

Co-evolution of regime complexes and national policy coherence: The case of the cluster of biodiversity-related conventions and national implementation systems in Latin America and the Caribbean

José Octavio Velázquez Gomar

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The candidate confirms that the work submitted is his own, except where work which has formed part of jointly authored publications has been included. The contribution of the candidate and the other authors to this work has been explicitly indicated below. The candidate confirms that appropriate credit has been given within the thesis where reference has been made to the work of others.

A concise version of this work has been published as a working paper at The University of Leeds' Sustainability Research Institute (SRI Paper No. 48, September 2013). This working paper developed into a journal article and will appear in a forthcoming publication as follows:

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The article will be published in co-authorship with Prof Lindsay Stringer and Prof Jouni Paavola, supervisors of this research project. Its content essentially overlaps with Chapters 2 ("Regime complexes and policy coherence: Examining co-evolution from a public policy perspective"), 4 ("The biodiversity cluster and national implementation systems in LAC: Horizontal dimensions of co-evolution") and 5 ("The biodiversity cluster and national implementation systems in LAC: Vertical dimensions of co-evolution") of this thesis. I am the lead author of the paper and draw on my own analytical framework, empirical results and analysis. Supervisors provided direction and guidance, and added some edits.

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Abstract

Integration, implementation and coherence are major concerns in international debates on environmental and sustainable development governance. It is a common argument that governance within and across jurisdictional levels is fragmented. Mainstream debates have nonetheless overlooked the emergence of regime complexes or loosely coupled systems of institutions in areas of environmental and sustainable development governance. Scholars have recently observed that regime complexes co-evolve with governmental policy-making such that changes in one of them can stimulate adjustments in the other. An open question, however, is whether that co-evolution extends to the ambit of national implementation. This needs to be examined to determine whether, and to what extent, coherence or synergy between institutional and implementation arrangements arises spontaneously in conditions of regime complexity, and whether it can be improved within existing governance structures rather than through institutional change. This research develops an approach to examine the co-evolution of regime complexes and national implementation systems. Using an abductive research strategy, it analyses the observed (but not yet researched) gap between global integration in the cluster of biodiversity-related multilateral environmental agreements and national co-ordination of implementation activities. National implementation is explored in countries of Latin America and the Caribbean. Empirical evidence is collected from interviews with public officials and practitioners, and from documentary sources. Materials are examined through thematic analysis approaches. Results reveal that institutional and implementation arrangements display similar evolution patterns, notwithstanding of which an implementation gap is evident. Cross-level interactions have been unidirectional (from the global to the national levels) with no clear evidence of positive feedback loops. Structure constrains, but does not impede, more cohesive evolutions. The analysis provides evidence for the co-evolution of regime complexes and national implementation systems, but concludes that co-evolution needs to be steered if coherent governance is to be achieved at the pace and degree required to address pressing problems. The thesis challenges proposals for institutional reform, supporting instead policy interventions within existing structures.

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1 Introduction

Rockström et al.'s (2009) influential work on planetary boundaries outlined the safe operating levels of nine biophysical subsystems essential for human survival. According to their paper, the boundaries of three Earth-system processes (climate change, rate of biodiversity loss and nitrogen cycle) have already been overstepped, with other boundaries being at risk due to the inter-linked nature of life support systems. The current system of international environmental governance (IEG) has failed to counteract these trends. Scholars have observed that the incremental approach through which IEG has evolved since the 1972 UN Conference on the Human Environment (Stockholm, 5-16 June) is inadequate to bring about the transformative structural change that is needed (Biermann et al., 2012). Recently, on occasion of the United Nations Conference on Sustainable Development (Rio+20) (20-22 June 2012), a group of academic experts and policy practitioners called for a fundamental restructuring of the institutional framework for sustainable development (IFSD), including its environmental pillar, seeing 2012 as a “charter moment” comparable to 1945 when UN institutions were established to deal with issues of peace and security (Kanie et al., 2012). Indeed, the post-war institutional order faces new governance challenges which it was not prepared to address (Held and Young, 2013).

Proposals for empowering the United Nations Environment Programme (UNEP) and clustering compatible multilateral environmental agreements (MEAs) were common in early IEG debates (e.g. von Moltke 2001a, 2001b; Biermann, 2000) and resurfaced on the eve of the Rio+20 Conference (see Biermann et al., 2012; Ivanova, 2012, 2011; Wehrli, 2012). While these proposals have been criticised on both substantive and procedural grounds (e.g. Oberthür and Gehring, 2004), they have informed recent changes in the IEG system. On 21 December 2012, at its 67th session, the UN General Assembly decided to strengthen and upgrade UNEP in a number of areas, including membership, funding, administrative operation, co-ordination mandate, the science-policy interface, information dissemination and awareness raising, capacity building, and stakeholder participation (UN General Assembly Res. 67/213). In this context, the UNEP's governing body was transformed from a 58-member body (known as the UNEP's Governing Council) to

an entity with universal membership (the UNEP's United Nations Environment Assembly) (UN General Assembly Res. 67/251). In parallel, from 28 February to 10 May 2013, the governing bodies of the conventions dealing with chemicals and hazardous waste safety held back-to-back meetings culminating in a joint session and a ministerial segment where commitments were made to deepen co-operation and collaboration (Secretariat of the Basel, Rotterdam and Stockholm Conventions, 2013). The events marked a new turning point in the clustering process initiated in 2006 with UNEP's proposal to streamline the secretariats of the three conventions (see Perry, 2012; Selin, 2010). The UNEP's Executive Director, Achim Steiner, described the 2013 meetings as "a unique historic event coming at a time of unprecedented change and progress in the arena of global environmental governance. The strengthening of UNEP and the synergies process of chemicals and waste multilateral environmental agreements are complementary parts of the on-going reform to fortify the environmental dimension of sustainable development" (Secretariat of the Basel, Rotterdam and Stockholm Conventions, 2013, no pagination). It nonetheless remains uncertain whether these developments will generate the swift transformative changes required, and, in the case of clustering, whether experiences in the chemicals and hazardous waste sector could be more widely replicated.

In some strands of the literature (but not yet in policy debates), regime complexes have emerged as a pragmatic option to address contemporary governance challenges. Regime complexes are loosely coupled systems of institutions dealing with a common subject matter (Orsini et al., 2013; Keohane and Victor, 2011). Unlike single-issue regimes, they are rarely the result of political negotiation, but arise spontaneously through institutional interaction (Gehring and Faude, 2010). They have advantages over comprehensive institutions such as flexibility across issues and adaptability over time (Keohane and Victor, 2011). Regime complexes may not necessarily be better than integrated institutions (ibid.). Some would even claim that regime complexes should ideally evolve towards more comprehensive governance systems (Morin and Orsini, 2013a; Young, 2012), with the trade regime formed around the World Trade Organisation (WTO) and, more recently, the cluster of chemicals and hazardous waste conventions, providing examples of such transitions. Nevertheless, in such cases where political realities make comprehensive institutional systems impossible, regime complexes offer viable solutions to governance dilemmas (Keohane and Victor, 2011).

Political debates on environmental and sustainable development governance have focussed narrowly on institutional reform (Nilsson and Persson, 2012). Global institutional architectures are important to manage inter-dependencies between planetary boundaries. However, emphasis on institutional reform diverts attention away from the core functions that governance needs to fulfil, including reducing risks and vulnerabilities, triggering transformation of economic development, and developing a diversity of options (ibid.). Furthermore, overarching approaches often neglect the fact that biophysical subsystems exhibit different problem structures which demand different governance responses (Schmidt, 2013). Earth-system processes like climate change create globally systemic changes, whereas others like biodiversity loss cause global environmental change due to their cumulative effects (Turner II et al., 1990). Regime complexes seem to assuage these concerns due to their flexibility and adaptability. Complexes certainly need to be managed to be functional (Keohane and Victor, 2011), but management within existing governance structures is a more practical and workable option than a hypothetical overhaul of international governance arrangements.

Action at lower levels of social organisation also needs to be considered because planetary boundaries demand a multi-level governance (MLG) perspective (Nilsson and Persson, 2012). It is here where the appeal of regime complexes is less obvious, with some scholars observing that regime complexity can trigger implementation politics, allowing states to decide how overlapping commitments are interpreted and applied in practice (Alter and Meunier, 2009; Raustiala and Victor, 2004). Morin and Orsini (2013a) point out that regime complexity poses a problem of policy coherence at the national level, but they also suggest that regime complexity and policy coherency co-evolve such that changes at one level prompt adjustments at the other. However, they approach the problem of policy coherence from the perspective of foreign policy and it is thus unclear whether the co-evolution argument can be extended to the ambit of public policy where national implementation occurs. Examining the co-evolution of regime complexes and policy coherence from a public policy angle is important to assess whether the problem-solving properties ascribed to regime complexes are justified (Stoddard (2012) has recently criticised this approach). Such a focus is not at odds with an MLG perspective: as studies on national implementation have noticed (e.g. Chasek, 2010; Gray, 2003), the co-evolution of global and national policies can be facilitated and/or hampered by developments at regional and sub-national levels of governance.

This research aimed to understand the co-evolution of regime complexes and policy coherence from a public policy perspective, with an empirical focus on biodiversity governance as an IEG arena where collective action is urgently needed to reverse negative trends. Three research questions are addressed as follows:

1. Do regime complexes and national implementation systems display similar evolution patterns?
2. How do regime complexes and national implementation systems influence each other?
3. What factors affect the co-evolution of regime complexes and national implementation systems?

The analysis explores developments at two main levels of governance: international and national. There has been limited theorising (if at all) of the regional and local dimensions of international regime complexity to pursue an MLG approach to the co-evolution of regime complexes and policy coherence. Developing such an approach was beyond the scope of this research (when the study started, the co-evolution of regime complexes and policy coherence had not even been problematized in the literature). However, by deepening knowledge of the global and national dimensions of co-evolution, this research constitutes a building block towards a more comprehensive MLG approach to examining the interconnectedness of regime complexes and policy coherence.

Findings of this study are policy-relevant. Integration, coherence and implementation are central concerns in IEG policy debates. These three themes underlie the system-wide responses to IEG challenges identified by a consultative group of ministers established by the UNEP's Governing Council to consider the reform of IEG (Bernstein and Brunée, 2011). The group, which met twice in Nairobi (7-9 July) and Helsinki (21-23 September) in 2010, proposed five institutional reform options to implement the system-wide responses (see Table 1.1). Emphasis on institutional form is strongly driven by the perceived fragmentation of governance within and across jurisdictional levels (see UNEP, 2009; Najam et al., 2007; Knigge et al., 2005). Loose coupling within regime complexes (Keohane and Victor, 2011) and between regime complexes and governmental policy-making (Morin and Orsini, 2013a, 2013b) suggest, however, that fragmentation is less

serious than is implied. By deepening understanding of horizontal and vertical inter-connections in IEG, this study raises the question of whether policy interventions within existing governance structures, as opposed to changes in institutional form, can enhance integration, coherence and implementation in IEG. This thesis is thus of particular interest to policy-makers, international officials, and practitioners involved in IEG reform processes.

Table 1.1 The Nairobi-Helsinki outcome of the UNEP’s Consultative Group of Ministers or High-Level Representatives on International Environmental Governance

| Potential system-wide responses to IEG challenges | Institutional reform options to implement system-wide responses |
|---|---|
| <p>Strengthening the science-policy interface</p> <p>Developing a system-wide strategy for the environment in the UN system</p> <p>Encouraging synergies between compatible MEAs</p> <p>Enhancing linkages between policy-making and financing</p> <p>Developing a system-wide capacity-building framework for the environment to meet country needs</p> <p>Strengthening regional presence to increase country responsiveness and implementation</p> | <p>Enhancing UNEP</p> <p>Establishing a new umbrella organisation for sustainable development;</p> <p>Establishing a specialised agency such as a world environment organisation</p> <p>Reforming the United Nations Economic and Social Council and the United Nations Commission on Sustainable Development</p> <p>Enhancing institutional reforms and streamlining existing structures</p> |
| <p>Source: UNEP Doc UNEP/GC.26/18</p> | |

1.1 An overview of the research

The study builds on Nilsson et al.’s (2012) framework for the study of policy coherence to advance a public policy approach to co-evolution. The argument is made that, in conditions of international regime complexity, policy integration processes in regime complexes are dynamically inter-linked to policy coherence

outputs at the level of national implementation. Interaction between processes and outputs determines the coherency of governance as a whole. Conventional policy-analytical approaches assume that policy coherence outputs should be in line with policy integration processes to ensure coherent governance. But such a linear perspective is difficult to apply in a regime complexity context, where policy integration processes emerge within a loosely coupled system of institutions rather than within a unified regime (see Keohane and Victor, 2011), reducing the sense of obligation at the national level. The implementation politics activated by international regime complexity suggest instead that policy integration processes and policy coherence outputs are mutually constitutive.

Co-evolution means that two or more elements are interdependent, each adapting to changes in the other. Applied to the present case, it implies that enhanced integration (coherence) in regime complexes (national implementation) stimulates increased coherence (integration) in national implementation (regime complexes). These types of interactions should ideally result in positive system change (see Young, 2006), here associated with coherent governance. Co-evolution in a governance context does not stem from hierarchical or negotiated arrangements, but emerges from patterns of differentiation and loose coupling (see Young, 2006; Benz and Eberlein, 1999). It requires the creation of linkages within and across levels of governance. When horizontal and/or vertical linkages are dysfunctional, co-evolution is compromised, with a negative impact on the coherency of governance as a whole.

Based on the above assumptions, and guided by the research questions, this study develops a framework for examining the co-evolution of regime complexes and (public) policy coherence. The framework relies on concepts and approaches from studies on international regimes, regime interplay, international law, global governance, national implementation, and environmental policy integration to examine the horizontal and vertical dimensions of co-evolution as well as intervening factors. The framework evolves in three steps as per the three research questions. It first provides elements to compare policy integration processes in regime complexes and policy coherence outputs at the level of national implementation (horizontal linkages). It then discusses approaches to examine how influence travels from the global to the national level and vice versa (vertical linkages). Finally, the framework looks into determinants of horizontal change and vertical coupling (intervening factors). The framework provides a heuristic aid to

disentangle the co-evolution of regime complexes and policy coherence and visualise opportunities for focalised and system-wide management interventions.

The framework is used to analyse the co-evolution of the cluster of biodiversity-related conventions and national implementation systems in Latin America and the Caribbean (LAC) countries. Institutional interactions in international biodiversity governance are under-researched (Oberthür and Gehring, 2011). There is also limited understanding of the impact of conservation policies and projects on the ground (Ferraro and Pattanayak, 2006). Further, biodiversity policy research has a strong focus on the incorporation of biodiversity concerns into other policy sectors (see Chandra and Idrisova, 2011; TEEB, 2011; CBD Secretariat, 2010; Rands et al., 2010; UNEP, 2010). The insufficient consideration of biodiversity issues in broader policies, strategies and programmes lies at the root of the biodiversity crisis (CBD Secretariat, 2010), but an over-emphasis on inter-sectoral policy integration overshadows the importance of intrasectoral policy integration for effective biodiversity mainstreaming (see Ugland and Veggeland (2006) in the context of food safety policy). Synergies in the biodiversity cluster have been the subject of recent attention in the literature (e.g. UNEP-WCMC, 2012; Baakman, 2011; Caddell, 2011; Simon, 2011; Jóhannsdóttir et al., 2010; Jardin, 2010; Andresen and Rosendal, 2009; Urho, 2009), but synergies in the implementation of its constituent regimes have mostly been examined in the context of implementation of the Rio Conventions and other MEAs (e.g. Chasek, 2010; Masundire, 2006; Van Toen, 2001).

The biodiversity cluster comprises the Convention on Biological Diversity (CBD) as a framework convention and five specialist regimes: 1) the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (the Ramsar Convention); 2) the Convention Concerning the Protection of the World Cultural and Natural Heritage (WHC); 3) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); 4) the Convention on the Conservation of Migratory Species of Wild Animals (CMS); and 5) the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). Inter-treaty co-operation has developed through the secretariats and scientific advisory bodies of the conventions at the request of their governing bodies (Caddell, 2011). Synergies at the national level are created by lead agencies and government officials with political and/or technical responsibilities in the implementation of the conventions (hereinafter referred to as MEA lead agencies and national focal

points/MEA officials, respectively). The biodiversity cluster has achieved partial integration in a number of areas, with examples including the joint preparation and/or endorsement of technical guidance, standardisation of taxonomy and nomenclature, joint field missions and projects, and joint capacity-building activities (see Jardin, 2010). While areas of substantive overlap remain under-exploited (see Ministry of the Environment of Finland, 2010), it is at the national level where co-ordination seems especially weak (see Jardin, 2010; Masundire, 2006).

Problems of coherence in biodiversity governance became salient in the context of efforts to achieve the global target of significantly reducing the rate of biodiversity loss by 2010 (the so-called 2010 Biodiversity Target), adopted at the sixth meeting of the Conference of the Parties (CoP) to the CBD (The Hague, Netherlands, 7-19 April 2002) and endorsed by world leaders at the World Summit on Sustainable Development (Johannesburg, South Africa, 26 August-4 September 2002). The Target provided a common focus of co-operation in the biodiversity cluster, but the constituencies of the non-CBD conventions failed to take ownership of it (CBD Doc BLG-5/2). The CBD's Global Biodiversity Outlook concluded that the 2010 Target was not achieved and noted that a key lesson from that failure "is that the urgency of a change of direction must be conveyed to decision-makers beyond the constituency so far involved in the biodiversity convention" (CBD Secretariat, 2010, p.83). Understanding problems of coherent governance is of utmost importance as the international community makes renewed efforts to address the biodiversity crisis through the Aichi Biodiversity Targets established at CBD CoP10 (Nagoya, Japan, 18-29 October 2010).

LAC was selected as the focal region to examine national implementation of the biodiversity-related conventions because it is one of the most biologically diverse regions in the world (see Bovarnick and Alpizar, 2010) and 9 LAC countries are members of the Group of Like-Minded Megadiverse Countries, a mechanism for consultation and co-operation that brings together 19 countries rich in biological diversity and associated traditional knowledge (CBD Doc UNEP/CBD/COP/6/INF/33). Countries of the region are thus major players in international biodiversity governance. Moreover, to the best of the author's knowledge, no studies have previously examined MEA implementation in LAC countries. In this research, national experiences are explored in 15 countries that are members of at least four of the conventions of the biodiversity cluster (as of

April 2011) and which display high levels of biological diversity as measured by the Global Environment Facility's Benefits Index for Biodiversity.

Empirical data was obtained from interviews and documentary material. 43 interviews were conducted between September 2011 and April 2012 with CBD national focal points (18), treaty secretariat officials (8), representatives of international organisations (15) and other international experts (2). Documents examined included national biodiversity strategies and action plans (NBSAPs), national reports, decisions and resolutions adopted by the governing bodies of the conventions of the biodiversity cluster, official documents on inter-treaty co-operation, UNEP reports on synergies among biodiversity-related agreements, and proceedings of relevant meetings and workshops (e.g. meetings of the Liaison Group of Biodiversity-related Conventions). Empirical evidence was also retrieved from journal articles examining co-operation in the biodiversity cluster.

Interview transcripts were examined using a combination of template and matrix styles of thematic analysis (see King and Horrocks, 2010). A matrix was created out of the co-evolution framework and applied to the transcripts. The matrix featured three general categories associated with the three elements of the framework (and, by implication, with the three research questions). Transcripts were coded and classified into different categories and sub-categories as appropriate. The matrix was revised and re-applied to the materials throughout the process. Qualitative data analysis software (NVivo) assisted the coding process. More general theorisation techniques were employed to approach documents (see McCulloch, 2004). Specific procedures applied to the analysis of NBSAPs, national reports, and MEA decisions and resolutions.

1.2 The novelty of the study

As a novel area in regime complexity studies, the co-evolution of regime complexes and policy coherence remains under-researched. This research makes a topical contribution by examining co-evolution from a public policy perspective. Morin and Orsini (2013a, 2013b), pioneers of the co-evolution thesis, focus on the inter-

connections between the institutional density of regime complexes and the coherency of governmental policy-making (foreign policy). In contrast, this study examines the interdependence of policy integration processes in regime complexes and policy coherence outputs at the level of national implementation (public policy). In doing so, it aims to assess whether regime complexes can be considered pragmatic alternatives to comprehensive regimes (as, for example, Keohane and Victor (2011) suggest), rather than to examine whether regime complexes can evolve into comprehensive regimes as patterns of interests become more concordant through processes of social interaction (as is implicit in Morin and Orsini's (2013) model).

This research also advances a more sophisticated understanding of coherence in conditions of international regime complexity. Keohane and Victor (2011) suggest that coherence is one of the minimum standards that regime complexes need to meet to be functional entities. They conceive of coherence as a situation where the elemental regimes of the complex are mutually reinforcing (in European Union (EU) studies (see Portela and Raube, 2008) this is described as horizontal coherence). However, coherence requires a broader perspective where horizontal interactions in national implementation and cross-level linkages are also considered. This paper claims that situations of regime complexity demand not only horizontal coherence, but coherent governance, which comes about when policy integration processes in regime complexes and policy coherence outputs at the national level complement each other.

In examining how regime interplay is managed at the national level, this study addresses another area where little research has been done (Ochieng et al., 2012). Regime complexity studies have examined the implementation politics and cross-institutional political strategies triggered by institutional proliferation (see Alter and Meunier, 2009; Raustiala and Victor, 2004), but have paid less attention to other, more positive, efforts to enhance regime interplay with a view to achieving cross-cutting goals. These aspects have been addressed, for example, in studies on national implementation, mostly within the so-called grey literature, i.e., publications not published commercially (e.g. Chasek, 2010, 2006; Masundire, 2006; Mouat et al., 2006; Boyer et al., 2002; Van Toen, 2001). But these studies have made no inroads in regime complexity studies (again, because the relationship between regime complexes and policy coherence is a new issue in the literature).

The previous point leads to another contribution of this research. Recent studies have established linkages between regime interplay and public management studies (e.g. Nilsson et al., 2012; Nilsson et al., 2009; Oberthür, 2009). Following this approach, the proposed framework for examining the co-evolution of regime complexes and (public) policy coherence attempts to bring together regime complexity studies and other literatures, including policy-oriented research addressing the more practical aspects of governance. The framework provides a heuristic instrument for understanding problems of coherent governance in areas of regime overlap and assisting the design of policy responses. Its application to areas of biodiversity governance is both timely and important: implementation and synergies between biodiversity-related agreements have gained increased attention in the context of the Strategic Plan for Biodiversity 2011-2020 (the Liaison Group of Biodiversity-related Conventions (BLG) recently prepared a compilation of pertinent decisions and associated tools under the respective conventions to support the incorporation of the objectives of these treaties into revised NBSAPs). The co-evolution framework helps to understand how synergies are created at global and national levels, how global (national) developments influence national (global) governance, and what the main determinants of institutional complementarity within and across governance levels are. Amid a renewed interest in clustering proposals that have long been discarded as a realistic governance option in the biodiversity sector (see Boisson de Chazournes, 2009; McGraw, 2002), the co-evolution framework departs from the assumption that policy integration and coherence are possible in the absence of institutional and/or organisational streamlining.

1.3 Organisation of the thesis

The thesis is structured in six main chapters and one concluding chapter. The next chapter proposes an approach and framework for examining the co-evolution of regime complexes and policy coherence from a public policy perspective. It opens with basic conceptual definitions, making a distinction between institutions, regimes and organisations, terms which are close in meaning but which describe different phenomena. The problem of international regime complexity is discussed, and

Morin and Orsini's (2013a, 2013b) work on the co-evolution of regime complexes and policy coherence is introduced. The co-evolution of regime density and governmental policy coherence, as per Morin and Orsini's model, is reframed as the co-evolution of policy integration processes and policy coherence outputs. The chapter then advances a framework for the study of co-evolution as explained earlier, providing an analytical tool for exploring similarities and differences between policy integration processes and policy coherence outputs; the vertical transfer of influence from one level of governance to another; and the factors impinging upon horizontal and vertical linkages.

Chapter 3 discusses methodology. It states the philosophical assumptions guiding this research. The biodiversity cluster is described and examined under the lens of regime complexity. Procedures for data collection and analysis are explained in detail. Ethical issues and general limitations are discussed.

Horizontal linkages in the biodiversity cluster and at the level of national implementation are the focus of Chapter 4. The chapter first examines the policy goals and institutional arrangements framing policy integration processes in the biodiversity cluster. A similar analysis is made of the policy objectives and implementation arrangements that explain policy coherence outputs in national arenas. A comparison between policy integration processes and policy coherence outputs is made. The analysis shows that co-evolution is happening, but integration in the biodiversity cluster has advanced more rapidly than coherence in national implementation. The implementation gap suggests that cross-level communication and learning has been weak.

In Chapter 5, vertical linkages between the biodiversity cluster and national biodiversity governance are addressed. The chapter examines how global influence has travelled from global to national arenas through norms, discourses and capacity-building. It further discusses whether and how state actors have influenced international policy as they prepare for and participate in biodiversity-related meetings. It is noted that global efforts to shape domestic policy have been stronger and more systematic than national efforts in the opposite direction, reflecting the different evolution stages of global and national governance systems. Such asymmetrical linkages prevent cross-level complementarity: global attempts to bridge the implementation gap cannot achieve their intended effects in the absence of feedback and strategic direction from lower levels of governance.

Factors influencing the co-evolution of the biodiversity cluster and national implementation systems, discussed in chapter 6, are disaggregated in two main categories according to whether they impinge upon horizontal or vertical linkages. If greater integration (coherence) in regime complexes (national implementation) triggers enhanced coherence (integration) in national implementation (regime complexes), identifying the factors that enable and/or hinder horizontal change is important to improve co-evolution. Equally relevant is to consider the specific factors affecting the vertical transfer of influence. At a substantive level, integration in the biodiversity cluster is driven, and at the same time constrained, by a process of convergence and alignment under the CBD's framework where costs of adjustment are disproportionately borne by the specialist regimes. Conversely, coherence in national implementation, whether or not under the CBD's framework, depends to a great extent on political context and individual commitment. Cross-level linkages are, in turn, mostly determined by institutional capacity and the political will of national governments. Assisting countries in meeting their multiple commitments in a balanced manner while addressing national concerns is considered a key aspect of more cohesive evolutions.

Chapter 7 discusses the main contributions and findings of this research. The originality and relevance of the study in the light of scholarly and policy debates on IEG and the IFSD are re-stated. The chapter explains how lessons arising from the biodiversity case advance understanding of the co-evolution of regime complexes and policy coherence. The concepts of differentiation, loose coupling and system change are recalled to refine and elaborate the co-evolution argument. The chapter highlights academic and policy implications, and finalises with three central messages emanating from the research.

This thesis concludes that regime complexes and (public) policy coherence co-evolve, but co-evolution can be weak in the absence of deliberate cross-level management. Co-evolution needs to be steered so that regime complexes and policy coherence move forward in complementary ways. The management of co-evolution still appears a more realistic and feasible option for achieving coherent governance than the creation of overarching, integrated, regimes.

2 Regime complexes and policy coherence: Examining co-evolution from a public policy perspective

This chapter develops an approach to examining the co-evolution of regime complexes and policy coherence from a public policy perspective. The approach conceives policy integration and policy coherence as two separate, but inter-dependent, activities unfolding in the ambit of global and national governance, respectively. It claims that when policy integration and policy coherence are mutually reinforcing, coherent governance is achieved. The discussion is set in the context of international environmental governance. Basic definitions of key concepts are first given. The co-evolutionary nature of the relationship between regime complexes and policy coherence is next explained. The chapter then proposes a framework for examining co-evolution that evolves in three steps: 1) policy integration processes and policy coherence outputs are compared; 2) the strength and symmetry of vertical inter-connections are assessed; and 3) the challenges emerging at the stages of differentiation (horizontal linkages) and loose coupling (vertical linkages) are identified. Concluding remarks summarise the co-evolution approach and framework and place them within the broader context of this research.

2.1 Basic definitions

This section defines five concepts which lay the foundations for analysis: international governance, institutions, regimes, organisations, and institutional interaction.

International governance can be described as the panoply of inter-governmental institutions and organisations governing world affairs (see also Maltais, 2008). It is one of the three main forms of governance beyond the nation-state alongside

transnational (networks of state and non-state actors) and private governance (networks of non-state actors) (Take, 2013).

The concepts of institutions, regimes and organisations are sometimes used indistinctively in the literature, but they portray different meanings. Young (2002, p.5) defines institutions as “sets of rules, decision-making procedures, and programs that define social practices, assign roles to the participants in these practices, and guide interactions among the occupants of different roles”. International regimes are a distinct type of international institutions, formally defined as “principles, norms, rules, and decision-making procedures around which actor expectations converge in a given issue-area” (Krasner, 1982, p.1). Regimes are usually based on one or more international treaty (Oberthür and Gehring, 2006a). As defined by the Vienna Convention on the Law of Treaties (1969, no pagination), a treaty means “an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation”. As Gehring and Faude (2010) notice, regimes have traditionally been considered normative structures that cannot act. However, modern international regimes incorporate decision-making structures by virtue of which their members can adopt collective decisions, adapt the original agreements to changing circumstances, assess implementation, and address non-compliance (ibid.).

Organisations are “actors that have physical qualities, such as staff, headquarters, resources, and formalized leadership, and that effectively pursue a policy” (Biermann et al., 2009a, p.354). At times, they may fulfil functions within regimes and become part of them, while in other cases international regimes (normative structures) are embedded in international organisations (Oberthür and Gehring, 2006a). Treaty bodies and international organisations have similar structure and functions (see Goodwin, 2013; Ulfstein, 2012).

Institutional interaction “arises in situations in which one institution affects the development or performance of another institution” (Stokke and Oberthür, 2011, p.4). Institutions interact with other institutions at the same level (horizontal interplay), but also with institutions at other levels (vertical interplay) (King, 1997). The term regime interplay refers, in particular, to situations in which one regime affects another (see Stokke, 2001).

2.2 Regime complexes, policy coherence and coherent governance

In their seminal work, Raustiala and Victor (2004, p.279) described a regime complex as “an array of partially overlapping and nonhierarchical institutions governing a particular issue-area”. Regime complexes are different from their elemental regimes. As deliberately established institutions, the latter display high levels of internal cohesiveness. In contrast, regime complexes “are marked by connections between the specific and relatively narrow regimes but the absence of an overall architecture or hierarchy that structures the whole set” (Keohane and Victor, 2011, p.8).

Raustiala and Victor (2004) did not propose specific criteria for delimiting the boundaries of a regime complex, and subsequent definitions failed to address the issue (see Keohane and Victor, 2011; Gehring and Faude, 2010; Powers et al., 2007). In their analysis of the regime complex for plant genetic resources, Raustiala and Victor (2004) focus on five major multilateral institutions. Conversely, Keohane and Victor’s (2011) study on the regime complex for climate change discusses not only multilateral institutions, but also bilateral and unilateral initiatives.

Orsini et al. (2013) have introduced a more elaborate definition of regime complexes that seeks to assist in their identification. In their view, a regime complex is “a network of three or more international regimes that relate to a common subject matter; exhibit overlapping membership; and generate substantive, normative, or operative interactions recognized as potentially problematic whether or not they are managed effectively” (p.29). According to the authors, regime complexes possess six characteristics:

- 1) The principles, norms, rules and decision-making procedures of the elemental regimes display some degree of divergence.
- 2) The complex is formed by at least three elemental regimes, the minimum number necessary to examine social network properties such as density and centralisation.

- 3) Regime complexes address a specific subject matter which is often narrower in scope than the issue-areas overseen by the elemental regimes.
- 4) The memberships of the elemental regimes partially overlap.
- 5) Elemental regimes need to interact with at least one of the regimes of the complex.
- 6) The simultaneous existence of elemental regimes should be perceived as posing an actual or potential problem.

The emergence of regime complexes is a contested issue. Keohane and Victor (2011) see regime complexes as a pragmatic governance solution where problem diversity, divergent patterns of interests, and path dependence prevent the formation of a comprehensive, integrated regime. Stoddard (2012) rejects such a problem-solving approach, arguing that regime complexes are the result of lack of shared preferences and/or the absence of actors capable of co-opting or coercing others into their preferred governance structure.

The effects of international regime complexity are themselves contradictory. Alter and Meunier (2009) claim that international regime complexity affects the strategies and interactions of actors through five different pathways:

- 1) Implementation politics: As the number of overlapping rules increases, implementation at the national level determines which institutions prevail.
- 2) Cross-institutional political strategies: Actors may engage in “chessboard politics” to adapt institutional landscapes to their needs. These strategies include: 1) forum-shopping or the selection of an amicable venue to elicit a desired outcome; 2) regime-shifting or the relocation of agendas to alternative fora to alter the global system of rules; 3) strategic inconsistency resulting from decisions intended to contradict pre-existing rules; and 4) strategic ambiguity emanating from an unclear delimitation of regulatory authority.
- 3) Bounded rationality or decision-making in conditions of relative uncertainty: Keeping track of international developments requires information processing and problem framing.

- 4) Small group environments: Iterative interactions among actors convening in overlapping fora can create relationships of trust and mutual understanding that favour co-operation.
- 5) Competition and reverberation: Competition in dense institutional environments may encourage efficiency, risk sharing and innovation; but may also result in conflict and lack of co-ordination. Reverberation means that developments in one forum have feedback effects on other venues.

In a pioneering work, Morin and Orsini (2013a) have recently claimed that the problem of regime complexity at the national level is expressed in terms of policy coherence, and that regime complexes and policy coherence co-evolve. They identify four stages in the life cycle of regime complexes: 1) atomisation, the embryonic stage of a regime complex where elemental institutions have a largely independent existence; 2) competition, characterised by frictions among elemental regimes; 3) specialisation, achieved when mutual recognition enables a division of governance tasks; and 4) integration, a stage of unification in which inter-regime links become intra-regime links. Formally speaking, the transition from atomisation to competition marks the emergence of a regime complex, whereas the final stage of integration signals the dissolution of the complex and the advent of a new, more comprehensive, governance formation. The four stages in the life cycle of regime complexes are inter-linked with four ideal types of governmental policy coherence: 1) erratic policy, resulting from minimal co-ordination among bureaucratic units on the assumption that elemental regimes have no strong connections with each other; 2) strategic policy, which involves the adoption of rules that support the goals of one regime but are incompatible with the goals of another; 3) functionalistic policy or the creation of boundaries between issue areas under the purview of different bureaucratic units; and 4) systematic policy, emerging when the regime complex is perceived as a single regime and co-ordination mechanisms among bureaucratic units are institutionalised.

The co-evolution thesis proposed by Morin and Orsini (2013a, p.47) is premised upon the idea that “the life cycle of regime complexes and the coherence of governmental policy-making are mutually-linked phenomena”. As governments work internally towards greater coherence, their negotiating mandates will support increased integration of overlapping regimes. Thus, as the number of states moving towards greater coherence increases, the complex will display improved

levels of integration. In a similar fashion, states will tend to become more coherent as the regime complex displays more cohesion. This reflects a desire of avoiding reputational costs, but also a sense of loyalty because inconsistencies not only affect the reputation of a single regime but that of the regime complex as a whole. Morin and Orsini (2013b) point out that policy preferences and inter-agency coordination at the national level are as diverse as institutional interplay within regime complexes, with some governments improving their policy coherence before others and some regimes becoming institutionally connected more rapidly than others. The authors go on to suggest that “regimes with normative affinities are linked before regimes competing for centrality, despite similar membership”, whereas “states with more opportunities to perceive the complex in creation become coherent earlier than those that are isolated, despite similar material interests” (Morin and Orsini, 2013b, p.21).

The co-evolution of regime complexes and governmental policy-making seems to be occurring in the IEG system. Najam (2005) observed that the embedment of the global environmental discourse within the broader institutional framework for sustainable development, and the increasing participation of developing countries in IEG, are mutually reinforcing trends. He claimed that “the South has become engaged *because* the discourse has changed and, equally, the discourse has changed at least partly *because* of Southern involvement in this discourse” (Najam, 2005, p.317, emphasis in original). Co-evolution may also be extending to the ambit of national implementation. Already in the late 1990s, Raustiala and Victor (1998, p.690) noticed, based on the analysis of 14 case studies on the implementation of international environmental regimes, that “domestic policy is critically shaped by international decisions. The opposite is also true: the implementation of international environmental commitments relies heavily on, and is implemented through, existing national regulatory structures.”

The co-evolution of regime complexes and policy coherence in national implementation has yet to be examined. Morin and Orsini portray policy coherence as a problem of foreign, rather than public, policy, and their approach can thus not be automatically employed to analyse how regime complexes and domestic policy-making co-evolve. Hanf and Underdal (1998) notice that the boundaries between foreign and domestic policy are sometimes blurred: some of the “new” issues of the international agenda, e.g. the environment, demand substantive competence that ministries of foreign affairs lack, and affect societies (i.e. different countries) as well

as segments of societies (specific groups within countries). Following Putnam's (1988) classical work on diplomacy and domestic politics, Hanf and Underdal observe that the "new" problems involve governments in a two-level game: they need to articulate and defend the interests of domestic constituencies vis-à-vis other governments, and, at the same time, ensure domestic support for the agreements reached in international venues. They claim, however, that the implementation game should be seen as a third level or arena of action. As they explain, "[a]lthough the interactions between Level II negotiators and Level I actors are likely to include estimations of the feasibility and implementability of any eventual agreement, the implementation process has its own political logic and dynamic" (p.159). Therefore, the inter-connection between regime complexes and national implementation systems cannot be approached under the same lens as the inter-connection between regime complexes and governmental policy-making.

Building on Nilsson et al.'s (2012) framework for the study of policy coherence, an approach to examining the co-evolution of regime complexes and policy coherence from a public policy perspective is proposed here. Nilsson et al. (2012, p.396) define policy coherence as "an attribute of policy that systematically reduces conflicts and promotes synergies between and within different policy areas to achieve the outcomes associated with jointly agreed policy objectives". The framework differentiates between policy integration processes, policy coherence outputs, and policy outcomes and impacts. Applying this framework to the analysis of regime interplay, Nilsson et al. associate policy integration processes and policy coherence outputs with the management of regime interplay and the way in which regimes interact in practice. They further assume that interplay management and regime interplay are essentially global phenomena. This approach, however, needs to be modified when regime interplay is examined under the lens of international regime complexity. Interplay management in a regime complex reduces conflict and turf battles, thereby limiting the scope for strategic action through implementation politics (see Gehring and Faude, 2013). Interplay management has an immediate effect on global-level institutional interactions, but it ultimately affects how state actors think of and act upon regime inter-connections in national implementation. At the same time, the management of regime interplay at the national level, as distinguished from strategic linkages created to achieve competitive ends (see Jinnah, 2011a; Stokke and Oberthür, 2011; Young, 2002), influences the cohesiveness of regime complexes through the same causal pathway through which implementation politics operate (see Alter and Meunier,

2009). Thus, in a regime complexity context, the study of policy coherence should not be framed in terms of the relationship between interplay management (policy integration processes) and regime interplay (policy coherence outputs), but in terms of the relationship between inter-treaty co-ordination (policy integration processes) and co-ordination in national implementation (policy coherence outputs) (see Figure 2.1)

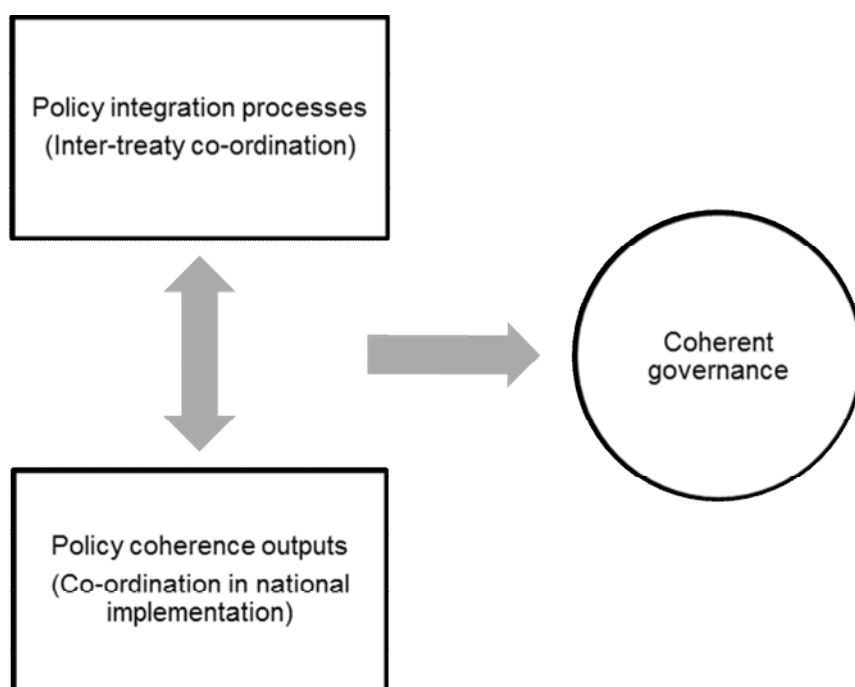


Figure 2.1 A public policy perspective of the co-evolution of regime complexes and policy coherence

From the perspective of environmental governance, interactions between regime complexes and national implementation systems can be portrayed as cross-level interplay between resource regimes. Such interplay can take five different forms (see Young, 2006): 1) de jure/de facto dominance, which means that one of the interacting systems dominates the other when frictions or conflicts among them emerge; 2) separation, which requires the demarcation of jurisdictional boundaries and scope of authority; 3) merger, whereby separate governance arrangements are brought together under joint management; 4) negotiated agreements or hybrid regimes with recognised roles for actors at different levels of governance and mutually agreeable rules and procedures; and 5) system change or cases where

separate governance systems interact in mutually determining ways triggering structural transformation.

The five ideal types above can be seen as different ways of dealing with multi-level politics. The literature on inter-organisational and international negotiations distinguishes three such strategies (see Benz and Eberlein, 1999): 1) hierarchical ordering of arenas of policy-making, where decisions are centralised and lower-level action should be aligned with upper-level processes; 2) differentiation or decoupling of decision-making arenas; and 3) loose coupling of negotiation arenas through information exchange, communication and persuasion. The first two strategies overlap with the ideal forms of dominance and separation in Young's (2006) typology above. The strategies can be used in tandem. For example, Benz and Eberlein (1999) observed that the Europeanization of sub-national policies entails a three-fold process of structuration that creates independent arenas of negotiation, intensifies communication, and stimulates learning. The initial decoupling of arenas of policy-making occurs in the form of differentiation related to functions (general policy goals are agreed at the EU level, whereas specific programmes for individual regions are jointly executed by EU, national and sub-national institutions) and territorial differentiation in inter-governmental relations (bilateral or trilateral negotiations are held that allow multi-level co-ordination to be adjusted to the institutional arrangements established at lower levels of governance). Negotiation arenas become loosely coupled through co-operative networks and mediation.

The co-evolution of regime complexes and policy coherence is based on differentiation (separation), loose coupling and system change. Co-evolution implies that changes at one level (emerging from differentiation) stimulate adjustments in the other (through loose coupling), leading to system change. In other words, policy integration processes and policy coherence outputs influence each other, and their interaction determines the coherency of governance as a whole.

Some would associate the co-evolution of regime complexes and national implementation systems with a broader phenomenon in international affairs which the Brookings Project on Integrating National Economies referred to as the deep integration of national economies (see Lawrence et al., 1996). Scholars have observed that, "as economic liberalization expands, a wide range of policies are

becoming deeply integrated across countries and thus increasingly interdependent” (Raustiala and Victor, 1998, p.689). Deep or behind-the-border integration has been differentiated from shallow or at-the-border integration (see Lawrence et al., 1996). As Raustiala and Victor (1998, p.691) note, the Brookings Project on Integrating National Economies suggest that “an essential part of ‘deep integration’ is the progressive synthesis and coevolution of domestic and international affairs”. Deep integration, Raustiala and Victor claimed, occurs primarily among the liberal states of the West.

Referring to the work of Downs and Rocke (1995), Raustiala and Victor (1998) point out that, as co-operation deepens, states develop different forms of institutionalised flexibility that allow some deviation from general norms. This helps reduce backlash and political dissent at the national level. Such flexibility may diminish compliance with international commitments, but can lead to the progressive resolution of the problem at hand provided appropriate systems for implementation review are in place. In the view of Raustiala and Victor (1998, p.694), “flexible modes of cooperation allow cooperative states to take two steps forward and one step back, to move at different speeds and at different times, but in broadly the same direction”. Deep integration, according to Raustiala and Victor, is opposed by developing countries and non-liberal states which tend to be wary of co-operative efforts demanding greater attention to domestic activities, establishing new substantive commitments, and imposing limitations on state activities. This was noticed within the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, where non-liberal states were blocking the strengthening of non-compliance procedures and were also the most recalcitrant to comply with data-reporting obligations.

Regime complexes are a modern expression of flexible modes of co-operation (see Keohane and Victor, 2011). Their nature as loosely coupled systems of institutions brings to the fore an apparent contradiction of deep integration, namely, that it occurs within what most observers describe as fragmented governance architectures. Institutional fragmentation is nonetheless central in the Western model of deep integration. Drezner (2010, p.4) claims that institutional proliferation “enhances the ability of powerful states to engage in forum-shopping relative to other actors”, enabling them to advance their preferred policy positions. Benvenisti and Downs (2007) go on to suggest that fragmentation is a calculated strategy by the world powers to create a world order that only they are capable to transform.

If deep integration in conditions of international regime complexity is a Western enterprise, the co-evolution of regime complexes and national implementation systems will be resisted by developing countries. This argument is nonetheless contested when applied to areas of environmental and sustainable development governance. As mentioned earlier, the embedment of IEG discourses within the IFSD and the increasing participation of developing countries in IEG processes are mutually reinforcing trends with direct effects on national implementation (Najam 2005). In other words, in areas of environmental and sustainable development governance, the co-evolution of regime complexes and national implementation systems in developing countries unfolds naturally.

Some would still expect to see stronger levels of co-evolution in the developed world on account of its superior material capabilities. Nevertheless, co-evolution problems are more generic than agent-specific. Hanf and Underdal (1998), for instance, observe that problems that are politically “malign” due to their uneven effects on different segments of society can result in what they refer to as vertical disintegration of policy, i.e., “a state of affairs where the aggregate thrust of ‘micro-decisions’ deviates more or less substantially from what higher-order policy goals and ‘doctrines’ would seem to require” (p.157). Vertical disintegration of policy (also described as the implementation gap) has been observed in international biodiversity governance. The early years of implementation of the CBD in EU member states were fraught with difficulties in the areas of legislation, funding and monitoring (see Baker, 2003). A recent study on the implementation of the Man and the Biosphere programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in the Czech Republic, Hungary, and Poland found that local biosphere reserves were “predominantly isolated entities, inadequately linked to the various spatial (regional to national to international) and temporal (short to long-term) policies, socio-economic processes, and cultural traditions” (Schliep and Stoll-Kleemann, 2010, p.926). Notably, these implementation gaps occurred in countries which, according to the International Monetary Fund’s country classification (see IMF, 2013), are either emerging market economies (Hungary and Poland) or advanced economies (at the time of Baker’s (2003) study, the EU had not yet enlarged to incorporate the former socialist states of Central and Eastern Europe). Indeed, vertical disintegration of policy is an outstanding challenge across the IEG system (see Kim, 2013; Esty and Ivanova, 2002).

Vertical disintegration of policy affects, in particular, second-generation regulations or those formulated at a time when processes of international co-operation are gaining momentum and before implementation failures inhibit the drive for new projects (Underdal, 2000b). Because regime complexes are spontaneous institutions, their emergence cannot be associated with specific peaks in international co-operation; instead, they can be conceived of as the upshot of second-generation regulations emanating from the original regimes. A regime complex is thus more prone to vertical disintegration of policy or implementation gaps than its constituent regimes (at least when the diffuse norms emanating from regime complexity, e.g. in terms of co-ordination and synergies, are compared with the more specific commitments expressed in the foundational treaties of elemental regimes).

Understanding the co-evolution of regime complexes and policy coherence is necessary to prevent and address implementation gaps impinging upon coherent governance. The next section proposes a framework for examining the co-evolution of policy integration processes in a regime complex and policy coherence outputs at the level of national implementation.

2.3 Regime complexes and policy coherence: A framework for analysis

This section presents a framework for examining whether, to what extent, and under what conditions regime complexes and policy coherence co-evolve. The framework relies on contributions from studies on international regimes, regime interplay, international law, national implementation, environmental policy integration, and multi-level governance. The framework departs from the premise that co-evolution requires political linkages within and across levels of governance. Political linkages result from “deliberate attempts to link institutions at the stages of design and management”, and are independent of the functional interdependencies between the substantive problems addressed by the institutions concerned (Young, 2002, p.25). The concept of linkage denotes an intention to improve mutual complementarity rather than minimise conflict (Perez, 2006).

The framework evolves in three steps. First, it examines whether policy integration processes in a regime complex and policy coherence outputs at the level of national implementation exhibit similar characteristics. General elements of comparison are outlined that help determine if co-evolution is taking place. Second, the framework explores whether integration processes and coherence outputs influence each other. This is to determine the extent to which processes and outputs are dynamically inter-linked as per the co-evolution thesis. Third, the framework analyses horizontal and vertical factors affecting co-evolution. Assuming that management problems at one level of governance have implications for cohesive evolutions (lack of inter-treaty co-operation, for instance, will cancel joint venture opportunities to influence national governance), identifying limitative factors at both levels is key to improve governance. Equally important is to examine the more specific factors affecting cross-level interplay of actors and institutions. The three elements of the framework are unpacked below.

2.3.1 Horizontal linkages: Comparing processes and outputs

Nilsson et al.'s (2012) framework for the study of policy coherence (see section 2.2) serves as the basis for comparing integration processes and coherence outputs in a regime complexity context. According to this framework, policy integration comprises three elements: 1) policy inputs, including knowledge, resources and actors; 2) policy goals or strategic targets; and 3) policy procedures and institutional arrangements that shape policy-making. Policy coherence involves two main aspects: 1) policy objectives and instruments intended to achieve policy goals; and 2) policy implementation or arrangements for making policy instruments operational. Two general points of comparison are here proposed: 1) between policy goals and policy objectives; and 2) between institutional and implementation arrangements (see Figure 2.2).

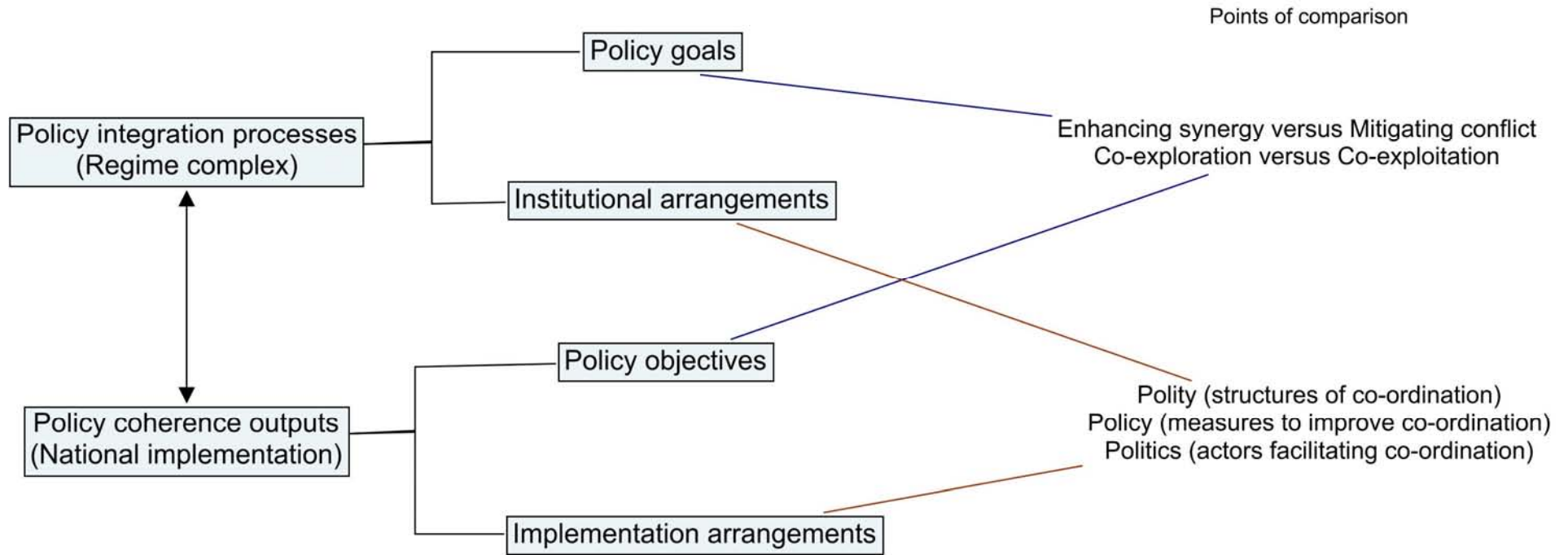


Figure 2.2 A framework for examining the co-evolution of regime complexes and policy coherence. Step 1: Comparing horizontal linkages

The ensuing discussion builds upon the idea that policy integration and policy coherence in conditions of international regime complexity can be associated with the management of institutional and implementation overlap at global and national levels, respectively (see section 2.2). Oberthür (2009) has proposed a framework for the systematic analysis and assessment of interplay management which distinguishes different goals, levels of co-ordination and modes of management. This framework provides a basis for comparing policy integration processes in regime complexes and policy coherence outputs at the level of national implementation. Since this framework is in principle intended to examine how international organisations manage regime interplay, some might question whether it can also be used to analyse how national implementation activities under different regimes are managed. Oberthür's (2009) framework, however, draws inspiration from public management studies, which makes it applicable to a national context. Other studies have similarly established parallels between regime interplay and public management literatures (e.g. Nilsson et al., 2012; Nilsson et al., 2009a), justifying the validity of the approach taken here.

2.3.1.1 Policy goals and policy objectives

Oberthür (2009) observes that the management of regime interplay may be geared towards different goals, including avoiding conflict; enhancing synergy; achieving efficiency; promoting justice and equity; or, in the context of environmental governance, realising environmental policy integration (EPI). The goals of synergy and EPI are strongly interrelated. As defined by Rosendal (2001a, p.97), synergy "is characteristic of a situation where the two institutions are largely pulling in the same direction, where they are mutually reinforcing, and where wasteful duplication may be avoided through coordination". From an IEG perspective, synergy should be conducive to EPI. EPI has an external, inter-policy dimension concerned with the inclusion of environmental considerations in decision-making processes in environmentally relevant policy domains; and an internal, intra-policy dimension related to balancing the objectives of different environmental policies and institutions (Oberthür, 2009). In its external dimension, EPI is otherwise known as environmental mainstreaming (Yasuda, 2011). The distinction between external

and internal EPI is analogous to the distinction between external and internal coherence in downstream policy-making (see Nilsson et al., 2012).

Stokke (2009) notices that interplay management may be a pro-active exercise or a reaction to specific cases of institutional interaction. He shows that participants in the international regime for managing Northeast Arctic cod have been keen to ensure that trade-restrictive measures aimed at halting illegal, unreported and unregulated (IUU) fishing do not conflict with trade regimes. This has been achieved by introducing clauses that establish a normative hierarchy (asserting, for example, that more recent and specialised rules prevail over earlier and more general ones); or by making IUU measures compatible with the “environmental window” of the global trade regime. This pro-active case of interplay management contrasts with other situations in which, only after institutional interaction creates disruption or leaves potential for synergy, management interventions are deployed (see Gehring and Oberthür, 2006b).

