

# Does Bureaucracy Really Matter? The Authority of Intergovernmental Treaty Secretariats in Global Environmental Politics

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Time and again, politicians and practitioners debate organizational reform in the international arena. Oddly, reliable answers on how international organizations may contribute to or hinder the world's governing capacity are not available. This points to a need for a substantive and systematic research effort that analyses the activities of international organizations and their effects in world politics. This article focuses on intergovernmental treaty secretariats as a distinct type of international organization and seeks to explore how these organizations contribute to shaping global environmental politics. It thus conceptualizes secretariats as political actors that can and should be analyzed in International Relations.

I argue that the activities of treaty secretariats are not only noteworthy for scholars of international organizations but are also essential to gain a more comprehensive understanding of intergovernmental political processes. As can be shown in the field of global environmental politics, the activities and subsequent effects of treaty secretariats differ. Naturally, much of this variance will need to be attributed to factors outside of these organizations. However, thorough empirical analysis of global environmental politics should help to reveal

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how variation in the attitudes and behavior of treaty secretariats makes a difference to the ways an international environmental agreement is furthered or implemented. In this respect, this article will elaborate, first, on some theoretical assumptions regarding the authority that intergovernmental treaty secretariats bear as bureaucratic actors in global environmental politics. Second, it employs empirical findings from two secretariats to assess whether these assumptions are plausible and ultimately, whether these bureaucratic actors really matter in global environmental politics.

In the first part of the paper I will offer a brief background discussion on the treatment of intergovernmental organizations in International Relations theories and why they can and should be analyzed as actors rather than as static structures of the world polity. Following this, I will offer a more specific conceptualization of intergovernmental treaty secretariats as bureaucratic actors in world politics and discuss theoretically how they are bearers of authority. With regard to the latter I will draw in particular on the conceptualization of the “power and pathologies” of international organizations as provided by Michael Barnett and Martha Finnemore.<sup>1</sup> Following a brief discussion of the concept of authority, the second part of the paper employs two empirical cases from the arena of global environmental politics. Drawing on the examples of the secretariat to the Vienna Convention and the Montreal Protocol (the “Ozone Secretariat”) and the secretariat to the United Nations Convention to Combat Desertification (the “Desertification Secretariat”) I will investigate the bureaucratic authority of these secretariats within the wider regimes they are part of and whether the authority of both organizations differs.<sup>2</sup> I will show that both secretariats do bear bureaucratic authority, but also that there are differences to the authority (and the use thereof) with respect to either secretariat. The condensed characterization of only two secretariats will of course not allow for tangible generalizations regarding the bureaucratic authority of treaty secretariats. Nonetheless, at the end of this paper, I will attempt to hypothesize about potential causal relations of bureaucratic authority and the activities of intergovernmental secretariats in international relations. Finally, I will analyze where possible differences emerge and contemplate how they may relate to the overall effectiveness of intergovernmental treaty secretariats in environmental governance and how, from this vantage point, plausible hypotheses may be generated for further research.<sup>3</sup>

1. Barnett and Finnemore 1999, 2004.

2. The full titles of the treaties these secretariats serve read as follows: 1. The Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer ([www.unep.org/ozone](http://www.unep.org/ozone)); 2. United Nations Convention to Combat Desertification in Countries Experiencing Drought and/or Desertification, Particularly in Africa ([www.unccd.int](http://www.unccd.int)).

3. See also Biermann and Bauer 2005b; and Siebenhüner 2003 for a broader analytical framework on effectiveness and learning of intergovernmental organizations.

## Intergovernmental Organizations in Theoretical Perspective: A Brief Review

Although scholars of international relations increasingly come to agree that there is more to world politics than “politics among nations,” one must not be oblivious to the fact that it is first and foremost the lack of political willingness among national governments that accounts for many of the present-day global challenges. This rather trivial statement implies neither caving to the realist notion of total anarchy in the absence of a world government nor does it minimize the achievements of international and indeed transnational cooperation that can be witnessed as well as analyzed by means of the social sciences. If we agree that multiple actors matter, questions still remain: which actors are doing what, how and to what effect in world politics? One group of actors that has remained largely out of the analytical focus of the social sciences is the group of intergovernmental organizations—albeit with the exception of numerous descriptive studies that are generally based on the accounts of practitioners, diplomatic history and institutional law.

Broadly speaking there are two major groups of scholars in International Relations, both of which take intergovernmental organizations as a given in world politics. Accordingly, neither group has taken a closer look at what intergovernmental organizations actually do, how they do it and why they have certain kinds of effects. One growing group of researchers, liberal institutionalists, ambitiously reaches beyond the traditional focus of international relations by means of integrating the role of nonstate actors and public-private as well as private-private actor networks into their research agenda. Another group of scholars, neorealists, keeps their eyes on states and their governments as the paramount actors of international politics. Consequently, this latter group views international institutions as instruments that may help to facilitate state interaction and greets the notion of an active role for nonstate phenomena with a good portion of skepticism. In contrast to these main views, I see the wide-spread neglect of intergovernmental organizations as a major flaw in the academic discourse. Indeed, this particular deficit in International Relations research has been criticized time and again.<sup>4</sup> Before elaborating further, I take a condensed look at the conventional wisdom on intergovernmental organizations as far as these two schools of thought are concerned.

Quite clearly, neorealists disapprove of the very idea that intergovernmental organizations may do anything meaningful that is not explicitly asked for, indeed demanded, by their member state masters—never mind acting on their own behalf. To the neorealist mindset, intergovernmental regimes and organizations are epiphenomena of the interaction amongst sovereign national governments. If these would not function as instruments in the hands of their

4. See, among others, Rochester 1986; De Senarclens 1993; Malik 1995; Verbeek 1998; Pease 2000; and Reinalda and Verbeek 2004.

member states they would be dismembered or would not have emerged in the first place. Intergovernmental institutions are thus perceived as structures in the political world system and, like other externalities, can be treated as givens while analyzing the political processes among nations.

Institutionalist research, on the other hand, has tremendously advanced our understanding of international environmental cooperation and broadened our empirical knowledge through numerous case studies. This holds in particular for the prolific branch of regime analysis. These achievements notwithstanding, institutionalist research has done little to further our understanding of the role that international organizations—intergovernmental bureaucracies, formally controlled by multilateral governmental mechanisms but operated by self-confident international civil servants—play in international environmental governance. Indeed, students of international regimes tend to view organizations such as treaty secretariats as something that happens to come with regimes as but one feature of the wider institutional setting. They may be looked at as intervening variables that somehow affect regime outcomes, but more often than not, they are not really looked at all.<sup>5</sup>

There are two important reasons to address the neglect of intergovernmental organizations in the environmental policy debate. First, the limited understanding of intergovernmental organizations and their effects on global environmental politics is likely to mislead conclusions about the state of international environmental governance to the extent that there is an anachronistic emphasis on sovereign states that encompasses a perception of international institutions as mere instrumental structures established by these sovereign states. Second, taking into account the effects international organizations do or do not have in world politics will contribute to ongoing policy debates about the very structure of international governance. In fact, the “effectiveness” of the UN and its specialized agencies continues to be a subject of intense debate in public policy circles—not least in the environmental field—albeit with limited academic response.<sup>6</sup>

As far as the analytical treatment of intergovernmental organizations is concerned neoliberal institutionalism and neorealism share the same fundamental flaw. Barnett and Finnemore have convincingly pointed out that both approaches fail to address intergovernmental organizations as actors because ontologically, they are theories about states.<sup>7</sup> Fuelled by the “constructivist turn” in International Relations scholarship a number of authors have begun to chal-

5. For a notable exception see Underdal's 2002 distinction between organizations as actors and institutions as arenas. He singles out coherence, autonomy, activity and resources as criteria that qualify international organizations as actors.

6. For details and further references see Bauer and Biermann 2005. In particular, it can be assumed that the debate about the pros and cons of upgrading the UNEP to a specialized agency or a “world environment organization” could benefit greatly from a more solid academic grounding. See Biermann and Bauer 2005a.

