth in density described in figure 1. We also note how rising entry rates and sinking exit rates following the natural adjustment at COP16 have rebounded and contributed to the continuing high density we keep seeing after COP15.

Figure 16: Composition of UNFCCC TNA Population 1995 - 2011

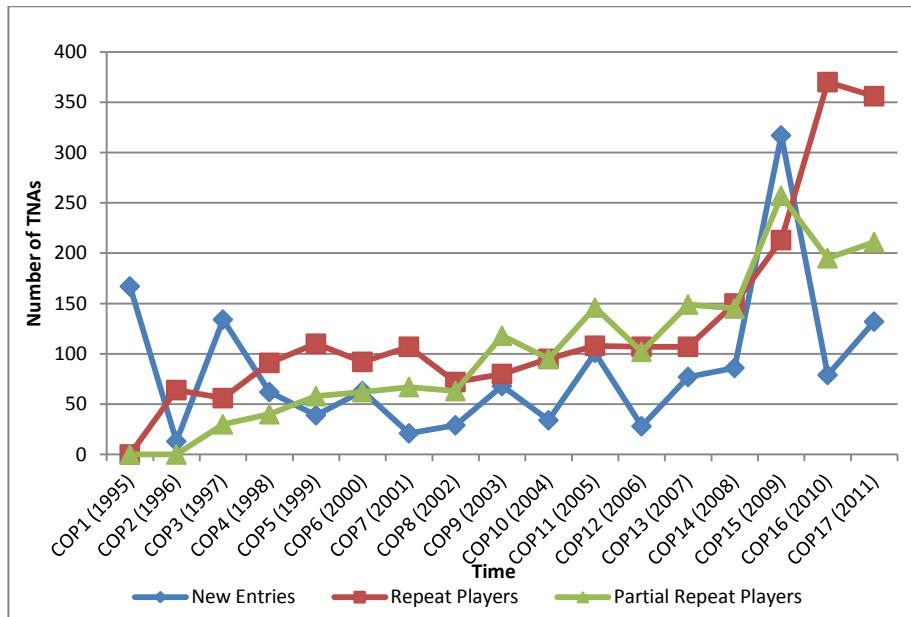


Figure 16 demonstrates the composition of the observer population at every UNFCCC COP from 1995 to 2011 based on Hanegraaff et al.'s (2011a) categories of TNAs: 'New entries' denotes TNAs participating as observers for the first time, 'repeat players' denotes TNAs which have participated at each COP after attending for the first time, and 'partial repeat players' denotes TNAs attending the COP in question but having missed COPs since attending for the first time. The main finding is that the composition of the UNFCCC TNA population has remained fairly stable throughout the period. Repeat players constituted the largest group up until COP8, at which point it was overtaken by partial repeat players. COP15 then marks the next break in the composition, with new entries making up the majority of TNAs at that point. Since then, however, so many of the new entries from COP15 have returned to COPs 16 and 17 that repeat players have made up the majority of observers on these occasions. In fact, 184 of the 307 new entries from Copenhagen, or 60 percent, returned for COP16. These findings suggest, further corroborating several of the findings in this chapter, that the extraordinary mobilization ahead of Copenhagen was not simply a mayfly, but rather a sign that the UNFCCC TNA population, at least at the aggregate level, is on its way to stabilization somewhere around the level of participation seen at Cancun. This raises the question, albeit outside the scope of this study, of whether the observer community as a whole, given its experienced nature at this point in time, is now able to play a more active role at the COPs than previously.

Figure 17: UNFCCC Turnover Rate 1995 - 2011 (%)

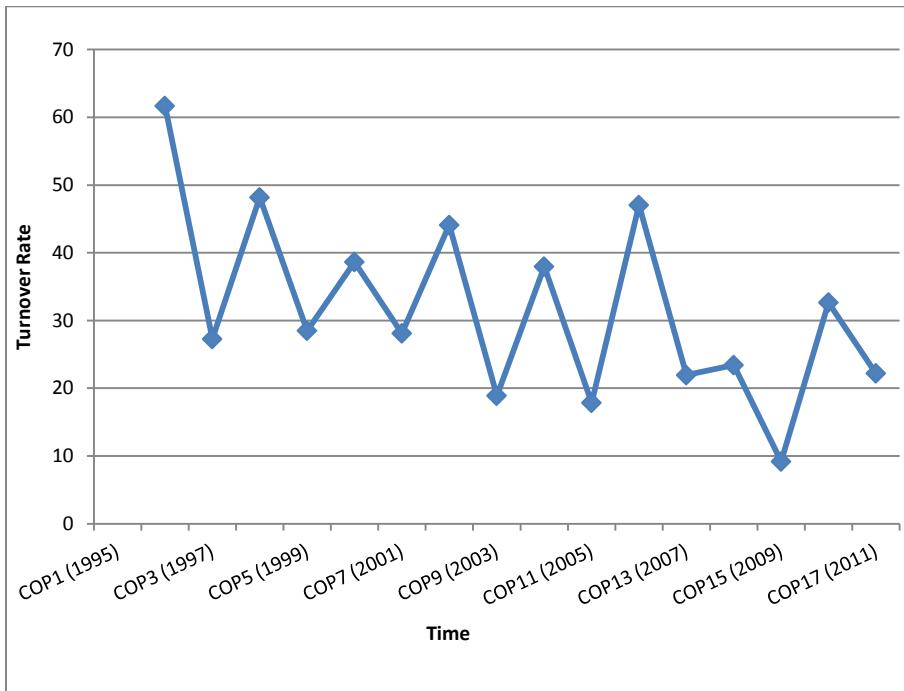


Figure 17 displays the so-called ‘turnover rate’ of the UNFCCC TNA population from 1995 to 2011. The turnover rate is calculated as the TNAs attending the previous COP but not the COP in question. The main trend is that the turnover rate in the UNFCCC has been steadily dropping throughout this period. This has, of course, been a contributing factor in some of the other trends described in this chapter, such as the rising density and increased presence of repeat players at COPs. It is hard to say what these absolute numbers mean as there is not a whole lot with which to compare them. Let me in spite of that give it a shot: as we remember from chapter four, Anderson et al. (2004) found that the turnover in an American sub-national population of non-state actors was 54 percent, albeit just over two years. The UNFCCC TNA population has, over the first sixteen years of its existence, had an average turnover of 35 percent, and since COP13, from which the period of exponential growth and falling turnover sets in, of just 24 percent. It seems the UNFCCC observer community has entered maturity and is ready to settle down.

Summary

This chapter has descriptively analyzed the development of the UNFCCC TNA population from COP1 in 1995 until COP17 in 2011. The main finding is that it offers substantial support to the theoretical foundations of this

study, as laid out in chapter four. As for density, the UNFCCC TNA population displays the kind of three-phased s-curve we expected. The population maintained a stable density for the first 12 COPs before entering a period of exponential growth culminating with COP15 at Copenhagen. This COP saw TNA participation effectively break down as the system was overwhelmed. However, COP16 in Cancun saw but a minor dip in density, which rebounded at COP17. Combined with an unusual high rate of new entrants returning for the following COPs, this chapter suggests that the UNFCCC TNA population is on its way to maturity and a stabilization somewhere around Cancun levels. As for diversity, the UNFCCC also lends support to the theoretical foundations of this study. The TNA population is numerically dominated by business actors hailing from the global North and West, with indigenous peoples, farmers, forests, youth and women being outnumbered. However, when looking closer at developments over time, the UNFCCC yields interesting results. The numerical advantage enjoyed by business has dropped markedly over time. Likewise, the seemingly clear-cut relationship between socio-economic development and TNA representation in global governance must be questioned after one of the dominant continents, Europe, was dissected in its constituent parts. Although the socio-economic differences among the four regions comprising the continent are not massive, the vast majority of European TNAs hail from the North and West. This suggests that economic dominance does not automatically translate into political dominance, and this is a relationship which will be analyzed in more detail in chapter seven. Another significant finding in this chapter was the definitive establishment of the previously anecdotally described GPV effect, by which countries and regions in close proximity to COP venues see substantial spikes in TNA participation. This chapter also suggests that the GPV effect is not simply a one-off effect, but to a certain extent also appears to influence longer-term participation trends. As for volatility, the UNFCCC TNA population lends support to Anderson et al.'s (2004) suggestion that such populations are stable in the aggregate but volatile at the individual level. The majority of TNAs has so far participated at just two or three COPs, with a small elite seeming to make up the core of the observer community. However, with turnover rates sinking, there are indications that this core group may over time expand, leading to a more equitable distribution of contacts and experience of how to effectively participate as non-state observers.

CHAPTER 6: THE UNITED NATIONS CONVENTION ON BIOLOGICAL DIVERSITY

This is the second empirical chapter of the study and consists of the descriptive analysis of TNA participation in the CBD from 1994 – 2010. The chapter consists of six parts. The first two parts review the history of the CBD and the provisions for TNA participation in it. This is followed by three parts analyzing the development of the CBD TNA population. The final part sums up the findings and points the way towards the explanatory chapter seven.

The main findings of this chapter are threefold. First, the density of the TNA population is to a high degree driven by ad-hoc participation of local TNAs rather than sustained involvement by the observer community. Second, business participation has not been pronounced until later years, suggesting concerted efforts to attract targeted segments of civil society can have an effect. Third, volatility is very high, with 95 percent of TNAs attending three COPs or less.

The United Nations Convention on Biological Diversity

The United Nations Convention on Biological Diversity (CBD) represents the first and only international treaty protecting total species diversity. It also attempts to incorporate long-standing issues such as agricultural problems, external debt, distribution of wealth, and general development critiques (Gunter 2004: 36). Like the UNFCCC, it came out of the 1992 Earth Summit in Rio de Janeiro, Brazil. Its three stated goals are the conservation of biological diversity, the sustainable use of the components of biological diversity and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. The focus on public knowledge of and participation in this endeavor is set down in the Convention itself: Article 13, paragraphs 1 and 2 state that the Parties shall “promote and encourage understanding of the importance of, and the measures required for, the conservation of biological diversity, as well as its propagation through media, and the inclusion of these topics in educational programmes: and co-operate, as appropriate, with other States and international organizations in developing educational and public awareness programmes, with respect to conservation and sustainable use of biological diversity” (UNEP 1992b).

Taking advantage of the favorable attitude towards environmental engagement in the 1980s, the World Conservation Union (IUCN) and the World Resources Institute (WRI) took the lead in the efforts to promote a global regime for the protection of biodiversity, pushing background papers, policy strategies and a draft treaty text. Building on this work, and partly in response to pressure from industrialized countries, the governing council of the United Nations Development Programme (UNDP) in 1987

decided to convene the Ad Hoc Working Group of Experts on Biological Diversity in order to explore the need for an international convention on biological diversity. Soon after, in May 1989, it established the Ad Hoc Working Group of Technical and Legal Experts (AHWGTE) to prepare an international legal instrument for the conservation and sustainable use of biological diversity. The experts were to take into account "the need to share costs and benefits between developed and developing countries" as well as "ways and means to support innovation by local people" (CBD Secretariat 2012a). By February 1991, the Ad Hoc Working Group had morphed into the Intergovernmental Negotiating Committee. Its work culminated on 22nd May 1992 with the Nairobi Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity. The Convention opened for signature during the 1992 Earth Summit in Rio, and in spite of the final document's obvious flaws, amounting to what some observers have called "a pastiche of vague commitments, ambiguous phrases and some awkward compromises" (Raustiala and Victor 1996: 19), or perhaps exactly for that reason, a total of 156 nations signed the CBD at the Earth Summit. It entered into force December 29th, 1993, and has as of January 2013 a total of 193 Parties.

The aims of the CBD are "the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding" (UNEP 1992b: Article 1). To this end, a number of bodies have been established under the auspices of the Convention. First among these is the Conference of the Parties (COP), which gathers representatives of all Parties to the Convention and is the governing body of the Convention and advances its implementation through the decisions taken at its periodic meetings. From 1994 to 1996 the COP met once a year, but following a change in the rules of procedure in 2000 meets biannually. To date the COP has taken a total of 299 procedural and substantive decisions (CBD Secretariat 2012b).

Article 25 of the Convention establishes an open-ended, intergovernmental scientific advisory body known as the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to provide the COP and, as appropriate, its other subsidiary bodies, with timely advice relating to the implementation of the Convention. As a subsidiary body to the COP, SBSTTA is to report regularly to the COP on all aspects of its work. Multidisciplinary and open to participation by all Parties, SBSTTA comprises government representatives competent in the relevant field of expertise. Its functions include: providing assessments of the status of biological diversity, provid-

ing assessments of the types of measures taken in accordance with the provisions of the Convention and responding to questions that the COP may put to the body (CBD Secretariat 2012c).

Furthermore, Article 23 of the Convention allows the COP to “establish such subsidiary bodies, particularly to provide scientific and technical advice, as are deemed necessary...” The COP has used this authority to establish a total of four ad-hoc working groups and committees. In 1998, COP4 established a Working Group on Article 8(j) (WG8J). The Article itself protects the knowledge, innovations and practices of indigenous and local communities relevant for the conservation of biological diversity and promotes their wider application with the approval of knowledge holders and encourages equitable sharing of benefits arising out of the use of biological diversity, and the WG8J was tasked with developing a program operationalizing this further. At COP5, in 2000, the COP adopted a programme of work to implement the commitments of Article 8 (j) and enhance the role and involvement of indigenous and local communities in the achievement of the objectives of the Convention (CBD Secretariat 2012d).

In 2002, COP6 established the Ad Hoc Open-ended Working Group on the Review of Implementation of the Convention (WGRI). Noting that the Convention’s 2010 target, a significant reduction in the rate of biodiversity loss, was slipping out of reach, the COP adopted the Strategic Plan for the Convention 2002 – 2010, and with that the WGRI as its overseer. The group’s task is to review the impacts and effectiveness of existing processes under the Convention and propose measures to make these more efficient (CBD Secretariat 2012e).

In 2004, COP7 adopted a program of work on protected areas. This included the establishment of the Ad Hoc Open-ended Working Group on Protected Areas (WGPA), which is to function as a coordinating organ for the maintenance of protected areas worldwide, report to the COP on the progress of this work and recommend measures for future implementation (CBD Secretariat 2012f). Finally, COP10 in 2010 adopted the Nagoya Protocol on Access and Benefit Sharing. Following this, the COP decided to establish an open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access and Benefit Sharing (ICNP) as an interim governing body for the Protocol until the first meeting of the Parties to the Protocol, at which time the ICNP will cease to exist. The task of the ICNP is thus to undertake, with the support of the Executive Secretary, the preparations necessary for the first meeting of the Parties to the Protocol.

The question of whether the CBD has been a success is of course contested. As Ahmed Djoghlaf, executive secretary of the CBD, told a conference in China in 2010 (Djoghlaf 2010):

None of the twenty-one subsidiary targets accompanying the overall 2010 biodiversity target can be said definitively to have been achieved globally, although some have been partially or locally achieved. Ten of the fifteen headline indicators developed by the CBD show trends unfavorable for biodiversity, no government claims to have completely met the 2010 biodiversity target at the national level, and around one-fifth state explicitly that it has not been met. Indeed, the current biodiversity statistics are as worrying as ever. Species that have been assessed or extinction risk are on average moving closer to extinction, with amphibians facing the greatest risk and coral species deteriorating most rapidly in status. The abundance of vertebrate species, based on assessed populations, fell by nearly one-third on average between 1970 and 2006, and continues to fall globally, with especially severe declines in the tropics and among freshwater species. Natural habitats in most parts of the world continue to decline in extent and integrity, notably freshwater wetlands, sea ice habitats, salt marshes, coral reefs, seagrass beds and shellfish reefs; although there has been significant progress in slowing the rate of loss of tropical forests and mangroves, in some regions. Moreover, crop and livestock genetic diversity continues to decline in agricultural systems. For example, more than sixty breeds of livestock are reported to have become extinct since 2000.

While this is certainly not the assessment of a well-functioning IO, Ritter (2010) argues that the fault lies not with the CBD itself, but rather with the nations of the world: “Indeed the CBD is an institution of obvious weakness, hostage always to national capitals and wider politics. The CBD possesses no power to compel compliance or punish non-compliance”. Dobson (2005) questions whether an accurate measurement of Earth’s biological diversity is even possible, an assessment that only serves to underline the insecurity and controversy that has surrounded the CBD from the start.

TNA Participation in the CBD

The status as observer to the CBD is grounded in rule 7 of its Rules of Procedure:

The Secretariat shall notify any body or agency, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of biological diversity, which has informed the Secretariat of its wish to be represented, of meetings of the Conference of the Parties so that they may be represented as observers unless at least one third of the Parties present at the meeting object. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent unless at least one third of the Parties present at the meeting object. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent unless at least one third of the Parties present at the meeting object.

Observer TNAs have a number of ways to make their presence felt. They may make “short and concise verbal statements upon the invitation of the chair or contact group convener, [hold] pre-scheduled side events, [hold] pre-scheduled press conferences, [make] available relevant information materials and [set up] by pre-arrangement displays such as exhibitions and posters” (CBD Secretariat 2010). The general consensus seems to be that observers have more opportunities to make their voices heard within conventions negotiated under the auspices of UNEP, such as the CBD, than within conventions negotiated under the auspices of the UN General Assembly, such as the UNFCCC. For example, “NGOs are allowed to intervene freely from the floor on individual agenda items under UNEP Conventions such as the Montreal Protocol, the CBD and the Basel Convention. According to the CBD Secretariat, non-state observers have attended contact groups and have often intervened, including making suggestions on text” (Ecologic 2002: 69). Furthermore, an NGO representative is known to have co-chaired a CBD inter-sectorial working meeting held to discuss the implementation of CBD rules (Wiser 2000: 23). It thus seems as if the CBD allows its observers to participate in a more substantial manner than the UNFCCC, and we shall now move on to the empirical sections of this chapter and take a closer look at how the CBD TNA population has developed in the period 1994 – 2010.

The Density of the CBD TNA Population

Figure 18: CBD TNA Population Density 1994 - 2010

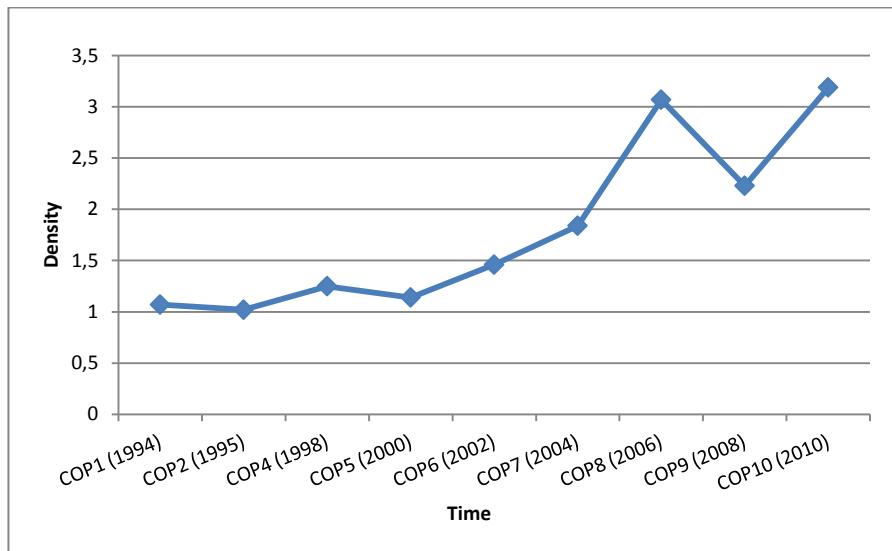


Figure 18 displays the density of the CBD TNA population as it has developed from COP1 in 1994 to COP10 in 2010. We can identify three distinct phases: a first phase characterized by stable but low density from COP1 to COP5 (1994 – 2000). A second phase, lasting from COP 6 through COP8 (2002 – 2006), is characterized by sharply rising density and culminates with a density level of 3.07 at COP8 at Curitiba, Brazil. A third phase, beginning with COP9 (2008 –), sees density first drop from COP8 to COP9 before rebounding to hit a new high mark of 3.19 at COP10 in Nagoya, Japan.

