Post-Treaty Politics: Secretariat Influence in Global Environmental Governance

Book · May 2014

DOI: 10.7551/mitpress/9780262028042.001.0001

CITATIONS
113

READS
468

1 author:

Sikina Jinnah
University of California, Santa Cruz
81 PUBLICATIONS **1,128** CITATIONS

SEE PROFILE

1

Introduction: Secretariats as Overlap Managers

There are lots of smart people here—and some not so smart—we are not using our brain power enough as it is. … The Secretariat is a neutral party; it represents the WTO, not governments. Why can't I have ideas? What a loss of capacity!
—WTO Secretariat staff member (interview with author, 2006)

From the outside of an organization, office secretaries are nearly invisible. Simply doing the bidding of their bosses, they take instructions, write up memos, and make appointments for a controlling principal. They have no obvious source of power and are on the receiving end of authority. They appear to play, in other words, a derivative or secondary role. To understand how decision making unfolds within a professional office, many would simply bypass the secretary and go straight to the source of command. Viewed from the inside, however, this is nonsense. Anyone who has ever worked in a professional office knows that a good secretary does much more than is captured within the four corners of his job description. More than anyone else in the office, a good secretary often has the ear and trust of his boss. He likely filters information, controls who talks with whom, and acts as a repository for institutional memory. These things impact office outcomes and have a substantive effect on the success of the organization. A good secretary is a far cry from the coffee-making, nail-filing stereotype of the 1950s.

Secretariats—the administrative arms of international treaties—suffer from similar analytical neglect. On paper, secretariats, like office secretaries, simply do the bidding of states. Their leaders are appointed by the member states to international treaties; they take instruction from these member states and depend on them for financing. This derivative status of secretariats is the reason international relations (IR) scholarship gives them such short shrift.[1] Indeed, most treatment of secretariats in the IR literature has been from the outside and merely reflects what secretariats

do on paper, as articulated in their mandates. When secretariats are noticed at all, this scholarship credits them with collecting information, communicating with state actors, tracking scientific information, and coordinating ongoing diplomatic activity. However, most IR scholarship discounts the meaning of these activities and therefore misses the important role secretariats play in political decision making. This book helps to remedy this oversight by showing, from the inside, how secretariats impact international affairs. It does so through the lens of secretariats' participation in the management of overlapping treaty regimes.

Secretariats can have significant governance influence by changing power relations between states, which in turn impacts politics. For example, when secretariats influence how states understand problems, they can affect the way states allocate resources to solve those problems. As this book demonstrates, this influence can have substantial impact on the cooperation between states and the linkages between regimes. Secretariats can also affect interstate relationships and equity issues in international politics. These factors can shape decision making about, for example, what is included in regime goals and who benefits from regime outcomes. Secretariat influence, even when modest, can have important impacts on structural or issue-framing decisions that shape the operation of regimes for long periods of time.

Scholarly neglect of what could be called "secretariat diplomacy" has been endemic in a field that has for so long taken the primacy of states as its bedrock assumption. Realists see states as the main units of analysis and look upon all other actors as politically irrelevant. These scholars generally explain international organization (IO) creation as an attempt to further state interests. For realists, IOs are epiphenomenal. They are created and maintained by the most powerful states, and thus they are not autonomous, nor do they have any impact on political outcomes (Mearsheimer 1994; Strange 1983; Waltz 1979).

Neoliberalism provides a more sympathetic reading. Although neoliberals tend to analytically conflate secretariats with the IOs they are part of, they acknowledge secretariats as part of the bureaucratic apparatus of international regimes and appreciate their roles in gathering information, monitoring compliance, and organizing meetings. The neoliberal ontology similarly adopts a state-centered view of international politics. Neoliberals assert that states create IOs to alleviate problems associated with incomplete information, transaction costs, and efficiency barriers (Abbott and Snidal 1998; Axelrod and Keohane 1985; Martin and Simmons 1998).

Notwithstanding such acknowledgment, neoliberalism still offers a limited view of secretariats as appendages to states. Neoliberals proffer a representative model, in that they understand secretariats merely as delegates of states—representatives who are on a short chain, and who can be recalled or undermined if they go too far out on their own (Hawkins et al. 2006). Secretariats have some autonomy but ultimately serve states—that is their mission and raison d'être. Although IOs have varying degrees of autonomy in the neoliberal institutionalist canon, they have largely been treated as functionaries of state actors, rather than as political actors in their own right (Abbott and Snidal 1998).[2]

The most helpful school of thought within IR for understanding secretariats is constructivism. Constructivism acknowledges that power is not linear. Levels and hierarchies of authority exist. States are certainly central nodes of power within the international system, but power doesn't simply flow from the most powerful to the least. Moreover, power is not simply about regulation, instruction, and giving orders; it is also constitutive. It shapes identities, molds interests, and redistributes capabilities between actors (Barnett and Duvall 2005).

