SFB 700

GOVERNANCE
IN AREAS OF LIMITED STATEHOOD

Governance Transfer by Regional Organizations

Following a Global Script?

Tanja A. Börzel/Vera van Hüllen/Mathis Lohaus

SFB-GOVERNANCE WORKING PAPER SERIES • NO. 42 • JANUARY 2013

Deutsche
Forschungsgemeinschaft

DFG

Governance Transfer by Regional Organizations. Following a Global Script?

Tanja A. Börzel, Vera van Hüllen, and Mathis Lohaus

Abstract

Since the end of the Cold War, international organizations and states have developed programs to promote (good) governance at the country level. Regional organizations have gained an important role in governance transfer because they constitute an intermediary level of agency between the nation-state and global institutions. This paper maps the governance transfer of nine regional organizations in the Americas, Asia, Africa, and the Middle East. We analyze the objectives, approaches, and instruments used to promote the creation and transformation of governance institutions in target countries. This comparison shows that similar standards and instruments have been adopted throughout the areas of study, in line with the notion of a global governance script. At the same time, we find important differences with regard to when and how the regional organizations prescribe and promote "good" governance institutions at the national level. Research on diffusion and comparative regionalism is ill-equipped to account for this double finding of increasing similarities and persisting differences. The paper calls for a more agency-centered approach that conceptualizes governance transfer as an institutional choice by states. We identify factors that elicit states' demand for governance transfer, on the one hand, and that shape its institutional design, on the other.

Zusammenfassung

Seit Ende des Kalten Krieges haben Internationale Organisationen und Staaten Programme entwickelt, um „Gutes Regieren" in Mitgliedstaaten und Drittländern zu fördern. Regionalorganisationen sind als Vermittler zwischen nationalen und globalen Institutionen wichtig für solche Governance-Transfers. Dieses Papier erfasst den Governance-Transfer von neun Regionalorganisationen in den Amerikas, Afrika, Asien und im Nahen Osten. Dabei analysieren wir die Ziele, Ansätze und Instrumente für die Schaffung oder Veränderung von Institutionen in Zielländern. Dieser Vergleich zeigt Ähnlichkeiten bei Standards und Instrumenten, was auf die Ausbreitung eines „globalen Skripts" für Governance hindeutet. Allerdings unterscheiden sich Organisationen auch darin, wie und wann sie bestimmte Governance-Institutionen in Mitgliedstaaten vorschreiben und fördern. Die Diffusions- und Vergleichende Regionalismusforschung ist auf einen solchen Doppelbefund schlecht vorbereitet. Unser Papier schlägt einen stärker auf Akteure fokussierten Ansatz vor, der Governance-Transfer als Konsequenz staatlicher Entscheidungen ansieht. Wir identifizieren Faktoren, die einerseits die Nachfrage nach solchen Prozessen und andererseits ihre institutionelle Ausgestaltung beeinflussen.

Table of Content

1. Introduction

Since the end of the Cold War, international organizations and states have developed programs to promote (good) governance in member states and third countries. Development cooperation, for instance, has become a primary tool not only for providing goods and services in target countries, but also for transferring governance institutions, such as the rule of law or democracy. Regional organizations (ROs) have gained an important role in governance transfer. They constitute an intermediate level of agency between the nation-state and global institutions. Their broad mandate allows them to promote legitimate governance institutions in their member states and, in some cases, also third countries. Today, almost every regional organization prescribes and promotes some standards for governance at the national level, irrespective of its original purpose – including simple free-trade agreements. In doing so, they not only foster the evolution of regional order, but also induce the transformation of national order.

This paper provides an overview of the transfer of governance institutions by regional organizations in and to areas of limited statehood. It presents findings on the objectives, approaches, and instruments of nine regional organizations in Africa, the Americas, Asia, and the Middle East: the African Union (AU), Economic Community of West African States (ECOWAS), and Southern African Development Community (SADC); the Organization of American States (OAS), North Atlantic Free Trade Agreement (NAFTA), Common Market of the South (Mercado Común del Sur, Mercosur), and Andean Community (Comunidad Andina de Naciones, CAN); the Association of South-East Asian Nations (ASEAN); and the League of Arab States (LAS).

The nine ROs vary with regard to their institutional design (breadth and depth of regional cooperation) as well as with regard to the degree of statehood and the regime type of their member states. The comparison of major regional organizations as diverse as NAFTA, ECOWAS, and ASEAN enables us to evaluate the extent to which we can observe the diffusion of a global governance script. We argue that there is an expansion of "good" governance-related regional provisions across time and space. Regional organizations have developed more detailed prescriptions of standards for human rights, the rule of law, the fight against corruption, and increasingly also democracy. They have also established similar instruments to promote these standards for "good" governance, including the legal protection of human rights, "democracy clauses," membership conditionality, election observation missions, and election assistance. Despite these common institutional trends, we find systematic differences between the governance transfers of ROs. If they follow a "global script," its adoption is "localized" (Acharya 2004). ROs choose from a menu of standards and instruments rather than simply "downloading" the whole package. Research on diffusion and comparative regionalism is ill-equipped to account for this double finding of increasing similarities and persisting differences. We call for a more agency-centered approach that conceptualizes governance transfer as an institutional choice by states. We identify factors that elicit states' demand for governance transfer, on the one hand, and that shape its institutional design, on the other.

The paper proceeds in four steps. First, we introduce an analytical framework that allows us to map the governance transfer of regional organizations. Second, using this framework, we compare the standards for legitimate governance that our nine ROs promote and the instruments they employ. The empirical analysis draws on case study reports by regional experts.[1] For reasons of scope, we cannot give a full account of their findings here. Rather, we seek to identify broad similarities and differences in the governance transfer that the various ROs engage in, focusing on their standards and instruments. Third, we summarize the main findings and discuss to what extent regional organizations prescribe and promote similar criteria for "good" governance institutions, or whether regional and local particularities prevail. Fourth, we highlight how the double finding of increasing similarities and persisting differences in governance transfer by regional organizations challenges research on both the diffusion of a global script and the particularities of world regions. We propose taking a more agency-based approach that focuses on the demand and supply of governance transfer.

2. Governance transfer: Concepts and analytical tools

We refer to governance transfer when regional organizations explicitly prescribe and/or intentionally and actively promote the creation and modification of governance institutions in member states or third countries. In line with the SFB 700, we understand governance institutions as norms, rules, and procedures that are the basis for the provision of collective goods and collectively binding rules (*what*), defining the *who* (governance actors: state and non-state), *how* (modes of social coordination: hierarchical and non-hierarchical), and *for whom* (governance collective) of governance (Beisheim et al. 2011).

Figure 1: Governance transfer by regional organizations

We are interested in macro-level institutions, referring to the organization of rule/authority more broadly, the way it is reflected in a country's political system. In this, the state is certainly a major point of reference, providing the overall (constitutional) framework for governance. However, state actors are not necessarily the only governance actors, as non-state actors can be involved in governance as well, for example through public-private partnerships or in the form of private self-regulation (Beisheim et al. 2011). While focusing on the political system, we are also interested in norms, rules, and procedures delimiting the political from the economic and social spheres, basically defining state-market and state-society relations.

By prescribing and promoting standards for governance institutions, the regional organization defines what governance should look like at the national level if it is to be legitimate. We therefore clearly focus on the normative dimension of legitimacy and not on the actual belief in legitimacy. We expect that standards for legitimate governance institutions mainly draw on different notions of democracy, human rights, the rule of law, and good governance. However, it is an empirical question which criteria for legitimacy regional organizations establish. When regional organizations are transferring governance institutions, this does not imply that they are themselves governance actors at the national level, directly involved in the adoption and implementation of collectively binding rules and/or the provision of collective goods. Rather, regional organizations try to influence governance institutions at the national level, targeting their member states or third countries.

Figure 2: Categories and dimensions of governance transfer by regional organizations

Categories / Dimensions	Regional organization	Domestic actors	Standards	Mechanisms	Case studies
Prescription	Standard-setter	Addressee	Content	-/-	Framework
Promotion — **Policy**	Promoter	Target	Objective	Instrument	
Promotion — **Formal adoption of measures**					Measures
Promotion — **Practical application of measures**					

In investigating the framework for governance transfer by regional organizations, we consider both the prescription of standards and the provisions for their active promotion and protection. Provisions for governance transfer can be integrated into the founding treaties of a regional organization, political declarations by its member states, or secondary legislation at the regional level. In addition, we analyze the adoption and implementation of actual measures by regional actors, examining the application of instruments and other, ad-hoc initiatives. We describe governance transfer in terms of the actors involved (standard-setter vs. addressee; promoter vs. target), the standards set and promoted (content; objectives), and the instruments and underlying mechanisms of influence: litigation and military force (coercion), political and economic, material and immaterial sanctions and rewards (incentives), forums for dialogue

and exchange (persuasion, learning, and/or socialization), and technical and financial assistance (capacity-building).

Figure 3: Categories to analyze governance transfer by regional organizations

Regional organization: standard-setter, promoter	Actors within the regional organization, at the regional level: - Bodies of the regional organization, e.g. secretariat, parliamentary assembly, agencies - States collectively acting as member states
Domestic actors: addressee, target	Actors at the national level in member states and/or third countries: - State actors, e.g. national and/or sub-national government, judiciary, legislative - Non-state actors, e.g. civil society, business, community-based organizations
Standards: content, objectives	Norms, rules, and procedures defining legitimate governance institutions - Good governance - Rule of law - Human rights - Democracy
Mechanisms	Instruments - Litigation and military force (coercion) - Sanctions and rewards (incentives) - Assistance (capacity-building) - Dialogue and exchange (persuasion and socialization)

The remainder of this paper presents a first comparative analysis of the empirical findings on the governance transfer of nine regional organizations (Figure 4). The sample arguably covers the most important regional organizations on each continent – with the exception of Europe. We have consciously excluded the European Union (EU) at this point. While being among the first and most active regional organizations that engage in governance transfer, it targets the governance institutions of third countries rather than its own members, in contrast to all of the other regional organizations in this study (Börzel/van Hüllen forthcoming). We also want to avoid being EU-centric by making the EU the normative baseline for governance transfer, as it is often done in the literature, either explicitly or implicitly.

Altogether, we cover a wide range of regional organizations that significantly differ with regard to their institutional design and membership. While ECOWAS deals with a broad range of issue areas including peace, security, and human development, NAFTA exclusively focuses on trade liberalization. Likewise, CAN has created supranational institutions with some substantive decision-making powers, whereas ASEAN is still controlled by the governments of the member states. The ROs also differ with regard to the degree of statehood and regime type of their members. ECOWAS and SADC face greater problems of limited statehood, while most of the Mercosur and LAS members have sufficient capacities to set and enforce (regional) norms

and rules. The ROs in the Americas have an increasingly democratic membership; ASEAN, although improving, still ranks significantly lower, and LAS largely consists of (semi-)authoritarian regimes. If NAFTA, ASEAN, CAN, LAS, and ECOWAS promote similar standards for legitimate governance institutions using the same set of instruments, this should be a strong indication for the diffusion of a global script.

We start by providing a general overview of the evolution of governance transfer since the foundation of these regional organizations in the post-World War II and post-Cold War era, pointing out major similarities and differences. We then engage in a more detailed comparison of a set of typical provisions for governance transfer.

Figure 4: Regional organizations

Africa	- African Union (AU)
	- Economic Community of West African States (ECOWAS)
	- Southern African Development Community (SADC)
Americas	- Organization of American States (OAS)
	- Andean Community (Comunidad Andina de Naciones, CAN)
	- Common Market of the South (Mercado Común del Sur, Mercosur)
	- North Atlantic Free Trade Agreement (NAFTA)
Asia	- Association of South-East Asian Nations (ASEAN)
Middle East	- League of Arab States (LAS)

3. Regional organizations and governance transfer

All of the regional organizations under investigation have started to engage in governance transfer at some point and to some extent. While they greatly vary in the timing, intensity, and form (content, instruments) of their efforts, the nine ROs follow a trend toward more comprehensive standards for national governance institutions and higher degrees of legalization and "intrusiveness" into the domestic affairs of their member states. We find instances of governance transfer even in the regional organizations that are generally considered least likely candidates. As a free-trade agreement, NAFTA was never intended to set standards for legitimate governance in its three member states. Yet, two side agreements effectively transfer governance institutions in the fields of labor rights and environmental protection (Duina forthcoming). Likewise, ASEAN and the LAS have always been among the strongest proponents of the principles of national sovereignty and non-interference. Still, both have recently adopted mechanisms to promote human rights standards in their member states: the Arab Human Rights Committee in 2008 and the ASEAN Inter-Governmental Commission on Human Rights in 2009 (Jetschke forthcoming; van Hüllen forthcoming-a).

