

# Environmental policy integration among multilateral environmental agreements: the case of biodiversity

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**Abstract** The system of multilateral environmental agreements (MEAs) comprises hundreds of conventions and protocols designed to protect the environment. Institutional interaction within the MEA system raises issues of environmental policy integration (EPI), i.e. balancing different environmental objectives and considerations. Mainstream proposals for enhancing EPI in environmental governance build upon the assumption that environmental institutions are fragmented. However, recent research reveals that the MEA system has been defragmenting over the years such that EPI is less a problem of institutional fragmentation than of effective management of institutional interplay. This paper examines the factors affecting EPI among MEAs by looking at experiences in the cluster of biodiversity-related multilateral agreements. The analysis is based on a series of interviews with MEA secretariat officials and international experts conducted between September 2011 and January 2012. The paper identifies institutional, political and cognitive barriers constraining interplay management efforts. While some have proposed regulatory changes in the cluster, national-level co-ordination appears to be the best way to advance EPI.

**Keywords** Multilateral environmental agreements · Environmental policy integration · International environmental governance · Synergies · Biodiversity-related conventions

## 1 Introduction

Recent estimations suggest that more than 700 multilateral environmental agreements (MEAs) were adopted between 1868 and 2011 (see Kim 2013). Such institutional proliferation occurs in the absence of a central regulatory authority. The United Nations Environment Programme (UNEP), envisaged to be the anchor institution for the global

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environment (Ivanova 2005, 2007), has played a catalytic role in establishing MEAs, but fallen short of providing effective co-ordination (Andresen 2007; Mee 2005). As a result, calls for environmental policy integration (EPI) or synergies among MEAs are commonly raised.

Clustering has long been proposed as an option for improving synergies among compatible MEAs (see von Moltke 2001a, b). Clustering means the “combination, grouping, consolidation, integration or merger of MEAs or parts thereof” with a view to enhancing international environmental governance (IEG) (Oberthür 2002, 335). The clustering approach has been taken forward by the MEAs governing chemicals and hazardous waste, which have streamlined their administrative functions and appointed a joint head, gradually moving towards programme co-ordination and joint decision-making (see Perry 2012; Wehrli 2012). Looser forms of clustering have occurred in other areas such as the marine environment, biodiversity, maritime safety and liability, watercourses, atmosphere, plant protection and nuclear energy (Kim 2013). The clustering of the chemicals and hazardous waste-related conventions is nonetheless unique in that it has been the result of a deliberate process aimed at furthering synergy and coherence.

Clustering proposals seek to advance institutional and/or organisational integration of MEAs to counteract the apparent fragmentation of IEG. That the clustering approach has not gained track in areas other than chemicals and hazardous waste suggests, however, that fragmentation is not seen as a main concern in most IEG areas. Indeed, interplay management or efforts to enhance institutional interaction and its effects (Oberthür 2009) have allowed some degree of coherence in IEG settings (see Oberthür and Stokke 2011). Recent scholarship has observed that policy interventions should focus on improving the way in which fragmentation is managed as opposed to re-engineering governance structures to reduce fragmentation (see Zürn and Faude 2013).

This paper explores the factors determining the quality of interplay management and the achievement of EPI in IEG looking at experiences in the cluster of biodiversity-related conventions. The biodiversity cluster comprises one framework convention, the 1992 Convention on Biological Diversity (CBD), and five specialist regimes: (1) the 1971 Convention on Wetlands of International Importance Especially as Waterfowl Habitat (the Ramsar Convention); (2) the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage (WHC); (3) the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); (4) the 1979 Convention on the Conservation of Migratory Species of Wild Animals (CMS); and (5) the 2001 International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). The cluster exhibits high levels of inter-treaty co-operation (Caddell 2011) but opportunities for enhancing synergy remain untapped (Ministry of the Environment of Finland 2010). Factors impinging upon co-operative processes in the cluster are the focus of this paper.

The first section elaborates on the concept of EPI and outlines general factors affecting EPI among international institutions. The empirical area of focus and methodology are described next, followed by an analysis of the main determinants of inter-institutional synergy in the problem area. Findings are discussed in the final section.

## 2 EPI among international institutions

Policy integration involves the creation of synergies among issue-aspects or issue-areas in the making of policy decisions (Underdal 1980). The concept of EPI denotes more specific efforts to develop synergies among environmental policies and between environmental and

non-environmental policies. EPI thus has an internal, intra-policy dimension related to balancing different environmental objectives and an external, inter-policy dimension concerned with the integration of environmental objectives into other policies (Oberthür 2009). The two dimensions are closely related, as the way in which policies are integrated within one sector affect policy integration across sectors (see Ugland and Veggeland 2006).