7. Barnett and Finnemore 1999, 706.

lunge this state-centered ontology and developed an institutionalist branch that draws heavily on sociologist approaches to organizational analysis and has been branded as “sociological institutionalism.”<sup>8</sup>

In order to overcome the ontological flaw of neoliberal institutionalism, scholars of sociological institutionalism aim to look beyond the “limits of rationality” that have so far constrained utilitarian approaches to institutional analysis.<sup>9</sup> To this end they seek to integrate “‘the frames of meaning’ guiding human interaction”—namely symbol systems, cognitive scripts, and moral templates—within an expanded framework of institutional characteristics that is traditionally confined to norms, rules and procedures.<sup>10</sup> Moreover, the emergence of a distinct sociological institutionalist approach greatly benefited from the cognitivist branch of regime analysis, which enriched the discipline by considering knowledge and ideas as drivers of international cooperation. As a result, cognitive variables now compete with the long-standing explanatory variables of rationalist scholars, namely power and interests.<sup>11</sup>

Proponents of liberal institutionalist approaches, too, have questioned the appropriateness of maintaining a state-centric ontology and make a strong case to accept a multiplicity of actors as one characteristic empirical manifestation of the globalization phenomenon.<sup>12</sup> However, in their effort to integrate actors such as multinational corporations and civil society organizations into their analytical frameworks they, too, fail to pay closer attention to intergovernmental actors, although this is probably an unintentional side-effect of their occupation with private actors.

In short, it is in particular the sociologically inspired approach to institutionalism that helps us to analyze intergovernmental organizations as actors in the world polity. This however, is not an end in itself. Rather, the sociological institutionalist approach is applicable as an analytical tool to address questions that follow from the ontological assumption that intergovernmental organizations are actors. Namely: what do these actors do, how do they do it and to what effect? And ultimately, does it matter?

Consequently, in the following exploration of how intergovernmental treaty secretariats may or may not affect the implementation of the multilateral (environmental) agreements they were set up to serve, I will draw on the theoretical basis provided by sociological institutionalism and, in doing so, focus in particular on the authority that is vested in intergovernmental bureaucracies.

8. See in particular, Powell and DiMaggio 1991; and March and Olsen 1989 for conceptual foundations of sociological institutionalism; see also Finnemore 1996.

9. March and Olsen 1996, 251.

10. Hall and Taylor 1996, 947.

11. See Hasenclever, Mayer, and Rittberger 1997.

12. See Dingwerth and Pattberg 2006.

*Intergovernmental Treaty Secretariats as Public Nonstate Actors*

Intergovernmental treaty secretariats are one specific type of international organization. Steinar Andresen and Jon Birger Skjaerseth have usefully defined such secretariats as “international organization[s] established by the relevant parties to assist them in fulfilling the goals of the treaty” and emphasized that they “can be conceived of as actors within broader institutional structures or networks.”<sup>13</sup> I further conceptualize intergovernmental treaty secretariats as issue-specific bureaucratic organizations that are best understood as public nonstate actors. To be precise, bureaucratic organizations that administer treaties on behalf of the signatory parties to a specific treaty do represent the collective interest of these parties, which are, of course, states. This function of representing a collective of governments makes them *public* actors. At the same time they are *nonstate* actors—a label that is commonly attributed to private actors—in so far as they simply are not states. In short, it is not mutually exclusive for a political entity to be public *and* nonstate.

Intergovernmental treaty secretariats have received some attention within the distinct branch of the institutional research that seeks to explain the effectiveness of international environmental regimes. For instance, Jorgen Wettestad views treaty secretariats as one of six key factors which help to explain the effectiveness of such regimes.<sup>14</sup> Similarly, Konrad von Moltke and Oran Young have argued that secretariat effectiveness is a necessary condition for the effectiveness of the respective regime.<sup>15</sup> But beyond this, the International Relations literature does not really tell us a great deal theoretically about the roles secretariats play in world politics.

This is all the more striking as these secretariats have not only grown in number, but also in diversity of their functions and features. This holds in particular in the environmental field, where the immense proliferation of intergovernmental treaties that have been adopted to ameliorate transboundary and global environmental problems also brought about new secretariats to administer them. Filling a notable gap in the literature, Rosemary Sandford has traced a three step evolution of environmental treaty secretariats. Starting with the organizational embodiments of the early treaties that had been spawned by the United Nations Conference on the Human Environment in 1972, these organizations evolved into those secretariats that were typically helped into being by the United Nations Environment Programme during the 1980s. They then further evolved into the distinct bureaucracies attached to the so-called “Rio Conventions” which were established in the aftermath of the 1992 United Nations Conference on Environment and Development.<sup>16</sup>

13. Andresen and Skjaerseth 1999, 2.

14. Wettestad 2001.

15. Von Moltke and Young, cited in Andresen and Skjaerseth 1999.

16. Sandford 1994, 19.

### *The Authority of Bureaucratic Personalities*

Considering the above, which features qualify intergovernmental bureaucracies as actors in world politics? In a sense, it is the host of international civil servants employed by a secretariat—organized by a hierarchical structure and equipped with collective resources—that turns it into an actor.<sup>17</sup> In political practice this actor is focused in one or few top executives, like the Secretary-General who represents the actor that is the United Nations Secretariat. Generally speaking, these features of a collective actor constitute what I would like to call an organization's "bureaucratic personality"—as opposed to the legal personality which commonly generates from a document of international law, such as an international environmental treaty. A given collective of international civil servants first and foremost serves the objectives of its organization and not so much the partial interests of the signatories the bureaucrats are individually affiliated with by nationality.<sup>18</sup> This assumption is backed by observations from within three UN agencies—the two secretariats discussed in this paper plus the UNEP secretariat—and a broader empirical study which covers five treaty secretariats and confirms that "professional and personal commitment to the values espoused by the treaty objectives were significant factors in job satisfaction and staff retention, uncertain employment conditions notwithstanding."<sup>19</sup> The notion of bureaucratic personality does not question the general consensus that an intergovernmental bureaucracies' freedom to act is constrained by the control of its state principals, that is national governments. However, international civil servants are willing and able to both detect and exploit the leeway that their principals grant them.

The question remains what makes these bureaucratic personalities meaningful actors in terms of political influence within their respective regime. I argue that it is *bureaucratic authority* that makes environmental treaty secretariats actors of global environmental politics. Intergovernmental secretariats do not possess sovereignty or power in a traditionalist sense. However, as constructivism and sociological institutionalism teach us, power and sovereignty are not the only dispositions by which political processes are constituted and shaped. But how does one conceptualize the authority of public nonstate actors vis-à-vis the material "hard" powers of states and governments?

### *Authority and Action: A Delicate Balance for Intergovernmental Treaty Secretariats*

Authority is one of the key concepts of political thought. As with most political concepts, there are two main ways to approach them: either by scientifically ask-

17. On general functions and characteristics of the international civil service see also Weiss 1982; Mango 1988; and Mouritzen 1990.

18. But see Weiss 1982 for a different perspective in a view of a Cold War context.

19. Sandford 1994, 25. Note that all these examples draw from the environmental arena. It is conceivable, but would require of systematic research to ascertain whether this can be generalized across policy fields.



ing for explanations of the emergence of the phenomenon they conceptualize or by trying to grasp the implications of the existence of the phenomenon and its conceptualization from a normative angle.<sup>20</sup>

I understand authority as a function that enables a subject to effectively implement its will without the use of sanctions, because the objects it addresses voluntarily adhere to it. As such it is clearly distinct from power which does not require the notion of voluntariness on behalf of the addressees. Power is a core disposition of statehood. It entails an ability to enforce that is not at the disposal of intergovernmental secretariats.<sup>21</sup> Consequently, in the absence of power, the potential for an intergovernmental organization to purposively interfere with international political processes rests solely on its authority.<sup>22</sup> Other than for domestic authorities and public institutions, such as local governments or universities, it is also not an option for intergovernmental actors to engage a third-party force, e.g. by calling upon the police or the military, to break the power of others.<sup>23</sup>

In an attempt to come to terms with “private authority” in the realm of global governance, Claire Cutler and colleagues have brought forth a definition that highlights similar aspects of authority. According to them authority “involves a surrendering of individual judgment, an acceptance of its dictates based not on the merits of any particular pronouncement but on a belief in the rightness of the authority itself.”<sup>24</sup> This understanding resonates well with the classic conception of Hannah Arendt on which I have drawn above to approach the concept of authority.

To grasp what determines the bureaucratic authority of intergovernmental secretariats—which is by definition not private—and how it generates, it is insightful to turn to Max Weber’s classic analysis of bureaucratization.<sup>25</sup> Of course, one needs to be cautious in so far as classic sociological studies of bureaucracy result from observations of the domestic level and it is the very *raison d’être* for students of International Relations that lessons from national arenas cannot simply be transferred to the inter-national realm. With regard to authority it is crucial to note that at the domestic level, in the ideal-typical relation between a

20. See Raz 1990, 1. Rather than discussing the meaning of authority, I employ it as a concept that can help us to understand how intergovernmental secretariats interact with other players in the arena of global governance.