When it comes to secretariats, constructivism offers a framework for appreciating the influence a seeming "functionary" can have. However, few constructivists have offered systematic studies of secretariats. So, while constructivist modes of analysis could in principle help us to make sense of secretariats, in the broad literature of IR, secretariats still play a minor role in the analysis of world politics. Aside from some empirical studies of specific secretariats and some general conceptual works, secretariats as bona fide actors are still deeply in the IR analytical dark.

This is certainly the case within the study of global environmental politics (GEP). No matter which school of thought one turns to for understanding international environmental affairs, states garner the most attention—an ironic situation in a subfield that would naturally lend itself to secretariat studies. The largest literature within GEP focuses on multilateral environmental agreements (MEAs), and studies the challenges and achievements of securing treaties and other institutions to address international environmental problems.[3] GEP also boasts a robust literature on the role of nonstate actors in international affairs.[4] Given that secretariats are at the center of MEAs, it would seem natural that GEP scholars would study secretariats as actors, and try to understand their power and influence in international environmental affairs.

Sadly, there are too few studies of secretariats within the GEP literature. To be sure, there is the pathbreaking work of Frank Biermann and

Bernd Siebenhüner (2009) on environmental secretariats. This work is extremely important for its conceptual and empirical contributions, and it has laid the foundation for "secretariat diplomacy." However, for all its insight, it leaves important questions unanswered and has not fully demonstrated the importance of secretariats such that scholars of GEP, to say nothing of IR in general, will take sufficient notice.

This book attempts to fill in the theoretical gaps surrounding the role of secretariats in global environmental politics. It explains how and when secretariats influence politics and, importantly, how such influence shifts power relations between states. Furthermore, the book demonstrates how an understanding of secretariats advances knowledge of global environmental politics and, indeed, global governance more broadly. As demonstrated by the case studies, secretariat influence matters to the extent that it can shape the way states understand issues, impact equity dynamics in international affairs, and result in a path-dependent dynamic. This book argues that, without an appreciation for the way secretariats develop and capitalize on their unique networks and knowledge, one cannot explain important elements of global environmental governance, especially as related to the ongoing coherence-building efforts that are central to contemporary United Nations (UN) politics.

Regime Overlap and Secretariat Influence

This study explores secretariat influence through the lens of overlap between international regimes. International regimes are collections of formal and informal rules, norms, principles, and practices that guide interstate cooperation in a specific area of IR.[5] International regimes are the centerpiece of international cooperation. They create institutional structures—for example, rules, norms, and practices—that shape cooperation between states on everything from telecommunications, trade, and nuclear weapons, to human rights, traditional knowledge, and organized crime. Within global environmental affairs, regimes address a panoply of issues including disposal of chemicals, protection of biodiversity, transboundary air pollution, stratospheric ozone depletion, and climate change. Indeed, there are currently over 1,000 environmental treaties in operation, and although growth has slowed in recent years, the number continues to climb (data from Mitchell 2013).

As many scholars have noted, the sheer number and scope of international regimes have led to "treaty congestion" (Weiss 1993, 697, 679; Young et al. 2008). One symptom of treaty congestion is the amount of

overlap between treaties. Although most treaties aim to address discrete issues, such as trade in endangered species, ozone depletion, or desertification, they are invariably linked to other issues. As John Muir famously reminds us, no issue stands alone: "When we try to pick out anything by itself, we find it hitched to everything else in the universe" (Muir 1911, 110). In some sense, this is what happens within international environmental regimes. We cannot mitigate climate change without attending to deforestation, ozone-depleting substances, and the provision of energy. Furthermore, we cannot address any of these issues without getting into the complicated worlds of international trade, investment, and development.