As relevant to the present study, pro-active efforts to enhance synergy are of particular importance. The pursuit of synergy can have different logics. Surveying the literature on inter-organisational relationships, Parmigiani and Rivera-Santos (2011) identify two pure forms of co-operation: co-exploration and co-exploitation. They define co-exploration as a “cooperative relationship to create new knowledge, tasks, functions, or activities” (p.1122). As they explain, the main activity of co-exploration is learning and innovation. Interdependence between partners is reciprocal, leading to joint decision-making and close communication. Co-ordination is based on inter-personal contact. Appropriation (of value) is considered a major hazard in co-explorative relationships on account of the emphasis on innovation and the degree of uncertainty involved. Co-exploitation, in contrast, is a “cooperative relationship to execute existing knowledge, tasks, functions, or activities” (p.1123). Co-exploitation, according to Parmigiani and Rivera-Santos, focusses on expansion. Functional tasks are distributed between partners, creating loose, but not strong, interdependence. Separate decision-making and thin communication are typical, with co-ordination involving standard operating procedures. Because co-exploitation relies on efficient resource usage, slacking is a main hazard. Arguably, co-operative relationships emphasising co-exploration can achieve greater complementarity than those favouring co-exploitation. Two of the most notable examples of synergies in IEG, namely, the Global Environment Facility (GEF), a global fund serving various MEAs; and the clustering process of

chemicals and hazardous waste conventions, emerged from co-explorative undertakings (see Simon, 2012).

2.3.1.2 Institutional and implementation arrangements

Oberthür (2009) has distinguished four levels of co-ordination and two principal modes of interplay management which provide basic standards to compare institutional and implementation arrangements in areas of regime overlap. As this section shows, levels of co-ordination highlight the polity and political aspects of governance; whereas modes of management bring to the fore its policy dimensions (see Wiener and Diez (2009) and Treib et al. (2007) on the triad of polity, policy and politics).

According to Oberthür (2009), the management of regime interplay involves four different levels of co-ordination: overarching institutional frameworks, joint interplay management, unilateral adaptations, and autonomous management. As he explains, overarching institutional frameworks entail decision-making beyond the interacting institutions; joint interplay management requires co-ordination of activities; unilateral adaptations entail independent action in the framework of one or more of the interacting institutions without explicit co-ordination between them; and autonomous management occurs outside of formal decision-making structures. The first two levels are considered two distinct expressions of inter-institutional co-ordination. Overarching institutional frameworks, joint interplay management and unilateral adaptations have been associated with governance through hierarchy, networks, and markets, respectively (see Simon, 2012), which unfold in the realm of polity (see Treib et al., 2007).

Experiences of interplay management at the international level suggest that actors rely more on unilateral adaptations (governance through markets) and autonomous management than on inter-institutional co-ordination as means for enhancing institutional interaction (see Oberthür and Stokke, 2011; Oberthür, 2009). Oberthür and Stokke (2011) claim that overarching institutional frameworks (governance through hierarchies) and joint interplay management (governance through networks) provide a basis and framing for decentralised co-ordination, but have not

proved to influence regime interplay in significant ways. Studies exploring synergies in the national implementation of international environmental regimes (e.g. Chasek, 2010; Masundire, 2006; Van Toen, 2001) have focussed on joint management (intra- and inter-agency co-ordination) of overlapping activities, neglecting lower levels of co-ordination.

The case for unilateral interplay management is consistent with findings from studies examining institutional interaction under the lens of social network analysis, a methodology that examines social relationships based on nodes and ties. Social network analysis has been used to examine network governance forms (e.g. Grasenick et al., 2008), but can be applicable to any interaction setting, regardless of the mode of governance involved. Kim (2013) recently examined the MEA system using a network approach, finding that it has evolved towards increased density since 1992. He observed an interlocking structure of governance which has emerged spontaneously without explicit co-ordination among the interacting institutions. Using a similar approach to analysis, Böhmelt and Spilker (2013) noticed that soft-law institutions which are well connected with each other (through overlapping memberships rather than through inter-institutional co-ordination) display similarities in their design (coherence). These two studies reinforce the argument that decentralised co-ordination has been a main avenue to manage regime interplay at the global level.

Autonomous management highlights the role of agency in enhancing regime interplay (Stokke and Oberthür, 2011; Oberthür, 2009) and is connected with the politics of institutional design and management (see Young, 2002). Following Selin and VanDeveer (2003), actors involved in interplay management can be classified in two major groups: 1) organisational actors such as states, inter-governmental organisations (IGOs), non-governmental organisations (NGOs), research organisations and business groups; and 2) individual actors such as state officials and representatives of international organisations which can affect regime interplay through individual leadership and informal networks.

The literature has acknowledged the role of various organisational actors in managing regime interplay, including 1) major state actors (Skjærseth, 2006 noticed, for example, that Germany played a leadership role in convening the International North Sea Conferences which speeded up collective decision making in the OSPAR commission for the protection of the marine environment of the

North-East Atlantic and in the EU; 2) the governing (see Simon, 2012) and scientific and technical bodies (see Oberthür et al., 2011) of international treaties; 3) overarching organisations such as UNEP (e.g. Andresen and Rosendal, 2009) and the Organisation for Economic Co-operation and Development (OECD) (see Lesage and Van de Graaf, 2013); 4) international bureaucracies such as the WTO and CBD Secretariats (Jinnah, 2010, 2011b); and 5) epistemic communities, e.g., the Scientific Task Force on Avian Influenza and Wild Birds (Cromie et al., 2011). Networks of organisational actors also play important functions in interplay management. These networks can take the form of 5) inter-agency liaison groups such as the Collaborative Partnership on Forests (CPF) (see Reischl, 2012); 6) government networks such as the G-20 (see Lesage and Van de Graaf, 2013) and the Paris Club (see Josselin, 2009); and 7) (public-) private partnerships (see Visseren-Hamakers et al., 2011; Boyer et al., 2002).

Some studies have noticed the influence of individual actors on regime interplay. Selin and VanDeveer (2003), for instance, observed that linkages between the Convention on Long-Range Transboundary Air Pollution and the EU are supported by professional and personal contacts between state and non-state actors involved in bodies and activities of both regimes. The MEA system, on the other hand, has witnessed the emergence of “super delegates” and MEA-focussed NGOs which follow up meetings of various MEAs and facilitate the development of inter-institutional synergies (UNU, 1999).

Beyond levels of co-ordination of interplay management, Oberthür (2009) distinguishes between regulatory and enabling modes of management. He explains that regulatory interplay management is based on prescription and proscription of behaviours, allocation of regulatory authority, and sometimes enforcement and implementation of decisions. It may involve substantive elements (e.g., a hierarchy of rules) and procedural requirements (e.g., on information exchange or impact assessments). Regulatory and enabling modes of management involve a wide range of policy instruments. In an EPI context, these include: 1) communicative instruments providing longer-term vision and objectives and enabling flexibility in the way in which they are made operational; 2) organisational instruments such as inter-departmental co-ordination groups; and 3) procedural instruments aiming to affect how policy decisions are made, e.g., strategic environmental assessments (Jordan and Lenschow, 2008).

Formal agreements between MEAs, which usually take the form of a Memorandum of Understanding (MoU) or a Memorandum of Co-operation (MoC), can be described as examples of regulatory interplay management. Many of these agreements contain obligations on information exchange and participation in joint activities (Scott, 2011). Some are supported by detailed joint work programmes such as those that the CBD Secretariat has concluded with other biodiversity-related MEAs, and a few of them even include provisions on conflict resolution, e.g., the 2004 MoC between the Food and Agriculture Organization (FAO) and the CBD Secretariat on Co-operation between the CBD Secretariat and the Secretariat of the International Plant Protection Convention, and the 2009 MoU between the Secretariat of the Pacific Regional Environment Programme and the CBD Secretariat (ibid.).

Enabling interplay management relies on learning and capacity building as means of persuasion. Oberthür (2009) identifies structures of enabling interplay management at different levels of co-ordination. At the level of overarching institutional frameworks, UNEP has a mandate to disseminate information across international institutions (yet lacks capacity to deliver this function effectively). Joint management structures promoting cognitive interaction include joint bodies (e.g. the Joint Liaison Group of the Rio Conventions), expert assessments (the scientific bodies of the climate change and ozone regimes, for example, have developed joint assessments on the use of fluorinated greenhouse gases), and partnerships (promoting the transfer of knowledge). Learning within individual institutions is significantly shaped by treaty secretariats, which usually have representation at meetings of other institutions, and can identify, on this basis, policy models or potential for assistance.

Oberthür (2009) notes that enabling modes of management prevail at the international level. This is attuned with developments in domestic arenas, where soft communicative instruments for environmental mainstreaming tend to be more popular than harder organisational or procedural instruments (Jordan and Lenschow, 2010).

2.3.2 Vertical linkages: Exploring the symmetry of cross-level influence

Policy integration and policy coherence in conditions of international regime complexity emanate from two distinct, but inter-dependent, governance systems: one based on international institutions and another one embedded in national political systems. Linkages between global and national institutions (adjacent linkages as opposed to remote linkages, e.g., global-local interactions) may or may not be symmetrical. As Young (2002) explains, symmetry occurs when two institutions influence each other in reciprocal ways. When one institution affects another without triggering an equivalent response, linkages between the two institutions are asymmetrical. Symmetry involves a two-way dynamic where action at one level informs, and is informed by, action at other levels (Karlsson-Vinkhuyzen, 2012). Gray (2003) notes, for instance, that the secretariats of MEA agreements can facilitate national implementation, but this depends on the provision of relevant information from state parties. This section borrows two analytical frameworks from international studies to explore how global action influences domestic policy (policy coherence outputs) and how, in turn, national perspectives shape global governance (policy integration processes). These frameworks provide elements to examine the symmetry of linkages between regime complexes and policy coherence (see Figure 2.3).

2.3.2.1 Global influence on national implementation

Bernstein and Cashore (2012) identify four pathways through which global governance arrangements influence national policy: international rules, international norms and discourse, markets, and direct access to domestic policy-making. These four pathways can be associated with three different modes of governing behaviour at lower levels of jurisdiction (see Kern and Alber, 2008): governing by regulation (either through hard rules or soft norms and discourses), governing through enabling (via markets or direct access to domestic policy-making) and governing by provision (delivered through direct access pathways).

Bernstein and Cashore's framework can be used to examine how global action within regime complexes shapes national implementation practices.

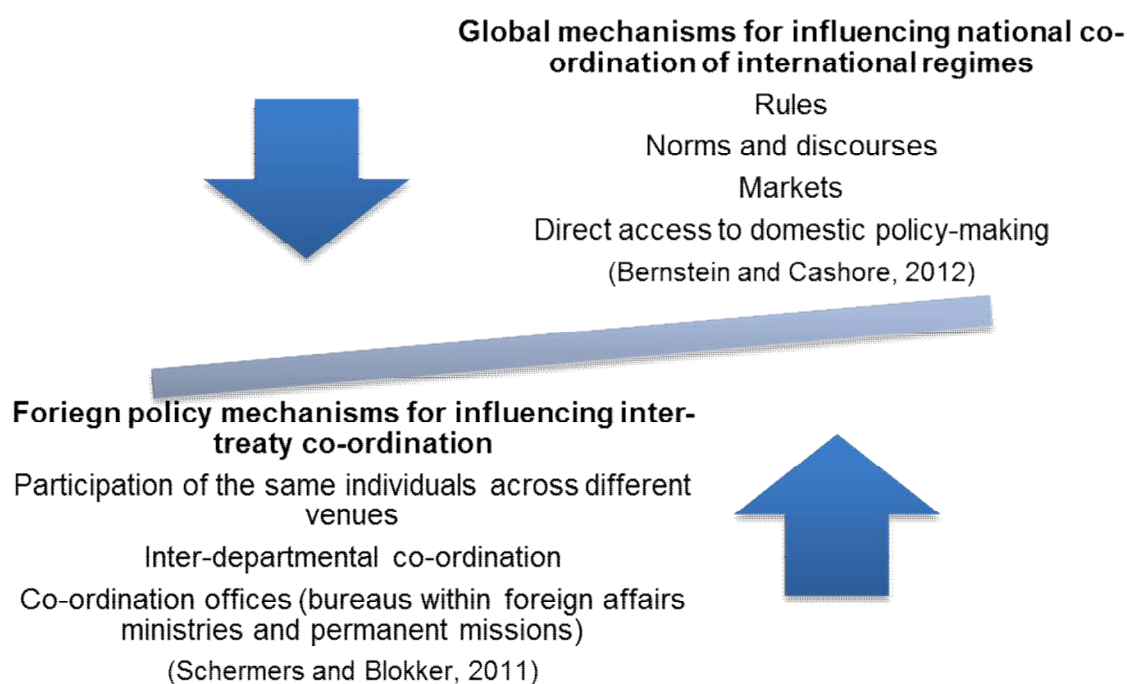


Figure 2.3 A framework for examining the co-evolution of regime complexes and policy coherence. Step 2: Exploring the symmetry of vertical linkages

In Bernstein and Cashore's (2012) framework, international rules are associated with binding obligations and policy prescriptions emanating from international treaties and powerful international organisations, respectively. Many international treaties include conflict clauses which clarify the relation between treaties to prevent contradictions, but they rarely incorporate obligations to create synergies (van Asselt, 2011).

International norms and discourse set general standards of behaviour of a non-binding character. Jinnah (2011b) noticed that the CBD CoP has not provided clear guidance on how the overlap between the biodiversity and climate change regimes should be managed. In contrast, the CBD Secretariat, acting within its zone of discretion, has managed to shape how state parties understand the interface between biodiversity and climate change. Analysing CBD official documents addressing the biodiversity-climate interface between 2000 and 2007, Jinnah shows that the CBD Secretariat reframed biodiversity from a passive recipient of

climate impacts to an active element of climate solutions with a view to making biodiversity conservation more attractive to developing countries. A sample of fourth national reports to the CBD appeared to reveal that the Secretariat's marketing campaign influenced national discourses on biodiversity-climate linkages (ibid.)

Markets can be strategically manipulated to instil domestic policy change. Market mechanisms have been used to curb deforestation in developing countries, including through money transfers, debt relief, and tradable emissions permits. These instruments affect countries differently depending on their forest endowment (see Leplay and Thoyer, 2011). Within IEG, proposals for using financial mechanisms to promote a more coherent implementation of MEAs at the national level date back to the first conference on synergies and coordination between MEAs organised by the United Nations University in July 1999 (see UNU, 1999). Market mechanisms intended to link different sectors or policies may or may not be the result of inter-institutional synergy. For instance, the inclusion of migration clauses in EU trade agreements may be interpreted as a concerted effort among EU institutions to use the EU's market power to incite co-operation on migration from recalcitrant parties. Lavenex and Jurje (2013) show, however, that the issue-linkage is not the result of co-ordinated strategic action but reflects the internal evolution of EU migration policy.

Direct access to domestic-policy making can take the form of direct funding, education, training, assistance, capacity-building and/or co-governance via partnerships. International agencies and bureaucracies have supported the development of synergies among MEAs at the national level. This includes efforts to streamline national reporting, information and knowledge management systems, and technical guidance. UNEP, through its Division on Environmental Law and Conventions, provides capacity-building for a coherent implementation of MEAs (Rose, 2011). The secretariats of the Rio Conventions have sponsored a number of expert meetings and workshops promoting country-level synergies among the Rio Conventions and other MEAs since 1997 (see Chasek, 2006; Masundire, 2006). Early studies suggested that international help to foster national co-ordination had proved unsuccessful (see Boyer et al., 2002), and recent inter-ministerial discussions on IEG sponsored by UNEP have placed capacity-building at the top of the agenda for IEG reform (see UNEP Doc UNEP/GC.26/18).

Bernstein and Cashore (2012) suggest that isolating the effects of pathways of influence is practically difficult and even unnecessary because collective influence is ultimately achieved through the interaction of different mechanisms and processes. Findings from a study on environmental mainstreaming (external EPI) in developing countries are nonetheless worth mentioning. Between 2007 and 2008, the International Institute for Environment and Development (IIED) conducted ten regional and country-based surveys to examine national experiences in the integration of environmental concerns into development policies (see Dalal-Clayton and Bass, 2009). The study revealed that the environmental safeguards required by donors of international development assistance are a major driver of environmental mainstreaming. International commitments, in contrast, were found to be only moderately important drivers. These results would suggest that influence through the pathway of direct access to domestic policy-making (and markets) can be more effective than influence through rules, norms and discourses (all of which create, to a more or less extent, international commitments) in developing country contexts. Indeed, some have noticed that governing by regulation has lost appeal as a means of dealing with multi-level environmental governance (Plummer and Armitage, 2010; Kern and Alber, 2008).

2.3.2.2 National influence on regime complexes

As defined in section 2.1, international governance develops from decisions adopted in inter-governmental fora. Preparation and participation in those meetings is thus crucial to influence inter-treaty co-operation. It is at these stages where domestic and foreign policy become strongly inter-twined (see Hanf and Underdal, 1998). Goodwin (2013) has recently examined what he calls the “internal modalities” of preparation and participation in CoPs to environmental treaties. Internal modalities comprise the set of norms and routines governing how national delegations prepare for meetings and how they will participate in the actual working sessions (*ibid.*). Goodwin focusses on the internal modalities of delegations to CoPs, but internal modalities also operate on occasion of meetings of other inter-governmental bodies within and beyond the field of international environmental policy. Goodwin’s approach provides a useful framework for examining national influence on the evolution of regime complexes.

The aim of preparations for international meetings is to define a national position. Goodwin (2013) observes that internal preparations for MEA meetings are usually steered by the lead implementation agencies. Ideally, consultations have to be sought with other ministries, the legislative and judicial branches of the state, and private actors. These consensual activities provide some legitimisation to international governance processes (Brunnée, 2002). Broad engagement with other actors is nonetheless difficult to achieve due to time constraints and the diversity of interests that need to be reconciled. Thus, some modalities of preparation privilege dialogue with selected stakeholders. Examining the internal modalities for preparation and participation of the United Kingdom (UK) in Ramsar CoP meetings, Goodwin notes that national positions arise from internal consultations within the Natura 2000/Ramsar Steering Committee (a forum convened by the UK Government and the devolved administrations in Scotland, Wales and Northern Ireland overseeing national implementation) and the Natura 2000/Ramsar Forum (an advisory body made up of representatives of government departments, statutory agencies, and NGOs). Both groups have well established memberships. In other cases, internal preparations for MEA meetings are more centralised and controlled. Van Toen (2001) observed that in some countries of the Asia Pacific region the ministries of foreign affairs engaged in MEA negotiations without seeking the input of focal points and agencies with implementation responsibilities.

Bodansky (2010, p.115) suggests that national positions resulting from internal preparations “may variously reflect enduring national interests, the interests of a particular group that has successfully lobbied for it, or bargaining among different governmental actors”. Sometimes, he notices, they can be the by-product of other factors such as governmental change. Because multiple actors, positions and interests are involved in domestic consultations, it is not always possible to identify a stable national interest (*ibid.*).

The internal modalities of participation, as described by Goodwin, require decisions concerning the compositions of delegations. Two dimensions need to be considered: the size of delegations and the level of experience of delegates. It is well known that developed countries tend to send large delegations to international meetings as compared with developing countries. Examining lists of participants in meetings of the Ramsar CoP, Goodwin found that some countries, most of them developed states, are represented by “super delegations” of ten or more delegates,

whereas developing and least developed states normally send between two and three representatives. Schermers and Blokker (2011) observe that large delegations usually contain more subject experience (see below) and are able to engage in multiple negotiations and meetings. However, small delegations tend to be more flexible and more coherent in their views than large ones (ibid.).

Levels of experience of national delegations vary. Goodwin points out that the “super delegations” of countries such as the United States and China attending Ramsar CoP meetings normally include officials with previous experience. Some individuals have represented their states at several CoP meetings, although their influence on negotiations is not always clear. Subject experience is in many cases required to negotiate specific conference items. National experts may be needed to cover specialist areas; and this poses a problem for countries which cannot afford to send large delegations. Goodwin further notes that, beyond intra-CoP dynamics, inter-CoP experience is essential to ensure that activities under one regime complement those undertaken in the framework of other regimes.

National delegations, according to Goodwin, normally act upon the instructions given by their governments. Citing a classical work by Hadwin and Kaufmann (1960), Goodwin suggests that instructions should ideally result from inter-ministerial dialogue, be sanctioned at the highest political level, and set specific objectives and activities while giving some leeway of action in case of unexpected events. He notes that the UK’s participation at Ramsar CoP meetings generally reflects this approach. In some cases, however, instructions play a less important role. Bodansky (2010) notices that Russia’s position in the negotiations of post-2012 commitments on climate change varied depending on the agency heading the delegation. At one meeting, Russia even appeared to be represented by two delegations with different views (ibid.). Bodansky also points out that many delegates from developing countries do not seem to act according to specific instructions, defending positions that reflect their own beliefs rather than a national interest.

Influence on actual negotiations may come from different forms of leadership. Examining decision-making in the UN General Assembly, Keohane (1967) distinguished three types of political influence. In the first instance, a state may affect the policies of other delegations by acting within, between, or without respect to caucusing groups. Caucuses are groups operating within international

organisations that share common interests and co-ordinate their national positions to exert influence (Schermers and Blokker, 2011). Andresen (2007) identifies three main negotiating groups in IEG: the United States and its allies, the EU and its allies, and the Group of Seventy-Seven (G-77) and China. He observes that the shape and direction of environmental governance institutions have been strongly shaped by the United States and the EU. The G-77, however, has not necessarily been less influential. Emerging from the first session of the United Nations Conference on Trade and Development (UNCTAD) in 1964, the G-77, comprising 133 developing states to date, has been successful in promoting the inclusion of specific provisions for developing countries (for example, on technical and financial assistance) in MEA texts (Carruthers, 2007). Keohane (1967) suggests that when negotiating blocs are formed by like-minded states, the gain and losses of joint ventures are shared by the coalition members; conversely, when a group emerges out of the threats and promises of one member, gains and losses are absorbed by the organising power.

A second type of political influence identified by Keohane (1967) comes about when a state proposes “an item for the agenda that no other state would be willing to propose but that no state is willing to oppose” (p.223). In this case, a state achieves influence by altering the decision-making context rather than by affecting the policies of certain delegations. Finally, a third form of influence is reaped by states that are in a pivotal position when lines between members begin to be drawn. The votes of these states, Keohane notes, will generally determine the outcome of negotiations.

Goodwin points out that the autonomy of states to set their own modalities of preparation and participation in international meetings may be constrained by external controls emanating from international law, the treaty establishing the CoP, and the rules of procedure for CoP meetings (for example, on stakeholder consultation, the timing of document circulation, the credentials of delegates, delegate qualifications, and the running of negotiations). His work suggests that external controls in international biodiversity governance do not impose major constraints on internal modalities.

Some internal modalities of preparation for and participation in international fora gain special saliency when countries attempt to influence inter-treaty co-operation. Schermers and Blokker (2011) suggest that consistency in national positions is

essential to improve co-ordination in the activities of international organisations. In their view, consistency can be achieved through three main avenues: 1) when the same individuals represent states in different fora; 2) when ministries of foreign affairs and/or inter-departmental committees ensure that national delegates adopt the same standpoint in different venues; and 3) when special offices or national missions abroad have administrative responsibilities for different organisations, fostering awareness of existing linkages. If, as Hanf (2000) suggests, the formulation of national positions and the negotiation in international venues are linked to the subsequent phase of implementation, consistency in the national positions defended in overlapping venues would also ensure consistency in the national implementation of the inter-connected regimes. It is an open question, however, whether and how consistency in national positions contributes to policy integration and policy coherence at global and national levels, respectively (as Gauttier (2004) and Jones (2002) explain, consistency implies absence of contradiction whereas coherence requires complementarity of action in the achievement of common goals).

2.3.3 Determinants of co-evolution: Identifying intervening factors

Co-evolution implies that greater integration in a regime complex prompts increased coherence in national implementation, and vice versa, enabling coherent governance. To enhance co-evolution, it is necessary to address the factors that facilitate and/or prevent horizontal integration (in the regime complex) and coherence (in national implementation), as well as the vertical transfer of influence. The third element of the co-evolution framework summarises these factors based on contributions from different studies and an empirical focus on IEG (see Figure 2.4). Determinants of horizontal and vertical inter-connections in situations of regime complexity are unpacked below.

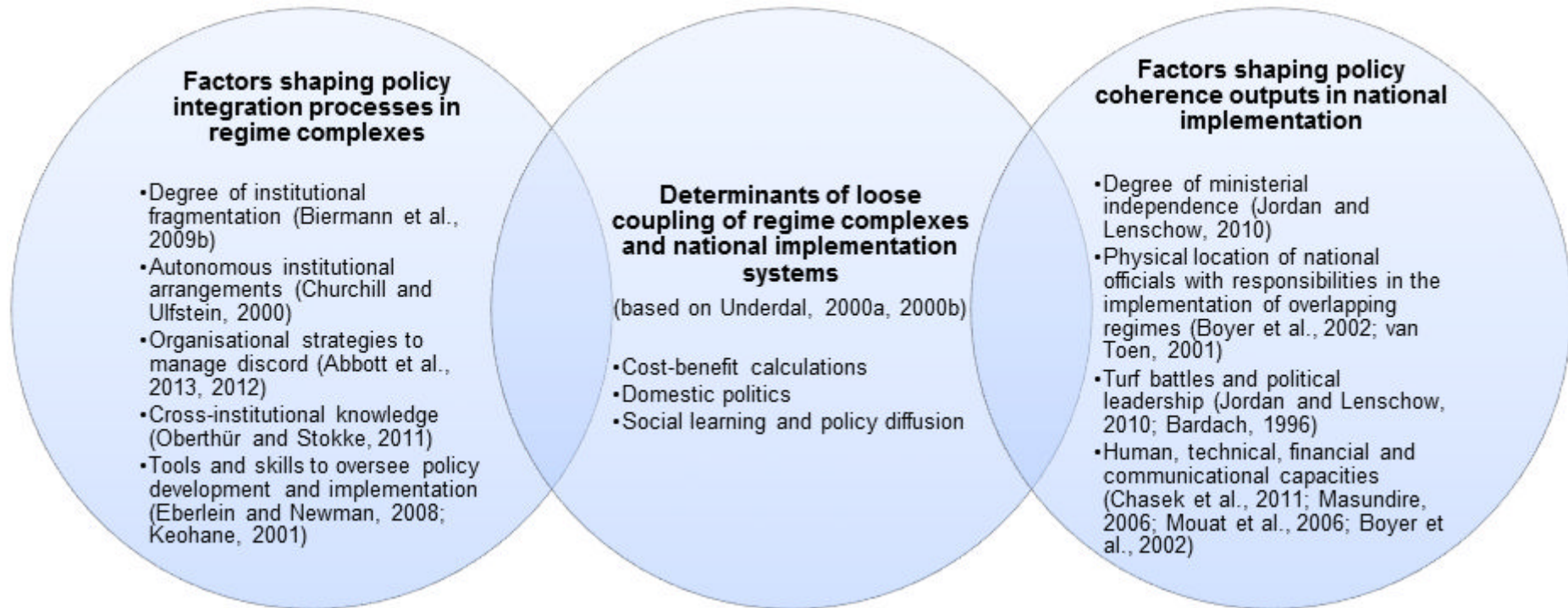


Figure 2.4 A framework for examining the co-evolution of regime complexes and policy coherence. Step 3: Understanding intervening factors

2.3.3.1 Horizontal aspects

To examine the factors affecting horizontal integration and coherence, the study relies, in principle, on EPI studies. EPI is concerned with integration rather than coherence, but, as stated in section 2.2., EPI and coherence can be approached under similar analytical lenses. EPI is a process shaped by three elements: institutions, politics and cognitive predispositions (Jordan and Lenschow, 2010). Thus, an initial set of institutional, political and cognitive factors affecting horizontal integration and coherence can be proposed. Based on Hogl and Nordbeck (2012), these factors are defined as follows:

1. Institutional factors encompass the principles, norms, rules and procedures shaping how interplay is managed.
2. Political factors relate to the diversity of interests, power asymmetries and conflicts involved in an interplay context.
3. Cognitive factors are the frames of reference, ideas or paradigms that influence actors' preferences.

Two other categories are here introduced to refine the framework:

4. Organisational factors associated with the structure and functions of the social units that make institutions operational.
5. Executive factors or the practical capabilities to manage interplay.

Organisational and executive factors are discussed alongside institutional and cognitive factors, respectively. As noticed in section 2.1, institutions and organisations are strongly interrelated, and the fine line separating the two is sometimes hard to sustain empirically. Cognitive and executive factors have a similar inter-connection. Oberthür (2009), for instance, identifies learning and capacity building (which can be associated with the cognitive and executive factors affecting horizontal integration and coherence as explained above) as two distinct elements of enabling modes of interplay management. Others consider learning as part of capacity building while acknowledging the difference between the cognitive

and executive dimensions of the concept (Boyer et al. (2002), for example, make a distinction between the qualitative and physical aspects of capacity-building).

Factors affecting policy integration and policy coherence in conditions of international regime complexity are unpacked next.

2.3.3.1.1 Institutional and organisational factors

A study by Biermann et al. (2009b) on the fragmentation of global governance architectures provides a sound basis for exploring the institutional factors affecting integration in regime complexes. Biermann et al. suggest that the presence or absence of synergy in global governance architectures depends on three factors: the degree of institutional integration; the existence and degree of norm conflicts; and the type of actor constellations.

Institutional integration in Biermann et al.'s framework is associated with the degree of centralisation around one (or more) core institution(s). Centralisation arguably facilitates synergistic interaction. Powers et al. (2007), for instance, affirm that regime nesting enables institutional complementarity. They exemplify their point by showing how bilateral military alliances between former Soviet Union states are nested within broader multilateral security agreements that are part of a regime complex evolving around the Commonwealth of Independent States (CIS). Bilateral and multilateral treaties not only complement each other, but sum up to create a coherent system of security arrangements in the region. Orsini et al. (2013) observe that centralised regime complexes have delivered more positive governance outcomes than fragmented ones. Approaching regime interplay using social network analysis, Böhmelt and Spilker (2013) claim that international institutions which are central in a network tend to display similarities in their institutional design (provided they fall within the type of soft-law institutions).

The degree to which overlapping norms and rules are compatible is a well-known factor affecting the extent of synergy in inter-institutional relationships. Regimes interacting within the same policy field would normally engage in synergistic interaction because their norms, rules, and missions are largely compatible; in

contrast, when interaction involves regimes from different domains addressing very different issues, potential for conflict is higher (Wilson, 2008; Gehring and Oberthür, 2006a; Rosendal, 2001a). Broader institutional frameworks cutting across individual regimes also impact on institutional interactions. Zelli et al. (2013) argue that liberal environmental perspectives favouring market-based governance not only shape the operations of environmental regimes, but affect the interactions between environmental and non-environmental institutions. They noticed the dominance of liberal environmentalism in different areas of the regime complex for trade and the environment.

Actor constellations in regime interplay settings can be examined by comparing the memberships and constituencies of the elemental regimes. There is agreement that overlap in memberships facilitates inter-institutional synergy. Gehring and Oberthür (2009, 2006a) suggest that when two institutions pursuing different objectives have similar memberships, a jurisdictional delimitation is established to avoid conflict between the two regimes. This ideal type of institutional interaction characterises the relationship between the WTO and the Cartagena Protocol on Biosafety (see Oberthür and Gehring, 2006b). In cases where two institutions display similar objectives and memberships, complementarities may be realised based on the different governance means available from each regime (Gehring and Oberthür, 2009, 2006a). The interaction between the Intergovernmental Forum on Forests (IFF) and the CBD exhibits patterns of this type (see Rosendal, 2001b). Domestic and international constituencies also need to be taken into account. Committed constituencies supporting specific regimes may block synergies with overlapping regimes if they perceive a threat to their independence and existence (von Moltke, 2001a).

Based on the three criteria discussed above, Biermann et al. (2009b) distinguish three ideal types of fragmentation in global governance architectures: synergistic, co-operative and conflictive. In situations of synergistic fragmentation, the elemental regimes are closely integrated around one core institution, have compatible norms, and are supported by all major players. Conversely, in conditions of conflictive fragmentation, the elemental regimes have unrelated decision-making procedures, embrace incompatible normative frameworks, and have different memberships and constituencies. Co-operative fragmentation stands in between these two types.

The organisational dimensions of synergy processes in areas of environmental governance are relatively well-known. Briceño (1999) identified a number of organisational challenges affecting the creation of synergies among the Rio Conventions, including different administrative arrangements, separate financial mechanisms and scientific and technical bodies, different relationships with specialised agencies, and geographical dispersion of treaty secretariats. Similar challenges are encountered in other areas where MEAs overlap, and are at the heart of proposals for clustering compatible MEAs (see Oberthür, 2002; von Moltke, 2001b). Independent organisational arrangements, however, do not always hinder inter-institutional synergy as there are positive stories of close collaboration between agencies based at different locations (UNU, 1999).

Resembling developments at the international level, the management of regime interplay in domestic arenas can be affected by the degree of fragmentation of national institutions. It has been suggested that political systems distinguished by high ministerial independence reinforce sectoral thinking, whereas those promoting sector responsibility favour strong internal co-ordination (Jordan and Lenschow, 2010). For example, examining problems of policy co-ordination in the New Zealand government in the second half of the 1980s, Boston (1992, p.94) noticed that legislative changes reinforcing vertical relationships between departments and their portfolio minister(s) led to a situation where the former “became less concerned with the collective interest of the government and more concerned with producing the outputs desired by their respective portfolio minister(s)”. This had a negative impact on inter-departmental co-ordination (ibid.). The act of co-ordination is itself affected by the normative frameworks in which it is embedded. In their study on networks on public administration, Isett et al. (2011, p.164) highlight the importance of policy context, noting that networks are “shaped and constrained by institutional rules as well as regulatory procedures and norms that are specific to the policy arena”.

Other factors of a more organisational character affect national-level synergies. The implementation of a single MEA is, in many cases, supported by various national focal points who may be housed by different ministries, agencies and/or departments. This picture becomes more complex when other MEA processes are taken into account. Co-location within the same building facilitates regular contact (Van Toen, 2001). Dispersion across different ministries/agencies may result in a sound division of labour, common pooling of resources and shared ministerial

responsibility; but co-ordination problems may arise when lines of communications between ministries/agencies are weak (Boyer et al., 2002). Examining synergies between biodiversity, land degradation and climate change in a community forestry project in Romania, Stringer et al. (2009) observed that limited communication between ministries in charge of implementation of the United Nations Convention to Combat Desertification (UNCCD) and the CBD, stemming from the sectoral operation of Romanian government ministries, hampered synergies between the two regimes.

2.3.3.1.2 Political factors

The relationships between the elemental organisations of a regime complex are shaped by political factors which are nicely captured by Abbott et al. (2013, 2012) in their framework for exploring the strategies and growth rates of organisations in conditions of institutional proliferation.

Abbott et al. notice that organisations pursue substantive (e.g. conservation of biological diversity) and organisational (e.g. survival, autonomy and influence) goals. Two or more organisations are in harmony when they regard their substantive and organisational goals as complementary or, at least, compatible. They enter into discord when they perceive that their substantive and/or organisational goals are conflicting. In conditions of actual or potential discord, the strategic choices of organisations will be determined by three factors: relative power, adaptive opportunities, and strategic flexibility. Relative power relates to the material, ideational and/or positional asymmetries among regimes (see also Perez, 2006). Adaptive opportunities in a dense institutional environment allow an organisation to (re-)focus its activities on areas where there is limited overlap or discord. Strategic flexibility has to do with the ability of an organisation to pursue adaptive strategies. This characteristic is determined by the autonomy of the organisation and its adeptness to locate policy niches in which it can prosper. It is thus related to the comparative advantages it enjoys vis-à-vis competing organisations (see UNU, 1999).

The three strategies that, according to Abbott et al., organisations may pursue when regime density creates discord, are competition, mutual adjustment and adaptive adjustment (see also Gehring and Faude, 2013). When organisations opt for competition, one of them will dominate if differences in power are substantial. Mutual adjustment strategies may involve symmetric or adverse asymmetric adjustments, depending on whether costs are distributed more or less equally. Symmetric adjustments will occur when organisations have comparable power. Otherwise, the more powerful organisation will be less willing to co-operate out of concern that it might get a smaller slice of the pie (UNU, 1999). Weak organisations which are unable to compete and cannot bear the costs of adverse asymmetric adjustment will pursue unilateral strategies of adaptive adjustment, generally by finding and securing a functional niche in the regime complex. To adjust or adapt, weak organisations not only depend on the existence of adaptive opportunities, but also on their own strategic flexibility. If both conditions are absent, weak organisations will be forced to exit. Abbott et al. note that strategies of mutual and adaptive adjustment seek to avoid or reduce conflict, whereas competition strategies do not.

Other than organisational politics, individual personalities can influence the way in which two regimes interrelate (see also section 2.3.1.2). Kaufmann (1980) notes, for instance, that UN debates and decisions are significantly affected the personalities of national delegates. Discussions on synergies, whether in UN venues or elsewhere, may not be alien to this observation.

Political factors also affect the creation of synergies between environmental regimes at the national level. Many studies on MEA implementation have referred to the lack of co-ordination among agencies and officials with MEA responsibilities as one of the major impediments to more coherent implementation (e.g. Chasek et al., 2011; Masundire, 2006; Mouat et al., 2006; Van Toen, 2001). In many cases, lack of co-ordination is explained by political disputes and turf wars, especially when cross-sectoral interactions are involved. The different segments of an administration not only have their own cultures and routines, but are inclined to defend their competences, resources and autonomy from outsiders (Jordan and Lenschow, 2010). Van Toen (2001) noticed that in some countries of the Asia Pacific region, ministries of foreign affairs participating in MEA negotiations failed to involve MEA implementation agencies and to share information with them. Co-

ordination problems are sometimes caused by the same organisational structures supporting MEA implementation (see section 2.3.3.1.1.2).

Leadership can play a key role in realising national-level synergies. Individual policy entrepreneurs within governmental bureaucracies, political parties, NGOs and expert communities have facilitated transitions towards more sustainable water management in the Netherlands, the United States, China and Germany, respectively (see Meijerink and Huitema, 2009). Pittock (2011), examining synergies between climate and non-climate sectors (energy, water, and biodiversity conservation) in nine jurisdictions, identified engagement of senior government leaders as an important enabling factor.

2.3.3.1.3 Cognitive and executive factors

Cognitive factors shaping integration processes in regime complexes are difficult to disentangle. Empirical observations generally suggest that processes of diffusion and learning leading to shared knowledge improve synergy among associated regimes (Oberthür and Stokke, 2011). Common frames of reference may counteract the lack of political will, path-dependency, institutional lock-in and strong vested interests that hinder regime integration (Gupta and Sanchez, 2012). Processes of diffusion and learning are strongly associated with the political saliency of interplay issues, which increases in situations of crisis or amid growing evidence of potential hazards (Jordan and Lenschow, 2010). Both shared knowledge and political saliency are considered important conditions for successful management of regime interplay (see Oberthür and Stokke, 2011).

The interplay of public and private regimes for sovereign debt restructuring, as discussed by Josselin (2009), illustrates some of the cognitive factors affecting regime inter-linkages. Between the early 1980s and the mid-1990s both regimes (associated with the Paris and London Clubs respectively) helped restructure large amounts of sovereign debt in spite of existing normative tensions. Josselin explains that repeated interactions between public and private officials generated shared understandings and enabled alignment around common objectives. The 1994 Mexican economic crisis brought to the fore the normative inconsistencies between

the two regimes. This, according to Josselin, reflected uncertainties regarding burden-sharing amid a proliferation of actors and instruments in sovereign lending. Uncertainties were eventually reduced through an improved dialogue between Paris Club creditors and private investors.

The executive capacities of international organisations to manage regime interplay are relatively limited. Scholars have noticed an international governance dilemma whereby the growing functions that international organisations are expected to fulfil are not accompanied by the provision of the authority and resources required to support the development and implementation of international law (Eberlein and Newman, 2008; Keohane, 2001). Until recently, UNEP was perceived as the archetype of this capacity gap. Envisaged to be the global authoritative voice for the environment, UNEP has fallen short in its mandate to co-ordinate environmental activities throughout the UN system (Ivanova, 2007, 2005). Within the UN hierarchy, UNEP has less independence and authority than UN specialised agencies and related organisations such as the WTO. At the same time, while enjoying the same status than other UN programmes, e.g., the United Nations Development Programme (UNDP), UNEP has a comparatively smaller budget (Ivanova, 2007). These asymmetries, however, may be corrected as UNEP is upgraded (see Chapter 1). In most cases, it is mainly through cognitive means that international organisations can exert influence on regime interplay. To illustrate, the WTO Secretariat, the bureaucratic component of the WTO's organisational machinery, has been able to shape the overlap between trade and environmental regimes through expertise-based authority, institutional memory, social networks, and strategic marketing (Jinnah, 2010).

The cognitive and executive aspects of interplay management at the national level achieve visibility when approached as capacity building issues (see section 2.3.3.1 above). As defined by Ohiorhenuan and Wunker (1995, p.3), capacity building "is concerned with creating or enhancing a society's ability to perform specific tasks". They distinguish four dimensions of capacity building: 1) human resources, 2) organisational processes; 3) physical resources; and 4) support generation. Human resources comprise the technical, administrative, professional and management skills of staff. Training is an elemental aspect of this dimension, and scholars and practitioners have recognised its importance for more coherent implementation of MEAs (e.g. Boyer et al., 2002). Van Toen (2001) observed that MEA officials in the

Asia Pacific region often had little knowledge and time to develop synergies in national implementation.

Organisational processes relate to the management capabilities and internal procedures of ministries/agencies. Organisational cultures and preferences may be included in this category as they have consequences for the management of regime interplay. For example, Stringer et al. (2009) observed that synergies in the implementation of the Rio Conventions in Romania were compromised by organisational structures and habits (inherited from the country's Communist past) unsympathetic to participatory processes.

Physical resources in Ohiorhenuan and Wunker's framework relate to material aspects, most notably, financial capacities. Van Toen (2001) noticed that limited financial resources were one of the main obstacles that Asia-Pacific countries faced to improve synergies among MEAs. Infrastructure capacities may also be considered among the physical resources associated with capacity-building. Knowledge management systems are considered important tools for generating synergistic solutions in the implementation of MEAs (see Chasek et al. 2011). In many cases, however, data collection and information exchange is deficient, the knowledge collected is not adequately used to build institutional memory, information bases are fragmented, and unconnected data sets lead to duplication of efforts (Chasek et al. 2011; Stringer et al., 2009; Mouat et al., 2006).

Support generation, according to Ohiorhenuan and Wunker, means ensuring participation and commitment of stakeholders. Activities associated with communication, education and public awareness fit in this category. Van Toen (2001) found that in countries of the Asia Pacific region awareness and understanding of the links between environmental issues was poor, or fair at best, among civil society and politicians alike, with negative implications for MEA inter-linkage activities.

Capacity-building is crucial for improved management of regime interplay at the national level, but its effects can be limited in the absence of a long-term perspective that ensures the sustainability of capacity (Boyer et al., 2002; Paul, 1995). In many developing countries, capacity utilisation becomes an issue after capacities have been created (see Kok et al., 2008; Boyer et al., 2002). Moreover, EPI studies in domestic arenas show that learning often comes from political crises

triggered by external shocks, and not in response to deliberate attempts to change actors' cognitions (see Jordan and Lenschow, 2010).

2.3.3.2 Vertical aspects

Factors affecting how vertical influence travels from the global to the national level and vice versa can be approached using Underdal's (2000a, 2000b) framework for examining the formation of national preferences and the implementation of international (environmental) agreements. The framework distinguishes three different models to predict and explain negotiating positions and implementation records. These three models help visualise the variables that determine whether national governments seek to influence the direction of global governance in regime complexes and whether they are responsive to global attempts to influence synergies in national implementation.

The first model, which Underdal refers to as the unitary rational actor model, assumes that states are unitary actors concerned with maximising net national gains. Decision-makers assess options based on the costs and benefits to their nation. Thus, "a country will *accept* only regulations from which it expects to reap a net benefit (or at least not lose), and *comply* with an agreement it has signed only as long as compliance costs do not exceed the costs it would incur by defecting" (Underdal, 2000b, p.343, emphasis in original). This model would explain the differentiated impact of economic instruments designed by the international community to instil domestic policy change. Examining the effects of international policy instruments on reducing global rates of deforestation, Leplay and Thoyer (2011) show that international incentives can work best in countries with low and medium forest endowment than in countries with high forest cover. This is because countries with abundant forests are locked in a development path based on over-exploitation of forest resources and lack economic alternatives to pursue different development patterns (ibid.).

The domestic politics model, the second model in Underdal's typology, posits that negotiating positions and implementation records are functions of societal demand/support for environmental policies, and governmental supply of policies for

protecting the environment. Societal demand and governmental supply usually go hand-in-hand and “when significant gaps occur, they tend to be closed one way or the other, with moderate time-lags” (Underdal, 2000b, pp.375-376).

Societal demand for environmental policy is influenced by perceptions of damage and abatement costs, but two other factors are equally important, notably: 1) the values, interests, and beliefs of different segments of society; and 2) the presence and strength of actors or agents (e.g. NGOs, political parties, or the media) articulating, amplifying, aggregating and even shaping societal interests and concerns. Chasek (2010) points out that NGOs and civil society play important roles in facilitating functional communication linkages between global MEA processes and national implementation practices, and in ensuring that the operation and implementation of MEAs are attuned with local agendas.

Governmental supply of environmental policy is contingent upon four major determinants: 1) the ideological profile of the cabinet in power; 2) the relative strength of the environmental branch of government; 3) the extent to which government controls state policy; and 4) the extent to which government controls society (the latter two dimensions are relevant primarily to the analysis of implementation). As Underdal explains, the ideological profile of the government is connected with the political will to act, whereas the other dimensions – which he calls the structural variables – relate to the institutional capacity to develop and implement environmental policies. He claims that political will and institutional capacity are necessary conditions for governmental supply of environmental policies. Masundire (2006) notices that in some developing countries high-level support for the implementation of the UNCCD reflects in the incorporation of desertification concerns into national development plans or poverty reduction strategies. In these cases, desertification issues have greater chances of making inroads into the development projects funded by donors (*ibid.*).

Institutional capacity is a well-known factor affecting implementation of international environmental commitments, but also impinges upon upstream policy-making processes, including agenda setting, framing, analysis and policy development and design (Sagar and VanDeveer, 2005). MEA meetings require 100 days of negotiations annually (Chasek, 2010). This creates a burden especially for developing countries which cannot have representation at all meetings (sometimes, however, as Schermers and Blokker (2011) note, countries fail to attend not

because of low capacity, but due to lack of interest or because international bodies are not considered competent authorities to address the matter in question). Delegations of developing countries attending MEA meetings are often small in size and lack the diplomatic and technical skills that negotiations require (Masundire, 2006; Boyer et al., 2002). They are sometimes composed of staff from the missions and embassies of the country where meetings are held (ibid.). Problems of representation prevent full participation in negotiations, especially when contact groups are involved, and limit the influence of developing countries on international policy (Masundire, 2006). Those problems have implications at the subsequent stage of implementation because, as Masundire (2006) notices, delegations come back to their home countries with incomplete information about MEA implementation requirements. In some cases, states deliberately abstain from advancing or supporting a policy due to their potential financial implications (Kaufmann, 1980).

At this point it is important to distinguish between a country's capacity to improve coherence in the implementation of overlapping regimes (capacity to develop horizontal linkages) and its capacity to interlace these activities with upstream policy integration processes in regime complexes (capacity to develop vertical linkages). Countries may co-ordinate implementation activities for domestic policy purposes and not always in the pursuit of global environmental goals. In such cases, capacity needs to develop horizontal and vertical linkages may differ, hence the importance of capacity-building efforts to consider the concerns of both suppliers/donors and users/recipients (Sagar and VanDeveer, 2005).

The third model in Underdal's framework, the social learning and policy diffusion model, emphasises the ideational foundations of policy-making and policy-implementation processes. As Underdal (2000a p.75) explains, "while models I and II both see *decision-making* as the essence of the policy process, our third model focuses primarily on processes of *searching, learning* and transnational *diffusion* of knowledge and ideas" (emphasis in original). Information data collection and sharing has been highlighted as one of the main challenges in the implementation of MEAs in the Pacific Islands (Chasek, 2010) and has also been signalled as an implementation barrier in African countries (see Gray, 2003).

The three models for conceptualising negotiating behaviour and compliance are not mutually exclusive. As Underdal (2000a, p.82) points out, the question "is not which

model is 'true' but rather *how much* of the variance observed can each of them account for" (emphasis in original). The three models draw attention to different factors the saliency of which is likely to vary depending on context.

2.4 Concluding remarks

Morin and Orsini (2013a) have observed that regime complexes create a problem of policy coherence at the national level. They suggest that regime complexes and policy coherence co-evolve, meaning that changes at one level trigger adjustments at another. Because they perceive policy coherence as a problem of foreign policy, Morin and Orsini fall short of explaining whether regime complexes and public policies (national implementation arrangements) display similar co-evolution patterns. This matter is of particular saliency in areas of environmental and sustainable development governance where the perceived fragmentation of institutions within and across jurisdictional levels has led to recurrent calls for institutional reform (see Ivanova, 2012; Bernstein and Brunnée, 2011). This research aimed to analyse the inter-connections between regime complexes and (public) policy coherence to assess the extent and determinants of co-evolution.

In this chapter, an approach was proposed to examine the co-evolution of regime complexes and policy coherence from a public policy perspective. According to it, in conditions of regime complexity, policy integration processes at the global level are dynamically inter-linked to policy coherence outputs at the level of national implementation. The coherency of governance as a whole is shaped by this interaction.

Based on studies on cross-level interplay (Young, 2006) and multi-level politics (Benz and Eberlein, 1999), this chapter claimed that co-evolution requires differentiation of decision-making arenas (i.e. a separation of global and national governance systems) and their subsequent coupling through enabling modes of management such as information exchange, communication and persuasion. Co-evolution should result in positive system change or coherent governance. Building on these propositions, this chapter developed a framework for the analysis of co-

evolution in conditions of international regime complexity. The framework provides analytical elements to explore 1) whether policy integration processes and policy coherence outputs (separated through patterns of differentiation) display similar evolution patterns; 2) how they are inter-connected (through loose coupling); and 3) what the challenges and barriers to co-evolution are (determinants of positive system change). The three components of the model aimed to elucidate whether (first research objective), how (second research objective), and under what conditions (third research objective) regime complexes and national implementation systems co-evolve.

To assess whether policy integration processes and policy coherence outputs are congruent, the framework compares the policy goals and institutional arrangements of the regime complex with the policy objectives and implementation arrangements of the political units. Policy goals and objectives are assessed based on whether they seek to enhance synergy in the operation/implementation of the constituent regimes of the complex, and whether synergy involves co-exploitative and/or co-explorative undertakings (Parmigiani and Rivera-Santos, 2011). The correspondence between institutional and implementation arrangements is considered by examining how they differ in terms of polity (structures for co-ordination), politics (ability of individual and/or organisational actors to exert influence) and policies (instruments and modes of management).

The framework then examines how regime complexes and national implementation systems become loosely coupled by analysing how global governance influences domestic policy (either through normative means or through cognitive and utilitarian pathways) and how domestic developments shape the direction of global governance (through foreign policy channels). Positive feedback loops emerge when influence runs back and forth between governance levels (Karlsson-Vinkhuyzen, 2012).

Since co-evolution requires independent evolutions in the first place (patterns of differentiation precede loose coupling), the drivers of, and barriers to, policy integration and policy coherence need initial consideration when factors affecting the co-evolution of regime complexes and national implementation systems are examined. Loose coupling challenges should next be considered. The co-evolution framework suggests that policy integration processes in regime complexes are determined by the degree of fragmentation of governance architectures (Biermann

et al., 2009b), the autonomous institutional arrangements of the elemental regimes (Churchill and Ulfstein, 2000), organisational strategies to manage discord (Abbott et al., 2013, 2012), the development of cross-institutional knowledge (Oberthür and Stokke, 2011) and institutional capacity (Eberlein and Newman, 2008; Keohane, 2001). Policy coherence in national implementation, in turn, is shaped by the degree of ministerial independence or horizontal fragmentation of the political system (Jordan and Lenschow, 2010); the extent of dispersion of national focal points within and across ministries/agencies (Boyer et al., 2002; van Toen, 2001); turf battles and political leadership (Jordan and Lenschow, 2010; Bardach, 1996); as well as human, technical, financial and communicative capacities (Chasek et al., 2011; Masundire, 2006; Mouat et al., 2006; Boyer et al., 2002). Determinants of loose coupling include cost-benefit calculations of state actors, domestic politics, and social learning and policy diffusion processes (Underdal, 2000a, 2000b). Tackling barriers to loose coupling is critical for enhancing co-evolution: effective loose coupling ensures that problems of policy integration and coherence are addressed in a co-ordinated manner with a view to more cohesive evolutions.

Ensuing chapters apply the co-evolution framework to the cluster of biodiversity-related conventions and the implementation of its constituent regimes in LAC countries to assess problems of coherent governance.

3 Research design and methodology: Exploring the co-evolution of the biodiversity cluster and national implementation systems in LAC

This chapter discusses the methodology employed to examine the co-evolution of regime complexes and national implementation systems. The first section underlines the philosophical assumptions guiding this research. The second section explains the research strategy justifying why the biodiversity cluster and the implementation of its constituent regimes in LAC were selected as empirical area of focus. Methods for data collection and analysis are explained next, followed by a discussion of ethical issues and methodological limitations. A summary of the chapter is provided in a concluding section.

3.1 Philosophical worldview

This study embraces pragmatism as research philosophy. Pragmatism is a theory of thought and action founded on the primacy of practice (Hellman, 2009). It is problem-centred, pluralistic and real-world practice oriented (Creswell, 2009). Theory is “a belief held to be true, or, more pragmatically still, a tool to think about thought and action which is held to enable us to cope better” with the problem at hand (Hellmann, 2009 p.639). Indeed, “such philosophy teaches us to think of the practical consequences that will follow the acceptance of a belief” (Bertilsson, 2004, p.375).

For pragmatists, what matters is the methodological question of methods as tools for science and, more specifically, the adequacy of methods to the problem of focus (Kaag and Kreps 2012; Hellmann, 2009). Following Friedrichs and Kratochwil (2009), this study views “pragmatism as the reflexive practice of discursive communities of scholars... and pragmatism as a device for the generation of useful

knowledge... are two sides of the same methodological coin” (ibid.). The approach and framework for examining co-evolution of regime complexes and national implementation systems relies on contributions from different disciplines to advance understanding of the problem and generate policy-relevant knowledge.

3.2 Research strategy

The logic of enquiry developed by the founder of American pragmatism, Charles Sanders Peirce (1839–1914), served as the specific research strategy to approach the problem of co-evolution of regime complexes and national implementation systems. Friedrichs and Kratochwil’s (2009) abduction strategy provided complementary insights. As explained by Zaiotti (2013), Peirce’s logic of enquiry consists of three interrelated steps: abduction, deduction and induction. Abduction is “an act of insight” conducive to the formulation of “reasonable (working) hypothesis” (Bertilsson, 2004, pp.376-377). It recognises “individual sensation in knowing” and implies that nothing new can be learned by framing reality with concepts that express disciplinary conventions (Rytövuori-Apunen, 2009, p.644). A field of research is characterized by the confluence of concepts that transcend professional bodies of knowledge (Friedrichs and Kratochwil, 2009). It can be divided into a number of subfields or domains through further conceptual distinctions (ibid.). Abduction proceeds in a way whereby “[c]ore concepts and the field, as well as conceptual distinctions and domains, are mutually constitutive” (ibid., p.717). The co-evolution framework presented in Chapter 2 is exemplary of this abduction process.