One aspect of this graph is worth particular notice, that the density peaks are more the results of national one-off mobilization than substantive growth of the TNA population. The extraordinary participation at COP8 in Curitiba, Brazil, had more to do with a huge influx of Brazilian TNAs than a steadily growing reputation on the part of the CBD. 578 TNAs convened to follow the proceedings, a 67 percent increase from the 345 who participated at COP7 in Kuala Lumpur two years earlier. However, 300 of the TNAs present, or 52 percent, were from Brazil and had never participated at any COP before, nor would they attend any subsequent COPs. The pattern repeated itself at 2010's COP10 in Nagoya. Density rose to its highest level yet, 3.19, and the 615 TNAs made up the biggest body of observers ever to attend a CBD COP. However, as with COP8, this number was due to a massive mobilization of *national* civil society. 239 Japanese TNAs showed up, the vast majority never seen at any COP before COP10. Issue-wise, however, they were as diverse as we saw in Curitiba: 64 business entities, 42 uni-

versities, 39 environmental organizations and 31 science and engineering representatives.

This analysis provides us with a few insights. First, the two extremes discussed above seem to be caused by a GPV effect. The primary challenge for the CBD as it seeks to engage with global civil society seems to be to ensure that more observers get the opportunity to participate at multiple COPs, and not be confined to those happening to take place in their neighborhood. Whereas this shows that the model of ambulating COPs can clearly bring in segments of civil society that would not otherwise have the opportunity to participate, a big challenge lies in enabling these TNAs to stay involved over time. One may wonder what part of the answer to this is found in the CBD's own policies, namely that "the Secretariat of the Convention on Biological Diversity does not provide financial support for the participation of non-governmental organizations in CBD meetings. Travel and other expenses must be covered by the organization or the representative" (CBD Secretariat 2012g), and whether changing such policies could provide for a more stable TNA participation. With that, it is time to turn to the next dimension of participation: diversity.

The Diversity of the CBD TNA Population

Figure 19: Aggregate Issue Orientation CBD, 1994 - 2010

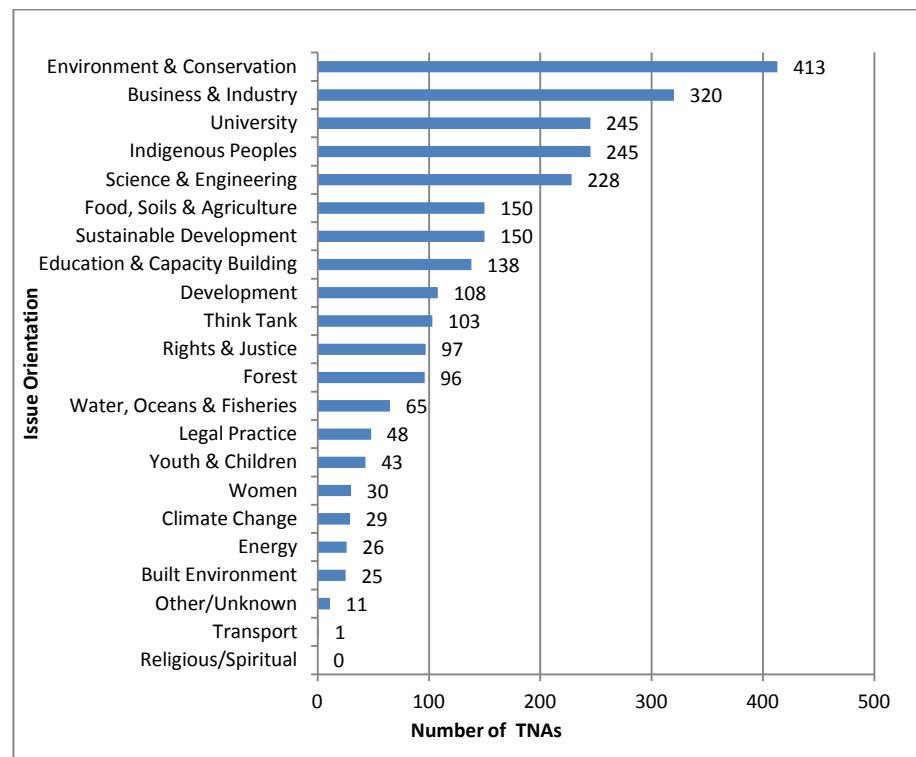


Figure 19 shows the distribution of the 2,069 TNAs ever to attend CBD COPs for which issue orientation could be determined. A further 11 have attended COPs but could not be categorized. Following Cabré and Hanegraaff et al. on assigning multiple categories to each observer, we end up with N = 2,556. The figure tells us that the largest cohort of TNAs active in the CBD thus far has been environment and conservation. This is followed by business and industry, universities and indigenous peoples. At the other end of the scale, we note how built environment, transport and religious/spiritual are the least populated categories. This seems to offer support to some of the theoretical expectations reported in chapter four. Although not as dominant as in the UNFCCC, business and industry TNAs are well represented also here. However, the strong presence of indigenous groups is interesting, although it seems these numbers are due to high presence of such groups at COPs held in South America, another aspect of the GPV effect.

Figure 20: Top Five Issue Cohorts CBD, 1994 - 2010 (%)

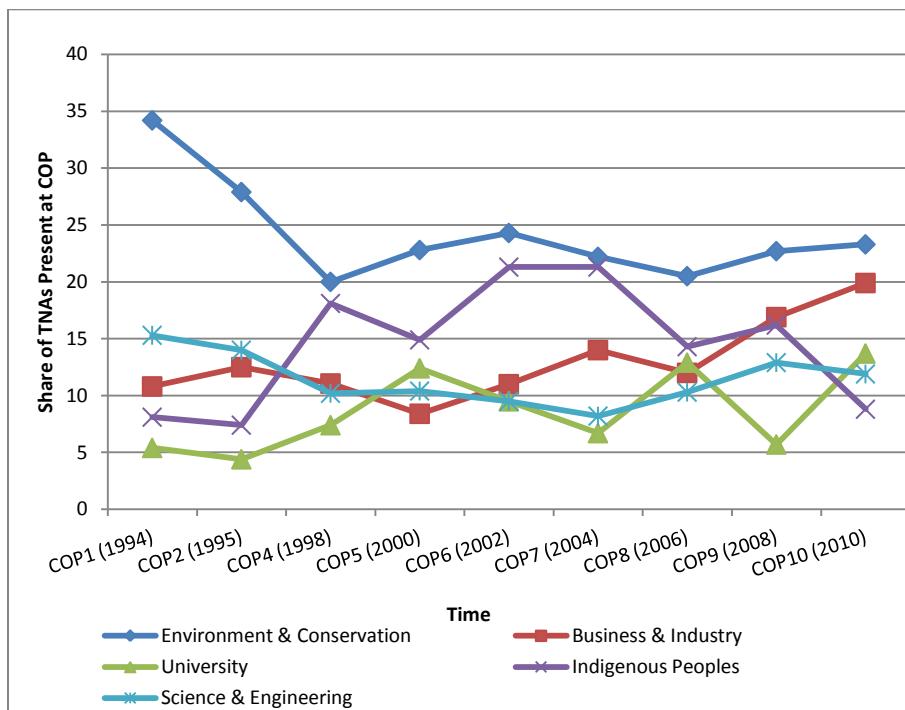


Figure 20 displays the development of the five most populated cohorts of the CBD TNA population from 1994 – 2010. We notice the overall trend that the distribution of the CBD TNAs, issue-wise, has become more even over time. Whereas one particular cohort, Environment and Conservation, enjoyed a rather sizable numerical advantage at the first two COPs, other cohorts have over time managed to catch up. Environment and conservation's share of TNAs present at COPs has dropped from almost 25 percent per COP to a level a little above fifteen percent.

Another aspect worthy of mention is the spike in business TNA participation at COPs 8-10, as it highlights the capacity IOs have to shape the nature of TNA participation. Over the years, the CBD Secretariat and COP perceived the relatively low level of business participation in the CBD as a problem and devised a strategy to attract more. COP Decisions VIII/17 and IX/26 laid out the fashion in which this was supposed to happen, with IX/26 arguing that “[w]hile there has been notable progress in mobilizing the business community on biodiversity since the eighth meeting of the Conference of the Parties, relatively few companies, in particular small and medium-sized enterprises, are aware of the business and biodiversity linkages or the relevance to business of negotiations carried out under the Convention” (CBD/COP/DEC/IX/26). A corner stone of this strategy was the so-called Business and the 2010 Biodiversity Challenge, a program aiming to

strengthen business engagement in the implementation of the CBD. The first meeting, held in London, from 20th to 21st January 2005, focused on engaging industries with a direct footprint on biodiversity and those that impact biodiversity primarily through their supply chains. The second meeting, held in São Paulo, Brazil, from 3rd to 5th November 2005, aimed to further develop the outcomes of the first meeting. It would also explore new ideas for engaging business in the implementation of the Convention by addressing two additional groups: industries dealing with issues related to access and benefit-sharing and the financial services sector. A third meeting was held 30th November – 2nd December 2009 in Jakarta, Indonesia (CBD Secretariat 2009). Following these initiatives, business TNA participation rose sharply and almost triples in the four years from COP8 to COP10. The question is, then, whether such initiatives could be used to attract other underrepresented groups to global environmental governance IOs.

The final trend we note is the participation by indigenous TNAs. From a modest beginning, indigenous groups enjoyed a steady rise that propelled them into second place among the most populated observer cohorts by the time of 2004's COP7 at Kuala Lumpur, Indonesia. Since then, however, indigenous participation at COPs has suffered a steady decline, and by the time of COP10 was back to the five percent mark at which it had begun sixteen years earlier. This is a curious development, as the CBD over time has come to focus more and more on the role of indigenous and native peoples in saving the Earth's biodiversity. The signing of the Nagoya Protocol at COP10 is by many considered to be the final acknowledgement by the CBD of the status and importance of indigenous knowledge and resources. However, others have pointed to the state-centric paradigm in which the CBD was conceived and argue that “the tense nature of State/Indigenous Peoples relationships makes it unlikely that States would give Indigenous people access to an international arena such as the WTO in an unfettered manner. Sovereignty over natural resources is attributed to national governments and hence the CBD is unable to deal with the volatile nature of the relationship between Indigenous peoples and their respective national governments, both in the developed and developing world” (Koutouki 2011: 6). The dwindling presence of indigenous representatives may therefore be an indicator of this, that the CBD is unable to bridge the state/sub-state gap in a meaningful way, causing indigenous groups to simply abandon it.

Figure 21: Aggregate Regional Diversity, CBD 1994 - 2010

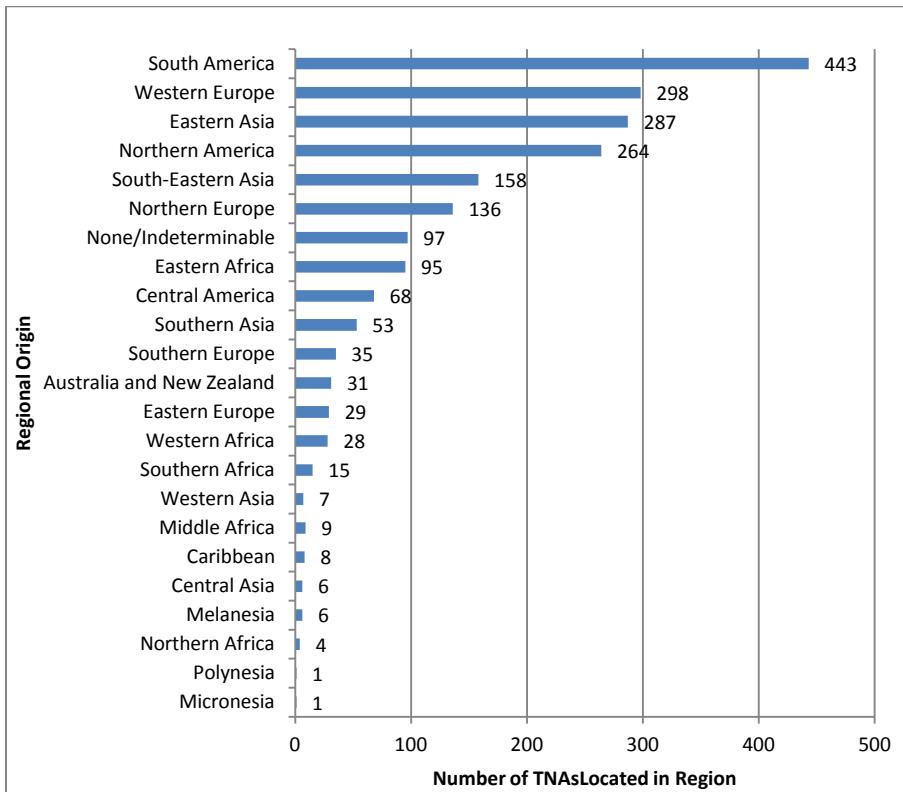


Figure 21 pertains to the second dimension of TNA population diversity, namely the geographical diversity of the TNA observers in the CBD. What we see from figure 21 is that the region supplying the most TNAs to the CBD is South America, followed by Western Europe, Eastern Asia and Northern America. At the other end of the spectrum, large parts of the African continent hardly send any TNAs to CBD COPs in spite of the continent possessing both large numbers of people and the world's biological diversity.

Figure 22: The Five Best Represented Regions Over Time, CBD 1994 - 2010 (%)

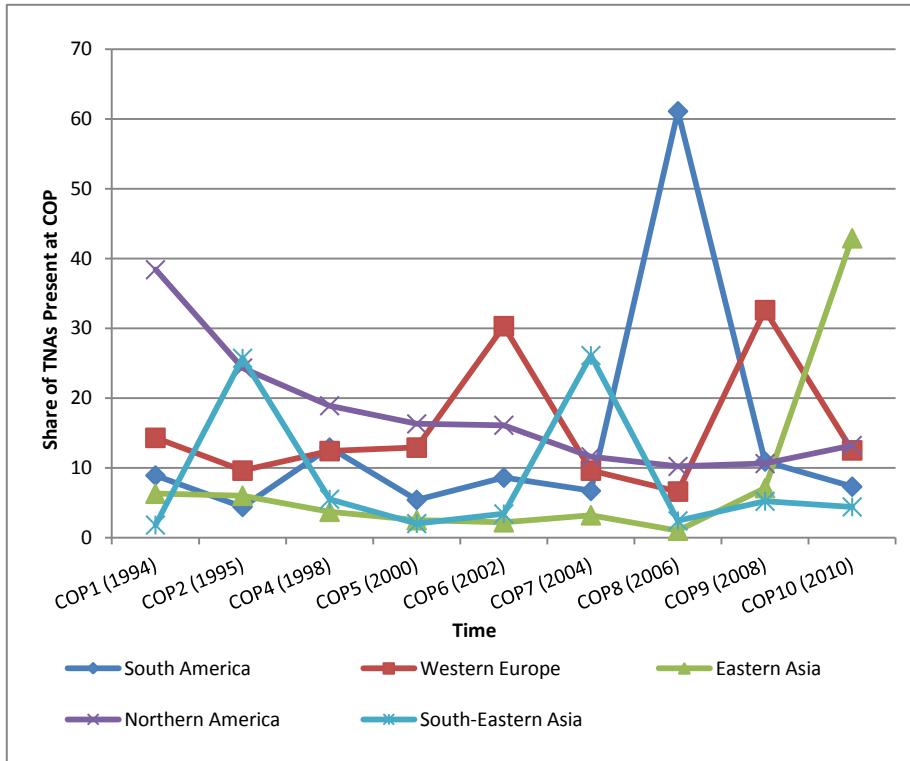


Figure 22 displays the five best represented regions in the CBD observer community and their share of attending organizations during the first ten COPs of the CBD. It offers a single, but prominent finding: TNA participation from any region spikes when a COP is arranged in or near it. South Eastern Asia jumps from providing hardly any participants during 'off' COPs to providing well over 20 percent of the attending TNAs at COPs 2 and 7, taking place in Jakarta, Indonesia and Kuala Lumpur, Malaysia. Western Europe sees similar spikes at COPs 6 and 9, taking place in The Hague and Bonn. North American TNAs were prominently represented at COP1 in Nassau in the Bahamas. South American TNA participation spiked enormously at COP8 in Curitiba, Brazil, and Eastern Asian TNAs had a 40 percent share of the observer community at COP10 in Nagoya, Japan. These findings suggest that the CBD depends for a large part of its TNA population on those located in the regions where COPs are held, and also that the proportion of TNAs present at COPs coming from outside the region in which the COP is held is very small.

Figure 23: Top Ten TNA Host Countries CBD, 1994 - 2010

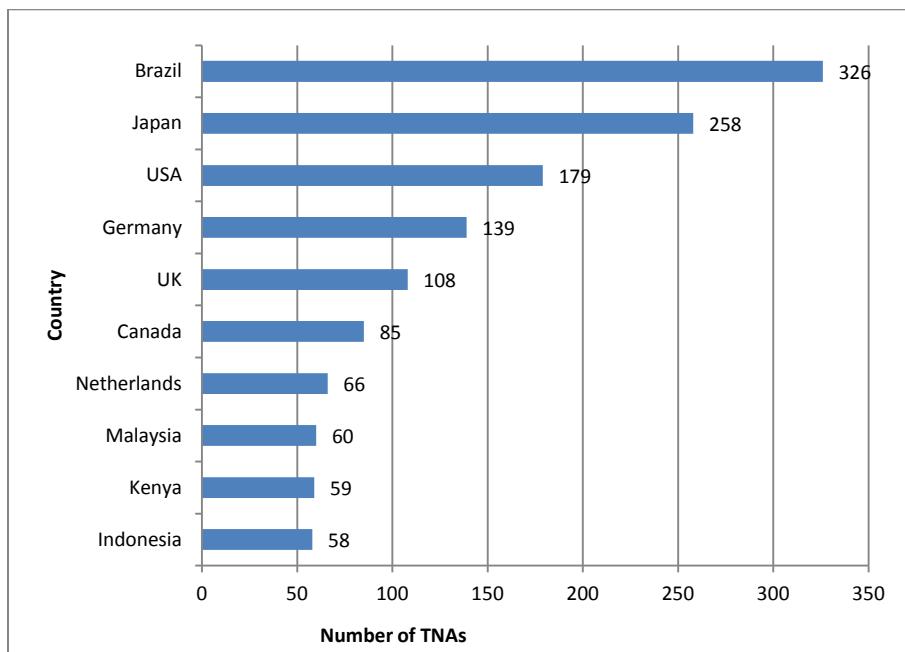


Figure 23 breaks down the geographical diversity of the CBD TNA population a little further, as it displays the number of TNAs to have attended CBD COPs from the ten countries which have supplied the largest numbers of TNAs to the CBD. At the top of the list we note that Brazil and Japan outnumber the rest of the most represented countries, Brazil having supplied almost twice as many TNAs as the United States. Furthermore, we note that also non-western countries provide a lot of TNAs to the CBD, with Malaysia, Kenya and Indonesia all in the top ten. These findings may to a certain extent raise questions about existing assumptions in the literature, such as that TNA populations in global governances will inevitably be dominated by organizations located in rich and developed countries.