Efforts to enhance EPI among international institutions have typically involved inter-play management as opposed to institutional re-engineering (see Oberthür 2009). Oberthür and Stokke (2011) observe that interplay management has proved successful in improving EPI among international institutions when the interacting regimes share normative affinities despite different capacities, the political saliency of institutional overlap is high and cross-institutional knowledge is built and diffused. These three aspects can be defined as the institutional, political and cognitive conditions for EPI among international institutions (Jordan and Lenschow (2010), and Lenschow (2002) have explored similar conditions for EPI in public policy). The following sections identify the factors that favour or hinder an enabling environment for international EPI at these three levels.

## 2.1 Institutional aspects

Biermann et al.'s (2009) study on the fragmentation of global governance architectures illustrates how institutional factors impinge upon synergies among international institutions. Their work suggests 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.

In Biermann et al.'s framework, the degree of institutional integration in international governance structures is associated with the degree of centralisation around one (or more) core institution(s). Centralisation arguably facilitates synergistic interaction (see Orsini et al. 2013). 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 ascribed to the same policy sector would normally engage in synergistic interaction because their norms, rules and missions tend to be compatible; in contrast, when interaction involves regimes from different policy domains addressing very different issues, potential for conflict is higher (Wilson 2008; Gehring and Oberthür 2006; Rosendal 2001). Actor constellations in governance architectures relate to the memberships and constituencies of the interacting institutions. There is agreement that overlap in memberships facilitates inter-institutional synergy. Gehring and Oberthür (2009, 2006) suggest that when two institutions pursuing different objectives have similar memberships, a jurisdictional delimitation is established to avoid conflict between the two regimes. Likewise, in cases where two institutions display similar objectives and memberships, complementarities may be realised based on the different governance means available from each regime (ibid.). Regimes may not only differ in memberships, but also in their constituencies, which can affect the way in which institutions interact. 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 outlined above, Biermann et al. (2009) 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.

International institutions are normally bestowed with an organisational machinery by virtue of which their members can adopt collective decisions, adapt the original agreements to changing circumstances, assess implementation and address non-compliance (Gehring and Faude 2010). Briceño (1999) identified a number of organisational challenges affecting the creation of synergies among the CBD and the other conventions emanating from the Rio Earth Summit of 1992 (the climate change and desertification 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).

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's mandate to service and co-ordinate MEAs was affected by this capacity gap (see Andresen and Rosendal 2009; Mee 2005).

## 2.2 Political aspects

The political dimensions of EPI unfold at the actor level and relate to the diversity of interests, power asymmetries and conflicts shaping policy-making (Hogl and Nordbeck 2012). The external activity of international institutions normally falls under the purview of the organs established by their contracting parties, including the central plenary organ, subsidiary bodies and/or the secretariat (Ulfstein 2012). Nevertheless, synergies among international institutions are also shaped by the autonomous action of state and non-state actors (Oberthür 2009), and the entrepreneurial action of individuals moving across international venues (Selin and VanDeveer 2003).

The politics of inter-institutional relationships are nicely captured by Abbott et al. (2012, 2013) in their analytical framework for exploring the strategies and growth rates of international organisations (as the operative element of international institutions) 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, organisational strategies 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 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 select a functional niche in which it can prosper.

According to Abbott et al. (2012, 2013), organisations may pursue three different strategies when institutional density creates discord, namely 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 that are unable to compete and cannot bear the costs of adverse asymmetric adjustment will pursue unilateral strategies of adaptive adjustment, usually by finding and securing a functional niche in the institutional landscape. 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.

The influence of an international organisation depends not only on institutional capacity, but also on peoples' commitment (Biermann and Siebenhüner 2009). Individuals can affect regime interplay through leadership and informal networks (Selin and VanDeveer 2003). Some international bureaucrats, for instance, have exploited the leeway granted by their principals (states) to shape institutional inter-linkages (see Jinnah 2010, 2011).

### 2.3 Cognitive aspects

The cognitive aspects of EPI encompass the frames of reference, ideas or paradigms that influence actors' preferences (Hogl and Nordbeck 2012). It has been observed that processes of diffusion and learning leading to shared knowledge improve synergy among regimes (Oberthür and Stokke 2011; Nilsson et al. 2009). Common frames of reference may counteract the lack of political will, path-dependency, institutional lock-in and strong vested interests that hinder EPI (Gupta and Sanchez 2012).

## 3 EPI in the cluster of biodiversity-related conventions

While there are more than 150 MEAs dealing with biodiversity, scholars and practitioners recognise a cluster of six biodiversity-related conventions that are global in scope and pursue biodiversity conservation as a core objective (see Ministry of Environment of Finland 2010). Table 1 provides a brief outline of these conventions.

### 3.1 An overview of co-operation and synergies

Formal co-operation, in the form of Memoranda of Understanding and Co-operation, has occurred since 1996 (see Caddell 2011). The cluster has undergone a process of "CBD-ification" or integration under the CBD (ibid.). The first-generation conventions (the Ramsar Convention, the WHC, CITES and the CMS), traditionally associated with narrow conservation agendas focussed on the protection of species and habitats, have gradually embraced the CBD's sustainability approach (Jardin 2010). The ITPGRFA, adopted in November 2001, was drafted in harmony with the CBD and pursues its same objectives in the area of plant genetic resources.