Deduction is the second step in Peirce’s logic of enquiry. It “consists in figuring out the plausible consequences that would result from the acceptance of a working hypothesis” (Zaiotti, 2013, no pagination). In exploring the veracity of an abductive inference, the pragmatic researcher will normally focus on either the most important or the most typical cases in the field of research (Friedrichs and Kratochwil, 2009). Here, the framework for examining the co-evolution of regime complexes and national implementation systems is empirically applied to the cluster of biodiversity-related conventions and the implementation of its constituent regimes in LAC. The

importance of examining co-evolution in biodiversity governance was explained in the introduction chapter and is further discussed in the next section.

The final stage in Pierce's logic of enquiry is induction or the validation of the working hypothesis through some form of experimentation (Zaiotti, 2013). Induction occurs when the researcher relates empirical observations to the original abductive inference. Specific data analysis techniques are used in this study to contrast empirical findings to theoretical propositions (see section 3.3.2). Through this exercise, the co-evolution framework is revisited and its practical consequences assessed.

3.3 The cluster of biodiversity-related conventions and national implementation systems in LAC

The cluster of biodiversity-related conventions (see Table 3.1) was selected as empirical area of focus for several reasons. First, studies on regime interplay in IEG have focussed on a limited number of areas, namely, global climate, oceans, and subject areas falling in the intersection of trade and environmental regimes (Oberthür and Gehring, 2011). Biodiversity has been identified as an area where further empirical research is needed (ibid.). Second, the on-the-ground effects of international conservation policies are little understood (Ferraro and Pattanayak, 2006). Third, there is growing concern over the need to mainstream biodiversity issues into all areas of decision-making and economic sectors (see Chandra and Idrisova, 2011; TEEB, 2011; CBD Secretariat, 2010; Rands et al., 2010; UNEP, 2010). Limited biodiversity mainstreaming is considered one of the main drivers of biodiversity loss (CBD Secretariat, 2010). Nevertheless, the current focus on inter-sectoral integration downplays the importance of intra-sectoral integration for effective biodiversity mainstreaming (see Ugland and Veggeland (2006) in a food safety policy context). Fourth, the literature has examined regime complexes characterised by institutional competition (e.g. Margulis, 2013; Struett et al., 2013; Helfer, 2009) or where divisions of labour have been established (e.g. Gehring, 2011; Stokke, 2011), disregarding other governance systems displaying more synergistic interaction. The biodiversity cluster is one of these systems as is

apparent from its high levels of inter-treaty co-ordination (see Caddell, 2011). Synergies among biodiversity-related conventions have been the focus of a relatively large number of studies (e.g. UNEP-WCMC, 2012; Baakman, 2011; Caddell, 2011; Simon, 2011; Jóhannsdóttir et al., 2010; Jardin, 2010; Andresen and Rosendal, 2009; Urho, 2009), but national-level synergies have only been examined in the context of the implementation of the Rio Conventions and other MEAs (e.g. Chasek, 2010; Masundire, 2006; Van Toen, 2001). Fifth, empirical observations suggest that synergies in the biodiversity cluster have developed more rapidly than national-level synergies (see Jardin, 2010; Masundire, 2006). The cluster thus provides an ideal setting to explore co-evolution dynamics.

Table 3.1 The cluster of biodiversity-related conventions

| | Convention | Date of adoption | Date of entry into force |
|--------------------------------------|--|-------------------------|---------------------------------|
| First generation conventions | Convention on Wetlands of International Importance Especially as Waterfowl Habitat (the Ramsar Convention) | 2 February 1971 | 21 December 1975 |
| | Convention Concerning the Protection of the World Cultural and Natural Heritage (WHC) | 16 November 1972 | 17 December 1975 |
| | Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) | 3 March 1973 | 1 July 1975 |
| | Convention on the Conservation of Migratory Species of Wild Animals (CMS) | 23 June 1979 | 1 November 1983 |
| Second generation conventions | Convention on Biological Diversity (CBD) | 22 May 1992 | 29 December 1993 |
| | International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) | 3 November 2001 | 29 June 2004 |

LAC was considered a suitable region to examine national implementation of biodiversity-related conventions MEAs. The region is considered a “biodiversity superpower” on account of its natural capital, with the potential to becoming the world leader in the provision of biodiversity and ecosystem services (Bovarnick and Alpizar, 2010). Governments in the region have thus powerful incentives to support

biodiversity conservation. Moreover, 9 LAC countries (Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Peru and Venezuela) are members of the Group of Like-Minded Megadiverse Countries, a mechanism for consultation and co-operation that brings together the most biologically diverse countries of the world. The group was established in 2002 with the aim of advancing common interests and priorities related to the conservation and sustainable use of biodiversity (CBD, 2002). Taken together, LAC countries comprise more than 47% of the membership of the group (19 countries as of June 2011), which reveals their relative weight in international biodiversity policy.

The biodiversity cluster is portrayed in this research as the nucleus of the regime complex for biodiversity protection. To justify this approach, it is first necessary to situate the cluster within the broader international governance system for biodiversity. It is estimated that there are at least 150 MEAs relating to biodiversity (see Knigge et al., 2005). In addition, a number of inter-governmental organisations deal with issues that have relevance to biodiversity (see van den Hove and Chabason, 2009). At the core of the system is the CBD, a framework agreement that establishes the wider context in which more specific biodiversity-related instruments should be implemented (McGraw, 2002). Based on Wilson (2008), three zones of interplay in the international governance system for biodiversity can be noticed: 1) a close zone, where interaction between the CBD and other institutions primarily concerned with the conservation and sustainable use of biological diversity unfolds; 2) a cognate zone of interaction between the CBD and institutions addressing different but cognate issues such as climate change or desertification; and 3) and a remote zone, where interaction between the CBD and institutions focussing on very different issues, for example trade liberalisation, takes place (see Figure 3.1). The regime complex for biodiversity protection can be initially located in the close zone of interplay of the system. Scholars and practitioners recognise six major MEAs interacting in this zone, namely, the CBD, the Ramsar Convention, the WHC, CITES, the CMS, and the ITPGRFA (UNEP-WCMC, 2012; Urho, 2009). These conventions (which make up the so-called cluster of biodiversity-related conventions) form the nucleus of the regime complex for biodiversity protection. The six conventions are briefly described next based on information available from the conventions' websites (for a more detailed discussion, see Appendix A).

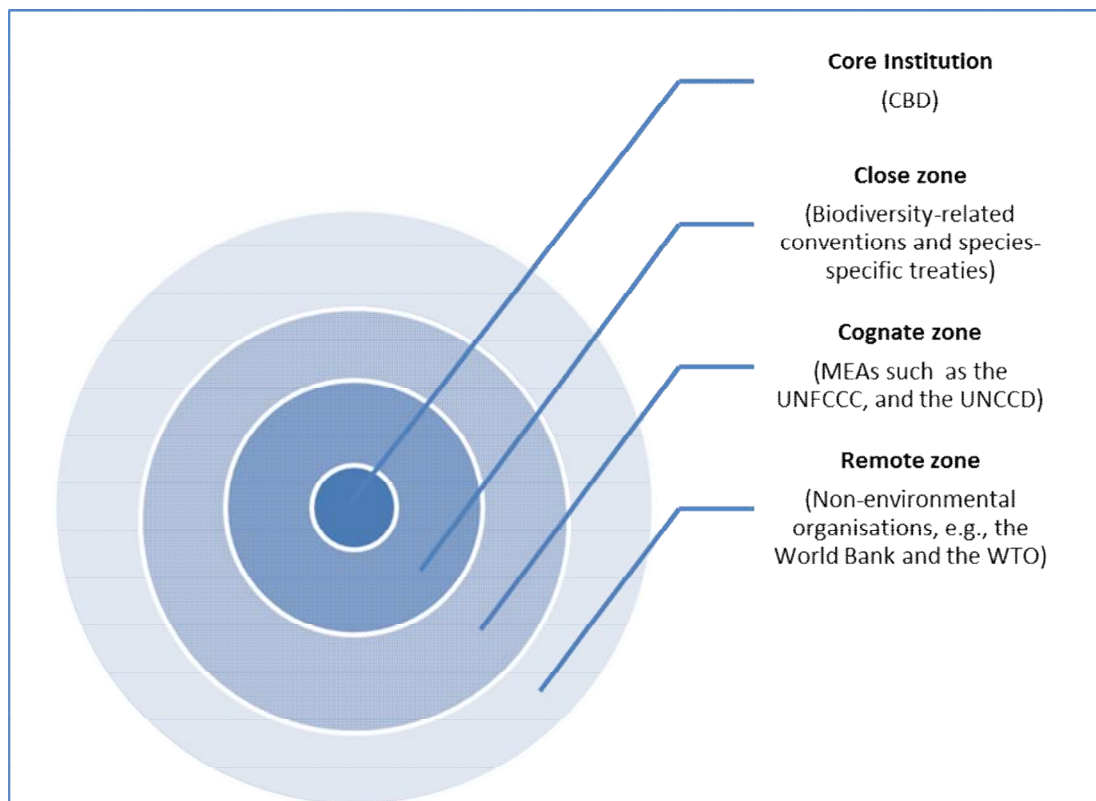


Figure 3.1 Zones of interplay in the international governance system for biodiversity

The CBD has 193 parties to date (November 2013). It pursues three objectives: 1) the conservation of biological diversity; 2) the sustainable use of its components; and 3) the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources (Article 1). On a substantive level, parties to the convention have two general obligations: 1) to develop national strategies, plans or programmes for the conservation and sustainable use of biodiversity, or adapt existing instruments to this purpose; and 2) to integrate biodiversity considerations into sectoral and cross-sectoral strategies, plans or programmes (Article 6). The CoP is the central plenary organ of the convention. Its work is supported by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and a permanent secretariat administered by UNEP.

The Ramsar Convention, which owes its name to the Iranian city where it was adopted, comprises 168 parties. It provides a framework for national action and international co-operation for the conservation and wise use of wetlands. Parties are required to designate suitable wetlands within their territories for inclusion in a

List of Wetlands of International Importance as well as considering their international responsibilities for the conservation, management and wise use of migratory species of waterfowl when selecting wetlands for inclusion in the List (Article 2). Parties shall promote the conservation and wise use of wetlands and waterfowl populations through national land-use planning, nature reserves, management actions, and public education and training. Co-operation is encouraged in cases of transboundary wetlands or shared wetland systems. The main bodies of the convention are the CoP, the Standing Committee, the Scientific and Technical Review Panel and the Ramsar Secretariat, housed by the International Union for Conservation of Nature (IUCN).

The WHC has 190 parties committed to identifying, protecting, conserving, presenting and transmitting to future generations the cultural and natural heritage situated within their territories (Article 4). General obligations include the integration of heritage protection into planning programmes; the establishment of services and staff for the protection of heritage sites; developing scientific and technical research to address conservation threats; taking appropriate measures for the conservation of heritage properties; and maintaining training centres for the protection of such heritage (Article 5). Heritage sites of outstanding universal value are inscribed in the World Heritage List (Article 11). The World Heritage Committee reviews implementation of the Convention and its work is overseen by the General Assembly of States Parties to the Convention. The World Heritage Centre, administered by UNESCO, provides secretariat services.

CITES, with 179 parties, regulates the international trade in specimens of wild animals and plants. Species protected by CITES are listed in three Appendices: Appendix I includes threatened species the trade of which should be authorised only in exceptional circumstances; Appendix II features species which may face a threat to their survival if their trade is not regulated, as well as “look-alike” species; Appendix III contains species subject to regulation in specific countries that require international co-operation so that their trade is effectively controlled (Article II). Trade in CITES species is based on a system of permits and certificates issued by the appropriate national authorities. The CoP is the governing body of the convention. Other treaty organs include the Standing Committee, the Animals and Plants Committees, and the CITES Secretariat (administered by UNEP).

The CMS aims to conserve migratory species and their habitats. Migratory species protected by the treaty are included in two Appendices: endangered species are listed in Appendix I and those with an unfavourable conservation status are inscribed in Appendix II. The 119 parties to the convention are expected to take appropriate measures for the conservation of migratory species in general, provide immediate protection for Appendix-I species, and conclude (formal) Agreements for the conservation and management of species in Appendix II (Article II, par. 3). Parties are further encouraged to negotiate agreements (whether legally binding or not) for the protection of any species that cross one or more national jurisdiction boundaries (whether or not included in the Appendices of the Convention) (Article IV, par.4). The convention operates through four permanent bodies: the CoP, the Standing Committee, the Scientific Council and the Secretariat (under the auspices of UNEP).

The ITPGRFA promotes the conservation and sustainable use of plant genetic resources for food and agriculture, and the fair and equitable sharing of the benefits arising out of their utilisation, “in harmony with the Convention on Biological Diversity” (Article 1.1). Parties to the treaty (131 to date) are required to promote an integrated approach to the exploration, conservation and sustainable use of PGRFA (Article 4) and develop appropriate legal and policy measures for the sustainable use of those resources (Articles 6). They are encouraged to take measures to protect the rights of local communities and farmers on account of their contribution to the on-going development of the diversity of crops that feed the world (Article 9). The treaty provides the establishment of a Multilateral System of Access and Benefit-Sharing comprising a group of selected crops that are freely available to potential users for purposes of research, breeding and training. Recipients of the genetic materials agree to share any benefits derived from their use through four possible mechanisms: exchange of information, access to and transfer of technology, capacity-building, and sharing of monetary and other benefits of commercialisation (Article 13). The Governing Body is the decision-making organ of the treaty. Day-to-day administration of the convention is run by a Secretariat hosted by FAO.

The biodiversity cluster displays the six defining characteristics of a regime complex as outlined in Chapter 2. First, the principles, norms, rules and decision-making procedures of its constitutive regimes exhibit some degree of divergence. Morin and Orsini (2013a, p.42) observe that, within the regime complex for

biodiversity protection, there are internal tensions between “anthropocentric and ecocentric principles, conservationist and preservationist norms, ecosystemic and species-specific rules, as well as voting and consensus-seeking procedures”. These tensions derive from different approaches to biodiversity: the first-generation conventions adopted in the 1970s are essentially focussed on conservation, whereas the second-generation conventions concluded during and in the aftermath of the 1992 Earth Summit embrace sustainable development agendas (Jardin, 2010; McGraw, 2002). Orsini et al. (2013) suggest that the existence of divergence, if successfully managed, creates non-diverging relations. A study by the Ministry of the Environment of Finland, supported by expert interviews and workshops, observed that the six conventions of the biodiversity cluster are making efforts to ensure co-operation among biodiversity-related instruments, and perceive each other as favourable co-operation partners (see Urho, 2009).

Second, the biodiversity cluster comprises six elemental regimes, well above the minimum number (three) necessary to create a social network. The CBD is the core institution of the cluster. Figure 3.2 illustrates the density and centralisation of institutional relationships in the cluster as emerging from the formal co-operative agreements between its constituent regimes.

Third, the biodiversity cluster addresses a specific subject matter which is narrower in scope than the issue-areas governed by its elemental regimes. Biodiversity conservation is at the core of the mandates of the six conventions of the cluster. Nevertheless, at least four conventions pursue broader objectives. The CBD is perceived as a sustainable development convention (McGraw, 2002), the WHC protects both natural and cultural heritage, CITES is sometimes considered both a protectionist and a trading treaty (Lyster, 1985), and the ITPGRFA sees food security as an overriding concern. The Ramsar Convention and the CMS are more conventional conservation instruments. The governance domains of the biodiversity-related conventions intersect with the issue-areas of regimes and organisations beyond the biodiversity cluster, making the conventions part of other regime complexes (Orsini et al., 2013).

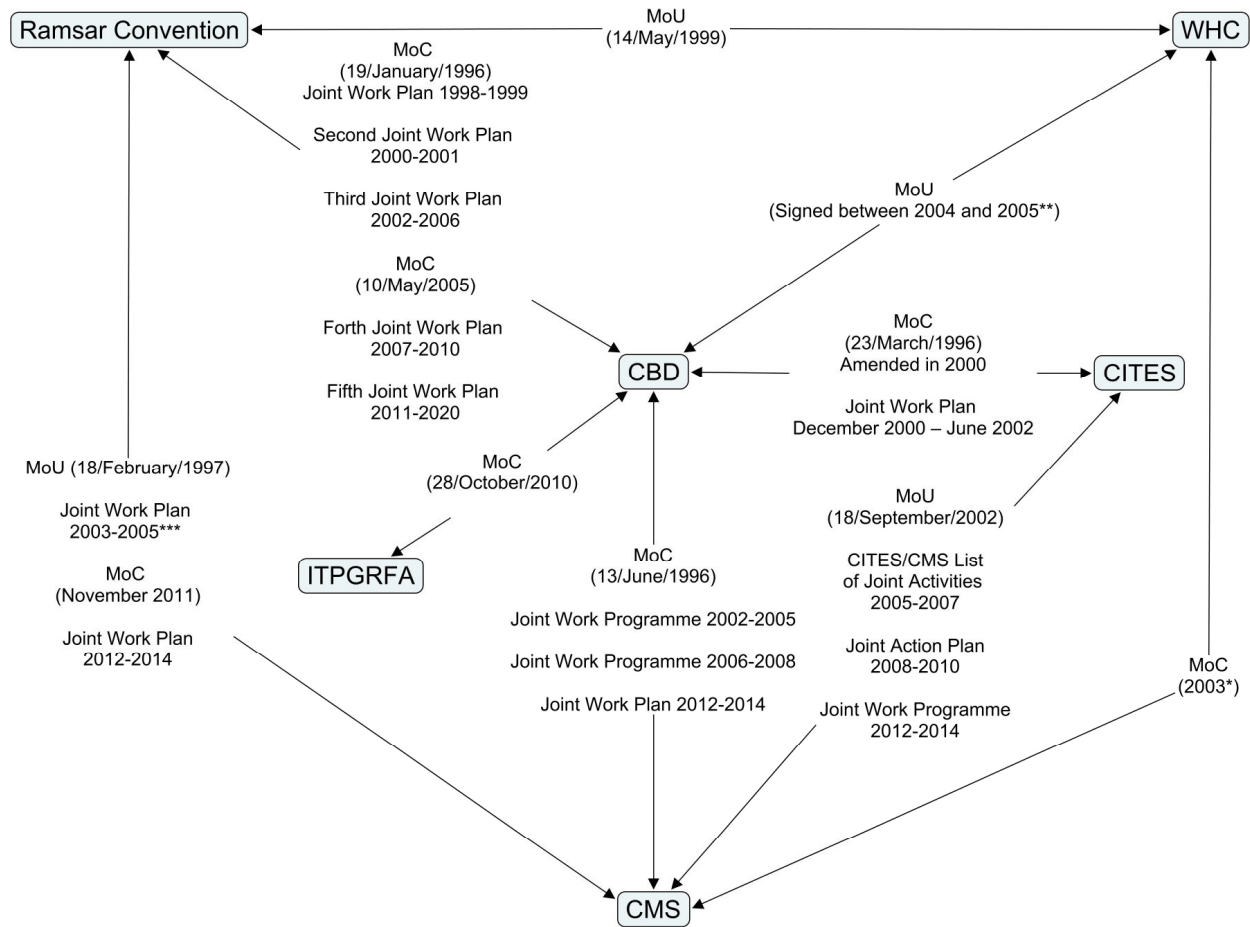


Figure 3.2 Inter-linkages in the biodiversity cluster as emerging from formal co-operative agreements

* The MoU was signed by UNESCO (covering both the WHC and the Man and the Biosphere Programme) and CMS (WHC Doc WHC-09/33.COM/5C).

** A note by the CBD Secretariat dated 10 December 2003 indicated that a MoC was being developed with the World Heritage Centre (CBD Doc UNEP/CBD/COP/7/19). At the 29th session of the World Heritage Committee (2005), the World Heritage Centre reported that a MoU had been signed with the CBD (WHC Doc WHC-05/29.COM/INF.5). A copy of the memorandum could not be obtained.

*** The Joint Work Plan also committed the Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), one of the CMS Regional Agreements.

Fourth, the constituent elements of the biodiversity cluster have memberships which overlap to some extent. The CBD and the WHC have virtually reached universal participation, with 193 and 190 parties respectively. CITES (179 parties) and the Ramsar Convention (168 parties) have lagged slightly behind. The ITPGRFA (131 parties) and the CMS (119 parties plus 34 countries participating in regional agreements concluded under the CMS umbrella) have attracted fewer countries, but the size of their memberships is still significant. Overlapping memberships have been noticed in the literature. Masundire (2006), for instance, observed that most African states are parties to the CBD, the WHC and CITES. This study similarly found that 25 out of 36 countries of the LAC region are part of at least four biodiversity-related conventions (mainly the CBD, the Ramsar Convention, the WHC and CITES; see Section 3.3 below).

Fifth, the biodiversity-related conventions are engaged in institutional interaction. Orsini et al. (2013) suggest that the elemental regimes of a complex need to interact with at least one of their counterparts. They notice that, while interacting regimes stand at the same level from a legal perspective, their interactions may be affected by political and ethical hierarchies. The specific governance domains of the non-CBD biodiversity-related conventions are functionally nested into the broader issue-area governed by the CBD. That has created some degree of institutional nestedness. Powers et al. (2007) suggest that the degree to which an institution is nested into another may vary from complete nestedness (when one institution is fully embedded in a broader institution) to partial nestedness (when one institution incorporates elements of another, potentially has components which no other institution possesses, and is not completely embedded in a third institution). Partial nesting is observed in the biodiversity cluster, where an incomplete, and contested, process of “CBD-ification” is taking place (see Caddell, 2011).

Sixth, policy-makers and practitioners see interactions among biodiversity-related conventions as posing a governance challenge (clustering, for instance, has long been raised as an option for streamlining governance in the cluster). As Orsini et al. (2013) point out, perceptions ultimately determine the boundaries of a regime complex. At the national level, the boundaries of the biodiversity regime complex sometimes have different framings. Masundire (2006) observes that many African

countries perceive a great deal of overlap between the objectives of the CBD and those of other biodiversity-related conventions, including the United Nations Framework Convention on Climate Change (UNFCCC) and the UNCCD, which are not normally considered constituent elements of the biodiversity cluster. These countries might see the regime complex for biodiversity protection as extending beyond the ambit of operation of the six major biodiversity-related MEAs. There is nonetheless agreement among national governments and international agencies that these six conventions stand at the centre of the international governance system for biodiversity (see Ministry of the Environment of Finland, 2010).

3.4 Materials and methods

3.4.1 Data collection

Empirical data was obtained from 1) interviews with international experts and CBD national focal points; and 2) primary (official documents, reports and proceedings) and secondary (academic research) documentary sources. Specific procedures for data collection are next described.

This study started in late 2010 as an open enquiry into the horizontal and vertical linkages between biodiversity-related institutions in the pursuit of global biodiversity targets. Plans were made to collect most empirical evidence through research interviews. As Bradshaw and Stratford (2005, p.72) suggest, interviews are “a good way to develop an in-depth understanding of the positions and issues surrounding any particular research interest”. Interviews with international experts and CBD focal points were primarily intended to retrieve information on horizontal linkages in the biodiversity cluster and at the level of national implementation, respectively. All interviews were expected to generate relevant information on vertical linkages. As the research progressed, and the argument of the co-evolution of regime complexes and national implementation systems fine-tuned, some of the information collected would be of greater value than other.

To identify potential interviewees with expertise on co-operation in the biodiversity cluster, a sample of international organisations and agencies with active participation in meetings of the biodiversity-related conventions was developed. The secretariats of the six conventions of the cluster were included in this group by default. Other organisations and agencies were included in the sample based on the following procedures. Lists of participants of meetings held between April 2002 and October 2010 were compiled from the conventions' websites. The timeframe coincides with the adoption of the 2010 Biodiversity Target at CBD CoP6 (The Hague, Netherlands, 7-19 April 2002) and its revision at CBD CoP10 (Nagoya, Japan, 18-29 October 2010). The Target marked a turning point in international biodiversity governance as it became the central focus of international biodiversity policy within the period 2002-2010. Meetings of the governing bodies of the conventions of the cluster (but not of their subsidiary bodies) were considered in the selection process. Some attendance lists could not be obtained, namely, seven lists of participants of meetings of the World Heritage Committee (26COM, 27COM, 28COM, 30COM, 31COM, 33COM, and 34COM), and two lists of participants of meetings of the CBD CoP (CoP6 and CoP7).

Eighteen out of 27 potential lists were examined. Sorted according to the parent convention, the 18 lists were distributed as follows: CITES (4), Ramsar Convention (3), CMS (3), ITPGRFA (3), CBD (3), and WHC (2). The lists were reviewed to identify the most active organisations within each forum. The analysis focussed on IGOs and international NGOs.

An international organisation was considered to have regular presence in biodiversity venues if its representatives attended at least four meetings of different conventions between April 2002 and October 2010. Eight IGOs and 9 international NGOs fell within this category (see Tables 3.2 and 3.3). The number of IGOs was effectively reduced to 7, as one of the organisations registered under the category of IGOs (the CBD Secretariat) in the lists of participants had already been included in the sample within the target group of treaty secretariats.

Table 3.2 IGOs attending high-level meetings of four or more biodiversity-related conventions over the period 2002-2010¹

| Table 3.2 IGOs attending high-level meetings of four or more biodiversity-related conventions over the period 2002-2010 | | | | | | | | |
|--|--------------------------------------|---|------------|--------------|------------|------------|----------------|--------------|
| IGO | Number of conventions visited | Number of meetings attended per convention | | | | | | |
| | | RAMSAR | WHC | CITES | CMS | CBD | ITPGRFA | Total |
| Food and Agriculture Organisation (FAO) | 4 | 3 | - | 4 | 1 | 3 | 3 | 14 |
| United Nations Environment Programme (UNEP) | 4 | 3 | - | 4 | 3 | 3 | - | 13 |
| UNEP World Conservation Monitoring Centre | 4 | 2 | - | 3 | 2 | 3 | 1 | 11 |
| Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) | 4 | 3 | - | 1 | 3 | 2 | - | 9 |

¹ Participation in eighteen meetings held between 2002 and 2010 was considered, including 3 meetings of the Ramsar CoP, 2 sessions of the World Heritage Committee, 4 meetings of the CITES CoP, 3 meetings of the CMS CoP, 3 meetings of the CBD CoP, and 3 sessions of the Governing Body of the ITPGRFA. The specific meetings covered were as follows: 1) Ramsar CoP8 (Valencia, Spain, 18-26 November 2002); 2) Ramsar CoP9 (Kampala, Uganda, 8-15 November 2005); 3) Ramsar CoP10 (Changwon, Republic of Korea, 28 October - 4 November 2008); 4) WHC 29COM (Durban, South Africa, 10-17 July 2005); 5) WHC 32COM (Quebec City, Canada, 2-10 July 2008); 6) CITES CoP12 (Santiago, Chile, 3-15 November 2002); 7) CITES CoP13 (Bangkok, Thailand, 2-14 October 2004); 8) CITES CoP14 (The Hague, the Netherlands, 3-15 June 2007); 9) CITES CoP15 (Doha, Qatar, 13-25 March 2010); 10) CMS CoP7 (Bonn, Germany, 18-24 September 2002); 11) CMS CoP8 (Nairobi, Kenya, 20-25 November 2005); 12) CMS CoP9 (Rome, Italy, 1-5 December 2008); 13) CBD CoP8 (Curitiba, Brazil, 20-31 March 2006); 14) CBD CoP9 (Bonn, Germany, 19-30 May 2008); 15) CBD CoP10 (Nagoya, Japan, 18-29 October 2010); 16) ITPGRFA GB1 (Madrid, Spain, 12-16 June 2006); 17) ITPGRFA GB2 (Rome, Italy, 29 October-2 November 2007); and 18) ITPGRFA GB3 (Tunis, Tunisia, 1-5 June 2009). Other high-level meetings celebrated between 2002 and 2010 were not considered in the analysis as no attendance lists could be obtained. These meetings include six meetings of the World Heritage Committee (26COM, 27COM, 28COM, 30COM, 31COM, 33COM, and 34COM) and two meetings of the CBD CoP (CoP6 and CoP7).

Table 3.2 IGOs attending high-level meetings of four or more biodiversity-related conventions over the period 2002-2010

| IGO | Number of conventions visited | Number of meetings attended per convention | | | | | | |
|---|-------------------------------|--|---|---|---|---|---|---|
| | | | | | | | | |
| Secretariat of the Convention on Biological Diversity (CBD) | 4 | 3 | - | 2 | 1 | - | 3 | 9 |
| United Nations University | 4 | 2 | - | 2 | 1 | 3 | - | 8 |
| United Nations Educational, Scientific and Cultural Organization (UNESCO) | 4 | 2 | - | 1 | 1 | 3 | - | 7 |
| Secretariat of the Great Apes Survival Partnership (GRASP) | 4 | 1 | - | 1 | 1 | 3 | - | 6 |

Table 3.3 International NGOs attending high-level meetings of four or more biodiversity-related conventions over the period 2002-2010²

| NGO | Number of conventions visited | Number of meetings attended per convention | | | | | | |
|--|-------------------------------|--|-----|-------|-----|-----|---------|-------|
| | | RAMSAR | WHC | CITES | CMS | CBD | ITPGRFA | Total |
| IISD - International Institute for Sustainable Development | 5 | 3 | - | 4 | 3 | 3 | 3 | 16 |
| IUCN - International Union for Conservation of Nature | 5 | 3 | 2 | 4 | 3 | 3 | - | 15 |
| WWF | 5 | 3 | 1 | 4 | 3 | 3 | - | 14 |
| Greenpeace | 5 | 1 | 2 | 4 | 1 | 3 | - | 11 |
| BirdLife International | 4 | 3 | - | 3 | 3 | 3 | - | 12 |
| IFAW - International Fund for Animal Welfare | 4 | 1 | - | 4 | 3 | 3 | - | 11 |
| FACE - Federation of Associations for Hunting and Conservation of the European Union | 4 | 1 | - | 3 | 2 | 2 | - | 8 |
| Wildlife Conservation Society | 4 | 1 | - | 4 | 1 | 3 | - | 9 |
| World Association of Zoos and Aquariums | 4 | 2 | - | 3 | 2 | 2 | - | 9 |

² Eighteen high-level meetings held between 2002 and 2010 were considered. See footnote 1.

The 16 organisations above and the 6 secretariats of the biodiversity-related conventions comprised the original interview sample (see Table 3.4). Invitations to participate in the research were sent via e-mail. Interviews were requested with at least two experts to discuss synergies in the biodiversity cluster. Invitations were accompanied by a concept note outlining the aim and scope of the research (see Appendix B). Twenty organisations responded to the invitation. Eighteen of them provided contact details of potential interviewees, with whom communication was established. The other two organisations considered the possibility of participating in the research, but interview arrangements could not be made.

In parallel, interviews were sought with CBD national focal points in 15 LAC countries to discuss synergies in the implementation of the conventions of the biodiversity cluster. This was a reasonable number considering that the region is composed of 36 states as per the World Bank's 2011 country classification. The 15 countries were selected as follows. States that are parties to four or more biodiversity-related conventions (as of April 2011) were first identified. These states (25) were then ranked according to their wealth of biological diversity (as measured by the GEF Benefits Index for Biodiversity) (see Table 3.5).

Following the same procedures applied to approach potential interviewees in international organisations, electronic communication was established with the primary national focal points to the CBD in the first 15 countries of the sample. Interviews were requested with at least two CBD focal points (as explained in Chapter 2, conventions like the CBD require the designation of more than one focal point). They were deemed to be in an appropriate position to provide an overview of synergies in the national implementation of biodiversity-related conventions in light of the CBD's nature as framework convention. Potential interviewees were reached in all countries but Venezuela. To stay within the 15-country target, contact was sought and successfully established with CBD authorities in Jamaica (the sixteenth country of the sample).

Table 3.4 Sample of international organisations contacted for interview purposes

| Secretariats of the biodiversity-related conventions | IGOs | International NGOs |
|---|--|--|
| <ol style="list-style-type: none"> 1. Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention) 2. Convention Concerning the Protection of the World Cultural and Natural Heritage (WHC) 3. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) 4. Convention on the Conservation of Migratory Species of Wild Animals (CMS) 5. Convention on Biological Diversity (CBD) 6. International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) | <ol style="list-style-type: none"> 7. Food and Agriculture Organisation (FAO) 8. United Nations Environment Programme (UNEP) 9. UNEP World Conservation Monitoring Centre (UNEP-WCMC) 10. Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) 11. United Nations University 12. United Nations Educational, Scientific and Cultural Organization (UNESCO) 13. Secretariat of the Great Apes Survival Partnership (GRASP) | <ol style="list-style-type: none"> 14. IISD - International Institute for Sustainable Development 15. IUCN - International Union for Conservation of Nature 16. WWF 17. Greenpeace 18. BirdLife International 19. IFAW - International Fund for Animal Welfare 20. FACE - Federation of Associations for Hunting and Conservation of the European Union 21. Wildlife Conservation Society 22. World Association of Zoos and Aquariums |

Table 3.5 LAC countries that are contracting parties to four or more biodiversity-related conventions (as of April 2011)¹

| Country | GEF Benefits Index (GBI) for Biodiversity² | Number of conventions adopted | Conventions not yet adopted |
|--------------------|--|--------------------------------------|------------------------------------|
| Brazil | 663.7 | 5 | CMS |
| Mexico | 503.1 | 4 | CMS and ITPGRFA |
| Colombia | 380.0 | 4 | CMS and ITPGRFA |
| Peru | 241.0 | 6 | -- |
| Ecuador | 199.4 | 6 | -- |
| Venezuela | 178.2 | 5 | CMS |
| Argentina | 122.9 | 6 | -- |
| Chile | 107.3 | 6 | -- |
| Bolivia | 91.9 | 5 | ITPGRFA |
| Cuba | 89.8 | 6 | -- |
| Panama | 78.0 | 6 | -- |
| Costa Rica | 73.6 | 6 | -- |
| Guatemala | 58.9 | 5 | CMS |
| Honduras | 52.7 | 6 | -- |
| Dominican Republic | 45.0 | 4 | CMS and ITPGRFA |
| Jamaica | 32.8 | 5 | CMS |
| Nicaragua | 23.7 | 5 | CMS |
| Paraguay | 22.2 | 6 | -- |
| Suriname | 20.2 | 4 | CMS and ITPGRFA |
| Trinidad & Tobago | 16.0 | 5 | CMS |
| Belize | 12.4 | 4 | CMS and ITPGRFA |
| Uruguay | 9.5 | 6 | -- |
| Santa Lucia | 6.5 | 5 | CMS |
| El Salvador | 5.5 | 5 | CMS |
| Antigua & Barbuda | 3.0 | 5 | ITPGRFA |

Since interviewees were geographically dispersed and were presumed to work under tight work schedules, remote interviews were carried out. Remote interviews are those which are conducted through telephone, remote video, e-mail and instant messaging (King and Horrocks, 2010). This study relied on Voice-over Internet Protocol (VoIP) services and e-mail surveys to conduct remote interviews. VoIP services are computer-mediated tools that convert voice into either a digital signal

¹ The 15 countries of the sample are highlighted in grey.

² GEF, 2008

or a regular telephone signal so that a user can communicate with another one using VoIP services or a regular phone (McFadden and Price, 2007). VoIP-based interviews were done via Skype, a VoIP service and software application that allows users to make voice and video calls over the Internet. Participants were asked to select between two modalities of Skype interviewing: 1) Skype-to-Skype interview; and 2) Skype-to-telephone interview. The use of video in Skype-to-Skype interviews was discarded from the outset as it could cause slowdowns or breaks in transmission and raise privacy concerns among interviewees. E-mail surveys were offered as an alternative option in such cases where potential participants expressed an intention to participate in the research but were unable to set a specific date and time for a Skype-based interview.

Prior to the interview, participants were requested to complete a participant consent form (see Appendix C). The consent form should be read in conjunction with the research concept note and covered issues of privacy and confidentiality, participant risk, right to withdrawal, management of data, and ownership of data (Mann and Stewart, 2000). Participants were given assurances that no information would be disclosed which could lead to their identification, such as personal names, job positions and, in the case of international experts, names of employing organisations.

A total of 25 interviews with international experts were conducted between September 2011 and January 2012. Twenty-three took the form of individual interviews and 2 were carried out as joint interviews. All interviews were done in English. According to their organisational affiliation, interviewees belonged to three different groups: secretariats of the biodiversity-related conventions (8 interviewees), IGOs (5 interviewees), and international NGOs (10 interviewees). Two other interviewees had a different affiliation. Excluding these two cases, six secretariats of the biodiversity-related conventions, five IGOs and seven NGOs were represented with at least one interviewee. Two secretariats, one IGO and one NGO were represented with two interviewees. Three participants pertained to the same organisation (an NGO).

Eighteen interviews with CBD national focal points took place between December 2011 and April 2012: three were questionnaire-based interviews, three Skype-to-Skype interviews and twelve Skype-to-landline interviews. Of these latter twelve, two were joint interviews involving two participants. Skype-based interviews were

done in Spanish and English depending on official languages or the particular preferences of interviewees (note that the researcher is a Spanish native speaker). Ten countries were represented with one interviewee, whereas another five (Chile, Costa Rica, Ecuador, Mexico and Jamaica) were represented with two participants.

Skype-based interviews followed a semi-standardised format (see Berg, 2007). In advance of the interview, participants were provided with a list of general questions to be the basis of discussion (see Appendix D). As the interview progressed, some questions were reframed and others omitted based on the responses received. The length of the interviews varied between 25 and 45 minutes. The interviews were recorded with a Skype audio recorder (Pamela) and encrypted using Sophos encryption software. Edited transcriptions of audio recordings were made, encrypted, and sent to interviewees for validation. Only two participants (international experts) proposed changes to their respective transcripts.

Table 3.6 Documentary sources

| Primary sources | |
|--|--|
| National Biodiversity Strategies and Action Plans (NBSAPs) | Decisions and resolutions of the governing bodies of the biodiversity-related conventions |
| National reports to the conventions of the biodiversity cluster | Official documents on inter-treaty co-operation (available as conference and/or information documents at meetings of the conventions), including reports of BLG meetings. |
| | UNEP special reports |
| | Proceedings of meetings and workshops on synergies among biodiversity-related conventions (e.g. the Nordic Symposium on synergies among biodiversity-related MEAs held in Helsinki, Finland in April 2010) |
| Secondary sources | |
| Journal articles and book chapters addressing co-operation in the biodiversity cluster | |

Documents were used as another source of empirical data. In historical research, a distinction is often made between primary and secondary documentary sources. As Marwick (1989) explains, primary sources were created within the period being investigated; whereas secondary sources are produced later, making use of the primary sources. Primary sources include archive collections, rare printed materials, government printed materials, newspapers and periodicals; secondary sources range from research-based specialist work (e.g. journal articles) to general works or textbooks (ibid.). Table 3.6 displays the primary and secondary

documentary sources used in this research. Most of the documents reviewed were retrieved online from the websites of the relevant suppliers. Others, notably books, were accessible from the University of Leeds' library.

3.4.2 Data analysis

Research materials provided empirical evidence relevant to the three objectives of this study. In addressing specific objectives, however, this research relied more on certain materials than on others. To explore similarities between policy integration processes in the biodiversity cluster and policy coherence outputs at the level of national implementation (first objective of this research), this study was informed, in essence, by interviews with national focal points, MEA decisions and resolutions and other documentary sources. Vertical linkages between the biodiversity cluster and national implementation systems (second research objective) were analysed mostly through the interviews with national focal points, NBSAPs and national reports. Factors affecting the co-evolution of the biodiversity cluster and national implementation systems (associated with the third objective of this research) were retrieved, fundamentally, from the interviews with treaty secretariats, international experts and national focal points.

Most documentary sources were approached using basic documentary analysis techniques involving theorisation and interpretation through the lens of a theoretical framework (see McCulloch, 2004). More systematic procedures were employed to examine interview transcripts, NBSAPs, national reports, and MEA decisions and resolutions. These are explained below. Note that some of the materials were in Spanish, but the researcher, Spanish native speaker, did not require a translator to analyse them. This safeguarded the integrity of the data.

To examine interview transcripts, thematic analysis was used. Thematic analysis consists of identifying recurring motifs in the text which are relevant to the research questions (King and Horrocks, 2010; Bryman, 2008). The goal of thematic analysis is not only to produce a list of themes, but to organise those themes in a way that reflects how they are interrelated. This generally involves establishing hierarchical

relationships such that the more general themes encompass a number of specific subthemes.

King and Horrocks (2010) identify two alternative styles of thematic analysis. One of them is template analysis, which requires the construction of a coding structure – the template – based on the analysis of a sub-sample of the empirical data with a view to applying it to the rest of the material. Some themes may be added or amended as the researcher moves across the texts, with the template being continually adapted until it captures the essence of the material being studied. Another style is matrix analysis, where units of analysis (e.g. individuals and groups) are tabulated against concepts or issues related to the research questions. Tabulation is aided by visual displays (the matrices) featuring categories that assist the coding process.

A combination of matrix and template analysis was used in this research. The framework for examining the co-evolution of regime complexes and policy coherence (see Chapter 2, Section 2.3) guided the analysis process. As explained in Chapter 2, the co-evolution framework involves three main elements associated with the three research questions. The three elements comprise more specific components. These elements and components were converted into categories and sub-categories to create a template for the analysis of research materials. The template, in its original version, failed to fully capture the essence of the data. In light of empirical observations, the literature was further revised and the theoretical framework adjusted. This led to changes in the original template. A revised template was then applied to the materials. The process continued until the template provided a full picture of the problem of focus. At this final stage, the three main categories of the template, as supported by relevant empirical evidence, were examined separately to answer each of the three research questions. Findings across categories were then compared to reach general conclusions with regard to the aim of this study. The coding process, at its different stages, was assisted by specialised software (NVivo).

First-generation NBSAPs (most of them in effect throughout the 2000-2010 decade) in 14 countries of the sample were examined to determine whether they incorporated commitments from biodiversity-related conventions other than the CBD and/or synergies among biodiversity-related agreements (a copy of the Dominican NBSAP could not be obtained). To this end, specific references to any

of the non-CBD conventions of the biodiversity cluster and more general references to biodiversity-related agreements were traced.

National reports to the biodiversity-related conventions were consulted to assess how international norms promoting synergies between conventions have affected national implementation. Contracting Parties of the Ramsar Convention, the WHC, CITES, the CMS and the CBD are required to submit regular reports on national implementation. ITPGRFA parties are exempted from that obligation. National reports produced by the 15 countries of the sample in the context of efforts to achieve the 2010 Biodiversity Target were compiled. The focus was on national reports covering the period between April 2002 (when the 2010 Target was adopted) and October 2010 (when new global biodiversity targets were set). The reports falling within this timeframe are displayed in Table 3.7. Some of them reported developments occurring before April 2002 (i.e., the 1st WHC Periodic Reports and CITES Biennial Reports 2001-2002) or after October 2010 (National Reports to Ramsar CoP11 and CMS CoP10), but they remained inserted, at least partially, within the 2010 Target timeframe.

The formats and/or guidelines for presenting the national reports listed in Table 3.7 were revised to see whether state parties were invited to give an account of synergies between MEAs at the national level. That information was not requested in three cases (1st and 2nd WHC Periodic Reports, and CITES Biennial Reports 2001-2002) and the relevant reports were thus discarded from the analysis. The formats and/or guidelines for submitting the remaining reports were further examined to identify key questions and/or elements addressing synergies between MEA activities. The input required from parties was of two types: in some cases, state parties were asked to discuss synergies in the implementation of two conventions; in other cases, more general information on MEA inter-linkages was sought. The analysis focussed on these latter reporting requirements. The questions and reporting elements on which the analysis was based are listed in Table 3.8.

National reports of LAC countries were accessed online at the websites of the biodiversity-related conventions. Some reports were missing (see Table 3.9), and information on synergies between MEA implementation processes was absent in some of the existing reports (see Table 3.10). This study relied on the available information.

Table 3.7 National reports to the biodiversity-related conventions requiring information on implementation activities developed in the context of efforts to achieve the 2010 Biodiversity Target³

| CBD | Ramsar Convention | WHC⁴ | CITES⁵ | CMS |
|---|----------------------------------|--|-----------------------------------|----------------------------------|
| 3 rd National Reports (2005) | National Reports to CoP9 (2005) | 1 st Periodic Reports (late 2002) | Biennial Reports 2001-2002 (2003) | National Reports to CoP8 (2005) |
| 4 th National Reports (2009) | National Reports to CoP10 (2008) | 2 nd Periodic Reports (2012) | Biennial Reports 2003-2004 (2005) | National Reports to CoP9 (2008) |
| | National Reports to CoP11 (2011) | | Biennial Reports 2005-2006 (2007) | National Reports to CoP10 (2011) |
| | | | Biennial Reports 2007-2008 (2009) | |
| | | | Biennial Reports 2009-2010 (2011) | |

Decisions and resolutions adopted within the timeframe of the 2010 Biodiversity Target (2002-2010) were examined to visualise preferred avenues (levels of co-ordination) to improve synergy (decisions by CBD CoP10 were not considered as their adoption occurred against the background of revised biodiversity targets which opened a new phase in international biodiversity governance). Because the biodiversity cluster has evolved around one core institution (the CBD), the analysis focussed on CBD decisions creating inter-linkages with the specialist regimes of the biodiversity cluster, and on decisions and resolutions by the specialist regimes seeking to enhance synergy with the CBD. These decisions were initially arranged in two different groups.

³ The list includes the national reports informing on measures and actions adopted between April 2002 and October 2010 to implement the biodiversity-related conventions. The year in which reports were due are indicated in parenthesis.

⁴ The year in which reports from LAC countries were due is indicated in the parenthesis.

⁵ CITES Parties are required to prepare an annual report on their CITES trade and a biennial report on legislative, regulatory and administrative measures to implement the convention. To the extent that annual reports are limited to retrieving factual data on trade in CITES species, only biennial reports are listed in the table.

Table 3.8 MEA inter-linkages in formats and/or guidelines for submitting national reports to the biodiversity-related conventions⁸

| Table 3.8 MEA inter-linkages in formats and/or guidelines for submitting national reports to the biodiversity-related conventions | | |
|--|---|--|
| Convention | National Reports⁹ | Reporting elements requiring information on MEA inter-linkages |
| CBD | 3 rd National Reports (2005) | Parties were asked if they were “taking steps to harmonize national policies and programmes, with a view to optimizing policy coherence, synergies and efficiency in the implementation of various multilateral environment agreements (MEAs) and relevant regional initiatives at the national level” |
| | 4 th National Reports (2009) | Parties were required to include a chapter on sectoral and cross-sectoral integration or mainstreaming of biodiversity. Paragraph 2(c) of the guidelines for preparing the chapter indicated that integration should be considered in terms of “other convention processes besides the Convention on Biological Diversity, such as the processes under the four other biodiversity-related conventions (CITES, Convention on Migratory Species, Ramsar and the World Heritage Convention), the Rio conventions (UNFCCC, UNCCD), and others”. |
| Ramsar Convention | National Reports to CoP9 (2005) | Parties were invited to inform if mechanisms were “in place at the national level for collaboration between the Ramsar Administrative Authority and the focal points of other multilateral environmental agreements” |

⁸ National reports informing on implementation activities taking place between April 2002 and October 2010 were considered.

⁹ The year in which reports were due are indicated in parenthesis.

Table 3.8 MEA inter-linkages in formats and/or guidelines for submitting national reports to the biodiversity-related conventions

| Convention | National Reports ⁹ | Reporting elements requiring information on MEA inter-linkages |
|-------------------|--|--|
| Ramsar Convention | National Reports to CoP10 (2008) National Reports to CoP11 (2011) | Both reports asked parties how national implementation of the Ramsar Convention could “be better linked with implementation of other multilateral environmental agreements (MEAs), especially those in the ‘Biodiversity cluster’ (Ramsar, Convention on Biological Diversity (CBD), Convention on Migratory Species (CMS), CITES, and World Heritage Convention), and UNCCD and UNFCCC” Parties were once again required to inform if there were “mechanisms in place at the national level for collaboration between the Ramsar Administrative authority and the focal points of other multilateral environmental agreements” |
| CITES | Biennial Reports 2003-2004 (2005) Biennial Reports 2005-2006 (2007) Biennial Reports 2007-2008 (2009) Biennial Reports 2009-2010 (2011) | The four reports required parties to inform whether measures had “been taken to achieve co-ordination and reduce duplication of activities between the national authorities for CITES and other multilateral environmental agreements (e.g. the biodiversity-related Conventions)” |
| CMS | National Reports to CoP8 (2005) National Reports to CoP9 (2008) National Reports to CoP10 (2011) | In the three reports, Parties were expected to provide information about measures undertaken to implement CMS Resolutions on co-operation with other conventions and international processes. |

Table 3.9 Status of national reports to the biodiversity-related conventions submitted by LAC countries¹⁰

| Table 3.9 Status of national reports to the biodiversity-related conventions submitted by LAC countries | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|---------------------------------------|--|
| Country | National Report ¹¹ | | | | | | | | | | | |
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3 rd National Reports (2005) | 4 th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Argentina | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x |
| Bolivia | x | x | ✓ | ✓ | ✓ | x | x | x | x | ✓ | ✓ | ✓ |
| Brazil | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Not a CMS Party as of April 2011 | | |
| Chile | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | x | ✓ | ✓ | ✓ |

¹⁰ National reports informing on implementation activities taking place between April 2002 and October 2010 were considered. A tick indicates that the report is available online, whereas a cross denotes that the report is missing.

¹¹ The year in which reports were due are indicated in parenthesis.

Table 3.9 Status of national reports to the biodiversity-related conventions submitted by LAC countries

| Country | National Report ¹¹ | | | | | | | | | | | |
|-----------------------|--|--|--|--|--|--|--|--|--|---|---|--|
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3 rd National Reports (2005) | 4 th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Colombia | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | x | ✓ | Not a CMS Party as of April 2011 | | |
| Costa Rica | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | ✓ | The convention entered into force in July 2007 | ✓ | ✓ |
| Cuba | ✓ | ✓ | ✓ | ✓ | ✓ | x | ✓ | x | x | The convention entered into force in February 2008 | Cuba was not a Party to CMS prior to the deadline for submission of national reports | x |
| Dominican Republic | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | x | x | Not a CMS Party as of April 2011 | | |
| Ecuador | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | ✓ | ✓ | ✓ |
| Guatemala | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | x | Not a CMS Party as of April 2011 | | |

| Table 3.9 Status of national reports to the biodiversity-related conventions submitted by LAC countries | | | | | | | | | | | | |
|--|---|---|--|---|---|---|---|---|---|--|--|---|
| Country | National Report¹¹ | | | | | | | | | | | |
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3rd National Reports (2005) | 4th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Honduras | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | x | The convention entered into force on 7 September 2006 | ✓ | ✓ |
| Jamaica | ✓ | x | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | Not a CMS Party as of April 2011 | | |
| Mexico | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | Not a CMS Party as of April 2011 | | |
| Panama | ✓ | ✓ | x | ✓ | ✓ | ✓ | ✓ | ✓ | x | ✓ | ✓ | ✓ |
| Peru | ✓ | ✓ | ✓ | ✓ | x | ✓ | x | ✓ | x | ✓ | ✓ | x |

Table 3.10 Reporting of MEA inter-linkage activities in LAC countries¹²

| Table 3.10 Reporting of MEA inter-linkage activities in LAC countries | | | | | | | | | | | | |
|---|--|--|--|---|---|--|--|--|--|--|--|---|
| Country | National Report ¹³ | | | | | | | | | | | |
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3 rd National Reports (2005) | 4 th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Argentina | ✓ | ✓ ¹⁴ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | N/A |
| Bolivia | N/A | N/A | ✓ | ✓ | ✓ | N/A | N/A | N/A | N/A | x | x | x |
| Brazil | ✓ | ✓ ¹⁵ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Not a CMS Party as of April 2011 | | |
| Chile | ✓ | ✓ | ✓ | x | ✓ | x | N/A | N/A | N/A | x | x | x |

¹² The table shows whether LAC countries addressed MEA inter-linkages in their national reports to the biodiversity-related conventions. A tick indicates that the key reporting elements identified in Table 3.8 were addressed, whereas a cross denotes failure to provide the required information. The abbreviation N/A (Not Applicable) means that the national report was not submitted or is missing from online databases. Note that Costa Rica, Cuba and Honduras joined CMS after 2005 and were thus not expected to submit a report to CMS CoP8. Cuba was not in an obligation to prepare a report for CMS CoP9 either, because the country became a CMS Party after the deadline for submission of national reports (see Table 3.9).

¹³ The year in which reports were due are indicated in parenthesis.

¹⁴ The chapter on biodiversity mainstreaming does not include information on synergies between biodiversity-related MEAs, as required by the CBD's guidelines for the fourth national report. However, the issue is briefly covered in other sections.

¹⁵ See footnote 14.

Table 3.10 Reporting of MEA inter-linkage activities in LAC countries

| Country | National Report ¹³ | | | | | | | | | | | |
|--------------------|--|--|--|---|---|--|--|--|--|--|--|---|
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3 rd National Reports (2005) | 4 th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Colombia | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | N/A | N/A | x | Not a CMS Party as of April 2011 | | |
| Costa Rica | ✓ | ✓ | ✓ | ✓ | ✓ | x | x | N/A | x | N/A | x | x |
| Cuba | ✓ | ✓ ¹⁶ | ✓ | ✓ | ✓ | N/A | ✓ | N/A | N/A | N/A | N/A | N/A |
| Dominican Republic | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | N/A | N/A | N/A | Not a CMS Party as of April 2011 | | |
| Ecuador | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | x | x | x |
| Guatemala | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | N/A | N/A | Not a CMS Party as of April 2011 | | |
| Honduras | ✓ | ✓ ¹⁷ | ✓ | ✓ | ✓ | ✓ | N/A | N/A | N/A | N/A | x | x |
| Jamaica | ✓ | N/A | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | Not a CMS Party as of April 2011 | | |

¹⁶ Synergies between biodiversity-related MEAs are indirectly addressed by reference to processes of sectoral integration.

¹⁷ See footnote 14.

Table 3.10 Reporting of MEA inter-linkage activities in LAC countries

| Country | National Report ¹³ | | | | | | | | | | | |
|---------|--|--|--|---|---|--|--|--|--|--|--|---|
| | CBD | | Ramsar Convention | | | CITES | | | | CMS | | |
| | 3 rd National Reports (2005) | 4 th National Reports (2009) | National Reports to CoP9 (2005) | National Reports to CoP10 (2008) | National Reports to CoP11 (2011) | Biennial Reports 2003- 2004 (2005) | Biennial Reports 2005- 2006 (2007) | Biennial Reports 2007- 2008 (2009) | Biennial Reports 2009- 2010 (2011) | National Reports to CoP8 (2005) | National Reports to CoP9 (2008) | National Reports to CoP10 (2011) |
| Mexico | ✓ | ✓ ¹⁸ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | Not a CMS Party as of April 2011 | | |
| Panama | ✓ | ✓ | N/A | ✓ | ✓ | ✓ | ✓ | ✓ | N/A | ✓ | ✓ | ✓ |
| Peru | ✓ | ✓ | ✓ | ✓ | N/A | ✓ | N/A | ✓ | N/A | x | x | N/A |

¹⁸ See footnote 14.

The search for institutional inter-linkages was guided by Gehring and Oberthür's (2009, 2006) causal analysis of institutional interaction. According to this approach, the influence an institution exerts upon another originates from the decisions taken by its members. Influence does not run back and forth between the interacting institutions, but runs in one direction from the source to the target (Gehring and Oberthür, 2006). A case of institutional interaction is established if three elements are identified: 1) the source institution and, in particular, the decision(s) from which influence emanates; 2) the target institution and, more specifically, the component(s) that are subject to the influence of the source institution; and 3) a cause-effect relationship connecting the two institutions (Gehring and Oberthür, 2009, 2006). The approach implies that there cannot be a case of interaction without an effect within the target institution or the issue-area governed by it (*ibid.*).