Figure 24: The Five Best Represented TNA Host Countries Over Time, CBD 1994 - 2010

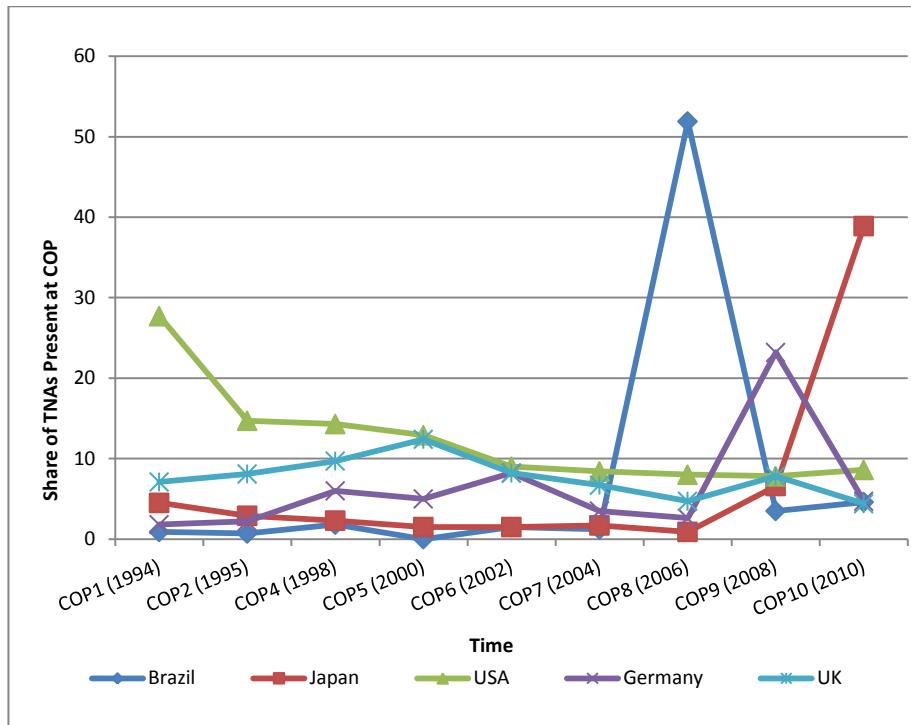


Figure 24 displays the share of TNA observers at CBD COPs coming from the five countries having provided the highest aggregate number of TNA observers thus far in the CBD's history. I limit the graph to five countries in order to keep it clean and readable, as well as for the limited share of the observer community provided by other countries. Like previous figures in this chapter, the main observation we draw from this is that there are significant spikes in national TNA participation once a COP takes place in or close to it. Participation by US TNAs spiked at COP1 in the Bahamas, Brazilian TNA participation spiked at COP8 in Brazil, German participation spiked at COP9 in Germany and Japanese participation spiked at COP10 in Japan. We also note how the influx of new, national TNAs does not seem to have a lasting effect – participation levels immediately drop to the levels seen at COPs prior to those held 'at home'. These findings suggest the existence of a GPV effect also in the CBD TNA population, which will be investigated closer below.

Figure 25: The Two Europes, CBD 1994 - 2010 (%)

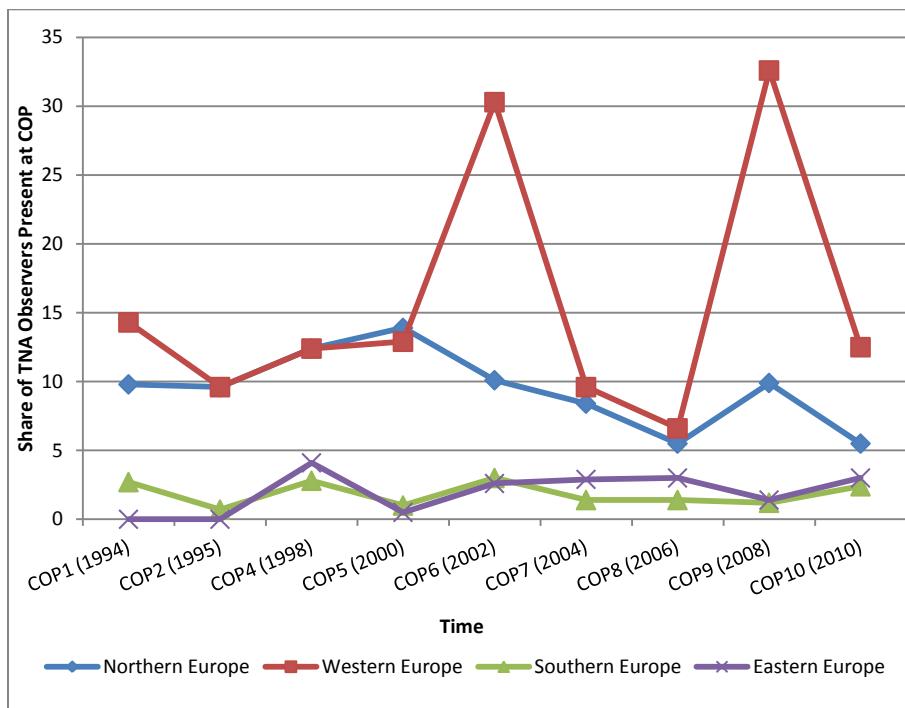


Figure 25 demonstrates that most of the European TNAs active in the CBD are located in Western and Northern Europe, and that just a fraction of European TNAs come from Eastern and Southern Europe. For the latter, not even COPs close to home appear to spur much enthusiasm. In fact, while Southern Europe manages to maintain something of a presence throughout the period, Eastern European civil society disappears completely on several occasions. These findings show that even TNAs from reasonably well developed regions can fail to maintain a presence at international environmental negotiations, thus supporting the idea that the explanations for this need to be sought also beyond the realm of the financial resources available to TNAs.

Figure 26: GPV Effect CBD, Country Level, 1994 - 2010

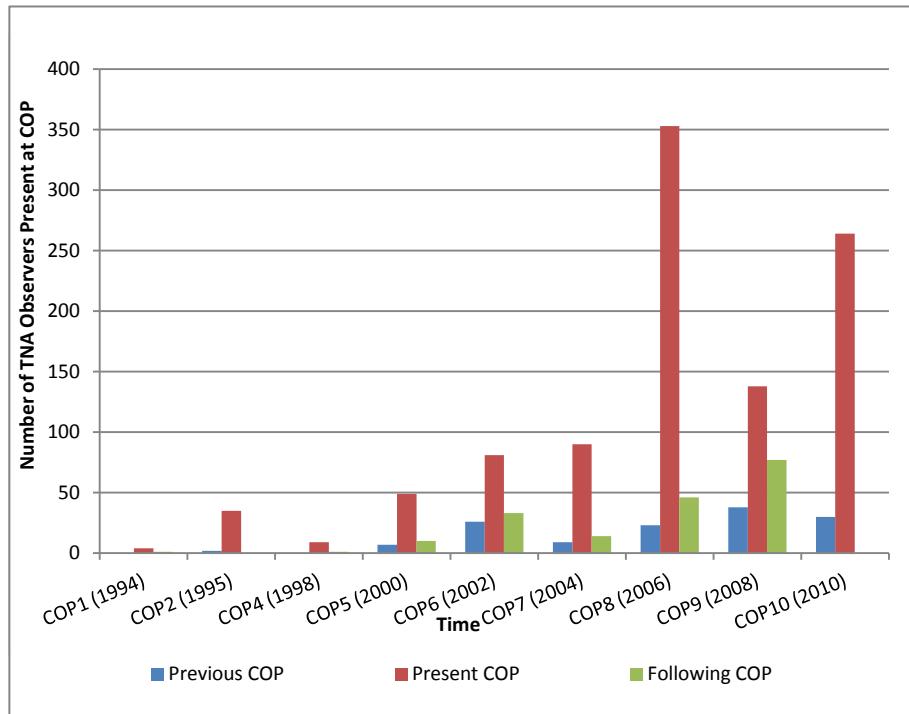


Figure 26 compares TNA participation from COP host countries at the preceding, current and subsequent COPs. The purpose is to identify whether a GPV effect can be detected in the CBD. Data for COPs 2 and 4 are incomplete due to the lack of participation data for COP3. We note that TNA participation spikes in the host country. We also note that TNA participation at the immediately subsequent COP is always higher than at the COP immediately preceding it, suggesting the GPV effect carries on. These findings are clear indicators that a GPV effect exists at the national level in the CBD.

Figure 27: GPV Effect CBD, Regional Level, 1994 - 2010

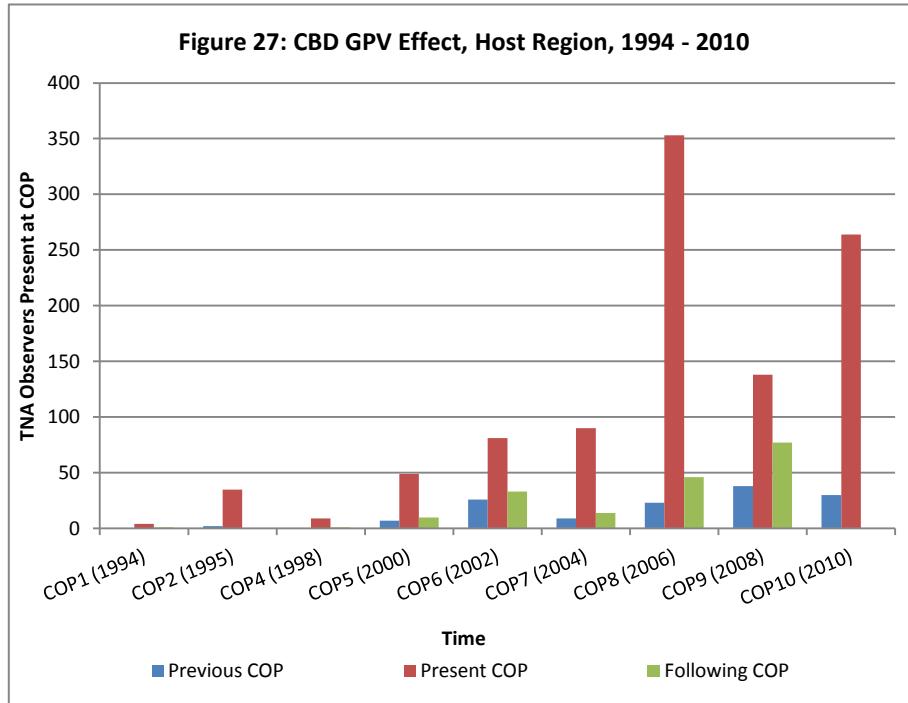


Figure 27 compares TNA participation from COP host regions at the preceding, current and subsequent COPs. Data for COPs 2 and 4 are incomplete due to the absence of participation data from COP3. We note that regional TNA participation spikes when a COP is arranged in it, clearly pointing to the existence of a GPV effect. We also note how TNA participation is higher at the succeeding COP than at the preceding, suggesting the GPV effect carries on to subsequent COPs.

Figure 28: Simpson's Index of Diversity, CBD, Geography, 1994 - 2010

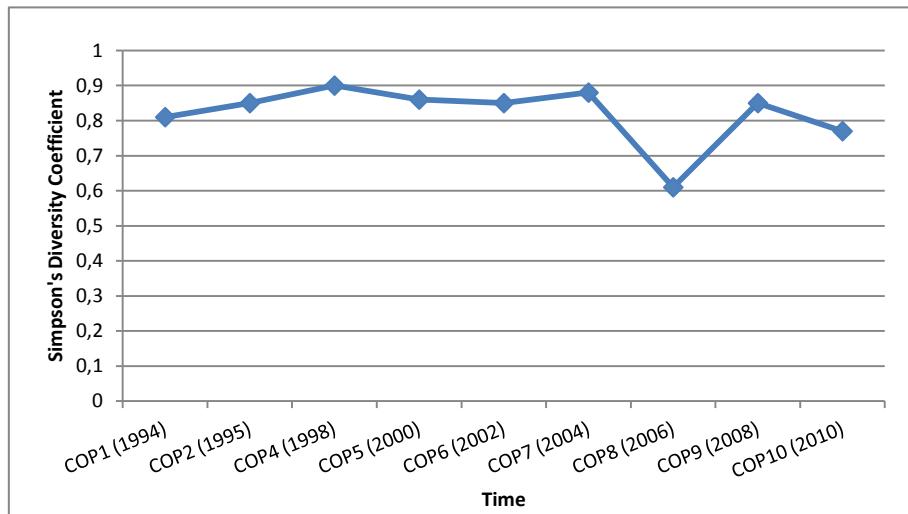
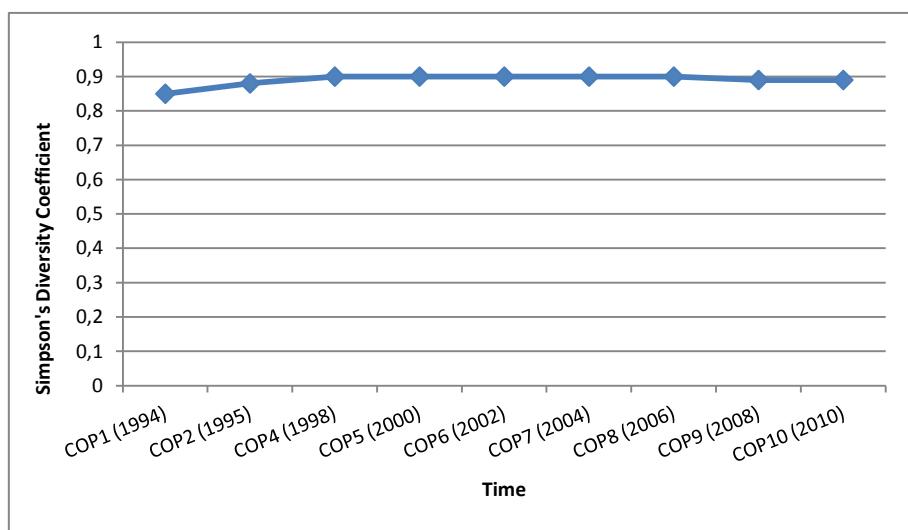


Figure 29: Simpson's Index of Diversity CBD, Issue Orientation, 1994 - 2010



Figures 28 and 29 display Simpson's Index for the geographical and issue diversity of the CBD TNA population. We note the stable and high geographical diversity throughout the period. The dips at COP8 and COP10 are easily explainable as the results of the high influx of national TNAs at these two COPs. Figure 29 displays Simpson's Index for the issue diversity of the TNA population. It shows stable and high diversity in terms of the issues represented by the TNA observers throughout the period.

The Volatility of the CBD TNA Population

Figure 30: Aggregate TNA Attendance, CBD 1994 - 2010

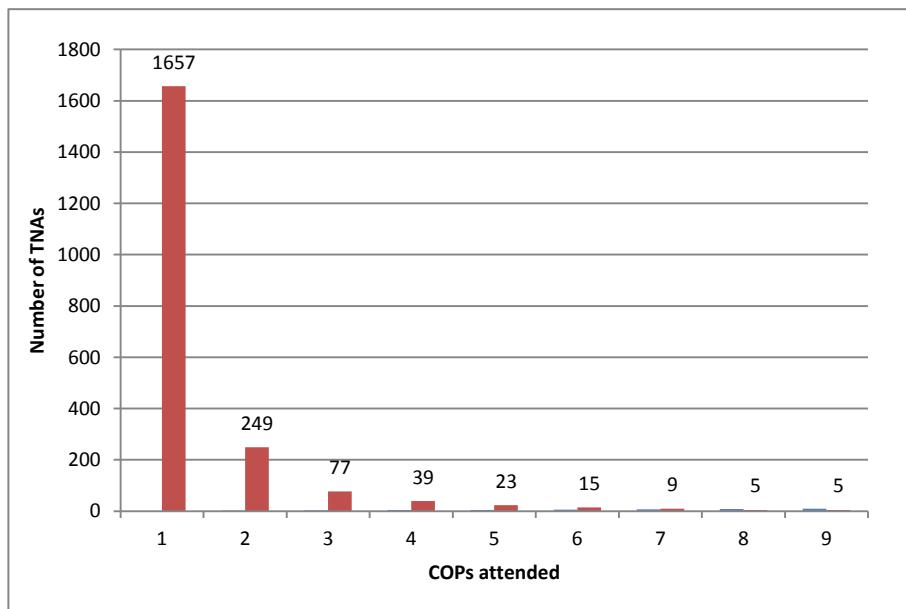


Figure 30 displays the numbers of TNAs having attended what number of CBD COPs. The most important finding from this figure is that a vast majority of observer TNAs have attended very few COPs. Both the mean and median are one COP, and 95 percent of TNAs have attended three COPs or less. At the other end of the scale, we note that just ten TNAs have attended eight or nine of the nine COPs for which I have participation data. Three of these are based in the US, China and the Netherlands supply two each whereas Ecuador, Malaysia and Switzerland provide one each. This suggests that the CBD is dealing with a for the most part extremely inexperienced group of observers and that a tiny cluster of observers with the resources to participate time and again are likely to wield whatever influence comes out of the observer community. It seems unlikely that TNAs participating once, as most do, or even twice, will have the necessary resources, contacts or knowledge of the process to participate in an effective manner and make their voices heard. These findings thus raise serious doubts about the CBD's ability to engage global civil society as per their own ambitions.

Figure 31: 1st Time Entry and Exit Rates, CBD 1994 - 2010

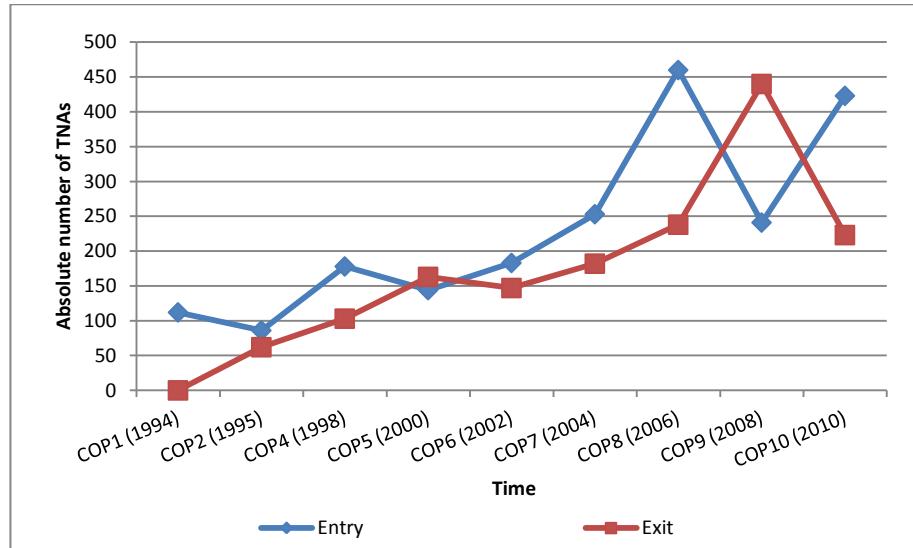


Figure 31 displays the 1st time entry/1st time exit rates of the CBD TNA population. Entry rates are calculated as the number of TNAs attending a COP for the very first time, whereas exit rates are calculated as the number of TNAs not attending a COP for the first time since joining the CBD observer community. The first observation we note is that every COP has attended newcomers. Furthermore, we note how closely the fluctuations in entry and exit rates resemble one another. Rises in entry rates at a COP are immediately followed by similar rises in exit rates at the subsequent COP. It seems safe to assume that the fluctuations in TNA participation in the CBD documented in this chapter stem from variations in the supply of new TNAs, not from an increasing ability on the part of the CBD to make those already involved return for consecutive COPs. These findings further serve to underscore the volatile nature of CBD observer participation.

Figure 32: Total Entry and Exit Rates, CBD 1994 - 2010

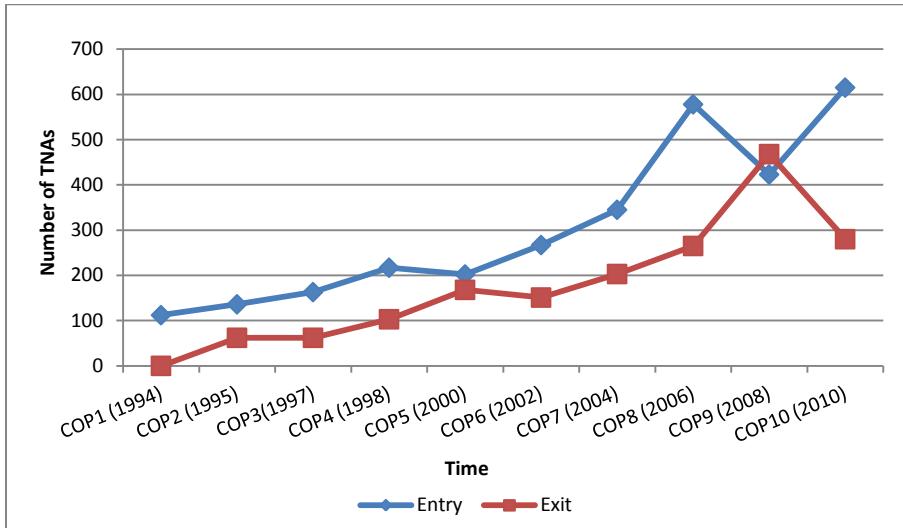


Figure 32 shows the *total* entry and exit rates of the CBD COPs. Entry rates are calculated as the combined number of TNAs attending the COP in question, and exit rates are calculated as organizations attending the previous COP but not the COP in question. It demonstrates that fluctuations in entry rates are mirrored by fluctuations in exit rates. Rising entry rates at a certain COP are immediately mirrored by rising exit rates at the subsequent COP. These trends are hard to interpret. The interpretation that appears closest at hand, however, is that figure 32 display that volatility in the CBD TNA population has been and remains high. The increasing density reported earlier in this chapter is due to higher entry rates, not an increasing tendency on the part of TNAs to increasingly return to COPs. This again begs the question of whether the CBD needs to adapt its policies in order to enable more TNAs to participate at more COPs.