Since the end of the Cold War, regional organizations have included joint commitments to standards for domestic governance in their legal foundations and developed policies for gov-

ernance transfer – especially in the areas of democracy and human rights, and to a lesser extent regarding the rule of law and good governance. Still, if there is a global governance script behind this increasing attention to national governance institutions, it is more of a menu than a package. All ROs make general reference to the same broad principles. They differ, however, in how far and to what extent these broad principles are translated into specific standards to be prescribed, protected, and promoted by the regional organization. While NAFTA and ASEAN focus more on good governance and the rule of law, regional organizations in Africa and South America are more concerned with democracy and human rights. When it comes to the specific content of human rights, especially ASEAN, but also Mercosur and SADC, emphasizes the importance of economic and social rights, whereas the OAS and AU pay more attention to civil and political rights. Similarly, there is a set of typical provisions and instruments to actively promote and protect the adherence to standards prescribed at the regional level – but again, each regional organization seems to pick and choose among these options. Also, the gap between the prescription of standards, the policy for their promotion and protection, and the actual adoption and implementation of measures is wider for some regional organizations than for others: Some remain at the level of prescription (ASEAN, LAS), most have a more (ECOWAS, SADC, AU) or less (Mercosur, CAN, NAFTA) elaborate policy, but only a few implement measures on a regular basis (here, OAS). Overall, when regional organizations engage in governance transfer beyond the prescription of standards, they are much stronger when protecting the status quo, e.g. against unconstitutional change or massive human rights violations, than when actively promoting its improvement.

The regional organizations with a broader mandate than merely supervising the implementation of an almost complete contract (NAFTA) can be divided into two groups: On the one hand, there are continental organizations for political cooperation that bring together all countries within a geographically or culturally defined macro-region, such as the OAS and the AU for the Americas and Africa, or the LAS as a pan-Arab organization. On the other hand, there are sub-regional organizations that pursue a broad range of objectives but focus on economic and security integration among a smaller group of member states, for example ECOWAS within West Africa.

The continental organizations are among the oldest regional organizations from the post–World War II era. From early on, most of them were based on a joint commitment to the respect of human rights at the national and regional level, expressed in their founding treaties and specific human rights charters. At the global level, they are an integral part of the international human rights regime. Especially since the end of the Cold War, these regional organizations have extended the scope of their efforts to include other standards for domestic governance institutions, touching upon democracy, the rule of law, and good governance, and have added more instruments for their active promotion and protection. The sub-regional organizations, by contrast, mostly started only in the 1990s to prescribe and promote standards for legitimate governance institutions in their member states. This is also the case for ROs created long before the end of the Cold War (e.g. ECOWAS, SADC, CAN, or ASEAN). Gover-

nance transfer by these regional organizations mostly focuses on standards related to human rights and democracy.

Most of the continental and sub-regional organizations have developed a similar set of instruments for governance transfer since the 1990s: (1) judicial protection of human rights (coercion); (2) a "democracy clause" that triggers sanctions (incentives) or in some cases military interventions (coercion); (3) membership criteria that constitute some form of membership conditionality (incentives); (4) election observation missions (EOMs) and election assistance (monitoring/incentives/capacity-building); (5) various activities and programs geared toward socialization, persuasion, and capacity-building, for example with regard to good governance. Before comparing the evolution and content of these provisions across regional organizations, we will briefly discuss the normative basis of governance transfer by ROs.

3.1 The basis for governance transfer: The prescription of standards

Most of the continental organizations have been built on common values, in particular human rights, as demonstrated in the OAS Charter (1948) and the OAU Charter (1963).[2] It is these organizations that have devised regional human rights charters (see annex 1): The American Declaration on the Rights and Duties of Man (1948) and the American Convention on Human Rights (1969) from the OAS, and the African (or Banjul) Charter on Human and Peoples' Rights (1981) from the OAU. The LAS is the exception to the rule: Established in 1945, its founding treaties do not refer to common values such as human rights. Even though the LAS started dealing with human rights issues in a Permanent Arab Committee on Human Rights in 1968, it only adopted an Arab Charter on Human Rights in 2004, after a first failed attempt in 1994.

By contrast, most of the sub-regional organizations only began to define regional standards for governance at the national level during the 1990s. The Andean Community already enshrined a joint commitment to democracy and human rights in the Riobamba Charter of Conduct (1980). This was taken up only in the preamble of the revised Cartagena Agreement (Trujillo Protocol, 1996). CAN dealt with these issues in more detail in 2001/2002, including with the adoption of the Andean Charter for the Promotion and Protection of Human Rights (2002). Mercosur did not include any commitment to shared values in the Treaty of Asunción (1991), but in 1992 it issued its first political declaration, and the Ushuaia Protocol (1998) made respect for democracy part of Mercosur's legal basis. Similarly, in Africa, the SADC Treaty (1992) and the ECOWAS Revised Treaty (1993) included references to democracy and human rights in their member states. Apart from the Arab League, ASEAN is clearly the odd one out: The legally non-binding ASEAN Concord (2003) was the first document to refer to democracy as a shared value. It was only in 2007 that member states adopted the ASEAN Charter with a joint commitment to democracy, good governance, the rule of law, and human rights.

---

2 The OAU (Organization of African Unity) is the predecessor of the African Union (AU).

The purpose and mandate of NAFTA, finally, differ significantly from the other regional organizations, focusing solely on the creation and implementation of a free-trade area. Therefore, it makes sense that NAFTA is not explicitly built on shared political values. The main agreement was, however, complemented by two side agreements on sectoral cooperation. Both the North American Agreement on Labor Cooperation (NAALC) and the North American Agreement on Environmental Cooperation (NAAEC) prescribe compliance with sets of national standards that touch upon human rights, good governance, and the rule of law (Duina forthcoming).

Figure 5: Content of governance transfer

	Democracy	Human rights	Rule of law	Good governance
AU	+++	++++	+	++
ECOWAS	++++	+++	+	++
SADC	+++	+++	++	++
OAS	+++	++++	+	++
CAN	+++	++	+	+
Mercosur	+++	++	+	+
NAFTA	-	+	+	+
ASEAN	+	++	+	+
LAS	+	++	+	++
Number of "+" indicates the intensity of governance transfer per issue area, ranging from the mere mention of concepts to the prescription of very detailed standards.				

As figure 5 shows, all regional organizations have referred at least once to standards for governance institutions in their member states related to democracy, human rights, the rule of law, and good governance. Especially since the 1990s, ROs have issued a large and increasing number of documents that prescribe standards for legitimate governance institutions (see annex 1). This illustrates the expansion of governance-related regional provisions across time and space. The overview, however, does not convey detailed information on the quality of the institutionalization of standards, for example concerning the levels of obligation and precision, or the scope of issues covered in each domain. To shed more light on these qualitative dimensions, we will now discuss the developments and characteristics of governance transfer as exemplified by the five instruments for governance transfer developed by most regional organizations since the 1990s.

3.2 Human rights regimes and judicial protection

The OAS and the OAU/AU have established regional human rights regimes based on human rights charters (see above) and judicially protected by specific human rights courts. While the Inter-American Court of Human Rights (1979) has been active for decades, the African Court on Human and Peoples' Rights (2004) transformed into the African Court of Justice and Human Rights in 2008 and is still in the course of being set up. The sub-regional organizations

with an economic focus either rely on the human rights regime on the continental level or have just recently expanded their dispute settlement mandate to include human rights issues.

At the continental level, the OAS human rights regime offers individuals access to a regional system of adjudication. The first pillar is the Inter-American Commission on Human Rights, which accepts petitions from persons claiming human rights violations. Upon receiving a request, the Commission determines its validity and undertakes to solve the problem in co-operation with the respective member state. Should the issue not be resolved, the case can be forwarded to the Inter-American Court of Human Rights in the second step, which can then issue a judgment ordering the offending state to change its practices, pay compensation, or take other measures. Thus, the OAS engages in protecting human rights at the regional level, albeit only after national remedies have been exhausted by petitioners and only with regard to states that have ratified the relevant article of the organization's 1969 Convention on Human Rights (Lohaus forthcoming).

As mentioned above, the African Union has not yet put the proposed human rights court into operation. Member states decided to create an African Court of Justice and Human Rights in 2008 to deal with both human rights and other regional legal issues. In contrast to the OAS system, this Court is not accessible to individuals via petitions. It accepts cases only from member states, AU organs related to human rights, and other registered entities (Leininger forthcoming).

The LAS, in contrast, does not foresee a similar mechanism of judicial protection for its provisions regarding human rights. The only document containing binding standards is the 2004 Arab Charter of Human Rights, which was adopted by the LAS Council after it became clear that the 1994 predecessor document did not have widespread support. However, the Charter allows member states room for exceptions, which in some cases can be linked back to Islamic traditions such as Sharia law (Rishmawi 2005). After the Charter entered into force in 2008, a new Arab Human Rights Committee became operational, and parties to the treaty have since been obliged to periodically report to it on the current human rights situation (van Hüllen forthcoming-a). However, the Charter's competencies are extremely weak compared to similar bodies in other regional organizations and at the level of the United Nations. It was only in 2012 that Bahrain proposed creating an Arab Human Rights Court, which has been under discussion in the LAS ever since.

Organizations for regional economic integration in South America and Africa operate within the regional human rights regimes of the OAS and the AU, respectively. In Mercosur and the Andean Community, judicial protection of human rights is left to the OAS's continental regime. While Mercosur's permanent dispute settlement mechanism might theoretically be competent to rule on human rights issues, it has never done so.[3] Neither has the Andean Court

---

3 Recently, Mercosur's highest body has touched on the concept of fundamental rights (CMC Decisions 28/10 and 64/10), which might pave the way for the creation of a full-fledged Mercosur human rights court.

of Justice, since the Andean Community explicitly refers matters to the Inter-American human rights regime (Ribeiro Hofmann forthcoming; Saldías forthcoming).

By contrast, and maybe because the African human rights regime has so far lacked judicial enforcement, the SADC Tribunal and the ECOWAS Community Court of Justice have actively sought to protect human rights within their respective jurisdictions. The SADC Tribunal declared itself competent to deal with human rights issues based on the commitments made in the SADC Treaty and issued a number of rulings related to human rights from 2007 to 2010. One of these cases, Campbell vs. Zimbabwe, led to a dispute about the court's mandate and the legal obligations for member states. When Zimbabwe failed to comply with a judgment, the Tribunal demanded action from the SADC Summit. The heads of states, however, decided to suspend the court with the intention to amend its mandate, which has been criticized by judges and civil society organizations alike. Currently, it is expected that the court will be dissolved and replaced by a different and less activist body (van der Vleuten/Hulse forthcoming).

The ECOWAS Community Court of Justice has also accepted human rights cases since 2005, when its mandate was broadened to allow individuals to make claims. In the years since, the Court has been active and delivered a small number of judgments related to human rights. In this context, the Court has pointed out that it will not appeal verdicts by national courts, but is available when no national remedies are accessible. Similar to the case of SADC, compliance with the judgments might prove to be erratic, as the tribunal has no direct means of enforcement (Hartmann forthcoming).

ASEAN, in turn, neither has a human rights charter nor any court or permanent dispute-settlement mechanism that could legally protect human rights standards in its member states. The ASEAN Charter (2007), however, laid the foundation for a regional human rights regime. In 2009, ASEAN member states created the ASEAN Inter-Governmental Commission on Human Rights, which is mandated to promote and protect human rights in the region (ASEAN 2009b).

NAFTA, finally, only foresees ad-hoc arbitration and dispute settlement panels in line with the overall spirit of the agreements, which are not explicitly mandated to deal with human rights issues.