The CBD was treated as the source and the biodiversity-related conventions as the target institutions in the CBD group. The roles were switched in the non-CBD group. The analysis did not explore the effects of the source institution on the target institution as the aim was not to examine real-world cases of interaction between biodiversity-related conventions, but to identify the level of co-ordination required, namely, inter-institutional co-ordination, unilateral adaptations within the interacting regimes, and/or autonomous action outside collective decision-making. The categorisation process evolved as explained below:

1. Using Adobe Reader, the retrieved decisions were reviewed looking for specific and general references to the target institution(s). Terms entered in the search box included:
 - a. For specific references to the CBD: Convention on Biological Diversity or CBD.
 - b. For specific references to other biodiversity-related MEAs: Convention on Wetlands or Ramsar Convention; World Heritage Convention or WHC; Convention on International Trade in Endangered Species or CITES; Convention on the Conservation of Migratory Species, Convention on Migratory Species or CMS; International Treaty on Plant Genetic Resources or ITPGRFA.

- c. For general references to biodiversity-related MEAs: biodiversity-related conventions, biodiversity conventions, biodiversity-related multilateral environmental agreements, biodiversity-related agreements, and biodiversity-related treaties. More ambiguous allusions to the biodiversity-related MEAs in terms of, for example, multilateral environmental agreements, conventions, treaties and organisations, were not tracked, as those references did not carry an explicit intention to create linkages within the biodiversity cluster.
2. The paragraphs containing the references were extracted from the text and listed in an Excel record. Notes were taken on the section of the decision from which the paragraphs were retrieved, e.g., the preamble, the main body of the Decision, an annex or appendix, etc.
3. Building on the principle that action triggers interaction (Gehring and Oberthür, 2006), paragraphs were subtracted from the analysis if they were located in any of the following sections:
 - a. Preamble
 - b. Annexes and appendices, including guidelines, programmes of work, action plans, convention strategies, etc. While some of these instruments may incorporate actions creating institutional inter-linkages, those actions are only indirectly mandated by the governing bodies and might not reflect an outright intention to affect institutional interaction processes.
 - c. Main body of a Decision when no specific action was requested by the governing body, e.g., when it merely took note of a joint report or welcomed progress in the implementation of joint activities.
4. The remaining paragraphs featured action-oriented decisions establishing institutional inter-linkages between the source and the target institution(s). Two CBD Decisions were found to require exactly the same action from the target institution, namely, CBD Decision IX/16 par. 6 and CBD Decision IX/19 par. 7. To avoid double-counting, the two decisions were collapsed into one.

5. The analysis then proceeded to examine the level of co-ordination required to enhance synergy. The exercise involved identifying the actor(s) mandated/required by the source institution to implement a Decision. Eight different types of actions intended to improve synergy with the target institution(s) were distinguished and grouped into three general categories in accordance with the three general levels of co-ordination outlined earlier. Some Decisions incorporated two or more actions unfolding at different levels; others required action at no definite level. A separate category was created to account for these special cases.

Decisions promoting unilateral action by bodies of the source and target institution(s) were conceived of as falling under the category of unilateral management and not as cases of autonomous management. This obeyed to the fact that convention bodies are less autonomous in their operation than state and non-state actors. While convention bodies may take advantage of the leeway granted by their principals (contracting parties) to pursue specific agendas, they rarely act outside of the mandates they receive. Their operation is largely constrained to the boundaries of collective decision-making.

6. Each decision was ascribed to the appropriate co-ordination category. Classifying a decision was normally a matter of looking at the actor(s) addressed by the governing body. To illustrate, Resolution X.19 par. 9 by the Ramsar CoP instructed the Ramsar Secretariat to disseminate Ramsar's guidance for integrating wetland conservation and wise use into river basin management, including by actively approaching other MEAs, especially the CBD and the UNECE Water Convention. The case required unilateral action by the Ramsar Secretariat and was categorised accordingly.

In some cases, however, the actions mandated/required by a governing body to enhance synergy with the target institution(s) had to be implemented by actors which it did not address directly. For instance, in Decision VIII/20, the CBD CoP requested the Executive Secretary to invite the Ramsar Convention to take the lead in developing a national reporting framework on inland water biodiversity. While the Executive Secretary was mandated to take action, it was the Ramsar Convention which ultimately

had to implement the decision. In other words, implementation would come through unilateral action by the Ramsar Convention and not through unilateral action by the CBD Secretariat.

A special case arose in connection with CBD Decision IX/12 par. 14(b). The decision requested the CBD Secretariat to invite relevant experts to address the CBD's Working Group on Access and Benefit-Sharing (ABS) on various technical issues, including on the information technology environment used by the ITPGRFA's Secretariat for accessing genetic material protected by the Treaty. Action by relevant experts was needed to implement the decision. The decision could thus be classified as a case of autonomous action by non-state actors. This was not deemed appropriate, however, because implementation of the decision was not contingent upon the autonomous action of a specific actor. If an expert invited to address the CBD's Working Group on ABS refused to collaborate, alternative experts could be sought. It was expert input and not autonomous action that was demanded. The extent of synergy between the CBD and the ITPGRFA would be determined by the CBD's Working Group on ABS and not by individual experts. The decision effectively entailed action at the level of unilateral management.

3.5 Ethics and limitations

This section discusses ethical issues and general limitations associated with the research methods. Research involving human participants requires consideration of three ethical issues: 1) privacy and confidentiality; 2) informed consent; and 3) harm (Dowling, 2005). Privacy and confidentiality is especially important when interviewees include high-profile subjects (Odendahl and Shaw, 2001). Some of the officials and experts interviewed in this study might fall in this category. To ensure confidentiality, researchers need to take care not to disclose any information through which respondents can be easily identified, including personal traits and organisational affiliations (ibid.). Bearing this in mind, international experts participating in this research are identified with distinctive tags composed of two letters and one random number. The two letters only indicate the type of

organisation to which the interviewee is ascribed (TS standing for a treaty secretariat; IG standing for an IGO; NG standing for an NGO; and OT standing for other). A quote ascribed to Interviewee IG3, for instance, refers to the extract of an interview conducted with an IGO official. Quotes from some participants are sometimes not accompanied by a tag. This is done discretionally throughout the text to maintain confidentiality in those cases where the use of a tag could lead to the identification of the participant. In a similar fashion, the names and positions of interviewed CBD authorities are kept anonymous and only linked to the country they represent. In cases where two participants were from the same country, they are distinguished by letters A and B.

Informed consent was obtained prior to the interviews. As mentioned earlier, research participants were given a concept note and an informed consent form. Interviewees were requested to complete, sign and return the consent form in advance of the interview. Most interviewees followed these instructions. A few of them, however, granted their consent via e-mail (copies are kept of electronic communications between the researcher and the participants).

Management and ownership of data are two important aspects of informed consent. Some aspects of data management were mentioned earlier. Interviews were recorded using specialised software (Pamela) and edited transcriptions were made. Word-for-word transcriptions (featuring poor grammar, colloquial speech, false starts to sentences, repetitions, and “ers” and “umms”) were discarded because they could cause embarrassment or discomfort to participants having access to the texts (Dunn, 2005). Minor edits were introduced that did not alter the intended meanings of phrases, sentences and ideas. To ensure the integrity of data in cases where they happened to fall into the hands of individuals who could make an undue use of them, both audio files and interview transcripts were encrypted using Sophos encryption software.

It is generally considered that data is the property of the interviewee and that they should normally determine what information is made public (King and Horrocks, 2010). Earlier it was pointed out that participants in this research were provided with a copy of the transcripts of their interviews and offered the possibility of requesting textual changes. Two interviewees exercised this right by suggesting (small) corrections to their transcripts. Participants were made aware that interview

data could be used in future research, that it would be stored for 10 years and then destroyed.

Harm was not a relevant issue in this research because participants were not required to discuss a personal condition or private matters, but to share professional experiences. Sensitive information might have been disclosed and recorded during an interview. To the extent that audio files were encrypted, however, that information cannot be accessed by third parties. Moreover, participants were granted access to their interview transcripts to ensure that any compromising information contained therein was removed from the text.

The use of documents for research purposes may pose three ethical dilemmas relating to: 1) the legal framework affecting documentary research, including issues of copyright, freedom of information and data protection; 2) the identification of specific organisations and individuals in the documents; and 3) the position of the researcher vis-à-vis the institution(s) producing the documents being studied (McCulloch, 2004). As applied to the present study, these issues were not significant. All documents consulted were publicly available. Their public character means that they do not contain personal or any other sensitive information that could pose a risk to the integrity of individual subjects. No documents with classified information were used. There is no relationship of any type between the researcher and the governments and organisations authoring the documents examined. The agency sponsoring this study, Mexico's National Council on Science and Technology, had no involvement in the drafting of the Mexican NBSAP, the only document published by the Mexican government consulted in this research.

Ethical issues emerging at the stage of data analysis relate primarily to the interpretation of data. In qualitative research, the same body of material may be interpreted differently by two or more individuals even if the same theoretical and methodological approaches are used. Biases can be avoided if researchers reflect on how own motivations and prior assumptions may affect the examination of data (Waite, 2005). In the present case, there were no particular motivations or assumptions that could have influenced the interpretation of collected materials. The academic and ethnic background of the researcher may have had an effect on the way in which texts were approached. As a graduate of International Relations from a developing country, the researcher may be inclined to conceive international politics in terms of a North-South equation, and thus be tempted to search for

antagonisms where they are absent. However, because empirical data was examined in the light of the theories and methods brought to the analysis, biases were reduced (Titscher et al., 2000).

Research ethics were extensively discussed in the Ethical Review Form submitted to a University Faculty Research Ethics Committee in mid-July 2011 for its consideration and approval. Ethical approval (Reference: AREA 10-194) was granted on 5 September 2011 (note that the research approach and methods were subject to slight changes afterwards and that the online surveys originally planned were never launched).

Some limitations in the methods used to examine the implementation of the biodiversity-related conventions in LAC countries need to be acknowledged. While global synergies in the biodiversity cluster were examined from the perspectives of various actors and documentary sources, synergies at the level of national implementation were largely retrieved from the narrative accounts of state officials. This raises three issues which limit the extent and depth of the research. First, the analysis of national experiences in the implementation of the biodiversity-related conventions is not based on a systematic review of MEA implementation systems. Documentary evidence was limited. National reports to the biodiversity-related conventions provided little, unspecific and, in some cases, contradictory, information on domestic efforts to synergise MEAs implementation (see Chapter 5, Section 5.1.2). Country reports produced in the context of the National Capacity Self-Assessment (NCSA) programme, a GEF's initiative to assist countries in determining their capacity development needs to implement the Rio Conventions and other MEAs (see Chapter 5, Section 5.1.3), were of limited value as they focussed on integrated management across environmental issue-areas (and not necessarily within the biodiversity sector). The researcher was not aware of other documents addressing synergies in the implementation of biodiversity regimes, although interviewees drew attention to documents where issue-linkages were considered. These were not consulted, however, because they did not raise regime inter-linkages in an explicit way. A systematic review of national implementation could have been pursued through further interviews with government officials, but problems of access posed a major obstacle to this.

Second, participants were expected to provide an honest account of the issues and problems arising in the implementation of biodiversity-related conventions.

Interviewees were given assurances of privacy and confidentiality to encourage them to offer a fair assessment. Nevertheless, given that participants were ultimately representatives of national governments, some of them may have tried to portray the best picture of the situation examined. This applies especially to high-ranking officials.

Third, because the analysis of national experiences in the implementation of biodiversity-related MEAs relies more heavily on subjective accounts than on factual evidence, comparisons are difficult to make. Indeed, the analysis aimed to identify general trends and challenges rather than to delve into specific national circumstances. Best practices are thus hard to highlight.

3.6 Concluding remarks

The methodology employed to address the research's aim of examining the co-evolution of regime complexes and national implementation systems was discussed in this chapter. The study endorses a pragmatist philosophy where theory is a tool for action (Hellmann, 2009). A pragmatist approach to research should result in social scientific knowledge that resonates within and across communities and enables orientation in the social world (Friedrichs and Kratochwil, 2009). In line with this, the research strategy is based on Charles Peirce's logic of enquiry that sees abduction as the key inferential mode and seeks to produce middle-range theories with a social and practical focus (Kaag and Kreps, 2012; Bertilsson, 2004). Co-evolution of regime complexes and national implementation systems is explored with reference to the cluster of biodiversity-related conventions and the implementation of these conventions in LAC countries. Empirical evidence was collected from interviews and various documentary sources. Materials were examined through thematic analysis, basic theorisation techniques, and other ad hoc documentary analysis procedures.

Findings are reported in the next three chapters (Chapters 4-6, each addressing a specific research question). The discussion chapter (Chapter 7) synthesises the main findings and highlights key contributions.

4 The biodiversity cluster and national implementation systems in LAC: Horizontal dimensions of co-evolution

The governing bodies of the biodiversity-related conventions have established a clear differentiation between global and national governance as they create inter-linkages between conventions. Between 2002 and 2010, 179 decisions promoting synergy between the framework and specialist regimes of the biodiversity cluster were adopted (see Tables 4.1 and 4.2). Almost 68% of those decisions required co-ordination at the international level, whereas nearly 22% required countries to improve synergies in national implementation. The governing bodies of the conventions have not been particularly enthusiastic about mandating national-level co-ordination, giving states ample leeway to decide whether, and to what extent, synergies are created on the ground.

This chapter examines whether the biodiversity cluster and national implementation practices in LAC countries displays similar evolution patterns (addressing the first objective of this research). If there has been co-evolution, some similarities can be expected. Horizontal integration processes are compared to examine the degree of (a)symmetry between global and national governance. The assessment constitutes an important first step in the analysis of the co-evolution of the biodiversity cluster and national implementation practices in LAC countries in line with the framework presented in Chapter 1.

Table 4.1 Decisions adopted by the CBD CoP promoting synergy with other biodiversity-related conventions (arranged according to the level of co-ordination involved)

| Target institution(s) | Required action | | | | | | | | | |
|--|---|---|------------------------|---|-------------------------|--|------------------------------------|----------------------------|----------------------------------|---------------------------------|
| | Inter-institutional co-ordination | | Unilateral management | | Autonomous management | | | | | Multiple levels / Level unclear |
| | Action by overarching or external organisations | Collaboration between convention bodies | Action by CBD's bodies | Action by the target institution's bodies | Action by CBD's Parties | Action by CBD's Parties and other actors | Collaboration between state actors | Action by non-state actors | Other forms of autonomous action | |
| Ramsar Convention | 2 | 11 | 2 | 7 | 3 | 2 | - | - | 1 | 2 |
| WHC | - | - | - | - | - | - | 1 | - | - | - |
| CITES | - | 4 | - | - | - | - | - | - | - | - |
| CMS | - | 1 | 1 | - | 1 | - | - | - | - | 2 |
| ITPGRFA | 3 | 4 | 1 | 2 | 1 | 2 | - | - | - | 1 |
| Multiple conventions¹⁹ | 1 | 13 | 3 | 2 | 2 | 1 | 2 | 1 | - | - |
| All | 6 | 33 | 7 | 11 | 7 | 5 | 3 | 1 | 1 | 5 |
| | 39 | | 18 | | 17 | | | | | 5 |

¹⁹ This category includes Decisions targeting two or more biodiversity-related conventions.

Table 4.2 Decisions adopted by the governing bodies of five biodiversity-related conventions promoting synergy with the CBD (arranged according to the level of co-ordination involved)

| Source institution(s) | Required action | | | | | | | | | | |
|--------------------------|---|---|--|------------------------|--------------------------------------|---|--|------------------------------------|----------------------------|----------------------------------|---------------------------------|
| | Inter-institutional co-ordination | | Unilateral management | | | Autonomous management | | | | | Multiple levels / Level unclear |
| | Action by overarching or external organisations | Collaboration between convention bodies | Action by bodies of the source institution | Action by CBD's bodies | Other forms of unilateral management | Action by Parties to the source institution | Action by Parties to the source institution and other actors | Collaboration between state actors | Action by non-state actors | Other forms of autonomous action | |
| Ramsar Convention | 3 | 20 | 6 | 2 | - | 6 | 4 | 2 | 1 | 1 | 4 |
| | 23 | | 8 | | | 14 | | | | | 4 |
| WHC | - | 1 | - | - | - | - | - | - | - | - | 1 |
| | 1 | | - | | | - | | | | | 1 |
| CITES | 1 | 10 | 6 | 1 | - | 2 | - | 4 | - | - | 2 |
| | 11 | | 7 | | | 6 | | | | | 2 |
| CMS | 1 | 9 | 2 | - | 1 | 4 | 1 | 1 | - | - | 1 |
| | 10 | | 3 | | | 6 | | | | | 1 |
| ITPGRFA | - | 1 | - | - | - | - | - | - | - | - | 2 |
| | 1 | | - | | | - | | | | | 2 |
| All | 5 | 41 | 14 | 3 | 1 | 12 | 5 | 7 | 1 | 1 | 10 |
| | 46 | | 18 | | | 26 | | | | | 10 |

The first sections of the chapter examine horizontal integration in the biodiversity cluster (section 4.1) and in the implementation of its constituent regimes (section 4.2) based on the goals/objectives pursued and the institutional/implementation arrangements that make synergies possible. The analysis of horizontal integration processes in the biodiversity cluster relies on scholarly research and primary documentary sources (see Chapter 3, Section 3.3), as well as on interviews with treaty secretariats and international experts. Synergies in national implementation are examined using information retrieved from interviews with national focal points as complemented with empirical evidence from national reports and NBSAPs. The chapter compares horizontal linkages at global and national levels (section 4.3), and ends with general conclusions.

4.1 Horizontal integration in the biodiversity cluster

4.1.1 Overview

Morin and Orsini (2013a) distinguish four stages in the life cycle of a regime complex: 1) atomisation; 2) competition; 3) specialisation; and 4) integration (see Chapter 2, Section 2.2). Most observers would agree that the cluster of biodiversity-related conventions is somewhere in the middle between the stages of specialisation and integration. There are nonetheless different views as to how far the cluster has moved towards increased cohesiveness.

The biodiversity-related conventions have devoted significant time and resources to improve inter-treaty co-ordination, but the outcomes of these efforts are disputed (Caddell, 2011). Jóhannsdóttir et al. (2010) suggest that synergies have developed weakly. In their view, there are no coherent controls for the regulation and management of biodiversity, the substantive obligations of the conventions have remained unchanged, and member states have failed to take ownership of existing liaison processes. Caddell (2011) observes moderate success, noticing progress in areas of common focus (e.g. species, habitats or conservation threats), but also

barriers created by strategic uncertainty, disparate working practices and resource constraints. From a less critical perspective, Jardin (2010) claims that the biodiversity-related conventions have developed measures and policies which sometimes overlap, but in most cases complement each other. Most treaty secretariat officials and international experts agreed that the biodiversity cluster is more integrated than in the past, but one interviewee observed that integration is still “patchy and incomplete” (Interviewee OT2).

The biodiversity cluster has undergone a process of “CBD-ification” or integration under the CBD (Caddell, 2011). The CBD pursues three objectives: the conservation of biodiversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising from the use of genetic resources (CBD Article 1). As a framework convention, the CBD has no legal ramifications for pre-existing biodiversity-related agreements (as an umbrella convention would), but only impacts on subsequent agreements (McGraw, 2002). Indeed, the ITPGRFA was drafted in harmony with the CBD and pursues its same objectives in the issue-area of plant genetic resources. But the CBD still provides a wider context for the implementation of pre-existing agreements (McGraw, 2002). Thus, the first-generation conventions, traditionally associated with narrow conservation agendas focussed on the protection of species and habitats, have gradually embraced sustainability principles in their operations (Jardin, 2010).

This process of “CBD-ification” has not advanced without difficulties. On the one hand, the incorporation of sustainability considerations in the programmes of work of the first-generation biodiversity-related conventions has been slow in some cases. Back in 2005, a note on options for enhanced co-operation prepared by the BLG proposed the broader application of the CBD’s ecosystem approach to the management of World Heritage sites, wetland sites, and sites located along routes of migratory species (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2). Within the WHC, official discussions on mainstreaming sustainable development in world heritage conservation only started in 2010 (see WHC Doc WHC-10/34.COM/5D). In the case of CITES, steps have been taken to address the socio-economic dimensions of wildlife trade, but some parties remain reluctant to encourage sustainable uses of wildlife (see Velázquez Gomar and Stringer, 2011).

There has also been dissatisfaction with what seems to be an asymmetrical integration. The integration of species or sites protected under the first generation

conventions into the programmes of work of the CBD was signalled as an area for enhanced co-operation in the 2005 BLG note (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2). Interviews with treaty secretariat officials suggest that the CBD has been reluctant to accommodate the concerns of other conventions. Some of them believed that, until recently, the BLG was a CBD's instrument for implementing its own mandate and that the CBD and the other conventions are often not seen as equal partners despite the latter having technical instruments to affect outcomes on the ground (see Chapter 6, Section 6.1.1.1).

Partial integration has been achieved in several areas. Examples include the joint preparation and/or endorsement of technical guidance; standardisation of taxonomy and nomenclature; knowledge management; outcome-oriented indicators; outreach activities; joint field missions and projects; and joint capacity-building activities (see section 4.1.2). Nevertheless, co-operation opportunities have not been fully exploited and/or explored. The 2005 BLG note cited earlier discussed options for enhanced co-operation in the context of on-going initiatives and in other areas (see CBD Doc UNEP/CBD/WG-RI/1/7/Add.2). More recently, a Nordic symposium on synergies in the biodiversity cluster (Helsinki, Finland, 8-9 April 2010), which brought together 50 experts in international biodiversity governance, including representatives of national governments, treaty secretariats and UN bodies, identified five areas where joint action is most needed: 1) the science-policy interface; 2) harmonisation of reporting; 3) streamlining of meeting agendas; 4) joint information management and awareness-raising; and 5) capacity building, compliance, funding and review mechanisms (Ministry of the Environment of Finland, 2010).

At a bilateral level (interactions between, rather than among, conventions), relationships between the CBD and the specialist regimes of the cluster display different degrees of complementarity. The CBD-Ramsar interface appears particularly robust. The Ramsar Convention acts as the lead partner of the CBD in implementing CBD activities related to wetlands. In the words of one expert, the CBD has effectively "outsourced" its work on wetlands to the Ramsar Convention (Interviewee OT2). At its eight meeting, the CBD CoP recognised that "the close cooperation between the two conventions sets a good example in building synergies between conventions to effectively deliver the objectives of both conventions" (CBD Decision VIII/20). Joint activities have focussed on the implementation of the CBD's programme of work on inland waters biodiversity as a

narrow sphere of interest (CBD Doc UNEP/CBD/COP/10/INF/38; Interviewee OT2). However, to the extent that inland waters, commonly referred to as wetlands, are present in all terrestrial biomes (including agricultural ecosystems, forests, dry and sub-humid lands, and mountains), linkages with other CBD's programmes of work are necessary (CBD Doc UNEP/CBD/COP/10/INF/38). This would allow better recognition of the role of wetlands in delivering key ecosystem services such as water supply and water purification (ibid.). Holistic perspectives based on cross-biome approaches have not been explored in on-going co-operation efforts, mainly because water has not been fully recognised as a cross-cutting issue in the CBD's implementation (ibid.).

The CBD recognises CMS as its lead partner for migratory species. Nevertheless, the CMS has struggled to find as solid a nexus with the CBD as that achieved by the Ramsar Convention (Interviewee OT2). Potential for improving synergy between the CBD and the CMS has been noticed. The CMS model of regional agreements, for instance, could inform the development of transboundary sites under the CBD's programme of work on protected areas (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2).

As mentioned earlier, the objectives of the CBD and the ITPGRGA are closely aligned. While the two agreements embrace different approaches to ABS – the ITPGRFA provides a multilateral system for facilitated access to a pool of plant genetic resources considered the most important to food security; whereas the CBD allows scope for bilateral agreements between providers and users of genetic resources – potential conflicts have been contained due to mutual recognition of each other's jurisdiction (Interviewee NG10).

The CBD and CITES had a strained relationship in the recent past (Interviewee NG3). The two conventions co-operate on issues such as sustainable use, economic incentives and international trade (CITES Doc CoP14 Inf. 28); and mutual references can be found in several decisions adopted by the CBD and CITES CoPs (CITES Doc CoP13 Doc. 12.1.1). However, the integration of the CBD's principles into CITES' operative work has not been widely supported (Interviewee NG5) and opportunities for co-operation remain unexploited. In 2004, an expert workshop on promoting CITES/CBD cooperation and synergy (Isle of Vilm, Germany, 20-24 April) identified a number of areas where synergies could be further developed and areas where co-operation should be initiated (see CITES

Doc CoP13 Inf. 15). The latter related to GEF funding; ABS; co-ordination of area-based and species-based systems of management; compliance and enforcement; and labelling and green certification. Creating synergy in these areas requires the broader application of CITES as an instrument that creates economic incentives for sustainable use (see CBD Doc UNEP/CBD/WG-RI/1/7/Add.2). Sustainability is nonetheless a divisive issue within CITES (see Velázquez Gomar and Stringer, 2011).

Policy integration between the CBD and the WHC occurs to some extent. While few WHC Decisions refer to the CBD, elements of the CBD's agenda have been considered in the design of WHC's initiatives such as the World Heritage Marine Programme (Interviewee TS3). The fact that sustainable development is a relatively new concept within WHC policy circles (see above) suggests, however, that integration under the CBD's framework has only been partial.

The cluster of biodiversity-related conventions has not yet achieved a stage of integration akin to the trade regime based on the WTO (which Morin and Orsini (2013a) portray as an example of a regime complex evolving into a more cohesive regime) or to the chemicals regime (which, according to Selin (2010), encompasses four MEAs inter-connected in cognitive and practical ways). But the cluster cannot be equated with other regime complexes where competition prevails, e.g., the food security (Margulis, 2013) and maritime piracy (Struett et al., 2013) complexes, or where divisions of labour have been established at the expense of more synergistic interaction, e.g., the regime complex for trade and the environment (see Gehring, 2011). Instead, the cluster is evolving from a stage of specialisation towards gradual policy (but not yet institutional) integration.

4.1.2 Policy goals

The management of regime interplay in the biodiversity cluster can be characterised along three lines: 1) co-operation is not merely directed at avoiding conflict (consistency), but at enhancing synergy (coherence); 2) it is based on co-exploitation rather than on co-exploration (see Chapter 2, Section 2.3.1); and 3) it

emerges around specific issues and under limited strategic direction. These elements are unpacked below.

Regime interplay may be managed to avoid conflict or enhance synergy (Oberthür, 2009). Caddell (2011, p.57) observes that the biodiversity-related conventions have managed regime interplay “not to resolve inherent conflicts but, rather, to improve collaborative working practices in discharging their respective mandates”. Decisions and strategic plans of the conventions acknowledge the importance of co-operation between them (see UNEP-WCMC, 2012).

In seeking to enhance synergy, the biodiversity-related conventions have been cautious not to compromise the existing division of labour. The 2005 BLG note on options for enhanced co-operation stressed that the particular value of each convention “must be maintained even while seeking to bring closer together the work of the different conventions” (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2 par. 5). It further added that “the goal of enhanced cooperation should be to add value to existing efforts, not to homogenize initiatives or focus only on collaborative approaches when specialization by a single convention might at times better serve biodiversity objectives” (ibid.). This suggests that the biodiversity-related conventions are less interested in exploring opportunities for joint management (co-exploration) than on exploiting available resources in support of on-going initiatives (co-exploitation) (Parmigiani and Rivera-Santos, 2011).

The biodiversity-related conventions have not followed the same approach to co-operation as the chemicals and hazardous waste conventions, where a clustering process is taking place which is often portrayed as a model for the biodiversity cluster. The process started in 2006 with UNEP’s proposal to consolidate the secretariats of the three conventions of the cluster (Perry, 2012). That same year governments adopted the Strategic Approach to International Chemicals Management (SAICM), an umbrella mechanism to foster the sound management of chemicals which has, among its key objectives, to enhance synergies between existing institutions and processes at different levels (Selin, 2010). The clustering process has resulted in the streamlining of the administrative functions of the conventions, and is expected to lead to programme co-ordination and joint decision-making (see Perry, 2012). Simon (2012) describes the process as a co-exploitative endeavour with no clear end point.

One of the treaty secretariat officials who was interviewed observed that “rather than streamlining administrative processes, we have been working on substantive issues” (Interviewee TS5). Indeed, co-operation has emerged around issues of common interest (Caddell, 2011). Examples include:

- Joint preparation and/or endorsement of technical guidance. The *Guidelines for Incorporating Biodiversity-related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment*, adopted by the CBD CoP through Decision VI/7, have been endorsed by the Ramsar and CMS CoPs (see CMS Resolution 7.2 and Ramsar Resolution VIII.9).
- Standardisation of taxonomy and nomenclature, for example, in lists of species used by CITES and CMS (see CITES Doc CoP15 Doc. 12).
- Knowledge management activities, most of them UNEP-led initiatives intended to harmonise MEA information systems. Examples include the InforMEA portal, a web-based tool which harvests key information from MEAs (including decisions, news, meetings, memberships, national focal points and reports); and the so-called TEMATEA project, an online database that structures commitments under different biodiversity-related conventions in six thematic modules to facilitate coherent implementation. Efforts to streamline national reporting may also be included in this category (see CMS Doc UNEP/CMS/Inf.10.17 and CMS Doc UNEP/CMS/Inf.9.14).
- Outcome-oriented indicators to assess achievement of global biodiversity targets. The Ramsar Convention, CMS and CITES participated in the 2010 Biodiversity Indicators Partnership (2010 BIP), an initiative which brought together over 40 agencies with the purpose of developing a suite of complementary indicators to assist the monitoring of the 2010 Target (BIP Secretariat, 2012).
- Outreach activities to mainstream biodiversity into other policy sectors. Joint statements have been delivered at high-level international meetings (e.g. the 2005 UN World Summit) and joint activities have been organised on occasion of special events (e.g. the International Biodiversity Day) (see CBD Doc BLG-4/REP, CBD Doc BLG-5/2, CBD Doc BLG-6).

- Joint field missions such as those undertaken by the Ramsar Convention and the WHC to sites protected under both conventions (Jardin, 2010).
- Joint field projects, for example, the Great Apes Survival Partnership, a UNEP-led initiative to address the decline of great apes (GRASP Secretariat, 2013). Five biodiversity-related conventions (the CBD and the first generation agreements) are involved.
- Joint capacity-building activities such as the CBD/ITPGRFA capacity-building workshops on access to genetic resources and sharing of the benefits arising out of their utilisation (ITPGRFA Secretariat, 2011; ITPGRFA Doc IT/GB-4/11/12).
- Dissemination of best practice. The CBD and the CMS Secretariats have collaborated on the dissemination of case-studies on the conservation and sustainable use of migratory species and their habitats (CBD Doc UNEP/CBD/COP/7/19).

Urho (2009) observes that co-operation in the biodiversity cluster has evolved haphazardly. The cluster has lacked a policy framework analogous to the SAICM. The 2010 Biodiversity Target fostered co-operation but it did not necessarily bring greater alignment of agendas (see Chapter 6, Section 6.1.3.1). Moreover, co-operation has evolved haphazardly (Urho, 2009). Proposals for a joint strategic vision and joint work plan for the six conventions have not gained track (see CBD Doc BLG-6). The Strategic Plan for Biodiversity 2011-2020, adopted at CBD CoP10, is nonetheless intended to serve as the overarching framework for biodiversity within the cluster and across the UN system more generally (the Strategic Plan for Biodiversity 2011-2020).

4.1.3 Institutional arrangements

Approached along the triad of polity, policy and politics, institutional co-operative arrangements in the biodiversity cluster can be described as follows. From a polity perspective, the cluster displays characteristics of a lead-organisation governed

network. Hard procedural instruments and soft organisational mechanisms are essentially employed to develop synergies. In terms of politics, the cluster is a public network of organisations with different preferences and material capabilities. Institutional arrangements are discussed in this section.

Synergies in the cluster emanate from decentralised co-ordination. As Caddell (2011) observes, the texts of the biodiversity-related conventions provide little guidance on ways to achieve synergy. As he explains, “although most BRCs [biodiversity-related conventions] contain conflict clauses to address their relationship with alternative treaties upon their activities, such provisions have ultimately shed little light upon their purported interaction with each other” (p.49). Rules of international law such as the *lex posterior* (where two treaties deal with the same subject matter, the treaty later in time prevails over the earlier one) and the *lex specialis* (where two treaties deal with the same subject matter, the more specific rules override the general ones) address regime interplay by establishing a normative hierarchy (see Marceau, 2001). However, as Caddell notes, distinct treaties operating within similar spheres of activity do not generally form a natural hierarchy. Indeed, in the biodiversity context, “the relationship between treaties has overwhelmingly been one of partnership, not purported dominance” (Caddell, 2011, p.55).

Tables 4.1 and 4.2 show that the biodiversity-related conventions regard inter-institutional co-ordination a key mechanism for improving synergy. Across the conventions, the number of decisions requiring inter-institutional co-ordination overrides those requiring action at lower levels of co-ordination. Inter-institutional co-ordination may require decision-making beyond the interacting institutions (overarching institutional frameworks) or may only involve joint management (Oberthür, 2009). Within the group of decisions promoting inter-institutional co-ordination, those calling for action by external organisations and bodies represent a small number. In contrast, there is a strong inclination towards joint management or network governance.

Synergies between/among conventions have emerged from an executive cluster (the BLG) and from co-operative agreements (Caddell, 2011). The BLG was established in 2004 as a mechanism for enhancing coherence and co-operation in the implementation of the conventions (CBD Decision VII/26 par. 2). The BLG originally comprised the CBD and the first-generation conventions, with the

ITPGRFA joining the group in 2006. Its membership is circumscribed to the executive bodies (treaty secretariats) of the six conventions of the biodiversity cluster. The BLG is complemented by the Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB) group. At the request of the BLG, the CSAB held its first meeting in 2007 with the aim of exploring areas of intellectual co-operation and their translation into policy (CBD Doc UNEP/CBD/CSAB1/3). The CSAB has a broader membership, bringing together representatives from the six conventions of the biodiversity cluster and other biodiversity-related agreements, as well as officials from UNEP and other international organisations and initiatives working on biodiversity issues.

Co-operative agreements have usually taken the form of Memoranda of Understanding and Co-operation (MoUs/MoCs), and have been operationalized through work programmes, joint initiatives and thematic co-operation, for example, on sustainable use, environmental impact assessment or site-based conservation (UNEP-WCMC, 2012; Caddell, 2011). Figure 3.2 maps the formal agreements concluded between 1996 and 2010 in the biodiversity cluster. Co-operation is supported by organisations like UNEP and IUCN (see Andresen and Rosendal, 2009).

Provan and Kenis' (2007) typology of network governance forms helps to characterise governance modes in the biodiversity cluster. They distinguish three types of networks: 1) participant-governed networks, where members interact in a relatively equal basis and collectively make decisions and manage network activities; 2) lead organisation-governed networks, where co-ordination occurs through a lead organisation that is a network member; and 3) externally governed networks, where a network administrative organisation (NAO) that is not a network member takes responsibility for co-ordinating and sustaining the network. The biodiversity cluster can in principle be described as a participant-governed network because decisions and activities are jointly agreed by its members despite existing differences in material capabilities and performance. In practice, it operates as a lead organisation-governed network, with the CBD acting as the network broker. The CBD has established co-operative agreements with each of the other members of the network (see Figure 3.2) and acts as the convenor and de facto co-ordinator of the BLG (see Chapter 6, Section 6.1.2.1). UNEP, having a mandate to co-ordinate MEAs, has sometimes been seen as a potential NAO. Nevertheless, its co-ordination tasks have been thwarted by turf battles with competing

organisations, its geographical and funding situation, and problems of internal organisation (see Andresen and Rosendal, 2009).

Co-operation between/among biodiversity-related conventions also unfolds outside of the biodiversity cluster, both within the broader international governance system for biodiversity (see Chapter 3, Section 3.2) and the more encompassing IEG system. In the first case, co-operation involves mechanisms such as the Inter-agency Liaison Group on Invasive Alien Species, the Biodiversity Indicators Partnerships and the CBD's Global Taxonomy Initiative. Co-operation on cross-cutting IEG issues emerges, for example, through the UN system-wide Environment Management Group (EMG) and the MEA Information and Knowledge Management Initiative led by UNEP. In addition, the biodiversity-related conventions are members of other regime complexes, e.g., the forest regime complex (see Reischl, 2012), where further co-operation occurs.

Because networks have a tenuous legal basis (they emerge from and are supported by soft-law decisions), they are highly decentralised and have no policy-making authority. The extent and depth of synergies in the biodiversity cluster is ultimately determined by the governing bodies of the conventions. Networks can nonetheless influence policy. The joint development of technical guidance and its subsequent endorsement at the political level provides an obvious example of that influence. But networks may affect policy in more subtle ways. For instance, the World Heritage Centre's Natural Heritage Strategy, endorsed by the World Heritage Committee at its 30th session (Vilnius, Lithuania, 2006), incorporates elements of the CBD's agenda such as the 2010 Biodiversity Target and the ecosystem approach (WHC Doc WHC-06/30.COM/INF.6A). While the Strategy was drafted in the absence of collaboration with the CBD, its preparation coincided with the signing of an MoU between the World Heritage Centre and the CBD Secretariat (see CBD Doc UNEP/CBD/COP/7/19; WHC Doc WHC-05/29.COM/INF.5). Co-operation with the CBD might have not been sought as the Strategy was being prepared, but collaborative action preceded the formulation of the Strategy.

It has been noticed that synergies in international governance are generally achieved through the unilateral action of interacting regimes (or even by means of autonomous interplay management) but not through deliberate inter-institutional coordination (see Oberthür and Stokke, 2011; Oberthür, 2009). Nevertheless, in the

biodiversity case, unilateral adaptations cannot be easily disassociated from the joint management activities taking place in different networks.

4.2 Horizontal coherence in the implementation of biodiversity-related conventions in LAC countries

4.2.1 Overview

Most conventions require state parties to designate one main focal point and a number of technical focal points with issue-specific responsibilities. Because these focal points are spread across ministries, agencies and/or departments, intra- and inter-institutional co-ordination needs to be sought to ensure coherence. There is a wide perception among treaty secretariat officials and international experts that countries have made feeble efforts to co-ordinate implementation of the biodiversity-related conventions (Interviewees TS8, TS5, NG4). It is a common view that synergies in the biodiversity cluster are stronger than synergies at the level of national implementation. In the words of a treaty secretariat official “the levels of collaboration and interface at the international level have not been fully filtered down to the national level” (Interviewee TS8). Various experts coincided in the opinion that the greatest challenge for enhancing synergy between conventions lies in the ambit of state action (Interviewees IG1, IG6, NG9, NG4). One of them observed that “there is too much emphasis on co-ordination between secretariats, when the real action should be at the level of state parties” (Interviewee TS5).

The above views may result from deficient lines of communication between the biodiversity cluster and national implementation systems. In the view of one of the experts interviewed, “co-ordination at the national level has always happened to a great extent” (Interviewee IG5). However, “information of how implementation of the biodiversity-related conventions is taking place at the national level is often lacking at the international level” (ibid.). Indeed, as the next chapter will show,

levels of reporting on activities directed at enhancing synergies between/among conventions are generally low.

Efforts to improve synergy in the implementation of biodiversity-related conventions are underway in most LAC countries. Most of the national focal points interviewed informed that synergies have regularly occurred and/or are showing progress. Indeed, the CBD official from the Dominican Republic was the only one who acknowledged that national-level synergies have developed poorly.

The question arises, however, as to how far synergies have gone. As mentioned in Chapter 1, Morin and Orsini (2013a) propose four ideal types of policy coherency: 1) erratic, 2) strategic, 3) functionalistic, and 4) systematic. As is apparent from the evidence presented below, in most LAC countries, the implementation of the biodiversity-related conventions is based on a functionalistic approach, with no strong indications of moving into a stage of systematic policy-making. LAC countries have generally achieved a successful division of labour, but not always substantive complementarity, in the implementation of the conventions. It appears from the interviews conducted that duplication of efforts in national implementation is uncommon. In most cases, however, opportunities for streamlining implementation activities remain under-exploited. Participants recognised potential for enhancing synergy (Chilean, Colombian, Dominican, Jamaican and Panamanian Interviewees), improving complementarity (Costa Rican and Ecuadorian Interviewees), strengthening joint work (Argentinian Interviewee), and achieving greater co-ordination and alignment (Mexican Interviewee A).

Some MEA interfaces have grown stronger than others. Across the region, the interplay between the CBD and three of the first generation conventions (the Ramsar Convention, CITES and the CMS) is regularly co-ordinated. In some cases, co-location of national focal points within the same agency facilitates co-operation. In Ecuador, there is a decent degree of synergy between the CBD, the Ramsar Convention and CITES because the offices of the national focal points for those conventions are close to each other (Ecuadorian Interviewee B). CBD officials in Panama share the same office with the national focal point to CITES and they maintain regular communication with Ramsar authorities housed in the same department. In Mexico, there is close collaboration between CBD and CITES focal points based in the National Commission for Knowledge and Use of Biodiversity (CONABIO). Co-ordination is also reported between CONABIO and the National

Commission of Natural Protected Areas (CONANP) in the implementation of the Ramsar Convention. A Jamaican participant reported collaboration between MEA focal points in the Ministry of Water, Land, Environment and Climate Change and their counterparts in the National Environment and Planning Agency. CBD officials in the Chilean Ministry of Environment co-operate with Ramsar and CITES authorities based in other agencies and ministries (Chilean Interviewee A).

Synergies between the CBD and the two conventions administered by non-environmental organisations (the WHC and the ITPGRFA) are, in many cases, underdeveloped. A CBD official in Jamaica noticed that the WHC and ITPGRFA focal points are based outside of environment ministries and communication with them is not close. Similarly, a CBD focal point in Argentina recognised that greater work is needed to enhance synergies with the WHC and the ITPGRFA. In Mexico, co-ordination between CBD officials in CONABIO and WHC focal points is minimal (Mexican Interviewee A). In countries such as Bolivia and Panama, however, there seems to be good levels of collaboration between CBD and WHC officials. Interaction between CBD and ITPGRFA officials is also occurring in a number of countries. However, that relationship can sometimes be conflictive. In Colombia and Panama, there have been frictions between CBD authorities in environment agencies and ITPGRFA officials in agriculture ministries over ABS issues. In Panama, for example, conflicts stem from determining whether the use of genetic resources involves food security (the ITPGRFA's sphere of competence) or bio-prospection (falling under the CBD's remit). A Colombian interviewee suggested that tensions between focal points are more political than technical in nature, and have required mediation from the foreign affairs ministry.

Co-ordination is happening (especially within the environment sector), but attempts at integrated management of biodiversity-related MEAs are rare. Some countries have informed of efforts in this direction in their national reports. Three countries did it in reports covering implementation activities undertaken between 2003 and 2005: Colombia in its third CBD report (drawing attention to the National Action Plan on Biodiversity), Costa Rica also in its third CBD report (considering an action plan for joint implementation of biodiversity-related MEAs), and Panama in its report to CMS CoP8 (commenting on plans to integrate CMS-related activities into a future NBSAP). More recently, Honduras has notified of on-going work towards a joint work plan for the implementation of biodiversity-related agreements. At the time when the interviews were conducted, no other countries seemed to be taking

similar steps (see section 4.2.2 below). Overall, the coherency of implementation arrangements in LAC countries is less advanced than regime integration in the biodiversity cluster.

4.2.2 Policy objectives

From a functional perspective, the management of biodiversity-related conventions in LAC countries can be described as follows: 1) it seeks to create (and enhance) synergy rather than contain conflict; and 2) it does not follow a strategic direction, but emerges around concrete issues. The management approach is essentially the same as that observed in the biodiversity cluster, but subtle differences can be noticed which are brought to light in the ensuing discussion.

The implementation of MEAs in developing countries tends to be compartmentalised, with different environmental issue-areas addressed separately rather than in a holistic manner (Mouat et al., 2006). Treaty implementation requires adjustments in existing institutional frameworks: “it is a process which develops in incremental steps; progress is swift in some cases, but not in others” (Argentinian Interviewee). Countries employ distinct procedures and instruments to implement biodiversity-related conventions. In Chile, for instance, implementation of the CBD relies on technical guidance available from the CBD Secretariat; CITES activities have been assisted by capacity-building workshops; and CMS-related operations are based on regional co-operation (Chilean Interviewee A). Different implementation arrangements often imply different capacity requirements in terms of organisation, human resources, and scientific research (Honduran Interviewee).

Duplication of efforts in the implementation of biodiversity-related MEAs, as mentioned earlier, does not seem to occur. But implementation arrangements are occasionally compromised by duplication of ministerial competences. In Colombia, for instance, the ministries of environment and agriculture, housing the primary focal points for the CBD and the ITPGRFA respectively, both have authority over matters of genetic resources, an area where the mandates of the two conventions intersect. Inter-institutional co-ordination has been sought to manage institutional

overlap (Colombian Interviewee). Overlapping ministerial responsibilities were also noticed by Bolivian and Mexican participants.

The strategic plans and/or programmes of the conventions of the biodiversity cluster contain provisions on co-operation with other biodiversity-related agreements (see UNEP-WCMC, 2012). In contrast, requirements for coherent implementation of biodiversity-related conventions are missing from national policy planning. An Ecuadorian participant observed that “we do not have a working programme that encourages national focal points to create synergies... and allows a systematic monitoring of co-ordinated work”. A CBD official in Panama commented that integrated implementation of biodiversity-related MEAs has only recently been considered in the context of the Strategic Plan for Biodiversity 2011-2020. Honduras is exploring approaches for more integrated implementation of MEAs. Participants from other countries did not bring up similar initiatives.

Synergies tend to be missing in strategic frameworks on biodiversity. Table 4.3 shows whether synergies between biodiversity-related MEAs were considered in the first-generation NBSAPs. The Brazilian NBSAP is the only strategy that explicitly incorporated objectives related to MEA inter-linkages. The Argentinian, Bolivian and Cuban strategies did not address synergies between MEAs directly, but considered implementation requirements under different conventions. International commitments were virtually neglected in the rest of the NBSAPs. In the Pacific Islands, MEA inter-linkages have similarly lacked a strategic orientation (Chasek, 2010).

In the biodiversity cluster, co-operation in areas of shared interest is common. Such thematic co-operation is also widespread at the level of national implementation. For example, synergies have been established around international events and in the pursuit of external resources. In most LAC countries, biodiversity focal points take part in internal consultation meetings in preparation for high-level meetings of biodiversity-related agreements (see Chapter 5, Section 5.2.2). Participants from Panama and Honduras reported co-ordinated action to elaborate national reports. CBD focal points in Peru have attended CMS meetings. Both Panamanian and Bolivian interviewees indicated that national focal points co-operate in the context of GEF project proposals. In Jamaica, national CBD and Ramsar authorities collaborated on the organisation of the Fifth Pan-American Regional Meeting of the Convention on Wetlands in Jamaica in December 2011 (Jamaican Interviewee A).

Table 4.3 NBSAPs and synergies between biodiversity-related conventions in LAC countries

| Synergies explicitly addressed | | |
|---|---|---|
| Country | NBSAP and year of adoption | Comments |
| Brazil | Política Nacional da Biodiversidade 2002 | The strategy features three objectives in the area of international co-operation, one of which is to create synergies in the implementation of international environmental agreements adopted by the country. |
| Explicit references to implementation of biodiversity-related MEAs other than the CBD | | |
| Country | NBSAP and date of adoption | Comments |
| Argentina | Estrategia Nacional sobre Diversidad Biológica 2003 | In section XVI of the strategy, Argentina commits to implementing international environmental agreements and enhancing the country's capacity to participate in international environmental fora. |
| Bolivia | Estrategia Nacional de Biodiversidad 2001 | One of the priorities of the strategy is to improve implementation of international environmental agreements, in particular, the CBD, the Climate Change Convention, the Indigenous and Tribal Peoples Convention, CITES and the Ramsar Convention. |
| Cuba | Estrategia Nacional para la Diversidad Biológica y Plan de Acción en la República de Cuba 1999 | One of the goals of the strategy is to strengthen international co-operation, including through an active involvement in the implementation of the CBD and other related instruments. |
| Synergies and/or implementation of non-CBD conventions are not explicitly considered | | |
| Chile - Estrategia Nacional de Biodiversidad (2003) Colombia - Política Nacional de Biodiversidad (1995) Costa Rica - Estrategia Nacional de Biodiversidad (2000) Ecuador - Política y Estrategia Nacional de Biodiversidad del Ecuador 2001-2010 (concluded in 2000 and officially endorsed in 2007) Guatemala - Estrategia Nacional para la Conservación y Uso Sostenible de la Biodiversidad y Plan de Acción (1999) Honduras - Estrategia Nacional de Biodiversidad y Plan de Acción (2001) Jamaica - National Strategy and Action Plan on Biological Diversity (2003) Mexico - Estrategia Nacional sobre Biodiversidad de México (2000) Panama - Estrategia Nacional de Biodiversidad (2000) Peru - Estrategia Nacional sobre Diversidad Biológica (2001) | | |

Inter-linkages have also been developed in the formulation and implementation of national policies and programmes on biological diversity. In Panama and Honduras, national MEA authorities participate in the review of policy and normative frameworks for biodiversity. A CBD official from Panama highlighted the recent involvement of biodiversity focal points in the development of a REDD+ strategy (a mechanism for Reducing greenhouse gas Emissions from Deforestation and forest Degradation, as well as through sustainable management of forests, conservation

of forest carbon stocks and enhancement of carbon stocks). MEA focal points were collaborating to update the NBSAP and the national policy on wetlands at the time when interviews were conducted (Panamanian Interviewee). In Chile, CBD and Ramsar officials were involved in drafting a strategy for the conservation of Andean highlands (Chilean Interviewee). On the implementation side, CBD authorities in Panama have supported their WHC counterparts in holding capacity-building workshops for protected area managers. In Honduras, there has been collaboration on awareness raising workshops.

The examples above suggest that co-operation between MEA departments and agencies has been more co-exploitative than co-explorative as per Parmigiani and Rivera-Santos' (2011) ideal forms of inter-organisational relationships (the focus has been on executing regular activities rather than on creating new ones). However, co-exploration is not entirely absent in the region. In Cuba, national workshops on synergies have been organised to explore areas of collaboration and develop proposals for joint management (these activities have been highlighted in the country's reports to the Ramsar and CITES CoPs).

The empirical evidence also reveals that co-operation comprises different ambits of treaty implementation. In an early study on MEA implementation in the Asia-Pacific region, Van Toen (2001) observed that national focal points established communication for three main purposes: preparation of national reports, exchange and harmonisation of information, and elaboration of national strategies. LAC experiences bring to light other areas of co-operation such as joint events and workshops, and joint ventures to attract funding.

4.2.3 Implementation arrangements

Described along the triad of polity, policy and politics, implementation arrangements supporting synergies between biodiversity-related MEAs at the national level can be described in the following terms. From a polity angle, actor networks make synergies possible, but core networks of biodiversity focal points are not easily distinguishable. When policy aspects are considered, soft organisational mechanisms predominate. In terms of politics, actor networks

comprise government officials from different ministries, agencies and/or departments, and, in some cases, civil society actors. As the next discussion shows, management systems are generally less developed than those established in the biodiversity cluster.

The biodiversity cluster is a stable network that has its most visible expression in the BLG and the CSAB but is also based on formal mechanisms for co-operation such as MoUs/MoCs and joint work programmes. At the national level, core networks of biodiversity focal points are difficult to identify (and so peripheral networks) both because there are different understandings of what a cluster of biodiversity-related agreements entails; and because these different understandings do not always create visible networks (supported on concrete policy instruments). These two peculiarities of MEA implementation processes are disentangled next.

Some MEA officials have a narrow understanding of biodiversity-related conventions as those administered within the environmental sector (usually the Ramsar Convention, CITES, the CMS and the CBD, but also other multilateral conventions of a lower profile). Others, in contrast, have a loose conception of biodiversity-related agreements which extends beyond the boundaries of the biodiversity cluster, encompassing for example the climate change and desertification conventions. An Ecuadorian interviewee went on to say that “when we talk about synergies, we talk about co-ordination among MEAs in general”.

Indeed, national reports suggest that some countries co-ordinate the overall implementation of MEAs through inter-sectoral bodies such as the National Environmental Council in Colombia (mentioned in the country’s fourth CBD report) and the Environment Committee in Cuba (referred to in the country’s report to Ramsar CoP11). In other cases, smaller MEA co-ordination offices have been established within environment ministries (reported by the Dominican Republic in its second CBD report and by Mexico in its report to Ramsar CoP10) to improve coherence. Although these mechanisms were not explicitly mentioned by interviewees from the relevant countries, most of them feature in recent national reports and can thus be presumed to remain in operation. The MEA co-ordination office in the Dominican Republic might be the only exception, both because recent national reports have not referred to it and because the Dominican CBD official interviewed acknowledged that co-ordination of MEA-related activities was at a low

level. LAC experiences are not unique to the region. Boyer et al. (2002) noticed, for instance, that in some Asia-Pacific countries MEA focal points held periodic co-ordination meetings and/or MEA co-ordination offices had been established to enhance synergy.

In most cases, however, there are no mechanisms deliberately established to advance co-ordination in the implementation of (biodiversity-related) MEAs, with synergies emerging in national committees overseeing the implementation of specific conventions or supporting a co-ordinated approach to cross-cutting issues. In Chile, there are national committees responsible for following up the implementation of the Ramsar Convention, CITES and the CMS. National focal points of biodiversity-related MEAs are represented in these committees. This facilitates the creation of synergies between the conventions (Chilean Interviewee B). Similar committees have been set up in Jamaica (Jamaican Interviewee A). Cuba has a national commission which co-ordinates the implementation of the WHC. In Costa Rica, the National Commission on Plant Genetic Resources promotes synergistic implementation of conventions such as the CBD and the ITPGRFA related to plant genetic resources. A committee was recently established in Mexico to identify priority areas for the implementation of the Rio Conventions with a view to developing GEF project proposals (Mexican Interviewee A). Honduras has set up a working group which seeks to co-ordinate civil society activities contributing to the implementation of biodiversity-related conventions and other MEAs. These synergy mechanisms are not unique to the LAC region. Committees or reference groups guiding the implementation of specific conventions are common in countries of Africa (see Masundire, 2006) and the Asia Pacific region (see Boyer et al., 2002). Likewise, intra-governmental and multi-stakeholder mechanisms for co-ordinated action on environmental issues have been reported in other developing countries (see Pittock (2011) on national committees on climate change).

National co-ordination committees resemble the global task forces and working groups promoting co-operation between biodiversity-related conventions and other MEAs and organisations (e.g. the Heads of Agency Task Force on the 2010 Biodiversity Target and the CBD's Liaison Group on Non-timber Forest Resources). They are institutional mechanisms for issue-based co-operation which are not intended to synergise implementation of MEAs but to achieve specific policy goals through concerted action.

Synergies in domestic settings tend to follow a less formalised approach than synergies in the biodiversity cluster. Van Toen (2001) noticed, for example, that few formal efforts to foster synergies between MEAs had been made in countries of the Asia-Pacific region. Synergies generally arise through regular dialogue and communication between national focal points (see section 4.2.1). Good levels of collaboration sometimes obviate the need for a deliberate integration of synergies in policy planning. A Panamanian participant observed, for example, that “synergies sometimes do not have to be explicitly mentioned” when projects are designed. In a similar vein, another interviewee noticed that “if local institutions display high levels of integration and collaboration, synergies arise on the ground” (Mexican Interviewee B).