21. Arguably some of the bigger intergovernmental organizations possess means to exert power, too, e.g. the World Bank can pressure governments by withholding loans. But from the vantage of political philosophy, such power tools are not genuine power (see Arendt 1977 [1961]; and 1970, 44–58) and the availability of either genuine power or indirect power tools can most certainly be excluded for the case of environmental treaty secretariats.

22. But see Barnett and Finnemore 2005 for a broader understanding of power.

23. Arendt 1970, 47, note 61, has employed the example of the 1969 Berkeley student rebellion to illustrate this point.

24. Cutler, Haufler, and Porter 1999, 334; see also Pattberg’s discussion of the changing nature of authority in environmental governance (Pattberg 2005).

25. See Barnett and Finnemore 1999, 707–710; see also Weber 1980 [1921]; Kieser 1999; and Barnett and Finnemore 2004.



government and a people, people are generally willing to submit to the “rational-legal authority” of the governmental bureaucracy. At the intergovernmental level, however, states are generally reluctant if not principally unwilling to submit to the authority of an intergovernmental secretariat (the very reason why the latter are powerless and without the means to exert force). Nonetheless, most features that determine rational-legal authority at the domestic level also apply to intergovernmental bureaucracies. Environmental treaty secretariats, for instance, embody the institutional memory of the regime. Specifically, they possess expert knowledge of various categories, all of which are relevant to regime dynamics. They bear technical and scientific knowledge on the policy problem, administrative and procedural knowledge—which to a significant degree they will generate themselves—as well as normative and diplomatic knowledge which is relevant to deal with the complex web of connections that typifies international regimes. Moreover, they control, at least to some extent, the flow of information between regime components, and, not least, they develop their own organizational culture.<sup>26</sup> Furthermore, skilful and charismatic leadership—another concept that goes back to the sociology of Max Weber—may effectively boost a bureaucracy’s authority, but it is also prone to politicize it and hints to where the concept of bureaucratic authority goes beyond a mere technocratic understanding of a narrowly Weberian “rational-legal authority.” All these elements contribute to the generation of bureaucratic authority and some of them will be illustrated in the empirical section below. In sum, the acquisition of authority “invites and at times requires bureaucracies to shape policy, not just implement it.”<sup>27</sup> Ultimately, then, it turns bureaucratic personalities into public nonstate actors.

Some authors go as far as to consider the control of knowledge and expertise that is exerted by international organizations as a manifestation of power.<sup>28</sup> However, authority not only represents a different concept than power, but its empirical manifestation is also more delicate. It is important then to keep both categories distinct, at least analytically. The delicateness of the authority we find vested in intergovernmental organizations is closely related to their attitudes and behavior as nonstate actors. The degree of authority at the disposition of a bureaucratic personality depends not only on its activities *per se* but also on the ways and manners in which these activities are conducted.

This is where the concept of bureaucratic authority relates to the question of secretariat activity. The authority of a public nonstate actor is dependent on how it is perceived by its stakeholders, notably—in the case of treaty secretariats—the parties to a treaty. This perception of course largely depends on the ways in which the bureaucratic personality acts. Barnett and Finnemore have pointed to the irony that authoritative international organizations can typically

26. For an illustrative example on the relevance of organizational culture see Weaver and Leiteritz 2005.

27. Barnett and Finnemore 1999, 708.

28. See Haas 1990; and Barnett and Finnemore 1999, 2004.

be characterized by a depoliticized appearance.<sup>29</sup> As bureaucratic authority is a delicate good, even minor misdemeanors of a treaty secretariat—or what is perceived as such by its parties—can seriously reduce and ultimately result in a total loss of its authority. Where this is the case the secretariat at the same time decreases or loses its potential to actively interfere with the political processes around it. With regard to regime effectiveness, it is conceivable that the implementation of a treaty can still be reasonably effective if the treaty secretariat bears little or no authority. From the perspective of the bureaucratic personality however, its potential to effectively pursue its own objectives crucially depends on its authority.

Those who do address the activities of secretariats and look for variation in secretarial performance commonly rely on an analytical distinction between passive and active secretariats.<sup>30</sup> The general assumption behind this distinction is that active secretariats significantly influence both treaty making and implementation whereas “minimalist” passive secretariats take a back seat on the processes that determine a regime’s dynamics.<sup>31</sup> While this distinction is useful in an ideal-typical sense, I would argue that there is no such thing as a passive secretariat. Clearly, some secretariats are more active than others, but even those secretariats who would describe themselves as passive are not *that* passive that they would not interfere with the political processes relevant to the treaty they serve. In fact, as we shall see from the case of the Ozone Secretariat, a secretariat that is eager to characterize itself as a passive instrument to its parties, may well be quite active behind the scenes. But just because secretariat activity often occurs behind the scenes, indeed in the corridors and hotel bars of conference venues, does not mean they are obsolete to regime dynamics. Thus, it is preferable to talk of cautious rather than passive secretariats, like Andresen and Skjaerseth have done in their analysis of the International Whaling Commission.<sup>32</sup> For secretariats who wish to make a difference in the ways “their” treaty is being implemented such cautiousness often is an appropriate prerequisite to being active as it is directly linked to the authority they will enjoy vis-à-vis governments and other actors. Essentially, cautiousness and sophistication—staple skills of successful diplomats—reflect the “delicate balance”<sup>33</sup> between the activism that is necessary to make a difference and the risk of being perceived as questioning or even challenging specific interests of individual parties to the treaty.

As we shall see from the analysis below, both the Ozone Secretariat and the Desertification Secretariat bear bureaucratic authority and both are active players in their respective regimes. In tracing their activities and how they affect the processes of treaty implementation we can see that they differ markedly in

29. Barnett and Finnemore 1999, 708.

30. Sandford 1992, 1994; Andresen and Skjaerseth 1999.

31. Sandford 1992, 27; and Young 1967.

32. Andresen and Skjaerseth 1999, 12.

33. *Ibid.*, 7.

keeping the balance between activity and authority. Before I will return to this aspect in the following paragraphs, I should note—in order to reduce the complexity of the argument in this article—that I deliberately neglect one peculiar feature of bureaucratic organizations i.e., bureaucratism, commonly referred to as “red tape.” Suffice to say here, that it can be plausibly assumed that heavy red tape and subsequent inefficiencies in secretariat performance are not a source of bureaucratic authority and will much rather discredit a secretariat in the perception of governments. Naturally, the factors that connote the maneuverability of an intergovernmental administration will vary according to its size, i.e. an administration will be clumsier the more employees it has, the more levels of hierarchy it requires to manage itself, and so on. However, as far as bureaucratism in small environmental treaty secretariats is concerned variation is negligible, in particular for those that operate within the overall administrative system of the United Nations. This is the case with the vast majority of environmental treaty secretariats—more than two thirds according to an estimate of Andresen and Skjaereth<sup>34</sup>—and includes the two cases considered in this paper.

## Intergovernmental Treaty Secretariats in Global Environmental Politics

In the following section I will trace what generates the specific bureaucratic authority of two intergovernmental environmental treaty secretariats: the Ozone Secretariat and the Desertification Secretariat. Drawing on these two empirical case studies I will show that both secretariats do bear authority, but also that there are differences in the authority (and the use thereof) with respect to either secretariat.<sup>35</sup>

### *Fixing a Hole?—The Montreal Protocol and the Role of the Ozone Secretariat*

The international regime for the protection of the stratospheric ozone layer is built on a multilateral environmental agreement that is typical of international environmental politics in the 1980s. As it is generally considered *the* success story in international environmental negotiations the literature on the emergence, implementation and effectiveness of the regime is abundant. However, few scholars have systematically looked at the role of the intergovernmental organization that administers the Vienna Convention and the Montreal Protocol, i.e. the Ozone Secretariat in Nairobi. Exceptions include a brief section in a case study on the effectiveness of the Montreal Protocol by Jorgen Wettstad and a few references in the book by Penelope Canan and Nancy Reichman who approach the ozone success story from a sociological perspective. Also, the Ozone Secretariat is one of five cases in Sandford’s study.<sup>36</sup>

34. Ibid., 14.

35. For more details see the elaborate case studies in Bauer forthcoming a, b.

36. Wettstad 2002; Canan and Reichman 2002; and Sandford 1994.

In opposition to many other environmental problems, and despite evident variation in terms of vulnerability, ozone depletion is a genuine global commons problem that leaves everyone worse off. This insight, of course, does not necessarily equal consensus and swift cooperation in international politics. Leaving initial uncertainty with regard to the scope and complexity of the environmental threat aside, two major factors were responsible for the contentiousness of the ozone issue in the arena of international politics: the economic importance of CFCs and other ozone depleting substances and, yet again, a gross imbalance of cause-and-effect matters along the North-South divide. While the former has been largely ameliorated during the process of regime formation, the latter remains to be a bone of contention and infringes upon the overall success of the regime to protect the ozone layer. Indeed, it appears as the main obstacle to ensuring "smooth sailing with regard to complete problem solving" of an otherwise exceptionally effective regime.<sup>37</sup> These flaws notwithstanding, the ozone regime remains a remarkable success both in terms of constructive international negotiation and meaningful commitment to problem solving with respect to a global environmental problem. Major explanations for the success story have—to various extent—emphasized the relevance of scientific expertise, strong business interests in combination with the availability of technical solutions, public attention in industrial countries, and, not least, the personal authority of committed individuals, most notably Mostafa K. Tolba, the charismatic Executive Director of the UN Environment Programme (UNEP) during the heyday of ozone negotiations.<sup>38</sup> The role of the Ozone Secretariat, which has administered the regime's implementation since 1987, has received little attention to date.