Figure 33: Composition of CBD TNA Population, 1994 - 2010

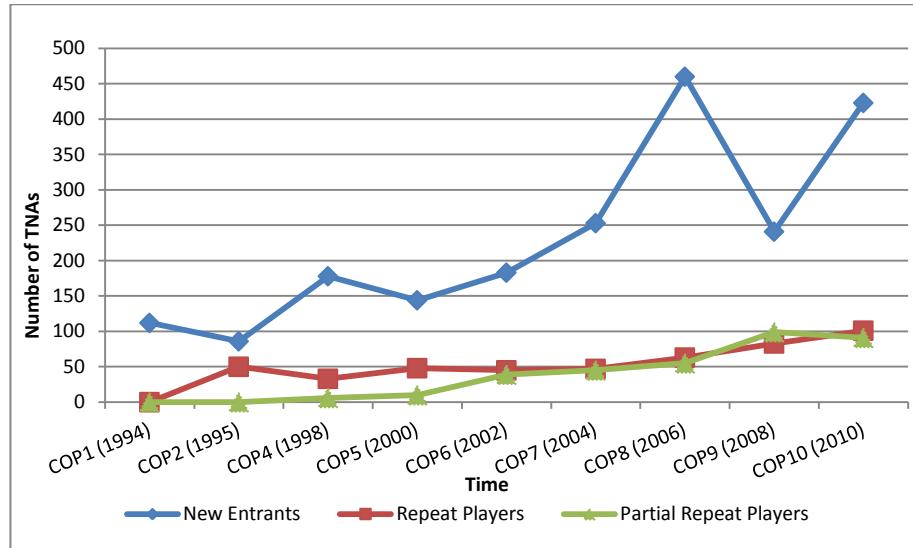


Figure 33 displays the composition of the CBD TNA population throughout its history, as per Hanegraaff et al.'s (2011a) categories of TNAs: 'new entrants' refers to TNAs participating at a COP for the very first time, 'repeat players' means TNAs having attended every COP since their first, and 'partial repeat players' entails TNAs which have participated at some, but not all, COPs since attending for the first time. The figure tells us that new entrants have made up the majority of TNA observers at every COP throughout the CBD's history, and their share has been steadily rising throughout this period. The peaks at COPs 8 and 10 signify the large influx of national TNAs at these two occasions.

This graph clearly shows the inexperienced nature of the CBD observer community. The portion of TNAs with somewhat more experience of the process is minuscule, and this graph reiterates the recurring point in this chapter: to what extent can the CBD observer community possibly manage to make an impact when the overwhelming majority has no prior experience of the process? Furthermore, the fact that population density has been rising steadily in spite of the fact that almost all observers show up once and never are heard from again further corroborates Anderson et al.'s findings about populations of interest groups being stable in the aggregate but volatile at the individual level.

Figure 34: CBD Turnover Rate 1995 - 2010 (%)

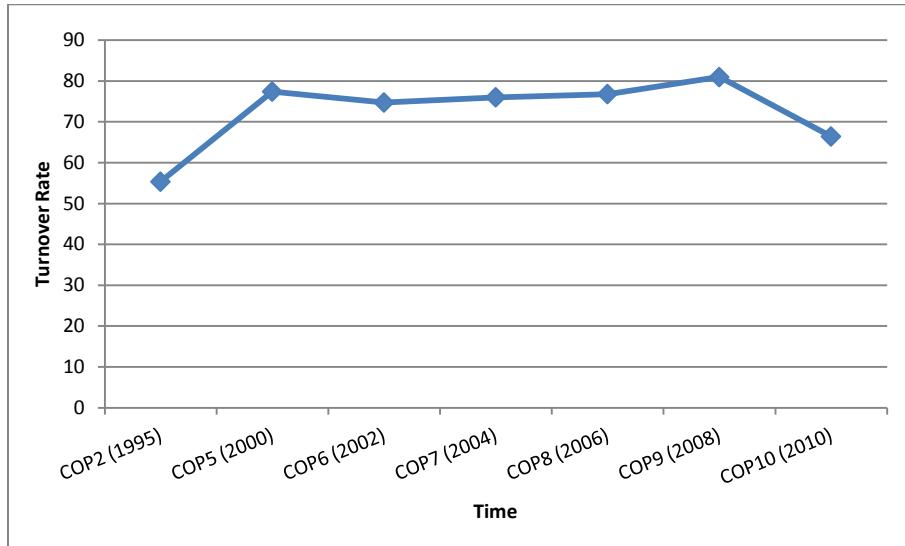


Figure 34 describes the turnover rate of the CBD TNA population. The turnover rate is calculated as the percentage of TNAs present at a COP that did not show up for the subsequent COP. It illustrates that the turnover rate, and thus the volatility, of the CBD TNA population has been very high throughout this period, with an average level so far of 74 percent. Once more, we are reminded of the main problem with the CBD's engagement with civil society. Even with scant evidence to which the 74 percent figure can be compared it seems this number is very high. We remember from chapter five how the UNFCCC's TNA population has operated with a far lower average turnover so far, of 35 percent. It seems that relying on an ever-increasing supply of freshman observers is not a viable path if one wants global civil society to be an equal partner in the ongoing struggle to save biological diversity on Earth.

Summary

This chapter has described the development of the CBD TNA population from 1994 to 2010. The main conclusion is that the CBD's engagement with global civil society is characterized by instability and ad-hoc participation.

As for density, we note a three-phased development over time resembling an s-curve. It remained stable for the first five COPs before entering a period of exponential growth which culminated at COP8. Density subsequently dropped at COP9 but picked right up again to an all-time high at COP10 in Nagoya, 2010. Based on this, it would be tempting to conclude that the TNA population is on its way to stabilizing somewhere between the COP9 and COP10 density levels. However, with no sign of the CBD manag-

ing to bring exit rates down, it is hard to see a clear sign of the CBD TNA population stabilizing any time soon. As for diversity, the most populated cohorts of observer TNAs have been conservation and other environmental causes, followed by indigenous peoples' representatives. Business and industry representatives were hardly represented at all until later years, possibly following two decisions by the COP arguing for the need to involve business actors more and the subsequent establishment of the 'Business and Biodiversity 2010 Challenge'. This initiative has succeeded to such an extent that business participation has tripled in the period 2006 – 2010. Geographically, the bulk of TNAs come from Japan and Brazil. This numerical dominance is, however, due to the two one-off events rather than a consistent presence of observers from these countries and continents. As for volatility, it seems quite clear that the CBD's premier challenge in building a viable observer community is to make sure that more of the observers return for subsequent COPs. With an average turnover rate of 74 percent which shows no sign of dropping, the observers at every COP so far have been made up of mostly debutants who would have stood little chance to familiarize themselves with the process, the key actors and the various strategies to which they can resort in order to be noticed and make an impact. If it is indeed an ambition on the part of the CBD Secretariat to build a viable observer community, this is a problem that needs to be addressed immediately.

CHAPTER 7: COMPARING AND EXPLAINING TNA PARTICIPATION IN THE UNFCCC AND CBD

This is the third and final empirical chapter and consists of three parts. The first part consists of a comparative analysis of the three dimensions of TNA participation described in chapters five and six. The second part consists of an empirical assessment of the hypotheses set forth in chapter four, whereas the final part sums up the chapter and its findings before pointing the way to the concluding chapter eight.

The main question addressed by the comparative analysis in this chapter is to what extent the UNFCCC and CBD display similarities and differences in their patterns of TNA participation. Addressing these questions through a comparative analysis further allows me to put the descriptive findings from chapters five and six into perspective, which is especially fruitful given that there is little material with which to compare these findings. The analysis shows that while TNA participation in both the UNFCCC and the CBD has developed according to the theoretical expectations set out in chapter four, there are interesting and important differences between them that should be highlighted.

The main findings from the empirical assessment of the hypotheses set forth in chapter four and described in the second part of this chapter are that the resources available to TNAs, primarily financial but also in human terms, make up the best predictor of whether the TNA has the opportunity to participate at COPs. As the availability of human and financial resources correlates with being based in rich, developed and democratic countries, my analysis suggests that both the UNFCCC and the CBD fail to live up to their stated goal of engaging broadly with global civil society, instead reproducing the asymmetric power relations seen among the state Parties to the Conventions.

Comparative Analysis

This study has shown that TNA participation in the UNFCCC and CBD has developed along similar, yet in some aspects, highly diverging lines. On the basis of the findings from chapters five and six, this section compares the patterns of TNA participation in the UNFCCC and CBD as these have developed over time. Following the structure of the previous chapters, the analysis focuses on:

- The density of TNA participation in the UNFCCC and CBD
- The diversity of TNA participation in the UNFCCC and CBD
- The volatility of TNA participation in the UNFCCC and CBD

The Density of TNA Populations in the UNFCCC and the CBD

TNA population density in this study was defined as the number of TNA observers present at a given COP relative to the number of Parties to the Convention at the same point in time. This relative measure was derived from population ecology and recently applied in the few studies similar to this one, mainly carried out on the EU and the WTO (Hanegraaf et al. 2011a; Messer et al. 2010). The theoretical expectations derived from earlier studies was that density over time would describe an s-curve, with a first phase seeing density low and stable as the interest group system establishes itself and gains a reputation. At some point the system may gain traction, after which a second phase of exponential density growth sets in. Finally, as population ecology stipulates that an interest group system contains a finite number of resources, density is expected to reach a saturation point after which a third phase of stable density sets in.

The density rates of the UNFCCC and CBD TNA populations seem so far to have developed in accordance with the theoretical expectations set out in chapter four. Both the UNFCCC and the CBD display a three-phased development: at the outset, we notice a first phase where density is fairly stable. This phase lasted for the first five COPs (five years) for the CBD and the first twelve COPs (eleven years) for the UNFCCC. The second phase sees density for both the UNFCCC and the CBD enter a period of exponential growth. For the CBD, this period lasts from COP6 through COP8 and sees density grow from 1.14 to 3.07, almost a tripling. This phase culminates with COP8 in Curitiba, Brazil, in 2006. Simultaneously, the UNFCCC displays a second phase stretching from COP13 to COP15 which sees density rise from 1.23 to 4.06, almost quadrupling the number of observers. This is followed by a third phase, in which both IOs currently find themselves, characterized by stabilization. CBD density drops somewhat at COP9 before rebounding and even exceeding the previous peak level at COP10. The same development happens in the UNFCCC. Density levels drop somewhat at COP16 before rebounding at COP17.

The similarities between UNFCCC and CBD density patterns over time are striking and suggest that the concept of density, in spite of being the result of research carried out at national and sub-national levels of governance, can be successfully scaled up and applied also at the international level. Furthermore, they suggest that we are now entering a phase of theory development for interest group and global governance theory. As the theoretical expectations from this point onward are that both these TNA populations will remain stable as far as density is concerned, any developments in either direction other than stability should generate further attention from interest group scholars seeking to explain why the predicted period of stability does not last.

On the other hand, there are differences in density levels and development between the UNFCCC and the CBD that should be addressed. First among these is the difference in *absolute* density levels. The CBD peak level thus far is at 3.19, whereas the UNFCCC's peak level of 4.08 is 27 percent higher. This in spite of the total number of TNAs participating in the CBD being 54 percent higher than in the UNFCCC. One interpretation of this is connected to the patterns seen in the descriptive analyses of volatility in this study. As we know, volatility is much higher in the CBD than the UNFCCC. This means that even with the higher influx of TNAs into the CBD, the almost complete lack of TNAs returning to subsequent CBD COPs causes density levels to remain lower than in the UNFCCC. The interesting nature of these findings is further emphasized when we consider the levels of formal TNA access to these IOs in the context of the TNA population density described in this study. While the CBD has maintained the same level of access throughout its first ten COPs, the UNFCCC lowered access somewhat starting from its COP11 in Montreal, Canada, 2005. What these density levels tell us, then, is twofold: first, density levels in the UNFCCC and the CBD have remained highly different from each other even in the period where formal TNA access was identical. Second, UNFCCC density has continued growing even after formal TNA access dropped. In all, these findings suggest, as will be displayed below when hypotheses 5 and 6 are empirically assessed, that the level of formal TNA access does not exert much influence on density levels in transnational TNA populations.

The Diversity of TNA Populations in the UNFCCC and CBD

The diversity of TNA populations means two things in this study. First, it refers to the level to which different issues are represented by the observers, and, second, it refers to the variety of geographical locations from which the TNAs come. The theoretical expectations for TNA population diversity were twofold: first, we expected to see high representation of business and industry TNAs, as these are well-resourced and can easily mobilize when their interests are under threat. Second, we expected numerical dominance by TNAs from developed countries in Europe and North America, seeing as these have better access to the kind of resources needed to participate at the international level of global governance.

The issue diversity of the UNFCCC and CBD offers interesting findings. Business and industry is on aggregate by far the numerically dominant issue cohort in the UNFCCC. However, the analysis over time revealed that its share of the UNFCCC TNA population has been dropping steadily ever since COP1, and is now down from above 25 percent at the first COP to a little over fifteen percent. This suggestion of an evening out of the numerical presence of various stakeholder cohorts in the UNFCCC is further supported

by Simpson's index of diversity, which clearly shows a more even distribution of representation along the issue orientation axis. The CBD, on the other hand, displays a different trajectory. Whereas business participation at first was lower than in the UNFCCC, COPs 8 through 10 have seen a marked increase. In fact, so much so that business and industry TNAs now make up the second largest observer group in the CBD on average. Over the past two COPs, business and industry has been the second largest issue cohort present, and it is now the second largest in the CBD on aggregate. Simpson's index shows that the CBD has also seen an overall evening out of its TNA population in issue orientation terms.

At the other end of the spectrum, both the UNFCCC and CBD have two groups standing to suffer disproportionately from the problems the two IOs were constructed to ameliorate being among the least represented. TNAs engaging with women make up the smallest issue cohort in the UNFCCC, and the fifth smallest in the CBD. TNAs engaging with youth and children are numerically the ninth smallest in the UNFCCC and the sixth smallest in the CBD. This is part of a larger trend in which already disadvantaged countries and communities are underrepresented in global governance (Dingwerth 2008; Held 2004; Dombrowski 2010; Schroeder 2010) and highlights significant weaknesses with the UNFCCC and the CBD's capacity to fulfill their own ambition to engage with a broad swath of global civil society and spread ownership of the environmental problems faced by the Earth and her inhabitants to as many people as possible. If the most vulnerable groups in the face of environmental disaster do not manage to be represented at the table even through global civil society, the question is whether TNA participation in these IOs really does much more than reproduce the kind of asymmetric power relations seen among the state Parties, in which more and more power is vested in informal groupings of states with only limited numbers of members (Forman and Seeger 2006). The reasons for this development seem fairly clear-cut. With financial resources being the most powerful indicator of a TNA's ability to participate at COPs, it is no surprise that it is the most downtrodden and vulnerable of all who fail to muster the necessary support to attend COPs in force. While policy recommendations lie outside the scope of this dissertation, it would seem that the UNFCCC and CBD need to take steps in order to live up to their declared standards of inclusiveness.

In terms of geographical diversity, the key question posed in this study was whether previous results in the literature showing domination of observers from the global North and West would travel also to the environmental policy field. Overall, the data shows this to be the case. TNAs from Northwestern Europe and Northern America make up the largest niches in both the UNFCCC and the CBD. However, as the result of one-off influxes of

huge contingents of local TNAs at a few COPs, most notably the CBD COPs in Brazil and Japan, South America and Eastern Asia are well represented on aggregate. The temporal analyses, however, demonstrate that TNAs from Western, developed countries are overwhelmingly numerable among those TNAs who manage to uphold any kind of steady presence at COPs. The substantial influxes of local TNAs highlight another compelling finding regarding the diversity of the UNFCCC and CBD. Both IOs display what I have chosen to term a GPV effect, meaning that participation from the country and region in which a COP is held increases substantially. This effect has been suggested by previous literature, but this is the first time it has been comprehensively described over time.

Two aspects of the GPV effect should be highlighted. The first is that the GPV effect seems to carry into the next COP, regardless of where it is held. Every country and region where a COP is arranged has higher TNA participation at COP+1 than at COP-1, suggesting that the model of ambulating COPs brings some TNAs into the system which would otherwise not have decided to take part. This effect is seen in both the UNFCCC and the CBD. If this is indeed the case, it provides for the argument to be made that choosing a model where the COPs change location each time does indeed contribute to the inclusion of a broader segment of global civil society in the process. However, the question posed by these findings is whether the ambulating COPs increase the resource demand on TNAs to such an extent, compared to the resource demands associated with lobbying IOs with fixed locations, that fewer TNAs have the ability to maintain the kind of permanent presence needed to play an influential role in the process. While little or no research seems to have been carried out on this issue, it does raise questions about the policy implications of the institutional setup of the UNFCCC and the CBD.

The other interesting aspect coming out of the comparative analysis is that the GPV effect seems to be stronger in the CBD than the UNFCCC. The peaks in national and regional participation in the CBD, Curitiba and Nagoya, saw 300 and 239 national, and 353 and 264 regional observer organizations join the COPs. Most of these had never been heard of before and were never seen again. These numbers are much higher than similar peaks seen in the UNFCCC. The latter's two peak moments of local influx were COP3 in Kyoto and COP11 in Montreal, at which 56 and 59 national and 59 and 143 regional observer organizations participated. The difference in numbers is striking, so what can explain this? One possible interpretation could be that the agendas at these specific COPs covered topics of particular interest to certain segments of Japanese and East Asian civil society, and that this was the trigger of the influx. This, however, is not the case. UNFCCC COP3 saw Japanese organizations from all categories participate,

with environment and conservation being the most numerable with business and industry a good second. CBD COP10 at Nagoya also displays a balanced group of Japanese observers, with business and industry being the largest and environment and conservation the second. The same relationships are found when these numbers are scaled up to the regional level: the populations of local observers at these two COPs are balanced, with business and industry and environment and conservation being the two slightly more numerable groups. This opens the door for a second interpretation, namely that accreditation practices, in spite of formal TNA access to these organizations being equal for half their time of existence, vary to the extent that it explains the fluctuations we note here. While there is not much empirical evidence in this study to support this interpretation, we need to look no further than to the fact that a local restaurant by the name of Indus was granted observer status at COP10 before asking the question of whether the CBD Secretariat has a more relaxed accreditation process than the UNFCCC.

On the other hand, the ability of the GPV effect to carry on to subsequent COPs is lower in the CBD, consistent with the trends of higher volatility and earlier dropouts in that TNA population. However, the existence of the GPV effect supports the notion that ambulating COPs have the ability to bring new segments of civil society into the process, and given the right policy steps to enable smaller and more marginalized TNAs to participate at more COPs we might start to see these rates pick up also in the CBD.

The Volatility of TNA Populations in the UNFCCC and CBD

The volatility of the UNFCCC and CBD consists of four measures: how many COPs each of the observer organizations has attended, the entry and exit rates of TNAs for each COP, the composition of the observer population at each COP and dropout rates. The theoretical expectation for this dimension of TNA participation was that volatility would be high and, to the extent there is data in existence to which findings from this study can be compared, higher than the volatility seen in national and sub-national populations due to the presumably higher resource demands connected to maintaining a steady presence at COPs. Furthermore, we did expect to see small groups of TNAs with high presence in both IOs, as we expected only the most well-established and familiar TNAs to be able to consistently muster the financial and human resources needed.