4.3 Horizontal linkages in biodiversity governance: A comparison of global and national experiences

Observers have noticed that global co-operation among biodiversity-related MEAs has not been corresponded with parallel efforts in domestic arenas to improve coherence in implementation (Jardin, 2010; Masundire, 2006), but have fallen short of exploring the nature and extent of the gap. This chapter made an empirical comparison of global- and national-level synergies revealing that inter-treaty co-ordination has been more ambitious than national co-ordination both in terms of what is pursued and how it is achieved.

When global policy goals and national policy objectives are compared, the approach appears similar: the management of regime interplay is directed at enhancing synergy (rather than avoiding disruption), and is based on co-exploitation in areas of common focus. However, whereas co-operation in the biodiversity cluster aims to “bring together” the work of the conventions (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2), co-operation at the national level usually arises in response to particular needs. The adoption of common technical guidance and the standardisation of nomenclature are illustrative examples of global alignment. Harmonisation of MEA programmes at the national level is rare. Indeed, synergies in the biodiversity cluster are pursued through pro-active interplay management

(Stokke, 2009), whilst national-level synergies typically result from short-term concerns, sometimes leading to the type of responsive co-ordination associated with emergent phenomena (see Drabek and McEntire, 2002).

Co-ordination in the biodiversity cluster has a clearer sense of direction than national-level co-ordination. Until recently, the cluster lacked a strategic framework commonly embraced by its elemental regimes, but the strategic plans and/or programmes of the conventions have endorsed co-operative activities among them. Moreover, the 2010 Biodiversity Target provided some focus for much of the past decade. Co-operation at the national level has not achieved a similar status. NBSAPs, the overarching national frameworks on biodiversity, do not usually incorporate commitments from biodiversity-related MEAs other than the CBD. Of the first-generation NBSAPs reviewed, the Brazilian strategy was the only one which explicitly addressed synergies between biodiversity-related conventions.

Institutional and implementation arrangements have points of similarity. Network governance forms based on mechanisms for inter-institutional co-operation are dominant at both levels. Nevertheless, differences can be noticed in the ambits of polity (the structure and composition of networks), policy (the “hardness” of instruments for inter-institutional co-operation), and politics (the actors and interests involved).

The biodiversity cluster is an identifiable network that is anchored in a number of policy mechanisms deliberately intended to synergise convention-related activities, including hard procedural instruments (MoUs/MoCs and joint work programmes) and arrangements supporting deeper co-operation (i.e. co-exploration) like the BLG (Scott, 2011). The biodiversity-related conventions also co-operate outside of the biodiversity cluster, within broader networks that bring together regimes from different policy areas. Core and peripheral networks of co-operation are not easily distinguishable at the national level both because the biodiversity cluster acquires different boundaries and because these alternative boundaries do not often materialise into concrete policy instruments (mechanisms purposefully designed to streamline implementation of biodiversity-related MEAs, whatever this concept means at the national level, are virtually non-existent). Co-operation emerges through various inter-agency liaison groups which are issue-focused as well as in day-to-day implementation. Indeed, some would suggest that existing co-ordination arrangements do not display the properties of a network structure but of

collaborative configurations characterised by permanent or regular co-ordination (see Mandell and Steelman (2003) on different types of collaborative contexts in public management).

Inter-institutional co-operation is more politicised in the biodiversity cluster. In domestic arenas, national focal points based in environmental ministries and/or agencies collaborate with each other, but not always with MEA officials housed by ministries/agencies in non-environmental sectors. In contrast, within the biodiversity cluster, the relationships between treaties administered by environmental organisations (the Ramsar Convention, CITES, the CMS and the CBD) is no necessarily better than their relationships with treaties attached to other policy sectors (the WHC and the ITPGRFA). This can be related to the politicisation of inter-treaty co-operation resulting from the evolution of integration processes in the cluster. The “CBD-ification” of biodiversity governance has created horizontal tensions that are sometimes fuelled by the personalities of the heads of executive agencies (see Chapter 6, Section 6.1.2.1). At the national level, co-ordination under the CBD’s framework does not seem to be occurring and synergies are not closely monitored by high-profile subjects. Political actors play a role in the context of negotiations and meetings of MEAs, but not always at the implementation stage.

In summary, horizontal linkages at global and national level exhibit similar characteristics that reveal co-evolution, but also key differences that create an implementation gap. The more advanced stage of integration achieved in the biodiversity cluster has not yet triggered improved coherence in national implementation, as should occur when co-evolution is strong.

The comparison of policy integration processes in the biodiversity cluster and policy coherence outputs at the level of national implementation makes important contributions to the regime interplay literature. Scholars have noticed that where institutional interaction produces synergistic effects, potential for further improvement is often left unexploited (Gehring and Oberthür, 2006b). The biodiversity case confirms these observations. The interplay of biodiversity-related conventions is essentially synergistic because they all pursue the conservation (and sustainable use) of biological diversity (conflict emerges, instead, when interplay is managed). However, opportunities for improving synergy have been untapped at the global and national levels. In the first case, this is rather surprising due to the high levels of inter-treaty co-operation involved (Caddell, 2011), but some would

see unexploited synergies as evidence that co-operation has progressed in the absence of strategic direction (see Urho, 2009).

Simon (2012) has hinted that the extent and depth of synergies between regimes bears relation with the predominant form of co-operation, i.e., whether it tends to privilege co-exploitation (expansion) or co-exploration (learning and innovation) (see Chapter 2, Section 2.3.1). He notices that the clustering process in the chemicals and hazardous waste sector, which has been hailed as one of the most outstanding examples of synergy arrangements in IEG (see Wehrli, 2012), is essentially a co-exploratory endeavour. If co-exploitation and co-exploration are associated with thematic and generic mechanisms for co-operation, respectively, co-exploitative relationships prevail in the biodiversity cluster and at the level of national implementation. Nevertheless, within the more advanced system (the biodiversity cluster) some forms of co-exploration are taking place (through the BLG and the CSAB). These observations provide some support to Simon's proposition.

The management of synergistic interplay, according to Oberthür (2009), has mostly occurred through unilateral regulatory action within the institutions in interaction. This claim needs to be nuanced when considered against the empirical findings of this research. Network governance forms supported by different organisational instruments are pervasive in the biodiversity cluster and at the level of national implementation. Joint management activities in the cluster have rarely translated into co-ordinated policy decisions. The scope and extent of co-operation is ultimately determined by the individual decisions of the governing bodies of the conventions. Nevertheless, unilateral decision-making unfolds in a highly co-operative environment. Indeed, it is common practice across the conventions to refer to other agreements and relevant co-operative efforts in the preamble of decisions that are of the interest of other venues. At the national level, unilateral means to improve regime inter-linkages seem uncommon. The study found no evidence of unilateral attempts by MEA lead agencies to influence other agencies/ministries into specific pathways of action. In many cases, special committees have been established to ensure intra- and cross-sectoral co-ordination in the implementation of specific conventions. Thus, in situations where synergistic interplay is dominant, networks play a more important role in enhancing synergy than Oberthür implies.

Of special importance to this research, the similarities perceived between policy integration processes in the biodiversity cluster and policy coherence outputs in national implementation confirm that the co-evolution of regime complexes and policy coherence observed by Morin and Orsini (2013a, 2013b) in the ambit of foreign policy extend to the sphere of national implementation.

Morin and Orsini (2013b) observe that interactions within regime complexes are as diverse as inter-agency relationships in domestic environments and, as a result, regime complexes and policy coherence do not co-evolve in perfectly symmetrical ways. Co-evolution in the present case has not created isomorphic governance systems. Co-operation activities at global and national levels have not developed at the same pace. Co-evolution might be stronger in Western liberal countries supportive of deep integration of domestic structures (see Raustiala and Victor, 1998). Some of these countries have been leading advocates of integration in the biodiversity cluster. During the early negotiations of the CBD, the United States proposed the creation of an umbrella convention that would streamline existing conservation agreements, although as negotiations advanced and social and economic aspects of biodiversity were included in the agenda, it turned into one of the main opponents of the process (Boisson de Chazournes, 2009). More recently, following the adoption of the 2010 Biodiversity Target, the EU promoted the creation of a global partnership on biodiversity comprising the main biodiversity-related organisations with the CBD at its centre (CBD Doc UNEP/CBD/COP/7/5). Some suggest that developed countries do not support integration processes in international governance because fragmented systems allow them to establish a legal order that serves their interests and that only they have the capacity to transform (see Drezner, 2010; Benvenisti and Downs, 2007). Institutional integration in the biodiversity cluster could indeed reinforce sectoral organisation in international biodiversity governance and increase fragmentation (see Biermann, 2005). Conservation institutions would become stronger and pose a challenge to institutions in other policy fields that are behind biodiversity threats. This would allow powerful actors to deploy cross-institutional political strategies to alter the balance between conservation and human development concerns in the international agenda (see Alter and Meunier, 2009).

If developed countries have taken special interest in enhancing integration in the biodiversity cluster, they have presumably been active in creating synergies in the implementation of the constituent regimes of the cluster at the national level. This

assumption can nonetheless be disputed. The gap between policy integration processes in the biodiversity cluster and policy coherence outputs in national implementation is not an extraneous phenomenon in IEG. Until recently, the IEG system emphasised policy development over policy implementation (see Kim, 2013). National implementation problems are common in under-resourced developing countries, but have also been encountered in countries with higher levels of income. EU countries, for instance, struggled to comply with CBD-related obligations in the early days of the convention, and as they committed to undertaking collective, European-level, actions to implement the treaty, new MLG challenges emerged (see Baker, 2003).

Implementation gaps are, to some extent, an expected outcome in conditions of institutional proliferation because regime complexes are not deliberately established institutions governing national behaviour. Indeed, that regime complexes and national implementation systems display weak co-evolution is in itself a remarkable finding.

4.4 Concluding remarks

The first objective of this research was to examine whether regime complexes and national implementation systems display similar evolution patterns. Co-evolution implies that global governance developments foster domestic policy change and vice versa. Thus, if co-evolution in areas of regime overlap is occurring, regime complexes and national implementation systems must exhibit similarities. Assuming that institutional and implementation overlap require interplay management or deliberate efforts to enhance positive interactions between and among regimes (Young, 2011), the co-evolution framework developed in Chapter 2 advanced some elements for comparing policy integration processes in regime complexes and policy coherence outputs at the level of national implementation. In brief, global policy goals and institutional arrangements are compared with national policy objectives and implementation arrangements to examine how congruent regime complexes and national implementation systems are. The present chapter made such assessment in the context of biodiversity governance.

Evidence of co-evolution in areas where the biodiversity-related conventions overlap was found. Policy goals in the biodiversity cluster and policy objectives in arenas of national implementation are partly coincident: the search for synergy is based on co-exploitation and thematic approaches. Likewise, both institutional and implementation arrangements involve network governance forms supported by mechanisms for inter-institutional co-operation. Previous research had noticed the co-evolution of global environmental discourses and foreign policies of developing countries (see Najam, 2005). This chapter unveiled a different facet of the co-evolution of IEG and national governance in the developing world, namely, the co-evolution of EPI processes and MEA implementation systems. This finding has two major implications for the study of the co-evolution of regime complexes and policy coherence. On the one hand, it shows that there is not only a dynamic interaction between the life cycle of regime complexes and the coherency of governmental policy-making (Morin and Orsni, 2013a, 2013b), but also between policy integration processes in regime complexes and the coherency of national implementation systems. On the other hand, empirical observations reveal that co-evolution of international and domestic policies is not confined to a zone of collective management centred on Western liberal economies (see Raustiala and Victor, 1998) but extends to the developing world. If co-evolution were part of a Western enterprise aimed at deep integration of national economies (Raustiala and Victor, 1998), developing countries would defy it, which does not seem to occur in the present case.

Co-evolution has nevertheless been weak. Substantive differences between policy integration processes in the biodiversity cluster and policy coherence outputs at the level of national implementation were observed. Synergies are considered an issue of strategic importance in the biodiversity cluster: mutual references can be found in strategic plans, decisions, resolutions and programmes of work of its constituent regimes. This has created a core network of biodiversity-related agreements anchored in formal co-operation instruments such as MoUs/MoCs and joint work programmes. Synergies between/among biodiversity-related agreements are rarely considered in NBSAPs, the main instruments for implementing international biodiversity policies at the national level. National clusters of biodiversity-related agreements, where they exist, have different boundaries to the global biodiversity cluster, and inter-connections therein tend to be looser and less formal. Such an implementation gap or vertical disintegration of policy (Hanf and Underdal, 1998) is a pervasive phenomenon in IEG (see UNEP, 2012a, 2012b). Some would suggest

that the gap reveals disconnected governance systems, but it rather signals that governance systems are not co-evolving at the pace and degree required to solve global environmental problems. It is at this point where vertical linkages between regime complexes and national implementation systems need to be examined.

When regime complexes and national implementation systems co-evolve, greater policy integration (coherence) in regime complexes (national implementation) will trigger greater coherence (integration) in national implementation (regime complexes). In other words, influence will travel from the more advanced system to the less developed one. Ideally, this initial interaction should trigger another one in the opposite direction such that positive feedback loops between regime complexes and national implementation systems emerge. The extent and symmetry of vertical linkages in biodiversity governance are addressed in the next chapter.

5 The biodiversity cluster and national implementation systems in LAC: Vertical dimensions of co-evolution

Vertical linkages between the biodiversity cluster and national implementation systems in LAC countries form the focus of this chapter. The similarities observed in institutional and implementation arrangements (see Chapter 4) suggest that those linkages exist. But because synergy processes have developed more rapidly in the biodiversity cluster, pathways of global influence on national governance can be expected to be stronger than vertical flows in the opposite direction (under a co-evolutionary perspective, greater integration at one level of governance stimulates integration processes at another). The strength and symmetry of vertical linkages are examined here. The assessment constitutes the second step in the analysis of the co-evolution of regime complexes and policy coherence in accordance with the framework developed in Chapter 2.

This chapter first discusses pathways of global influence on the management of biodiversity-related conventions in LAC countries. It next explores whether, and to what extent, LAC countries have made efforts to influence global governance in the biodiversity cluster. These two sections rely on empirical evidence obtained from interviews with national focal points as complemented with relevant documentary sources. A third section considers whether global/national efforts to shape national/international governance have been more or less reciprocal to assess the degree of (a)symmetry of vertical linkages. Concluding remarks close the chapter.

5.1 Global influence on national governance

5.1.1 Overview

Most international observers interviewed in this study agreed that synergies achieved in the biodiversity cluster have exerted a limited impact on national implementation. In the words of a treaty secretariat official, “we are more integrated; whether we are more effective is debatable” (Interviewee TS1). Participants at BLG meetings have noticed a general disconnect between inter-governmental processes and day-to-day implementation within countries (CBD Doc BLG-5/2). Various interviewees considered that collaborative undertakings to support national implementation have not been fully explored (Interviewees TS5, IG2, IG6), but recent co-operative agreements reflect an increased emphasis on enabling synergies at the national level (see Caddell, 2011).

Bernstein and Cashore (2012) identify four different pathways through which global governance arrangements can influence national policy: 1) international rules, 2) international norms and discourse, 3) markets, and 4) direct access to domestic policy-making (see Chapter 2, Section 2.3.2.1). Global governance in the biodiversity cluster has exerted influence through international norms and discourse as well as through direct access to domestic policy-making. International rules have marginal relevance as a means of promoting synergies in the implementation of biodiversity-related conventions. The texts of the conventions of the biodiversity cluster do not create obligations to achieve synergy in their implementation, nor do they provide guidance on how to create those linkages (Caddell, 2011). Generally, the rules emanating from international treaties offer some avenues for addressing conflicts, but not for enhancing synergies, between regimes (van Asselt, 2011). Markets have not been deliberately manipulated to foster synergies on the ground. The GEF has financed biodiversity-related projects with the support of UNEP and UNDP as implementing agencies (see Andresen and Rosendal, 2009). However, the provision of external resources to influence national governance falls within the category of efforts associated with direct access to domestic policy-making (see Bernstein and Cashore, 2012).

Pathways of influence emerging from the biodiversity cluster and the way they have affected national implementation in LAC countries are discussed next.

5.1.2 International norms and discourse

International norms and discourse are a key mechanism for influencing the management of biodiversity-related conventions at the national level. Normative avenues through which global governance has sought to affect national implementation include: 1) resolutions and decisions of governing bodies promoting co-ordination of MEA implementation activities; 2) state-level actions envisaged in formal co-operative agreements between conventions (notably joint work programmes); and 3) high-level political commitments (e.g. global biodiversity targets).

Several resolutions and decisions have encouraged countries to co-ordinate activities pursuant to different biodiversity-related agreements. Between April 2002 and October 2010, 179 decisions were adopted promoting synergies between the CBD and the specialist conventions of the biodiversity cluster (see Tables 4.1 and 4.2). Almost 22% of these decisions required independent or collaborative action by state actors. Countries have been required to inform on the implementation of these decisions in their national reports (see Chapter 3, Section 3.3.2). Global trends arising from these reports suggest that normative influence on national-level synergies has not been strong. Table 5.1 shows that a relatively low number of parties submitting reports to four biodiversity-related conventions (the CBD, the Ramsar Convention, CITES and the CMS) between 2005 and 2011 informed that measures had been adopted to synergise MEAs implementation. While this tendency varies across conventions and reporting periods, the overall picture denotes that national-scale collaboration and synergy, as required by the governing bodies of the conventions, have progressed slowly. Within the ITPGRFA, the parties to which are not mandated to produce national reports, the need for better co-ordination between national focal points has been noticed (see ITPGRFA Doc IT/GB-4/11/11).

Table 5.1 Synergies in the implementation of biodiversity-related MEAs as arising in national reports: Global trends²⁰

| Synergies in the implementation of biodiversity-related MEAs as arising in national reports: Global trends | | | |
|---|---|---|--|
| Convention | National Reports | Number of Parties submitting reports on time for their inclusion in global assessment reports²¹ | Actions reported to co-ordinate MEA-related activities |
| CBD | 3 rd National Reports (2005) | 33 out of 188 Parties (as of the end of October 2005) More than 17% | The CBD Secretariat reports that “an overwhelming majority of reporting Parties” are taking steps to harmonise national policies and programmes for the implementation of biodiversity-related conventions. Source: CBD CoP8 Doc.23 |
| | 4 th National Reports (2009) | 95 out of 193 Parties (as of February 2010) More than 49% | Mechanisms of collaboration among national focal points are hardly mentioned in the reports. Source: CBD CoP10 Doc.17; CBD WG-RI-3 Inf.1 |
| Ramsar Convention | National Reports to CoP9 (2005) | 110 out of 141 eligible Parties (as of 20 September 2005) ²² More than 78% | 33% of Parties report positive developments with regard to improving synergy with other MEAs, whereas a further 22% inform that they are moving in this direction. The Ramsar Secretary General notices that in-country collaboration between the national focal points to the biodiversity-related conventions is an area where progress remains slow. Source: Ramsar CoP9 Doc.5 |

²⁰ National reports informing on implementation activities taking place between April 2002 and October 2010 were considered. Global trends in the co-ordination of MEA-related activities were retrieved from official documents evaluating the content of national reports.

²¹ The specific reports reviewed are indicated in the next column.

²² There were 146 Parties at the time, but five of them had recently joined the convention and were not expected to submit reports in their first year.

| Synergies in the implementation of biodiversity-related MEAs as arising in national reports: Global trends | | | |
|---|-----------------------------------|--|--|
| Convention | National Reports | Number of Parties submitting reports on time for their inclusion in global assessment reports²¹ | Actions reported to co-ordinate MEA-related activities |
| Ramsar Convention | National Reports to CoP10 (2008) | 129 out of 157 eligible Parties (as of 15 August 2008) ²³ More than 82% | 57% of responding Parties inform that they have mechanisms for collaboration between Ramsar Administrative Authorities and their counterparts for other MEAs. 39% of Parties also report that the focal points of other MEAs are invited to participate in National Ramsar Committees. Source: Ramsar CoP10 Doc.6 |
| | National Reports to CoP11 (2011) | 127 out of 160 Parties (as of 15 May 2012) More than 86% | The analysis of national reports provides no information on domestic actions intended to streamline implementation of MEAs (see Ramsar CoP11 Doc.7) |
| CITES | Biennial Reports 2003-2004 (2005) | 85 out of 169 Parties (as of 31 December 2006) More than 50% | Over half of the parties do not report the existence of co-ordination mechanisms for synergising MEAs implementation. Others report that co-ordination of MEA processes results from the same agency housing national focal points of different MEAs, or from good communication between different agencies. Source: CITES CoP14 Inf.15 |
| | Biennial Reports 2005-2006 (2007) | 68 out of 170 Parties (as of 3 February 2010) 40% | In both reporting periods, half of the Parties inform that they have taken measures to ensure co-ordination in the implementation of CITES and other MEAs. Several parties indicated that the focal points for CITES and other conventions are based in the same agency, which facilitates co-ordination. Source: CITES CoP15 Inf.43 |
| | Biennial Reports 2007-2008 (2009) | 48 out of 173 Parties (as of 3 February 2010) Almost 28% | |
| | Biennial Reports 2009-2010 (2011) | A recent document jointly prepared by the Standing Committee's Working Group on Special Reporting Requirements and the Secretariat revealed that no analysis of biennial reports was conducted due to the low level of report submission (see CITES CoP16 Doc. 30) | |

²³ 158 states were then members of the convention, but one of them had recently joined the treaty and did not have to submit a report.

| Synergies in the implementation of biodiversity-related MEAs as arising in national reports: Global trends | | | |
|---|----------------------------------|---|--|
| Convention | National Reports | Number of Parties submitting reports on time for their inclusion in global assessment reports²¹ | Actions reported to co-ordinate MEA-related activities |
| CMS | National Reports to CoP8 (2005) | 47 out of 89 eligible Parties (as of 31 August 2005) ²⁴ Almost 53% | Nine Parties (19%) reported collaboration with other bodies and processes, including the CBD and the Ramsar Convention. Source: CMS CoP8 Doc.5/Add1 |
| | National Reports to CoP9 (2008) | 54 out of 108 Parties (as of 31 July 2008) 50% | Ten Parties (18%) reported co-operation with other conventions, notably, the CBD, the Ramsar Convention and CITES. Source: CMS CoP9 Doc.10 |
| | National Reports to CoP10 (2011) | 68 out of 113 eligible Parties (as of 10 June 2011) ²⁵ More than 60% | Twenty-seven Parties (40%) reported synergies with other bodies and processes, including the CBD, the Ramsar Convention and CITES. Source: CMS CoP10 Doc.11 |

²⁴ There were 91 parties at the time, but three countries joined the convention from May 2005 and were not expected to submit reports (CMS CoP8 Doc.5)

²⁵ The convention had 116 members when the assessment of national reports was made. However, three parties were not required to submit reports (CMS CoP10 Doc.11)

These general trends are confirmed in LAC. Table 5.2 describes and assesses the measures and/or actions reported by the 15 LAC countries of the sample to improve coherence in the implementation of the biodiversity-related conventions. Measures and/or actions reported between 2003 and 2011 are sorted into three time intervals to evaluate progress (see Chapter 3, Section 3.3.2., for a detailed discussion of methods employed in the analysis of national reports). In most cases, it is unclear whether co-ordination in the implementation of MEAs has improved with time, but there are also cases where some headway has possibly been made. More definite conclusions are difficult to achieve because countries tend to provide limited and unspecific information on synergies, and because the information reported within and across time intervals is sometimes inconsistent and even contradictory. To illustrate, in its third national report to the CBD (due in 2005), the Dominican Republic informed that initial steps had been made to harmonise MEA policies and programmes through the recently created ministry of environment and natural resources and a new special office overseeing implementation of MEAs. The country's national report to Ramsar CoP9 (due the same year) confirmed that measures were underway to improve synergies between MEAs on the ground. However, three years later the Dominican Republic reported to Ramsar CoP10 that no measures were in place to co-ordinate MEA implementation activities. More recently (at Ramsar CoP11), the country informed that actions to enhance synergy have been partly taken, drawing attention to on-going co-ordination between Ramsar and other MEA processes (but failing to specify more concrete measures). Some have already called into question the quality of reporting to the biodiversity-related conventions, associating poor reporting standards with a lack of effective implementation of MEA obligations (see Jóhannsdóttir et al., 2010).

Table 5.2 Activities and measures intended to enhance synergies between biodiversity-related conventions informed by LAC countries in their national reports²⁶

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|---|---|---|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Argentina | Ministry of Environment is reported as overseeing implementation of various MEAs. Unclear if actions to improve co-ordination between MEA processes at the national level are taking place. | The same measures reported in the previous period are highlighted. | Co-ordinated work between technical offices overlooking different MEA processes is mentioned. CITES reports nonetheless indicate that no mechanisms for improving co-ordination between MEAs have been developed. | Unclear |
| | | | | While co-ordination between national focal points has been reported recently, there appears that no other actions to enhance synergy between implementation processes have been undertaken throughout the decade. |
| Bolivia | The country reported that co-ordination between national focal points occurs partly/in some cases. | Mechanisms enabling co-ordination between technical offices involved in MEAs implementation are reported as non-existent. | The country informs that collaboration mechanisms are in place, but no specific details are provided. | Unclear |
| | | | | Information available is insufficient and, to some degree, inconsistent. |

²⁶ The table relies on national reports to the biodiversity-related conventions covering implementation activities taking place between April 2002 and October 2010. Description of relevant activities and measures is based on information provided by parties in relation to key reporting elements associated with MEA inter-linkages (see Table 3.8).

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|---|---|---|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Brazil | Unclear whether measures have been taken to improve co-ordination in the implementation of MEAs. Overlap between focal points of the Ramsar Convention and the WHC is noticed. | No specific mechanisms for co-ordinating activities across MEAs are reported. However, there is participation of MEA focal points in the National Committee on Wetlands. | No mechanisms are in place to co-ordinate MEA implementation processes at the national level, but communication and collaboration between focal points based in the same ministries exists. | Unclear The situation virtually remained unchanged during the period examined. No actions deliberately intended to improve synergy between MEAs were reported. |
| Chile | The country reported the creation of Advisory Committees tasked with examining international environmental commitments and their integration into national policies, plans and programmes; as well as co-ordinating MEA activities. | Submitted reports provided no information on synergy between MEAs at the national level. | National Committees overlooking implementation of CITES and the CMS were established to co-ordinate inter-institutional action. Regional collaboration between Ramsar national authorities and the focal points of other MEAs is also reported. | Apparent progress Further measures were adopted towards the end of the decade intended to enhance coherence in the implementation of MEAs. |
| Colombia | Efforts to harmonise MEA programmes at the national level are on course. The National Action Plan on Biodiversity is depicted as a first attempt to integrate commitments under different MEAs. Opportunities for enhancing synergy between MEA processes were identified in the context of a GEF-funded project to assess capacity needs for the effective implementation of MEAs (NCSA) | The Ramsar report highlights the National Committee on Wetlands as a mechanism for co-ordinating wetland-related actions with the national focal points of other conventions. | The National Environmental Council is presented as a co-ordination body that enables the creation of synergies within the environmental sector and between the environmental sector and other sectors more generally. Examples are provided of policy directives and programmes resulting from synergy processes involving multiple institutions. | Apparent progress At the beginning of the decade, there were timid attempts to enhance complementarity in the implementation of MEAs. Subsequent reports suggest that synergies occur on a more regular basis, but concrete examples of collaborative activities between national focal points are not provided. |

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|---|--|--|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Costa Rica | Working commissions and groups have been established to co-ordinate implementation of different MEAs. Participation in the NCSA project is noticed. The agency responsible for overseeing the implementation of biodiversity-related conventions is considering the possibility of developing an action plan for joint implementation. | No mechanisms have been established to co-ordinate implementation of MEAs, but there is good communication between national focal points. | Progress in improving integration between MEA processes is reported, but no specific details are revealed. | Unclear |
| | | | | Evidence is too thin to suggest that recent efforts to develop synergy have improved upon the actions reported in the first half of the decade. |
| Cuba | An assessment of capacity needs for a coherent implementation of MEAs is taking place in the context of the NCSA initiative. Attention is drawn to the Environment Committee, an inter-sectoral body composed of institutions with MEA-related responsibilities. A national workshop on synergies was run to identify objectives of synergy processes and potential areas for collaboration as well as to develop proposal for joint strategic action. Projects involving collaborative action between national focal points are highlighted. | Collaborative action within the Environment Committee and national synergy workshops are underlined as processes that contribute to enhancing complementarity between MEAs. The Ministry of Science, Technology and Environment is reported to pursue a policy of inter-sectoral co-ordination which ensures communication and co-operation between national focal points. | Some actions previously reported are highlighted. The country informs that the design and implementation of a number of biodiversity-related strategies and programmes has been facilitated by working groups and national commissions and councils integrated by representatives of various institutions. | Apparent progress |
| | | | | While some activities are recurrently reported, further evidence is provided to show that synergies between MEAs are happening. |

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|---|---|---|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Dominican Republic | The establishment of the Ministry of Environment and Natural Resources triggered a process of harmonisation of MEA programmes. A special office was created within the Ministry to follow up MEAs implementation. | The country reports having no mechanisms for co-ordinating MEA implementation processes. | Co-ordination between national focal points is reported. Complementarity of implementation activities under different biodiversity-related conventions is highlighted. | Unclear |
| | | | | No specific measures to enhance synergy between MEAs were reported during the second half of the 2000s. |
| Ecuador | The development of mechanisms to co-ordinate implementation of MEAs is incipient. Harmonisation of MEA programmes is reported as one of the challenges of policy-making within the Ministry of Environment. Workshops have been conducted to explore opportunities for developing synergy and policy coherence. Examples of joint projects are provided. These processes are primarily intended to synergise implementation of the Rio Conventions. | The country informs that it has mechanisms for coordinating MEA implementation activities: national focal points exchange information and collaborate with each other; four of them are based in the same department. | The country reports that responsibility for overseeing implementation of MEAs falls within the Ministry of Environment. Activities undertaken to implement commitments under specific MEAs are described. Co-ordination between national focal points is again highlighted. | Unclear |
| | | | | No clear indications of progress are observed. Measures reported in 2009-2011 were virtually the same as those reported in 2006-2008. |

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|--|---|---|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Guatemala | The country reports that it participates in the NCSA project to assess capacity needs for the implementation of MEAs. Collaborative efforts to improve protected areas management and enhance coherence of institutional policies are highlighted. | The country reports the existence of mechanisms for collaboration between national focal points, but offers no further details. | Activities carried out to implement specific MEAs are described. Examples of synergy in the implementation of the CBD and the WHC are provided. Mechanisms for co-ordination between national focal points are reported as planned. | Unclear While there appears that collaboration between national focal points is occurring, it is uncertain whether specific measures to enhance those linkages were developed during the period examined. The information reported is not always consistent. |
| Honduras | The country informs that implementation of the NCSA project has allowed the country to identify actions to improve synergy between MEAs. Collaboration between national focal points has occurred in the context of regional initiatives under the Central American Commission on Environment and Development which create linkages between MEAs implementation processes. | Preparation of a joint work plan for the Rio Conventions and the Ramsar Convention is reported. The plan is intended to enable implementation of common activities through the co-ordinated work of national focal points. | Further MEAs have been considered in the joint work plan which seeks to synergise MEA processes at the national level. No status of progress is provided | Unclear The initiative of an action plan for joint implementation is innovative, but it apparently has not gained track. |
| Jamaica | No actions have been taken to enhance integration of MEAs at the national level. Collaboration between the focal points of the CBD and the Ramsar Convention within the National Ramsar Committee is nonetheless noticed. | Regular collaboration between national focal points based in the same agency and/or ministry is noticed. Ramsar national authorities are reported to hold periodic consultations with their counterparts in other ministries. | Collaboration between national focal points who are in the same agency/ministry is, again, highlighted. | Unclear Co-ordination between national focal points was regularly highlighted. No other actions intended to enhance synergy between MEAs were reported during the decade. |

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|---|--|---|--|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Mexico | An NCSA project has been approved which is intended to facilitate the creation of synergies between MEAs implementation processes. Inter-institutional committees have been established to co-ordinate implementation of specific conventions. The national biodiversity information system has generated data which supports the development of national positions adopted by the country in international fora. | The country informs that facilitating mechanisms are in place to ensure inter-institutional co-ordination and regular communication between national focal points. A foreign affairs department at the Ministry of Environment follows up implementation of all the MEAs the country has adopted. Working sessions are planned to examine issues of common interest across MEAs and improve linkages between implementation processes. | The country reports participation of various agencies and national focal points in the National Committee on Priority Wetlands. Collaboration within the Committee has enabled increased mainstreaming of wetland issues into other institutional processes. Plans are being considered to establish a sub-committee of MEAs national focal points which would pursue a joint agenda for wetland conservation. Regular co-ordination within the CITES Follow-up Committee is also reported. | <p>Apparent progress</p> <p>On-going efforts and future plans to enhance synergies between MEAs were constantly reported during the period examined.</p> |

| Activities and measures intended to enhance synergies between biodiversity-related conventions in Latin America and the Caribbean | | | | |
|--|--|---|---|---|
| Country | Activities and measures intended to improve synergy between biodiversity-related MEAs | | | Assessment of progress |
| | 2003-2005 | 2006-2008 | 2009-2011 | |
| Panama | Implementation of the NCSA project is noted. The project has allowed the identification of synergy opportunities in MEAs implementation. In the context of CMS-related activities, plans are reported to integrate migratory species into a future national biodiversity strategy. | No specific mechanisms for collaboration between national focal points are acknowledged. The National Environment Agency is making efforts to develop synergies between conventions. Participation of Ramsar authorities in events organised by other MEAs is reported. Joint activities between Ramsar authorities and other national focal points are also highlighted. | Lessons from the NCSA project are highlighted. There has since been increased collaboration between the national authorities of the Rio Conventions on specific initiatives. Housing the focal points of the MEAs which the country has adopted, the National Environment Agency has enabled a co-ordinated approach to implementation. Inter-institutional committees have been created to follow-up specific conventions. The management of Important Bird Areas (IBAs) is highlighted as an area where synergies between the Ramsar Convention, the WHC and the CMS have been developed. Other synergy-related activities are mentioned which were reported in previous years. | <p>Apparent progress</p> <hr/> <p>It is at least apparent that the NCSA project has facilitated enhanced co-ordination between national focal points. This applies directly to joint activities between the Rio Conventions. Whether synergies between biodiversity-related conventions have developed at the same pace is unclear.</p> |
| Peru | The NCSA project to improve MEA management at the national level is under implementation. Institutions with MEA-related responsibilities are in permanent co-ordination to ensure synergy between implementation processes. | The country reports that co-ordination between national focal points occurs through the National Environment Council. | Progress in implementation of specific MEAs is reported. Linkages between implementation processes are hardly mentioned. It is noticed, for instance, that the National Strategy on Wetlands is not in line with the CBD-Ramsar joint work programme. | <p>Unclear</p> <hr/> <p>During the period analysed, the country did not report specific measures to improve co-ordination between MEAs. Information of projects or initiatives involving different national focal points was absent from the reports.</p> |

Some formal co-operative agreements in the biodiversity cluster require action by national focal points. Examples include the 2010 MoC between the CBD and the ITPGRFA, the third (2002-2006) and fourth (2007-2010) Joint Work Plans of the CBD and the Ramsar Convention, and the CBD-CMS Joint Work Programme 2002-2005. Inter-treaty agreements featuring state-level obligations are uncommon in IEG (see Scott, 2011) and the available evidence suggests that they have had marginal effects on national implementation behaviour. In Peru, a CBD official attending a recent meeting of the national committee on wetlands turned to the CBD-Ramsar MoC to draw attention to the linkages between the two conventions and the need to improve collaboration and mutual support. An Argentinian interviewee observed that co-operative instruments need to be adapted to the institutional and socio-economic realities of state parties so that governments contribute to their implementation. Costa Rican and Mexican interviewees perceived that MoUs/MoCs fall within the ambit of operation of treaty secretariats and have a tenuous connection with national implementation activities. Another Mexican CBD official went on to say that those instruments have not achieved impact on the ground and parallel instruments should be developed at the national level to enable joint work among national focal points.

Governments in the UN and other international fora have set quantitative targets as a means of influencing international and national action (see White and Black, 2004; Jolly, 2003). Targets are soft law instruments that are not backed by obligations (Harrop and Pritchard, 2011), but can create a sense of common purpose across agencies working in the same area (White and Black, 2004). They can thus be conceived of as enabling instruments of interplay management (see Chapter 2, Section 2.3.1.2). In 2002, the CBD embraced the target-setting approach with the adoption of the 2010 Biodiversity Target (Harrop and Pritchard, 2011). The Target soon became a policy priority for the BLG (see CBD Doc BLG-2). It was incorporated into the strategic plans and/or programmes of the non-CBD conventions and various decisions of their governing bodies referred to it (the ITPGRFA, which came into force in 2004, provided more nominal support) (see Table 5.3). The Target, however, hardly encouraged a more synergistic implementation of the conventions in national arenas.

Table 5.3 Integration of the 2010 Biodiversity Target into strategic documents and decisions of the non-CBD biodiversity-related conventions

| Integration of the 2010 Biodiversity Target into strategic documents and decisions of the non-CBD biodiversity-related conventions | | | | | | | | |
|--|--|--|--------------------------------|------------------------------------|---|-------------------------------|---|---|
| Convention | Strategic document incorporating the 2010 Target | | | | Decisions referring to the 2010 Target | | | |
| | 2010 Target as a generic target | 2010 Target as a CBD's target | 2010 Target as a WSSD's target | 2010 Target as a CBD/WSSD's target | 2010 Target as a generic target | 2010 Target as a CBD's target | 2010 Target as a WSSD's target | 2010 Target as a CBD/WSSD's target |
| Ramsar Convention | | | Strategic Plan 2003-2008 | | Resolution IX.8 (main text and annex) Resolution IX.1 Annex E Resolution X.10 (Annex 2) | Resolution IX.1 Annex D | Resolution IX.3 (preamble) Resolution X.22 (main text, preamble and Annex I) | Resolution IX.1 Annex D Resolution IX.2 (Annex 2) Resolution X.3 (main text and preamble) |
| WHC | | World Heritage Centre's Natural Heritage Strategy (2006) ²⁷ | | | | | | |

²⁷ The strategy was designed to guide the World Heritage Centre's work on natural heritage. The strategic objectives of the conventions are outlined in a different document, namely, the Operational Guidelines for the Implementation of the World Heritage Convention.

| Integration of the 2010 Biodiversity Target into strategic documents and decisions of the non-CBD biodiversity-related conventions | | | | | | | | |
|--|--|-------------------------------|--------------------------------|------------------------------------|--|---|---|--|
| Convention | Strategic document incorporating the 2010 Target | | | | Decisions referring to the 2010 Target | | | |
| | 2010 Target as a generic target | 2010 Target as a CBD's target | 2010 Target as a WSSD's target | 2010 Target as a CBD/WSSD's target | 2010 Target as a generic target | 2010 Target as a CBD's target | 2010 Target as a WSSD's target | 2010 Target as a CBD/WSSD's target |
| CITES | | | Strategic Vision 2008-2013 | | | Resolution 13.2 (preamble) ²⁸ | Decision 13.2 (main text) | |
| CMS | | | | Strategic Plan 2006-2011 | Resolution 8.5 (preamble) Resolution 8.7 (main text and preamble) Resolution 8.8 (preamble and annex) Resolution 8.18 (main text, preamble, and Annexes I and II) Resolution 9.2 (preamble) Resolution 9.4 (main text) Resolution 9.5 (preamble and annex) | Resolution 8.13 (preamble) Resolution 9.7 (preamble) | Resolution 8.11 (main text and preamble) Recommendation 9.4 (preamble) | Resolution 8.22 (preamble) Resolution 9.12 (preamble) |

²⁸ The Resolution makes an implicit reference to the CBD's 2010 Target by recalling Target 4.3 of the CBD's framework to assess progress in the implementation of the Strategic Plan (including progress towards achieving the 2010 Target).

NBSAPs were considered a primary instrument for implementing the CBD's Strategic Plan 2002-2010 and achieving the 2010 Biodiversity Target (CBD Decisions VI/26 and VII/30). The CBD's Parties were encouraged to develop or review their NBSAPs in light of the CBD's strategic goals and set national targets taking into account the framework of goals and sub-targets to facilitate the assessment of progress towards achieving the 2010 Target (adopted at CBD CoP7 through Decision VII/30). The eighth meeting of the CBD CoP (Curitiba, Brazil, 20-31 March 2006) endorsed voluntary guidelines to Parties for the review of NBSAPs, which were intended to serve as a practical tool to assess NBSAPs' implementation (CBD Decision VIII/8). The guidelines asked Parties to consider whether biodiversity concerns were being integrated into non-CBD processes, including into activities undertaken in the framework of other biodiversity-related conventions (CBD Decision VIII/8, Annex).

Few LAC countries reviewed their NBSAPs and/or set national targets as required by the 2010 Target process. In 4 of the 15 LAC countries examined in this research (Argentina, Brazil, Chile and Jamaica), NBSAPs were developed following the adoption of the 2010 Target. Only the Brazilian and Chilean NBSAPs included national targets. In the rest of the countries, NBSAPs predated the 2010 Target and did not feature outcome-oriented targets. However, in 2009, Costa Rica adopted national conservation targets linked to the 2010 Biodiversity Target. As it seems from the interviews conducted, in most LAC countries NBSAPs were reviewed as part of preparations for the fourth national reports to the CBD (due on 30 March 2009), rather than as part of on-going monitoring of NBSAP implementation. More importantly for assessing normative influence on national-level synergies, of all the NBSAPs prepared or reviewed after the adoption of the 2010 Target, the Brazilian strategy was the only one where MEA inter-linkages were purposefully addressed (see Table 4.3).

The new international framework for biodiversity embodied in the Strategic Plan for Biodiversity 2011-2020 is encouraging increased awareness of the need to improve coherence in the implementation of biodiversity-related agreements as compared with the previous 2010 framework. The CBD CoP has urged Parties and other governments to review their NBSAPs in line with the Strategic Plan, taking into account synergies among biodiversity-related conventions (CBD Decision X/2). Most of the LAC countries of the sample have already updated their NBSAPs or have taken steps in that direction. Information retrieved from the interviews

conducted revealed that some countries have addressed or considered inter-linkages among biodiversity-related MEAs in their revised NBSAPs (Colombia, Dominican Republic and Guatemala); while others are taking into account MEA inter-linkages as they update their strategies (Argentina, Honduras and Panama). Ecuadorian and Mexican interviewees believed that synergies between the CBD and other MEAs should arise during the NBSAP review process. Normative influence through the new Strategic Plan is evident, but it cannot be disassociated from the financial and technical assistance available for NBSAP review (the Japan Biodiversity Fund was especially created to develop capacity in developing countries to implement the Strategic Plan and update their NBSAPs).

5.1.3 Direct access to domestic policy-making processes

Overarching organisations and treaty secretariats have supported LAC countries in their efforts to improve synergy in the implementation of biodiversity regimes. Support has come mainly from the GEF, UNDP, UNEP and the secretariats of the biodiversity cluster.

The GEF is the largest public funder of projects to protect the global environment (GEF, 2013a). It funds the additional costs “associated with transforming a project with national benefits into one with global environmental benefits” (ibid.). It serves as a financial mechanism to five MEAs: the three Rio Conventions, the Stockholm Convention on Persistent Organic Pollutants, and the Minamata Convention on Mercury. It further supports various agreements and programmes dealing with international waters and transboundary water systems. Biodiversity is one of its seven focal areas, with biodiversity projects comprising about 36% of the GEF’s portfolio (GEF, 2013b). The financial incentives created by the GEF have triggered efforts to synergise implementation of MEAs in LAC. Projects that Ecuador has submitted to the GEF Secretariat have considered factual linkages between MEA issue-areas in an integrated way (Ecuadorian Interviewee A). In Bolivia and Panama, the national focal points to the Rio Conventions were collaborating on the preparation of GEF project proposals at the time when the interviews were conducted. In Mexico, a special committee was set up to identify needs and

priorities in the implementation of the Rio Conventions and to streamline the project portfolio (Mexican Interviewee A).

The GEF has assisted the national management of MEAs through the NCSA programme. The initiative was launched in January 2000, with UNDP and UNEP as implementing agencies. It aimed to assist countries in evaluating their capacities to achieve the objectives of the Rio Conventions and other MEAs. Participating countries were expected to identify priority issues, capacity constraints, and capacity development needs, particularly in the areas of biological diversity, climate change and land degradation (Bellamy and Hill, 2010). A total of 153 countries were involved in the programme between 2002 and 2006 (GEF, 2013c; Bellamy and Hill, 2010). NCSA projects were completed in 12 countries of the sample (see Table 5.4).

In their reports to the biodiversity-related conventions (especially in the third CBD reports), LAC countries highlighted their participation in the NCSA programme (see Table 5.2). Interviewees from Jamaica, Panama and Peru acknowledged the lessons drawn from NCSA projects. Impact is nonetheless difficult to assess from the interviews conducted. In Costa Rica, the NCSA project informed a recent initiative to strengthen the synergies in the implementation of MEAs, in particular the Rio Conventions (Costa Rican Interviewee A). Conversely, the NCSA recommendations have not been made operational in Ecuador according to one interviewee.

In an overall evaluation of the NCSA initiative, the GEF highlighted the relevance of NCSA projects for a more synergistic implementation of MEAs, but noted the little uptake of NCSA results (GEF, 2011b). The NCSA initiative was developed in parallel and outside of MEA processes; and there was otherwise little use of NCSA thematic assessments, cross-cutting analyses and final reports in capacity development guidance prepared by MEA bodies (ibid.). The new Cross Cutting Capacity Development (CCCD) strategy seeks to improve the linkages between GEF and MEA policies. The strategy builds on the NCSA initiative to address capacity needs that will enhance a country's ability to meet its obligations under different MEAs (GEF, 2013d). The strategy focusses on environmental governance systems (promoting a coherent implementation of MEAs) and the mainstreaming of global environmental issues into national development frameworks (GEF, 2011b). Countries eligible for funding are required to review their NCSA reports and action

plans alongside international, regional and national policy frameworks, including relevant MEA policies and guidelines (GEF, 2011a). 25 countries, including one country of the sample (Jamaica), have received financial support for CCCD projects (GEF, 2013d; GEF, 2011b).

Table 5.4 Status of GEF's NCSA projects in selected LAC countries¹

| Country | NCSA Status |
|----------------------|--------------------|
| Argentina | Inception |
| Bolivia ² | Completed |
| Brazil | Not started |
| Chile | Completed |
| Colombia | Completed |
| Costa Rica | Completed |
| Cuba | Completed |
| Dominican Republic | Completed |
| Ecuador | Completed |
| Guatemala | Completed |
| Honduras | Completed |
| Jamaica | Completed |
| Mexico | Completed |
| Panama | Action Plan |
| Peru | Completed |

UNEP has provided training and capacity-building to support MEA implementation. Two initiatives have been especially relevant to the LAC countries: 1) a joint UNEP/European Commission programme aimed at building and enhancing the capacity of African, Caribbean and Pacific (ACP) countries to implement and enforce MEA obligations (the ACP-MEAs project); and 2) the UNEP/IUCN

¹ GEF, 2013c

² The country did not participate in the NCSA programme.

TEMATEA initiative on issue-based modules for coherent implementation of biodiversity-related conventions (referred to in Chapter 4).

The ACP-MEAs project started in March 2009 and formally closed in February 2013 (ACP-MEAs Secretariat, 2013a). The Caribbean Community (CARICOM) Secretariat was the regional hub for the Caribbean. Countries were provided with technical assistance, training, policy support, and advisory services to enhance their capacity to implement MEAs (CARICOM Secretariat, 2013b). Specific areas supported by the Caribbean hub included negotiation skills, legal drafting, project design and management, information management and exchange, MEA enforcement, harmonised MEA reporting, dissemination of best practice and success stories, and public awareness (*ibid.*). One of the Jamaican CBD officials interviewed drew attention to Jamaica's participation in one of the regional workshops organised under the ACP-MEAs project.

A mid-term review of the ACP-MEAs project concluded that the Caribbean hub was delivering results, with indicators showing that the percentage of progress towards achieving the overarching goal of strengthening national capacities was only below 50% (ACP-MEAs Secretariat, 2012). The assessment observed that the Caribbean Hub had sensitised countries to their international commitments and ways to address them. It nonetheless noticed that human and financial resource constraints had impaired the Hub's activities as well as the ability of the CARICOM Secretariat and national environment agencies to internalise and work within the objectives of the ACP-MEAs project. This, the document noted, could threaten the sustainability of the project after its completion.

The TEMATEA project aimed to facilitate understanding of national obligations under various international and regional biodiversity-related agreements by grouping MEA decisions and resolutions (and, more specifically, the action-oriented part of the negotiated texts) based on the issue they address (TEMATEA Secretariat, 2013). UNEP started working on the project in 2005 and formed a partnership with IUCN one year later for its further development (Verleye, 2010). Six issue-based modules were initially developed (ABS, biodiversity and climate change, inland waters, invasive alien species, and sustainable use), with one additional module on forest biodiversity added in 2011 (CBD Secretariat, 2011) and one more on marine and coastal biodiversity under development (TEMATEA Secretariat, 2013). National workshops were held in some countries to support the

use of the modules and promote communication and co-ordination between MEA focal points and agencies with a view to improving coherence in national implementation. In 2008, TEMATEA workshops were held in Cuba (with a focus on the issue-based modules on invasive alien species and inland waters) and Peru (where the applicability of the ABS module was tested) (TEMATEA Secretariat, 2013). Both workshops resulted in specific policy recommendations, the status of which is unclear. Neither the Cuban nor the Peruvian CBD officials interviewed referred to the TEMATEA project. The initiative does not seem to have affected national implementation activities in other LAC countries. Interviewees from Colombia, Panama and Mexico reported interest in the project, but none of them acknowledged application of the TEMATEA modules at the national level.

Treaty secretariats in the biodiversity cluster have made efforts to bridge the gap between global and national implementation through workshops, field missions, joint projects and other capacity-building activities, sometimes in partnership with other international organisations. Examples include the Ramsar/WHC joint expert advisory missions to threatened sites recognised as such by the two conventions (CBD Doc UNEP/CBD/WG-RI/1/7/Add.2); CMS/CITES joint activities in support of the conservation and sustainable use of Saiga Antelope (*Saiga tatarica*) populations in Eurasia (see Caddell, 2011); and the CBD/Ramsar River Basin Initiative, an information-sharing mechanism that supports an integrated management of biodiversity, wetlands and river basins (CBD Doc UNEP/CBD/COP/7/19). More recently, the biodiversity-related conventions have collaborated to support countries in the revision and updating of their NBSAPs in the context of the CBD's NBSAP capacity building workshops (CBD Secretariat, 2013; CBD Doc BLG/8/2).

The effects of these actions sparked mixed views among interviewees. Participants from Cuba, the Dominican Republic, Ecuador and Peru believed that treaty secretariats have not provided much assistance. CBD officials from Cuba and Panama acknowledged that the CBD Secretariat has supported national implementation through capacity-building workshops. They observed, however, that synergies between biodiversity-related MEAs are hardly discussed in those seminars. This is because the issue is not a major concern to funding institutions (Cuban Interviewee). A Panamanian participant considered that CBD workshops could be a platform for creating synergies between biodiversity-related conventions

provided that other national focal points were able to attend. This is often not possible due to lack of funding.

Other participants were more positive about the assistance from treaty secretariats. In Honduras, technical, institutional and logistical capacities to implement MEAs have been strengthened through capacity-building. Projects sponsored by treaty secretariats have enabled improved inter-agency co-ordination (Honduran Interviewee). In Chile, secretariats have supported projects where different MEA processes converge (Chilean Interviewee A). CBD officials from Bolivia and Colombia reported that treaty secretariats have helped in the design of GEF projects proposals addressing MEA inter-linkages. Bolivian and Chilean interviewees nonetheless considered that support from treaty secretariats remains modest.

CBD officials from Brazil and Mexico affirmed that treaty secretariats have assisted national management of MEAs to the best of their ability; while participants from Costa Rica, the Dominican Republic and Argentina believed that treaty secretariats could improve their assistance to countries. A CBD official from Costa Rica considered that the burden of creating synergies between MEAs at the national level has been placed on state parties: "I understand that this is an issue of national sovereignty, but the secretariats could, at the request of countries, offer improved support for the development of synergies at the national level". Harmonisation of national reporting, for instance, can help improve coherence in the implementation of the biodiversity-related conventions, but despite it being a regular theme in inter-treaty co-operation processes, progress has been slow. Countries still perceive inefficiencies in national reporting. The information requested overlaps in many cases (Colombian Interviewee), and generating reports for different venues imposes a heavy burden on governments with limited human and financial resources (Jamaican Interviewee B).

The impact of direct access to domestic policy-making is difficult to measure. Several LAC countries have benefitted from the capacity-building assistance received, but it is sometimes unclear whether the lessons learned are actively applied. In many cases, capacity-building activities are not monitored to ensure that they are fulfilling their aims in the short and long terms (the ACP-MEAs project being an important exception). Notably, none of the CBD officials interviewed

referred to the use of technical guidance on synergies in day-to-day implementation.

5.2 National influence on global governance

5.2.1 Overview

In 2002, a report by the Ramsar Secretary General on the implementation of the Ramsar Convention at the global level suggested that “countries have not yet made the political choice of forging true and effective synergies among MEAs” (Ramsar Doc COP8 DOC. 5). Some believe that the affirmation remains valid. A common criticism within the biodiversity cluster is that national governments frequently fail to adopt coherent positions across biodiversity-related fora. In the words of one international expert, “a country might defend one position at one meeting and later on promote a different one in another forum” (Interviewee NG9). National delegations attending meetings of the biodiversity-related conventions do not always comprise the same people. Another expert observed, for instance, that most countries designate different representatives to attend CBD and CITES meetings (Interviewee NG5). Poor communication between national focal points is often blamed for the lack of consistent national approaches across biodiversity venues.

In some cases, however, state actors engage in what Young (2002, p.25) calls the politics of institutional design and management, which “comes into play when actors forge links between issues and institutions intentionally in the interests of pursuing individual or collective goals”. Benvenuti and Downs (2007) suggest that the world powers are keen to promote the fragmentation of international governance structures as this allows them to play “chessboard politics” (Alter and Meunier, 2009) to their own advantage. In contrast, they claim, weaker states create inter-institutional linkages with a view to a more integrated and democratised international system where power does not determine outcomes. Experiences

within CITES are illustrative in this regard. Some parties have been particularly keen to improve synergy with the CBD to advance wildlife conservation through sustainable trade. Namibia was an active supporter of the integration of the CBD's Addis Ababa Principles and Guidelines for the Sustainable use of Biodiversity into CITES' operations (see CITES Doc CoP13 Doc. 12.1.1). Other parties, notably, the United States, have been more cautious in advancing CITES-CBD co-operation. There are fears that CITES' trade controls and enforcement powers could be weakened if sustainability considerations are mainstreamed into CITES' processes (Interviewee NG5). As an illustration of this, one of the EU's strategic objectives for the fifteenth meeting of the CITES CoP was that "any decisions aimed at enhancing coordination between CITES and other biodiversity-related conventions do not undermine the nature of CITES as a global conservation agreement or CITES' strict conservation measures" (CITES Doc CoP15 Inf. 30). While these countries have, at different times, advocated for greater integration of biodiversity-related agreements through an umbrella convention (United States) or a global partnership (EU), such proposals might conceal attempts to increase institutional fragmentation by establishing a sharper demarcation of biodiversity conservation and human development agendas (see Chapter 4, Section 4.3).