Both the Vienna Convention and the Montreal Protocol explicitly provide for a secretariat to administer the regime's implementation, i.e. "to organize future meetings, prepare and transmit reports, and perform functions assigned to it by any future protocols."<sup>39</sup> Of course, the so-called Ozone Secretariat is but one component of the overall ozone regime that has developed since the mid-1970s and also comprises, among other components, the Vienna Convention, the Montreal Protocol plus its London, Copenhagen, Bangkok and Vienna amendments, an Open Ended Working Group of the Parties, a variety of expert panels and the Multilateral Fund for the Implementation of the Montreal Protocol.

It was established in the Vienna Convention that the secretariat be hosted by UNEP, but constitutes a distinct entity answerable to the Conference of Parties. The Ozone Secretariat is located within the UNEP's Nairobi headquarters and it relies upon UNEP for conference services and administrative assis-

37. Wettestad 2002, 167.

38. See Haas 1992; Litfin 1994; Canan and Reichman 2002; and Parson 2003 with an emphasis on epistemic communities and the role of science; and Benedick 1998; and Andersen and Sarma 2002 for more general accounts.

39. Downie 1995, 179.

tance.<sup>40</sup> It formally reports to the UN General Assembly through UNEP and communication with parties and its publications formally come under the UNEP label. Indeed, UNEP officials appear keen to emphasize that the Ozone Secretariat is administered by the programme's Environment Secretariat and that its own Coordinating Committee on the Ozone Layer, established in 1977 in accordance with the World Plan of Action on the Ozone Layer, effectively constituted the secretariat's institutional predecessor. This idiosyncratic institutional setting notwithstanding, the Ozone Secretariat emerged as distinct enough an entity to be represented by its own Executive Secretary and it can be treated as an intergovernmental treaty secretariat in its own right analytically.

As of 2004 the small secretariat consists of the Executive Secretary—the position being held by Marco Gonzalez since 2002—and his deputy, six professional officers and a total of eight support staff. The budget of the secretariat amounts to USD 1.3 million (1999) with respect to administering the Vienna Convention and an additional annual average of USD 3 million to cover for its activities related to the Montreal Protocol. With these resources—which must not be confused with the multi-million dollar Multilateral Fund that is separately administered in Montreal<sup>41</sup>—the Ozone Secretariat administers formal conferences and meetings of the parties as well as informal consultative meetings, provides drafts for treaties and amendments respectively, convenes review panels and coordinates reporting and compliance issues.

Ever so small, the Ozone Secretariat has contributed to the overall performance of the regime and, it has been mused, “perhaps more so than envisioned in the regime-creation phase.”<sup>42</sup> In the following, I will trace where, how and to what effect the activities of the Ozone Secretariat relate to its bureaucratic authority within the overall ozone regime. This endeavor is of course complicated by the particularly complex composition of the ozone regime's myriad treaties, institutional arrangements and actors involved.

### *Activities and Authority of the Ozone Secretariat*<sup>43</sup>

A crucial explanatory factor regarding the authority which the Ozone Secretariat has acquired over time is linked to the successful realization of one of its core functions. The hub of the overall ozone regime, the secretariat takes credit for smooth cooperation with parties around the globe through a network of 110 National Ozone Units that have been created following the ratification of the Montreal Protocol. This network provides for highly efficient communication

40. Ibid.

41. See UNEP 2003 for figures; and Biermann 1997 for details on the role of the Multilateral Fund.

42. Wettstad 2002, 162; see also Andersen and Sarma 2002.

43. The following paragraphs are largely based on interviews conducted by the author at the Ozone Secretariat in Nairobi in September and October 2003 as well as observation of the First Extraordinary Meeting of the Parties of the Montreal Protocol, which convened in Montreal in March 2004. Interviewees in the secretariat included the Executive Secretary, the Deputy Executive Secretary and three programme officers.

flows between national authorities responsible for the on-the-ground implementation of the Montreal Protocol and the organizational switchboard that is the Ozone Secretariat.

National bureaucrats responsible for the implementation of the Montreal Protocol who find themselves faced with the ever more complex requirements of the Protocol and its various amendments commonly seek advice from the secretariat and are very appreciative of the respective services provided by the "ozone officers" in Nairobi. Naturally, this is particularly important for administrators from developing country parties, whose domestic capacities to handle implementation requirements, including reporting, are rather low. In its role as the ultimate institutional memory of the regime and as the main provider of general information and individual advice in technical as well as in procedural terms, the officers of the Ozone Secretariat have a direct influence on how compliance issues are handled at the domestic level. While the officers unanimously emphasized their role as service providers whose advice always and exclusively serves the letters of the treaty as agreed by the parties, this does not make their advice less meaningful. Indeed, it constitutes rational-legal authority in the traditional sense of Weberian bureaucratic theory.

As discussed above, the disposition of rational-legal authority alone does not justify the assumption of a further-reaching authority that can be acquired by a bureaucratic personality. In the case of the Ozone Secretariat, one finds the rational-legal authority to be enhanced by the achievement of the officers to be credited, even lauded, for their neutrality and professionalism as well as the level of transparency in the secretariat's activities. According to one programme officer this is the most precious asset of the secretariat regarding its standing vis-à-vis the parties and all officers are doing their utmost to sustain this level of satisfaction among their "clients." There is a sense of pride among officers of the Ozone Secretariat concerning their harmonic and smooth relations to parties both in the North and the South. This is underscored by the difficulties that other international agencies have in this respect. It is even interpreted as a reward for the continuous neutrality and transparency of the organization that the Meeting of the Parties approved of two additional programme officers for the Ozone Secretariat at a time when there is a general tendency to cut back on intergovernmental bureaucratic personnel.

A much more sensitive issue with regard to potential effects of the Ozone Secretariat in shaping the ways in which the Montreal Protocol is furthered and implemented is the drafting of reports and, crucially, decisions to be adopted by the Meeting of the Parties. Naturally, the Executive Secretary has emphasized that drafts are by definition only that and downplayed the secretariat's relevance in this respect as only the letters of eventual formal decisions matter in international legal terms. Ultimately, these are adopted by the parties. However, although being cautious, programme officers have also expressed that by means of their expertise, institutional memory and technical knowledge superior to most party delegates, the relevance of drafting with regard to legally-binding

output of the governing bodies must not be underestimated.<sup>44</sup> Quite explicitly it has been argued that by means of the legal and scientific expertise embodied in the secretariat the drafts provided to the parties are commonly seen as authoritative. In this respect it should also be insightful to further investigate the contributions of officers from the Ozone Secretariat in the expert panels that serve as the consultative basis of the ozone regime, notably the Technical and Economic Assessment Panel.<sup>45</sup>

The most significant manifestation of the Ozone Secretariat's authority arguably needs to be attributed to its top executives and their diplomatic skills. In the ozone case these can be traced back until before the actual emergence of the permanent Ozone Secretariat and to the time when the secretariat function was run by the secretariat of the United Nations Environment Programme. Although scholars naturally differ with regard to the prominence they attach to individual leadership amongst other explanatory variables, the appraisal of Mostafa Tolba's vital contribution in furthering the formation of a substantive ozone regime is strikingly unanimous.<sup>46</sup> Likewise, professional staff of the Ozone Secretariat and national as well as intergovernmental officials who have been involved with ozone politics from early on enthusiastically laud Madhava Sarma for effectively filling Tolba's footsteps as the first Executive Secretary of the permanent Ozone Secretariat in 1987. Like his predecessor, he has been described as a charismatic and skillful diplomat who was respected as an authoritative mediator by industrialized and developing countries alike. In particular he has been credited for breaking negotiation deadlocks through personal interventions at various Meetings of the Parties that were crucial in bringing about ambitious amendments to the Montreal Protocol. With a view to the new Executive Secretary Marco Gonzalez, it is still too early for a meaningful assessment. This said, an analysis of the role of the secretariat in dealing with the highly politicized issue of phasing out methyl bromides promises further insights in this respect.<sup>47</sup>

Finally, a specific aspect to the role of the Ozone Secretariat is its formal status, namely its administrative connection to UNEP. While this organizational peculiarity should theoretically relate to the authority of the secretariat, it could work either way empirically. The fact that the Ozone Secretariat may be perceived as an appendix to UNEP rather than an organization of its own could be expected to lower its authority in the eyes of parties to the treaty. At the same time it would be plausible to assume that the authority of the secretariat gains

44. See also Churchill and Ulfstein 2000 with anecdotal evidence and explicit reference to the case of the Ozone Secretariat.