3.3 Democratic clauses for the protection of democracy and human rights

A relatively common feature of regional organizations for the protection of democracy are democratic clauses as "multilateral mechanisms for protecting and defending democracy when it is unconstitutionally interrupted or threatened by autocratic rulers" (Piccone 2004: 8). They serve as an enforcement mechanism for a joint commitment to certain norms, foreseeing some form of sanction in the event of non-compliance. The enforcement mechanisms of regional organizations in the Americas and Africa are primarily focused on "a strong anti-coup norm" (Legler/Tieku 2010: 469). Neither NAFTA nor the LAS nor ASEAN have similar

provisions (Jetschke forthcoming; van Hüllen forthcoming-a). On the contrary, Article 8 of the Charter of the Arab League explicitly postulates that the respective "system of government" is an internal affair of the member state and is not to be interfered with.

As early as 1991, the OAS adopted Resolution 1080 on representative democracy, which called for a collective response "in the event of any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government." Accordingly, member states modified the OAS Charter in 1992 with the Protocol of Washington, inserting a new Article 9 that prescribes diplomatic initiatives and ultimately the suspension of membership in response to the overthrow of a democratically elected government (Lohaus forthcoming).

Mercosur and the Andean Community followed the example of the OAS and established similar clauses, with the Ushuaia Protocol (1998) to the Treaty of Asunción and an Additional Protocol (2000) to the Cartagena Agreement, respectively. Should the democratic order be disrupted in a member state, both documents prescribe consultations at the regional level and allow for membership rights – ranging from participation in meetings to enjoying economic benefits – to be suspended. Thus, all of our ROs in the Americas, with the exception of NAFTA, make the enjoyment of membership rights conditional upon upholding democratic order. It should be noted, however, that sanctions against non-democratic member states are not automatic, but rather depend on consultation and consensus among the others. Moreover, the documents do not precisely define violations of democratic standards (Ribeiro Hofmann forthcoming; Saldías forthcoming).

When the AU codified a similar clause in its Constitutive Act of 2000, it could draw on earlier declarations of the OAU from the late 1990s (Legler/Tieku 2010: 469; Piccone 2004: 25). In addition to Article 30 of the Constitutive Act, which allows for the suspension of membership rights if a government comes to power through unconstitutional means, the AU adopted another declaration in Lomé in 2000 on the framework for an AU response to unconstitutional changes of government. This Lomé Declaration specifies instances of non-compliance and adds fact-finding missions and "limited and targeted sanctions" to the list of possible responses. While some observers claim that this clause is meant to protect any regime, democratic or not, against its "unconstitutional" removal (Piccone 2004: 25), the Lomé Declaration always refers to threats to "democratically elected governments." The 2007 African Charter on Democracy, Elections and Governance also specifies that the AU will sanction acts that interfere with democratically elected governments, such as coups or the refusal of incumbents to vacate office after a lost election (African Union 2007).

Interestingly, ECOWAS and SADC both introduced their response mechanisms in the context of conflict prevention. ECOWAS did so with the 1999 "Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security" and the 2001 "Protocol on Democracy and Good Governance," and SADC with the 2001 "Protocol on Politics, Defence and Security Cooperation." These protocols extend the scope of non-compliance

to any situation putting regional stability at risk, which includes coups d'état but also serious human rights violations, and they elaborate on a mechanism for collective response that includes military interventions. In the case of ECOWAS, decisions on regional interventions are taken by the Mediation and Security Council, which comprises only nine of the fifteen member states and can decide by qualified majority. With the additional protocol adopted in 2001, the ECOWAS member states agreed on a comprehensive list of standards, offering more precise criteria to identify violations. The first article clearly states that "every accession to power must be made through free, fair and transparent elections" and that ECOWAS members will not tolerate exceptions. Similar to ECOWAS, SADC has a specific organ dedicated to security issues, which is empowered by the aforementioned 2001 protocol to recommend "enforcement actions" to the heads of states in the case of massive violations of democracy or human rights (Hartmann forthcoming; van der Vleuten/Hulse forthcoming).

The OAS and AU have further developed their democracy protection mechanisms with the adoption of democratic charters: the Inter-American Democratic Charter (2001) and the African Charter on Democracy, Elections, and Governance (2007). These documents "offer unprecedented detailed definitions of democracy, elaborate in some cases innovative instruments to responding to coups d'état as well as authoritarian backsliding, and provisions for international election monitoring" (Legler/Tieku 2010: 466). The major difference between the American and African provisions is the inclusion of military force among the response mechanisms in the African organizations, which is completely absent from the American context.

Interestingly, even in the 2004 Arab Charter of Human Rights, there is a reference to every citizen's right to "pursue a political activity," run for public office, or participate in fair elections. The same Article 24, however, also states that these rights can be restricted according to national law if it seems necessary in the interest of, inter alia, "national security or public safety, public health or morals" (League of Arab States 2004).

3.4 Democratic membership conditionality between protection and promotion

While references to democracy, human rights, and the rule of law as "fundamental principles" or "common values" have spread among regional organizations since the 1990s, few link them explicitly to preconditions for joining the club. Regional organizations outside of Europe rarely make accession subject to an explicit democratic conditionality (Mansfield/Pevehouse 2008: 274). The organizations either have no stipulations on accession in their treaties (OAS, NAFTA, ECOWAS, LAS) or when they do, these do not refer back to any fundamental principles (Mercosur: Art. 20, Treaty of Asunción; CAN: Art. 151, Cartagena Agreement; AU: Art. 29, Constitutive Act; SADC: Art. 8, SADC Treaty; ASEAN: Art. 6, ASEAN Charter). The South American organizations have, however, adopted decisions that explicitly ask new member states to ratify all of the relevant protocols, including those containing clauses for the protection of democracy, de facto making accession conditional upon democracy (Lohaus forthcoming; Ribeiro Hofmann forthcoming; Saldías forthcoming).

While accession to any of the ROs implies adherence to all provisions of the treaties, it is not obvious whether democratic membership conditionality has been consistently put into practice since regional organizations committed their member states to respecting democratic principles, human rights, and the rule of law. This was clearly not the case when the Democratic Republic of Congo joined SADC in 1997 (van der Vleuten/Hulse forthcoming). In the case of Mercosur, there is controversy over Venezuela. Since the heads of state accepted its request to join in 2006, members of parliament in Brazil and Paraguay have refused to give their consent, citing doubts about the country's democratic character. Whereas Brazil's Senate approved Venezuela's accession in 2010, Venezuela joined in 2012 without ratification by Paraguay, during a time when the latter was itself suspended from Mercosur due to non-democratic incidents (Ribeiro Hofmann forthcoming). This example illustrates the ambiguity of broad reference to democratic values: when there are no clearly defined criteria for membership, the respective clauses are bound to become topics of controversy. By contrast, the government of Mexico faced an informal, ex ante democratic conditionality during NAFTA negotiations, even though the agreements do not include any such stipulations (Duina forthcoming).

The average democratic performance of member states in the different regional organizations is mixed (see annex 2). It clearly improved for the African organizations in the 1990s (AU, ECOWAS, SADC) and it is worst in the organizations that have only recently established commitments (ASEAN, LAS). However, this says little about whether the democratic performance of member states is the result of changing membership conditions in ROs, or whether it is rather the other way round.

3.5 Democracy promotion and protection: The focus on elections

Election assistance is often the only form of democracy promotion by regional organizations in their member states. It aims at institution- and capacity-building, for example by devising independent national electoral authorities or providing basic equipment to conduct elections, such as polling booths and ballot boxes. The more common feature, however, consists of election observation missions (EOMs) sent to monitor the free and fair conduct of elections.

> An important attribute of the election observation agencies associated with regional IGOs [International Governmental Organizations], such as the OSCE and OAS, is their autonomy, meaning that they draft and issue their reports independently of decisions about enforcement taken within the IGO's intergovernmental bodies. (Donno 2010: 602)

The monitoring agency's assessment has important publicity and information effects (Donno 2010: 603). It also forms the basis of international responses, both by individual actors and collectively in the framework of regional organizations. Systematic EOMs are therefore an indispensable basis for the implementation of democratic clauses and part of democracy protection efforts. The prevalence of election assistance and observation mechanisms in regional organizations reflects a strong focus on electoral democracy. Except for ASEAN and NAFTA,

all of the other ROs deploy EOMs to their member states on a more or less regular basis. Even the LAS has an election observation office in the General Secretariat and sends out observers upon request.

By comparison, policies for election assistance and observation are much more developed in Africa and the Americas. The OAS in particular has a long history of election assistance and EOMs. Observer missions have been a part of the organization's activities since the early 1960s, although their legal basis was only established in 1989 through a resolution by the General Assembly. The 2001 Democratic Charter then contained further references to EOMs, stating that such missions should aim to strengthen and develop electoral processes (Lohaus forthcoming).

More recently, Mercosur and CAN have started to engage in additional election observation. In 2008, Mercosur created a body dedicated to this purpose (Decisions 24/06 and 05/07), after the RO had sent an ad-hoc mission to Bolivia in 2005. Since then, a few missions were conducted (Ribeiro Hofmann forthcoming). The Andean Community introduced the Andean Electoral Council in 2003. This body is comprised of national electoral officials and has mainly an advisory nature; however, it has recently observed referendums held in Bolivia and Venezuela, as well as the election of the Ecuadorian Supreme Court (Saldías forthcoming).

The AU has also deployed election observation missions to its member states since 1989, when it sent observers to Namibia in cooperation with the UN. In 2002, the organization adopted the Declaration on the Principles Governing Democratic Elections, which prescribed a list of standards for democratic elections, prompted member states to invite observer missions, and tasked the organization's General Secretariat with developing a specialized unit to manage those missions (African Union/OAU 2002). As a result, the Democracy and Electoral Assistance Unit (DEAU) was formally established in 2006. The 2007 African Charter on Democracy, Elections and Governance then reaffirmed the concept of election observation. In this document, EOMs are named as important factors to foster the "regularity, transparency and credibility of elections," and Article 18 requires all parties to the treaty to invite AU observers to every election (African Union 2007). Considering that the Charter just recently entered into force after its ratification by the 15th member state, the EOM system in the AU is stronger than ever (African Union 2012). However, the organization's practices have been criticized: While claiming to have conducted more than 100 missions up to 2003, the AU has not documented their findings well (Kelley 2012: 37). Currently, only reports for missions from 2009 and 2010 are available on the website (AU DEAU 2012).

In addition, both ECOWAS and SADC have more recently elaborated their own guidelines and started to send missions in 1990 and 2004, respectively. For ECOWAS, the legal basis for these procedures dates back to the 1993 Revised Treaty and was broadened in the 1999 Protocol on Conflict Prevention. The 2001 Protocol on Democracy and Good Governance describes the procedure of election observation in more detail than earlier documents. It has even been interpreted as giving ECOWAS permission to dispatch a mission without the need for an in-

vitation by the concerned member state. In practice, the RO has sent missions to almost every election since 2004, albeit varying in size and mandate: some of them served narrow fact-finding purposes, while others included up to 300 observers. In 2008, the organization published a handbook for EOM staff (Hartmann forthcoming).

Finally, SADC has been equally active in the field of election observation in recent years. Based on the 2001 Protocol on Politics, Defense and Security Cooperation as well as the non-binding 2004 Principles and Guidelines Governing Democratic Elections – which were inspired by the corresponding AU document – SADC can send observer missions on invitation by member states. The 2004 document contains guidelines for the proceedings of observer missions and a code of conduct for EOM staff, as well as the responsibilities of host countries. Between 2004 and 2011, SADC sent missions to 25 out of 27 elections; the reports, however, are not universally accessible to the public and contain generally favorable assessments, including for cases in which irregularities were noted. Recently, the reports appear to focus more thoroughly on the criteria outlined in the 2004 Guidelines document (van der Vleuten/Hulse forthcoming).

3.6 Good governance: The fight against corruption

Within the area of good governance and the rule of law, the majority of regional organizations under analysis have become active in fighting corruption. Besides other aspects of transparency, public sector reform, and legal harmonization, the fight against corruption is a suitable example to illustrate the similarities and differences across regions. The fight against corruption entered the agenda of regional organizations between the mid-1990s and the mid-2000s, with most ROs dedicating a single-purpose treaty to the issue. With its mixture of provisions for legal harmonization, codes of conduct for governance, and regional mechanisms for cooperation, it touches on several aspects of governance transfer.