5.2.2 The internal modalities for CoP preparation

This section examines whether LAC countries have made deliberate efforts to affect global governance in the biodiversity cluster by looking at the internal modalities of delegate preparation for, and participation in, biodiversity-related meetings (see Chapter 2, Section 2.3.2.2).

Synergies are an elemental, but not always visible, aspect of internal modalities of preparation. In many LAC countries, internal working meetings are held in advance of international meetings. In Bolivia, national positions presented in biodiversity-related fora are negotiated and agreed at workshops attended by officials from environment and non-environment agencies and civil society representatives. Jamaican national positions result from internal discussions among governmental and non-governmental agencies (Jamaican Interviewee A). Chilean positions in biodiversity-related venues are discussed in the inter-institutional committees

overseeing implementation of specific conventions (see Chapter 4, Section 4.2.3). CBD focal points from Colombia, Costa Rica and Ecuador noticed that MEA officials attend domestic meetings organised in advance of CBD negotiations. Also, a Peruvian interviewee noticed the recent participation of UNFCCC and UNCCD focal points in internal CBD meetings. In Guatemala, domestic consultation ahead of CBD deliberations occurred only recently in the context of CBD CoP10. Goodwin (2013) observed similar participative exercises in the UK preparation for Ramsar CoPs.

Cross-sectoral co-ordination poses a challenge when national positions are internally discussed. In Colombia, international negotiations on ABS issues often confront the CBD and ITPGRFA focal points and the environment and agriculture ministries more generally. The Ministry of Foreign Affairs has previously intervened as an arbiter to reconcile views and achieve a commonly-agreed national position (Colombian Interviewee). The co-ordinating functions of ministries of foreign affairs are common in other jurisdictions (see Schermers and Blokker, 2011). Problems of co-ordination might lead to dual positions at the same meeting and/or to stalemates that prevent coherent participation. The delegation representing one of the countries of the sample in the negotiations of the CBD's Cartagena Protocol on Biosafety comprised officials from the environment and industry sectors who participated in different working groups and advanced contrasting positions. Bodansky (2010) observed a similar situation within the Russian delegations participating in the negotiations of the post-2012 climate change regime. In Panama, on the eve of CMS CoP10 (Bergen, Norway, 20-25 November 2011), the National Environment Authority (ANAM) developed a proposal for inclusion of a native shark species in the CMS Appendices. The proposal was rejected by the Aquatic Resources Authority on the grounds that the listing could have adverse effects on the wellbeing of local fishermen (Panamanian Interviewee). Internal negotiations did not lead to a national position. In other cases, however, the ANAM has had to prepare a national position even when internal co-ordination has failed.

Participation of MEA focal points in internal co-ordination meetings held in advance of international negotiations should ensure that a country's position in one forum is consistent with its positions in related venues (Schermers and Blokker, 2011), but this may not lead to coherent, i.e., mutually reinforcing, positions. The interviews suggest that, in preparing a national position, a country seeks consensus or mutual agreement across relevant ministries and/or agencies, but not always congruity or

complementarity with the positions advanced in other fora. Because national positions emerge through bargaining and coalition politics and patterns of participation and influence are likely to change over time (Hanf, 2000), deliberate co-ordination of national positions becomes necessary to ensure coherent participation in overlapping venues.

Efforts to ensure that positions presented in one forum are upheld in another were explicitly mentioned by some interviewees. In Mexico, CONABIO ensures that national positions at CBD and CITES meetings are coherent. Cuba has managed to defend congruent positions across biodiversity policy venues because the government has historically held principle-based positions. In Argentina, attempts have been made to achieve coherence in the national positions defended at CBD and UNFCCC venues. Similar efforts may not be occurring in other countries. A CBD official in Peru, for instance, did not know whether national positions at CBD meetings were reinforced at meetings of other biodiversity-related conventions.

5.2.3 The internal modalities for CoP participation

Some countries have backed inter-treaty co-operation processes as they participate in MEA meetings. The Chilean government has supported national positions calling for greater synergy between conventions, although the country itself has not advanced concrete proposals for enhancing MEA integration. Cuba has encouraged issue-based co-operation among MEAs provided funding for other implementation activities is not compromised. Other countries have been more proactive. Colombia has promoted MoUs/MoCs as instruments for synergising MEA implementation processes. Colombian delegations at CBD's meetings have been vigilant in ensuring that issues which other conventions address are transferred to the relevant venues or, else, are discussed within CBD arenas taking into account the input provided by actors from the conventions involved (Colombian Interviewee). This counteracts cross-institutional political strategies (see Alter and Meunier, 2009) and prevents mandate creep. The Mexican government has advocated for increased synergy between the CBD and CITES in line with national interests (Mexican Interviewee A). Recently, on the occasion of the twentieth meeting of the CITES Plants Committee (Dublin, Ireland, 22-30 March 2012),

Mexico submitted a draft resolution promoting co-operation between the CBD and CITES in the implementation of the CBD's Global Strategy for Plant Conservation. Proposing an item for discussion that no other state is willing to propose is one way to exert influence on international negotiations (see Keohane, 1967).

During international negotiations, country delegations sometimes adapt national positions to find common ground with like-minded countries. The negotiating mandates of Jamaican delegations are flexible enough to accommodate concerns from other Small Island Developing States (SIDS) (Jamaican Interviewee A). National delegations of LAC countries which are members of the Group of Like-Minded Megadiverse Countries have to be prepared to adjust their positions in international venues where the Group acts as a negotiating bloc. However, the SIDS and the Group of Like-Minded Megadiverse Countries do not seem to be active in supporting enhanced integration of biodiversity-related MEAs. A quick glance at IISD daily reports of CBD CoP meetings (available from IISD, 2013), for instance, reveals that neither of the two groups has tabled proposals, or otherwise supported others' views, on improving synergies between the CBD and other agreements (the EU and, to a lesser extent, the African Group are the regional blocs with more participation in this area).

5.3 Strength and (a)symmetry of vertical linkages

Vertical linkages between the biodiversity cluster and national implementation systems in LAC countries are still not solid enough to enable complementary evolutions. However, global attempts to influence national policy have been stronger and more systematic than national efforts in the opposite direction, revealing an asymmetry of vertical linkages. Top-down and bottom-up pathways of influence differ in terms of intentionality, the instruments employed, and the impact achieved.

The governing bodies of the biodiversity-related conventions have taken a stronger interest in advancing synergies in national implementation than MEA lead agencies in supporting further integration in the biodiversity cluster. With the exception of the

Governing Body of the ITPGRFA, all the governing bodies have adopted decisions requiring their parties to improve co-ordination in the implementation of the CBD and other biodiversity-related MEAs (see Tables 4.1 and 4.2). In contrast, national delegations of LAC countries are not usually mandated to support inter-treaty co-operation. In many cases, internal preparations for biodiversity-related meetings are participatory exercises where the focal points of different conventions partake. However, the central aim of these consultations is to reach intra- and inter-sectoral agreement on a national position, rather than to create synergy between different regime processes.

At an instrumental level, global governance has made better use of potential avenues of influence on domestic policy as compared with national efforts to affect international policy. Not only have norms and discourses been developed to induce countries to create synergies in the national implementation of biodiversity-related MEAs, but also, assistance has been offered to that purpose. Capacity-building certainly remains under-developed: regional workshops do not usually address national-level synergies between biodiversity-related conventions, technical instruments such as the TEMATEA issue-based modules have not been widely tested, and harmonised reporting has progressed slowly. In some cases, global influence (e.g. through the GEF) has only been collateral and not the result of a deliberate strategy to improve coherence in the implementation of the conventions of the biodiversity cluster. Nevertheless, recent co-operative agreements show an increased emphasis on advancing national-level synergies (Caddell, 2011).

The situation is different when bottom-up linkages are examined. With few exceptions, LAC countries have not seized opportunities to influence national governance, for example, by co-ordinating national positions across biodiversity-related venues, tabling proposals for inter-treaty co-operation, and/or coalescing with other countries in support of increased synergy between conventions. Synergies may be implicit in national positions that are the result of internal co-ordination among different agencies, departments and/or ministries. But they remain obscure in the absence of an active stance to promote inter-treaty co-operation.

Global influence on national implementation has been more significant than national influence on international policy. Influence is difficult to measure, but can be, at least, estimated from the empirical evidence. Global governance has shaped

the direction of domestic synergies mostly through direct access to domestic policy-making. Various interviewees in LAC countries acknowledged the support received, although many of them also considered that international assistance remains insufficient. The influence of national governance on the cohesiveness of the biodiversity cluster is less visible. Presumably, countries which have supported inter-treaty co-operation have achieved some impact. One of the international experts interviewed, for instance, acknowledged that Mexico was one of the few countries which has pursued a co-ordinated approach of CBD and CITES agendas (Interviewee NG5). Most countries, however, have a discrete, and even negligible, influence on the coherence of global governance, deriving mainly from national positions agreed through participatory processes in which the focal points of different conventions are involved (which should enable consistent, but not necessarily coherent, national positions). It was a common opinion among the treaty secretariat officials and international experts participating in this research that countries (in general) have not done enough to improve synergies between biodiversity-related conventions.

The asymmetry of vertical linkages does little to solve the gap between global and national governance. Global efforts to support national implementation cannot achieve substantial impact in the absence of clear guidance from national focal points and implementing agencies. A stronger involvement of state actors in international biodiversity governance is important for both global and national purposes: countries may seek to re-orient inter-treaty co-operation in a way that supports implementation of international agendas in line with countries' interests. Correcting vertical asymmetries is a necessary condition for improved co-evolution of the biodiversity cluster and national implementation systems.

Referring back to the literature, interesting observations can be made. Starting with the pathways of global influence on domestic policy, findings call into question the effectiveness of international norms and discourses vis-à-vis other pathways. Bernstein and Cashore (2012) warn against comparisons because, in practice, it is the interaction of different governance mechanisms that creates collective influence. However, international organisations still need to consider whether some mechanisms employed to shape national governance are more successful than others. This study found that international governance has affected the national co-ordination of biodiversity-related MEAs through direct access to domestic policy-making but not clearly through international norms and discourses (how much

influence it has exerted is a different point). A previous study examining drivers of environmental mainstreaming at the national level delivered similar conclusions: donor conditions and initiatives are one of the major drivers of EPI, while international commitments are only moderately important (see Dalal-Clayton and Bass, 2009). Norms and discourses promoting synergy in the implementation of the elemental regimes of a complex may not resonate in national arenas because regime complexes are not formal institutions that countries have committed to support.

National co-ordination is deemed essential for enhanced inter-treaty co-operation. Schermers and Blokker (2011) suggest that synergies in international governance improve when states conduct a consistent policy across overlapping venues. According to them, a consistent national policy can be achieved when the same individuals represent a state in various organisations; when ministries of foreign affairs and/or inter-departmental committees ensure internal co-ordination ahead of international meetings; and/or through special co-ordination offices and/or permanent missions that maintain contact with different organisations and can identify issues where co-ordination is needed. Internal co-ordination meetings in preparation for biodiversity conferences are common practice in LAC countries. It is nonetheless questionable whether these inter-liaison processes contribute to enhancing synergy between international organisations (other than by ensuring policy consistency). Not many LAC countries are active supporters of inter-treaty co-operation or co-ordinate their national positions to advance common goals in interrelated venues. Inter-departmental meetings seek to create consensus towards a national position rather than develop inter-linkages between inter-connected regimes. Such consensus is important to ensure that the activities of international organisations are compatible (i.e., not conflicting) but is not enough to make those activities complementary (i.e., mutually reinforcing).

The co-evolution of regime complexes and policy coherence requires open lines of communication between governance levels to enable loose coupling. Linkages between governance levels may be symmetrical or asymmetrical depending on whether or not influence runs back and forth between institutions (Young, 2002). Regime interplay studies reveal that when institutional linkages are symmetrical, positive feedback loops emerge (e.g. Wettestad, 2009; Coffey, 2006; Skjærseth, 2006). In the biodiversity cluster, vertical influence has mainly travelled in one direction (from the global to the national level). This should come as no surprise

considering that inter-treaty co-operation in the biodiversity cluster is more advanced than co-operation between national focal points at the country level. There nonetheless remains the question of why global attempts to shape domestic policy have not prompted national responses in the opposite direction. Some would find an explanation in the uncompleted turn of the biodiversity cluster from an environmental complex to a sustainable development complex, discouraging participation from developing countries which tend to conceive of IEG within a broader sustainable development agenda (see Najam, 2005). The empirical evidence of this study, however, does not suggest that LAC countries fail to engage in international biodiversity governance due to its environmental focus.

The development of feedback loops between governance levels seems to be associated with the ability of one institution to exert, rather than merely attempt to exert, influence upon another. Wettestad (2009) demonstrates that the UNFCCC's Kyoto Protocol was a major driver of the creation of the EU's emissions trading system (ETS), whereas the ETS has served as a model for a global carbon market under the UNFCCC. Furthermore, as the ETS became operational, the Kyoto Protocol's Clean Development Mechanism (CDM) and Joint Implementation (JI) projects became one option and strategy for achieving ETS compliance; the ETS, in turn, has led to a more rapid development of CDM and JI projects. Skjærseth (2006) similarly showed that the soft law declarations adopted by the International North Sea Conferences (INSC) facilitated decision-making and strengthened legally binding norms under the OSPAR Commission (which administers the Oslo and Paris Conventions for the protection of the marine environment of the North-East Atlantic) and the EU. At the same time, the OSPAR Commission and, particularly the EU, enabled implementation of the INSC declarations. These feedback loops do not appear to be associated with specific types of interplay. In some cases, mutual reinforcement is based on normative interplay (as in the North Sea case); while in others it involves more cognitive and utilitarian forms (as the relationship between the Kyoto Protocol and the ETS reveals).

Based on the studies above, a claim can be made that if global attempts to influence domestic co-ordination of biodiversity-related conventions have not prompted strong national responses, it is because global influence, which has come mostly through cognitive and utilitarian pathways, has not been significant. This relates to the fact that co-operation in the biodiversity cluster in the recent past did not have a strong focus on improving synergy at the national level (Caddell,

2011), which raises questions about its value. These assertions, however, should be taken cautiously, as this research did not attempt to measure the degree to which global governance has influenced domestic policy.

5.4 Concluding remarks

The previous chapter showed that horizontal linkages in regime complexes and national implementation systems display commonalities (first objective of this research). This chapter moved on to examine vertical linkages between them (second research objective). Vertical linkages may or may not be symmetrical, i.e., influence may travel back and forth between governance levels or flow essentially in one direction (Young, 2002). Symmetry is needed for positive feedback loops to emerge (Karlsson-Vinkhuyzen, 2012). The co-evolution framework presented in Chapter 2 introduced two models to examine the vertical transfer of influence: the first, developed by Bernstein and Cashore (2012) identifies four pathways of global influence on domestic policy (rules, norms and discourses, markets, and direct access to domestic-policy making); the second, based on Goodwin (2013), explores how domestic policy influences global governance as countries prepare for and participate in international meetings (associated with foreign policy-making and public diplomacy, respectively). The present chapter applied these models to examine the strength and symmetry of vertical linkages between the biodiversity cluster and national implementation systems in LAC.

Cross-level inter-connections appeared to be weak. International agencies and treaty secretariats in the biodiversity cluster have promoted synergies in national implementation through norms and discourses, as well as through direct access to domestic policy-making. Influence through norms and discourses was expected to be marginal because countries would not normally feel compelled to adapt national implementation systems to the requirements of institutions (regime complexes) that were not deliberately established to govern biodiversity policy arenas. Indeed, global influence is most visible through the direct access pathway, associated with modes of governing through enabling and by provision on which most international organisations rely to instil domestic policy change (Kern and Alber, 2008). There

was nonetheless broad agreement among the treaty secretariat officials, national experts and national focal points interviewed that international assistance has been insufficient. At the national level, foreign policy-making is typically a participatory exercise of intra- and inter-sectoral co-ordination. Inter-agency co-ordination ensures that national positions upheld in overlapping fora are consistent (Schermers and Blokker, 2011). Few countries, however, have gone forwards to co-ordinate national positions or advance proposals for improved inter-treaty co-operation. This generally reflects (or might indeed be the cause of) the low development of synergies on the ground.

Vertical channels of communication between the biodiversity cluster and national implementation systems in LAC are not only weakly developed. Influence has run essentially from the global to the national level making vertical linkages asymmetrical. Most of the national focal points interviewed acknowledged the assistance received (whether it has been insufficient is a different question). In contrast, the international experts and treaty secretariat officials interviewed coincided in the opinion that countries (in general) have not made serious efforts to improve synergies between/among conventions. The biodiversity cluster and national implementation systems in LAC are loosely coupled through global pathways of influence of the direct access type. Direct access to domestic policy-making has not triggered policy responses from state actors that feed back upon the further development of inter-treaty co-operation processes. Low levels of responsiveness were associated with the (presumable) lack of impact of activities associated with direct access to domestic policy-making. This situation reveals fundamental problems of institutional interaction because, as Gehring and Oberthür (2006a) notice, two institutions can only interact when one of them exerts influence upon the other.

If co-evolution in areas of regime overlap is occurring but is being defective, ways need to be found to steer cross-level interactions as opposed to integrate interacting institutions through top-down or bottom-up approaches. Management interventions need to consider why policy integration processes (policy coherence outputs) in regime complexes (national implementation) are not developing to the point where they can successfully influence policy coherence outputs (policy integration processes) in national implementation (regime complexes). Equally important is to determine what affects the development of positive feedback loops between regime complexes and national implementation systems. Determinants of

horizontal and vertical linkages in conditions of international regime complexity are the focus of the next chapter.

6 The biodiversity cluster and national implementation systems in LAC: Factors affecting co-evolution

In this chapter, intervening factors in the co-evolution of the biodiversity cluster and national implementation systems are explored. Previous chapters noticed an evolution gap between global and national governance, and under-developed and asymmetrical vertical linkages. Identifying the horizontal and vertical factors preventing more cohesive evolutions is important to design both focalised and system-wide responses to improve coherent governance. The assessment presented in this chapter is conducive to the third research objective and constitutes the final step in the analysis of the co-evolution of regime complexes and policy coherence as per the theoretical framework discussed in Chapter 2.

The chapter first examines the challenges arising from the separation of global and national governance systems. It does so by exploring and comparing problems of horizontal integration and horizontal coherence in the biodiversity cluster and at the level of national implementation, respectively. The chapter then explores the barriers preventing a stronger and more symmetrical coupling of governance systems than has hitherto been the case. Interviews with treaty secretariat officials, international experts and national focal points provide relevant empirical evidence for the analysis undertaken in these two sections. The chapter next summarises the factors affecting the co-evolution of the biodiversity cluster and national implementation systems, and discusses possible management interventions. Concluding remarks close this chapter.

6.1 Determinants of horizontal change

When regime complexes and policy coherence co-evolve, changes at one level trigger adjustments at the other. This section looks into the factors that affect

horizontal change. These are divided into three categories as per the co-evolution framework of Chapter 2: institutional and organisational; political; and executive and cognitive. Comparisons between intervening factors at global and national levels are made.

6.1.1 Institutional and organisational factors

6.1.1.1 A core institution amid autonomous institutional arrangements

At an institutional level, the biodiversity cluster displays properties of co-operative fragmentation. According to Biermann et al. (2009b), co-operative fragmentation is characterised by loose integration under a core institution, non-conflicting norms, and overlapping constituencies, with some major players outside the core institution but supporting co-operation (see Chapter 2, Section 2.3.3.1.1). As discussed next, these three characteristics are observed in the biodiversity cluster and affect horizontal integration in different ways.

Over the years, the biodiversity cluster has undergone a process of “CBD-ification” or integration under the CBD as the framework convention (Caddell, 2011). This process has evolved naturally because any action undertaken in the context of the non-CBD conventions contributes to the objectives of the CBD (Interviewee NG4). Minor unilateral adaptations can strengthen that synergy. As described by a treaty secretariat official, “we can slot some of our work under different objectives and recommended activities of the CBD. We are not necessarily doing anything different, but what we are doing is that we are able to demonstrate that some specific actions... are being implemented under a particular CBD programme”.

Rosendal (2001a) suggests that rules and norms in the biodiversity cluster are compatible, but others have noticed internal tensions between “anthropocentric and ecocentric principles, conservationist and preservationist norms, ecosystemic and species-specific rules, as well as voting and consensus-seeking procedures” (Morin and Orsini, 2013a, p.42). These tensions have not translated into conflict, but have

posed problems to inter-treaty co-operation. According to one interviewee, some of the non-CBD conventions “have not been very comfortable about liaising with the CBD and its broad, abstract concepts and themes which are not as concrete as, for example, designation of wetlands or selection of species requiring protection” (Interviewee OT1). In the view of another participant, “it is not so easy to directly relate the site-based work or the species-based work carried out by the non-CBD conventions to the higher policy discussions taking place within the CBD” (Interviewee TS3). A third interviewee observed, for instance, that “CMS delivers ground-level conservation for specific targeted species and habitats; it is sometimes tricky to link this up to the broader goals and policies of the CBD”. Within the WHC, the CBD is seen as “a general policy convention” and therefore “it is very difficult to relate immediately what is decided there” to the management of World Heritage sites. One participant noticed the “cultural differences” affecting co-operation between CITES and the CBD: CITES has strong compliance provisions, negotiations address very practical aspects of implementation, and contentious elements of draft decisions are put to the vote; conversely, the CBD has soft compliance mechanisms, negotiations involve arduous policy discussions, and rules of procedure privilege consensual decision-making.

Differences in institutional design prevent the non-CBD conventions from being subsumed by the CBD. Referring to the linkages between the CBD and CITES, one participant observed that “it is not so easy for the CBD to insert itself into the work of CITES because CITES is a trade treaty based on a permit-certificate system which is very self-standing”.

The non-CBD biodiversity-related conventions appear to find it technically easier to co-operate with other non-CBD conventions than with the CBD. Some interviewees noted the close co-operation between CITES and CMS, which rests on the similar species-based structure of the conventions and the same emphasis on practical, on-the-ground action (Interviewees TS2, NG5). Collaborative efforts have delivered important conservation outcomes, most notably, the recovery of Saiga Antelope populations in Eurasia. According to one interviewee, the WHC has also worked closely with other non-CBD biodiversity-related conventions: in the framework of the BLG, co-operation with other non-CBD conventions has advanced more significantly than co-operation with the CBD.

Memberships and constituencies of the elemental regimes of the biodiversity cluster are not entirely coincident. State accession to the biodiversity-related conventions has progressed differently over the years and, to date, “the biodiversity-related conventions are not an equal set of overlapping member nations” (Interviewee OT2). Advancing the CBD-ification process in the biodiversity cluster would face opposition from states that are not parties to the CBD, most notably, the United States, which has always been antagonistic towards that convention (*ibid.*). The biodiversity-related conventions also have their own constituencies (Interviewee IG1). Meetings of the Ramsar Convention and the three conventions hosted by UNEP are normally attended by representatives of environmental ministries, whereas WHC and ITPGRFA meetings have representation from educational/cultural and agricultural ministries, respectively. Inter-ministerial dialogue and co-operation, where it occurs, is often not reflected in international negotiations. In addition, the conventions are supported by specific sets of NGOs which can influence the way in which one convention links to another. A number of conservationist NGOs participating in CITES meetings, for instance, have opposed initiatives to insert the CBD’s sustainability principles into CITES’ processes (Interviewee NG5). Political constituencies sometimes perceive linkage initiatives as threatening their own existence (von Moltke, 2001a).

From an organisational perspective, horizontal integration in the biodiversity cluster faces similar challenges to those encountered in other settings of MEA interplay (see Oberthür, 2002; von Moltke, 2001b; Briseño, 1999): the conventions are administered by different agencies and operate according to their own organisational elements and functions. As some participants noted, the biodiversity-related conventions have evolved independently of each other and, as a result, their processes and operations cannot be easily streamlined or harmonised (Interviewees IG2, NG11). A clustering process akin to that launched by the chemicals and hazardous waste-related conventions seems unrealistic. Streamlining international bureaucracies would be an uphill task. Administrative consolidation within the chemicals cluster has been achieved through UNEP, which hosts the secretariats of its three elemental regimes (Interviewee TS7). In the case of the biodiversity-related conventions, only three of them are administered by UNEP, and there are suspicions that UNEP would seek to position itself as the coordinator of an institutional cluster of biodiversity-related conventions to strengthen its power and authority in IEG (Interviewees TS2, NG10). Moreover, the secretariats of the chemicals-related conventions are based in the same building in

Geneva, Switzerland; whereas the secretariats of the biodiversity-related conventions are geographically dispersed (Interviewees TS5, TS7, IG6, OT1). Relocation to a common site would be resisted by both the host countries, which would lose a source of income, and the secretariats themselves, which would lose some independence (Interviewee IG4). Cohabitation is nonetheless important to advance synergy, as experiences in the national implementation of biodiversity-related MEAs reveal (see section 6.1.1.2 below).

6.1.1.2 Implementation arrangements organised according to a sectoral logic

Institutional tensions also affect the management of biodiversity-related conventions at the national level. However, while in the biodiversity cluster those tensions emerge between the CBD and the specialist regimes, in domestic settings they arise when attempts are made to create synergies between the CBD and biodiversity-related agreements overseen by non-environmental ministries. In Colombia and Panama, there have been frictions between CBD and ITPGRFA focal points over matters concerning ABS. In Panama, for example, conflicts stem from determining whether the use of genetic resources involves food security (the ITPGRFA's sphere of competence) or bio-prospecting (falling under the CBD's remit). Costa Rican interviewees acknowledged the need for an improved conceptualisation of ABS issues with a view to harmonising sectoral approaches in the environment and agriculture ministries (housing the technical focal points of the CBD and the ITPGRFA). Such problems of cross-sectoral co-ordination usually arise in political systems which suffer from institutional fragmentation (Jordan and Lenschow, 2010).

The organisational structures of the conventions of the biodiversity cluster remain independent, and so do national implementation arrangements (see Chapter 4, Section 4.2.2). However, when conventions are administered within the environmental sector, overlaps of, and regular interactions between, biodiversity focal points create favourable conditions for synergy (see Masundire, 2006). If different sectors are involved, ministries of foreign affairs can intervene to ensure

political (although not necessarily technical) co-ordination (see Schermes and Blokker, 2011).

It has been noticed that co-location of MEA focal points under the same roof enables regular dialogue and communication (Van Toen, 2001). Interviews suggest that synergies in the implementation of the CBD and the biodiversity-related conventions which have representation in environmental agencies and ministries (typically the Ramsar Convention, the CMS and CITES) arise naturally in day-to-day work. Various interviewees reported that national focal points to the CBD and other MEAs are co-located in the same agency/ministry. The Peruvian Ministry of Environment (MINAM) hosts the technical focal points of the CBD and several other environmental agreements. The Costa Rican SINAC is reported to have eight MEAs under its purview. In Ecuador, Panama and Jamaica, a number of MEAs are administered by environmental ministries and some focal points are even based in the same department. Indeed, cases where focal points are in the same department or administrative unit are recurrent. In Cuba, all the conventions but the WHC are within the scope of responsibilities of one division within the Ministry of Science, Technology and Environment (CITMA). Similar arrangements are reported in Argentina, Bolivia and Honduras.

Interviewees acknowledged that existing arrangements enable co-ordinated work. A Jamaican interviewee noticed that synergy between implementation processes occurs because “national focal points are in regular contact and know what each other is doing”. In Ecuador, spatial proximity facilitates the exchange of information and experiences as well as the development of joint activities (Ecuadorian Interviewee B). A Cuban CBD official considered that co-location under the same administrative unit allows “continuity in work and coherence in implementation”. Similarly, a Bolivian participant observed that, to the extent that MEA focal points converge in the same department, “there could not be lack of co-ordination and synergy in the work plans for the different conventions”. In Mexico, CONABIO’s jurisdiction over technical aspects of the implementation of the CBD and CITES has enabled the Mexican government to achieve high consistency in the positions it defends in CBD and CITES fora (Mexican Interviewee A).

Improving synergy between MEA implementation activities becomes more difficult when technical focal points pertain to ministries/agencies from different policy fields. Most of the CBD focal points interviewed did not report close interaction with

their WHC and ITPGRFA counterparts. As mentioned earlier, experiences in Colombia and Panama reveal that cross-sectoral interplay between CBD and ITPGRFA focal points can, at times, be conflictive due to broader institutional issues.

Unlike in the biodiversity cluster, where decentralised co-ordination prevails, some countries have made attempts to co-ordinate the implementation of MEAs through inter-sectoral environment committees and smaller MEA co-ordination offices (see Chapter 4, section 4.2.3). More generally, it is common practice for ministries of foreign affairs facilitate administrative coherence. The Brazilian Ministry of Foreign Affairs, acting as the political focal point to a number of biodiversity-related conventions, provides political co-ordination and guidance. In Colombia, the Ministry of Foreign Affairs has mediated between the environment and agriculture ministries to reconcile ABS approaches and present consensual positions in international biodiversity fora. In a similar fashion, the Ecuadorian ministries of environment and foreign affairs have established co-ordination to achieve consistency in national positions. As has been noticed elsewhere, ministries of foreign affairs exercise leadership in questions of general policy, but not in more technical matters arising in implementation on the ground (Schermers and Blokker, 2011).

The previous two sections reveal a substantive difference in the institutional and organisational challenges arising in global and national efforts to improve synergies between biodiversity-related conventions. At the international level, organisational barriers are more significant than institutional conflicts, whereas at the national level the correlation is reversed. Within the biodiversity cluster, differences in institutional design pose obstacles to co-operation, but the CBD stands firm at the core, enabling some institutional cohesiveness. Greater fragmentation is observed when the attention shifts towards the existing organisational arrangements. In domestic arenas, one lead agency usually administers the MEAs of the biodiversity cluster ascribed to the environment sector (the CBD, the Ramsar Convention, CITES and CMS), ensuring unity of purpose. Problems of communication and co-ordination emerge between those agencies and others with MEA-related responsibilities in non-environment sectors due to incompatible institutional frameworks. Synergy-related problems in domestic environments have thus deeper institutional roots than those arising in international settings.

6.1.2 Political factors

6.1.2.1 The CBD-ification of institutional relationships and the role of international bureaucracies

Governance in the biodiversity cluster is strongly shaped by organisational and individual politics. Organisational politics are approached here in light of Abbott et al.'s (2013, 2012) framework for exploring the strategies and growth rates of organisations in conditions of institutional proliferation (see Chapter 2, Section 2.3.3.1.2). Relationships between the conventions of the biodiversity cluster are characterised by discord rather than harmony. Discord, however, has not developed into conflict, but has been managed through organisational strategies of mutual adjustment. Mutual adjustment has been asymmetrical due to power disparities between the framework and the specialist conventions. Individual politics acquire visibility in the personality conflicts between heads of agency, partly counterweighted by the more professional working relationships between programme officials.

Distrust in the biodiversity cluster has both a substantive and an organisational component (see Abbott et al., 2013, 2012). On a substantive level, tensions derive from the CBD's position as the core institution of the biodiversity cluster. Clashes occur because the CBD "addresses all of the issues that form the mandate of the other conventions such that someone could ask 'why do even we need these other conventions?'" (Interviewee OT2). In the opinion of one interviewee, the CBD's far-reaching mandate allows the CBD's Parties to take action in areas which fall under the strict jurisdiction of other biodiversity-related conventions: the CBD's Parties may ultimately delimit the CBD's mandate "as broadly or narrowly as they wish. This is not always driven by a logical rationality, but is contingent upon the interests of the Contracting Parties at any point in time" (Interviewee TS8).

In the view of one interviewee, the CBD sometimes "sees itself as the 'big brother' or the umbrella convention", whereas the other conventions are keen to assert their independence and individuality (Interviewee NG3). The CBD had originally been envisaged as an umbrella convention (see McGraw, 2002), but that was not

accepted by the other conventions (Interviewees IG2, IG4). Their reaction was then hostile and protective as they perceived a threat to their autonomy (Interviewee IG4). As a framework convention, the CBD is legally impeded from absorbing the other conventions, but the latter sometimes perceive that the CBD takes advantage of its leadership role to impose something on them (Interviewee OT1). As one interviewee observed, there is “a feeling of mandate creep, i.e., that the CBD is steamrolling through their territory and telling them what they should do”.

Discord also involves other more organisational aspects. Turf battles and competition for resources and attention are common (Interviewees TS5, TS8, OT2). The conventions “do not always want to share their power or money” (Interviewee TS5) and the need to achieve individual success undermines co-operation (Interviewee NG6). Andresen and Rosendal (2009) had previously noticed distrust between the secretariats of the CBD and the other conventions of the biodiversity cluster.

The CBD enjoys the largest funding in the cluster and its ever-growing work creates a constant demand for further resources (Interviewee OT2). The other conventions “are looking at this in a rather apprehensive way. They think: ‘If all this effort is going into the CBD, how can we make sure that we are going to continue to get our fair share of the cake?’” (ibid.). The non-CBD conventions “tend to feel a bit underprivileged” and “there is some jealousy of the CBD and the attention it gets” as the framework convention (Interviewee NG2). One treaty secretariat official, for instance, bemoaned that the CBD has much more funding and capacity than the other conventions despite it being more focussed on strategy than on on-the-ground action (Interviewee TS6).

For some interviewees, existing tensions do not entail major problems in schemes of co-operation (Interviewees IG2, IG3). One interviewee even suggested that the relationship between the CBD and the other biodiversity-related conventions is more amenable and harmonious than in the past (Interviewee IG4). CBD’s leadership has not necessarily resulted in mandate creep. The CBD has on many occasions taken the initiative to address emerging issues affecting biodiversity and, in doing so, it “may unintentionally step into the field of competence of other conventions” (Interviewee IG5). Nevertheless, the CBD eventually defers those issues to the competent institutions (ibid.).

Tensions have been managed through adverse asymmetric adjustment. This occurs when organisations with disparate power adjust their rules and policies to manage discord, with the weaker organisations making more extensive changes and bearing greater adjustment costs (Abbott et al., 2013, 2012). The centrality and authority of the CBD as the framework convention on biodiversity places it in a position of dominance in the biodiversity cluster. Gradual alignment under the CBD is visible (see Chapter 4, Section 4.1.1), but has not occurred through symmetric adjustments.

BLG processes illustrate the tensions arising in the CBD-ification process. In its early days, the BLG was criticised for being a forum to discuss items of the CBD's agenda and not issues of common interest across the conventions (Interviewees TS2, TS7). BLG meetings would witness absence or low-profile representation from some secretariats as "there was the assumption that the BLG was going to address CBD-related issues and that was a waste of time" (Interviewee TS7). Input from some interviewees suggests that some friction remains. There prevails an impression that the BLG is the CBD's instrument and that the BLG forum is not a meeting of equals (Interviewees TS1, TS3). The secretariats of the non-CBD conventions "feel that quite often they are just being asked to participate in something which the CBD has already pre-cooked" (Interviewee TS1).

Corning (1998) notices that synergies can have eufunctional and dysfunctional effects for the elements in interaction. A CBD Secretariat official acknowledged that the CBD has managed to advance its goals into the agendas of other conventions "in a way that has generated a little bit of tension" and not through "a truly synergistic process". Indeed, the CBD has not always been "a good listener to other voices" (ibid.). The preparation of the new *modus operandi* of the BLG, adopted at the second retreat of the group (Geneva, 4 September 2011), exemplifies this. The CBD Secretariat circulated a two-page draft *modus operandi* to other BLG members in advance of the meeting. During the discussion process, the document expanded to almost five pages. Most of the content encompassed comments by BLG members emphasising issues relevant to their own conventions (ibid.). Eventually, the *modus operandi* agreed at the meeting was very close to the draft that was initially circulated (ibid.). Representatives of the non-CBD conventions "left the meeting saying: 'ok, we have got a *modus operandi* but we wish the process had been a little bit more participatory'" (ibid.).

The non-CBD conventions are making efforts to ensure more symmetrical adjustments in the biodiversity cluster. Recent attempts to access GEF funds (see CBD Doc BLG 2013-2) demonstrate their interest “to position themselves alongside the CBD as opposed to underneath it” (Interviewee NG11). In the context of the implementation of the Strategic Plan for Biodiversity 2011-2020, they are also seeking to ensure that they all “have a minimum of capacity in terms of human and financial resources so that they are able to contribute to the implementation of the Plan” (Interviewee TS6).

Mutual adjustment remains a preferred strategy for managing discord. In contrast, a hypothetical clustering process, modelled after experiences in the chemicals sector, would be opposed both by the CBD and the non-CBD conventions amid fears of losing their relative advantages. The CBD would refuse to be institutionally integrated with conventions with less political visibility and influence. According to one research participant, if a clustering process places the biodiversity-related conventions at the same level, that “will either demote the CBD and make it less able to fulfil its ambitious mandate, or over-promote the other conventions, which have quite strict, tightly-focused mandates”. Within the group of non-CBD conventions, fears might arise that institutional integration with the CBD could weaken their mechanisms for implementation review and compliance, which tend to be more detailed and effective than those of the CBD (Interviewees TS3, NG5). As mentioned in section 6.1.1.1, some conservationist NGOs attending CITES meetings are against the insertion of CBD’s principles into CITES’ programmes of work. According to one interviewee, “they see the CBD as touchy-feely (‘do whatever you want and do not do whatever you do not want’). They see it as a weak convention that has no teeth. They are basically afraid that CITES’ provisions could be watered down if there were more co-operation with the CBD” (Interviewee NG5). Such opinions are shared by some CITES’ Parties, most notably the United States (*ibid.*).

Individual action strongly determines the quality of inter-treaty co-operation. In the biodiversity cluster, high-ranking and programme officials of executive agencies play important roles in co-operative activities. Interviewees noticed that “this is a very personality-rich environment” (Interviewee OT2), and “at the end of the day it is individuals who determine how well the conventions and secretariats work together” (Interviewee TS8). Until recently, there was an “enormous personality conflict between the heads of the secretariats themselves and certainly between

some of the heads of the secretariats and the head of UNEP” (Interviewee OT2). Those conflicts impinged upon synergy processes. For instance, personality issues between the two former Executive Secretaries of the CBD and the former head of the CITES Secretariat contributed to the relatively low levels of co-operation between the two conventions (Interviewee NG5). Conversely, recent efforts within CITES fora to strengthen synergy with the CBD have been partially driven and facilitated by the appointment of a new CITES Secretary-General in 2010. Coming from a UNEP background, the new CITES Secretary-General “has a real desire to work better with other MEAs” (Interviewee NG1) and has a particular interest in improving co-operation with the CBD in the expectation that this would allow CITES Parties to access GEF funding (Interviewee NG5). Leadership can make a difference in how treaty secretariats influence regime interplay. Jinnah (2010), for instance, observed that the charismatic leadership of Ahmed Djoghlaif, former CBD’s Executive Secretary, played a critical role in the CBD Secretariat’s marketing campaign to reframe the biodiversity-climate change linkage in a way that portrays biodiversity conservation as a climate change adaptation strategy, making it more attractive to biodiversity rich countries.

Working relationships between programme officials tend to be more harmonious than those between heads of agency. Tensions between the former CBD’s Executive Secretary and UNEP’s current Executive Director, for example, have not been replicated at the staff level. One interviewee highlighted the close partnership between the CBD Secretariat and the UNEP’s Pan-European Biological and Landscape Diversity Strategy (PEBLDS) on the implementation of national biodiversity strategies in the Pan-European region. Those strategies are considered a key instrument for synergising implementation of the biodiversity-related conventions. In the same vein, one interviewee noticed that the good relationships between staff members of the CBD and the ITPGRFA Secretariats have enabled high levels of collaboration between the two treaties.

State actors have so far had limited involvement in inter-treaty co-operation. One interviewee suggested that BLG meetings should be mirrored by regular meetings of the heads of the bureaux of the conventions to raise the political profile of co-operation and synergy in the biodiversity cluster (Interviewee OT2). Political actors should provide leadership and set the tone of BLG meetings (ibid.). In the same vein, a treaty secretariat official acknowledged that “we would like the parties to be more engaged with the BLG to move things forward. Ultimately, the process of

improving synergies and coherence needs to be party-driven". Scholars have already noticed that the effectiveness of the BLG is undermined by the lack of involvement of member states of the conventions (Jóhannsdóttir et al., 2010).

6.1.2.2 Diverse political contexts and the role of national focal points in national implementation

The organisational and individual politics involved in the co-ordination of biodiversity-related conventions at the national level are different from those shaping global governance in the biodiversity cluster. Synergies in national implementation do not appear to be shaped by the politics of CBD-ification nor do they seem to receive high-level support. Internal political contexts make synergies contingent upon policy priorities, administrative changes, and individual commitment.

There are not yet visible CBD-ification processes at the national level, although the importance of the CBD as framework convention on biodiversity is recognised. In Bolivia, the CBD takes priority over other biodiversity-related conventions administered within the environment sector. This might be because the funds available for CBD implementation and the CBD meetings which parties are expected to attend are higher in comparison with other biodiversity-related agreements (Bolivian Interviewee). The different importance attached to the conventions is reflected in the action plans of the Bolivian ministry of environment (ibid.). In other countries, hierarchies between the CBD and other biodiversity-related conventions ascribed to the environment sector may be implicit in day-to-day work, yet none of the CBD officials interviewed reported conflicts or competition with other focal points based in environment ministries/agencies. Frictions are more likely to arise in cross-sectoral interactions (see section 6.1.1.2), where CBD focal points stand at the same level as (or even in a weaker position than) the focal points for other biodiversity-related regimes.

Domestic politics affecting the management of biodiversity-related MEAs can be considered from two different angles: 1) by examining the importance of co-ordination within the biodiversity sector in relation to other co-ordination processes

(within the environment sector and across sectors); and 2) by appraising the resilience of co-ordination activities to changes of government.

Many interviewees (Argentina, Chile, Costa Rica, Ecuador and Jamaica) observed that co-ordination within the biodiversity sector is no less relevant than other intra- and inter-institutional co-ordination processes. However, the very absence of regulatory instruments for developing synergies in the implementation of biodiversity-related conventions appears to suggest that the issue is either sufficiently unimportant, or sufficiently intractable, for central administrations to become involved (see Peters, 2013). The first assumption is plausible. Some CBD officials perceived that creating synergies between biodiversity-related MEAs is relatively uncomplicated (Colombian Interviewee) and/or that implementation processes are reasonably well integrated (Mexican Interviewee B). Some also believed that the focus should be on improving synergy with other Rio Conventions (Brazilian Interviewee) and, more importantly, on mainstreaming biodiversity into other sectors (Colombian, Costa Rican and Panamanian Interviewees). Improved communication with other sectors would ultimately ensure that activities in non-environmental policy fields are supportive of the objectives pursued by the biodiversity-related conventions (Panamanian Interviewee).

In practice, concerns about streamlining implementation of the Rio Conventions and/or inserting biodiversity into non-environmental institutions may override the need to enhance synergy between biodiversity-related agreements. A CBD official in Ecuador noticed that, while inter-linkages with other MEAs are not institutionally hierarchized, some MEA interfaces may grow stronger in everyday implementation. In Peru, the focal points to the Rio Conventions are in closer communication and co-ordination than the focal points to the biodiversity-related conventions. This is explained, at least in part, by the attention and funding which climate change attracts within the environment sector (Peruvian Interviewee). GEF funds have sometimes driven domestic efforts to synergise implementation of the Rio Conventions (see Chapter 5, Section 5.1.3).

Changes of government have affected MEA inter-linkages in the region. Incoming administrations often bring about staff changes in environment agencies and ministries which affect the implementation of strategies designed to comply with MEA commitments (Dominican Interviewee). A Peruvian CBD official observed that the degree of collaboration between agencies involved in MEA implementation

varies from one administration to another depending on the reforms introduced. In Panama, changes of government usually have a negative impact on the continuity of co-operative activities. When new environment authorities take office, they often appoint MEA officials who are not acquainted with existing MEA liaison activities (Panamanian Interviewee). Channels of communication between MEA focal points become disrupted as a result. As has been noticed elsewhere (e.g. Boston, 1992), problems of policy co-ordination are magnified during periods of rapid change.

As is the case within the biodiversity cluster, inter-personal relationships are factors that influence the coherency of MEA implementation activities. The importance of the individual in collaborative contexts has been highlighted in various public management studies (see O'Leary and Vij, 2012). In Ecuador, synergies between biodiversity-related conventions have been created at the initiative of MEA focal points (Ecuadorian Interviewee A). Personal commitment and will make some MEA interfaces developed further than others (ibid.). In Peru, MINAM officials who worked at the now extinct National Environment Council have provided the necessary experience and expertise to advance synergies among biodiversity-related agreements.

In the view of a Peruvian interviewee, inter-personal relationships determine, to a great extent, the quality of synergies among MEAs. Lack of communication between MEA officials has thwarted synergy processes in the past (ibid.). An Ecuadorian interviewee observed that friendly relations among MEA focal points have facilitated the management of MEA inter-linkages. In Mexico, good levels of collaboration between CBD officials at CONABIO and Ramsar officials at CONANP have been possible because some CONANP officials previously worked at CONABIO (Mexican Interviewee A).

Some interviewees acknowledged that closer communication between national focal points can enhance synergies between biodiversity-related conventions. A CBD official in Costa Rica noticed the need for improving personal dialogue in order to achieve a better division of labour and greater complementarity of work. In a similar way, a Colombian interviewee considered that increased co-operation and mutual assistance among individuals and technical teams responsible for overseeing implementation of different MEAs can improve MEA interfaces.

Unlike global-level synergies, national co-ordination activities are pursued by technical focal points with no direct involvement of high-ranking officials, making the creation of synergies a relatively less politicised exercise. Nevertheless, the absence of high-level support means that national co-ordination of MEAs often lacks political commitment, which is considered an important factor in the realisation of synergies between policies (Jordan and Lenschow, 2010).

There is a close relationship between institutional, organisational and political factors affecting the management of biodiversity-related conventions, but this relationship acquires distinct patterns at global and national levels. The politics of CBD-ification in the biodiversity cluster emanate from evolving institutional processes converging around the CBD. Conversely, national political contexts strongly shape the way in which biodiversity-related MEAs are implemented. In the first case, politics are the consequence of more coherent institutional processes, whereas in the second case, politics determine the coherency of implementation arrangements. As a result, domestic arenas offer a less stable environment to advance synergies between biodiversity-related conventions than international settings.

6.1.3 Cognitive and executive factors

6.1.3.1 Limited ownership of global targets and the international governance dilemma

Global targets have become popular instruments for mobilising international and national action (see White and Black, 2004; Jolly, 2003). They can thus be an enabling factor in the alignment of horizontal and vertical agendas. The CBD embraced this soft-law approach with the adoption of the 2010 Biodiversity Target (Harrop and Pritchard, 2011). The Target highlighted the urgency of addressing global biodiversity loss, but it was, at the same time, a political call to advance the CBD's implementation. As this section shows, the 2010 Target was formally supported by the conventions of the biodiversity cluster without bringing greater

alignment under the CBD. Organisations in the biodiversity cluster have not been immune to the international governance dilemma in which they face an increasing number of tasks amid limited capacity (Eberlein and Newman, 2008; Keohane, 2001). Approached in the light of Ohiorhenuan and Wunker's (1995) capacity building framework (a framework originally developed in connection with national capacity needs, as described in Chapter 2), capacity barriers to co-operation in the biodiversity cluster involve human, organisational and physical aspects.

In the opinion of some research participants, the 2010 Biodiversity Target fostered increased collaboration within the cluster of biodiversity-related conventions. One interviewee remarked that "the 2010 Target made a very big impact on co-operation" as it provided a common goal to work towards (Interviewee IG4). Another interviewee similarly suggested that the 2010 Target "was a unifying theme. It spurred much collaboration over the past 10 years. Without the 2010 Target there would still be Memoranda of Co-operation and Understanding, but I do not think we would see the levels of co-operation that we have now" (Interviewee IG2).

The 2010 Target made inroads into the strategic plans/programmes and policy decisions of the non-CBD conventions (see Table 5.3). Some interviewees considered, however, that the 2010 Target was supported on paper and through public utterances, but real work to ensure that the Target would be achieved did not occur. CITES' Parties did not perceive the need to revise the operation of the Convention in the light of the 2010 Target. The CBD's framework of goals and sub-targets to assess progress towards the Target (adopted at CBD CoP7 through Decision VII/30) included one sub-target on wildlife trade "which was compatible with CITES' core work since 1973" (Interviewee NG5). "The convention could therefore carry on pursuing its mandate as usual while contributing to the 2010 Target" (ibid.).

In the case of the WHC, a secretariat official suggested that the 2010 Target allowed the convention to communicate and market its work as contributing to the achievement of global biodiversity goals, enriching the panoply of arguments offered to donors when seeking funding. The 2010 Target, however, did not affect the way in which the convention was implemented. On-going work to protect natural heritage was seen as contributing to the Target. Similarly, one interviewee

suggested that, within the Ramsar Convention, endorsement of the 2010 Target did not lead to decisions requiring changes in the operation of the convention.

The 2010 Target provided a common focus for all the biodiversity-related conventions, but did not motivate changes in the *modus operandi* of the non-CBD conventions that could lead to greater integration under the CBD. When the governing bodies of the non-CBD conventions referred to the 2010 Target, they were generally cautious not to frame it as the CBD's target (see Table 5.3). That framing carried an implicit commitment to support implementation of the CBD's Strategic Plan 2002-2010 and improve alignment with the CBD's agenda.

Capacity constraints have limited the extent of co-operation. Human resources are sometimes lacking, with the smaller secretariats finding it particularly challenging to get involved. The World Heritage Centre is a case in point. An interviewee noticed that there are "three to four people dealing with natural heritage" who have to monitor over 200 sites. To the extent that most of the work of the World Heritage Committee focusses on the inscription of sites on the World Heritage List and the review of the conservation status of listed sites, monitoring activities become a priority for the World Heritage Centre's natural heritage section. As the same participant mentioned, the Centre has limited capacity to participate in co-ordination activities in the biodiversity cluster, and the issue of co-operation with other biodiversity-related conventions cannot be tabled at every meeting of the World Heritage Committee due to the latter's overloaded agenda.

Indeed, co-operation has been increasingly affected by the enlargement of institutional processes within the conventions and the consequent problems of organisational management. Convention bodies and state parties are overwhelmed with implementing the multiple decisions adopted by the governing bodies at their regular meetings. Inter-institutional collaboration, mostly a responsibility of treaty secretariats, has been undermined as a result. As one secretariat official described, "all secretariats have already so much work to do within their own conventions that the time that they can assign to additional co-ordination with other conventions is relatively limited" (Interviewee TS3).

Time constraints have forced the secretariats to prioritise internal governance processes over inter-institutional co-ordination initiatives (Interviewee IG3). Co-operative activities represent a small fraction of the work carried out by treaty

secretariats and their relevance might sometimes be overestimated. When co-operation reports are prepared, secretariats try to “make the best possible picture of something that has been relatively small” (Interviewee TS1). Opportunities for collaboration were greater in the past “because we had not created so much institutional machinery, and relationships and joint operations could happen almost spontaneously without having to be fully negotiated, fully agreed, fully funded, etc.” (ibid.).

Insufficient physical resources, notably funding, have also undermined synergy processes. A treaty secretariat official said, for instance, that achieving greater complementarity with the CBD demands financial resources which are not always available.

6.1.3.2 Knowledge and capacity barriers to implementation

Cognitive and executive factors impinging upon the national management of biodiversity-related conventions are similar, to some degree, to those shaping global governance in the biodiversity cluster. Cross-cutting biodiversity policy goals providing common ground across MEA programmes and activities cannot be easily identified at the national level. Furthermore, the global 2010 Biodiversity Target had little impact on national implementation (see Chapter 5, Section 5.1.2). Problems of capacity are possibly more acute than in the biodiversity cluster. Ohiorhenuan and Wunker’s (1995) capacity building framework provides, again, a basis for approaching the different dimensions of national capacity needs.

On a cognitive level, co-ordination in national implementation is affected not only by the lack of inter-subjective frameworks of meaning supporting co-ordinated approaches to implementation (see Chapter 4, Section 4.1.2), but also by a poor understanding of the nature and operations of the conventions. An Ecuadorian CBD official, for instance, noticed that an enhanced understanding of the objectives, goals, programmes of work and funding mechanisms of biodiversity-related MEAs is a pre-condition for advancing synergies between them.

Human capacities to synergise implementation are sometimes missing. In Chile, a number of MEAs are administered by the same institution and the same group of officials. As these individuals are also burdened with other institutional tasks, they cannot devote enough time and resources to MEA liaison activities (Chilean Interviewee A). Similar difficulties are reported in Panama. According to one interviewee, national focal points are very busy with their own work and fail to notice how implementation activities under different MEAs can be made more complementary.

Organisational barriers have also been noticed. A CBD official in Peru noticed that the functions and tasks of MEA officials are not always well defined. Sometimes there are no formal channels to address MEA interfaces (Dominican Interviewee). Costa Rican interviewees highlighted the need for better platforms and networks for improved communication and dialogue between MEA focal points. CBD officials from Colombia and Honduras similarly stressed the importance of strengthening co-ordination capacities. Honduras has identified a number of areas where capacities have to be further developed, including in relation to management and exchange of information; the use of instruments for planning, management, assessment and monitoring of MEAs implementation; the design and operation of joint projects; the preparation of national reports; and the replication of successful synergy experiences (Honduran Interviewee).

Lack of financial resources is another impediment to enhancing synergies between biodiversity-related conventions. A Costa Rican CBD official noticed that budgets in the environment sector are low and synergies need to be worked upon in the context of existing budget allocations. In Jamaica, both the government and environmental NGOs face financial constraints to support an integrated implementation of biodiversity-related MEAs (Jamaican Interviewee B). Limited funding leads to a deficit in human and technical capacities (Jamaican Interviewee A). Financial issues affecting synergies between MEAs were also reported by Chilean, Cuban and Ecuadorian interviewees.

Synergies at global and national levels are affected by common cognitive and executive problems. Frameworks of meaning enabling policy convergence have gradually emerged at the international level, first through the 2010 Biodiversity Target and, more recently, through the Strategic Plan for Biodiversity 2011-2020. The 2010 Target, however, had limited impact as a management instrument,

especially at the national level. Cognitive frameworks emanating from national arenas have developed poorly. NBSAPs, in most cases, do not offer a clear framework for the coherent implementation of biodiversity-related agreements (see Chapter 4, Section 4.2.2). The new Strategic Plan for Biodiversity, which should be implemented through updated NBSAPs, promises greater alignment, but capacity barriers create operational problems to improve synergies at both levels of governance.

6.2 Determinants of vertical coupling

The governing bodies of the biodiversity-related conventions have called on parties to improve co-ordination in their implementation (see Tables 4.1 and 4.2). Following the adoption of the 2010 Biodiversity Target in 2002, synergies became a central issue in the international biodiversity policy agenda. The 2010 Target was the subject of ample discussion and collaboration within the BLG, but state actors did not provide the same degree of support (see Chapters 5, Section 5.1.2). This can be explained through the lens of Underdal's (2000a, 2000b) Models II (domestic politics) and III (social learning and policy diffusion) of his framework for studying the formation of national positions and the implementation of international agreements (see Chapter 2, Section 2.3.3.2).

Problems of diffusion limited the impact of the 2010 Target in national arenas. CBD officials in Ecuador, Panama and Peru reported inadequate communication of the Target as a factor preventing strong national involvement. In Panama, the institutions addressing activities relevant to the CBD's implementation were unaware of the Target. While they knew that some of their actions had collateral benefits for biodiversity, they ignored that those actions contributed to the achievement of an international goal (Panamanian Interviewee). CBD officials in Mexico commented that the 2010 Target had low visibility even within the environment sector, exerting limited influence on national agendas. In Peru, domestic politics were at play: changes in public administration disrupted on-going work in support of the 2010 Target (revealing problems of institutional memory).