In the midst of such dense interdependence, treaty overlap is bound to appear. Although treaty overlap indicates an engaged global community, it also creates problems of inefficiency, contradiction, lost opportunities, and sometimes even "sclerosis" (Wapner 2011, 144). When treaties overlap, principles pull at each other, rules conflict, and authority is scrambled. Yet most states lack adequate institutions for cross-issue coordination at the domestic level (UNEP 2000). This capacity deficit has created a space for secretariats to draw on their unique networks and expertise to engage in political decision making. Indeed, five years of observing secretariats in action for this book suggests that secretariat influence is most visible when regimes overlap and require management.

Overlap management has three goals: (1) decreasing duplication of effort across international regimes; (2) increasing synergies and cooperation between regimes; and/or (3) easing tensions resulting from conflicting rules or norms between regimes.[6] It addresses questions such as: How can the Convention on International Trade in Endangered Species (CITES) and the Convention on Migratory Species collaboratively improve the conservation of saiga antelope (a traded *and* migratory species) in ways that neither regime could accomplish alone?[7] How can states reconcile the World Trade Organization's (WTO) prohibition on nontariff trade barriers with CITES's restrictions on trade in endangered species? And how should the competing objectives of dolphin conservation and tuna market liberalization be reconciled within the WTO?

Early scholarship on regime overlap focused on typology development (e.g., Rosendal 2001a, 2001b; Selin and VanDeveer 2003; Young 2002), the impacts of overlap on regime effectiveness (Young et al. 2008), and importantly, the structural determinants of overlap outcomes (Gehring and Oberthür 2009). More recent scholarship has explored how overlapping regimes interact through the lenses of regime complexes (Colgan,

Keohane, and Van de Graaf 2012; Keohane and Victor 2011; Raustiala and Victor 2004), and there is an extensive literature on institutional interplay.[8] Scholars have also begun to explore the consequences of regime overlap (Alter and Meunier 2009). They illuminate the forces that drive the emergence and change of the regime complexes that deal with overlapping issues (Oberthür and Stokke 2011), and like this study, explore the role of agency in managing overlapping regimes (Selin 2010; Selin and VanDeveer 2011). Importantly, recent research points to the key role played by secretariats specifically in managing overlap between regimes (Selin 2010, 168). Yet systematic examination of secretariat work in overlap management is lacking. This study turns its attention to precisely this point.

Secretariat participation in overlap management is not surprising. When issues are new or complex, as overlap management is, states are likely to seek input from nonstate actors (Adler and Haas 1992; Haas 1997; Litfin 1994; Sebenius 1992). States may seek nonstate actor support because they lack either the time to form preferences on new issues or sufficient technical expertise to independently build preferences for complex issues. We know this to be true for nongovernmental organizations (NGOs), scientists, and private-sector actors—this study extends this theory to include secretariats as well.

Overlap management is nowhere more visible than in the environmental realm, where treaty congestion is high and institutional processes are relatively transparent. Because overlap management requires cooperation across otherwise unconnected international regimes, it demands cross-regime knowledge and requires networks to work effectively. Yet overlap management is a relatively new issue, and this type of knowledge and network building is just beginning to take shape institutionally for many actors. This book shows that in the messy world of overlapping regimes, secretariats are well positioned, skilled, and willing to work through the challenges of overlap management. Centrally, this book argues that in drawing from their unique networks and knowledge, secretariats emerge not simply as state functionaries or appendages, but as actors in their own right.

Explaining Secretariat Influence

Secretariats do not always have influence. Their influence varies across organizations (Biermann and Siebenhüner 2009) and within them (Jinnah 2010). This book seeks to explain the factors that condition secretariat

influence. As explained above, the book focuses on secretariat participation in overlap management because it is an area where secretariats are well positioned to overcome existing governance challenges, due to a combination of limited state capacity to work across regimes and secretariats' relative strength in this regard. Secretariats are, however, just one part of the "division of labor" that characterizes much of contemporary overlap management politics (Gehring 2011). This study does not attempt to comprehensively evaluate overlap management politics. Rather, because overlap management is creating a new political space for secretariat participation, and because it is on the agenda of most international organizations,[9] it provides rich fodder for an in-depth empirical examination into secretariat behavior across international treaties.

The book, therefore, illuminates how secretariats participate in overlap management. It builds directly on recent studies that have challenged the dominant assumption in IR theory that secretariats are mere functionaries of state actors,[10] and responds to recent calls in the literature for increased attention to secretariats as political actors (Bauer, Andreson, and Biermann 2012, 37) and their role in overlap management politics specifically (Oberthür and Stokke 2011, 335).