45. Karen Litfin 1994, in her in-depth analysis of "ozone discourses," has already shown how crucial the interface of scientific expertise and intergovernmental cooperation has been in shaping the ozone regime. It would be an interesting if challenging endeavor to trace specifically how knowledge and expertise processed in the Ozone Secretariat relate to this.

46. See, for instance, Haas 1992; Benedick 1998; and Canan and Reichman 2002, in particular 48–52.

47. See IISD 2004.



from the backing of a reasonably bigger UN agency and the standing of the UNEP Executive Director in the numerous fora of international environmental governance—notably vis-à-vis the Secretary-General and the United Nations General Assembly.

*Raising Dust?—UNCCD and the Role of its Secretariat*

The Desertification Secretariat serves the United Nations Convention to Combat Desertification in those Countries Experiencing Drought and/or Desertification, Particularly in Africa (UNCCD). From a political-historical perspective the most apparent difference between the case of the treaty served by the Ozone Secretariat and the one served by the Desertification Secretariat is that the latter is attached to one of the so-called “Rio Conventions” (although it was agreed on only two years after the Rio Earth Summit and did not enter into force before December 1996) and has—like the United Nations Framework Convention on Climate Change—been attributed with the status of a United Nations Convention. This implies that formally the Desertification Secretariat ranks higher in the United Nations system than the Ozone Secretariat which is formally subordinate to UNEP. As of 2003 the Desertification Secretariat is run by about seventy employees, roughly half of which are management and professional officers. The regular budget of the secretariat amounts to USD 17 million for the 2004–2005 biennium. As we shall see, however, the difference in formal status and size is of limited relevance with regard to the two secretariats described here and the roles they play vis-à-vis their respective governing bodies. A more notable implication which relates to the post-Rio emergence of UNCCD is that it has been framed as a sustainable development treaty rather than as an environmental treaty in the narrow sense, a point which is emphasized time and again by officials of the Desertification Secretariat and parties from the developing world.<sup>48</sup>

These differences notwithstanding the political-historical context of the issues addressed by the treaty and the mandates of the treaty secretariats allow for the comparison of both organizations. Most notably, the agenda-setting phase and subsequent discourse about how to frame the environmental problem to be regulated took off in the 1970s. Moreover, the assumed causes as well as prospective solutions to the identified problem are salient issues regarding the political relations between developing and developed countries. Formally, both secretariats have been set-up to administer continuous negotiation processes between the parties to the treaties as well as to help countries in implementing the agreements they have ratified.

Turning to the issue of desertification itself, scientific consensus in defining the phenomenon as a primarily anthropogenic process of severe land degradation expanding in regions where this should climatically not occur has

48. See Bauer 2006 for details and further references.

been well established for several decades.<sup>49</sup> In line with Agenda 21 parties to the UNCCD defined it as a process of "land degradation in arid, semi-arid and dry sub-humid areas resulting from various factors, including climatic variations and human activities."<sup>50</sup> However, this definition is highly political for its link to the wider climate change problematique alone. It deviates from earlier assessments in which desertification is first and foremost seen as a direct consequence of haphazard human interference with land development.<sup>51</sup> Integrating "climatic variations" as one explicit root cause of desertification potentially invokes compensatory claims against countries that are being held responsible for climate change, effectively turning the desertification problematique into a contentious North versus South issue.<sup>52</sup>

The trigger event for the desertification issue to finally appear on the international agenda was the major drought and subsequent famine that hit the Sahel region in the late 1960s and early 1970s. This prompted the United Nations' to create the UN Sudano-Sahelian Office to provide assistance in coping with the consequences of the drought disaster. Again, it was the UNEP which elevated the issue to a larger intergovernmental arena by calling for the 1977 United Nations Conference on Desertification. Its major outcome, the Plan of Action to Combat Desertification, was a spectacular failure.<sup>53</sup> With hindsight, however, it established desertification as an issue of intergovernmental environmental negotiations. It is against this background, that the global convention against desertification eventually took shape in the wake of the Rio conference. The complex institutional setting of the desertification regime, which involves a number of UN agencies as well as regional institutions and a diverse array of banks and funding agencies, has been described in greater detail elsewhere.<sup>54</sup> I will now discuss where, how and to what effect the role and activities of the permanent convention secretariat relate to its bureaucratic authority within the overall UNCCD process.

### *Activities and Authority of the Desertification Secretariat<sup>55</sup>*

In terms of what can be found in the literature, explicit references to the Desertification Secretariat are even scarcer than in the case of the Ozone Secretariat.<sup>56</sup> This is hardly surprising considering that the set up of the UNCCD per-

49. See Toulmin 1995; see also Corell 1999.

50. UNCCD 1995, 12.

51. See Corell 1999, 53–62 for an overview of shifting definitions of the desertification phenomenon.

52. Toulmin 1994.

53. See McCormick 1989, 116–122; see also Corell 1999, 69–72; and Corell 2003.

54. Chasek and Corell 2002.

55. The following paragraphs are largely based on interviews conducted by the author at the Desertification Secretariat in Bonn in November and December 2003 as well as personal communication with national delegates and academic experts. Interviewees at the secretariat included the Executive Secretary, the Deputy Executive Secretary and three senior officers.

56. See also Bauer 2006.

manent secretariat—the establishment of which was decided by the first Conference of Parties in Rome in 1997—has only really been completed with its move from its interim location in Geneva to Bonn in January 1999. Moreover, it must be noted that only now, in the wake of its sixth Conference of Parties which convened in Havana in September 2003, has the convention actually entered its implementation phase. While there is an increasingly substantive literature on the negotiation process that finally led to the anti-desertification convention, no studies are yet available that evaluate its achievements in a manner that could possibly match the insights of the case studies that scrutinize most other major environmental conventions.<sup>57</sup>

This said, the role of secretariat officials in what should best be called the “desertification discourse” is very interesting, not least because many of them—including the incumbent Executive Secretary Hama A. Diallo—have been actively involved in the negotiation process that finally led to the convention. The very framing of “desertification” rather than “land degradation” stands out in the process of institutionalizing the convention and has strong implications for the implementation of the convention.<sup>58</sup> While scientists agree that “desertification” is a rather misleading term for the environmental phenomenon which policy makers actually target, that is dryland degradation, the Desertification Secretariat purposively maintains the usage of the former. The explanation offered by its Executive Secretary is as simple as it is straightforward: “Desertification has a political appeal that land degradation does not have.”<sup>59</sup> Indeed, it is striking how most intergovernmental agencies that cooperate under the UNCCD umbrella, in particular the Food and Agricultural Organization, the UN Development Programme or the Global Environment Facility (GEF), avoid the term desertification in their own parlance by a clear preference for “land degradation” instead. Even the UNEP, which is either blamed or lauded for having introduced the desertification “myth” to the international political agenda and effectively manifested its usage—e.g. by publishing the acclaimed World Atlas of Desertification<sup>60</sup>—is now seen to shift its vocabulary more consistently to land degradation.<sup>61</sup> This notwithstanding, the Desertification Secretariat is highly effective in preventing its desertification trademark from sinking into oblivion. The title of the convention vouchsafes it and the secretariat ensures that its usage is vividly fluctuated, if not diffused, by means such as the World Day to Combat Desertification which it annually commemorates on 17 June since the ratification of the convention in 1994.

In a similar vein, the secretariat has greatly promoted the gradual discus-

57. But see the edited volume by Johnson, Mayrand, and Paquin 2006.

58. See also Bruyninckx 2004 for an analysis of discourses that are furthered by the UNCCD and how they relate to policy implementation at the local level.