Under Underdal's (2000a, 2000b) explanatory Model I (unitary rational actor), the low development of synergies in policy-making and policy implementation activities would be explained by the high costs involved relative to the potential benefits. International assistance can help redress the balance between costs and benefits, but, in the present case, it does not seem to have affected domestic policy-making in significant ways (see Chapter 5, Section 5.3). Model II in Underdal's framework offers possible reasons for this.

Institutional capacity and political will, elements associated with domestic politics, have both undermined global influence on domestic policy. Basic infrastructure is sometimes lacking. A Honduran interviewee highlighted that there is no baseline for assessing existing capacities to implement biodiversity-related MEAs and measuring impact of capacity-building activities. Political barriers emanate from issues of national sovereignty. A Bolivian CBD official recognised, for instance, that treaty secretariats cannot have a more active intervention in domestic synergy activities in the absence of express requests from state parties. Some countries might be wary of international assistance on the grounds that many capacity-building efforts "have the goal of shaping Southern policies in the image of their Northern precursors" (Sagar and VanDeveer, 2005, p.19). Indeed, some interviewees' views reveal a national ownership of MEA inter-linkage tasks. It was noticed that countries have primary responsibility for ensuring a synergistic implementation of biodiversity-related agreements (Costa Rican Interviewee A). Lack of coherence prevents countries from meeting their commitments under different conventions (Chilean Interviewee A). As an Argentinian interviewee noticed, national co-ordination should be pursued regardless of specific requests from governing bodies and access to international support. Path dependency limits social learning. Sometimes, for example, the technical tools designed by global experts appear incompatible with domestic working cultures (Mexican Interviewee A). The rigidity of policy frames and professional commitments within an organisation make it less receptive to alternative problem-solving approaches advanced by epistemic communities (Peters, 2013).

Part of the blame for the limited impact of international assistance on national-level synergies can also be apportioned to the suppliers. Donors supporting efforts to build capacity in national implementation do not attach major importance to the issue of synergies (Cuban Interviewee). Furthermore, implementing agencies sometimes administer donor funds without providing clear direction (Guatemalan

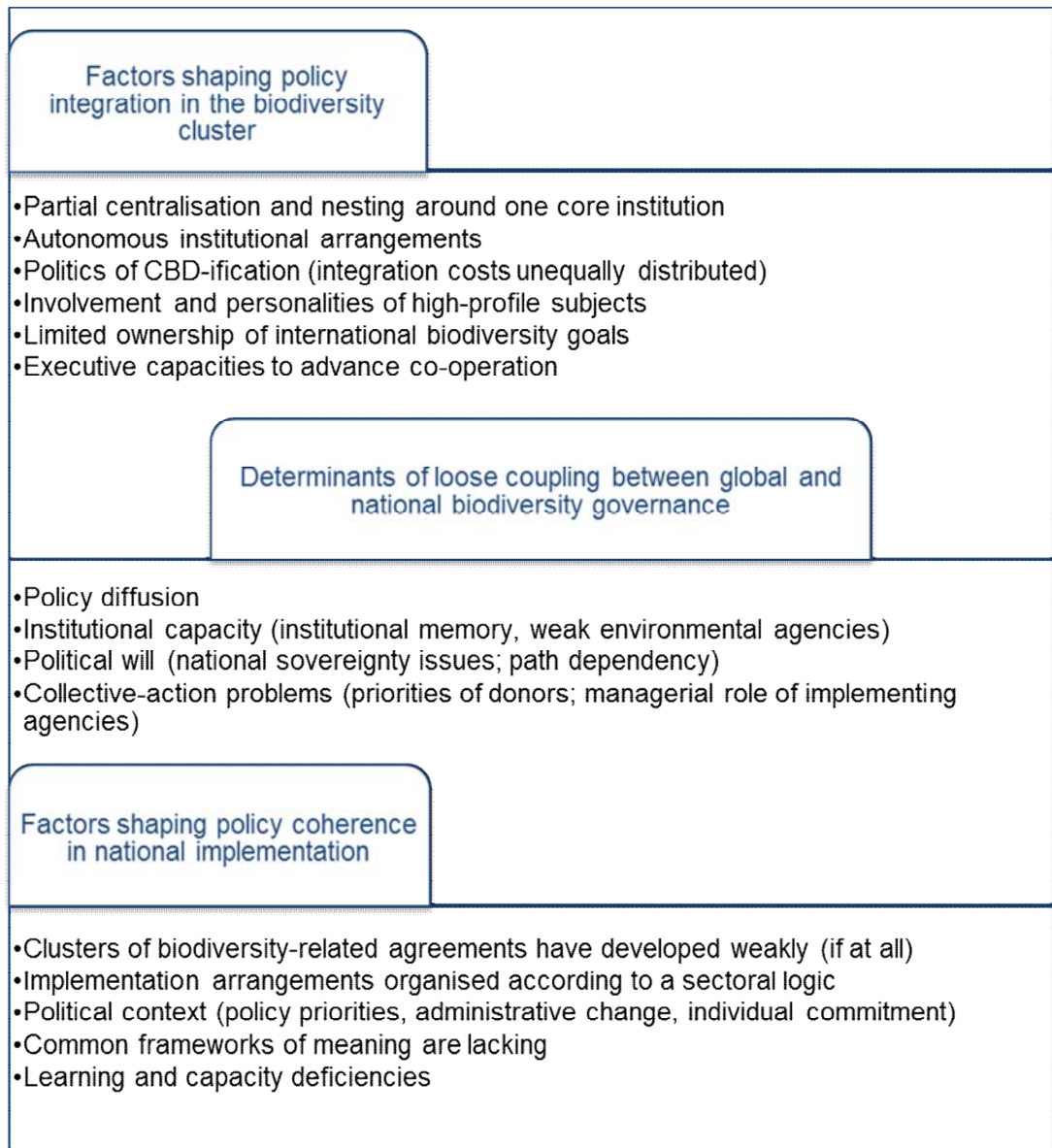
Interviewee). This relates to the Samaritan's dilemma of helping under-resourced countries regardless of how much effort they make to receive help (see Gibson et al., 2005). Factors like these fall beyond the scope of Underdal's models, which tend to conceive of international governance as a form of governing by regulation (whether through soft- or hard law), overlooking complementary forms of governing through enabling or governing by provision (see Kern and Alber, 2008).

The available evidence is not extensive enough to make conclusive statements on the factors affecting vertical channels of communication between the biodiversity cluster and national implementation in LAC. Nevertheless, a claim can be made that structural factors related to institutional capacity are constraining, but not inhibiting, vertical coupling. Structure has a similar impact on horizontal integration and coherence as section 6.1.1 shows. These observations suggest that if co-evolution is strategically steered, coherent governance can be achieved without radical changes in institutional architectures.

6.3 Factors affecting the co-evolution of global and national governance: A synthesis

When regime complexes and policy coherence co-evolve, changes at one level stimulate adaptations at the other through processes of social interaction. In other words, as horizontal linkages at global (national) level become stronger, they influence developments at national (global) level via vertical interplay. Co-evolution is thus contingent upon the creation and development of horizontal and vertical linkages. Factors affecting those linkages in the ambit of biodiversity governance were examined in this chapter employing the framework developed in Chapter 2. Table 6.1 summarises the main findings.

Table 6.1 Intervening factors in the co-evolution of the biodiversity cluster and national implementation systems in LAC



Determinants of policy integration in regime complexes had not been previously explored. Recent studies have improved knowledge of the way in which regime complexes evolve from a stage of competition to a stage of specialisation. Disruptive interactions in regime complexes in a stage of competition, e.g. those emerging in the areas of food security (Margulis, 2013) and maritime piracy (Struett et al., 2013), are strongly determined by conflictive norms across the elemental regimes. As regime complexes evolve from competition to specialisation, interest maximisation, shared norms, and processes of learning contain institutional conflict (Oberthür and Stokke, 2011). These dynamics are perceived, for instance, in the

regime complex of trade and the environment (Gehring, 2011), and in Arctic environmental governance (Stokke, 2011). In the present case, the transition from specialisation towards policy integration has involved three main challenges: 1) increased centralisation amid independent organisational arrangements; 2) strategies of mutual adjustment where costs are not equally distributed; and 3) gradual recognition of common frames of meaning but limited capacity to advance concerted actions.

Some studies have addressed problems of coherence in the implementation of inter-connected MEAs, with most of them highlighting lack of co-ordination as one of the main challenges (e.g. Chasek et al., 2011; Masundire, 2006; Mouat et al., 2006; Van Toen, 2001). This study, in contrast, did not find co-ordination to be a major dilemma. Co-ordination is occurring in most LAC countries of the sample, but its extent and depth is contingent upon three main factors: 1) the sectoral management of MEAs in political systems where ministries do not always share the same norms; 2) governmental and individual politics; and 3) practical challenges arising from learning and capacity barriers. Co-ordination tends to be invisible because it does not aim to streamline implementation arrangements (either in an administrative or substantive way), it often pursues national policy goals rather than an enhanced implementation of international commitments, and it is more ad hoc than structured, usually arising in day-to-day implementation. As a result, national clusters of biodiversity-related agreements, where they have emerged, have different boundaries and a different structure than the global biodiversity cluster.

Intervening variables in the coupling of regime complexes and national implementation systems were explored using three models developed by Underdal (2000a, 2000b) to predict and explain the formation of national positions (whereby domestic influence travels from the national to the global level) and the implementation of international agreements (where the influence of global governance on domestic policy can be assessed). These models were originally applied to examine the formation and implementation of issue-specific regimes, but were found useful to approach how countries create synergies when they formulate national positions and implement international commitments. Loose coupling problems in biodiversity governance, as emerging from the available evidence, were largely explained by Underdal's Model II (domestic politics associated with governmental supply of environmental policy), with Models I (unitary rational actor) and III (social learning and policy diffusion) providing complementary insights.

However, none of the three models (which implicitly visualise international governance as a form of governing by regulation) fully captured the more specific collective-action problems arising in donor-recipient relationships (associated with forms of governing through enabling and by provision). These problems have been extensively examined by Gibson et al. (2005) and require consideration when vertical inter-connections between regime complexes and national implementation systems are examined. Chapter 5 showed that vertical influence in biodiversity governance has flowed essentially from the global to the national level, and hypothesised that its impact has not been significant, inhibiting the development of positive feedback loops. This chapter suggested that barriers to loose coupling essentially arise in the ambit of domestic politics, but part of the blame may also be apportioned to donors and implementing agencies.

The apparent absence of positive feedback loops between the biodiversity cluster and national implementation systems brings to the fore the blocking coalitions which, according to Young (2006), are the driving force of cross-level interactions producing system change, i.e., those characterised by co-evolution (see Chapter 2, Section 2.2). Blocking coalitions emerge when two or more participants in cross-level interactions are able to veto the preferences of others but cannot muster enough support for their own goals (Young, 2006). In international biodiversity governance, two major blocking coalitions have traditionally been recognised: one comprising (mostly) Western countries supporting the preservation of, and international oversight over, biological diversity; and another one formed by (essentially) developing countries promoting sustainable uses of, and national sovereignty over, natural resources (see Neumann, 2005; Raustiala and Victor, 2004; Stoett, 2002; Martin, 2000). These blocking coalitions, which sustain patterns of differentiation (global/national) in biodiversity governance, pose natural obstacles to vertical coupling. In many LAC countries, synergies in the implementation of biodiversity-related conventions are not considered an international obligation, but a national responsibility. This constrains the ability of global governance to influence domestic policy and, therefore, the emergence of positive feedback loops between governance levels.

Young (2006) observes that “the persistence of blocking coalitions... is apt to lead to institutional breakdown resulting either in the dominance of a new hegemonic system or in the evolution of a new synthesis transcending prior management options” (no pagination). In the present case, institutional breakdown would be

associated with the transformation of the biodiversity cluster into a comprehensive biodiversity regime as per Morin and Orsini's (2013a, 2013b) model of the life cycle of regime complexes (see Chapter 2, Section 2.2). Nevertheless, the same blocking coalitions that have established a separation between global and national governance would impede the formation of a comprehensive biodiversity regime. Current governance arrangements seem to accommodate the interests of most countries. While existing structures pose obstacles to coherent governance, policy integration processes in the biodiversity cluster and policy coherence outputs in national implementation are co-evolving. Indeed, institutional and organisational conditions in the biodiversity cluster constrain, but do not preclude, the co-evolution of global and national governance systems. A re-engineering of governance architectures runs the risk of severing the loose connections between international and national policies. Instead of focussing on structure, reform should seek to strengthen existing linkages.

Current developments in the biodiversity cluster point in that direction: the focus of inter-treaty co-operation is moving away from further policy development towards improving synergies at the national level. This should enhance global influence on domestic policy (not least because treaty secretariats and international organisations now have a clearer mandate to support synergies in national implementation), which appears to be a necessary condition for the development of positive feedback loops between global and national institutions (see Chapter 5, Section 5.3).

6.4 Concluding remarks

Chapter 4 showed that regime complexes and national implementation systems co-evolve (first research objective) notwithstanding of which vertical disintegration of policy is possible. Chapter 5 examined how influence travels from regime complexes to national implementation systems and vice versa (second research objective), assessing the strength and symmetry of vertical inter-connections. This chapter explored determinants of the co-evolution of regime complexes and national implementation systems (third research objective). More specifically, it

analysed 1) the factors affecting policy integration processes (policy coherence outputs) in regime complexes (national implementation) and, by extension, the ability of global (national) governance to exert influence on policy coherence outputs (policy integration processes) in national implementation (regime complexes); and 2) the factors impinging upon the development of positive feedback loops between regime complexes and national implementation systems. Using the co-evolution framework developed in Chapter 2, determinants of policy integration processes in the biodiversity cluster and policy coherence outputs in national implementation were grouped in three general categories (institutional and organisational; political; and cognitive and executive) adapted from EPI studies (building upon the assumption that EPI processes and downstream coherence outputs can be examined under the same analytical lens); whereas loose coupling challenges were approached based on Underdal's (2000a, 2000b) study of the formation of national preferences and the implementation of international (environmental) agreements (which identifies various factors that shape how influence travels from one level of governance to another).

Policy integration processes in the biodiversity cluster were found to be affected by: 1) the CBD's centrality in a cluster of legally independent regimes (institutional factors) operating under separate organisational arrangements (organisational factors); 2) the CBD-ification process, which has resulted in adverse asymmetric adjustments and the politicisation of institutional relationships (political factors); and 3) the incipient acceptance of common frameworks of meaning (cognitive factors) amid limited capacity to advance co-operation (executive factors). Conversely, policy coherence challenges at the level of national implementation appeared to be related to: 1) the sectoral administration of MEAs (organisational factors) in political systems characterised by institutional fragmentation (institutional factors); 2) implementation practices, policy priorities, and administrative changes in political contexts where synergy processes lack close support from high-ranking officials (political factors); and 3) the absence of cognitive frameworks and appropriate capacity to streamline implementation activities within and across sectors (cognitive and executive factors). Substantive differences can be noticed in the factors affecting horizontal linkages at global and national levels: whilst policy integration challenges relate to finding an appropriate balance between the objectives pursued by the different conventions in the context of established co-operative mechanisms; policy coherence outputs depend, to a significant degree, on the ability of MEA

focal points and agencies to make use of the instruments and opportunities provided by the political system to synergise convention processes.

Cross-level interactions between regime complexes and national implementation systems in LAC are strongly shaped by domestic politics, notably, by the political will and institutional capacity of national governments. Past studies noticed that national implementation debates in IEG have shifted away from a focus on political will towards attention to capacity (Sagar and VanDeveer, 2005; VanDeveer and Dabelko, 2001). Recent research reveals that capacity remains a central factor in the implementation of international environmental commitments (see Akhtar-Schuster et al., 2011; Chasek et al., 2011). Empirical observations in this study suggest, however, that political will, associated with the ideological profile of national governments (Underdal, 2000a), is no less important. Developing countries tend to conceive of biodiversity as a national resource rather than a global commons (see Neumann, 2005; Raustiala and Victor, 2004; Stoett, 2002; Martin, 2000) and these perceptions seem to affect the coupling of the biodiversity cluster and national implementation systems. In many LAC countries, the management of biodiversity-related conventions is considered a national responsibility. Countries recognise the need for external assistance. However, as Sagar and VanDeveer (2005) observe, capacity-building efforts are sometimes disguised attempts to advance Western agendas in developing countries. To be effective, capacity-building approaches must recognise the “*shared needs* of Northern and Southern actors” (Sagar and VanDeveer, 2005, p.20, emphasis in original) as well as contextual specificities (Behague et al., 2009). Achieving influence on national implementation is critical to the emergence of positive feedback loops between governance levels (see Chapter 5, Section 5.3).

This chapter showed that institutional and organisational conditions in biodiversity governance complicate the creation and development of synergies within and across jurisdictional levels. Existing structures, however, are not inhibiting the co-evolution of global and national governance. When regime complexes and national implementation systems co-evolve but co-evolution is weak, steering co-evolution through targeted interventions is a most cost-effective way of improving coherent governance than a hypothetical integration of institutions under a top-down (or otherwise bottom-up) design. To solve the vertical disintegration of policy in areas of international (environmental) governance (Hanf and Underdal, 1998), inter-treaty co-operation needs to be increasingly directed at supporting national

implementation in line with countries' interests. This should create a positive impact on national-level synergies that feed back upon the further development of inter-treaty co-operation. Positive feedback loops would then emerge that would strengthen policy integration processes and policy coherence outputs at global and national levels, respectively. The next chapter elaborates on the policy implications of this research.

7 Regime complexes and policy coherence: Discussion of key contributions and findings

This chapter discusses key contributions and findings of this research. The first section refers back to the core research problem, the co-evolution of regime complexes and policy coherence in areas of environmental governance, and restates the approach developed in this study to examine how policy integration processes in regime complexes are dynamically inter-linked with policy coherence outputs at the level of national implementation. In a second section, the chapter assesses the validity of this approach with reference to empirical observations in the cluster of biodiversity-related conventions and national implementation experiences in LAC. The third section highlights the academic contributions of the research and discusses its policy implications. A final section summarises the main messages of this study.

7.1 A public policy approach to co-evolution

Coherence is a core concern in IEG debates. At the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum (GC/GMEF) of UNEP (Nairobi, 16-20 February 2009, Nairobi), governments and other members of the international community perceived that “the current system of international environmental governance is fragmented and requires coherence” (UNEP, 2009, no pagination). Recent estimations suggest that the MEA system encompasses more than 700 agreements (see Kim, 2013). Najam et al. (2007) observe that this leads to treaty congestion, institutional and policy fragmentation, national difficulties to meet MEA demands, duplication and conflicting agendas, and separate scientific processes that undermine integrated solutions. They nonetheless acknowledge some positive aspects of institutional proliferation such as increased visibility and awareness of environmental threats, some degree of redundancy which makes the

system more robust, constructive competition that encourages innovation, opportunities for treaty secretariats to develop pockets of expertise, political spill-over between environmental and non-environmental regimes, and numerous entry points for civil society. In an overall assessment, however, Najam et al. claim that institutional proliferation and fragmentation need to be addressed because the IEG system has expanded without due regard for previous knowledge and existing instruments; resources are diverted away from environmental action at the national level; and environmental co-operation is not guided by cross-sectoral knowledge, undermining the credibility of IEG.

Coherence has remained a central issue as IEG becomes embedded in broader IFSD debates focussed on integrating the environmental, economic and social pillars of sustainable development. Bernstein and Brunnée (2011) list a number of gaps or inadequacies in the current IFSD, including weak and fragmented institutions for sustainable development; incoherent policies; insufficient integration of the three pillars of sustainable development within and across levels of governance; lack of enforcement capabilities; problems of monitoring, data collection and assessment; insufficient consideration of sustainability concerns in decision-making; an environmental pillar weak in authority, priority and profile relative to the economic pillar; a weak science-policy interface; low progress in areas considered a priority in sustainable development governance; emerging challenges which existing institutions are unprepared to address; and lack of complementarity between inter-governmental processes and other forms of governance. Bernstein and Brunnée note that existing organisations (e.g. UNEP and the UN Commission for Sustainable Development) and UN initiatives and processes (e.g. the Millennium Development Goals, the UN “Delivering as One” strategy, and the Intergovernmental Panel on Climate Change) can claim some strengths and successes in their operation. There is, however, general consensus that the IFSD needs reform (ibid.).

To the extent that coherence problems in IEG and the IFSD have been associated with the fragmentation of global governance architectures, calls for institutional and/or organisational integration have been recurrent in policy debates (see Bernstein and Brunnée, 2011; Biermann et al., 2009a; Ivanova, 2007). Policy discussions have nonetheless overlooked (or otherwise downplayed the relevance of) existing regime complexes or loosely coupled systems of institutions that emerge spontaneously in areas of regime overlap (Gehring and Faude, 2013) and

have advantages over comprehensive regimes such as improved flexibility and adaptability (Keohane and Victor, 2011). Regime complexes occur in several areas of environmental and sustainable development governance such as climate change (Keohane and Victor, 2011), forests (Reischl, 2012), plant genetic resources (Raustiala and Victor, 2004), food security (Margulis, 2013), and areas falling in the intersection of trade and environment regimes (Gehring, 2011).

Keohane and Victor (2011) recognise that regime complexes need to fulfil minimum standards of coherence to be considered a serious alternative to comprehensive regimes. In their view, coherence is achieved when the elemental regimes of a complex are compatible and mutually reinforcing. Coherence, however, requires a broader perspective than is implied in this definition. Regime complexity not only poses an international governance challenge, but creates a problem of policy coherence at the national level (Morin and Orsini, 2013a). Gehring and Faude (2013, p.122) note, for instance, that “actors determine their implementing behavior in areas of overlap not in light of the commitments entered into under a single regime, but out of obligations originating from all relevant elemental institutions of the complex”.

Morin and Orsini (2013a, 2013b) claim that the life cycle of regime complexes is dynamically inter-linked with the coherency of governmental policy-making such that global governance transformations encourage domestic policy change and vice versa. Morin and Orsini, however, fail to consider whether co-evolution extends beyond governmental policy-making (foreign policy) to the ambit of national implementation (public policy). That connection seems to exist within the IEG system. The 25th session of the UNEP’s GC/GMEF observed that “the lack of coherence in current international environmental governance is felt strongly at the national level and affects the coherence of countries’ own national governance” (UNEP, 2009, no pagination). If international governance and national implementation systems co-evolve, coherence problems in environmental and sustainable development governance could be solved through targeted interventions aimed at facilitating co-evolution rather than through drastic changes in global governance architectures.

The present study proposed a public policy approach to examine the co-evolution of regime complexes and policy coherence. Nilsson et al.’s (2012) distinction between policy integration processes, policy coherence outputs and policy

outcomes and impacts provided an initial point of departure. A claim was made that in conditions of international regime complexity, policy integration processes among international institutions are inter-connected with policy coherence outputs in national implementation. The former are determined by inter-treaty co-ordination and the latter by state-level co-ordination of implementation activities. When processes and outputs are mutually reinforcing, governance as a whole achieves coherence (an outcome that this study denominates coherent governance) (see Chapter 2, Section 2.2).

The approach taken suggests that policy integration processes in regime complexes and policy coherence outputs at the level of national implementation influence each other in dynamic ways, meaning that influence runs back and forth between governance levels. The interaction between policy integration processes and policy coherence outputs determines the coherency of governance as a whole. When that interaction is mutually reinforcing, coherent governance is achieved. Co-evolution, according to this approach, proceeds through patterns of differentiation and loose coupling (see Benz and Eberlein, 1999), and should bring about (eufunctional) system change (see Young, 2006). In other words, global and national governance systems act, in principle, independently of each other, but become loosely coupled through information exchange and mutual learning. Cross-level interactions should result in partially isomorphic governance systems which move forward in complementary ways.

In line with the above conceptualisation, a framework for examining co-evolution was proposed which addresses 1) horizontal linkages in global and national governance (resulting from patterns of differentiation); 2) vertical linkages between governance levels (loose coupling); and 3) factors affecting the co-evolution of governance systems and, by extension, the achievement of coherent governance (factors affecting system change). This framework was used to examine whether, to what extent, and under what conditions, the biodiversity cluster and national implementation systems in LAC countries have co-evolved. Empirical findings and their relevance to our understanding of the co-evolution of regime complexes and policy coherence are discussed in the next section.

7.2 Lessons from the biodiversity case

Morin and Orsini (2013a, 2013b) have observed that regime complexes co-evolve with governmental policy-making (foreign policy). This study found evidence that regime complexes and national implementation systems (public policy) have a similar inter-connection. Policy goals and institutional arrangements in the biodiversity cluster are partly coincident with corresponding policy objectives and implementation arrangements in LAC countries (see Chapter 4). Governance systems are moving in similar directions, although not yet in a complementary manner (see Chapter 5). Coherence is nonetheless emerging naturally. Some would claim that the pace of change is not fast enough to resolve the global biodiversity crisis. But if co-evolution is occurring amid substantive and procedural barriers to synergies (see Chapter 6), reform within existing governance structures rather than overarching change seems the most pragmatic way to achieve coherent governance. Morin and Orsini (2013a, 2013b) believe that regime complexes should ideally evolve into comprehensive regimes, but from a public policy perspective, this appears unnecessary.

This research claimed that the co-evolution of regime complexes and policy coherence is based on differentiation of jurisdictions and loose coupling through enabling modes of management. These strategies have been purposely used within the EU to advance the Europeanization of sub-national policies (see Benz and Eberlein, 1999). In situations of regime complexity, however, differentiation and loose coupling lack deliberate design (regime complexes, unlike the EU, are not negotiated institutions with specific decision-making structures). Patterns of differentiation in biodiversity governance emanate from independent decisions of the governing bodies of the biodiversity-related conventions. As Tables 4.1 and 4.2 showed, 179 decisions were adopted between 2002 and 2010 promoting synergy between the CBD and the other conventions of the cluster. Three out of four decisions required inter-treaty co-operation. Co-ordination in national implementation has remained a national prerogative. Governance levels have thus been effectively decoupled. Loose coupling, as explained in Chapter 5, is most visible in the cognitive and utilitarian means used by treaty secretariats and international organisations to influence national implementation systems.

Co-evolution is defective when interacting systems fail to complement each other. Lack of complementarity creates gaps between higher and lower levels of governance (e.g. Schliep and Stoll-Kleemann, 2010; Baker, 2003). Despite perceived similarities between horizontal integration processes in the biodiversity cluster and horizontal coherence outputs at the national level, an implementation gap is evident. Mirroring the broader gap between policy development and policy implementation in the IEG system (see Kim, 2013; Esty and Invanova, 2002), global synergies in the biodiversity cluster have advanced more rapidly than national co-ordination of implementation activities. As a result, vertical inter-connections have largely flowed in one direction (from global to national levels), with no positive feedback loops between governance levels that allow more cohesive evolutions.

Implementation gaps reflect problems of horizontal and vertical co-ordination (Nilsson et al., 2009b; Peters, 1998; Scharpf, 1993). For instance, exploring high-level policy intentions and local-level decision-making in the Swedish waste sector, Nilsson et al. (2009b) noticed discrepancies between national goals of material recycling and local investments in waste incineration. The gap was found to be the result of “an overall coordination failure” (p.15): local planning had no influence on local management decisions; national policies were considered ambiguous by local stakeholders; deficient knowledge systems at the local level prevented a critical evaluation of the causal relations and long-term implications of the decisions adopted; and legal and policy frameworks in national arenas were not always in harmony.

Problems of horizontal and vertical co-ordination were observed in the present case. Horizontal integration processes and horizontal coherence outputs are similarly affected by the lack and/or low appropriation of common frameworks of reference as well as capacity barriers (human, organisational, physical and communicative). Oberthür (2009) has stressed the role of inter-institutional learning in enhancing synergistic interaction. Capacity is nonetheless equally important. Even when actors develop mutual understandings, they may lack the necessary resources to put those understandings into practice (Spillane et al., 2002). Capacity limitations prevent international organisations from fulfilling the tasks ascribed by their principals (Keohane, 2001) and constrain the ability of countries to deliver on international commitments (Young, 2002).

On a more substantive level, horizontal integration processes and horizontal coherence outputs in biodiversity governance have been shaped by distinct sets of factors. Co-ordination challenges in the biodiversity cluster emanate from the gradual alignment of the specialist regimes around the framework convention. It has been noticed that centralisation pushes complexes towards increased density (Morin and Orsini, 2013a; Orsini et al., 2013). However, the synergistic effects of centralisation may be eufunctional for the core institution but not necessarily for the peripheral regimes (see Corning, 1998). The evolving CBD-ification process in the biodiversity cluster has been founded on adverse asymmetric adjustments (Abbott et al., 2013, 2012): whilst the specialist regimes of the complex have been supportive of the CBD's goals, the CBD has not shown a similar commitment to accommodate the goals of the other conventions. National co-ordination faces different challenges. The cluster's convergence around the CBD as core institution, which ultimately emerges from the material linkages between the issue-areas governed by the conventions, has not been mirrored at the national level. Linkages between MEA agencies and focal points are strongly dependent on the political context. Synergies at the national level emerge in relatively unstable environments as a result of, *inter alia*, administrative changes, governmental priorities and personal commitment. Masundire (2006), examining implementation of biodiversity-related agreements in Africa, considered it puzzling that, despite the same agencies being responsible for more than one convention, no synergistic implementation had been achieved. LAC experiences suggest that changing political contexts, coupled with learning and capacity barriers, can neutralise the positive effects of enabling organisational environments.

Loose coupling of governance systems involves a two-way dynamic where global policies and norms encourage domestic policy change and national perspectives inform the direction of global governance (Karlsson-Vinkhuyzen, 2012). This was not observed in the present case. Loose coupling between the biodiversity cluster and national implementation systems in LAC is based on asymmetrical linkages (Young, 2002): global efforts to assist national co-ordination have not prompted a response in the opposite direction. This might be because global governance has not achieved impact in the first place. Scholarly studies have observed that positive feedback loops arise when one of the interacting institutions activates a case of interaction with synergistic effects for the target institution, triggering similar action by the latter in the opposite direction (see Wettestad, 2009; Coffey, 2006; Skjærseth, 2006). This research found that treaty secretariats and international

agencies have influenced national co-ordination of biodiversity-related MEAs through direct access to domestic-policy making (and not yet through normative pathways), but it fell short of assessing how much influence they have exerted. That most LAC countries are not deeply involved in promoting inter-treaty co-operation suggests, however, that global influence on domestic policy has not been significant.

The transfer of influence from the global to the national level has been undermined, in essence, by two factors associated with domestic politics: institutional capacity and political will or the ideology of national governments (see Underdal 2000a, 2000b). Capacity-building remains a pressing need to advance national-level synergies, but in many cases the development of synergies is considered a national governance problem. This denotes the endurance of the blocking coalitions that drive co-evolution dynamics in biodiversity governance: while Western countries tend to perceive biodiversity as a global commons that needs protection through international oversight, developing countries are keen to assert national sovereignty over the management of the natural resources within their respective borders (see Neumann, 2005; Raustiala and Victor, 2004; Stoett, 2002; Martin, 2000).

Young (2006) claims that the persistence of blocking coalitions can lead to institutional breakdown such that a new hegemonic system will prevail or new synthetic arrangements will be created. In the present case, the clustering of biodiversity-related conventions would signal that breakdown. Clustering in an IEG context involves the “combination, grouping, consolidation, integration or merger of MEAs or parts thereof” (Oberthür, 2002). Clustering is occurring in the chemicals and hazardous waste sector and is considered a potential reform option for the biodiversity cluster (see Wehrli, 2012). Nevertheless, (Western) coalitions favouring the clustering of biodiversity-related conventions may not be strong enough to override the preferences of developing countries which, being the main repositories of biological diversity, have bargaining power to oppose top-down approaches to governance. Blocking coalitions neutralise each other, maintaining the patterns of differentiation and loose coupling that sustain the co-evolution of the biodiversity cluster and national implementation systems. Moreover, if co-evolution is a result of compromise between the North and the South, it cannot be associated with a Western project of deep integration of national economies (Raustiala and Victor, 1998; Lawrence et al., 1996; see Chapter 2, Section 2.2). If this were the case, the

possibilities of institutional breakdown would be stronger. These observations should nonetheless be taken with caution insofar as blocking coalitions were not examined in this research.

The co-evolution of the biodiversity cluster and national implementation systems in LAC has been defective because it has not been deliberately managed. To the extent that co-evolution is based on iterative interplay rather than on overarching design, it requires limited management (differentiation and loose coupling, as mentioned earlier, are more spontaneous than deliberate strategies). The present case shows, however, that limited management can result in weak co-evolution, which, in turn, creates problems of coherent governance. Deliberate management of co-evolution dynamics demands recognition of the existence of regime complexes as naturally occurring governance formations. Regime complexes, however, have not been the subject of political discussion in debates on the reform of IEG and the IFSD, focussed, as they are, on possible changes in institutional architectures (Ivanova, 2012).

7.3 Academic contributions and policy implications

This study advances understanding of the co-evolution of regime complexes and policy coherence. The co-evolution approach proposed in this study departs from Morin and Orsini's co-evolution work in significant respects. Morin and Orsini take a normative stance when they claim that the evolution of a regime complex culminates when its elemental regimes become closely integrated to form one single regime. Exemplifying its case with the global trade regime based in the WTO, Morin and Orsini suggest, indeed, that regime complexes should evolve into comprehensive regimes. They associate this final stage of integration with systematic policy-making at the national level, which is, in turn, the last stage in the evolution of policy coherence in their framework. They thus implicitly associate institutional integration with policy coherence. However, under a public policy perspective, there is no intrinsic connection between institutional integration and policy coherence. Instead, policy coherence is closely intertwined with upstream policy integration processes (Nilsson et al., 2012). The present study claimed that

when policy integration processes in regime complexes and policy coherence outputs at the national level co-evolve in complementary ways, coherent governance is achieved. In other words, coherence in conditions of international regime complexity does not require the integration of institutional arrangements, at least inasmuch as co-evolution of policy integration processes and policy coherence outputs at global and national levels, respectively, can be established. With this premise in mind, this research advanced an explanation of co-evolution which goes beyond Morin and Orsini's descriptive account and which identifies its three fundamental pillars, namely, differentiation, loose coupling and system change.

If coherence in areas of regime overlap emerges through the co-evolution of regime complexes and national implementation systems, IEG and IFSD debates arise anew. Mainstream analyses suggest that coherence problems in IEG and the IFSD stem from the fragmentation of governance. On the contrary, this study posits that those problems emanate from the deficient (unmanaged) co-evolution of global and national governance systems. These distinct perceptions carry different policy implications. If fragmentation is at the core of coherence dilemmas, institutional integration emerges as a natural reform option. Conversely, if flawed co-evolution dynamics explain perceived incoherencies in IEG and the IFSD, more targeted interventions that improve loose coupling between global and national governance systems may offer better solutions. Unmanaged co-evolutions may still bring about change, but at a pace that is incompatible with the urgency of action that the global environmental crisis demands. Co-evolutions need to be steered.

Managing co-evolution means ensuring that policy integration processes in regime complexes and policy coherence outputs at the level of national implementation are mutually reinforcing. Implementation gaps such as those observed in biodiversity governance and IEG more generally reveal defective co-evolutions. If experiences in biodiversity governance can be transferred to other IEG areas, implementation gaps may be the result of vertical linkages flowing unidirectionally from the global to the national level with little response from domestic actors. These vertical asymmetries, which impede the development of positive feedback loops between governance levels, find an explanation in the limited impact of global policy on domestic arenas (i.e., cross-level interactions have not produced synergistic effects at the national level). Correcting those asymmetries requires an enhanced focus on national implementation barriers rather than the streamlining of existing institutions

and organisations (top-down solutions that run the risk of reinforcing asymmetrical linkages). Important in this regard is that capacity development is a core aspect of the UNEP's upgrading process (see UN General Assembly Res. 67/213; UN General Assembly Res. 66/288).

Within biodiversity governance, there are particular reasons that justify a focus on national-level management. First, national sovereignty and jurisdiction over natural resources is an overriding principle of the CBD (Mooney, 2010). Many countries, particularly in the developing world, would strongly oppose any attempt at centralising biodiversity governance amid fears of losing control over their biological resources. Indeed, this could be one of the motives why the CBD was developed as a framework and not an umbrella convention (see McGraw, 2002). Clustering does not necessarily entail a centralised co-ordination of MEAs (Oberthür, 2002), but it can still raise eyebrows among developing countries which have been wary of similar initiatives intended to streamline international biodiversity governance, e.g., the EU's proposal to establish a global partnership on biodiversity (see IISD, 2006a, 2006b, 2006c).

Second, addressing national co-ordination problems makes sense from a pragmatic point of view: institutional integration in the biodiversity cluster would be a daunting task. The conditions that enabled clustering in the chemicals and hazardous waste sector are not present in the biodiversity cluster. Institutional arrangements within the chemicals sector are not based on a core institution or framework convention around which other nodes in the complex tend to gravitate (Selin, 2010). Institutional relationships are thus less hierarchized than those in the biodiversity cluster, leading to less politicised interactions. Also, the three secretariats of the chemicals cluster are all administered by the same organisation (the secretariat of the Rotterdam Convention is jointly managed by UNEP and FAO) and co-located within the same building. Cognitive linkages within the cluster have grown stronger through the SAICM, an overarching framework for chemicals treaties (Selin, 2010). Only recently has a similar framework emerged in the biodiversity cluster (the Strategic Plan for Biodiversity 2011-2020).

Third, a focus on national implementation may solve horizontal asymmetries between the CBD and the other biodiversity-related conventions. The programmes of work of the non-CBD conventions reflect some degree of alignment with the CBD (as Jardin (2010) notices, the first generation conventions have increasingly

embraced the notion of sustainable use), but the CBD has shown less commitment to accommodate the goals of other conventions (see Chapter 4, Section 4.1.1; and Chapter 6, Section 6.1.2.1). As the emphasis of inter-treaty co-operation moves away from policy development to policy implementation, opportunities arise to correct the misbalance. The CBD, lacking concrete instruments to instil compliance, relies on other biodiversity-related conventions to achieve its mandate. While positioned as the international agenda-setter for biodiversity, the CBD is not the most successful biodiversity regime as measured by its impact on the ground (a study by Baakman (2011) found that, among the five founding conventions of the BLG, the WHC is the most effective). The balance of power between the CBD and the other conventions of the biodiversity cluster is more even at the national level. Certainly, to the extent that the CBD has a broader mandate, the CBD's plans and programmes provide a natural basis for co-operation. Nevertheless, co-operation under the CBD's framework would need to be founded on more democratic and inclusive liaison processes than those unfolding at the global level. The balancing of different environmental objectives ensures strong EPI (Oberthür, 2009) with eufunctional effects for the regimes in interaction (see Corning, 1998).

Synergies at the national level need to be enhanced to bridge the gap between global and national governance. There is nonetheless a risk that, as national co-ordination improves, co-evolution dynamics are driven by national governance interests, leading to the prioritisation of short-term national priorities at the expense of global management needs over long-time horizons (Karlsson-Vinkhuyzen, 2012; Cash et al., 2006). Complementarity between governance levels needs to be based on a two-way dynamic of integration where global perspectives inform lower-level governance and vice versa (ibid.). On the road to the UN Rio+20 Conference, policy discussions on the IFSD recognised the need to balance top-down and bottom-up approaches to governance (see Pisano et al., 2012).

As emerging in current practice, efforts to advance synergies in the national implementation of biodiversity-related conventions do not ignore the need for vertical interaction in both directions. The new Strategic Plan for Biodiversity 2011-2020 provides a flexible framework for horizontal and vertical alignment of biodiversity agendas. Countries are expected to implement the Plan through updated NBSAPs which, addressing national concerns, should also enable the attainment of global biodiversity targets. The six biodiversity-related conventions have endorsed the Plan and supported its implementation through, for example,

promoting participation of their focal points in the NBSAP regional workshops run by the CBD Secretariat. The Strategic Plan falls short of providing some degree of constitutionalisation for a multi-level governance system for biodiversity, which some would see as a necessary step towards coherent governance (see Gupta and Sanchez, 2012), but is possibly the only framework for cross-sectoral and multi-level co-ordination that could have been developed in a highly politicised environment. The effects of the Strategic Plan are still to be seen, however, and problems have already been reported. Horizontal asymmetries between the CBD and the other biodiversity-related conventions have proved a contentious issue as treaty secretariats co-operate towards implementation of the Plan: non-CBD actors, for instance, have faced capacity constraints to get involved in the CBD's NBSAP workshops. If such asymmetries are not effectively addressed, opportunities for streamlining implementation of biodiversity-related agreements in the framework of the Strategic Plan can be missed.

7.4 Concluding remarks

This final section discusses three general messages arising from this research as supported by empirical observations in the area of focus. In a nutshell, these messages are as follows: 1) coherence can emerge in areas of regime overlap through the co-evolution of regime complexes and national implementation systems; 2) coherence challenges do not emanate from what most observers perceive as fragmented institutions, but from the defective co-evolution of global and national governance systems; and 3) managing the co-evolution of regime complexes and national implementation systems, as opposed to making changes in institutional design, may be the most cost-effective solution to improve coherence in areas of regime overlap. These messages are unpacked below.

Regime complexes have been portrayed as a practical alternative to comprehensive regimes due to their flexibility and adaptability (Young, 2012; Keohane and Victor, 2011), but they have to meet certain normative standards, one of which is coherence (Keohane and Victor, 2011). Coherence is a key theme in the reform of environmental and sustainable development governance (see

Bernstein and Brunnée, 2011). Most observers perceive a lack of coherence within and across levels of governance, but this is only partially the case. Findings of the present study revealed that the biodiversity-related conventions and national implementation systems in LAC countries are co-evolving, enabling some isomorphism of global and national governance structures. However, the evolution gap between inter-treaty co-operation and synergies in national implementation makes existing similarities between governance systems go unnoticed (the broader gap between global policy and national implementation in IEG (UNEP, 2012a, 2012b) might obscure similar co-evolution dynamics in other areas of environmental governance). Coherence can arise naturally, albeit weakly and imperfectly, in conditions of international regime complexity. This has major implications for our understanding of, and responses to, international governance challenges writ large.

Problems of coherence in international (environmental) governance are commonly associated with institutional fragmentation. Indeed, fragmentation is sometimes raised as the underlying cause of governance dilemmas in the biodiversity cluster (e.g. Jóhannsdóttir et al., 2010). Fragmentation is nonetheless relative. There is a widespread occurrence of regime complexes or loosely coupled systems of institutions in areas of environmental governance and beyond (see Raustiala, 2013). Moreover, some of these complexes are inter-linked with each other within networked governance architectures (see Kim, 2013; Lesage and Van de Graaf, 2013). On a vertical dimension, recent research has observed that regime complexes are inter-linked with governmental policy-making (Morin and Orsini, 2013a, 2013b). This study revealed that such co-evolution extends to the ambit of national implementation. Co-evolution, however, tends to be weak in the absence of deliberate management, preventing global and national governance systems from advancing in complementary ways. Thus, coherence problems in international governance do not necessarily result from institutional and/or organisational fragmentation, but from the unmanaged co-evolution of global policies and national implementation systems.

Finally, if incoherencies in areas of regime overlap are caused by the weak co-evolution of regime complexes and national implementation systems, governance solutions should seek to strengthen co-evolution rather than replace existing governance architectures. This proposition challenges mainstream IEG and IFSD debates. Dominant frames place the blame of coherence problems on the

fragmentation of governance. Unsurprisingly, IEG reform discussions have focussed on institutional form (Ivanova, 2012) and various options have been tabled that aim to streamline existing institutions and organisations (see Bernstein and Brunnée, 2011; Biermann et al., 2009a; Ivanova, 2007). Within biodiversity governance, clustering proposals have gained momentum in view of the positive experiences reported in the cluster of chemicals and hazardous waste conventions (see Perry, 2012; Wehrli, 2012). Grand solutions to complex problems have been previously criticised (e.g. Oberthür and Gehring, 2004) and this study provides further arguments to reject such approaches. Coherence arises spontaneously through the co-evolution of global and national governance systems, but because co-evolution goes unmanaged, levels of coherence tend to be below expected standards. To improve coherence, co-evolution needs to be steered. Because co-evolution requires inter-linked, rather than integrated, systems, enabling, rather than regulatory, forms of management should form the basis of governance interventions. Recent developments in biodiversity governance suggest that the biodiversity-related conventions are embracing this approach. Both the Strategic Plan for Biodiversity 2011-2020 and the updated NBSAPs are flexible instruments for improved coupling of the biodiversity cluster and national implementation systems, potentially leading to more coherent governance in the biodiversity sector.

The above messages should be of special value to MEA focal points and agencies, treaty secretariats and international organisations involved in international biodiversity governance and IEG more generally. The need for improved coherence within and across levels of governance is widely recognised in environmental and sustainable development policy circles. As explained, conventional discourses associate problems of coherence with institutional fragmentation, but these assumptions need to be challenged. This study demonstrates that problems of coherence in international (environmental) governance do not emanate from horizontal and vertical fragmentation, but from the weak co-evolution of global and national governance systems hindering complementary and mutually reinforcing interactions. Strong co-evolution requires strategic interplay management (targeted efforts to improve inter-institutional relations) rather than a reshuffle of global governance architectures (Oberthür (2009) expands on the differences between interplay management and broader notions of IEG reform). Regime complexes and interplay management remain academic concepts which have not penetrated the policy realm. By making the policy relevance of these concepts more visible than

has hitherto been the case, this research expects that they contribute to solve real world problems.

8 Conclusions

Humanity has transgressed or is soon approaching the boundaries of six (out of nine) Earth system processes which sustain all life (Rockström et al., 2009). The rate of biodiversity loss is one of the planetary boundaries which have been overstepped (ibid.). The biodiversity crisis gained political visibility at the 2002 World Summit on Sustainable Development, where world leaders committed to halting the decline of biodiversity by the year 2010, a target set by the CBD's parties earlier that year. The 2010 Biodiversity Target failed due to the insufficient integration of biodiversity concerns into relevant sectors and lack of effective action to address the underlying causes of biodiversity loss (CBD Secretariat, 2010). Institutional integration has long been considered an option for strengthening IEG in general, and international biodiversity governance more specifically: proposals for an all-encompassing world environment organisation date back to the very creation of UNEP in 1972 (Bauer and Biermann, 2005), whereas the prospects of clustering biodiversity-related agreements under an umbrella convention have been considered since the late 1980s when the CBD was being negotiated (McGraw, 2002). Evolution towards institutional integration has nonetheless been slow: UNEP has only recently been upgraded (although not transformed into a world environment organisation) and the on-going clustering process in the chemicals and hazardous waste sector has revived calls (but not yet concrete proposals) for similar integration in the biodiversity cluster.

Institutional reform debates have obviated the existence of regime complexes or loosely coupled systems of institutions relating to a common subject matter (Orsini et al., 2013; Keohane and Victor, 2011). Regime complexes are spontaneous institutions that emerge from repeated institutional interaction rather than through deliberate negotiation (Gehring and Faude, 2013). They are considered more flexible and adaptable institutions than comprehensive regimes (Keohane and Victor, 2011). These advantages, however, do not arise automatically, and regime complexes still need to meet certain normative standards, including coherence (ibid.), which is considered one of the main challenges in environmental and sustainable development governance (Bernstein and Brunnée, 2011). Coherence is conventionally portrayed as a problem of global governance, but regime complexes

also pose a problem of policy coherence at the national level (Gehring and Faude, 2013; Morin and Orsini, 2013).

Morin and Orsini (2013a, 2013b) suggest that the density of regime complexes and the coherency of governmental policy-making are inter-linked phenomena in the sense that changes at one level stimulate adjustments at the other. However, they conceive of policy coherence as a problem of foreign, rather than public, policy, and therefore fail to examine whether the co-evolution of regime complexes and policy coherence extends to the ambit of national implementation. Adopting this approach is important because it would explain whether coherent governance emerges naturally in the absence of overall design.

8.1 Revisiting the research's aim and novelty

This research aimed to understand the co-evolution of regime complexes and policy coherence from a public policy perspective, with an empirical focus on the biodiversity cluster and national implementation systems in LAC countries. It was a novel study in at least four ways. First, it was not interested in exploring how the degree of integration in a regime complex and the coherency of governmental policy-making are inter-linked, as Morin and Orsini (2013a, 2013b), pioneers of the co-evolution thesis, do. Instead, it examined the interdependence of regime complexes and policy coherence through a policy-analytical framework where policy integration processes at the global level are dynamically inter-linked with policy coherence outputs at the national level. By taking this approach, this thesis was concerned with examining whether coherent governance can be achieved in conditions of international regime complexity rather than with assessing possibilities of institutional integration as patterns of interests become more convergent (which would be the focus under Morin and Orsini's approach). The policy-analytical approach of this thesis advanced a sophisticated understanding of the problem of coherence in situations of regime complexity, moving beyond perceptions of coherence as an issue of horizontal co-ordination at the global level (e.g. Keohane and Victor, 2011).

Second, this study examined how regime complexity is managed at the national level, an under-researched area in regime interplay studies (Ochieng et al., 2012). It is well known that regime complexity triggers implementation politics and cross-institutional political strategies through which state actors support specific regimes to the detriment of others (Alter and Meunier, 2009; Raustiala and Victor, 2004). Nevertheless, little research has been done to examine how state actors manage regime complexity to ensure that overlapping regimes are implemented coherently. These dynamics have been addressed in the (grey) literature on MEA implementation (e.g. Chasek, 2010, 2006; Masundire, 2006; Mouat et al., 2006; Boyer et al., 2002; Van Toen, 2001), but there are virtually no links between regime complexity and MEA implementation research (perhaps because no studies have approached MEA clusters under the lens of regime complexity). Those links were raised here to highlight how regime complexity is managed in national implementation arenas and not merely exploited for competitive purposes.

Third, and related to the previous point, this research followed the approach of studies which have drawn parallels between regime interplay and public management studies to explore phenomena that are common at global and national levels of governance (e.g. Nilsson et al., 2012; Nilsson et al., 2009a; Oberthür, 2009). It even went further by bringing together concepts and approaches from different literatures to develop a framework for examining the problem of focus. The framework is a pragmatic instrument that falls short of integrating those literatures under a general theory, but helps visualise the connections between them. Due to its pragmatic nature, the framework can assist policy efforts to address coherence challenges arising from regime complexity.

Fourth, this study can claim empirical novelty. On the one hand, biodiversity is an area of environmental governance to which regime interplay studies have paid little attention (Oberthür and Gehring, 2011). Various studies have recently examined synergies in the cluster of biodiversity-related conventions (e.g. UNEP-WCMC, 2012; Baakman, 2011; Caddell, 2011; Jóhannsdóttir et al., 2010; Jardin, 2010; Andresen and Rosendal, 2009; Urho, 2009), but only Simon (2011) made an initial attempt to set the problem within regime interplay studies. Approaching the biodiversity cluster as a regime complex, this study paved the way for comparisons with other complexes. On the other hand, several studies have looked at synergies between biodiversity-related conventions and other MEAs at the level of national implementation (see above on studies on MEA implementation), but none of them

has focussed on the specific inter-connections arising in the implementation of the conventions of the biodiversity cluster. Moreover, synergies in the national implementation of MEAs have been explored in countries of Africa (e.g. Masundire, 2006) and the Asia-Pacific region (e.g. Chasek, 2010; Boyer et al., 2002; Van Toen, 2001), but not in LAC, which is one of the most biologically diverse regions in the world (see Bovarnick and Alpizar, 2010). This research was unique in that it examined whether national clusters of biodiversity-related conventions exist in countries with high levels of biological diversity.

8.2 Answering the research questions

The present study sought to address three research questions as follows:

1. Do regime complexes and national implementation systems display similar evolution patterns?
2. How do regime complexes and national implementation systems influence each other?
3. What factors affect the co-evolution of regime complexes and national implementation systems?

The first research question requires a nuanced response. If regime complexes and policy coherence co-evolve, some similarities can be expected. Nevertheless, the politics of international regime complexity (Alter and Meunier, 2009) anticipate that the degree of similarity will vary depending on the national implementation context: co-evolution will tend to be stronger in developed countries because they are active advocates of deep integration of domestic policies through flexible forms of co-operation (Raustiala and Victor, 1998; Lawrence et al., 1996). Morin and Orsini (2013b), proponents of the co-evolution thesis, suggest that evolutions are not uniform and that some countries improve their levels of coherence before others. Co-evolution will tend to be stronger in developed countries supportive of deep integration of domestic structures through flexible forms of co-operation (Raustiala

and Victor, 1998; Lawrence et al., 1996). Examining experiences in developing countries, this study found similarities between policy integration processes in the biodiversity cluster and policy coherence outputs in national implementation, which substantiates the co-evolution argument. There is nonetheless an evolution gap: policy integration processes appear more advanced than policy coherence outputs. This gap is a distinct expression of a broader gap between policy development and policy implementation in IEG (UNEP, 2012a, 2012b).

Gaps between higher and lower levels of governance are well known to scholars examining MLG dynamics (e.g. Schliep and Stoll-Kleemann, 2010; Nilsson et al., 2009b; Baker, 2003). In some cases, implementation gaps reflect different, and partly incompatible, modes of governance (e.g. Nilsson et al., 2009b). In the biodiversity case, governance modes differ but are not incompatible. The evolution gap is explained instead by governance systems which are not mutually reinforcing. LAC countries are not attempting to boycott integration processes in the biodiversity cluster by pursuing policies that run at cross purposes with global coordination objectives, but are failing to adapt swiftly to changes in global governance.

The second research question can be answered as follows. If co-evolution means that changes in one of the interacting systems prompt adjustments in the other, vertical influence will travel from the more advanced system to the less developed one. If this triggers a response in the opposite direction (from the less developed system to the more advanced one), vertical linkages become symmetrical (Gehring and Oberthür, 2006b; Young, 2002). Symmetry ensures effective and legitimate governance (Karlsson-Vinkhuyzen, 2012). When influence runs back and forth between institutions, positive feedback loops emerge (e.g. Wettestad, 2009; Coffey, 2006; Skjærseth, 2006). Findings of this thesis suggest that policy integration processes in the biodiversity cluster and policy coherence outputs at the level of national implementation are not inter-linked through such feedback loops. Global governance has promoted synergies in national implementation through norms, discourses and capacity-building; conversely, few countries have deliberately attempted to influence inter-treaty co-operation as they prepare for and participate in biodiversity-related meetings.

In those cases where feedback loops were observed (see studies cited above), mutual reinforcement was preceded by a case of interaction where one of the

institutions exerted (and not merely attempted to exert) influence on the other, thus prompting a response from the latter. If these studies provide lessons for the biodiversity case, the absence of positive feedback loops between policy integration processes in the biodiversity cluster and policy coherence outputs at the level of national implementation can be related to the low influence of global governance on domestic policy. Limited influence removes the need for a policy response (which seems critical for improved cross-level communication and complementarity). Influence, however, was not measured in this research and the previous claim should thus be taken with reserve.

To answer the third research question, this study assumed that co-evolution is determined, first, by the independent evolutions of regime complexes and national implementation systems (because changes at one level stimulate adjustments at the other), and, second, by the cross-level interplay of global and national institutions (that allows the vertical transfer of influence). In other words, horizontal and vertical linkages determine the quality of co-evolution. The study first considered determinants of horizontal change in the biodiversity cluster. Regime complexity studies have examined the factors that enable a transition from competition to specialisation (e.g. Oberthür and Stokke, 2011), but not the factors involved in policy integration processes. This study identified three main challenges affecting horizontal integration in the biodiversity cluster: 1) increased centralisation within a networked governance structure of legally independent regimes; 2) mutual adjustment but uneven distribution of costs; and 3) growing acceptance of common cognitive frames amid capacity constraints to advance co-operation. Several studies on MEA implementation have pointed at the lack of co-ordination among national focal points as one of the main obstacles to national-level synergies between MEAs (e.g. Chasek et al., 2011; Masundire, 2006; Mouat et al., 2006; Van Toen, 2001). In contrast, this research found co-ordination to be commonplace in national implementation. Its extent and depth are nonetheless hindered by a combination of factors, notably, 1) the sectoral organisation of implementation arrangements in political systems where ministries embrace different normative frameworks; 2) governmental and individual politics; and 3) practical difficulties stemming from learning and capacity barriers.