This book provides an in-depth look at secretariat behavior. It is interested in how secretariats participate in international affairs and whether such participation impacts political outcomes. The book explains how to identify secretariat influence and asks: *Under what conditions are secretariats likely to influence political outcomes?* In order to answer this question, the book first presents a theory of influence in chapter 3 that explains what secretariat influence is, and how we can recognize it. It builds on previous scholarship by Biermann and Siebenhüner (2009) that focuses on types and mechanisms of secretariat influence, to outline a theoretical framework that allows us to trace the causal links between mechanisms of influence and impacts on political outcomes. The book further explains what types of impacts constitute influence and demonstrates how to measure such impacts empirically.

Building on this theory of secretariat influence, the book posits that secretariat influence is most likely to occur under two conditions. First, secretariat functions must be highly specialized to fit with secretariats' unique knowledge and networks, such that other actors could not easily carry out these tasks on their own. In other words, when the substitutability of secretariat functions is low, secretariats are more likely to influence politics. Second, secretariat influence is likely when state preferences are malleable or unsolidified, as can be the case with new and emerging

issues as well as those that are highly technical. Although these two variables condition the likelihood of secretariat influence, they are not all-inclusive. Other factors are also important, such as the structural variables (e.g., problem structure and polity) identified by Biermann and Siebenhüner (2009).

Importantly, this book moves beyond previous scholarship in illuminating *why* secretariat influence matters in international politics. Drawing from constructivist analyses of power in global governance (Barnett and Duvall 2005), this study presents a framework to help us understand how secretariat influence can shape power relations between states and other actors. Specifically, I argue that secretariats change power relations by defining governance architectures/institutions, redistributing capabilities, and shaping shared norms and ideas. Although the book focuses on secretariat activities in the realm of overlap management, the theoretical framework developed in chapter 3 is not specific to overlap management. It could be tested in other areas of international affairs and adapted to evaluate how other types of actors exert influence.

The book's central argument is that when secretariat functions enjoy low substitutability and state preferences are weakly solidified, secretariats can influence politics by changing power relations between states. Secretariats change these power relations by shaping institutions, relationships, and shared norms/ideas.

Empirical Overview

Ecosystems ignore state boundaries. Air, water, shifting soils, migratory animals, and even plants refuse to be cordoned within sovereign, territorial units. And yet the state system remains the main architectonic form of political response to environmental problems (Conca 1994). The mismatch between transboundary environmental dilemmas and the state system is arguably the most important challenge facing humanity's ability to address global environmental challenges such as climate change, ozone depletion, desertification, and ocean pollution. The GEP literature cut its teeth on this mismatch, and the dilemma has inspired some of the most penetrating analyses of both the tragic character of global environmental governance and the international system's most important environmental achievements (e.g., Caldwell 1984; Hardin 1968; Speth 2005).

MEAs are an attempt to overcome the tragedy of the commons in global environmental affairs. As such, they focus on some of the most pressing transboundary environmental challenges. To date, states have

negotiated MEAs on everything from sustainable development, genetic resources, and food safety to cetacean conservation, renewable energy, and acid rain elimination. Although these MEAs are created and officially run by states, they all have secretariats that play varying governance roles. To understand how secretariats function in global environmental affairs, particularly in the context of overlap management, I focus on two very different areas of global governance: biodiversity and international trade.

Constituting approximately 30 percent of all MEAs currently in force, biodiversity governance is one of the most well-developed areas of global environmental governance and thus presents rich empirical fodder for a study of overlap management (McGraw 2002a). Although experts struggle to agree on an exact definition, "biodiversity" broadly refers to the diversity of life at the genetic, species, and ecosystem levels (Takacs 1996). Biodiversity is important because species interact with one another and their environments in a complex web of interdependency. Biodiversity has inherent value and ultimately supports human well-being by providing ecosystem services, including food, clean water, and resilience to environmental stressors such as floods and drought.

It makes sense, then, that in the face of these challenges, the international community has negotiated several hundred biodiversity-related MEAs (data from Mitchell 2013). This study focuses on two of the most important of these MEAs, which approach biodiversity governance and, in turn, overlap management in very different ways: the Convention on Biological Diversity (CBD) and CITES. Whereas the CBD is a broad normative convention with a central overlap management agenda, CITES has clear implementation mandates, and overlap management is a peripheral issue for it.