The first measure, number of COPs attended, produced two important findings: on the one hand it was demonstrated clearly that most TNAs do not attend very many COPs in either IO, yet it turns out there are tangible differences between the UNFCCC and the CBD. As far as the UNFCCC is concerned, 30 percent of TNA observers have attended one single COP. The

cohort that has attended three or less COPs comprises 60 percent of all observers ever to get involved with the UNFCCC, and just 41 out of a total of 1614 TNAs attended fifteen or more COPs in the period 1995 – 2011. For the CBD, the trends were the same albeit more pronounced. 79 percent of the observers attended one single COP, and the cohort attending between one and three COPs comprised 95 percent of the total 2085 observers ever to engage with the CBD. At the other end of the scale just ten TNAs, or 0.4 of the total CBD observer community, attended eight or nine of the CBD COPs in the period 1994 – 2011.

What we see here is that while most TNAs do not attend very many COPs, the fact of the matter is that CBD observers overall attend even fewer COPs than UNFCCC observers. How should these results be interpreted? One interpretation could be that the CBD on average attracts less resourced TNA observers than the UNFCCC, and that these are subsequently more prone to early dropouts and less likely to be able to muster the necessary resources to return to more COPs. As to the comparative absence of ever-present TNAs in the CBD, one possible interpretation could be that its lower salience and media exposure makes it a less tempting venue for big TNAs as its COPs do not provide anywhere near the international exposure to media, policymakers and the wider public that other IOs such as the UNFCCC can provide. If this is the case, we may assume the organizations with the resource potential to attend CBD COPs again and again shy away as it is seen as a poor investment in PR terms.

The second measure of volatility, entry and exit rates, corroborates the same trends displayed by the other measures: it is difficult for new entries to IOs to establish presence over time. Generally, fluctuations in entry rates at a COP are mirrored at the next COP, meaning that rising entry rates converge with rising exit rates and vice versa. This goes for both the UNFCCC and the CBD. The UNFCCC does, however, display a diverging trend. The growth in entry rate starting at COP13 and culminating with the huge influx of observers at COP15 coincided with drastically lower exit rates, not surprising given the huge expectations ahead of COP15. However, exit rates did not increase nearly as much as could be expected at COP16 and actually receded further at COP17. As we shall see below, this has caused the UNFCCC observer population to become overall much more experienced than the CBD observer population.

The third measure of volatility is the make-up of the TNA populations in terms of whether TNAs present at COPs are new entrants, repeat players or partial repeat players. Here, we find interesting differences between the IOs. The UNFCCC has from the very start had a relatively high share of repeat players attending COPs, in fact repeat players made up the majority of the observer community up to COP8. This is crucial, as repeat players for

the most part are the TNAs carrying the institutional memory of the observer community as well as the most in-depth knowledge of ongoing processes in the IO. Furthermore, as the UNFCCC and CBD secretariats are mainly made up of officials on two-year secondments from their home governments, maintain stable and recurring presence is perhaps even more important to TNAs in these IOs than in others, seeing as the turnover on the Secretariat side is also high. Between UNFCCC COPs 8 and 15, however, partial repeat players made up the biggest cohort of observer before the massive influx of newcomers at COP15 in Copenhagen for the second time in the UNFCCC's history saw this cohort being the largest. However, COP16 and 17 display a very interesting trend: as a surprisingly high share of the newcomers from COP15 have chosen to return for these subsequent COPs, repeat players have once more become the most numerical cohort of the observer community. This means the UNFCCC at the moment have a fairly experienced group of observers, a feature which may well increase their ability to play a constructive and influential role in the IO. For the CBD, however, the trend is quite different. Throughout its history, the CBD observer community has consisted of a large majority of first-timers, most likely due to the fact described above that the vast majority of CBD observers does not return to subsequent COPs. Analogous to the interpretation that the relatively high experience of the UNFCCC observer community may translate into its playing a more central role in that IO, it should be expected that the inexperience and lack of procedural knowledge should present the CBD observer community with a major obstacle to playing a constructive part in global biodiversity governance.

The final measure of volatility is the turnover rate. By 'turnover' is meant the percentage of TNA observer not returning from one COP to the next. Again, the two TNA populations display interesting differences. The UNFCCC has displayed a highly varied turnover rate from COP to COP over the years, although the overall trend is a steady drop and an overall rate of 35 percent. The low point was reached in 2009, unsurprisingly, with just nine percent of observers present at COP14 not returning for COP15 in Copenhagen. Also this measure points to the surprisingly low turnover rates seen after Copenhagen which have contributed to the highly experienced observer community we find in that IO at the moment. For the CBD, however, the trend is quite different. While the turnover rate has been steady throughout its history, it stands at an average of a whopping 74 percent. Trying to interpret what these results are telling us would mostly mean rehashing the suggestions laid out above: it is possible that the CBD attracts a 'lower class' of TNAs, that the CBD Secretariat in spite of its official access provisions pursues a more relaxed policy of observer accreditation, and that the relatively lower salience of the CBD compared to other comparable IOs

means it fails to attract the kind of TNAs which would otherwise have the human and financial resources to secure recurring and consistent participation.

Explanatory Analysis

The second part of this chapter assesses the empirical support of the hypotheses proposed in chapter four. Building on the structure from that chapter, this section will be organized in terms of the three levels of explanatory variables: TNA, national and IO level. Each of the hypotheses will be treated in two steps, where I evaluate each hypothesis on the basis of statistical analysis and interview data.

TNA Level Hypotheses

H1: The more financial resources available to a TNA, the higher the probability it participates at COPs.

The first hypothesis assumes there should be a correlation between participating at COPs and having access to financial resources. The foundation of this idea is that TNAs, in order to play a role in governance processes, depend on providing ‘goods’ IOs or their state principals want (Bouwen 2002). The more such access goods a TNA can provide, the more successful in pursuing its objectives it will be (Newell 2000). Furthermore, while access goods can include things such as expertise, information and political support (Bouwen 2002) and as such cannot be obtained for free by the TNA, participating at the global level is costly also in terms of the expense incurred by having representatives attend regularly at locations all over the world (Langhorne 2005). Based on this, the expectations for this hypothesis are that we will find a positive relationship between available TNA resources and participation at COPs.

Operationalizing this hypothesis presents a dilemma. While one would want to operationalize it as ‘TNA budget size’, it is doubtful whether finding exact budget data for the 3698 TNAs included in this study for each year during the period 1994 – 2011 would be possible. Visiting each organization’s website suggested that only the largest and most prominent TNAs such as Greenpeace voluntarily and regularly disclose their financial statements. This pattern is corroborated by a search in the Union of Associations’ *Yearbook of International Organizations*. The challenge is, then, to produce a reliable proxy indicator, and this study relies on the World Bank’s GDP per Capita indicator. This is calculated as gross GDP divided by midyear population, and data are available for all years for 142 of the 143 territories in this study, bar the Holy See.

Why use GDP per Capita as a proxy for available TNA resources? Salomon et al. (1999: 24) demonstrate that 40 percent of global nonprofit income³ can be accounted for by state public sector spending. It thus makes sense to assume there is a relationship between the size of available economic resources in a state, as expressed by GDP per Capita, and the size of available economic resources in a country's civil society sector. This means that changes in the size of the overall pie is a probable indicator of changes in the civil society pie as well, as stated by another study of civil society: "if the overall size of its economy increases, a state can devote more resources to social sectors like education, health, or food security without necessarily allocating a bigger proportion of its economic resources to these sectors" (Felner 2009: 413). This point was also made by a study on the relationship between the levels of economic development, health outcomes, and health expenditure: "The most important source of increased health expenditure is economic growth. Even if the share of health spending in GDP remains constant, economic growth translates into more spending on health" (Preker 2004: ii). Naturally, using GDP per Capita as a proxy for TNA budget size leaves a lot to be desired. However, given data availability I contend it is defensible for my purposes. Following the World Bank's analytical income categories (World Bank 2012b), the world's countries are divided into four strata after income levels: high, high middle, low middle and low GDP per capita. This in order to better illustrate the relationship between resource availability and COP participation than would be possible by using just numerical categories.

Table 2: Mean Proportion of TNA Observers According to GDP per Capita of Home Country

UNFCCC		CBD	
Category	Percentage	Category	Percentage
High GDP per capita	86,4	High GDP per capita	60,8
High Middle GDP per capita	7,1	High Middle GDP per capita	20,8
Low Middle GDP per capita	6,0	Low Middle GDP per capita	16,4
Low GDP per capita	0,4	Low GDP per capita	2,0
Sum	99,9	Sum	100

³ Across a 22-country sample

Figure 35: TNA Participation According to GDP Per Capita Over Time, UNFCCC (%)

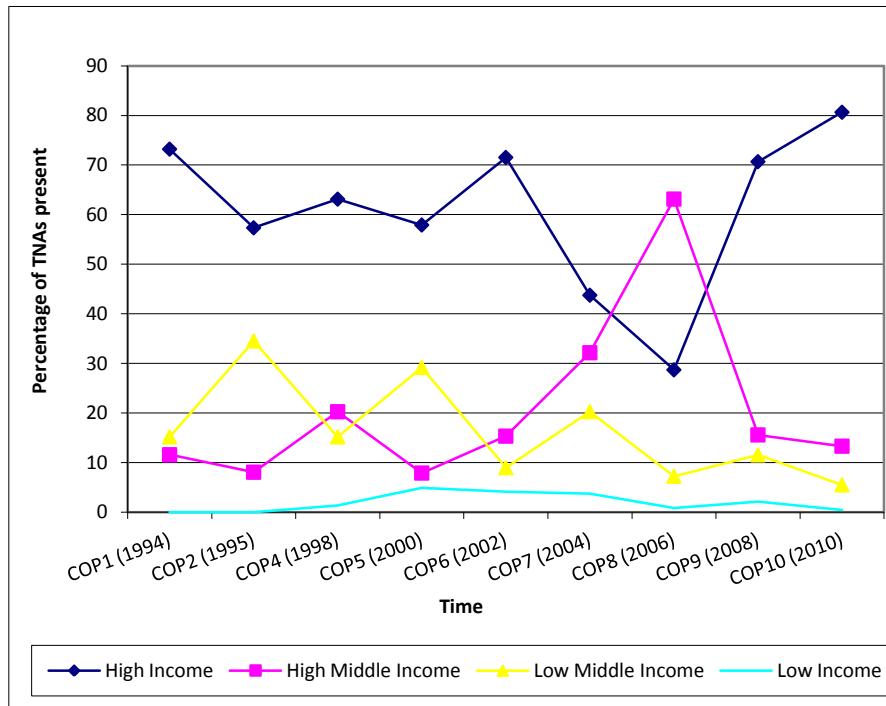


Figure 36: TNA Participation According to GDP Per Capita Over Time, CBD (%)

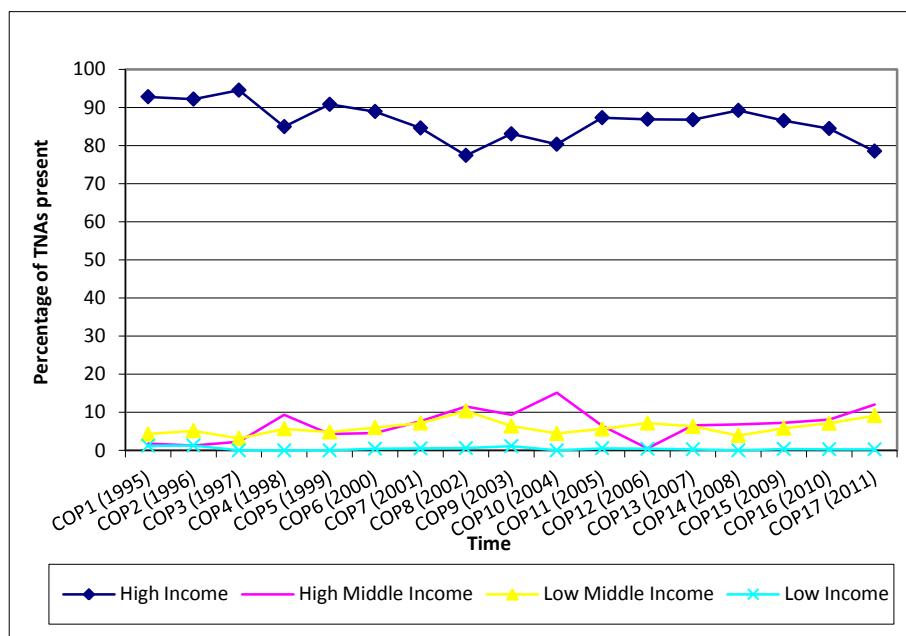


Table 2 shows the overall proportional distribution of TNA observers present at COPs according to the GDP per capita rates of their home countries, whereas figures 35 and 36 display the proportional distribution on the same independent variable COP by COP. We note how H1 finds strong support in both IOs, and particularly in the UNFCCC, as there is a strong relationship between presence at COPs and being based in a country with a high GDP per capita. However, it is worth noting that this relationship is weaker in the CBD, primarily due to the influx of local organizations at COP8 in Curitiba.

Interview data further corroborates the bivariate analysis' emphasis of the financial resources needed to attend a COP. Kelly Levin of the World Resources Institute (WRI) explained that while the money to send *someone* to every COP can be found as this is a central objective to the organization, being able to send a sufficiently large delegation is dependent on raising enough money on a case-to-case basis. The numbers involved are illustrated by Sarah Simons of the Nairobi-based Centre for Agriculture and Biosciences International (CABI), who concedes that the cost to her organization for letting her alone attend one international summit will be in the range of \$10,000, which is "not insignificant to a small-to-medium-size non-governmental organization" and necessitates some kind of tangible return on the investment. This sentiment was echoed by all interviewees.

Similarly, virtually all interviewees also highlighted a lack of funding as the most likely threat to their continued participation. Diego Martinez-Schütt of the German NGO Forum noted that while the Forum are planning to continue their engagement with the UNFCCC in the foreseeable future, funding reductions are at present the most tangible threat to their continued involvement. However, Pat Mooney of the ETC Group claimed that even with a staff of just eight people scattered across the world his organization manages to get a lot done. He ascribes this success to the group's ability to work with partners plus a good reputation for producing good research and sound projects. Finally, Mr. Mooney pointed out that "we have been in this work since the 1970s, [and] most of the staff have been around for a long time and are well known to governments", suggesting the importance of personal relationships and recurring presence compensate for a lack of human resources. Tove Maria Ryding of Greenpeace Sweden similarly related how the continuity of engaging with the UNFCCC process over time makes Greenpeace experts, which contributes to their being heard. As such, it seems clear that the availability of financial resources plays a very strong role in influencing patterns of TNA participation in the UNFCCC and the CBD.

H2: The closer a TNA's headquarters are located to a COP venue, the higher probability the TNA participates at COPs.

The second hypothesis is based on the assumption that the location of the COP impacts the geographical distribution of the TNAs taking part at that particular COP, as has been suggested by previous research (Piewitt 2010; Hanegraaff et al. 2011a; Bantjes 2003; Friedman et al. 2005), and not least by the GPV effect mapped in this study, chapters five and six. The theoretical expectations for this hypothesis are that TNAs from the same country, region and continent (aggregated here as ‘same continent’) would be better represented among the observers at a given COP than observers from other parts of the world.

The variable is operationalized through a two-point ordinal scale, describing whether the TNA in question at the time of a given COP was located on the same continent or not as the COP venue.

Table 3: Mean Proportion of TNA Observers According to Proximity to COP Venue

UNFCCC		CBD	
Category	Percentage	Category	Percentage
Same Continent	35,4	Same Continent	43,2
Not Same Continent	64,2	Not Same Continent	50,8
Missing	0,4	Missing	5,5
Sum	100	Sum	99,5

Figure 37: TNA Participation in Terms of Proximity to Venue, UNFCCC (%)

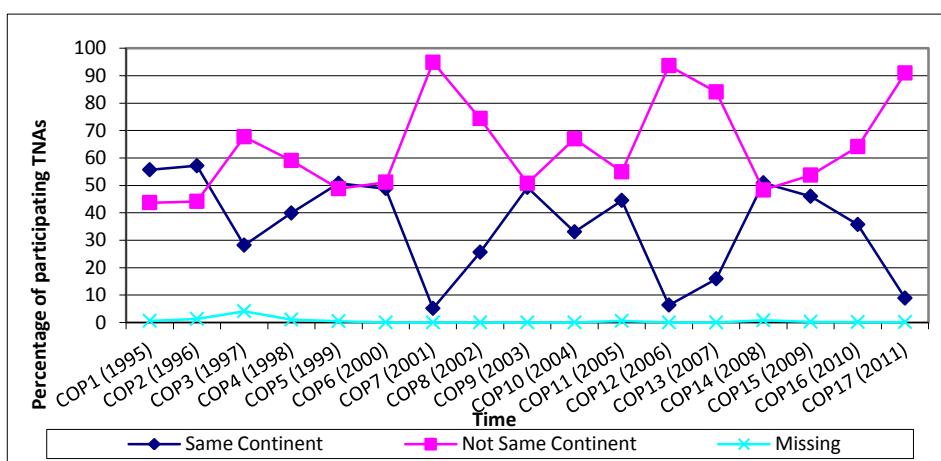


Figure 38: TNA Participation in Terms of Proximity to Venue, CBD (%)

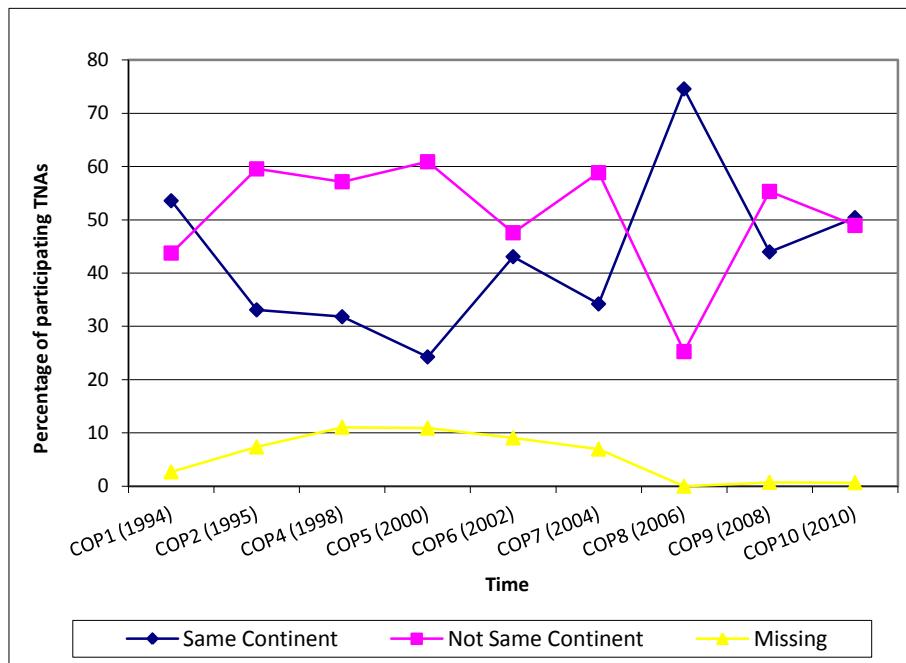


Table 3 shows the overall proportional distribution of TNA observers present at COPs according to their proximity to the COP venue, whereas figures 37 and 38 display the proportional distribution on the same independent variable COP by COP.

Table 2 gives mixed support to H2. While roughly one third of UNFCCC observers, on average, have been located on the same continent as the COP venue, the CBD displays an almost even split between those coming from the same continent and those not. While especially the CBD results suggest an overrepresentation of same-continent observers compatible with H2, this suggests that proximity to venue matters somewhat more in determining the geographical makeup of CBD COP observer populations than it does in the UNFCCC. As we move to the temporal analysis, however, a broader picture comes to light. The mean values of the UNFCCC are masked by four occasions, COP7, COP12, COP13 and COP17, where same-continent participation has dropped close to or below 10 percent. If these were taken out of the picture, the UNFCCC would on average have a 45-55 distribution of TNAs from the same continent and outside, thus providing support for H2 as well. The common denominator for these outlier cases is that they have taken place at locations not known for their numerous and strong civil society actors: COP7 took place in Marrakesh, Morocco, COP12 in Nairobi, Kenya, COP13 at Bali, Indonesia and COP17 in Durban, South Africa. The fact that three of the four outlier cases stem from Africa, possibly the most un-

derrepresented region among the UNFCCC observers, helps explain them as such and increase the credibility of the analysis in which they are taken out, thus providing support for H2 in the context of the UNFCCC. The CBD, on the other hand, displays few such outliers bar COP8 in Brazil which, as we remember, saw an unprecedented influx of Brazilian observer organizations. The temporal analysis thus corroborates the mean distribution from table 2 and its suggestion that there is indeed an overrepresentation of same-continent observers in the CBD.