In 1996, the OAS adopted the Inter-American Convention against Corruption. This document identifies corruption as an obstacle to democracy, justice, and development; provides a definition of corrupt practices; and calls upon member states to fight them. To this end, the treaty provides for preventive measures, capacity-building, and legal cooperation. These commitments were further developed with the 1997 Program for Cooperation, the 2001 Mechanism for Follow-Up on the Implementation (MESICIC), and the 2006 renewed Program for Cooperation. Overall, the establishment of a dedicated body to coordinate anti-corruption activities and the multiple additional documents suggest that the issue is high on the OAS agenda. The MESICIC produces periodic reports on the regional as a whole and on individual parties to the treaty (Lohaus forthcoming).

NAFTA does not have an explicit anti-corruption policy, but its agreements implicitly build on the observance of rule of law and good governance standards in the three member states, as well as on their compliance with international anti-corruption norms. Within Latin America, the Andean Community also engages in the transfer of anti-corruption norms, rules, and procedures. Both the 1999 Decision 458 by the Foreign Ministers' Council and the 2001 Declara-

tion of Machu Picchu mention this goal. In 2007, Decision 668 adopted the Andean Plan for the Fight against Corruption, which includes setting up an Executive Committee to address the issue. In the plan of action, the RO aims to tackle a variety of aspects, ranging from public education to domestic legal and operational reforms (prevention) to prosecution (Saldías forthcoming). Mercosur does not feature similar clauses. Instead, the RO explicitly refers to the provision of the UN and OAS anti-corruption regimes. This is exemplified in the statement from the 34th meeting of the Common Market Council in 2010, which expressed that member states shall take action against corruption in accordance with the aforementioned international rules (Mercosur 2010).

In the African context, the AU adopted its Convention on Preventing and Combating Corruption in 2003. In this document, the African Union members delivered a list of acts deemed corrupt and called for all parties to the treaty to outlaw them. Thus, much of the treaty is aimed at harmonizing legal provisions. Furthermore, the Convention asks for international cooperation and coordination, and an Advisory Board on Corruption is established as a follow-up mechanism. In 2011, the AU heads of state adopted an Anti-Corruption Action Plan (Leininger forthcoming).

ECOWAS also targets corruption with a dedicated treaty. Its basis was established in the 1999 Protocol on the Mechanism for Conflict Prevention, which briefly asked member states to "fight corruption and manage their national resources in a transparent manner" (Article 31). In 2001, this provision was followed by the Protocol on the Fight Against Corruption. This document defines corrupt behavior and obliges states to change their legal provisions accordingly. Moreover, states are asked to provide assistance to other parties to the treaties, and the Protocol requires the establishment of national Central Authorities to deal with all issues pertaining to the document. In addition, the document established the ECOWAS Anti-Corruption Commission, which is tasked with fostering cooperation and the flow of information, providing training and assistance, and monitoring the domestic implementation of regional rules. It should be noted, however, that the Protocol has not yet entered into force because it lacks the required number of ratifications (Hartmann forthcoming).

SADC adopted its 2001 Protocol Against Corruption shortly before ECOWAS. It has been ratified by 13 out of 15 member states. Similar to the previously mentioned documents, the Protocol defines corruption and requires member states to fight it by means of legal provisions, as well as through good practices in running the government. Each party to the treaty is to send representatives to a regional committee to oversee implementation. The anti-corruption agenda is reflected in later documents, such as the 2003 Regional Strategic Indicative Action Plan or the 2004 Strategic Indicative Plan for the Organ, which reiterate the target of combating corruption (van der Vleuten/Hulse forthcoming).

The Arab League enacted an Arab Convention to Fight Corruption in 2010, which has been signed by 19 out of the 22 LAS members but has not yet entered into force (van Hüllen forthcoming-a). While it refers to other international instruments, such as the United Nations Con-

vention Against Corruption, it leaves ample scope for the interpretation of its provisions and their implementation "in accordance with domestic legislation" (League of Arab States 2010). ASEAN, finally, places little emphasis on the issue of corruption, and differs from other organizations by not directly requiring member states to change national law. However, anti-corruption agencies from eight member states signed a "memorandum of understanding," and the 2009 Political-Security Community Blueprint (part of the Cha-Am Hua Hin Roadmap) at least acknowledges the importance of this issue (ASEAN 2009a).

Overall, anti-corruption provisions are one of the most prominent instances of governance transfer in the area of good governance and the rule of law. Six out of the nine ROs under investigation have binding documents on the issue, another one explicitly refers to other international agreements, and one has at least shown first indications of addressing the issue. Regarding the contents, there are strong similarities: Given the nature of the task, all documents provide definitions of corruption and ask for domestic legal provisions to criminalize and prosecute such practices. In addition, there appears to be a tendency to rely on mutual assistance, training of public officials, and some form of regional, centralized monitoring to foster the implementation of measures.

4. Discussion

4.1 The emergence of a global script?

Today, major regional organizations at least make reference to democracy, human rights, the rule of law, and good governance as standards for the governance institutions of their member states. The idea of governance transfer has spread around the globe. Figure 6 presents an overview of the governance transfers of nine major ROs with regard to the five typical features we identified. Overall, there is a clear trend toward a broader and more detailed prescription of standards, as well as a growing number of instruments adopted by the organizations. Human rights are increasingly codified at the regional level. ROs have also become more active in the realm of good governance and the rule of law as exemplified by the case of anti-corruption measures.

4.2 The "localization" of governance transfer

Despite these common trends, we find systematic differences among the governance transfers of these nine ROs. With regard to the prescription of standards, the protection of human rights by judicial means varies greatly. African and Latin American ROs have elaborated standards on democracy and human rights. ASEAN and NAFTA, by contrast, have focused more on rule of law and good governance. At the same time, ECOWAS and SADC have spelled out democratic norms in more detail and guard them by anti-coup provisions and increasingly institutionalized observer missions. Finally, the continental ROs, with the exception of the

LAS, developed comprehensive regimes of civil and political rights, while SADC, Mercosur and ASEAN emphasize social and economic rights.

Figure 6: Instruments of governance transfer by regional organizations

AU	ECOWAS	SADC	OAS	CAN	Mercosur	NAFTA	ASEAN	LAS
1) Judicial protection of human rights (litigation)[a]								
(XX)	X	(X)	XX	(OAS)[d]	-	-	-	-
2) Democracy (and human rights) clause (mediation, sanctions, military intervention)[b]								
X	XX	XX	X	X	X	-	-	-
3) Democratic membership conditionality (incentives)[c]								
(X)	(X)	(X)	-	(X)	(X)	-	-	-
4) Election observation and assistance (dialogue, assistance)								
X	X	X	X	X	X	-	-	X
5) Anti-corruption policies (dialogue, assistance)								
X	X	X	X	x	(OAS)[d]	-	-	-
[a] X = court of justice dealing with human rights issues; XX = human rights court; (X)/(XX) = court not operational								
[b] X = mediation and sanctions (incl. suspension); XX = mediation, sanctions (incl. suspension), and military intervention								
[c] (X) = implicit membership conditionality, e.g. through democracy clause								
[d] (RO) = task explicitly referred to another regional organization								

When it comes to the promotion and protection of standards, the Latin American ROs have left the enforcement of human rights to the OAS, whereas in Africa we do not find such a division of labor between the continental and sub-regional organizations. ECOWAS and SADC have developed more detailed standards and a greater variety of instruments than Mercosur and CAN. ECOWAS and SADC are also more active than their Latin American counterparts. So are the two continental ROs, OAS and AU, whereas LAS, ASEAN, and NAFTA hardly engage in the promotion and protection of standards.

Our findings suggest that regional organizations may indeed follow a "global script" for governance transfer, translating into institutional isomorphism through coercion, mimicry, and lesson-drawing (cf. Börzel/Risse 2012a; DiMaggio/Powell 1991; Strang/Meyer 1993). Yet, while we have identified certain institutional trends, we are still a far cry from institutional convergence. The differences we find between the governance transfers of our nine ROs indicate that the process of diffusion we may observe is "localized" (Acharya 2004), meaning that it is driven or at least mitigated by region-specific, domestic factors. Regional organizations choose from a menu of standards and instruments rather than simply "downloading" the whole package, resulting in significant variation in the adoption of the global script both across time and space.

To account for such variation, we need to adopt a more agency-based approach, which does not treat ROs and their member states as passive recipients of a global script but rather as political

agents that adopt and adapt global standards in a "dynamic process of matchmaking" (Acharya 2004: 243) to make them fit to their strategic interests and normative beliefs.

4.3 Toward explaining governance transfer

The literature does not provide a theoretical approach that would be capable of explaining our double finding of growing similarities and persisting differences in governance transfer by regional organizations. Diffusion theories expect convergence, while institutionalist approaches emphasize regional particularities (Börzel 2012; Jetschke forthcoming). We adopt a more agency-based perspective to look for theoretical building blocks that might help solve our puzzle. Governance transfer by regional organizations can be conceived of as the institutional choice of member state governments (Koremenos et al. 2001), which, however, may be driven not only by rational but also by normative factors. Moreover, some of the drivers may explain why member state governments decide to engage in governance transfer at the regional level in the first place, while others account for the form (standards, instruments) that they choose (cf. Weyland 2008). The former drivers have been referred to as demand factors and the latter as supply factors (Jupille/Snidal 2006; Mattli 1999). However, the distinctions between rational vs. normative and demand vs. supply factors do not provide a theory of governance transfer. Rather, they are a first step toward building a theoretical framework that will help integrate arguments found in different literature in order to explain when and how regional organizations engage in governance transfer.

Figure 7: Demand and supply of governance transfer

	Rational	Normative
Demand	Lock-in of democratic reforms, curbing negative externalities, signaling (1)	International legitimacy (3)
Supply	Active: regional hegemon, donors, external powers Passive: functional reference model (2)	Active: promotion of global script Passive: normative reference model (4)

4.3.1 The rational demand for governance transfer: Democratic lock-in, curbing negative externalities, and signaling

In line with the literature on international democracy promotion and the renewed interest in comparative regionalism, there is a growing body of research on the role of regional organizations for democracy and human rights at the national level. Quantitative studies have established a link between the democratic quality of states and their membership in regional organizations (e.g. Dimitrova/Pridham 2004; Mansfield/Pevehouse 2006, 2008; Pevehouse

2005; Simmons et al. 2008). The argument that states use regional organizations to "lock in" democratic developments is strongly supported by the different timing of governance transfer in our regional organizations in the different regions. The development of "democratic clauses" in Latin America and Africa has to be evaluated against the backdrop of frequent regime changes in these regions. The initial focus on preventing "unconstitutional change" clearly suggests that it was not so much democratic governance that was to be protected, but rather incumbent regimes in general. However, the respective provisions have become more specific over time, to the extent that especially the African regional organizations now explicitly condemn several types of anti-democratic behavior, including acts by incumbents. While the decision to intervene or to refrain from doing so is still up to member states, the standards prescribed by ROs have become more precise and pro-democratic. At the same time, the mandate of regional organizations in Africa to intervene with military force, is remarkable. It goes hand in hand with an overall strong focus on security issues, which is also reflected in a unique set of security-related bodies that defy the idea that regional organizations in Africa are foremost an emulation of "Western" models of regional integration.

Overall, our findings confirm arguments in the literature that democratizing countries seek to lock in democratic reforms at the regional level. This would also explain why ASEAN and LAS are lagging behind compared to ROs in Latin America and Africa when it comes to defining standards related to democratic governance or the regional protection of human rights (see annex 2). While the Mexican government employed NAFTA in a similar way, the US and Canada were more concerned about the enforcement of social and environmental standards to avoid competitive disadvantages for their industry, which accounts for NAFTA's stronger emphasis on the rule of law and good governance than on democracy and human rights (Duina forthcoming). For Mercosur, it appears that the transition toward more left-leaning governments in the early 2000s has favored governance transfers from the regional level (Ribeiro Hofmann forthcoming).