The CBD is the fulcrum of overlap management within the global biodiversity regime complex. It was negotiated in response to demands from the UN Environment Programme (UNEP) Governing Council for a convention that would coordinate among the existing biodiversity treaties (McConnell 1996). Agreed in 1992 at the first UN Conference on Environment and Development (UNCED, or "Earth Summit"), the CBD aims to protect biodiversity, ensure sustainable use of its components, and provide for the equitable sharing of its benefits. At its core, it encourages member states to develop national-level strategies and programs to conserve biodiversity. In essence, the CBD's broad objectives distill the common rules and norms that are reflected in many of the biodiversity treaties preceding it.

As reflected in its near-universal membership, regular meetings, and relatively robust domestic-level institutional commitments, CITES is also a core treaty in global biodiversity governance. Unlike the CBD's overarching conservation objectives, CITES addresses one discrete slice of the conservation pie: it aims to ensure that international trade does not threaten species survival. Since entering into force in 1975, CITES has placed trade restrictions on certain species, such as elephants, orchids, and sharks, in accordance with their level of threat. CITES does not have an expansive coordination mandate, and limits its coordination efforts to functional rather than normative activities. As one interviewee from the CITES Secretariat noted, CITES cooperates with other treaties only when there is a clearly identified common conservation goal in mind. Even though it is more than twice as old as the CBD, CITES has less than half the number of formal cooperative agreements with other organizations (CBD Secretariat 2013c; UNEP Governing Council 1989).

Despite varied levels of engagement with overlap management, CITES and the CBD cannot achieve their conservation objectives alone. Species transgress political boundaries and are threatened by multiple forces. For example, the saiga antelope is both migratory and threatened due to hunting for international trade. Thus, all states within the species' geographic range must implement conservation measures in order to effectively protect it. Yet CITES's mandate is limited to imposing trade restrictions; it has no mandate to establish protected areas. CITES must therefore work with other MEAs, such as the Convention on Migratory Species and the CBD to protect the saiga antelope.

Similarly, because climate change is emerging as one of the largest threats to biodiversity, the CBD must concern itself with work undertaken within the UN Framework Convention on Climate Change (UNFCCC). Biodiversity treaties ignore climate change at their own peril. These secretariats are, therefore, not lone officers able to focus "simply" on conserving biodiversity; they must also design substantive relationships both within and beyond the biodiversity regime. In the midst of such interstitial work, the secretariat must become not simply an implementer or functionary, but also a manager. As this book shows, the biodiversity secretariats work to identify and magnify complementary efforts, negotiate principles of conflict, navigate intersecting lines of practice, and so forth.

Overlap management is not limited to intraregime coordination where normative overlap tends to be synergistic across organizations or treaties. Environmental issues, especially climate change, are now addressed in

trade, security, and humanitarian organizations as well (Jinnah 2011a). This study therefore also looks at how secretariats outside the environmental realm interface with environmental issues. The most obvious place to look at this relationship is the WTO. Environmental groups have been trying to get the WTO's attention since it was created in 1994, and it has become the symbolic face of the environmental perils of overconsumption. Indeed, many NGOs address this intersection as part of their regular work program (e.g., International Institute for Sustainable Development, Institute for Trade and Sustainable Development), and a distinct body of scholarship has emerged surrounding trade-environment politics.[11]

Although not a treaty secretariat per se, the WTO secretariat plays a similar role to environmental treaty secretariats. Like treaty secretariats, the WTO Secretariat supports member implementation of the WTO's many trade agreements. Further, its relationship to the WTO membership parallels that of environmental treaty secretariats. Just as parties to the CBD and CITES interact regularly with their members at conferences of the parties (CoPs), the WTO Secretariat interacts regularly with its members at ministerial conferences and regular committee meetings, where policy objectives are defined and implementation details are negotiated.

The WTO's core mandate is to enhance global welfare through trade liberalization. It seeks to do this by reducing trade barriers such as tariffs and quotas, making borders more permeable to foreign service providers, and encouraging foreign investment by streamlining intellectual property rights. However, the WTO also has a mandate, albeit narrow, to cooperate with MEAs, and many of its agreements contain clauses that allow for exemptions to trade rules for environmental purposes.[12]

These environmental mandates are challenging for the WTO. As a trade organization, the WTO primarily focuses on economic issues, and, as reflected in relevant committee reports, members often disagree about the WTO's appropriate role in environmental affairs. Meanwhile, environmental groups continue to protest the WTO's environmental practices at ministerial meetings, as they did in Seattle and Cancun, and actively lobby WTO delegates to take up their environmental preferences. Still, it is difficult for WTO delegates to manage environmental issues because they typically come from trade ministries, and coordination between trade ministries and environmental ministries is weak in most countries (UNEP 2000). In the midst of this tension between core mission and public demand, this book will show, the WTO Secretariat has become a

gatekeeper and trainer. It helps WTO members to negotiate the unfamiliar terrain of environmental issues that they, sometimes grudgingly, are required to address.