Interview data provides further support for H2. Jens Holm of GLOBE points out how he was accredited to attend COP16 in Cancun, Mexico, but chose not to go because of the investment of time necessary. Similarly, he points out how, if COP18 had been arranged in South Korea instead of Doha, as was the plan for a while, he would not have been able to attend even though funding was secured. Similarly, Maria Sunér Fleming of Swedish Industries highlights her organization's decision to attend the very close-by COP15 in Copenhagen while not attending COP16 in Cancun in spite of funding and human resources not presenting an obstacle. One interesting question raised by hypotheses 1 and 2, however, is the degree to which the UNFCCC and CBD's mode of ambulating COPs influences patterns of TNA participation relative to a mode of operation in which the COP would convene at a fixed location every time. To my knowledge, no secondary literature mentions this. However, Pierce Riemer of the World Petroleum Council pointed out that while having the COP convene in different locations every time makes sense from a political point of view, he would rather see the COP convene under UN auspices at the same place each time.

National Level Hypotheses

H3: The more internationalized the economy of a TNA's home country, the higher the likelihood the TNA participates at COPs

The third hypothesis assumes that the internationalization of a country's economy is the first step in a process of having larger sectors of the country engage more at the international level of global affairs. Once the economy gets more and more dependent on international market mechanisms, political authorities have no choice but to engage more with the inter- and supranational institutions governing these markets. This, in turn, means that national civil society also has to adopt a more internationalized outlook and follow suit to international institutions in order to influence the policies of their own domestic governments as well as those of the institutions increasingly governing the affairs of their own countries (Castells 2011; Smith

and Guarnizo 2006; Walzer 1998; Florini and Koryu Senta 2000). Hence, if a country has a highly internationalized economy, it can be assumed to have a highly internationalized civil society as well, which in turn may account for some of the TNA participation in international environmental institutions. The theoretical assumption of this hypothesis will be that the TNAs participating as observers at COPs will for the most part be coming from countries with internationalized economies. The variable is operationalized using the World Bank's Trade as percentage of GDP indicator. It represents the sum of a country's exports and imports of goods and services measured as a share of gross domestic product (World Bank 2012a). As the World Bank states it is a rather pointless exercise to rank countries only on the basis of this indicator and therefore does not provide any general way of doing so, I define four strata based on the quartiles of the data set: high, upper middle, lower middle and low internationalization of the economy. This in order to illustrate the relationship better than simply using numerical categories would.

Table 4: Mean Distribution of TNA Observers According to Level of Internationalization of Host Country's Economy

UNFCCC		CBD	
Category	Percentage	Category	Percentage
High Internationalization	22,6	High Internationalization	28,6
High Middle Internationalization	26,2	High Middle Internationalization	23,1
Low Middle Internationalization	17,4	Low Middle Internationalization	20,8
Low Internationalization	33,8	Low Internationalization	27,5
Sum	100	Sum	100

Figure 39: TNA Participation in Terms of Internationalization of Economy, UNFCCC

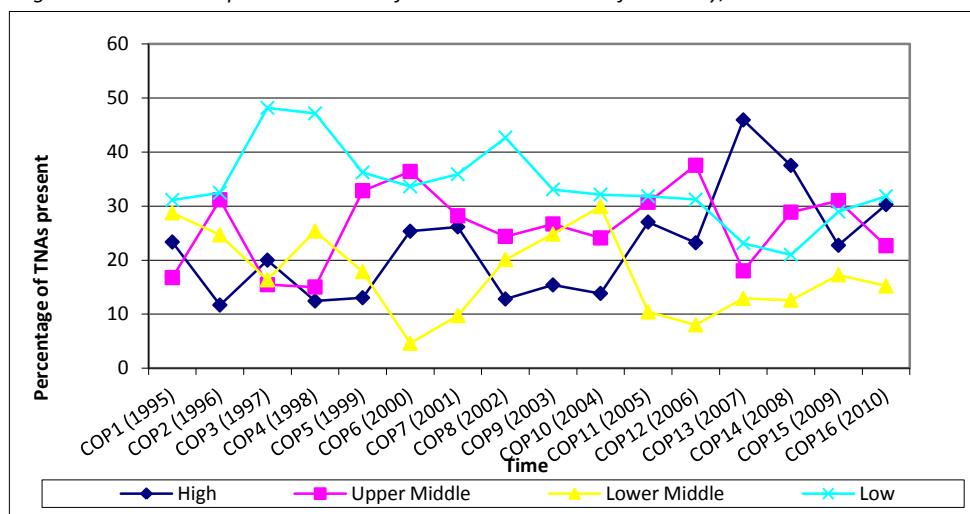


Figure 40: TNA Participation in Terms of Internationalization of Economy, CBD

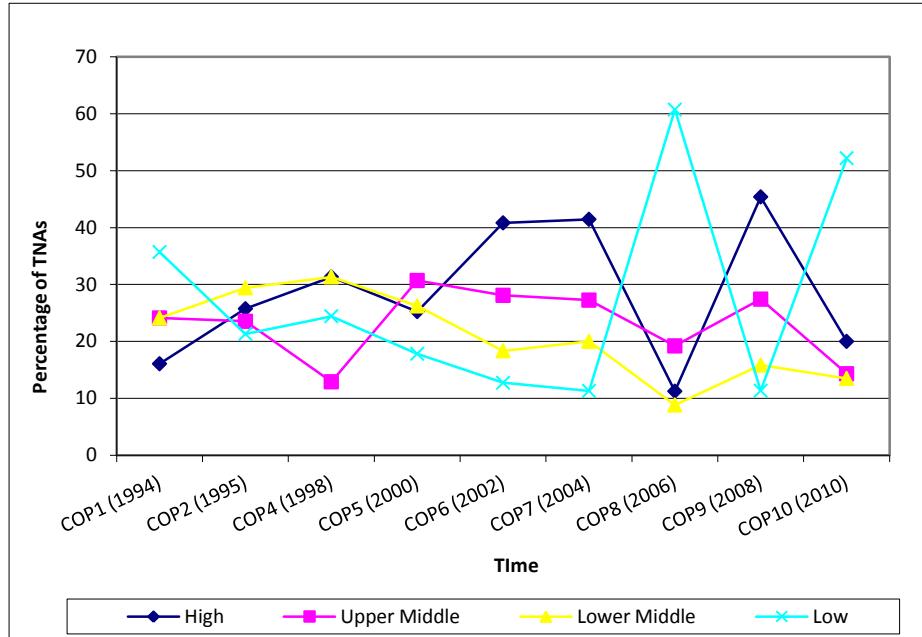


Table 4 shows the mean distribution of TNA observers along the ‘Internationalization of Economy’ variable, whereas figures 39 and 40 show the absolute distribution over time along the same variable. We note the absence of any particular trend here, with the two upper categories and two lower categories splitting the observers almost exactly in half. This suggests there is no relationship between the internationalization of a TNA’s host country’s economy and the TNA’s likelihood of COP participation, and H3 thus fails to find empirical support.

H4: The more democratic a TNA’s home country, the higher the likelihood the TNA participates at COPs

The relationship between a country’s level of democracy and the strength and internationalization of its civil society is well established. As democracy is normally associated with freedom of assembly and speech, it should intuitively offer better conditions for a strong sector to emerge and prepare for the great leap abroad than a civil society operating under authoritarian conditions in which the flow of information and points of view are more restricted. However, it has been argued by some that civil societies operating in settings where they have very little chance of influencing government policy see the international level as an opportunity to exercise the freedoms denied them at home. As Keck and Sikkink (1998: 12) formulate it,

"where channels of participation are blocked, the international arena may be the only means that domestic activists have to gain attention to their issues". As such, the primary theoretical expectation for H4 is that the TNA observers in our two IOs will primarily hail from countries with well-developed democracies.

The variable is operationalized using Freedom House's Freedom in the World report. Countries are assigned a numerical rating from 1 to 7 for both civil liberties and political rights, and the average of these two serves to assign each country a status of free (1.0 to 2.5), partly free (3.0 to 5.0) or not free (5.5 to 7.0). This study utilizes only the average score.

Table 5: Mean Distribution of TNAs According to Level of Democracy in Host Country

UNFCCC		CBD	
Category	Percentage	Category	Percentage
Free	91,1	Free	70,4
Partly Free	6,4	Partly Free	18,9
Not Free	2,0	Not Free	5,0
Missing	0,5	Missing	5,7
Sum	100	Sum	100

Figure 41: TNA Participation in Terms of Host Country Democracy, UNFCCC (%)

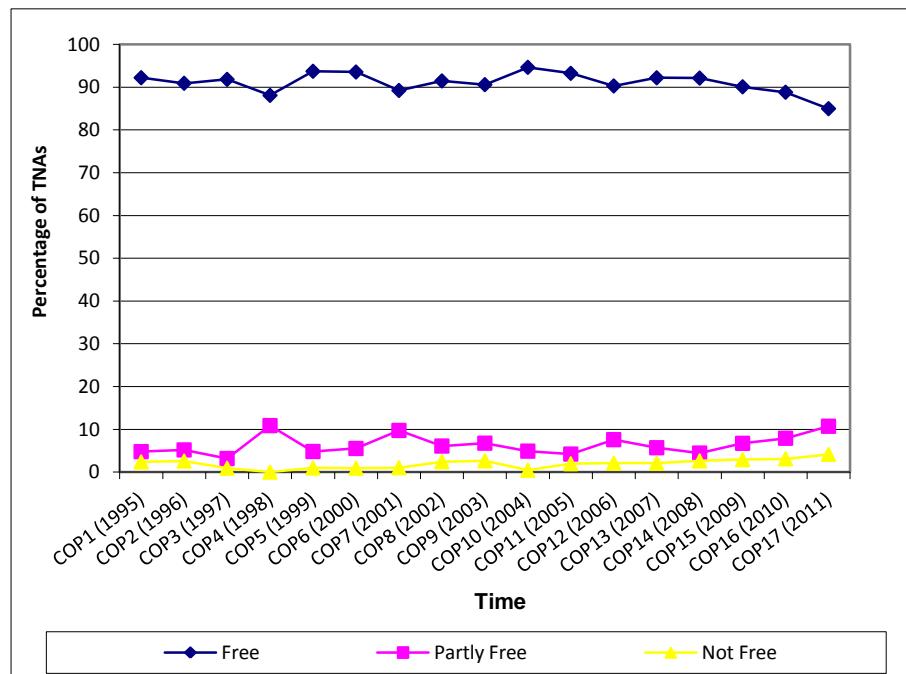


Figure 42: TNA Participation in Terms of Host Country Democracy, CBD (%)

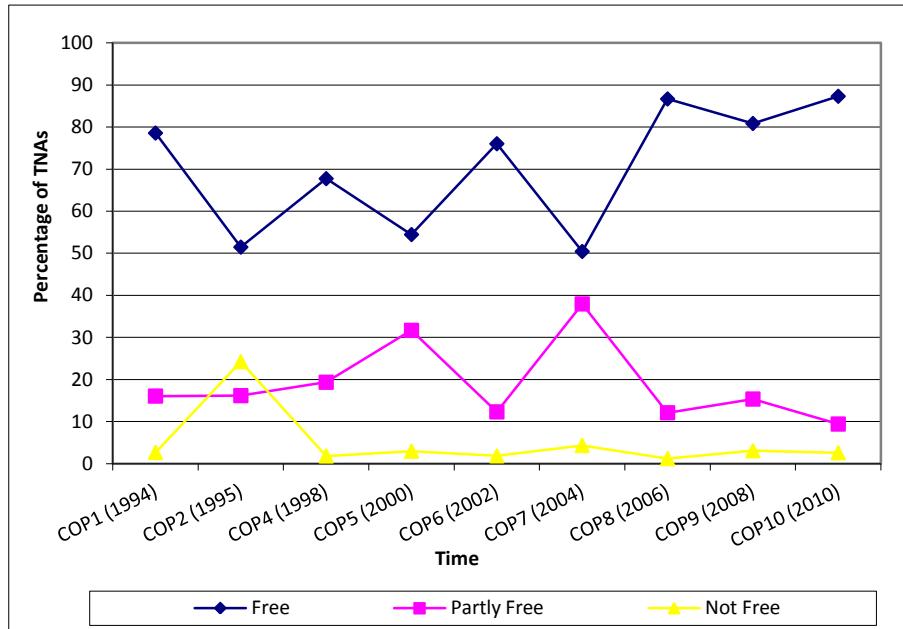


Table 5 displays the mean distribution of TNA observers along the ‘domestic level of democracy’ variable, whereas figures 41 and 42 display the proportional distribution over time along the same variable. The empirical assessment offers strong support for H4, in other words we see a clear relationship between participation at COPs and levels of domestic democracy for both the UNFCCC and CBD. This relationship is stronger in the UNFCCC than in the CBD up until CBD COP8, after which the distribution has assumed the same proportions as seen in the UNFCCC.

However, the qualitative evidence raises questions about this seemingly clear-cut relationship. Although listed as ‘partly free’, Hina Lotia from LEAD Pakistan describes conditions for environmental TNAs in Pakistan as very good, with a political establishment and government taking the threat of climate change very seriously and actively soliciting the cooperation of TNAs as well as presenting no obstacles to LEAD’s participation at COPs. As such, one may ask whether the almost non-existent TNA participation from non-democratic countries is related to these countries being non-democratic per se, or whether the fact that non-democracies tend to be poorer than democracies and offer less support to their civil society tells us that this relationship is in fact connected to the same type of resource logic as hypotheses 1 and 2.

IO Level Hypotheses

Hypotheses 5 and 6 are empirically assessed using Tallberg et al.'s (forthcoming) index 'TNA access' to determine the levels of formal TNA access to the CBD and the UNFCCC. The index operates with a measure distinguishing between two primary dimensions, the depth and range of access, weighted by two secondary dimensions, the permanence and codification of access. This results in a composite index of TNA access on the form of:

$$\text{Access} = (\text{Range} + \text{Depth}) * \text{Permanence} * \text{Codification}$$

Starting with the UNFCCC, we get the following scenario: observers are allowed to attend and contribute to ordinary meetings with statements (UNFCCC 2004: 6), translating to a score of 1.5 for depth of access. As for the range of access, the UNFCCC operates with three criteria a prospective observer organization needs to follow (*ibid*: 4). This translates into a score of 1.5 also here. As for the permanence of access, admitted observer organizations are notified of future dates and venues for the sessions of the COP and its subsidiary bodies and do not have to re-apply for observer status (*ibid*: 5), translating into a score of 1. Finally, the access of observers was originally codified solely in the Convention, but has from 2005 also been codified in rules of procedure issued by the COP Secretariat, meaning we get two values for the UNFCCC. Prior to 2005 the UNFCCC gets a score of 1.5 for codification, but the clarification issued 2005 translates into a score of 1. For the UNFCCC, then, we end up with the following formulas:

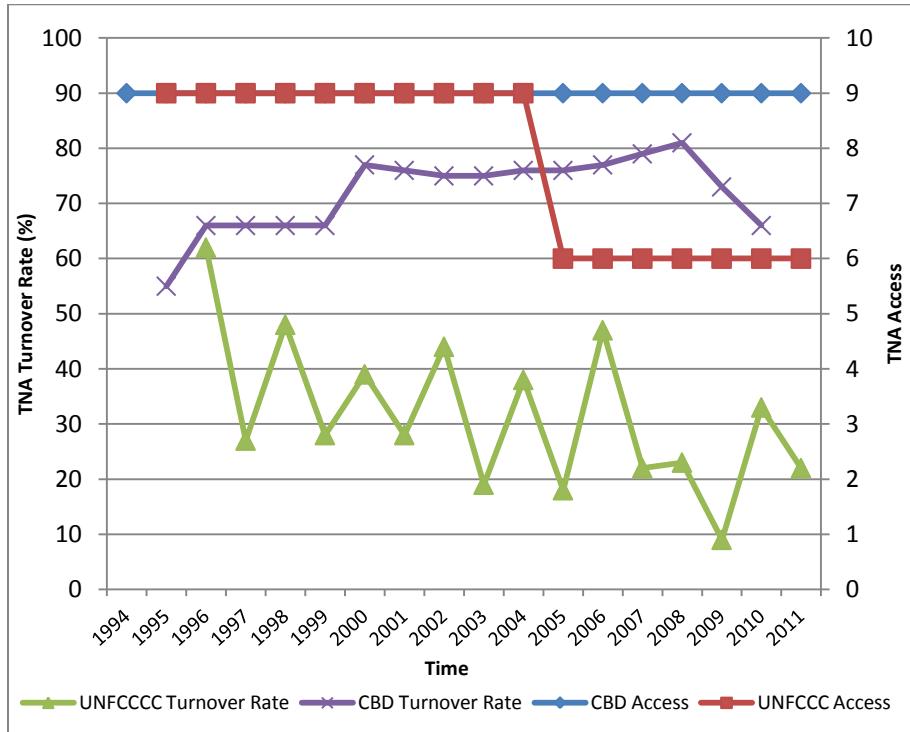
$$\text{Before 2005: } (3+3)*1*1.5 = 9$$

$$\text{After 2005: } (3+3)*1*1 = 6$$

As for the CBD, the basic picture looks much the same. Observers may participate at regular meetings with statements (CBD 2010b: 2), translating into a score of 3 for depth of access. As regards the range of access, the CBD Secretariat has not issued clarification of its admission criteria, such as the UNFCCC Secretariat has. They therefore operate solely with the criteria laid out in the Convention text itself (CBD 1992: Article 23), yet this does not constitute a difference in openness as there still are some formal selection criteria. The CBD's score for range is therefore also 1.5. As for the permanence of access, the same rules as for the UNFCCC apply, translating into a score of 1. Finally, however, due to the lack of clarifying statements by the Secretariat regarding these rules, TNA access to the CBD is still regulated solely by the Convention text, translating into a score of 3 for codification. This gives us the following formula for the CBD: **(3+3)*1*1.5 = 9**

H5: The higher the level of formal TNA access to an IO, the higher the number of TNAs participating in the IO

Figure 43: UNFCCC and CBD Turnover Rates and Levels of Access



The logic behind this hypothesis is that levels of formal TNA access influence levels of TNA participation. If this is true, the theoretical expectations for this hypothesis would be twofold: first, that higher formal access results in higher numbers of TNA observers participating at COPs. Second, if it is indeed so that levels of formal TNA access influence levels of TNA participation, we would expect changes in access levels to be reflected in participation levels.

Figure 43 displays levels of formal TNA access to the UNFCCC and the CBD and the levels of TNA participation in the same IOs. We note that the UNFCCC and the CBD had similar access levels until 2005, after which UNFCCC access dropped while CBD access remained the same. CBD values for the 'off' years in which UNFCCC COPs have taken place but not CBD COPs have been calculated using averages.

The first trend we notice is that participation levels seem to operate quite independently of access levels. For the UNFCCC, the exponential growth phase of the TNA population sets in just after formal TNA access is *lowered*, after which it almost quadruples. For the CBD, participation rates fluctuate highly in spite of access levels remaining the same throughout the

period analyzed here. Furthermore, we note how participation rates are higher in the UNFCCC in spite of access levels in the CBD being higher.