Using regional organizations to lock in domestic institutions does not only work for democratizing states, though. Authoritarian governments in Africa have instrumentalized their membership in the AU and the ECOWAS to bolster the sovereignty and legitimacy of their regimes (Levitsky/Way 2010: 363-364; Söderbaum 2004). This may explain why the Arab League, the Gulf Cooperation Council or the Shanghai Cooperation Organization have started to endorse standards of good governance, too (Haimerl forthcoming; Schneider forthcoming). They help legitimize certain policies, for example in the fight against terrorism, and may provide a platform from which to launch a counter discourse against the hegemony of "liberal universalism" on which global standards of human rights, democracy, rule of law, and good governance are based.

In addition to locking in (changes in) the regime type, two other factors can motivate member states to institutionalize democracy and human rights standards in regional organizations.

First, coups d'état and massive human rights violations may produce substantial negative externalities for neighboring countries. Flows of refugees or rebel forces often challenge the stability of an entire region. West African countries have suffered from a particularly high share of the continent's coups d'état (Striebinger 2012), and the roots of integration in the southern sub-region lie in security cooperation among the post-colonial Frontline States (van der Vleuten/Hulse forthcoming). It is no coincidence that the African Union, ECOWAS and SADC have developed their governance transfers in the area of democracy and human rights within the framework of conflict prevention, tying their enforcement to the use of military coercion, even without the consent of the member state concerned. In a similar vein, ASEAN's recent focus on democracy and human rights is at least partly related to the negative externalities that Myanmar's repressive regime has produced for its neighbors, Thailand in particular. While ASEAN member states have been eager to guard their sovereignty, cross-border problems produced by political upheaval in Myanmar and Indonesia have induced them to depart from the "ASEAN Way," compromising the strict principle of non-interference in domestic affairs (Jetschke forthcoming). After all, regional cooperation in ASEAN has also been about strengthening the statehood of its member states, protecting them against external intervention, fending off (trans)national challenges to their monopolies on force (e.g. communist or secessionist insurgences), and fostering their capacities to provide collective goods and services. The Arab League's surprisingly active role in the development of the "Arab Spring" since January 2011 also suggests an interest in regional stability and security that overrides the principle of non-interference in domestic affairs (van Hüllen forthcoming-b). The LAS has only taken action in cases where the violent clashes between protesters and security forces escalated into a civil war, especially in Libya and Syria and to a lesser extent in Bahrain and Yemen. In its engagement, it has not taken a consistent stance for or against regime change and democratization, but has rather stressed the need to return to order and sacrificed incumbent rulers to the demand for political change if necessary.

Second, institutional lock-in at the regional level is not only about committing successor governments to domestic reforms, democratic or otherwise. It can also constitute a signaling mechanism by which incumbent regimes seek to publicly commit themselves to certain standards that external donors or investors care about.[4] Domestic and regional stability are important to attract capital and technology, which again provides an incentive to engage in governance transfer for both democratic and non-democratic regimes. After all, autocratic rulers rely on economic prosperity for their domestic legitimacy (Solingen 2008). This is particularly the case in areas of limited statehood where states lack the capacity, and often also the willingness, to ensure governance standards that are essential for business actors, such as the rule of law or minimal human rights. By prescribing an independent judiciary, transparency of the legal system, and accountability of the police forces, SADC, for example, has hoped to both please its donors and become more attractive for foreign direct investments (van der Vleuten/Hulse forthcoming).

---

4 On signaling and international institutions see, for example, Fearon (1997) or Schultz (1998).

4.3.2 The rational supply of governance transfer: Regional hegemons, donors, external powers, and functional reference models

The quest to lock in democratic reforms, curb negative externalities, and send signals to external actors provides important motivations for states to engage in governance transfer at the regional level. It may explain when and why governance transfer by regional organizations emerges. It says little, however, about which standards and instruments are chosen. The literature has identified three important supply factors: the leadership of a regional hegemon, the push from donors and external powers, and the existence of a success model.

Realist theories of International Relations point to powerful states that are willing to and capable of acting as "regional paymaster, easing distributional tensions and thus smoothing the path of integration" (Gilpin 1987: 87-90; Keohane/Nye 1977: 44; Mattli 1999: 56). The US as a regional hegemon for NAFTA shaped its institutional design into a complete contract that has preserved rather than mitigated the power asymmetry between the US and the other two members (Clarkson 2008). Likewise, Brazil and Argentina have resisted Mercosur's movement beyond intergovernmental decision-making that could undermine the dominant position of their presidents (Gomez Mera 2005; Hummel/Lohaus 2012). A hegemon throwing its weight behind a regional organization's governance transfer not only matters for the prescription and institutionalization of standards and policies at the regional level; its willingness to adhere to the rules and to enforce them also has a crucial influence on their application and effectiveness (Striebinger 2012).

Hegemonic leadership requires the active exercise of coercive or bargaining power by a regional state. It can also be exercised by external actors. The European Union, for instance, has supported Mercosur, CAN, and SADC with technical and financial assistance in prescribing and promoting governance standards (Lenz 2012; Saldías 2010). Likewise, France and the UK as former colonial powers have sought to shape the governance transfer of ECOWAS and SADC (Hartmann forthcoming; van der Vleuten/Hulse forthcoming).

Finally, external actors or institutions can also passively influence institutional choices by providing a successful model from which to draw lessons (Börzel/Risse 2009a, 2012a). Facing a problem, actors look around for institutional solutions that are suitable to solving it. The United Nations constitutes this type of success model. So does the European Union. European integration has not only fostered peace and prosperity among its members; the EU also prides itself on having successfully transformed the governance institutions in Central and Eastern Europe after the end of the Cold War. Hence, the EU may provide an important reference or focal point – although not necessarily the only one – to design governance transfer at the regional level (Goldstein/Keohane 1993). For instance, it has informed ASEAN's first major attempts at governance transfer, launched with the ASEAN Charter of 2007. With it, the member states have sought to overcome ASEAN's failure to address joint problems, such as the Asian financial crisis of 1997/1998, and the negative externalities produced by the human rights violations of Myanmar and Indonesia in the East Timor conflict (Jetschke 2010; Jetschke/Murray 2012).

4.3.3 The normative demand for governance transfer: International legitimacy

It is not only functional rationalities that spur the demand for governance transfer by regional organizations. Next to lesson-drawing, which is based on instrumental rationality, actors may also emulate others for normative reasons, to increase their legitimacy (symbolic imitation) (Polillo/Guillén 2005), or to simply imitate their behavior because its appropriateness is taken for granted (mimicry) (Haveman 1993; Meyer/Rowan 1977). States have their regional organizations adopt global standards for legitimate governance in order to gain or increase international legitimacy and bolster their international reputation by signaling a strong commitment to generally accepted standards for legitimate governance. Symbolic imitation and mimicry provide an alternative explanation for ASEAN's or the AU's (partial) emulation of EU institutions of governance transfer. While governance transfer may help to curb negative externalities, lock in democratic reforms, and send signals to donors and investors, the EU is a very different regional organization from the AU and ASEAN. This raises questions about the functionality of "downloading" its institutions into a very distinct regional context. ASEAN was seen for a long time as incompatible with the EU mode of regional integration. Nevertheless, as Jetschke argues, ASEAN has emulated EU institutions to vindicate its international reputation as a regional organization capable of ensuring peace and prosperity among its members, which was severely damaged after the Asian financial crisis (see above).

4.3.4 The normative supply of governance transfer: Global scripts and normative focal points

The quest for international legitimacy and reputation is closely, if not inseparably, linked to the existence of a normative model to be followed. This can take the form of a normative focal or reference point, as the EU or the United Nations have provided for ASEAN, Merocsur, CAN, ECOWAS, SADC, or the AU. Or else there is a global script (Meyer et al. 1997) that determines which activities are appropriate for regional organizations to engage in, including setting and promoting standards for legitimate governance institutions in their member states. From this perspective, the EU plays a major part in diffusing this global script rather than being its sole or main reference point. While our findings support the existence of such a global script, the role of the EU as an active supplier of governance transfer seems to be limited. It does promote regionalism and engages in governance transfer toward third countries; yet, there is no evidence that the EU seeks to "export" its *own* regional model of governance transfer (Börzel/Risse 2009a). If at all, the EU has served as a passive reference point, whose influence rests on its attraction as a globally accepted success model of regional integration. Whether the EU will continue to inspire other regions in designing their institutions depends not least on how well the EU handles the current financial crisis.

Our findings suggest that demand and supply need to accumulate in order to result in the institutionalization of governance transfer at the regional level. Rather than pitching a rationalist against a normative model, as it often occurs in the literature (cf. Börzel/Risse 2009a; Börzel/Risse 2009b), we see the different factors as complementary (Börzel/Risse 2012b; Lenz

2012). Whereas the spread of a global script may explain why we see ever more governance transfer at the regional level, the need to curb negative externalities or lock in democratic reforms may account for particular timing, and the prominence of the EU or other international actors as focal points, both functional and normative, could elucidate the specific form that governance transfer takes.

5. Conclusion

This paper mapped the governance transfer of nine regional organizations in the Americas, Asia, Africa, and the Middle East. We analyzed the objectives, approaches, and instruments these regional organizations use to promote the creation and transformation of governance institutions in their target countries. The comparison of major regional organizations provides some clear evidence for the diffusion of a global governance script through which regional organizations have adopted similar standards and instruments. At the same time, we find important differences with regard to when and how these nine regional organizations prescribe and promote "good" governance institutions at the national level.

Research on diffusion and comparative regionalism is ill-equipped to account for this double finding of increasing similarities and persisting differences. Whereas the former expects institutional convergence toward a global model, the latter emphasizes regional particularities. Regional particularities certainly matter. In many cases, provisions that are established once tend to be developed in more detail over time. Examples of this include the growing body of human rights documents and the increasingly precise provisions to protect democracy. Moreover, it might explain why some ROs stay clear of certain aspects of governance transfer that are not connected to their initial mandate and mode of action. Yet, regional and local actors follow similar normative and functional rationalities when they decide to engage in governance transfer. More agency-centered approaches, which focus on factors that elicit states' demand for governance transfer, on the one hand, and that shape its institutional design, on the other, might be more appropriate to account for the similarities and differences we observe. This is particularly true if normative and functional rationalities are seen as alternative rather than competing explanations. This approach is also better equipped to explore how regional and domestic contexts filter the adoption of and adaptation to global norms (Acharya 2004). If states emulate a particular model, they rarely just "download" it, but rather pick and choose the institutional components from a menu of options as they see fit. And even if they copy a particular model, as CAN did in the case of its court, the meaning and function of the model may change in the process of adaptation (Saldías 2007).

The rise of governance transfer by regional organizations may indicate the diffusion of a global script. Regional organizations in different parts of the world certainly emulate each other. Yet, they also look for normative or functional solutions "closer to home." Rather than the European Union or the Council of Europe (Alter 2012; Jetschke/Murray 2012; Lenz 2012), their main reference point for institutional emulation may be other ROs in the same region or on

the same continent. Often, standards that are promoted by the United Nations or continental organizations are likely to be picked up by other ROs, either by replicating or referencing them. Our case studies, as well as the broader literature, further suggest that a variety of actors can play important roles in influencing diffusion processes. These can include epistemic communities, such as constitutional judges who are connected within and across regions (Saldías 2010); advocacy groups and civil society organizations with formal or informal channels to the regional level (Krome 2012); or donor agencies and consultants that might be involved in the planning and drafting of documents (Lenz 2012). Further research will have to trace in more detail how and through which actors the global governance script has diffused.

We close the paper with a note of caution. While we find instances of governance transfer in all regional organizations – even in unlikely cases, such as NAFTA, ASEAN and the LAS – we have yet to see whether they actually make a difference on the ground. So far, we have little reason to expect that regional organizations help close the governance gap in areas of limited statehood. First, the role of regional organizations as independent agents of governance transfer or "teachers of norms" (Finnemore/Sikkink 1998) seems to be limited. In most of our cases, member states play the crucial role in both designing policies for governance transfer and applying them. Provisions are mostly made in founding treaties and protocols, which are adopted by member states within the framework of their regional organizations but not through supranational decision-making procedures.