Methodological Approach

Most scholars who employ process tracing to investigate the workings of international organizations collect data using the same method across cases. This consistency makes sense, as it results in observations that are easy to compare and makes replication of studies more feasible. However, the social world often presents research conditions that do not fit comfortably with this methodological approach. Rather than shying away from this research, this study adopts an innovative methodological approach that allowed me to systematically investigate a question despite significant challenges in collecting data.

Specifically, this book is interested in variation in influence both between and within secretariats. It therefore departs from the literature's more commonly used approach to case definition. Rather than examining secretariats themselves as the unit of analysis, this study looks at instances of overlap management as the unit of analysis.[13] By making instances of overlap management the unit of analysis, it is possible to examine the specific functions that secretariats performed to manage overlap in each case and to identify any causal connections between such functions and impacts on political outcomes. This set-up also enables the researcher to examine the variation of secretariat activities related to a single issue—an approach that complements Biermann and Siebenhüner's (2009) examination of variation across organizations.

However, this approach presents significant data collection challenges due to the wide variety of ways in which organizations operate and secretariats manage overlap. Consequently, the form of overlap management will also vary across cases. As the cases that follow illuminate, overlap management can involve everything from drafting rules that facilitate interregime coordination, to building state capacity to engage in interregime issues, to delivering public speeches aimed at changing the way overlapping issues are understood by state actors. Further, overlap management can range from punctuated unilateral approaches undertaken by a single treaty regime to iterative cross-institutional interactions between two or more organizations over several years.

These challenges are compounded by variation in organizational culture and transparency. Whereas CITES documents and makes much

of its work product publicly available, such as secretariat recommendations, the WTO tends to make available only outputs such as unattributed meeting reports—the process is hard to trace through public records alone. Similarly, organizational cultures vary in how readily they allow outsiders to speak to researchers. Whereas the WTO and CBD Secretariat staff members were widely willing to grant interviews individually, the much smaller and capacity-constrained CITES Secretariat preferred to channel information through fewer points of contact.[14] Finally, my ability to directly observe secretariats in action varied across cases. Whereas access to CITES and CBD decision-making forums was easy to secure, the WTO's decision-making forums are notoriously difficult to penetrate (Lacarte 2004).

Therefore, although the methodological approach across cases was identical—process tracing—these challenges demanded variation in data collection methods. Some cases relied more heavily on interviews, whereas others relied more heavily on document analysis techniques, such as coding. For example, whereas the CITES Secretariat's role in decision making is unusually transparent through sections containing "Comments from the Secretariat" in all draft decisions, the WTO Secretariat's role in supporting environment-related dispute settlement and negotiations is unusually opaque. In the former case, data collection and analysis were possible through triangulation of interview, participant observation, and document analysis. In the latter case, where documentation of secretariat activities is effectively absent, I used interviews with key informants, secondary sources, and participant observation (as possible) of WTO dispute settlement proceedings.

All cases ultimately sought to understand, however, how the secretariat participated in overlap management, whether such participation constituted influence, and what conditions enabled or constrained secretariat influence. Therefore, although the data type varies across cases, the analytical framework that was applied to this data does not. Table 1.1 summarizes the methods utilized in each case, along with a description of each case and an indication of which data sources were most important in conducting the analysis. More detailed accounts of the case-specific methods and case selection are included in Appendixes A and B.