Interview data shed further light on the relationship between access and participation. Diego Martinez-Schütt from the German NGO Forum explains how his organization's main focus is on the meetings of the subsidiary bodies of the UNFCCC and the CBD rather than the COPs, this because the COPs have turned into such large spectacles that it is hard to get anything done. The meetings of the subsidiary bodies, on the other hand, are less crowded and less politicized, turning them into more focused events with knowledgeable actors. Ravi Shankar of the CBD Secretariat suggested that business participation in the UNFCCC is higher than in the CBD because business and industry actors have realized that the UNFCCC opens up a wide range of new business opportunities. The task of the CBD is now to convince business actors that it, too, is a force to be reckoned with. As such, this does not support the idea that TNAs would flock to an IO simply because they are afforded the opportunity. Furthermore, he points to how interest in the climate change question has exploded over the past decade, meaning TNAs are changing focus on jumping on the bandwagon because of the increased availability of funding in that particular pipeline. Furthermore, Pat Mooney of the ETC Group points out how "the UNFCCC is kind of a zoo", and so politicized that it is hard to get anything done there. This caused his TNA to get involved "very reluctantly". Salience thus stands out as a more likely driver of TNA participation than formal access. Overall, these findings provide little support for H5.

H6: The higher the level of formal TNA access to an IO, the more volatile the non-state participation in the IO

The logic behind this sixth and final hypothesis is that high formal access to IOs means that TNAs which are lacking the resources and will to establish presence over time may find it easier to be accredited than they would in IOs with low formal access, making these prone to drop out more quickly than would be the case if access levels were lower and TNAs admitted as observers thus bigger and more renowned. Given this, the theoretical expectations for this hypothesis are twofold: first, we would expect higher access levels to be reflected in higher turnover rates. Second, we would expect changes in access levels to be reflected through similar changes in turnover rates.

Figure 44: UNFCCC and CBD Participation Rates and Levels of Formal TNA Access

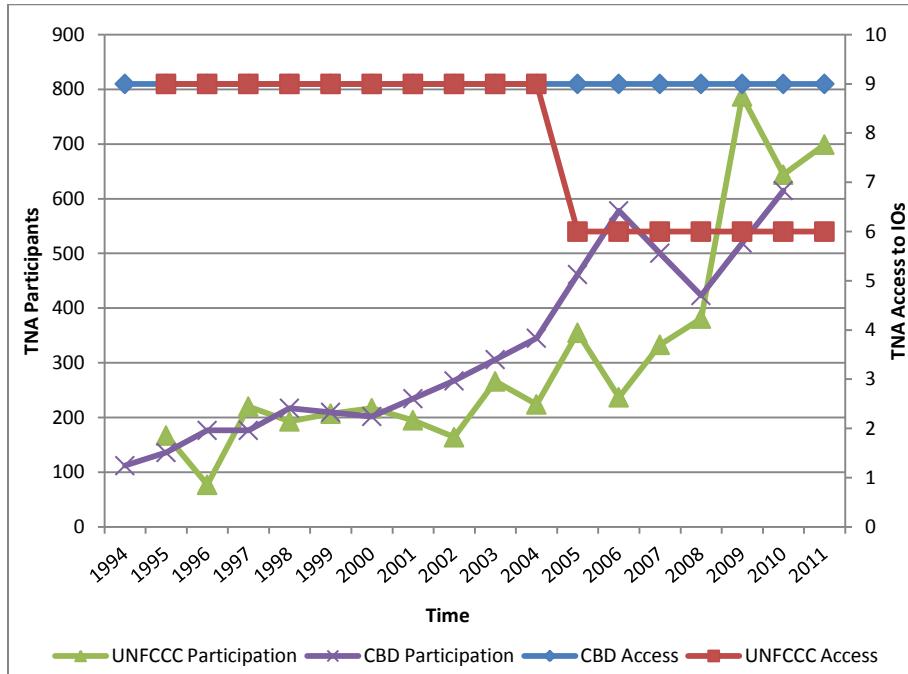


Figure 44 displays levels of formal TNA access to the UNFCCC and the CBD and the turnover rates in the same IOs. We remember that the turnover rate represents the proportion of TNAs present at a given COP that did not return for the following COP.

We notice two principal patterns from figure 43. First, that although access levels were equal up to 2005, the CBD displays much higher turnover rates than the UNFCCC. On the part of the UNFCCC, the drop in access levels in 2005 does not seem to influence dropout rates to any noteworthy extent. These findings do not lend support to H6. Furthermore, we notice how turnover rates vary quite significantly from COP to COP in spite of access levels being stable. The conclusion we can draw from these findings is that the level of formal TNA access seems to influence turnover rates only to a limited degree.

Summary

Part 1 of this chapter presented a comparative analysis of the main patterns of TNA participation in the two IOs investigated in this study – density, diversity and volatility. This analysis revealed interesting similarities and differences.

As for *density*, we remember how both the UNFCCC and the CBD display a three-phased development characterized by an initial phase of stability, a

second phase of exponential growth and a third phase of stability. These developments are in line with the theoretical expectations from previous research and suggest that population ecology theory and concepts may successfully be applied to analyze TNA populations in global governance. However, we also noted how, in spite of the total number of TNA observers in the CBD, density has been higher in the UNFCCC. This points out perhaps the main weakness with the CBD's engagement with civil society, namely that it seems almost impossible for all but a minimal core of well-resourced TNAs to establish stable and recurring presence at COPs. Furthermore, we noted how density has varied quite a lot even in spite of stable levels of formal TNA access to these IOs, with the UNFCCC even entering its exponential growth phase after formal access was reduced. The secondary finding of the comparative analysis, thus, is that levels of formal TNA access only influence patterns of TNA participation to a limited degree.

As for *diversity*, both the UNFCCC and the CBD displayed patterns of TNA participation largely consistent with the theoretical expectations. Both IOs' observer communities to a large extent consist of TNAs from rich and developed Western countries, and business interests are highly represented in both. As the temporal analysis demonstrated, however, there are trends behind these aggregate numbers worth looking closer at. The UNFCCC has seen business participation dropping steadily throughout its existence, thus moving towards a fairly balanced observer population. The CBD has displayed a different trajectory, with a lack of business participation being considered such a problem that special measures were taken to enlarge it. These have apparently been successful, and business participation in the CBD has seen a sharp increase since 2006. This difference in business participation is one important and interesting difference between the UNFCCC and the CBD, and although this study can only speculate in the reasons for it, one possibility is that the UNFCCC is considered to have a much broader impact on global business than the CBD, and it is therefore more important for business to be represented. Another interpretation, which would be in line with recent research (c.f. Dellmuth et al. 2012) showing that few TNAs attend COPs to influence policy, would be that the CBD is an IO of lesser salience than the UNFCCC and therefore considered a poor investment in terms of the returns of publicity, contacts and research that can be expected. As far as geographical diversity is concerned, Western dominance has waned in both IOs as time has passed and other regions in the world have seen higher mobilization. In spite of this evening out in some aspects of diversity, one disconcerting fact remains standing in both the UNFCCC and the CBD: the groups standing to suffer the most in the face of global degradation, such as women, youth and the poor, remain underrepresent-

ed both through state and nonstate representatives, and this is something that may well undermine the legitimacy of these two IOs.

As far as *volatility* is concerned, the UNFCCC and the CBD display interesting trends. We noted that while 60 percent of UNFCCC observers have attended three or fewer COPs, the similar number for the CBD is 95. At the other end of the scale, both IOs displayed a very small core of TNAs with high presence. As with the bottom end, however, this proportion is much smaller in the CBD than in the UNFCCC. As mentioned above, that only such a tiny share of the observer population is able to participate steadily over time poses a challenge to the legitimacy of the CBD. Entry and exit rates more or less mirror each other in both IOs, although a marked drop in exit rates following the huge influx of TNAs to the UNFCCC at COP15 in Copenhagen has resulted in the UNFCCC observer community presently consisting of a relatively high share of experienced observers. As speculated on, this may mean that the UNFCCC observer community is presently capable of influencing the process more than at any previous point in the process. The CBD has maintained both high entry and exit rates throughout its existence, meaning that the majority of observers at most COPs have been first-timers. As displayed in the interview data above, attending a single COP makes little sense if your goal is to influence policy, as a deep knowledge and personal relationships with key players are tantamount to doing so. As such, these findings question the role played by TNAs in the CBD. Finally, the UNFCCC has displayed an average turnover rate of 35 percent since its inception, with a clear downward trend. The CBD, on the other hand, has maintained a stable turnover rate of 75 percent, further corroborating the earlier findings of the difficulties the IO has in establishing lasting ties to civil society.

The empirical assessment of the hypotheses presented in part 2 provides interesting results. Most importantly, it demonstrates the importance of financial resources and proximity COP venue for TNAs' ability to take part in the global environmental governance. The strong support for H1, H2 and H4, *financial resources of TNAs, proximity to COP venue and home country democracy*, complements and explains the trends described in chapters five and six: most TNAs who want to play a part in global environmental governance can only do so when the negotiations happen to take place geographically close to them. Hence, they find themselves unable to maintain the kind of recurring presence over time required to play a constructive role in these IOs. The primary finding of this study is thus that the observer communities of the UNFCCC and CBD are layered, with a clearly recognizable core of TNAs hailing from rich, developed and democratic countries possessing the necessary financial muscle to take part in the processes over the years and decades necessary to develop into players on par with na-

tional governments. Furthermore, an important finding is that the lack of support for H5 and H6, which dealt with the relationship between formal TNA access and participation and dropout rates, suggests that levels of formal TNA access only to a limited degree, if at all, influence patterns of TNA participation in IOs.

The data also displays important differences between the patterns of TNA participation in the UNFCCC and the CBD. As the empirical assessment of H1 showed, for example, financial resources seem to play a somewhat less prominent role for TNAs engaging in the CBD compared to those in the UNFCCC. It is of course possible that the use of a less than ideal proxy indicator for TNA resources in that assessment plays a role, but the difference is there and interesting, nevertheless. The same goes for the assessment of H2, where on aggregate the UNFCCC appears to be less prone to the GPV effect and see less influx of local TNAs at its COPs compared to the CBD. As the temporal analysis shows, however, this aggregate difference is largely due to four occasions in which local participation at UNFCCC COPs have been decimated, whereas the CBD has not been prone to the same dips.

More differences are displayed in the empirical assessment of H4. Whereas UNFCCC observers overwhelmingly hail from democratic countries, the CBD to a larger extent attracts observers from countries of more dubious democratic stature. It is natural to think that this trend is closely related to that seen in the empirical analysis of H1, as poorer countries also tend to be less democratic.

PART IV

CHAPTER 8: FINDINGS AND CONCLUSIONS

The rationale for this study was the recognition that a new and increasingly important phenomenon in political science has gone largely uninvestigated. While TNA participation in IOs has increased over the past decades, the political science response has been to focus largely on the theoretical justifications for why this has happened and the normative implications thereof. On the other hand, empirical investigations of the actual patterns of this TNA participation have been few and far between. This study has attempted to contribute to this debate by analyzing patterns of TNA participation in two global environmental governance institutions, and empirically assessing some of the factors influencing these patterns.

This study has had two aims. The primary purpose was to empirically describe patterns of TNA populations in two IOs in a comprehensive manner over time. The secondary purpose was to produce new knowledge about some of the factors affecting TNA participation in global governance. The findings produced represent a contribution to the study of TNA participation in global governance in three ways. *Empirically*, this study offers a unique description of patterns of TNA participation in two central environmental IOs over time. *Theoretically*, the study has drawn on an established research tradition to investigate a new and fairly underresearched phenomenon. Building the inquiry around three established concepts from the population ecology literature, *density*, *diversity* and *volatility*, this study has demonstrated that interest group theory and concepts can be applied to the study of TNAs in global governance and that a closer merging of these two fields is possible. Furthermore, previous research has largely focused its attention on policy areas in which TNAs representing the business sector have had strong incentives to participate, such as the formulation of international trade policy in the WTO and the integration of the larger European economy within the EU. This focus may, in my point of view, have led to selection bias influencing among other things the general consensus regarding business dominance as a general characteristic of TNA participation at the international level. By looking closer at bodies concerned with global environmental governance, this study has given some established findings in both the interest group and global governance literature a fresh look. *Methodologically*, the study has employed a comparative analytical framework with a combination of quantitative and qualitative analysis, thereby demonstrating how the study of TNAs in global governance can benefit from method triangulation.

Formulating the principal conclusion in one sentence, the study suggests that the availability of financial resources and distance to the global governance venue are two important factors influencing TNAs' chance to participate. In view of this conclusion, three tasks remain in this final chapter.

In the first section, I will elaborate on this conclusion, synthesizing the findings of the descriptive analysis and empirical assessment of the hypotheses set forth in chapter four. The second section isolates the implications of the study for research on TNA participation in global governance, before I conclude by identifying the implications for general theories on the role of interest groups in politics.

Describing Patterns of TNA Participation in the UNFCCC and the CBD

The empirical examination of the patterns of TNA participation in the UNFCCC and the CBD entailed mapping who the observers present at CBD and UNFCCC COPs have been, where they have come from and what issues they have concerned themselves with. Although the relevant data material has been available for a long time, these sources have been largely left in peace by scholars. The first step in this investigation was thus to enter all available information about every observer TNA into two databases. Below, I have structured the findings of the empirical examination in two sections: first, the descriptive evidence is structured around the three dimensions of the dependent variable used in chapters five and six. Second, the explanatory evidence is structured around the empirical assessment of the three sets of hypotheses generated in chapter four.

The Density of TNA Populations in the UNFCCC and the CBD

The theoretical expectations for TNA population density were of a three-phased development. The first period after foundation should see the fledgling interest group system struggle with a lack of reputation, legitimacy and mechanisms for facilitating participation. This, it was posited, would mean seeing density dragging along at low levels until these things were satisfactorily established. Second, phase two should see the well-established interest group system experience exponential density growth as more and more groups sought to join. Finally, phase three was expected to see density stabilize.

The findings to a large extent support these expectations. The UNFCCC saw density hovering around the 1,00 mark for the first twelve COPs (1995 – 2006) before entering into an exponential growth phase lasting for the next three COPs (2007 – 2009), seeing density peak at COP15 in Copenhagen in 2009. The two COPs following this density peak brought interesting developments. Most importantly, the fallout from the global mobilization and subsequent anticlimax at Copenhagen was not as massive as could have been expected. 2011's COP17 in Durban saw a rebounding density rate, leaving current density levels above anything seen prior to the onset of the exponential growth phase. The CBD displays similar trends. The five first COPs (1994 – 2002) saw density hold firm around the 1,00 mark before

entering a phase of exponential growth culminating with COP8 at Curitiba in 2008. Subsequent COPs saw density drop somewhat at Bonn in 2009 before rebounding at Nagoya in 2010.

From these findings, the theoretical conclusion must be that the density of populations of TNAs in the UNFCCC and the CBD develops along the same lines as in similar populations both at the national and international level. Empirically, one can argue that both these TNA populations seem to have reached maturity and stabilized around their natural equilibrium.

The Diversity of TNA Populations in the UNFCCC and the CBD

The theoretical expectations for TNA population diversity were twofold. They would be expected to be dominated, numerically at least, by groups affiliated with narrow and well-resourced interests such as business and industry. Furthermore, earlier research suggested a numerical dominance of TNAs located in Western, developed countries. The findings both support and reject these theoretical expectations.

While the largest cohort of issue orientations in the UNFCCC system is ‘business and industry’, mapping the distribution of TNA observers over time showed that while this cohort enjoyed significant numerical dominance at the first UNFCCC COPs, the trend over time steered towards a more evenly balanced TNA population in which the five dominant cohorts, at least, enjoyed a just about even share of the observers. In geographical terms, the UNFCCC on aggregate displays strong numerical dominance by TNAs from Northern and Western Europe as well as North America. However, this numerical dominance has largely been due to strong influx of TNAs when COPs have taken place in either of these regions, a phenomenon we shall return to below. When COPs have taken place on ‘neutral’ ground, the TNA population has been evenly distributed in geographical terms. Second, there is no automatic relationship between being a ‘rich’ region and maintaining a presence at COPs – as demonstrated by the hardly existent representation from Southern and Eastern Europe, both relatively wealthy regions but with a smaller TNA presence in the UNFCCC and CBD than many poorer regions. These findings suggest other factors influence patterns of TNA participation in global environmental governance as well.

The CBD displays similar traits in terms of issue diversity, yet with some important differences. On aggregate, business and industry maintains a heavy presence also here, but it is outnumbered by environmental organizations. Looking at interest distribution over time, we notice the same trend as for the UNFCCC: one cohort, in this case ‘environment and conservation’, dominates from the early days of the IO but is countered over time as the TNA population moves towards a more balanced distribution. As to geography, the CBD differs from the UNFCCC in that the largest cohort of observ-

ers hail from South America, with Eastern Asia also well represented between the usual suspects of North American and European TNAs.

However, the high aggregate levels of South American and East Asian TNAs in the CBD do not signify stable representation over time, but rather extreme influxes of local TNAs on two occasions, COPs 8 and 10 at Curitiba and Nagoya. This phenomenon suggests the existence of what I have named the Geographic Proximity to Venue effect (GPV), which stands out as one of the more important findings of this study. In short, it describes how TNAs geographically located close to the COP venue see a rise in their numbers at the COP in question relative to all the other COPs. This holds true for nearly every COP across both IOs and suggests that, unless you are a very well-connected and funded TNA, participation in global environmental governance is mainly decided by how far and how often you have to travel.

The Volatility of TNA Populations in the UNFCCC and the CBD

Volatility was the newest and least described dimension of the dependent variable, and as such carried the lightest load in terms of theoretical expectations. Previous research suggested about half of the involved interest groups do not survive from one legislative session to the next, whereas research from the EU suggested a very layered make-up of the TNAs active in that interest group system, with a small core having the resources to maintain presence over time and the majority being able to show up at irregular intervals.

The UNFCCC offers support for some of these theoretical expectations. One in three observer TNAs have attended only one COP whereas a small elite of 41 organizations, or 2.5 percent of the total population, have attended fifteen or more. Looking at entry and exit rates we note that while every COP has attracted new observer organizations, a rise in entry rate at a certain COP is almost universally followed by a corresponding rise in exit rates at the following COP. The most interesting developments in term of UNFCCC volatility, however, have come following the mobilization at COP15 in Copenhagen. The TNAs who entered the observer population at that time have demonstrated quite a staying power, with a large portion returning both for COP16 in Cancun and COP17 in Durban. As a result, a large majority of the observers present at Durban were so-called ‘repeat players’, in other words organizations returning for every COP since attending for the first time. Although outside the scope of this study, this finding raises important questions as to whether a more experienced group of observers will be able to better influence the IO and decisions made in the context of it. Finally, this study demonstrates that the turnover rate of the UNFCCC observer population has been steadily shrinking since its inception, with an

average turnover for the first 17 COPs of 35 percent, much lower than previous investigations of sub-national interest group systems would suggest.

The CBD displays results similar to that of the UNFCCC, albeit somewhat more pronounced. 1686, or 81 percent, of observer organizations have attended just one COP, whereas the elite attending 8 or more COPs numbers just 9 organizations, or 0.4 percent. The CBD, like the UNFCCC, has attracted newcomers at every COP, but the exit rates suggest to an even higher degree than for the latter that it has been almost impossible for observers to establish a permanent representation. As a consequence, the TNA population in this IO has at every juncture been comprised of a huge majority of first-entries, raising the question as to whether the observer status within the CBD is at all as meaningful as it should be. Complementing these findings, a look at the CBD's turnover rate reveals it has been on average 74 percent over the first 18 years of its existence. Overall, this presents a quite particular picture of the CBD observer population, in which it is hard for the majority of interested TNAs to break into the system in any meaningful way. It seems that without a major overhaul of its observer policies, the CBD will struggle to retain the broad and representative observer to which they so boldly aspire.

Explaining Patterns of TNA Participation in the UNFCCC and the CBD

As a way to explain the broader empirical trends described in chapters five and six, I developed three sets of hypotheses derived from traditional interest group literature. These were empirically assessed through a combination of quantitative and qualitative methods, describing interesting relationships.

TNA Level Explanations

The first hypothesis at the TNA level posited that the availability of financial resources plays a major part in predicting the probability of a specific TNA to participate at COPs. As collecting detailed budgetary information for all the TNAs participating in the UNFCCC and the CBD over all these years would be impossible, GDP per capita was used as a proxy indicator. While this was undoubtedly a weakness, it was argued that it would enable me to establish whether a relationship could be said to exist.