Second, even when regional procedures for governance transfer are established, we do find serious instances of decoupling. Especially in cases of crisis, when the democracy clause should be invoked by a regional organization, it is often individual member states that take the initiative and engage in bilateral diplomatic efforts to solve the crisis, claiming to act on behalf of the regional organization but often without an explicit mandate to do so. For both SADC and ECOWAS, some military interventions in the 1990s were not covered by the RO's legal basis at the time and rather reflected the interests of a group of members. The more recent experience of ECOWAS shows how increasingly precise standards and policies can be decoupled from actual practice: In cases where military interventions appear costly or unpopular, heads of state might decide against them (or rely on others), regardless of the regional provisions (Hartmann forthcoming). At the same time, regional actors might be held back by member states that perceive them as too "activist," as illustrated by the SADC Court's suspension (van der Vleuten/ Hulse forthcoming).

Finally, the issue is not only whether the governance transfer by regional organizations is effective in changing the governance institutions of their members, making them more legitimate. Whether or not they succeed, the governance transfer by a regional organization can also have unintended, adverse effects. Our previous research has shown, for example, that the EU's promotion of good governance in neighboring countries tends to stabilize rather than transform semi-authoritarian regimes (Börzel/Pamuk 2012; Börzel/van Hüllen 2011). Moreover, regional organizations can also shield their members against governance transfer by

other external actors, for example by establishing their own election observation missions or their own human rights courts.

As this paper has demonstrated, governments around the globe increasingly feel compelled to deal with questions of legitimate governance in the framework of a growing number of regional organizations. This development warrants further investigation into the reasons for and the impact of governance transfer by regional organizations. Do governments resort to the regional level in order to address problems caused by limited statehood within their own territory or their neighbors? And to what extent does governance transfer by regional and other external actors support the capacities of governance institutions in areas of limited statehood to provide collective goods or regulate their provision in an effective and legitimate way?

Annex 1: Important documents for governance transfer

Regional Organization	Document	Concepts covered			
		Dem.	HR	GG	RoL
AU	1963 OAU Charter		X		
	1981 Charter on Human and Peoples' Rights		X		
	1990 African Charter on the Rights … of the Child		X		
	2000 Lomé Declar. on Unconst. Change of Gov.	X	X		X
	2000 Constitutive Act of the AU	X		X	X
	2002 NEPAD Decl. on Democracy and Governance	X		X	
	2002 Principles Governing Democratic Elections	X			
	2002 Protocol on the Establishment of the PSC	X		X	
	2003 Convention on … Combating Corruption		X	X	X
	2003 Protocol … on the Rights of Women		X		
	2006 African Youth Charter		X	X	
	2007 Charter on Democracy, Elections, Gov.	X	X	X	X
	2008 Protocol on the Statute of the ACJHR				
	2011 Charter on Values … of Public Service			X	
ECOWAS	1979 Protocol Relating to Free Movement		X		
	1991 Declaration of Political Principles	X	X		
	1993 Revised ECOWAS Treaty	X	X		
	1999 Prot. on Mechanism for Conflict Prevention	X	X	X	X
	2001 Protocol on Democracy and Good Gov.	X	X	X	
	2001 Protocol on the Fight Against Corruption			X	X
	2008 ECOWAS Conflict Prevention Framework	X	X	X	X
SADC	1992 Treaty of the SADC	X	X		X
	1997 Code on HIV/AIDS and Employment		X		
	1997 Declaration on Gender and Development	X	X		
	1999 Gender Plan of Action	X	X		
	2001 Framework Activities for Gender	X	X		
	2001 Agreement Amending the Treaty	X	X	X	X
	2001 Protocol on Politics, Defense and Sec. Coop.	X	X		X
	2001 Protocol Against Corruption			X	X
	2003 Indicative Strategy Development Plan	X	X	X	X
	2003 Charter of Fundamental Social Rights		X	X	X
	2003 Maseru Declaration on HIV/AIDS		X		
	2004 Strategic Indicative Plan for the Organ	X	X	X	X
	2004 Guidelines Governing Democratic Elections	X	X	X	X
	2007 Code on Social Security		X		
	2008 Protocol on Gender and Development	X	X		X

OAS	1948 Declaration on the Rights and Duties of Men		X		
	1948 OAS Charter	X	X		
	1969 Convention on Human Rights		X		
	1985 Convention to Prevent and Punish Torture		X		
	1988 Protocol on Econ., Social, Cultural Rights		X		
	1990 Protocol to Abolish the Death Penalty		X		
	1991 Santiago Resolution / Res. 1080	X			
	1992 Washington Protocol (Charter revision)	X			
	1994 Convention on Forced Disappearances		X		
	1994 Convention on Violence against Women		X		
	1996 Convention against Corruption			X	X
	1999 Convention on People with Disabilities		X		
	2001 Inter-American Democratic Charter	X	X		
	2001 Mechanism for … Implement. of the IACAC			X	
	2005 Program for Democratic Governance	X			
	2006 Program for Coop. … against Corruption			X	
	2008: Right to Freedom of Thought and Express.		X		
	2008: Principles on … Persons Deprived of Liberty		X		
Mercosur	1992 Political Declaration	X			
	1998 Protocol of Ushuaia	X			
	1998 Social and Employment Declaration		X		
	2004 CMC Decision 24/04				X
	2005 Protocol of Asunción on Human Rights		X		
	2005 Constitutive Protocol of MS Parliament		X		
	2006 CMC Decision 24/06	X			
	2007 CMC Decision 05/07	X			
	2010 CMC Decisions 28/10, 64/10		X		
CAN	1980 Carta de Riobamba	X	X	x	
	1995 Presidential evaluation		X		X
	1999 Decision 458	X			
	2000 Andean Comm. Commitment to Democracy	X			
	2001 Act of Carabobo	X	X		
	2001 Declaration of Machu Picchu		X	X	
	2002 Andean Human Rights Charter	X	X	X	X
	2007 Dec. 668 / Plan to Fight against Corruption			X	X
NAFTA	1994 Agreement on Labor Cooperation		X	X	X
	1994 Agreement on Environmental Cooperation		X	X	X

ASEAN	1976 Declaration of ASEAN Concord				
	1976 Treaty of Amity and Cooperation				
	1993 Communiqué of 26th Ministerial Meeting		X		
	1997 ASEAN Vision 2020		X		X
	2003 Declaration of ASEAN Concord II	X	X	X	X
	2003 Declaration on … Violence Against Women		X		
	2004 Declaration against Trafficking in Persons		X		
	2007 ASEAN Charter	X	X	X	X
	2007 Declaration on Rights of Migrant Workers		X		
	2009 Cha-Am Hua Hin Declaration		X		
	2009 Cha-Am Hua Hin Roadmap 2009 to 2015	X	X	X	X
LAS	2004 Tunis Decl. on Reform and Modernization	X	X		X
	2004 Arab Charter on Human Rights		X		X
	2010 Arab Convention to Fight Corruption			X	

Annex 2: Democracy in regional organizations
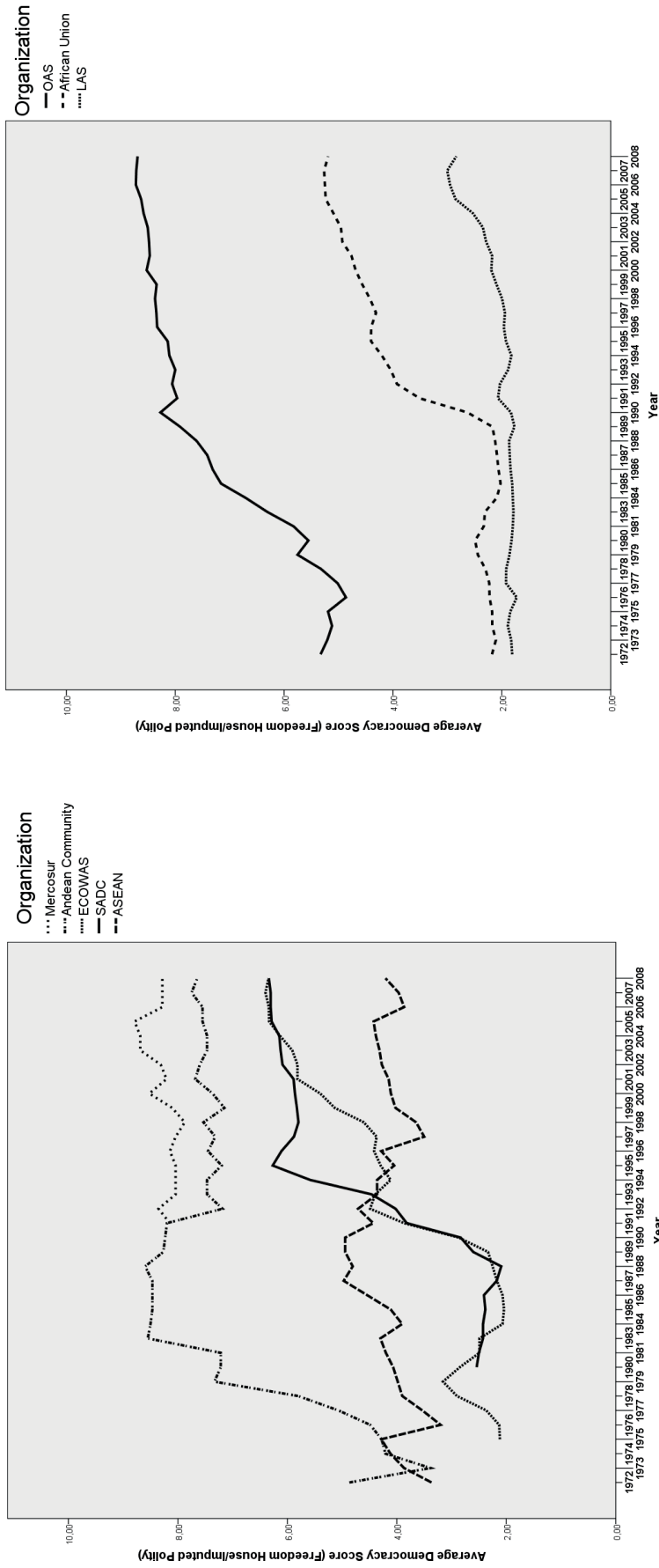
Following the reasoning of Hadenius and Teorell (2005), we adopt their combined index of political democracy for our project, which is available in the Quality of Government Dataset (Teorell et al. 2011). More specifically, we use the "Freedom House/Imputed Polity" (fh_ipolity2) indicator, for which the time series-data covers on average 172 countries from 1972 to 2009: "Scale ranges from 0–10 where 0 is least democratic and 10 most democratic. Average of Freedom House (fh_pr and fh_cl) is transformed to a scale 0–10 and Polity (p_polity2) is transformed to a scale 0–10. These variables are averaged into fh_polity. The imputed version has imputed values for countries where data on Polity is missing by regressing Polity on the average Freedom House measure." (Teorell et al. 2011: 46)

Note: The aggregated democracy scores for organizations are based on the national scores of current member states at the respective point of time.

Literature

Acharya, Amitav 2004: How Norms Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism, in: International Organization, 58: 2, 239-275.

African Union 2007: African Charter on Democracy, Elections and Governance, Ababa, Ethiopia.

African Union 2012: List of countries which have signed, ratified/acceeded to the African Charter on Democracy, Elections and Governance, http://au.int/en/sites/default/files/Charter%20on%20Democracy%20and%20Governance_0.pdf, last accessed 22.11.2012.

African Union/OAU 2002: Declaration on the Principles Governing Democratic Elections, Durban, South Africa.

Alter, Karen J. 2012: The Global Spread of European Style International Courts, in: West European Politics, 35: 1, 135-154.

ASEAN 2009a: ASEAN Political-Security Community Blueprint, Jakarta, http://www.asean.org/archive/5187-18.pdf, last accessed 22.11.2012.

ASEAN 2009b: Cha-Am Hua Hin Declaration on the Intergovernmental Commission on Human Rights, http://www.aseansec.org/documents/Declaration-AICHR.pdf, last accessed 22.11.2012.

AU DEAU 2012: Election Declarations 2009-2010, http://www.africa-union.org/root/AU/AUC/Departments/PA/ELECTION_UNIT/AU_Election_Unit_Declarations.htm, last accessed 22.11.2012.

Beisheim, Marianne/Campe, Sabine/Schäferhoff, Marco/Risse, Thomas 2011: Global Governance through Public-Private Partnerships, in: Zürn, Michael/Wälti, Sonja/Enderlein, Henrik (Eds.): Handbook on Multi-Level Governance, Cheltenham, Northampton, 370-382.