59. Hama A. Diallo, cited in Corell 1999, 65.

60. Middleton and Thomas 1992.

61. As underscored by UNEP's (2004) recent “Strategy on Land Use Management and Soil Conservation.”

sive transformation of desertification from being a regional problem that can be observed world-wide into a global commons problem. This shift in meaning is a striking example of the “power of discourse” as it has far-reaching material implications. With desertification as a global problem, projects that relate to the implementation of the Convention to Combat Desertification have finally become eligible for funding through the resourceful GEF as of 2003—albeit under the heading of land degradation. This is a concession of the donor community that especially African countries have pushed for ever since the establishment of the Facility. While it is hard to determine the specific impact of the Desertification Secretariat in bringing this concession about, it has played its part to keep the issue on the GEF agenda and continuously backed developing countries’ respective efforts. Indeed, the Desertification Secretariat is happy to accept credit for having contributed to this end. Moreover, officers have also expressed the view that access to the GEF funds is an overdue step to make up for the lack of a genuine financing mechanism under the UNCCD. This perception relates to the controversy regarding the “Global Mechanism,” a distinct institutional provision of the convention that acts as a clearing house utility to help parties to attract funding from those sources that are most suitable to their needs, but is not a financing mechanism itself.<sup>62</sup>

Additionally, close links to civil society organizations and close cooperation with affected regions—institutionalized by means of the secretariat’s respective Regional Action Facilitators for Africa, Asia and Latin-America—are also found to contribute to the authority of the Desertification Secretariat. Both the emphasis on regional cooperation and the involvement of nongovernmental stakeholders are explicitly provided for by the secretariat’s mandate to promote the development of regional action programs in cooperation with local populations and nongovernmental organizations. The secretariat makes ample use of this provision with regard to maintaining nongovernmental stakeholder contacts in affected regions. This is a legacy to the pre-convention negotiation process, where nongovernmental organizations had been involved to a considerable and arguably unprecedented extent, on which the secretariat can now build.<sup>63</sup> With regard to enhancing regional cooperation efforts the Desertification Secretariat has actively sought to strengthen the Regional Coordination Units that cooperate under the convention and has mustered support for this endeavor among the affected region countries. However, the main donor countries remain skeptical with regard to institutional duplication. They have put the secretariat’s initiative on hold for consideration at COP-7 in 2005, where the negotiations pertaining to this topic should be insightful to follow.<sup>64</sup>

Two other initiatives illustrate particularly well the Desertification Secretariat’s ability to shape the dynamic institutionalization of the convention as

62. For details pertaining to UNCCD financing see Falloux, Tressler, and Mayrand 2006.

63. See Corell and Betsill 2001.

64. See IISD 2003.

well as the agenda of Conferences of Parties. They also serve to prove the point that secretariat activity may cut either way in terms of bureaucratic authority. First, the establishment of the Committee for the Review of the Implementation of the Convention (CRIC) shows how the secretariat triggered the creation of an additional institution that was initially perceived to be at odds with the interests of powerful parties but has by now turned out to be a useful institutional complement to the desertification regime. Namely, the establishment of CRIC as a subsidiary body of the Conference of Parties was decided on the initiative of the Desertification Secretariat at COP-5 in Geneva in 2001, despite outright skepticism and initial unwillingness of major donor countries and the European Union. However, after the CRIC had first convened in Rome in November 2002 it was widely acclaimed as a highly constructive meeting and a reasonable instrument to further the implementation of the convention. CRIC-2, held back-to-back with COP-6 at Havana, was perceived as less constructive, but even its critics conceded that this was mostly due to the highly politicized atmosphere of the Havana meeting. This is in fact linked to the second example, the inclusion of a so-called High Level Segment at COP-6 which illustrates the point that the actions of a treaty secretariat are to be reckoned with on the stage of inter-governmental diplomacy. In the run up to COP-6, the idea of a distinct High Level Segment and the inclusion of a Round Table of Heads of State and Government had effectively been pushed on the agenda of the meeting by the Desertification Secretariat with the explicit intention of elevating it to a more authoritative and publicly realized level. This was aptly justified by the Executive Secretary as an appropriate step to mark the crucial passage of the convention from institutionalization to implementation. In the event, however, the twelve Heads of State and Government who attended the conference included a number of controversial leaders from the South—such as Fidel Castro Ruz of host country Cuba, Hugo Chávez Frías of Venezuela and Robert Mugabe of Zimbabwe—but not a single leader from the donor countries. Ultimately, the High Level Segment—which cumulated in a “Havana Declaration of the Heads of State and Government”<sup>65</sup>—resulted in an open confrontation of developed countries on the part of Southern leaders. Thus, the well-intended but politically delicate maneuver of the secretariat turned into a farce for which it drew heavy criticism, not only from developed country parties.

Also adversely affecting the Desertification Secretariat’s authority is the fact that it has been repeatedly criticized for lack of transparency in its operations, which is in stark contrast to the Ozone Secretariat. Specific allegations that have been raised during the meeting in Havana related to irregularities regarding the election of CRIC officials as well as financial support that the secretariat had allegedly granted to hand-picked nongovernmental organizations.<sup>66</sup> While executive officers of the secretariat have offered explanations for the con-

65. UNCCD 2003, 13–16.

66. IISD 2003, 14.

troveries arising in Havana and sharply deny allegations of intransparency, some damage is done. The authority of the Desertification Secretariat took a blow that has its manifest expressions, among other things, in a formal demarche of the European Union, a statement by Canada, threatening to withdraw from the UNCCD process, and a decision of the Conference of Parties to subject the secretariat's activities to a comprehensive review by the United Nations' Joint Inspection Unit.<sup>67</sup>

Authoritative but confrontational leadership that comes to the fore in secretariat initiatives such as insisting on the High Level Segment appear to generate from a self-understanding of the secretariat as an internationally sanctioned advocacy organization of the global South. Virtually all interviewed secretariat officers have emphasized, in slightly varying wordings, that the secretariat "serves the *majority* of parties." This statement can be found to be correct in so far as the attitude of the secretariat matches the aspirations of most developing country parties as well as it may be justified on the basis of the sustainable development prose of the convention text. It fails to acknowledge, however, that the implementation of agreements under the roof of the United Nations commonly relies on consensual decision making, at least in political practice. Thus, alienating a few powerful states is not helpful in pursuing whatever objective a secretariat may have, just as it would not be helpful to disrespect the interests of a less powerful share of developing countries. In terms of furthering the objectives of the convention, this inconsiderateness on behalf of the secretariat amounts to a perceived breach of neutrality that decreases the authority of its bureaucratic personality and leaves parties suspicious of future secretariat activities. Moreover, this loss of authority is not restricted to the standing vis-à-vis developed country parties. It also affects developing country parties who would rather not have an intergovernmental treaty secretariat alienate donor countries as they may eventually turn their back on a progressive convention that was so difficult to bring about.

## Conclusion

This article demonstrates that intergovernmental treaty secretariats do bear bureaucratic authority and illustrates how this bureaucratic authority depends on the activities of such secretariats. The cases of the Ozone Secretariat and the Desertification Secretariat also indicate that there are marked differences in the sources from which bureaucratic authority is generated and even more so with regard to the effects to which bureaucratic authority is employed.

The Ozone Secretariat effectively utilizes its bureaucratic authority to further the progressive development of the Montreal Protocol and how it is being implemented. In particular, the Ozone Secretariat successfully keeps the balance between being an active player behind the scenes and being perceived as a neu-

67. Ibid.

tral and “passive” tool from the viewpoint of governments. This quality is an important source of its bureaucratic authority which has been appreciated by governments in the North and the South ever since the Montreal Protocol was adopted. The diplomatic skill and personal authority of its Executive Secretaries has been quintessential to this end. The case shows, that for an intergovernmental treaty secretariat to be an authoritative bureaucratic actor, a neutral appearance is not an asset but a requirement. At the same time the example of the “ozone officers” shows, that this does not confine treaty secretariats and their staff to a life of passive technocraticism, but it requires them to act cautiously and considerately where they seek to pursue initiatives of their own making.