These cases examine different parts of secretariats. Some focus on the executive head, others on specific divisions within the secretariat, and others on the whole body. However, the secretariat is treated as a unitary entity throughout the book. By mandate, all work undertaken by

Table 1.1
Methods

Case #	Management Type	Case	Methods	Case Description
1	Unilateral	CBD biodiversity	*Primary:* document analysis (process tracing) *Secondary:* interviews *Tertiary:* participant observation	CBD Secretariat participation in development of overlap management architecture for all biodiversity treaties
2		CBD climate	*Primary:* document analysis (coding) *Secondary:* interviews *Tertiary:* participant observation	CBD Secretariat participation in framing the relationship between conservation and climate change
3a		WTO negotiations	*Primary:* interviews *Secondary:* secondary sources *Tertiary:* participant observation	Division on Trade and Environment (DTE) participation in environment-related negotiations within the WTO Committee on Trade and Environment in regular and special sessions
3b		WTO dispute settlement	*Primary:* interviews *Secondary:* secondary sources *Tertiary:* participant observation	DTE participation in GATT Article XX dispute settlement
4	Cross-institutional	CITES	*Primary:* document analysis (process tracing) *Primary:* participant observation *Secondary:* interviews	CITES Secretariat participation in shaping the legal relationship between CITES and the UN FAO regarding fish species

secretariats is conducted on the executive head's behalf. She is given a mandate, must delegate to her staff, and is ultimately responsible to the member states for the work undertaken. The CBD biodiversity case, for example, largely relies on documents that the Secretariat as a whole produced for CoPs. Because these documents are produced on the executive head's behalf, they are treated in the same way as the public speeches made by the executive secretary himself that are the primary data source for the CBD climate case. In short, because the structural relationship between the executive head and the rest of the secretariat demands that all secretariat activities are performed on the executive head's behalf, the secretariat is treated as a unitary actor.

Finally, it should be noted that the book focuses on secretariats that support international treaties (or agreements), rather than those that support larger IOs, such as the World Bank and International Monetary Fund (IMF). Treaty secretariats and larger IOs share a common ancestry, which explains their similar norms and structures, such as the nearly verbatim codes of conduct that guide professional behavior across organizations.[15] However, there are also important differences in their mandates and procedures that render direct comparison less useful.

For example, treaty-secretariat mandates, such as those of the CBD and CITES, are typically discrete, aimed at carrying out a specific task, such as monitoring implementation or building a database for collecting and disseminating information. In contrast, larger IO secretariats, such as those of the IMF,[16] often have more far-reaching and ongoing responsibilities, such as advising countries on social spending and environmental policies. The relationship with member states is also different between these two types of international organizations. Treaty secretariats have regular interaction with their member states through annual CoPs, wherein secretariats report on their work and states create, renew, and/or alter secretariat mandates. The administrative bodies of large IOs tend to have more formal autonomy and "delegated discretion" (Hawkins and Jacoby 2006). The IMF, for example, is mandated to "carry out the business of the Fund" (Article of Agreement of the IMF, Article XII, Section 3). This relationship to member states helps to explain why large IOs can be authoritative actors (Barnett and Finnemore 2004). With their discrete tasks and shorter chain to member states, we might expect that treaty secretariats would be less likely to influence the politics of their organizations. Although the WTO Secretariat shares common features with IOs, in the realm of overlap management it operates in very similar

ways to environmental secretariats. As this book will show, however, under certain conditions treaty secretariats can also play important roles in the affairs of their organizations.

The Power of Secretariats

When we study how the secretariats of the CBD, WTO, and CITES manage overlap, the mechanisms of secretariat influence come into sharp relief. The cases reveal how secretariats broker cross-institutional knowledge, strategically market ideas, facilitate negotiations, and guide dispute settlement in ways that influence the tenor and texture of political outcomes.

Frank Biermann and others have laid the foundation for secretariat studies, demonstrating that secretariats influence politics. These authors parcel out the scope, duties, and mechanisms of secretariat behavior, but they don't always explain the causal pathways by which secretariats actually impact political outcomes. This scholarship could go further in explaining *why* these impacts, albeit modest, matter to international affairs and, importantly, how they interact with and shape power relations. This existing literature *suggests* secretariat power—it does not delineate, demonstrate, or give tonality to it.

This book provides this insight and thus uncovers not only how and when secretariats exert influence, but also *why* such influence is important. I argue that, although secretariats may not have the coercive power to dictate their will against state preferences, they influence political outcomes in ways that reflect constitutive forms of power. I illustrate how secretariats can shape power relations between states by designing governance architectures and institutions (institutional power), restructuring relationships between states by redistributing capabilities between them (structural power), and shaping state preferences by constructing shared norms and ideas (productive power) (Barnett and Duvall 2005). By shaping power relations between states in these ways, secretariats themselves become powerful actors.