Börzel, Tanja A. 2012: Comparative Regionalism: European Integration and Beyond, in: Carlsnaes, Walter/Risse, Thomas/Simmons, Beth A. (Eds.): Handbook of International Relations, London, 503-530.

Börzel, Tanja A./Pamuk, Yasemin 2012: Pathologies of Europeanization. Fighting Corruption in the Southern Caucasus, in: West European Politics, 35: 1, 79-97.

Börzel, Tanja A./Risse, Thomas 2009a: The Diffusion of (Inter-)Regionalism. The EU as a Model of Regional Integration, KFG Working Papers, 7, Research College "The Transformative Power of Europe", Berlin.

Börzel, Tanja A./Risse, Thomas 2009b: The Transformative Power of Europe: The European Union and the Diffusion of Ideas, KFG Working Papers, 1, Research College "The Transformative Power of Europe", Berlin.

Börzel, Tanja A./Risse, Thomas 2012a: From Europeanization to Diffusion. Introduction, in: West European Politics, 35: 1, 1-19.

Börzel, Tanja A./Risse, Thomas 2012b: When Europeanization Meets Diffusion. Exploring New Territory, in: West European Politics, 35: 1, 192-207.

Börzel, Tanja A./van Hüllen, Vera 2011: Good Governnce and Bad Neighbours? The Limits of Transformative Power Europe, KFG Working Papers, 35, Research College "The Transformative Power of Europe", Berlin.

Börzel, Tanja A./van Hüllen, Vera (forthcoming): The Internal and External Dimensions of Governance Export Transfer Compared. Lessons from the European Union, SFB-Governance

Working Papers Series, Collaborative Research Center (SFB) 700, Berlin.

Clarkson, Stephen 2008: Does North America Exist? Governing the Continent After NAFTA and 9/11, Toronto.

DiMaggio, Paul J./Powell, Walter W. 1991: The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields, in: Powell, Walter W./DiMaggio, Paul J. (Eds.): The New Institutionalism in Organizational Analysis, Chicago, IL, 63-82.

Dimitrova, Antoaneta/Pridham, Geoffrey 2004: International Actors and Democracy Promotion in Central and Eastern Europe. The Integration Model and its Limits, in: Democratization, 11: 5, 91-112.

Donno, Daniela 2010: Who Is Punished? Regional Intergovernmental Organizations and the Enforcement of Democratic Norms, in: International Organization, 64: 4, 593-625.

Duina, Francesco (forthcoming): Governance Transfer within the North Atlantic Free Trade Agreement (NAFTA), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Fearon, James D. 1997: Signaling Foreign Policy Interests. Tying Hands versus Sinking Costs, in: Journal of Conflict Resolution, 41: 1, 68-90.

Finnemore, Martha/Sikkink, Kathryn 1998: International Norm Dynamics and Political Change, in: International Organization, 52: 4, 887-917.

Gilpin, Robert 1987: The Political Economy of International Relations, Princeton, NJ.

Goldstein, Judith/Keohane, Robert O. 1993: Ideas and Foreign Policy: An Analytical Framework, in: Goldstein, Judith/Keohane, Robert O. (Eds.): Ideas and Foreign Policy: Beliefs, Institutions, and Political Change, Ithaca, NY, 3-33.

Gomez Mera, Laura 2005: Explaining MERCOSUR's Survival: Strategic Sources of Argentine-Brazilian Convergence, in: Journal for Latin American Studies, 22: 1, 85-98.

Hadenius, Axel/Teorell, Jan 2005: Assessing Alternative Indices of Democracy, Mexico City.

Haimerl, Maria (forthcoming): In search for legitimacy in times of crisis. Governance Transfer by Regional Organizations of Authoritarian Regimes – the Gulf Cooperation Council (GCC), Berlin Working Paper on European Integration, Berlin Center for European Integration, Berlin.

Hartmann, Christof (forthcoming): Governance Transfer by the Economic Community of West African States (ECOWAS), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Haveman, Heather A. 1993: Follow the Leader: Mimetic Isomorphism and Entry Into New Markets, in: Administrative Science Quaterly, 38: 4, 593-627.

Hummel, Felix/Lohaus, Mathis 2012: MERCOSUR: Integration through Presidents and Paymasters, in: Börzel, Tanja A./Goltermann, Lukas/Lohaus, Mathis/Striebinger, Kai (Eds.): Roads to Regionalism. Genesis, Design, and Effects of Regional Organizations, Aldershot, 59-77.

Jetschke, Anja 2010: Do Regional Organizations Travel? European Integration, Diffusion and the Case of ASEAN, KFG Working Papers, 17, Research College "The Transformative Power of Europe", Berlin.

Jetschke, Anja (forthcoming): Governance Transfer by the Association of South-East Asian Nations (ASEAN), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Jetschke, Anja/Murray, Philomena 2012: Diffusing Regional Integration: The EU and Southeast Asia, in: West European Politics, 35: 1, 174-191.

Jupille, Joseph/Snidal, Duncan 2006: The Choice of International Institutions: Cooperation, Alternatives and Strategies, http://ssrn.com/abstract=1008945, last accessed 22.11.2012.

Kelley, Judith G. 2012: Monitoring Democracy: When International Election Observation Works, and Why It Often Fails, Princeton, NJ.

Keohane, Robert O./Nye, Joseph Jr. 1977: Power and Interdependence, Boston, MA.

Koremenos, Barbara/Lipson, Charles/Snidal, Duncan 2001: The Rational Design of International Institutions, in: International Organization, 55: 4, 761-799.

Krome, Corinna 2012: ASEAN and Civil Society: An Incompatible Relationship?, in: Börzel, Tanja A./Goltermann, Lukas/Lohaus, Mathis/Striebinger, Kai (Eds.): Roads to Regionalism: Genesis, Design, and Effects of Regional Organizations, Aldershot, 215-233.

League of Arab States 2004: Arab Charter on Human Rights.

League of Arab States 2010: Arab Anti-Corruption Convention.

Legler, Thomas/Tieku, Thomas Kwasi 2010: What difference can a path make? Regional democracy promotion regimes in the Americas and Africa, in: Democratization, 17: 3, 465-491.

Leininger, Julia (forthcoming): Governance Transfer by the African Union, SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Lenz, Tobias 2012: Spurred Emulation: The EU and Regional Integration in Mercosur and SADC, in: West European Politics, 35: 1, 155-173.

Levitsky, Steven/Way, Lucan A. 2010: Competitive Authoritarianism: Hybrid Regimes after the Cold War, Cambridge.

Lohaus, Mathis (forthcoming): Governance Transfer by the Organization of American States (OAS), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Mansfield, Edward D./Pevehouse, Jon C. 2006: Democratization and International Organizations, in: International Organization, 60: 1, 137-167.

Mansfield, Edward D./Pevehouse, Jon C. 2008: Democratization and the Varieties of International Organizations, in: Journal of Conflict Resolution, 52: 2, 269-294.

Mattli, Walter 1999: Explaining Regional Integration Outcomes, in: Journal of European Public Policy, 6: 1, 1-27.

Mercosur 2010: Comunicado Conjunto de los Estados Partes del Mercosur y Estados Asociados, San Juan.

Meyer, John W./Boli, John/George, Thomas M./Ramirez, Francisco O. 1997: World Society and the Nation-State, in: American Journal of Sociology, 103: 1, 144-181.

Meyer, John W./Rowan, Brian 1977: Institutionalized Organizations: Formal Structures as Myth and Ceremony, in: American Journal of Sociology, 83: 2, 340-363.

Pevehouse, Jon C. 2005: Democracy from Above. Regional organizations and democratization, Cambridge.

Piccone, Theodore J. 2004: International Mechanisms for Protecting Democracy, Washington, DC.

Polillo, Simone/Guillén, Mauro F. 2005: Globalization Pressures and the State: The Worldwide Spread of Central Bank Independence, in: American Journal of Sociology, 110: 6, 1764-1802.

Ribeiro Hofmann, Andrea (forthcoming): Governance Transfer by the Common Southern Market (Mercado Común del Sur, Mercosur), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

Rishmawi, Mervat 2005: The Revised Arab Charter on Human Rights: A Step Forward?, in: Human Rights Law Review, 5: 2, 361-375.

Saldías, Osvaldo 2007: Supranational Courts as Engines of Disintegration. The Case of the Andean Community, Berliner Arbeitspapier zur Europäischen Integration, 5, Berlin.

Saldías, Osvaldo 2010: Networks, Courts and Regional Integration. Explaining the Establishment of the Andean Court of Justice, KFG Working Papers, 20, Research College "The Transformative Power of Europe", Berlin.

Saldías, Osvaldo (forthcoming): Governance Transfer by the Andean Community (Comunidad Andina de Naciones, CAN), SFB-Governance Working Paper Series, Berlin.

Schneider, Sebastian (forthcoming): Legimititäts- statt Governance-Transfer? Regionale Organisationen autoritärer Regime am Beispiel der Shanghaier Organisation für Zusammenarbeit in Zentralasien, Berlin Working Paper on European Integration, Berlin Center for European Integration, Berlin.

Schultz, Kenneth A. 1998: Domestic Opposition and Signaling in International Crises, in: American Political Science Review, 92: 4, 829-844.

Simmons, Beth A./Dobbin, Frank/Garrett, Geoffrey (Eds.) 2008: The Global Diffusion of Markets and Democracy, Cambridge.

Söderbaum, Fredrik 2004: Modes of Regional Governance in Africa: Neoliberalism, Sovereignty Boosting, and Shadow Networks, in: Global Governance, 10: 4, 419-436.

Solingen, Etel 2008: The Genesis, Design and Effects of Regional Institutions: Lessons from East Asia and the Middle East, in: International Studies Quaterly, 52: 2, 261-294.

Strang, David/Meyer, John W. 1993: Institutional Conditions for Diffusion, in: Theory and Society, 22, 487-512.

Striebinger, Kai 2012: When Pigs Fly: ECOWAS and the Protection of Constitutional Order in Events of Coups d'État, in: Börzel, Tanja A./Goltermann, Lukas/Lohaus, Mathis/Striebinger, Kai (Eds.): Roads to Regionalism: Genesis, Design, and Effects of Regional Organizations, Aldershot, 179-196.

Teorell, Jan/Samanni, Marcus/Holmberg, Sören/Rothstein, Bo 2011: The Quality of Government Dataset, version 6Apr11, University of Gothenburg.

van der Vleuten, Anna/Hulse, Merran (forthcoming): Governance Transfer by the South African Development Community (SADC), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

van Hüllen, Vera (forthcoming-a): Governance Transfer by the League of Arab States (LAS), SFB-Governance Working Paper Series, Collaborative Research Center (SFB) 700, Berlin.

van Hüllen, Vera (forthcoming-b): Regionalorganisationen und Governance-Transfer im "Arabischen Frühling", KFG Working Paper, Research College "The Transformative Power of Europe", Berlin.

Weyland, Kurt 2008: Towards a New Theory of Institutional Change, in: World Politics, 60: 2, 281-314.

Previously published Working Papers from the SFB-*Governance* Working Paper Series

Goikhman, Izabella/Herrmann, Barbara 2012: The Governance Discourse in China. SFB-Governance Working Paper Series, No. 41, Collaborative Research Center (SFB) 700, Berlin, November 2012.

Willms, Jan 2012: Justice through Armed Groups' Governance – An Oxymoron? SFB-Governance Working Paper Series, No. 40, Collaborative Research Center (SFB) 700, Berlin, October 2012.

Ickler, Christian/Wiesel, John 2012: New Method, Different War? Evaluating Supervised Machine Learning by Coding Armed Conflict, SFB-Governance Working Paper Series, No. 39, Collaborative Research Center (SFB) 700, Berlin, September 2012.

Livingston, Steven/Walter-Drop, Gregor 2012: Information and Communication Technologies in Areas of Limited Statehood, SFB-Governance Working Paper Series, No. 38, Collaborative Research Center (SFB) 700, Berlin, September 2012.

Schüren, Verena 2012: Two TRIPs to Innovation. Pharmaceutical Innovation Systems in India and Brazil, SFB-Governance Working Paper Series, No. 37, Collaborative Research Center (SFB) 700, Berlin, June 2012.