Quite to the contrary, the Desertification Secretariat has tipped the balance by pushing delicate North-South issues. While these issues are related to the secretariat’s mandate in so far as they are covered by the UN Convention to Combat Desertification, they have, by the ways in which the secretariat operated, been perceived as reaching beyond the mandate. More importantly, they were seen to offend the interests of powerful parties. This has adversely affected the authority of the secretariat which now finds itself struggling to regain confidence amongst developed country parties. Its latitude to be actively involved in the overall regime process has decreased as parties have become more alert to the secretariat’s activities and have demonstrated reluctance in following secretariat proposals. As a result, the secretariat’s potential to shape the ways in which the convention is implemented has been seriously hampered. However, while the Executive Secretary certainly contributed to politicizing the relations between the secretariat and developed country parties, it would be short sighted to blame this development solely on the moves of this experienced and highly skilled diplomat. Rather, I would argue, the behavior of the secretariat reflects the evolution of the UN Convention to Combat Desertification before the actual creation of the secretariat. The distinct history of the convention, and the parts many of today’s UNCCD senior officers have individually played in it, significantly shape the bureaucratic personality of the Desertification Secretariat. In particular, there is a peculiar organizational culture that might be interpreted as a manifestation of the persistent driving forces that brought about the anti-desertification convention after two decades of tough North-South bargaining. In this respect, it is only fair to attribute part of the responsibility for the current situation to the hypocrisy of developed countries. Rhetorically, they have accepted desertification as a global problem, but politically they continue to view this as a concession to Southern interests rather than prioritizing it on their own agenda. If this is indeed the case, the endeavors of the Desertification Secretariat would appear as a steep uphill struggle. It remains plausible, however, that the secretariat might be in a better position to play an authoritative role in the convention process today, had it acted more discreetly in its recent past.

In sum, it should be noted again, that international treaty secretariats are but one factor of effective environmental governance. Naturally, the outcomes of international politics are first and foremost determined by factors other than treaty secretariats and the intergovernmental civil servants employed by these



secretariats. It is for this reason precisely that the larger part of the institutional literature in International Relations does not conceive of intergovernmental secretariats as actors in their own right and only rarely attributes attention to the roles they play apart from facilitating government interaction and providing fora for negotiations among nations. Indeed, the potential effects of secretariats on the overall effectiveness of a given international environmental regime are limited as it is subject to a great number of factors that are beyond its grasp. In particular, states remain the formal masters of a given regime. Nonetheless, as this article illustrates, states find themselves reacting to authoritative intergovernmental bureaucracies. The latter can hardly be blamed for poor regime effectiveness but will occasionally need to be commended for their contributions to improving the specific outcomes of a regime. Often these will be outcomes that were not anticipated by the parties when crafting a treaty and providing for its administration. Bureaucratic authority thus can make a meaningful difference to the ways in which an intergovernmental treaty is furthered or implemented.

Treaty secretariats will be the more effective in this regard, the more they are accepted as authoritative players in the overall regime setting. To make a meaningful difference to global environmental politics they depend on the bureaucratic authority they muster vis-à-vis the other actors that operate in the respective regime. Treaty secretariats can only be expected to affect the behavior of other stakeholders if they succeed in generating such bureaucratic authority. A secretariat that performs poorly or is perceived as “misbehaving” in one way or another will instead undermine its own authority and limit its means to shape the political processes around it.

In short, the effects even of small treaty secretariats must not be underestimated. The more bureaucratic authority a secretariat acquires the more effective it will be. Systematically addressing the contributions intergovernmental treaty secretariats can make to effective environmental governance is thus essential for a comprehensive analysis of global environmental politics.

## References

- Andersen, Stephen O., and K. Madhava Sarma. 2002. *Protecting the Ozone Layer. The United Nations History*. London: Earthscan.
- Andresen, Steinar, and Jon Birger Skjaereth. 1999. Can International Environmental Secretariats Promote Effective Co-operation? Paper read at United Nations University's International Conference on Synergies and Co-ordination between Multilateral Environmental Agreements, 14–16 July 1999, at Tokyo, Japan.
- Arendt, Hannah. 1970. *Macht und Gewalt [On Violence]*. München: Piper.
- \_\_\_\_\_. 1977 [1961]. What is Authority? In *Between Past and Future. Eight Exercises in Political Thought*, edited by Hannah Arendt, 91–141. New York, NY: Penguin Books.
- Barnett, Michael N., and Martha Finnemore. 1999. The Politics, Power, and Pathologies of International Organizations. *International Organization* 53 (4): 699–732.
- \_\_\_\_\_. 2004. *Rules for the World: International Organizations in Global Politics*. Ithaca, NY: Cornell University Press.
- \_\_\_\_\_. 2005. The Power of Liberal International Organizations. In *Power in Global Gov-*

- ernance*, edited by Michael N. Barnett and Raymond Duvall, 161–184. Cambridge, UK: Cambridge University Press.
- Bauer, Steffen. 2006. The United Nations and the Combat against Desertification: What Role for the UNCCD Secretariat? In *Governing Global Desertification. Linking Environmental Degradation, Poverty and Participation*, edited by Pierre M. Johnson, Karel Mayrand and Marc Paquin, 74–89. Aldershot, UK: Ashgate.
- \_\_\_\_\_. forthcoming a. The Ozone Secretariat: Administering the Vienna Convention and the Montreal Protocol on Substances that Deplete the Ozone Layer. In *Managers of Global Change. Effectiveness and Learning of International Environmental Organizations*, edited by Frank Biermann and Bernd Siebenhüner.
- \_\_\_\_\_. forthcoming b. The Secretariat of the United Nations Convention to Combat Desertification. In *Managers of Global Change. Effectiveness and Learning of International Environmental Organizations*, edited by Frank Biermann and Bernd Siebenhüner.
- Bauer, Steffen, and Frank Biermann. 2005. The Debate on a World Environment Organization: An Introduction. In *A World Environment Organization: Solution or Threat for Effective International Environmental Governance?*, edited by Frank Biermann and Steffen Bauer, 1–23. Aldershot, UK: Ashgate.
- Benedick, Richard E. 1998. *Ozone Diplomacy. New Directions in Safeguarding the Planet (enlarged edition)*. Cambridge, MA: Harvard University Press.
- Biermann, Frank. 1997. Financing Environmental Policies in the South: Experiences from the Multilateral Ozone Fund. *International Environmental Affairs* 9 (3): 179–219.
- Biermann, Frank, and Steffen Bauer. 2005a. Conclusion. In *A World Environment Organization: Solution or Threat for Effective International Environmental Governance?*, edited by Frank Biermann and Steffen Bauer, 257–269. Aldershot, UK: Ashgate.
- \_\_\_\_\_. 2005b. *Managers of Global Governance. Assessing and Explaining the Influence of International Bureaucracies*, Global Governance Working Paper No. 15. Amsterdam, Berlin, Oldenburg, Potsdam: The Global Governance Project. Available at [www.glogov.org/front\\_content.php?idcat=68](http://www.glogov.org/front_content.php?idcat=68).
- Bruyninckx, Hans. 2004. The Convention to Combat Desertification and the Role of Innovative Policy-Making Discourses: The Case of Burkina Faso. *Global Environmental Politics* 4 (3): 107–127.
- Canan, Penelope, and Nancy Reichman. 2002. *Ozone Connections. Expert Networks in Global Environmental Governance*. Sheffield, UK: Greenleaf.
- Chasek, Pamela S., and Elisabeth Corell. 2002. Addressing Desertification at the International Level. The Institutional System. In *Global Desertification: Do Humans Cause Deserts?*, edited by J.F. Reynolds and D.M.S. Smith, 275–294. Berlin: Dahlem University Press.
- Churchill, Robin R., and Geir Ulfstein. 2000. Autonomous Institutional Arrangements: A Little-noticed Phenomenon in International Law. *American Journal of International Law* 94: 623–659.
- Corell, Elisabeth. 1999. *The Negotiable Desert. Expert Knowledge in the Negotiations of the Convention to Combat Desertification*. Volume 191. Linköping Studies in Arts and Sciences. Linköping: Linköping University.
- \_\_\_\_\_. 2003. Dryland Degradation?Africa’s Main Environmental Challenge: International activities from the 1970s to the 1990s and the future of the United Nations Convention to Combat Desertification. In *International Environmental Law and*