The co-evolution of regime complexes and national implementation requires that vertical influence runs from the global to the national level and vice versa. Most studies on national implementation seek to explain how international commitments

are made operational on the ground (e.g. Williams et al., 2012; Gray, 2003), but some have also examined how national preferences are formed and championed in international venues (e.g. Underdal and Hanf, 2000; Underdal, 1998). Underdal (2000a, 2000b) introduced three explanatory models of negotiating positions (through which influence travels from the national to the global level) and implementation records (which reflect the extent to which global influence has been exerted on domestic policy): the unitary rational actor model, the domestic politics model, and the social learning and policy diffusion model. The second model was of particular relevance to explain barriers to loose coupling in biodiversity governance. The available evidence pointed at problems of governmental supply (in terms of political will and institutional capacity) as a key obstacle to the development of cross-level feedback loops. Other variables anticipated by the other models (e.g. cost-benefit calculations and policy diffusion) as well as factors not fully captured by Underdal's framework (narrow sectional interests of donors and implementing agencies) were also at play.

In a nutshell, this research provided evidence of the co-evolution of regime complexes and national implementation systems, and observed, as a corollary, that international governance structures constrain, but do not inhibit, co-evolution. These conclusions are of cardinal importance to IEG reform debates. Institutional form remains a central concern in these discussions while the *raison d'être* of the current system is often overlooked: while "the natural environment forms an interlocking entity", in a policy context, "the 'environment' is in fact a series of relatively independent issues that exhibit widely differing problem structure" (von Moltke, 2001b, p.12). Problem structure is determined both by the type of global environmental change involved (Turner II et al., 1990) and by "economic and social factors that arise from the range of affected interests" (von Moltke, 2001b, p.11). Therefore, even within compact clusters of MEAs such as the biodiversity cluster, single regimes exhibit "dramatically different problem structure" (ibid. p.12). Further, as Jupille and Snidal (2006) explain, the institutional status quo matters. Changing existing institutions or creating new arrangements are costly and risky strategies, and movements away from the status quo "represent, if not puzzles, then at least phenomena of particular interest" (Jupille and Snidal, 2006, pp.36-37). Thus, rather than aiming to transform institutional landscapes, policy responses to international regime complexity should consider how established arrangements can be used to advance collective goals. This demands an increased focus on agency and a management approach based on learning and capacity-building. Regime

complexes can be, indeed, promising options to address international co-operation problems if actors are aware of and act upon existing horizontal and vertical institutional interactions.

8.3 Policy implications

The policy implications of empirical findings should be considered in relation to the IEG and IFSD reform debates inspiring this research (see Chapter 7, Section 7.3 for a more extensive discussion). International environmental negotiations have not yet considered the possibility of using existing regime complexes to address global environmental change.. Regime complexes can be superior to comprehensive regimes if they meet, among other normative criteria, minimum standards of coherence (Keohane and Victor, 2011). Regime complexity poses problems of coherence at both global and national levels. The dynamic interaction between policy integration processes in global arenas and policy coherence outputs at the level of national implementation determines the coherency of governance as a whole. When the co-evolution of regime complexes and policy coherence is weak, coherent governance is compromised.

Cohesive evolutions demand deliberate management. Iterative interplay between regime complexes and national implementation systems may bring about coherent governance, but not at the pace that the global environmental crisis demands. The question arises how co-evolution can be managed and whether the management of co-evolution is a better alternative to any hierarchical or negotiated structures that could be created for purposes of coherent governance. This study observed that co-evolution requires differentiation of decision-making arenas and loose coupling through information exchange, communication and persuasion (Benz and Eberlein, 1999). Loose coupling has a strong association with enabling modes of management based on learning and capacity-building (Oberthür, 2009). Enhancing loose coupling can be especially challenging in cases where co-evolution has been weak, but managing the linkages between governance systems which are already co-evolving is less problematic than establishing formal structures of governance based on an explicit allocation of functions and responsibilities.

Empirical findings have obvious relevance for governance reform in the cluster of biodiversity-related conventions. The weak co-evolution of policy integration processes in the cluster and national implementation systems in LAC undermines the coherency of governance in one of the regions with the highest levels of biological diversity in the world. The strong separation of global and national governance systems has reinforced scale dependencies and posed obstacles to loose coupling. Until recently, synergies among biodiversity-related conventions have developed in the absence of strategic frameworks for co-ordination. As a result, potential complementarities in areas of substantive overlap have been overlooked and/or appear under-exploited. Recent events nonetheless indicate an awareness of these problems and a commitment to action. The Strategic Plan for Biodiversity 2011-2020 is intended to reinforce integration in the biodiversity cluster. Implementation of the Plan at the national level is expected to occur through revised NBSAPs which should take into consideration synergies among biodiversity-related agreements. Both the Strategic Plan for Biodiversity 2011-2020 and the NBSAPs provide flexible frameworks for horizontal and vertical co-ordination in areas where substantive coherence is particularly needed. This study can support these efforts by drawing attention to the factors that have influenced the extent and depth of horizontal and vertical linkages in areas of regime overlap.

8.4 Limitations

General limitations of this study should be acknowledged (more specific limitations associated with research methods were discussed in Chapter 2). While the approach adopted to examine the co-evolution of regime complexes and policy coherence may guide future analyses in the same direction, the broader application of the co-evolution framework developed in Chapter 2 should be considered more carefully. The framework is a pragmatic instrument that relies on concepts and approaches from different studies to examine the co-evolution of regime complexes and (public) policy coherence from an IEG perspective. It provides a flexible structure that supports the application of various analytical tools in a complementary manner. Because the framework was designed in connection with the specific research questions addressed in this thesis, it does not advance

general theoretical propositions. This reduces its value as an instrument for examining co-evolution in other empirical settings.

The policy relevance of the framework could also be further exploited. The framework can inform efforts to improve horizontal management of overlapping regimes and vertical linkages between levels of governance. But it does not offer or propose specific avenues to improve the co-evolution of regime complexes and policy coherence with a view to more coherent governance. As an analytical tool, it is primarily intended to map out the horizontal and vertical dimensions of co-evolution. The application of the framework can deliver important policy insights as Chapter 7 discussed in relation to the area of governance under analysis. Nevertheless, the policy relevance of the co-evolution framework should not be overstated.

8.5 Future research

Areas of further research can be highlighted. One of them relates to the analysis of the co-evolution of the biodiversity cluster and national implementation systems in other domestic contexts. This study examined national implementation in countries which fall into the categories of emerging and developing economies. National implementation experiences in advanced economies can bring about further insights into the co-evolution of the biodiversity cluster and national implementation systems. Raustiala and Victor (1998) suggest that the deep integration of Western economies has resulted in a zone of collective management where international and domestic policies co-evolve. Some would thus expect the co-evolution of the biodiversity cluster and national implementation systems to be stronger when the empirical focus is on experiences in developed countries, even if only because those countries possess greater material capabilities than other states. This research showed, however, that various factors other than capacity may be at play as countries make efforts to synergise MEA implementation activities. Factors that have undermined national co-ordination in LAC countries (for example, functionalistic styles of implementation and domestic politics) may also be present in more advanced economies.

Co-evolution needs to be examined in other areas of governance for purposes of theory-building and policy prescription. As a novel topic in regime complexity studies, the co-evolution of regime complexes and (public) policy coherence requires further empirical research. Coherence could be explored in areas governed by regime complexes which display higher or lower levels of integration than the biodiversity cluster. For instance, new research could establish whether the division of labour achieved in areas falling within the regime complex for trade and environment (Gehring, 2011) is replicated in national arenas; or whether the clustering process launched by the chemicals and hazardous waste conventions (Selin, 2010) has been supported by integrated approaches to chemicals management at the country level.

Two other areas where research is needed to advance understanding of co-evolution can be highlighted. One concerns the interaction between regime complexes and the way in which this interaction shapes and is shaped by national implementation systems. Inter-treaty co-operation between the biodiversity-related MEAs and the Rio Conventions, for example, might reinforce national perceptions of the UNFCCC and the UNCCD as elemental regimes of the biodiversity cluster (see Chapter 4, section 4.2.3). At the same time, those perceptions may be driving inter-treaty co-operation between the BLG and the Joint Liaison Group of the Rio Conventions. Mutual adaptations may cause a redraw of the boundaries of the biodiversity cluster at global and national levels, introducing further complexities to integration and coherence within the biodiversity sector. A second issue requiring attention relates to the management problems posed by regime complexity at regional and sub-national levels of governance. Some regimes of the biodiversity cluster have strong presence at these levels: the CMS operates regionally through the co-operation agreements concluded under its framework, whereas CITES manages a system of global trade regulation which impacts upon the livelihoods of local communities living alongside wildlife (Abensperg-Traun, 2009). Problems of coherence emanating from international regime complexity become more intricate when other levels of governance are brought to the analysis.

8.6 Concluding statement

Regime complexes are here to stay and debates on the reform of international governance architectures must not ignore this fact. While past research has showed that regime complexes can have detrimental effects on national implementation, empirical findings of this study showed that regime complexes and national implementation systems can co-evolve in harmony, although not necessarily in complementary ways. If co-evolution is steered, however, the need for more elaborate and integrated governance architectures may become redundant.

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List of abbreviations

| | |
|----------|---|
| ABS | Access to genetic resources and benefit-sharing |
| ACP-MEAs | EU-funded project for Capacity Building related to Multilateral Environmental Agreements (MEAs) in African, Caribbean and Pacific (ACP) Countries |
| BLG | Liaison Group of Biodiversity-related Conventions |
| CBD | Convention on Biological Diversity |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| CMS | Convention on the Conservation of Migratory Species of Wild Animals |
| CONABIO | National Commission for Knowledge and Use of Biodiversity (Mexico) |
| CONANP | National Commission of Natural Protected Areas (Mexico) |
| CoP | Conference of the Parties |
| CPF | Collaborative Partnership on Forests |
| CSAB | Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions |
| EMG | Environment Management Group |
| EPI | Environmental Policy Integration |

| | |
|---------|--|
| EU | European Union |
| FAO | Food and Agriculture Organisation |
| GC/GMF | Governing Council/Global Ministerial Environment Forum of UNEP |
| GEF | Global Environment Facility |
| IEG | International Environmental Governance |
| IFSD | Institutional Framework for Sustainable Development |
| IGO | Inter-Governmental Organisation |
| ITPGRFA | International Treaty on Plant Genetic Resources for Food and Agriculture |
| IUCN | International Union for Conservation of Nature |
| LAC | Latin America and the Caribbean |
| MEA | Multilateral Environmental Agreement |
| MINAM | Ministry of Environment (Peru) |
| MLG | Multi-Level Governance |
| MoC | Memorandum of Co-operation |
| MoU | Memorandum of Understanding |
| NAO | Network Administrative Organisation |
| NBSAP | National Biodiversity Strategy and Action Plan |
| NCSA | National Capacity Self-Assessment (GEF's programme) |

| | |
|-------------------|---|
| NGO | Non-Governmental Organisation |
| OSPAR Commission | Administrator of the Oslo and Paris Conventions for the protection of the marine environment of the North-East Atlantic |
| Ramsar Convention | Convention on Wetlands of International Importance Especially as Waterfowl Habitat |
| SAICM | Strategic Approach to International Chemicals Management |
| SINAC | National System of Conservation Areas (Costa Rica) |
| TEMATEA | UNEP/IUCN project on Issue-based Modules for Coherent Implementation of Biodiversity-related Conventions |
| UNCCD | United Nations Convention to Combat Desertification |
| UNDP | United Nations Development Programme |
| UNEP | United Nations Environment Programme |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| UNFCCC | United Nations Framework Convention on Climate Change |
| WHC | Convention Concerning the Protection of the World Cultural and Natural Heritage |
| WTO | World Trade Organisation |

Appendix A An overview of the biodiversity-related conventions

This note provides a general description of the six conventions of the biodiversity cluster. Descriptions are based on the texts of the foundational treaties and on data available at the conventions' websites.

A.1 Convention on Wetlands of International Importance Especially as Waterfowl Habitat

The earliest convention in the biodiversity cluster, the Convention on Wetlands was adopted on 2 February 1971 in the city of Ramsar, Iran, and entered into force on 21 December 1975. It has been amended twice (1982 and 1987) and it has 168 state parties at present (November 2013). The convention mandates each contracting party to “designate suitable wetlands within its territory for inclusion in a List of Wetlands of International Importance” (Article 2, paragraph 1) and to “consider its international responsibilities for the conservation, management and wise use of migratory stocks of waterfowl” when designating entries for the List and when changing entries in respect of wetlands within its territory (Article 2, paragraph 6). At the time of writing, 2168 sites had been included in the List of Wetlands of International Importance.

Parties to the Ramsar Convention commit to promoting the conservation and wise use of local wetlands included in the List (Article 3). Specific obligations include establishing nature reserves on wetlands, encouraging research and exchange of information regarding wetlands, and increasing waterfowl populations on wetlands (Article 4).

The CoP is the main governing body of the Convention. It meets every three years and oversees the implementation of the treaty (Article 6). Other bodies include 1) the Secretariat, which is housed by the IUCN at its headquarters in Gland, Switzerland, and is in charge of the day-to-day operation of the convention; 2) the Standing Committee, which reviews implementation between meetings of the CoP; and 3) the Scientific and Technical Review Panel, which is tasked with providing scientific advice to the CoP and the other convention bodies.

A.2 Convention Concerning the Protection of the World Cultural and Natural Heritage

The WHC was adopted on 16 November 1972 at the 17th session of UNESCO's General Conference (Paris, France). It entered into force on 17 December 1975 and comprises 190 state parties. The treaty aims to protect the cultural and natural heritage of its contracting parties. Cultural heritage includes monuments, groups of buildings and other sites of outstanding universal value (Article 1); whereas natural heritage encompasses natural features, geological and physiographical formations, and other natural sites deemed to be of universal significance (Article 2).

As stipulated in the treaty, state parties shall endeavour to formulate a general policy on cultural and natural heritage and incorporate the protection of that heritage into relevant planning programmes; establish specific services for the conservation of cultural and natural heritage; promote research and devise operating methods to counteract the threats to cultural and natural heritage sites; adopt appropriate legal, scientific, technical, administrative and financial measures necessary for the conservation of cultural and natural heritage; and create training centres for the protection of such heritage (Article 5). Parties are also expected to develop educational and information programmes to raise public awareness (Article 27).

Each contracting party acknowledges that "the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its

territory, belongs primarily to that State” (Article 4). Contracting parties nonetheless assert that “such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate” (Article 6). In accordance, the treaty establishes a system of international co-operation and assistance designed to support the efforts of state parties in conserving the world heritage (Article 7).

The convention provides for the creation of a World Heritage Committee which is responsible for establishing, updating and publishing a World Heritage List, i.e., an inventory of the properties that have outstanding value according to the criteria determined by the Committee (Article 11, paragraph 2). At present, there are 981 sites on the list, located in 160 countries. The Committee is also required to produce a List of World Heritage in Danger, a catalogue of the properties for which major interventions are necessary to ensure their conservation (Article 11, paragraph 4). The Committee can receive and study requests for international assistance formulated by contracting parties with respect to properties situated in their territories which may qualify for inclusion in the World Heritage List (Article 13, paragraph 1). It keeps a list of property for which international assistance has been granted (Article 13, paragraph 5).

Other bodies that form part of the organisational structure of the WHC include the General Assembly of States Parties to the Convention, which oversees the implementation of the treaty; and the World Heritage Centre, which is housed at the headquarters of UNESCO in Paris, France, and ensures the day-do-day management of the convention. Three advisory bodies assist the World Heritage Committee in its deliberations, namely, IUCN, the International Council on Monuments and Sites (ICOMOS), and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM).

A.3 Convention on International Trade in Endangered Species of Wild Fauna and Flora

CITES was signed at Washington, D.C., on 3 March 1973, and entered into force on 1 July 1975. It has been amended once (1979) and has 179 states parties. CITES' mission is to protect wild species against over-exploitation from international trade. The convention defines a species as "any species, subspecies, or geographically separate population thereof" (Article I). A specimen means: 1) "any animal or plant, whether alive or dead"; and 2) "any readily recognizable part or derivative thereof" (Article I).

Species are listed in three Appendices according to the degree of protection they need. Appendix I includes "all species threatened with extinction which are or may be affected by trade" (Article II, paragraph 1). Trade in specimens of these species must only be authorised in exceptional circumstances. Appendix II covers a) all species which although not threatened with extinction may become so if trade is not strictly regulated; and b) all species which must be subject to regulation in order that trade in specimens of species listed under a) can be effectively controlled (Article II, paragraph 2). Species referred to in b) are often called look-alike species. Finally, Appendix III contains all species which any Party identifies as being subject to regulation within its jurisdiction and as requiring the co-operation of other states so that their trade can be monitored (Article II, paragraph 3). Nearly 5 600 species of animals and 30 000 species of plants are listed in the CITES' Appendices.

The convention establishes a system of permits and certificates for the regulation of trade in specimens of species listed in its Appendices. Permits and certificates must be issued by competent authorities at the national level in accordance with the specific conditions stipulated in the treaty for each Appendix. Exceptions to CITES' permit requirements include specimens in transit; specimens acquired before CITES provisions applied; specimens that are personal or household effects; specimens of Appendix-I species bred in captivity (in the case of animals) or artificially propagated (in the case of plants); non-commercial loan, donation or exchange between scientists or scientific institutions; and specimens which form part of a travelling exhibition (Article VII).

States assume a number of obligations as members of CITES. They pledge to enforce the provisions of the treaty and prohibit trade in wildlife in violation of CITES' norms; designate ports of exit and entry for export and import of specimens; maintain records of trade in specimens of species listed in the CITES' Appendices; and designate Management and Scientific Authorities competent to grant permits and certificates (Articles VIII and IX). Parties are expected to submit an annual report on their trade in CITES species and a biannual report on the legislative, regulatory and administrative measures taken to implement the convention (Article VIII, paragraph 7).

The treaty states that its provisions should not prevent Parties from adopting stricter domestic measures to regulate wildlife trade (Article XIV, paragraph 1); or affect their obligations "deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking, possession or transport of specimens which is in force or subsequently may enter into force for any Party" (Article XIV, paragraph 2).

In terms of organisational structure, the CoP is the governing body of the convention. It meets every two years to review the implementation of the treaty. The CITES Secretariat, which is administered by UNEP and located at Geneva, Switzerland, is tasked with arranging CoP meetings, studying the reports of the Parties and requesting additional information, publishing updated editions of CITES' Appendices, preparing annual reports on its own work, and making recommendations for better implementation of the convention (Article XIV). The Standing Committee provides policy guidance to the Secretariat in relation to the implementation of the treaty, and monitors the management of the Secretariat's budget. The Animals and Plants Committees offer technical support to decision-makers with respect to wild species protected by CITES.

A.4 Convention on the Conservation of Migratory Species of Wild Animals

The last convention ascribed to the first generation of biodiversity-related agreements, the CMS was adopted on 23 June 1979 at Bonn, Germany, and entered into force on 1 November 1983. At present, 119 states are parties to the convention. On joining the treaty, states agree to take action, either individually or in co-operation, to conserve migratory species and their habitats (Article II). A migratory species means “the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries” (Article I, paragraph 1).

Animal species are listed in two Appendices based on how threatened they are. Appendix I includes migratory species which are endangered (Article III, paragraph 1), whereas Appendix II covers migratory species which have an unfavourable conservation status and those which have a conservation status which would substantially benefit from international co-operation (Article IV, paragraph 1). A species may be listed in both Appendices (Article IV, paragraph 2).

States assume three general obligations as contracting parties to the CMS: 1) promote, co-operate in, and support research on migratory species; 2) provide immediate protection for migratory species listed in Appendix I; and 3) conclude Agreements for the conservation and management of species included in Appendix II (Article II, paragraph 3). Parties that are range states of species protected by the convention – a range state in relation to a particular migratory species means “any State... that exercises jurisdiction over any part of the range of that migratory species, or a State, flag vessels of which are engaged outside national jurisdictional limits in taking that migratory species (Article I, paragraph 1) – are required to report on the measures that have adopted to implement the provisions of the treaty for those species (Article VI, paragraph 3).

Parties that are range states of Appendix-I species shall endeavour to conserve and, where possible, restore habitats of the species concerned; mitigate the effects of activities which hinder species migration; prevent or reduce the factors that are

endangering or may further endanger the species; and prohibit the taking of animals belonging to those species (Articles III, paragraphs 4 and 5).

The treaty envisages two types of Agreements for the conservation of migratory species. On the one hand, *range states of Appendix-II species* shall endeavour to conclude AGREEMENTS – capital letters are intentionally used in the text of the treaty – “where these should benefit the species and should give priority to those species in an unfavourable conservation status” (Article IV, paragraph 3). On the other hand, *all parties* are encouraged to adopt agreements – lower-case letters are here used – “for any population or any geographically separate part of the population of any species or lower taxon of wild animals, members of which periodically cross one or more national jurisdiction boundaries” (Article IV, paragraph 4). Whereas AGREEMENTS are primarily targeted at Appendix-II species with an unfavourable conservation status, agreements may grant protection to *any* migratory species, whether or not it is listed in the CMS’ Appendices. To date, 7 AGREEMENTS and 19 agreements – in the form of Memoranda of Understanding – have been concluded by range states of migratory species.

The convention states, in a similar fashion to CITES, that its provisions shall not affect the right of parties to adopt stricter domestic measures for the conservation of migratory species, regardless of whether they are listed in the Appendices of the treaty (Article XII, paragraph 3). Also, the provisions of the convention shall not “affect the rights or obligations of any Party deriving from any existing treaty, convention or Agreement” (Article XII, paragraph 2).

Convention bodies include the CoP, which meets at intervals of three years to review the implementation of the treaty; the Standing Committee, which offers policy guidance between meetings of the CoP; the Scientific Council, responsible for providing scientific advice and identifying research and conservation priorities in relation to migratory species; and the Secretariat, the functions of which are: arranging meetings of the CoP, promoting co-operation, collecting information, preparing reports on its work, maintaining an updated list of CMS’ Appendices, encouraging the conclusion of AGREEMENTS, amongst others (see Article IX, paragraph 4). The Secretariat is administered by UNEP and is based in Bonn, Germany.

A.5 Convention on Biological Diversity

The CBD is part of the second generation of biodiversity-related instruments (those adopting an ecosystem-based approach as opposed to a more specific focus on certain species and habitats). It was adopted on 22 May 1992 at the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil. It entered into force on 29 December 1993 and comprises 193 states. The three general objectives of the convention are “the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources” (Article 1). The treaty defines biological diversity as “the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems” (Article 2).

As parties to the CBD, states are required to develop national strategies for the conservation and sustainable use of biological diversity – or adapt for this purpose existing strategies; as well as integrate the conservation and sustainable use of biological diversity into sectoral and cross-sectoral programmes (Article 6).

A number of areas are identified in the treaty as requiring action from state parties, including identification and monitoring (Article 7), in-situ and ex-situ conservation (Article 8 and 9), sustainable use of components of biological diversity (Article 10), incentive measures (Article 11), impact assessment and arrangements for minimising adverse impacts on biological diversity (Article 14), access to genetic resources (Article 15), handling of biotechnology and distribution of its benefits (Article 19), access to and transfer of technology (Article 16), research and training (Article 12), public education and awareness (Article 13), exchange of information (Article 17), and technical and scientific co-operation (Article 18). Parties must report on measures adopted to implement the provisions of the convention (Article 26).

Some of the duties mandated by the treaty are as follows: establish protected areas; promote the protection of ecosystems and natural habitats; rehabilitate degraded ecosystems; regulate the use and release of living modified organisms; prevent the introduction of species into ecosystems where they do not naturally

occur; preserve the knowledge and practises of local communities relevant to the conservation and sustainable use of biological diversity; and enact legislation for the protection of threatened species (Article 8). To further the goal of sustainable use – defined by Article 2 as “the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations” –, the CBD’s parties commit to incorporating the conservation and sustainable use of biological resources into national decision-making processes, and protecting and encouraging customary uses of biological resources that are sustainable (Article 10). The convention also requires parties to facilitate access to genetic resources and share the benefits arising from the commercial and other utilisation of such resources (Article 15).

The CBD was envisaged to be further elaborated through the adoption of specific protocols (Article 28). Two such protocols have been concluded to date, namely, 1) the Cartagena Protocol on Biosafety, which was adopted on 29 January 2000 and entered into force on 11 September 2003; and 2) the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, adopted on 29 October 2010 and not yet in force.

On becoming a member of the CBD, a state acknowledges that the provisions of the treaty shall not affect its rights and obligations under other treaties concluded before the CBD, “except where the exercise of those rights and obligations would cause a serious damage or threat to biological diversity” (Article 22).

The three main bodies of the Convention are: 1) the CoP, which reviews the implementation of the convention; 2) the Secretariat, which is based in Montreal, Canada and is in charge of arranging CoP meetings; preparing reports on the work assigned to it by the CoP; establishing co-operation arrangements with relevant international bodies, among other functions; and 3) the Subsidiary Body on Scientific, Technical and Technological Advice, tasked with providing scientific, technical and technological input to decision-making.

A.6 International Treaty on Plant Genetic Resources for Food and Agriculture

The ITPGRFA was adopted on 3 November 2001 at the 31st session of the Conference of FAO (Rome, Italy). It entered into force on 29 June 2004 and its membership comprises 131 states. In line with the CBD, the objectives of the ITPGRFA are “the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use” (Article 1.1). Plant genetic resources for food and agriculture (PGRFA) are defined as “any genetic material of plant origin of actual or potential value for food and agriculture” (Article 2). The treaty explicitly states that its objectives will be attained by establishing a close relationship with FAO and the CBD (Article 1.2).

The treaty mandates parties to promote an integrated approach to the exploration, conservation and sustainable use of PGRFA, taking actions such as surveying and inventorying PGRFA; supporting the efforts of farmers and local communities relative to the conservation and management of PGRFA; promoting in situ conservation, i.e., in the wild or on farmers’ fields, of wild crop relatives and wild plants for food production; and co-operating in the design of an efficient system of ex situ conservation (Article 5.1). Also, Parties are required to minimise or eliminate threats to PGRFA (Article 5.2), adopt appropriate policy and legal measures for the sustainable use of PGRFA (Article 6.1), and integrate the conservation and sustainable use of PGRFA into their agricultural and rural programmes and strategies (Article 7.1).

Farmers’ rights in relation to PGRFA are protected by Article 9 of the convention. Contracting parties pledge therein to safeguard traditional knowledge related to PGRFA, ensure the right of farmers to equitably participate in the distribution of benefits arising from the utilisation of PGRFA, and involve farmers in local decision-making processes concerning PGRFA (Article 9.2).

Article 10 establishes a multilateral system to facilitate access to a selected pool of PGRFA and share the benefits arising from the utilisation of these resources. The system covers 64 crops which are deemed essential for food security and interdependence (Article 11.1). Article 12.4 stipulates that access is to be provided pursuant to a standard material transfer agreement (MTA) to be developed by the

Governing Body of the ITPGRFA. The MTA was adopted on 16 June 2006 through Resolution 1/2006 and is the legal instrument by which PGRFA under the multilateral system may be accessed. The MTA also “makes provision for the fair and equitable sharing of the commercial benefits resulting from the use of such resources” (ITPGRFA Doc IT/GB-1/06/Report). The treaty envisages a number of benefit-sharing mechanisms, including “exchange of information, access to and transfer of technology, capacity-building, and the sharing of the benefits arising from commercialization” (Article 13.2)

Article 14 encourages states to implement the Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture (GPA), which was adopted on 23 June 1996 at the FAO International Technical Conference on Plant Genetic Resources, held in Leipzig, Germany. The GPA is a framework for action at community, national, regional and international levels, which “seeks to create an efficient system for the conservation and sustainable use of plant genetic resources, through better cooperation, coordination and planning and through the strengthening of capacities” (FAO, 2013). Parties are also expected to co-operate to develop a Global Information System on Plant Genetic Resources for Food and Agriculture in order to facilitate the exchange of information (Article 17). To accomplish this goal, parties are required to seek co-operation with the Clearing House Mechanism of the CBD (Article 17.1).

The Governing Body is the main organ of the treaty and its basic function is to promote the implementation of the convention. The Secretariat is tasked with organising sessions of the Governing Body, carrying out activities mandated by the CoP, and reporting on its work (Article 20.2). It is housed at the FAO headquarters in Rome, Italy. Unlike the other biodiversity-related conventions, the ITPGRFA lacks a dedicated scientific advisory body to assist decision-making.

A.7 References

FAO. 2013. *Commission on Genetic Resources for Food and Agriculture: Global Plans of Action*. [Online]. [Accessed 11 November 2013]. Available from: <http://www.fao.org/nr/cgrfa/cgrfa-global/cgrfa-globplan/en/>

ITPGRFA Doc IT/GB-1/06/Report. *Report of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture: First session, Madrid, Spain, 12-16 June 2006*.

Appendix B Research Concept Note

To approach potential interviewees, the research used two different concept notes. The first note, circulated among treaty secretariat officials and international experts (first document attached), invited prospective participants to share their views on the synergies developed in the biodiversity cluster and their effects at the national level. The second one, disseminated among CBD national focal points and available in English and Spanish (second and third documents attached), placed emphasis on national-level synergies among biodiversity-related conventions and the national positions of countries with regard to inter-treaty co-ordination. The latest versions of the concept notes are provided here. These are revised and refined versions from earlier editions used at the outset of data collection. There were no substantive differences across versions.

B.1 Concept note for international officials and experts

Research Project - Phase I

Co-ordination, synergy and coherence in the search for the 2010 and 2020 global biodiversity targets

You are being invited to take part in a research project. Please take time to read the following information before you decide whether or not you wish to participate. You can contact the researcher if there is anything that is not clear or if you would like more information. Thank you for reading this.

What is the purpose of the research?

The study is intended to examine whether and how the synergies achieved by multilateral environmental agreements (MEAs) at international and national levels enable greater coherence in policy and implementation. To this end, the study explores the linkages between/among the biodiversity-related conventions in the quest for the 2010 Biodiversity Target and the Aichi Biodiversity Targets.

Who is invited to participate?

At its first phase, the study is looking for interviews with representatives of the secretariats of the biodiversity-related conventions and other international organisations involved in international conservation policy. Interviews will also be sought with biodiversity focal points in Latin America countries during the second phase of the study.

What are the possible benefits of taking part?

Whilst there are no immediate benefits for those people participating in the project, it is hoped that this work will generate policy-relevant information on inter-linkages between MEAs. The study is expected to evaluate whether and how the existing mechanisms and instruments for creating synergies in the cluster of biodiversity-related conventions contribute to increased policy coherence and to an improved implementation of overlapping obligations.

Findings of this research shall inform on-going policy processes relating to the reform of the system of international environmental governance and the use of linkages in the implementation of the UN system-wide Strategic Plan for Biodiversity 2011-2020.

How will the interview be conducted and how long will it take?

Interviews will be carried out using Skype. If you are a Skype user, a Skype-to-Skype audio call can be arranged. If you do not use Skype, a call can be made from Skype to your landline number. Interviews may be conducted in English or Spanish and should last about 40-50 minutes.

Octavio Velázquez
Postgraduate Researcher
Sustainability Research Institute
School of Earth & Environment
University of Leeds
LS2 9JT
United Kingdom

Room: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovq@leeds.ac.uk
Web: <http://www.see.leeds.ac.uk/people/j.velazquez-gomar>



UNIVERSITY OF LEEDS

What does the interview process entail?

Prior to the interview, you will be e-mailed an informed consent form and an interview schedule with a list of questions that the researcher would be interested in discussing with you during the conversation. You will have to sign the informed consent form and return it to the researcher. The interview will take place at the date and time convened beforehand.

The interview will be recorded and the relevant audio recording encrypted. Encryption is the process of converting data into a coded form so as to make it unreadable to anyone except by those who are provided with a key to decrypt it (in this case, the researcher and the interviewee).

Audio recordings will be transcribed for purposes of analysis. Partial transcriptions will be made, meaning that only those sections of an interview which are relevant to the aim and objectives of the research will be converted into text; the rest of the conversation will be summarised. The sections to be transcribed will be edited, i.e., they will not be a verbatim (word-for-word) record of the segments of the conversation concerned.

You will have the opportunity to comment on the transcript, requesting that changes be made to those sections of the text which were not adequately transcribed or, else, should be removed due to confidentiality reasons.

What type of information will be sought from me?

You are invited to share your views and experiences with regard to the involvement of the biodiversity-related conventions in the global efforts aimed at achieving the 2010 and 2020 global biodiversity targets, the co-ordination processes developing within the cluster of biodiversity treaties in the recent past, the type of synergies achieved, and the influence of treaty secretariats on creating linkages between conventions.

Octavio Velázquez
Postgraduate Researcher
Sustainability Research Institute
School of Earth & Environment
University of Leeds
LS2 9JT
United Kingdom

Room: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovq@leeds.ac.uk
Web: <http://www.see.leeds.ac.uk/people/j.velazquez-gomar>

What happens to the information I provide?

Data collected from you shall be processed in accordance with the University of Leeds' Code of Practice on Data Protection, which can be downloaded online from:

http://www.leeds.ac.uk/cretarial/data_protection_code_of_practice.html

All the information collected during an interview will be kept strictly confidential. Some elements of the interview transcript could be included as anonymised quotes in conference papers, journal paper manuscripts and academic publications arising from this research, but you will not be able to be identified from this information. Your name and job position will not be disclosed nor will be the name of the organisation in which you are employed. When a quote from you is inserted in relevant documents, a simple indication will be made that it belongs to a representative of a treaty secretariat, an inter-governmental organisation or a non-governmental organisation (depending on your affiliation).

The information you provide might be used for additional or subsequent research. As per common practice, data will be stored for 10 years and then destroyed.

More about the study

The study is being developed as a PhD project which the researcher is expected to complete no later than October 2014. The final results will be presented in a PhD thesis.

The research is funded by Mexico's National Council on Science and Technology (CONACYT) and has been granted ethical approval by the University of Leeds.



B.2 Concept note for national focal points (English version)

Research Project - Phase II

Co-ordination, synergy and coherence in the search for the 2010 and 2020 global biodiversity targets

You are being invited to take part in a research project. Please take time to read the following information before you decide whether or not you wish to participate. You can contact the researcher if there is anything that is not clear or if you would like more information. Thank you for reading this.

What is the purpose of the research?

The study is intended to examine whether and how the synergies achieved by multilateral environmental agreements (MEAs) at international and national levels enable greater coherence in policy and implementation. To this end, the study explores the linkages between/among the biodiversity-related conventions in the quest for the 2010 Biodiversity Target and the Aichi Biodiversity Targets.

Who is invited to participate?

The study is in a second phase of data collection where interviews are sought with the national focal points of the Convention on Biological Diversity (CBD) in Latin American countries with the aim of analysing whether and how the 2010 Biodiversity Target and the Aichi Biodiversity Targets were/have been supported through the national implementation of the CBD and the Strategic Plan for Biodiversity 2011-2020; and examining whether and how synergies between biodiversity-related conventions have been created at the national level in the context of efforts to develop, implement and revise National Biodiversity Strategies and Action Plans (NBSAPs). The invitation can be made extensive to the national focal points of other biodiversity-related conventions willing to share relevant experiences relating to the pursuit of global biodiversity targets at the national level.

Octavio Velázquez
Postgraduate Researcher
Sustainability Research Institute
School of Earth & Environment
University of Leeds
LS2 9JT
United Kingdom

Room: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovq@leeds.ac.uk
Web: <http://www.see.leeds.ac.uk/people/j.velazquez-gomar>

During the first phase of data collection interviews were sought with representatives of the secretariats of the biodiversity-related conventions and other international organisations involved in international conservation policy.

What are the possible benefits of taking part?

Whilst there are no immediate benefits for those people participating in the project, it is hoped that this work will generate policy-relevant information on inter-linkages between MEAs. The study is expected to evaluate whether and how the existing mechanisms and instruments for creating synergies within the cluster of biodiversity-related conventions contribute to increased policy coherence and to an improved implementation of overlapping obligations.

Findings of this research shall inform on-going policy processes relating to the reform of the system of international environmental governance and the use of linkages in the implementation of the UN system-wide Strategic Plan for Biodiversity 2011-2020.

How will the interview be conducted and how long will it take?

Interviews will be carried out using Skype. If you are a Skype user, a Skype-to-Skype audio call can be arranged. If you do not use Skype, a call can be made from Skype to your landline number. Interviews may be conducted in English or Spanish and should last about 40 minutes.



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What does the interview process entail?

Prior to the interview, you will be e-mailed an informed consent form and an interview schedule with a list of questions that the researcher would be interested in discussing with you during the conversation. You will have to sign the informed consent form and return it to the researcher. The interview will take place at the date and time convened beforehand.

The interview will be recorded and the relevant audio recording encrypted. Encryption is the process of converting data into a coded form so as to make it unreadable to anyone except by those who are provided with a key to decrypt it (in this case, the researcher and the interviewee).

Audio recordings will be transcribed for purposes of analysis. Partial transcriptions will be made, meaning that only those sections of an interview which are relevant to the aim and objectives of the research will be converted into text; the rest of the conversation will be summarised. The sections to be transcribed will be edited, i.e., they will not be a verbatim (word-for-word) record of the segments of the conversation concerned.

You will have the opportunity to comment on the transcript, requesting that changes be made to those sections of the text which were not adequately transcribed or, else, should be removed due to confidentiality reasons.

What type of information will be sought from me?

You are invited to share your views and experiences with regard to the preparation and/or revision of NBSAPs in the light of the Strategic Plan for the CBD 2002-2010 and the Strategic Plan for Biodiversity 2011-2020, the relationship between NBSAPs and other national programmes designed in compliance with other biodiversity-related conventions, the challenges of ensuring a synergistic implementation of those conventions, and the importance of inter-institutional co-ordination at the level of convention bodies to achieve coherence in the development and implementation of national biodiversity policies.

Octavio Velázquez
Postgraduate Researcher
Sustainability Research Institute
School of Earth & Environment
University of Leeds
LS2 9JT
United Kingdom

Room: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovg@leeds.ac.uk
Web: <http://www.see.leeds.ac.uk/people/j.velazquez-gomar>

What happens to the information I provide?

Data collected from you shall be processed in accordance with the University of Leeds' Code of Practice on Data Protection, which can be downloaded online from:

http://www.leeds.ac.uk/cretariat/data_protection_code_of_practice.html

All the information collected during an interview will be kept strictly confidential. Some elements of the interview transcript could be included as anonymised quotes in conference papers, journal paper manuscripts and academic publications arising from this research, but you will not be able to be identified from this information. Your name and job position will not be disclosed nor will be the name of the government department in which you are employed. When a quote from you is inserted in relevant documents, a simple indication will be made that it belongs to a government officer of the country in which you reside.

The information you provide might be used for additional or subsequent research. As per common practice, data will be stored for 10 years and then destroyed.

More about the study

The study is being developed as a PhD project which the researcher is expected to complete no later than October 2014. The final results will be presented in a PhD thesis.

The research is funded by Mexico's National Council on Science and Technology (CONACYT) and has been granted ethical approval by the University of Leeds.



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B.3 Concept note for national focal points (Spanish version)

Proyecto de Investigación – Segunda Fase

Coordinación, sinergia y coherencia en la búsqueda de las metas globales para la diversidad biológica 2010 y 2020

Usted está siendo invitado a tomar parte en un proyecto de investigación. Por favor tome su tiempo para leer la siguiente información antes de decidir si desea o no participar. Puede contactar al investigador si hay algo que no esté claro o si desea obtener mayor información. Gracias por leer esta hoja informativa.

¿Cuál es el propósito de la investigación?

El estudio examina los procesos de creación de sinergias entre acuerdos ambientales multilaterales (AAMs) en los ámbitos internacional y nacional con objeto de analizar las condiciones que facilitan la coherencia en el diseño y aplicación de políticas ambientales internacionales. Con tal fin, el estudio explora los vínculos entre las convenciones relacionadas con la diversidad biológica en la búsqueda del Objetivo 2010 y las Metas de Aichi para la Diversidad Biológica.

¿Quién está invitado a participar?

El estudio se encuentra en una segunda fase de recopilación de datos en la cual se buscan entrevistas con los puntos focales nacionales del Convenio sobre Diversidad Biológica (CDB) en países de América Latina con objeto de analizar los esfuerzos nacionales encaminados a la consecución del Objetivo 2010 las Metas de Aichi para la Diversidad Biológica por medio de la aplicación del Plan Estratégico del CDB 2002-2010 y, más recientemente, del Plan Estratégico para la Diversidad Biológica 2011-2020; así como examinar los procesos de creación de sinergias entre las convenciones relacionadas con la diversidad biológica a nivel nacional en el contexto de la elaboración, aplicación y revisión de las Estrategias y Planes de Acción Nacionales sobre Diversidad Biológica (EPANBs). La invitación puede hacerse extensiva a los puntos focales nacionales de otras convenciones sobre diversidad biológica que deseen aportar experiencias

Octavio Velázquez
Investigador de Posgrado
Instituto de Investigación en Sustentabilidad
Escuela de la Tierra y el Medio Ambiente
Universidad de Leeds
LS2 9JT
Reino Unido

Oficina: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovq@leeds.ac.uk
Web: <http://www.see.leeds.ac.uk/people/i.velazquez-gomar>

relevantes relacionadas con la búsqueda de las metas globales para la diversidad biológica a nivel nacional.

Durante la primera fase de recopilación de datos se buscaron entrevistas con representantes de las secretarías de las convenciones relacionadas con la diversidad biológica y otras organizaciones internacionales involucradas en la formulación de políticas internacionales sobre diversidad biológica.

¿Qué beneficios obtendré al participar?

Aunque no hay beneficios inmediatos para los entrevistados, se espera que este trabajo genere información sobre los vínculos entre AAMs que sea pertinente para la formulación de políticas. El estudio evaluará si los mecanismos e instrumentos existentes para la creación de sinergias dentro del grupo de convenciones relacionadas con la diversidad biológica contribuyen a mejorar la coherencia de las políticas desarrolladas al interior del grupo, así como la aplicación armónica de las convenciones.

Los resultados de este proyecto deberán servir para orientar los procesos de elaboración de políticas relacionados con la reforma del sistema de gobernabilidad ambiental internacional y la creación de vínculos horizontales en la aplicación del Plan Estratégico para la Diversidad Biológica 2011-2020.

¿Cómo se realizará la entrevista y cuánto tiempo durará?

Las entrevistas se realizan por medio de Skype. Si usted es usuario de Skype, una llamada de Skype a Skype puede ser acordada. Si no utiliza Skype, es posible convenir una llamada desde Skype a su línea telefónica. Las entrevistas pueden ser realizadas en inglés y en español y tienen una duración de 40 minutos en promedio.



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¿En qué consistirá mi participación?

Antes de la entrevista, le serán proporcionados un formulario de consentimiento y una lista de preguntas que el investigador discutirá con usted durante la entrevista. Usted tendrá que completar el formulario de consentimiento, firmarlo y enviarlo por correo electrónico al investigador. La entrevista se lleva a cabo en la fecha y hora acordadas con anticipación.

La entrevista será grabada y el material de grabación encriptado. A través de la encriptación, el material de grabación es codificado para que no pueda ser reproducido por nadie con excepción de aquellos a quienes se proporcione una clave para descifrar el material (en este caso, el investigador y el entrevistado).

El material de grabación será transcrito para que pueda ser analizado. La entrevista será transcrita de manera parcial, lo que significa que solamente aquellas secciones de la entrevista que estén directamente relacionadas con la finalidad y los objetivos de la investigación serán transcritas; el resto de la conversación será resumida. Las secciones transcritas serán editadas, es decir, no serán un registro literal (palabra por palabra) de los segmentos de la conversación transcrita.

Usted tendrá la oportunidad de opinar sobre la fidelidad de la transcripción y podrá solicitar que se realicen cambios en aquellas secciones del texto que no fueron adecuadamente transcritas o que deberían ser removidas por cuestiones de confidencialidad.

¿Qué tipo de información se me pedirá proporcionar?

La entrevista buscará conocer sus puntos de vista con respecto a la elaboración y/o revisión de las Estrategias y Planes de Acción Nacionales sobre Diversidad Biológica (EPANBs) a la luz de las metas del Plan Estratégico del CDB 2002-2010 y el Plan Estratégico para la Diversidad Biológica 2011-2020, la relación entre los EPANBs y otros programas nacionales diseñados en cumplimiento de otras

Octavio Velázquez
Investigador de Posgrado
Instituto de Investigación en Sustentabilidad
Escuela de la Tierra y el Medio Ambiente
Universidad de Leeds
LS2 9JT
Reino Unido

Oficina: 9.157
Tel: +44(0) 113 34 39105
E-mail: ee08jovg@leeds.ac.uk
Web: http://www.see.leeds.ac.uk/people/j_velazquez-gomar

convenciones relacionadas con la diversidad biológica; los desafíos encontrados para lograr una aplicación sinérgica de estas convenciones; así como la importancia de la coordinación interinstitucional entre los órganos de las mismas convenciones para el desarrollo y aplicación coherentes de las políticas nacionales sobre diversidad biológica.

¿Qué ocurre con la información generada en la entrevista?

La información recopilada será procesada de conformidad con el Código de Prácticas sobre Protección de Datos de la Universidad de Leeds, el cual puede ser consultado en la siguiente página web: <http://www.leeds.ac.uk/secretariat/data-protection-code-of-practice.html>

Toda la información generada en la entrevista tendrá carácter confidencial. Algunos elementos de la transcripción de la entrevista podrían incluirse como citas anónimas en documentos a ser presentados en conferencias y/o congresos, manuscritos de artículos para revistas especializadas, y otras publicaciones académicas que resulten de esta investigación; sin embargo, usted no podrá ser identificado a partir de esas citas anónimas. Su nombre y cargo no serán revelados, ni tampoco el departamento de gobierno para el cual trabaja. Cuando una cita suya sea incluida en los documentos mencionados anteriormente, el texto hará una simple indicación de que la misma pertenece a un funcionario de gobierno del país en el que usted radica.

La información que usted proporcione podría ser utilizada en futuras investigaciones. De conformidad con los procedimientos habituales en investigación académica, la información será almacenada por 10 años y posteriormente eliminada.

Mayor información sobre el estudio

El estudio se desarrolla como parte de un proyecto de doctorado que deberá completarse a más tardar en octubre de 2014. Los resultados finales de la investigación serán presentados en la tesis correspondiente.

La investigación es patrocinada por el Consejo Nacional de Ciencia y Tecnología (CONACYT) de México y ha obtenido aprobación ética por parte de la Universidad de Leeds.



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Appendix C Participant Consent Form

The participant consent form that participants were required to complete, sign, and return is attached to this appendix in its English and Spanish versions. Note that these are the standard versions. Slight adjustments were made in some cases to accommodate participants' concerns (a simplified consent form, for instance, was used when participants opted for a questionnaire instead of an interview).

C.1 Standard English version

Participant Consent Form

Title of Research Project: Co-ordination, synergy and coherence in the search for the 2010 and 2020 global biodiversity targets

Name of Researcher: Octavio Velázquez

Initial the box if you agree with the statement to the left

- 1 I confirm that I have read and understand the information sheet explaining the above research project and I have had the opportunity to ask questions about the project.
- 2 I understand that my participation is voluntary and that if I not wish to answer any particular question or questions, I am free to decline.
- 3 I have been informed that the interview will be recorded and I give my consent for this recording to be made.
- 4 I understand that all information I provide will be treated as confidential and that only the researcher will have access to my anonymised responses. I understand that my name will not be linked with the research materials, and I will not be identified or identifiable in the report or reports that result from the research.
- 5 I agree to the use of anonymised direct quotes from my interview in publications and presentations arising from the study.
- 6 I agree for the data collected from me to be used in future research.
- 7 I agree to take part in the above research project and will inform the researcher should my contact details change.

Name of participant

Date

Signature



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C.2 Standard Spanish version

Formulario de Consentimiento del Entrevistado

Título del proyecto de investigación: *Coordinación, sinergia y coherencia en la búsqueda de las metas globales para la diversidad biológica 2010 y 2020*

Nombre del investigador: Octavio Velázquez

Marque la casilla correspondiente si está de acuerdo con el enunciado de la izquierda

- 1 Confirмо que he leído y entendido la hoja informativa sobre el proyecto de investigación citado arriba y que he tenido oportunidad de hacer preguntas sobre el estudio.
- 2 Entiendo que mi participación es voluntaria y que si no deseo contestar una o más preguntas tengo derecho a no responder.
- 3 He sido informado que la entrevista será grabada y otorgo mi consentimiento para que la grabación se lleve a cabo.
- 4 Entiendo que toda la información que proporcione será tratada de manera confidencial y que únicamente el investigador tendrá acceso a mis respuestas anónimas. Entiendo que mi nombre no será vinculado a los materiales de investigación, y que no seré identificado ni identificable en el reporte o los reportes que resulten de la investigación.
- 5 Autorizo el uso de citas anónimas derivadas de mi entrevista en publicaciones y presentaciones relacionadas con el estudio.
- 6 Autorizo que la información que proporcione en la entrevista sea utilizada en futuras investigaciones.
- 7 Acepto participar en el proyecto de investigación citado arriba y me comprometo a informar al investigador si mis datos de contacto cambian.

Nombre del entrevistado

Fecha

Firma



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Appendix D Interview Protocol/Questionnaire

This appendix presents the list of questions that participants were given in advance of the interview and/or were required to answer via e-mail. Different questions were posed to international officials/experts (see first document attached) and national focal points (see second (English version) and third (Spanish version) documents attached). The standard versions of the interview protocol/questionnaire are provided. These are the latest versions used and do not differ substantively from earlier editions. Note that the interviews followed a semi-standardised format such that the questions of the interview protocol were modified or omitted as interviews progressed. In the case of participants who chose to answer a questionnaire, the questions stayed unaltered.

D.1 Standard English version (for international officials and experts)

Co-ordination, synergy and coherence in the search for the 2010 and 2020 global biodiversity targets

Interview protocol

International Organisations and Academia

- In your view, was the 2010 Biodiversity Target actively supported by the biodiversity-related conventions? What changes, if any, would the 2010 Target trigger within the cluster of biodiversity-related conventions?
- Achieving the 2010 Target was made a priority by the Liaison Group of Biodiversity-related Conventions since its first meeting in 2004. Likewise, the Group has committed to collaborating on the implementation of the Strategic Plan for Biodiversity 2011-2020. What do you think are the main outcomes of co-operation between the biodiversity-related conventions in the recent past?
- How have inter-governmental and non-governmental organisations facilitated the creation of linkages between the biodiversity-related conventions?
- How important has been the role of treaty secretariats in the pursuit of the 2010 Biodiversity Target and in the implementation of the Strategic Plan for Biodiversity 2011-2020?
- It will soon be 10 years since the 2010 Biodiversity Target was adopted. Do you see greater alignment of the biodiversity-related conventions to the CBD as the framework convention on biodiversity? Are relevant policies complementary and mutually reinforcing?
- Overall, how is the interaction between the biodiversity-related conventions on the ground? Have the synergies achieved in the recent past enabled a more coherent implementation of these treaties at the national level?
- Would greater coherence in policy and implementation within the cluster of biodiversity-related conventions facilitate the mainstreaming of biodiversity into sectoral and cross-sectoral policies, plans and programmes?



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D.2 Standard English version (for national focal points)

Co-ordination, synergy and coherence in the search for the 2010 and 2020 global biodiversity targets

Interview protocol

CBD National Focal Points

- How relevant was the 2010 Biodiversity Target to the national biodiversity agenda? What is your country's position towards the new Aichi Biodiversity Targets?
- Over the last 10 years, the Conference of the Parties to the Convention on Biological Diversity (CBD) has made regular calls for the Parties to develop, revised and/or updated their National Biodiversity Strategies and Action Plans in line with the Strategic Plan for the CBD 2002-2010 and, more recently, with the Strategic Plan for Biodiversity 2011-2020. Has the NBSAP been developed, revised and/or updated over the last decade? How has this process move along? What are the major changes that the NBSAP has undergone in the recent past?
- The state you represent is party to other major biodiversity-related multilateral environmental agreements (MEAs) besides the CBD. Has your government promoted the creation of synergies between these conventions at relevant multilateral fora?
- How close is the relationship between the national focal points of the CBD and the national focal points of other biodiversity-related MEAs in your country? Is the need for co-ordination acknowledged?
- Have synergies between biodiversity-related MEAs been taken into account in the preparation, revision and/or updating of the NBSAP? Have linkages been established between the NBSAP and the more specific strategies designed in compliance with other biodiversity-related MEAs?
- Overall, what are the main challenges encountered on the ground to ensure greater complementarity in the implementation of those conventions?
- In your view, have the convention bodies of the CBD and other biodiversity-related MEAs facilitated a coherent implementation of those treaties at the national level, e.g., through developing guidelines and tools, organising workshops, supporting institution-building, providing technical field support, etc.?



D.3 Standard Spanish version (for national focal points)

Coordinación, sinergia y coherencia en la búsqueda de las metas globales para la biodiversidad 2010 y 2020

Protocolo de Entrevista

Puntos Focales Nacionales del CDB

- ¿Qué tan importante era para la agenda nacional sobre diversidad biológica el Objetivo 2010? ¿Cuál es la posición de su país con respecto a las Metas de Aichi 2020?
- En el transcurso de los últimos diez años, la Conferencia de las Partes del Convenio sobre la Diversidad Biológica (CDB) ha exhortado a los Estados Parte del Convenio a preparar, revisar y/o actualizar sus Estrategias y Planes de Acción Nacionales sobre Diversidad Biológica (EPANBs) en consonancia con el Plan Estratégico del CDB 2002-2010 y, más recientemente, con el Plan Estratégico para la Diversidad Biológica 2011-2020. ¿Ha sido preparada, revisada y/o actualizada la EPANB en el último decenio? ¿Cómo ha sido este proceso? ¿Cuáles son los principales cambios que ha experimentado la EPANB en el pasado reciente?
- El estado que usted representa es parte de otras convenciones relacionadas con la diversidad biológica además del CDB. ¿Ha promovido su gobierno la creación de sinergias entre estas convenciones en foros multilaterales?
- ¿Qué tan cercana es su relación con los puntos focales nacionales de otras convenciones relacionadas con la diversidad biológica en su país? ¿Hay coincidencia en la necesidad de mejorar la coordinación?
- ¿Se han tomado en cuenta las sinergias entre las convenciones relacionadas con la diversidad biológica en la preparación, revisión y/o actualización de la EPANB? ¿Se han establecido vínculos entre la EPANB y los programas de trabajo diseñados en cumplimiento de otras convenciones relacionadas con la diversidad biológica?
- En términos generales, ¿cuáles son los principales desafíos encontrados a nivel nacional para asegurar mayor complementariedad en la aplicación del CDB y de otras convenciones relacionadas con la diversidad biológica?
- ¿Cree usted que los órganos del CDB y de otras convenciones relacionadas con la diversidad biológica han facilitado la aplicación coherente de dichas convenciones a nivel nacional (por ejemplo, desarrollando directrices e instrumentos técnicos y científicos, organizando talleres, apoyando el desarrollo institucional, proporcionando asistencia técnica de campo, etc.)?