Sonderforschungsbereich 700: Grundbegriffe der Governanceforschung, SFB-Governance Working Paper Series, No. 36, 2. revised edition, Collaborative Research Center (SFB) 700, Berlin, June 2012.

Eimer, Thomas R. 2012: When Modern Science Meets Traditional Knowledge: A Multi-Level Process of Adaption and Resistance, SFB-Governance Working Paper Series, No. 35, Collaborative Research Center (SFB) 700, Berlin, June 2012.

Kötter, Matthias 2012: Non-State Justice Institutions: A Matter of Fact and a Matter of Legislation, SFB-Governance Working Paper Series, No. 34, Collaborative Research Center (SFB) 700, Berlin, June 2012.

Koehler, Jan 2012: Social Order Within and Beyond the Shadows of Hierarchy. Governance-Patchworks in Afghanistan, SFB-Governance Working Paper Series, No. 33, Collaborative Research Center (SFB) 700, Berlin, June 2012.

Risse, Thomas 2012: Governance Configurations in Areas of Limited Statehood. Actors, Modes, Institutions, and Resources, SFB-Governance Working Paper Series, No. 32, Collaborative Research Center (SFB) 700, Berlin, March 2012.

Hönke, Jana, with Thomas, Esther 2012: Governance for Whom? – Capturing the Inclusiveness and Unintended Effects of Governance, SFB-Governance Working Paper Series, No. 31, Collaborative Research Center (SFB) 700, Berlin, April 2012.

Contreras Saíz, Mónika/Hölck, Lasse/Rinke, Stefan 2012: Appropriation and Resistance Mechanisms in (Post-) Colonial Constellations of Actors: The Latin American Frontiers in the 18th and 19th Century, SFB-Governance Working Paper Series, No. 30, Collaborative Research Center (SFB) 700, Berlin, April 2012.

Börzel, Tanja 2012: How Much Statehood Does it Take – and What For?, SFB-Governance Working Paper Series, No. 29, Collaborative Research Center (SFB) 700, Berlin, March 2012.

Prigge, Judit 2012: Friedenswächter. Institutionen der Streitbeilegung bei den Amhara in Äthiopien, SFB-Governance Working Paper Series, No. 28, Collaborative Research Center (SFB) 700, Berlin, January 2012.

Jacob, Daniel/Ladwig, Bernd/Oldenbourg, Andreas 2012: Human Rights Obligations of Non-State Actors in Areas of Limited Statehood, SFB-Governance Working Paper Series, No. 27, Collaborative Research Center (SFB) 700, Berlin, January 2012.

Schmelzle, Cord 2011: Evaluating Governance. Effectiveness and Legitimacy in Areas of Limited Statehood, SFB-Governance Working Paper Series, No. 26, Collaborative Research Center (SFB) 700, Berlin, November 2011.

Börzel, Tanja A./Hönke, Jana 2011: From Compliance to Practice. Mining Companies and the Voluntary Principles on Security and Human Rights in the Democratic Republic of Congo, SFB-Governance Working Paper Series, No. 25, Collaborative Research Center (SFB) 700, Berlin, October 2011.

Draude, Anke/Neuweiler, Sonja 2010: Governance in der postkolonialen Kritik. Die Herausforderung lokaler Vielfalt jenseits der westlichen Welt, SFB-Governance Working Paper Series, No. 24, Collaborative Research Center (SFB) 700, Berlin, May 2010.

Börzel, Tanja A. 2010: Governance with/out Government. False Promises or Flawed Premises?, SFB-Governance Working Paper Series, No. 23, Collaborative Research Center (SFB) 700, Berlin, March 2010.

Wilke, Boris 2009: Governance und Gewalt. Eine Untersuchung zur Krise des Regierens in Pakistan am Fall Belutschistan, SFB-Governance Working Paper Series, No. 22, Collaborative Research Center (SFB) 700, Berlin, November 2009.

Schneckener, Ulrich 2009: Spoilers or Governance Actors? Engaging Armed Non-State Groups in Areas of Limited Statehood, SFB-Governance Working Paper Series, No. 21, Collaborative Research Center (SFB) 700, Berlin, October 2009.

Mueller-Debus, Anna Kristin/Thauer, Christian R./Börzel, Tanja A. 2009: Governing HIV/AIDS in South Africa. The Role of Firms, SFB-Governance Working Paper Series, No. 20, Collaborative Research Center (SFB) 700, Berlin, June 2009.

Nagl, Dominik/Stange, Marion 2009: Staatlichkeit und Governance im Zeitalter der europäischen Expansion. Verwaltungsstrukturen und Herrschaftsinstitutionen in den britischen und französischen Kolonialimperien, SFB-Governance Working Paper Series, No. 19, Collaborative Research Center (SFB) 700, Berlin, February 2009.

Börzel, Tanja A./Pamuk, Yasemin/Stahn, Andreas 2008: The European Union and the Promotion of Good Governance in its Near Abroad. One Size Fits All?, SFB-Governance Working Paper Series, No. 18, Collaborative Research Center (SFB) 700, Berlin, December 2008.

Koehler, Jan 2008: Auf der Suche nach Sicherheit. Die internationale Intervention in Nordost-Afghanistan, SFB-Governance Working Paper Series, No. 17, Collaborative Research Center (SFB) 700, Berlin, November 2008.

Beisheim, Marianne/Fuhr, Harald (ed.) 2008: Governance durch Interaktion nicht-staatlicher und staatlicher Akteure. Entste-hungsbedingungen, Effektivität und Legitimität sowie Nachhaltigkeit, SFB-Governance Working Paper Series, No. 16, Collaborative Research Center (SFB) 700, Berlin, August 2008.

Buckley-Zistel, Susanne 2008: Transitional Justice als Weg zu Frieden und Sicherheit. Möglichkeiten und Grenzen, SFB-Governance Working Paper Series, No. 15, Collaborative Research Center (SFB) 700, Berlin, July 2008.

Beisheim, Marianne/Dingwerth, Klaus 2008: Procedural Legitimacy and Private Transnational Governance. Are the Good Ones Doing Better?, SFB-Governance Working Paper Series, No. 14, Collaborative Research Center (SFB) 700, Berlin, June 2008.

Benecke, Gudrun/Branović, Željko/Draude, Anke 2008: Governance und Raum. Theoretisch-konzeptionelle Überlegungen zur Verräumlichung von Governance, SFB-Governance Working Paper Series, No. 13, Collaborative Research Center (SFB) 700, Berlin, May 2008.

Schuppert, Gunnar Folke 2008: Von Ko-Produktion von Staatlichkeit zur Co-Performance of Governance. Eine Skizze zu ko-operativen Governance-Strukturen von den Condottieri der Renaissance bis zu Public Private Partnerships, SFB-Governance Working Paper Series, No. 12, Collaborative Research Center (SFB) 700, Berlin, April 2008.

Trebesch, Christoph 2008: Economic Governance, SFB-Governance Working Paper Series, No. 11, Collaborative Research Center (SFB) 700, Berlin, May 2008.

Benecke, Gudrun/Friberg, Lars/Lederer, Markus/Schröder, Miriam 2008: From Public-Private Partnership to Market. The Clean Development Mechanism (CDM) as a New Form of Governance in Climate Protection, SFB-Governance Working Paper Series, No. 10, Collaborative Research Center (SFB) 700, Berlin, April 2008.

Hönke, Jana/Kranz, Nicole/Börzel, Tanja A./Héritier, Adrienne 2008: Fostering Environmental Regulation? Corporate Social Responsibility in Countries with Weak Regulatory Capacities. The Case of South Africa, SFB-Governance Working Paper Series, No. 9, Collaborative Research Center (SFB) 700, Berlin, February 2008.

Sonderforschungsbereich 700 (ed.) 2007: Grundbegriffe. Ein Beitrag aus dem Teilprojekt A1, SFB-Governance Working Paper Series, No. 8, Collaborative Research Center (SFB) 700, Berlin, October 2007.

Koehler, Jan/Zürcher, Christoph 2007: Assessing the Contribution of International Actors in Afghanistan. Results from a Re-presentative Survey, SFB-Governance Working Paper Series, No. 7, Collaborative Research Center (SFB) 700, Berlin, October 2007.

Schäferhoff, Marco/Campe, Sabine/Kaan, Christopher 2007: Transnational Public-Private Partnerships in International Rela-tions. Making Sense of Concepts, Research Frameworks and Results, SFB-Governance Working Paper Series, No. 6, Collaborative Research Center (SFB) 700, Berlin, August 2007.

Risse, Thomas 2007: Regieren in Räumen begrenzter Staatlichkeit. Zur „Reisefähigkeit" des Governance-Konzeptes, SFB-Governance Working Paper Series, No. 5, Collaborative Research Center (SFB) 700, Berlin, April 2007.

Ladwig, Bernd/Jugov, Tamara/Schmelzle. Cord 2007: Governance, Normativität und begrenzte Staatlichkeit, SFB-Governance Working Paper Series, No. 4, Collaborative Research Center (SFB) 700, Berlin, February 2007.

Kötter, Matthias 2007: Der Governance-Raum als Analysefaktor – am Beispiel von „Räumen begrenzter Staatlichkeit", SFB-Governance Working Paper Series, No. 3, Collaborative Research Center (SFB) 700, Berlin, January 2007.

Draude, Anke 2007: How to Capture Non-Western Forms of Governance: In Favour of an Equivalence Functionalist Observation of Governance in Areas of Limited Statehood, SFB-Governance Working Paper Series, No. 2, Collaborative Research Center (SFB) 700, Berlin, January 2007.   [German version available]

Risse, Thomas/Lehmkuhl, Ursula 2006: Governance in Areas of Limited Statehood: New Forms of Governance? Research Program of the Research Center (SFB) 700, SFB-Governance Working Paper Series, No. 1, Collaborative Research Center (SFB) 700, Berlin, December 2006.   [German version available]

These publications can be downloaded from www.sfb-governance.de/publikationen or ordered in printed versions via e-mail to sfb700@zedat.fu-berlin.de.

The Authors

Professor Tanja A. Börzel holds the Chair for European Integration at the Otto Suhr Institute of Political Science, Freie Universität Berlin. She co-directs the Research College "The Transformative Power of Europe." She mainly focuses on questions of governance and institutional change as a result of Europeanization, as well as on the diffusion of European ideas and policies within and outside of the EU. The latter is part of her current research, which addresses compliance with EU norms and rules in member states, accession countries, and neighboring countries. Within the SFB 700, Tanja Börzel co-directs the project D2 on "Business and Governance in Subsaharan Africa" and project B2 on "Governance Export by Regional Organizations."
Contact: *tanja.boerzel@fu-berlin.de*

Vera van Hüllen is postdoctoral research associate in the project B2, "Governance Export by Regional Organizations," of the SFB 700. She investigates the role of regional organizations for governance transfer worldwide, but in particular in the Middle East and North Africa and during the "Arab Spring." She completed her PhD on international cooperation in the fields of democracy and human rights between the European Union and its Mediterranean neighbors at Freie Universität Berlin in 2010.
Contact: *vera.vanhuellen@fu-berlin.de*

Mathis Lohaus is a PhD candidate at the Berlin Graduate School for Transnational Studies. His dissertation project examines the efforts taken by regional and other international organizations to combat corruption. He worked as a research assistant for the project B2 "Governance Export by Regional Organizations" at the SFB 700 and holds an M.A. in political science from Freie Universität Berlin.
Contact: *lohaus@transnationalstudies.eu*

Research Framework

Governance has become a central theme in social science research. The Collaborative Research Center (SFB) 700 *Governance in Areas of Limited Statehood* investigates governance in areas of limited statehood, i.e. developing countries, failing and failed states, as well as, in historical perspective, different types of colonies. How and under what conditions can governance deliver legitimate authority, security, and welfare, and what problems are likely to emerge? Operating since 2006 and financed by the German Research Foundation (DFG), the Research Center involves the Freie Universität Berlin, the University of Potsdam, the European University Institute, the Hertie School of Governance, the German Institute for International and Security Affairs (SWP), and the Social Science Research Center Berlin (WZB).

Partner Organizations

Host University:
Freie Universität Berlin

University of Potsdam

German Institute for International and Security Affairs (SWP)

Social Science Research Center Berlin (WZB)

Hertie School of Governance