- Policy in Africa*, edited by Beatrice Chaytor and Kevin R. Gray, 1–29. Dordrecht: Kluwer.
- Corell, Elisabeth, and Michele M. Betsill. 2001. A Comparative Look at NGO Influence in International Environmental Negotiations: Desertification and Climate Change. *Global Environmental Politics* 1 (4): 86–107.
- Cutler, Claire A., Virginia Haufler, and Tony Porter. 1999. The Contours and Significance of Private Authority in International Affairs. In *Private Authority and International Affairs*, edited by Claire A. Cutler, Virginia Haufler and Tony Porter, 333–376. Albany, NY: State University of New York Press.
- De Senarclens, Pierre. 1993. Regime Theory and the Study of International Organisations. *International Social Science Journal* 138: 453–462.
- Dingwerth, Klaus, and Philipp Pattberg. 2006. Global Governance as a Perspective on World Politics. *Global Governance* 12 (in press).
- Downie, David Leonard. 1995. UNEP and the Montreal Protocol. In *International Organizations and Environmental Policy*, edited by Robert V. Bartlett, Priya. A. Kurian and Madhu Malik, 171–185. Westport, CN: Greenwood Press.
- Falloux, Francois, Susan Tressler, and Karel Mayrand. 2006. The Global Mechanism and UNCCD Financing: Constraints and Opportunities. In *Governing Global Desertification. Linking Environmental Degradation, Poverty and Participation*, edited by Pierre M. Johnson, Karel Mayrand and Marc Paquin, 181–195. Aldershot, UK: Ashgate.
- Finnemore, Martha. 1996. Norms, Culture, and World Politics: Insights From Sociology's Institutionalism. *International Organization* 50 (2): 325–347.
- Haas, Ernst B. 1990. *Where Knowledge is Power: Three Models of Change in International Organizations*. Berkeley, CA: University of California Press.
- Haas, Peter M. 1992. Banning Chlorofluorocarbons: Epistemic Community Efforts to Protect Stratospheric Ozone. *International Organization* 46: 187–224.
- Hall, Peter A., and Rosemary C.R. Taylor. 1996. Political Science and the Three New Institutionalisms. *Political Studies* XLIV: 936–957.
- Hasenclever, Andreas, Peter Mayer, and Volker Rittberger. 1997. *Theories of International Regimes*. Cambridge, UK: Cambridge University Press.
- International Institute for Sustainable Development (IISD). 2003. Summary of the Sixth Conference of the Parties to the Convention to Combat Desertification: 25 August–6 September 2003. *Earth Negotiations Bulletin*, 8 September 2003: 1–16.
- . 2004. Summary of Extraordinary Meeting of the Parties to the Montreal Protocol: 24–26 March 2004. *Earth Negotiations Bulletin*, 29 March 2004: 1–8.
- Johnson, Pierre Marc, Karel Mayrand, and Marc Paquin, eds. 2006. *Governing Global Desertification. Linking Environmental Degradation, Poverty and Participation*. Aldershot, UK: Ashgate.
- Kieser, Alfred. 1999. Max Webers Analyse der Bürokratie. In *Organisationstheorien. 3, überarbeitete und erweiterte Auflage*, edited by Alfred Kieser, 39–64. Stuttgart: Kohlhammer.
- Litfin, Karen T. 1994. *Ozone Discourses. Science and Politics in Global Environmental Cooperation*. New York: Columbia University Press.
- Malik, Madhu. 1995. Do We Need A New Theory Of International Organizations? In *International Organizations and Environmental Policy*, edited by Robert V. Bartlett, Priya A. Kurian and Madhu Malik, 223–237. Westport, CN: Greenwood Press.
- Mango, Anthony. 1988. The Role of the Secretariat of International Institutions. In *Inter-*

- national Institutions at Work*, edited by Paul A. Taylor and A.J.R. Groom, 39–49. London: Pinter.
- March, James G., and Johan P. Olsen. 1989. *Rediscovering Institutions. The Organizational Basics of Politics*. New York, NY: Free Press.
- \_\_\_\_\_. 1996. Institutional Perspectives on Political Institutions. *Governance: An International Journal of Policy and Administration* 9 (3): 247–264.
- McCormick, John. 1989. *The Global Environmental Movement. Reclaiming Paradise*. Bloomington, IN: Indiana University Press.
- Middleton, Nicholas J., and David S.G. Thomas. 1992. *World Atlas of Desertification*. London: Edward Arnold Publishers and UNEP.
- Mouritzen, Hans. 1990. *The International Civil Service: A Study of Bureaucracy*. Aldershot: Dartmouth.
- Parson, Edward A. 2003. *Protecting the Ozone Layer: Science and Strategy*. New York, NY: Oxford University Press.
- Pattberg, Philipp. 2005. The Institutionalization of Private Governance: How Business and Non-profits Agree on Transnational Rules. *Governance: An International Journal of Policy, Administration and Institutions* 18 (4): 589–610.
- Pease, Kelly-Kate S. 2000. *International Organizations. Perspectives on Governance in the Twenty-First Century*. Englewood-Cliffs, NJ: Prentice Hall.
- Powell, Walter W., and Paul J. DiMaggio, eds. 1991. *The New Institutionalism in Organizational Analysis*. Chicago, IL: Chicago University Press.
- Raz, Joseph. 1990. Introduction. In *Authority*, edited by J. Raz, 1–19. Oxford: Basil Blackwell.
- Reinalda, Bob, and Bertjaan Verbeek. 2004. The Issue of Decision Making within International Organizations. In *Decision Making within International Organizations*, edited by Bob Reinalda and Bertjaan Verbeek, 9–41. London: Routledge.
- Rochester, Martin J. 1986. The Rise and Fall of International Organizations as a Field of Study. *International Organization* 40 (4): 777–813.
- Sandford, Rosemary. 1992. Secretariats and International Environmental Negotiations. Two New Models. In *International Environmental Treaty Making*, edited by Lawrence E. Susskind, Eric J. Dolin and J. William Breslin, 27–51. Cambridge, MA: Harvard Law School.
- \_\_\_\_\_. 1994. International Environmental Treaty Secretariats: Stage-Hands or Actors? In *Green Globe Yearbook of International Co-operation on Environment and Development 1994*, edited by Helge Ole Bergesen and Georg Parmann, 17–29. Oxford: Oxford University Press.
- Siebenhüner, Bernd. 2003. *International Organisations as Learning Agents in the Emerging System of Global Governance. A Conceptual Framework*, Global Governance Working Paper No. 8. Amsterdam, Berlin, Potsdam, Oldenburg: The Global Governance Project. Available at [www.glogov.org/front\\_content.php?idcat=68](http://www.glogov.org/front_content.php?idcat=68)
- Toulmin, Camilla. 1994. Combating Desertification: Encouraging Local Action Within a Global Framework. In *Green Globe Yearbook of International Co-operation on Environment and Development 1994*, edited by Helge Ole Bergesen and Georg Parmann, 79–88. Oxford: Oxford University Press.
- \_\_\_\_\_. 1995. Combating Desertification by Conventional Means. *Global Environmental Change* 5 (5): 455–457.
- UNCCD, Desertification Secretariat. 1995. *Down to Earth. A Simplified Guide to the Convention to Combat Desertification, Why it is Necessary and What is Important and Different About it*. Bonn: UNCCD.

- \_\_\_\_\_. 2003. Report of the Conference of the Parties on its Sixth Session, Held in Havana 25 August to 5 September 2003. Doc. ICCD/COP(6)/11 of 3 November 2003. Bonn: United Nations Convention to Combat Desertification. Available online at [www.unccd.int/](http://www.unccd.int/)
- Underdal, Arild. 2002. One Question, Two Answers. In *Explaining Regime Effectiveness: Confronting Theory with Evidence*, edited by Edward L. Miles, Arild Underdal et al., 3–45. Cambridge, MA: MIT Press.
- UNEP, Division of Policy Development and Law. 2004. *UNEP's Strategy on Land Use Management and Soil Conservation. A Strengthened Functional Approach*, edited by UNEP. Volume 4, *Policy Series*. Nairobi: UNEP.
- UNEP, Ozone Secretariat. 2003. *The Ozone Story Presentation, last updated July 2003*: UNEP. Powerpoint Slides. Available at [www.unep.org/ozone/oz-story](http://www.unep.org/ozone/oz-story)
- Verbeek, Bertjaan. 1998. International Organizations: The Ugly Duckling of International Relations Theory? In *Autonomous Policy Making by International Organizations*, edited by Bob Reinalda and Bertjaan Verbeek, 11–26. London: Routledge.
- Weaver, Catherine, and Ralf J. Leiteritz. 2005. "Our Poverty is a World Full of Dreams": Reforming the World Bank. *Global Governance* 11 (3): 369–388.
- Weber, Max. 1980 [1921]. *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie*, edited by Johannes Winckelmann, 5, *revidierte Auflage, Studienausgabe*. Tübingen: Mohr Siebeck.
- Weiss, Thomas G. 1982. International Bureaucracy: The Myth and Reality of the International Civil Service. *International Affairs* 58 (2): 287–306.
- Wettestad, Jorgen. 2001. Designing Effective Environmental Regimes: The Conditional Keys. *Global Governance* 7 (3): 317–341.
- \_\_\_\_\_. 2002. The Vienna Convention and Montreal Protocol on Ozone-Layer Depletion. In *Explaining Regime Effectiveness: Confronting Theory with Evidence*, edited by Edward L. Miles, Arild Underdal et al., 149–170. Cambridge, MA: MIT Press.
- Young, Oran R. 1967. *The Intermediaries: Third Parties in International Crisis*. New York, NY: Princeton University Press.

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