The data showed that the majority of TNA observers in both the UNFCCC and the CBD originated from countries with a high GDP per capita. However, this relationship was much more pronounced in the UNFCCC than the CBD. On aggregate, over 86 percent of the observer TNAs in the UNFCCC originated in countries with a high GDP per capita, whereas in the CBD this portion accounted for just above 60 percent. The CBD also displayed a much less consistent relationship between financial resources and COP

presence, even seeing a majority of observer TNAs come from the ‘high middle’ GDP per capita cohort at its COP8 in Curitiba.

This may suggest one of two things. One interpretation would be that participation at UNFCCC COPs presents TNAs with higher resource demands than participation at CBD COPs, thereby causing the UNFCCC observer population to be more exclusively made up of TNAs with more financial resources at hand. Alternatively, it could be seen as a reflection of the higher turnover rate of the CBD, causing the observer population at any given COP to more prominently feature the TNAs located in the vicinity of the COP venue.

The second hypothesis at the TNA level posited that TNAs whose headquarters is located close to the COP venue would be more likely to attend COPs than TNAs located further away. The empirical assessment provided mixed support for this idea. On average, 64 percent of TNA observers at UNFCCC COPs came from outside the continent on which the COP was held. The temporal analysis furthermore demonstrated this division to be fluctuating, with some COPs attracting TNA populations in which 90 percent hailed from other continents. For the CBD, this relationship proved more stable, with a more or less even split both on aggregate and at the individual COPs between those TNAs hailing from the continent on which the COP was held and those from outside.

These results suggest that while distance to COP venue matters and is likely related to the issue of available financial resources investigated by hypothesis 1, the UNFCCC to a higher degree than the CBD attracts TNAs capable of attending COPs far from home. The explanation for this may well be found among the characteristics of these two IOs listed in chapter three, namely that the UNFCCC is perceived as being a more politically salient environmental IO, thus attracting more resourced TNAs than the CBD.

National Level Explanations

The first hypothesis at the national level posited that TNAs based in countries with internationalized economies would be more likely to attend COPs than TNAs based in countries with less open economies. This is a traditional idea in the global governance literature, suggesting that internationalizing a country’s economy leads to the internationalization of its civil society. The empirical assessment provided scant support for this hypothesis. Neither the UNFCCC nor the CBD display any relationship between the internationalization of the TNAs’ home countries’ level of economic internationalization and TNA participation at COPs.

The second hypothesis at the national level posited that TNAs attending COPs would be more likely to originate from democratic countries. The empirical evidence provided strong support for this, with on average 91

percent of UNFCCC observers originating from countries deemed ‘free’ by Freedom House and in excess of 70 percent of CBD observers doing the same. The temporal analysis did, however, demonstrate that while the TNA proportion hailing from ‘free’ countries was steady around 90 percent at every UNFCCC COP, the CBD displayed a much more varying picture. Its TNA population was much more evenly distributed on the ‘national democracy’ dimension, with the share of TNAs hailing from ‘partly free’ countries almost equaling that coming from ‘free’ countries on a few occasions.

These findings suggest that the majority of TNAs active in global environmental governance hail from democratic countries, which is not all that much of a surprise given that such countries can be expected to both have larger national populations of TNAs and be richer than non-democratic countries and thus be better situated to seeing more TNAs off to COPs.

IO Level Explanations

The two hypotheses at the IO level were designed to empirically assess the extent to which institutional features of IOs affect patterns of TNA participation. The factor having received the most attention in that regard is formal TNA access, and *the first hypothesis* at the IO level posited that a high level of formal TNA access would lead to higher overall rates of TNA participation.

The empirical assessment provided scant support for this hypothesis. The UNFCCC saw participation enter its exponential growth phase after the reduction of formal access in 2005, and the CBD saw its participation rates lay below the UNFCCC’s even as the latter’s level of formal access dropped. *The second hypothesis* at the IO level posited that a high level of formal TNA access would lead to high volatility among TNAs. Also here the empirical evidence afforded scant support, as the UNFCCC’s turnover rates lay well below the CBD’s even as their formal access levels were equal, and the UNFCCC saw no decline in its turnover rates even as its level of formal TNA access dropped. These findings suggest that institutional features of IOs only influence patterns of TNA participation to a certain extent, and that the factors primarily responsible for such influence need to be sought elsewhere.

The Generalizability of the Study

Confidence in these findings is strengthened by the methodological strategy of the study. The quantitative design left little room for interpretation and second-guessing of actors’ ‘real’ motives and agendas, and the qualitative part made up of interviews with representatives from the different cohorts of TNAs represented a source of primary material untainted by the hands of other scholars. The reliability of the findings is further strengthened by the

high dependency on primary rather than secondary sources, as the latter always involve an element of interpretation by other scholars, who may not have been oriented toward the same problem in their selection of facts. However, the central question surrounding the generalizability of this study is to what extent its main finding, namely that resourceful TNAs are overrepresented in global governance, can be expected to extend to other IOs or even other policy areas.

There seems to be little reason to think that TNA participation in other IOs, even across policy areas, would display any other pattern than the UNFCCC and the CBD. As Fowler (1992:24) pointed out, “there is little likelihood of Southern NGOs gaining significant resources from their local economies, clients or governments, leaving them dependent on external aid”. As such, the findings in this study of an overrepresentation of Northern TNAs can be expected to be representative for global governance as a whole, something that has been supported over the years by numerous studies. Nyamugasira (1999:109) further points out the weak state of Southern civil society:

The poor need effective organising, and need to be perhaps more aggressive in order to be competitive and more efficient. Southern NGOs have little track-record in high-level organising, constrained as they are by inherited shortcomings in this realm. The capacity to organize independently was destroyed during the long period of colonialism and neo-colonialism. The poor need access to capital, technologies, and markets. Indeed, the very term ‘South’ is almost synonymous with their absence, as if they were intrinsically incompatible. What the poor do not need is pity, exploitation, or patronising; they already endure more than their fair share of these.

One question that remains to be asked is to what extent the findings related in this study could reasonably be believed to be valid only for global governance institutions sharing with the UNFCCC and CBD that their highest organ(s), as is the case with the COPs of these two IOs, convene in different geographical locations from time to time. Are the resource demands placed on TNAs in these IOs higher than in IOs in which the centre of gravity does not ambulate? This seems to not be the case. Maintaining representation in global governance hubs such as Brussels, Geneva or New York requires substantial resources as well, as pointed out by Willetts (2003:6) in his report on non-state participation in the World Bank:

National NGOs from the North and large international NGOs can allocate funds for travel and accommodation, if they give global meetings sufficient priority. However, national NGOs from the South and small international NGOs generally cannot finance their own participation. The gradual decline of the World Bank

NGO Working Group shows that the first casualty of inadequate funding is reduced levels of participation at the global level by developing country NGOs. Some from the South may gain access through sponsorship and support by large Northern NGOs. When this occurs outside a global network, it represents a new form of North-South hierarchical relations. The opportunities for South-South contact are lost. It was evident from the survey of developing country NGOs in Algiers in March 2002 that many present had been able to attend their first global forum, because funding had been made available by the Algerian government. They had experience and understanding of sustainable development issues at the country level, but few had been able to contribute in any manner at the global level.

As such, the methodological and empirical approach taken by this study seems to have produced findings of high generalizability.

Implications for the Study of TNA Participation in Global Governance

What do these results imply for the two literatures on which this study was based: the study of TNA participation in global governance and the role of interest groups in politics? This section reflects on how the results from this study impact existing literature on TNAs in global governance.

Civil Society as a Force for International Democracy

The opening up of IOs to TNAs has been justified to a large extent by framing it as an extension of democracy. Former UN Secretary-General Boutros Boutros-Ghali characterized TNAs as “a basic form of popular representation in the present day world”, arguing that “their participation is, in a way, a guarantee of the political legitimacy of those international institutions” (quoted in Tallberg and Jönsson 2010a: 8). Similarly, the Cardoso report, a key document outlining the relationship between civil society and the UN, argued that “the growing participation and influence of nonstate actors is enhancing democracy and reshaping multilateralism” (*ibid.*). Such justifications tie directly into a different debate, namely that of whether ‘global civil society’ can come together and act as a democratizing force in global governance. Munck (2010: 318) details how in the wake of the Cold War, “the concept of ‘global civil society’ gradually emerged to codify, express, and promote the hopeful mood that ‘the people’ could prevail over the state and lead to a new ‘global citizenship’. As a consequence, researchers started working to conceptualize the new phenomenon, causing scholars such as Keane (2001: 23) to hail it as “a vast interconnected, and multi-layered social space that comprises many hundreds of thousands of self-directing or non-governmental institutions and ways of life”.

However, Smith (2012: 12) details how “the growing influence of global financial institutions in the 1990s, and the predominance of neo-liberal ideology as a guide to policies of global integration and governance, made

many activists increasingly skeptical of the United Nations' potential for addressing some basic global problems". This, she claims, caused a split in the activist community formerly engaged with the UN process. Combined with the UN's scaling back of the global conferences, thereby neutering them as venues for global dialogue and interaction, more and more activists came together outside the UN, in settings such as the World Social Forum. She argues (*ibid*: 13) that "the World Social Forums have in many ways displaced UN-sponsored forums as sites where people can come together to envision themselves as part of a global political community and where they actively engage in discussions about how the world's major problems can be addressed. They are sites where global identities and organizing networks are being forged, and where ideas about alternative economic and social models are being developed, refined and disseminated".

What this study demonstrates is that the UNFCCC and the CBD seem incapable of rectifying the institutional flaws that have hampered their efforts to gain legitimacy through widespread participation of non-state actors: the organizations benefiting from the way the IOs are currently organized are the big and wealthy non-governmental organizations primarily located in the developed parts of the world. This suggests that instead of ameliorating the democratic deficit observed in global governance institutions, the UNFCCC and the CBD reproduce a second democratic deficit among its civil society component, one that has the potential to fundamentally undermine the legitimacy and efficiency of the process. Many of the TNA representatives interviewed for this study argued that the UN is still, in many respects, the only game in town. But, as evidenced by Smith and others, alternative structures outside the UN system are rapidly growing. If these trends continue uninterrupted, the UNFCCC and the CBD risk losing legitimacy and cooperation from the third sector. While the UN structure still maintains its position as the world's overarching framework for meeting the various environmental threats we face today, radical policy change is needed in order to retain this position for the future. As we have seen in this study, which to all intents and purposes has presented us with just two snapshots – albeit wide – of TNA participation in global governance, the actors that have benefited the most from the increased openness of IOs over the past two decades are big, well-financed and from developed countries, often with ties to business. Furthermore, we have seen the inverse relationship between vulnerability to the environmental threats the UNFCCC and the CBD were established to ameliorate and opportunities to actually play a meaningful role in the processes. Women, the poor and the young can be expected to bear a disproportional share of the burden of a more hostile planet. Yet they are as voiceless through the non-state representatives by the table as through those of the nation state.

Does it Matter? Moving on From Studies of Participation

The natural continuation of this study, and thus a natural next step for the study of TNA participation in global governance, is to ask the question ‘does it matter’. Having demonstrated the imbalance of the observer communities in the UNFCCC and CBD and pointed to some of the factors causing it, what needs to be uncovered next is the extent to which the imbalance in representation also results in an imbalance in policy output. The question of influence is, of course, notoriously difficult to answer, to the extent that it might be referred to as social science kryptonite. However, recent developments bring improved chances of success for such research.

Why is the question of influence important in this context? Going back to the early days of interest group research, Schattschneider (1960: 35) criticized early notions of pluralism in policy-making through his famous metaphor that “the flaw in the pluralist heaven is that the heavenly choir sings with a strong upper-class accent”. Delli Carpini and Keeter later added that the singers are “decidedly older, white, and male as well” (1996: 177). While pluralism was long since abandoned as a realistic theory for explaining the behavior of interest groups and interest group systems at the national level, the quotes by Boutros-Ghali and Cardoso above demonstrate that our thinking has not progressed as far when it comes to the behavior of TNAs at the international level. In keeping with Schattschneider’s analogy, simply opening the heavenly gates will not ensure a fair and balanced make-up of the choir. While this study and others have demonstrated that TNAs participate in global governance institutions for all kinds of reasons, perhaps best and most recently chronicled in Dellmuth et al. (2012), the fact of the matter is, as Klüver (2011: 483) observes, that “[t]he major objective of interest groups is to influence political decisions. Interest groups engage in lobbying decision-makers in order to achieve polity outcomes that are close to their ideal points”. In order to fully understand the consequences of the current makeup of TNAs in IOs we have to look at how, when and to what extent they manage to influence policy outcomes.

Considering an approach through which the influence of TNAs in entities such as the UNFCCC and CBD could be investigated, recent advances in interest group research methodology come to mind. Mahoney (2008) conducted 149 interviews with lobbyists in Washington, D.C. and Brussels in order to get to the differences between lobbying in the United States and the European Union. Simultaneously, she coded their lobbyists’ preferences on a number of policy issues and compared these with the outcomes of the issues, thus drawing conclusions about the lobbying successes and/or failures of individual lobby groups. Baumgartner et al. (2009) interviewed more than three hundred lobbyists and government officials about a random sample of ninety-eight issues being lobbied on in Washington D.C. Through

follow-up phone interviews and by monitoring websites and news for four years after the initial interviews they were able to find out who got what they wanted and who did not. Klüver (2011) used quantitative text analysis to analyze Commission consultations across a sample of 2696 lobby groups and 56 policy issues, whereas Dellmuth et al. (2012) combined an ambitious phone survey directed at groups active in the UN with an online survey directed at groups active in a broader set of sixteen multi-issue IOs, relying on the method of attributed influence to measure who gets what within the murky world of global governance.

Methods such as these could be employed also in the cases of the UNFCCC and the CBD, as well as other IOs. Each COP produces decisions, and treating these as one would a bill or regulation in a parliamentary system or the EU would set the scene for investigating the policy processes in the same manner as was done in the examples mentioned above. A thorough empirical mapping of who gets what, when, in global empirical governance is the next step for the social sciences in our quest to understand the new and multipolar world in which we find ourselves.

Implications for the Study of Interest Groups in International Politics

This study was based on Beyers et al.'s argument (2008: 1104) that "understanding interest group systems remain crucial to understanding the functioning of advanced democracies, especially when these democracies are becoming increasingly embedded in supranational policy making". This, combined with the evidence from Tallberg et al. (forthcoming) regarding the increasing opening of international organizations to TNAs, made it clear that a new approach was called for – temporally and empirically studying the development of populations of non-state actors in global governance. While studies on national and subnational interest group systems have been carried out over the past fifty years, similar studies in the international realm are as of yet almost non-existent. As such, this study represents an important first step as far as both the empirical data produced and the methods employed are concerned.

Methodological Orientation

Building on recent developments in interest group system research, I have joined a small group of scholars trying to analyze the development of TNA populations in global governance over time using a combination of quantitative and qualitative methods. While this has to a certain extent worked, with the qualitative data expanding on the findings from the quantitative analysis, there are still issues to grapple with. For example, I have not been able to account for one of the core findings from the descriptive analysis: why the UNFCCC and CBD display such wildly diverging volatility rates given

their almost identical institutional setup and level of TNA access. In this a better approach may perhaps have been a large-n survey rather than the somewhat less encompassing approach with semi-structured interviews. However, given the fact that a lack of data on participation is the most debilitating challenge to contemporary research on TNAs in IOs, what stands clear after this study is that method triangulation as employed here is the way forward.

Theory

This study started from the assumption that interest group theory could be helpful in analyzing patterns of TNA participation in global governance. So which new theoretical variables has it brought to our attention?

Available financial and human resources have long been considered a central indicator of non-state actors' chances of wielding influence in domestic and international politics. This study suggests, as far as global governance is concerned, that it is also a central indicator of TNAs' chances to participate. As such, the findings in this study should spur further investigation of the importance of resources to TNA involvement in global governance. The patterns of TNA participation described in this study, with the majority of observer TNAs attending the COPs that come to their vicinity while a small elite cultivates long-standing relationships with the process, suggest that the UNFCCC and the CBD are not meeting their own goals of broad outreach. The relationship between resources and influence should thus be our next subject of investigation.

Geographical Proximity to Venue, or GPV as it has been denominated here, has been alluded to by researchers ever since Friedman et al. (2005) pointed out how the participation of South American TNAs skyrocketed once UN Conferences on Women were located in the region. Similarly, Hanegraaff et al. (2011a) pointed out how local TNA participation increased every time WTO MCs were held at a new location. These studies could, however, not draw on the same amount of data as this study and therefore not demonstrate empirically that the GPV effect existed. As we have seen, however, local TNA participation consistently increases at both UNFCCC and CBD COPs. Furthermore, this effect appears to carry through to subsequent COPs, as TNA participation from host regions is for the most part higher at the following than at the preceding COP. These findings should thus be factored in when we study the geographical diversity of populations of TNAs in global governance.

Level of National Democracy seems to matter more than has been previously thought. A vast majority of UNFCCC observers are located in democratic countries, as is a large majority of CBD observers. It is of course possible, perhaps even likely, that the chief reason for this is the fact that de-

mocracies tend to be richer, provide more generous public funding for non-state actors and thus have a stronger and more well-populated third sector. However, as we recall from the interview with Hina Lotia of LEAD Pakistan, that country's status as 'partly free' in Freedom House's terms does not stop its government from integrating non-state actors deeply into its efforts to mitigate the effects of climate change. Furthermore, the markedly higher presence of TNAs located in non-democracies among the observers in the CBD than the UNFCCC, suggesting that the reasons for the lower representation of TNAs from non-democracies in the latter may not stem from just the global distribution of democracies and non-democracies. It therefore seems clear that mechanisms are at play here which cannot be fully accounted for by this study and need to be further investigated.

Empirical Scope

One important rationale for this study was that previous studies of interest group participation in global governance had focused on policy areas where business and industry groups could be expected to be overrepresented, such as the regulation of global trade in the WTO and the regulation of the European economy at large in the EU. This, I suspected, would cause some of the results from such studies to suffer from a form of selection bias. I argued it was important to expand the empirical scope of these studies to other policy areas in order to find out to what extent the reported findings from previous studies travelled. Now, having carried out this in-depth investigation of interest group participation in two instances of global *environmental* governance, it is time to consider the empirical scope of the field once more. The findings of this study should inspire researchers to look beyond the confines of international trade and environmental IOs and establish how such systems form and develop elsewhere. Empirical knowledge of what TNA participation looks like in other areas of global governance is needed in order to establish more encompassing theories as to the formation and development of such populations. Other IOs such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes, the Mediterranean Action Plan and the Anti-Personnel Mine Ban Convention all provide for some degree of TNA participation. What makes the two IOs analyzed in this study special is thus the *degree* of access provided, not the provision of access per se. In order to establish more general theories on the role of interest groups in international politics, it is imperative that researchers spread their efforts as widely as possible across policy areas.

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List of Interviewees

Anders Turesson	Sweden/ European Union	February 22, 2010	Personal interview
Bo Kjellén	Swedish Ministry of Environment	February 24, 2010	Phone interview
Isadora Wronski	Greenpeace Sweden	January 21, 2011	Personal interview
Maria Sunér Fleming	Confederation of Swedish Enterprise	January 27, 2011	Personal interview
Ravi Sharma	CBD Secretariat	March 21, 2011	Personal interview
Worku Yifru	CBD Secretariat	March 22, 2011	Personal interview
David Steuerman	CBD Secretariat	March 22, 2011	Personal interview
Tove Maria Ryding	Greenpeace Denmark	March 26, 2012	Phone interview
Jens Holm	Global Legislators Organization Europe	March 28, 2012	Personal interview
Diego Martinez-Schütt	German NGO Forum	March 29, 2012	Phone interview
Kelly Levin	World Resources Institute	March 30, 2012	Phone interview
Sarah Simons	Centre for Agricultural Bioscience International	April 19, 2012	Phone interview
Pat Mooney	ETC Group	April 20, 2012	Phone interview
Konstantin Kreiser	Naturschutzbund Deutschland	November 5, 2012	Phone interview
Pierce Riemer	World Petroleum Council	January 7, 2013	Phone interview

Hina Lotia	LEAD Pakistan	January 11, 2013	Phone in- terview
Scott Schang	Environmental Law Institute	January 15, 2013	Phone in- terview



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