While the book is based on case studies of overlap management and thus provides a detailed depiction of how secretariats exert influence at the interstices of international environmental regimes, it also provides a general theory of secretariat influence. The theory rests on an analytical framework that parses out and explains the relationships between power, authority, and influence. It shows how observing secretariat behavior can help us to identify mechanisms of influence. However, it is only when

such mechanisms can be traced to changes in the institutional, structural, and/or productive power relations between states that we can affirmatively say a secretariat *influenced* a specific political outcome. The book goes on to explain the conditions that enable secretariat influence (i.e., substitutability and state preference solidification), and fleshes out the sources of authority and mechanisms of influence in ways that extend recent work on this topic.

Roadmap of the Book

This book argues that secretariats matter in world politics. This is not to say that we should be on the lookout for a bureaucratic coup d'état. Rather, this book is about *how* and *when* secretariats influence politics and, centrally, *why* such influence matters in international affairs. It illuminates how secretariats impact outcomes as much as, if not more than, other nonstate actors who have garnered scholarly attention in recent years. The book also illuminates the terrain of overlap management within international treaty secretariats. Because this latter topic is still in its infancy, this book, like other recent contributions (e.g., Oberthür and Stokke 2011), takes an inductive approach to help us better understand how overlap is managed and, importantly, who is playing a role—sometimes a leading one—in this governance process.

Chapter 2 details what secretariats are through the lens of IR theory and international law. It draws from the domestic bureaucratic politics literature to explain why secretariats are essentially international bureaucracies. It then explains how scholars of IR have treated secretariats in the IO literature, and why this treatment is in tension with how secretariats are constructed in international law.

Chapter 3 builds a theory of secretariat influence and presents the analytical framework used to evaluate secretariat influence in this study. In constructing this framework, I disentangle the relationship between power, authority, and influence and identify new sources of authority and mechanisms of influence that secretariats employ to participate in overlap management.

Chapters 4 through 7 present four case studies of secretariat participation in overlap management. Chapter 4 traces the evolution of overlap management within the CBD. It argues that the CBD Secretariat designed the original architecture of overlap management in the mid 1990s. Yet the Secretariat's influence declined over time as state preferences solidified and the Secretariat's substitutability increased.

Chapter 5 remains focused on the CBD but illuminates a different mechanism of secretariat influence. This chapter explores the secretariat's role in shaping CBD member states' preferences surrounding overlap management. The case illuminates how the CBD's former executive secretary strategically marketed the relationship between biodiversity and climate change in a way that increased the political saliency of biodiversity issues. He did so by reframing biodiversity from a passive victim of climate impact to an active player in climate solutions. This case also reveals temporal variation in secretariat influence, with secretariat influence decreasing over time as CBD member state preferences become more solid and the Secretariat more easily substitutable.

Chapter 6 shifts focus to the WTO. It presents two subcases of overlap management in which the Secretariat shaped shared understandings of overlap management needs and redistributed capabilities among states to participate in overlap management politics. I argue that in filtering information on trade and environment issues to its membership through legitimated channels, the WTO Secretariat, perhaps inadvertently, reinforces existing developed country norms and understandings of this relationship. Importantly, these cases highlight how the substitutability of secretariat functions and the solidification of state preference vary between developed and developing countries and the problems that arise from this disparity.

Chapter 7 illuminates the conditions under which an otherwise influential secretariat fails to influence political outcomes. It explores the CITES Secretariat's efforts to manage overlap with the UN Food and Agriculture Organization on issues surrounding commercially exploited aquatic species. I argue that, coupled with underlying political issues, the CITES Secretariat was unable to influence overlap management decisions because states' preferences were moderately solidified and the Secretariat's overlap management functions were easily substitutable.

Finally, in addition to summarizing findings and reflecting on the theoretical implications of this study, chapter 8 asserts that path dependence can help to explain why secretariat influence matters, even when such influence is modest or wanes over time. When secretariat influence produces entrenched institutions that yield benefits for key decision makers, the results of its influence can establish a path-dependent dynamic that shapes decision making long after secretariat influence has waned. Chapter 8 further discusses the broader implications of secretariat influence for global governance, arguing that secretariats can strengthen global governance regimes, enhancing them through building

developing country capacity, streamlining complex governance tasks, and helping states to capitalize on opportunities for interregime coordination. Chapter 8 also problematizes secretariat influence, exploring the appropriate role of secretariats in global governance broadly. Moreover, it discusses the empirical implications of secretariats as actors in the coherence-building project that dominates much of contemporary UN politics.