This process of CBD-ification can be traced back to the adoption of the 2010 Biodiversity Target at the sixth meeting of the Conference of the Parties to the CBD (The Hague,

**Table 1** Cluster of biodiversity-related conventions

Convention	Mission
CBD	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
Ramsar Convention	The convention protects wetlands and waterfowl species. Parties are mandated to designate suitable wetlands for inclusion in a List of Wetlands of International Importance
WHC	The WHC aims to conserve the cultural and natural heritage of its contracting parties. Properties of outstanding value are listed in the World Heritage List
CITES	CITES' mission is to protect wild species against over-exploitation from international trade. Species are listed in three Appendices according to the degree of protection they need
CMS	The treaty seeks to conserve migratory species and their habitats. Species are listed in two Appendices based on how threatened they are
ITPGRFA	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 use

Netherlands, 7–19 April 2002). The Target aimed at significantly reducing the rate of biodiversity loss by 2010 and was supported by the other conventions of the biodiversity cluster (see EMG Secretariat 2008; CBD Secretariat 2006). Co-operation was reinforced with the establishment of the Liaison Group of Biodiversity-related Conventions (BLG) in 2004 and the Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB) group in 2007.

Synergies have been achieved in several areas. Examples include the joint preparation and/or endorsement of technical guidance; standardisation of taxonomy and nomenclature; knowledge management; indicators; outreach activities; joint field missions and projects; and joint capacity-building activities (see Jardin 2010). Nevertheless, co-operation opportunities have not been fully exploited and/or explored. 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, convention 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). Understanding why potential for synergy has been untapped is important to design effective management interventions.

### 3.2 Materials and methods

Empirical data to examine EPI processes in the biodiversity cluster comes from 25 interviews with treaty secretariat officials and international experts carried out between September 2011 and January 2012 as part of a research project examining the inter-connection of regime complexes and national implementation systems. These two groups were approached to bring insider and outsider views to the analysis, acknowledging the role of treaty secretariat officials in discharging inter-treaty co-operation tasks (Caddell 2011; Urho 2009). International experts were selected from a sample of international organisations and agencies with active participation in meetings of the biodiversity-related conventions. Interviews were conducted remotely via Skype (in the form of a Skype-to-Skype interview or a Skype-to-telephone interview) and recorded using Skype-recording software.

Interview transcripts were examined using matrix analysis, a style of thematic analysis where empirical data are tabulated against pre-defined categories (see King and Horrocks 2010). A matrix comprising three general categories as per the three types of factors affecting EPI processes (see Sect. 2) was developed and applied to the interview transcripts. This was to distinguish the institutional, political and cognitive challenges facing interplay management efforts in the biodiversity cluster as informed by the conceptual framework outlined earlier.

For confidentiality reasons, interviewees are identified here with distinctive tags composed of two letters and one random number. The two letters indicate the organisational affiliation of the interviewee (TS standing for a treaty secretariat; IG standing for an inter-governmental organisation (IGO); NG standing for a non-governmental organisation (NGO); and OT standing for other). Some quotes are not accompanied by a tag. This is done discretionally throughout the paper to ensure confidentiality in those cases where the use of a tag could lead to the identification of the interviewee.

## 4 Factors affecting EPI in the biodiversity cluster

### 4.1 Institutional aspects: co-operative fragmentation, autonomous institutional arrangements and institutional capacity

The biodiversity cluster displays properties of *co-operative fragmentation*, a type of fragmentation characterised by loose integration under a core institution, non-conflicting norms and overlapping, but not identical, constituencies (Biermann et al. 2009). These conditions affect EPI processes in different ways.

The previous section noticed that the biodiversity cluster has become increasingly integrated under the CBD's framework. 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". The CBD's standing as core institution of the biodiversity cluster is not without limitations because CITES is an equally authoritative treaty in the MEA system (see Kim 2013; Lanchbery 2006).

Rosendal (2001) 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 2013, 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.

Memberships and constituencies of the elemental regimes of the biodiversity cluster are not totally 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). State actors like the European Union (EU) and the Nordic Council of Ministers have been advocates of improved co-operation in the biodiversity cluster (see IISD 2008, 2010; Ministry of the Environment of Finland 2010; Urho 2009). But others are more reluctant, most notably, the USA, which has always been antagonistic towards the CBD (Interviewee OT2) and would



not consent to deepening integration in the cluster (Interviewee TS1). During the CBD's negotiations, the USA promoted the idea of an umbrella convention that would bring other biodiversity-related treaties under its remit, but desisted when the original conservation-focused agenda of the CBD broadened to incorporate sustainability considerations (Boisson de Chazournes 2009).

The biodiversity-related conventions also have their own constituencies (Interviewee IG1). They are supported by specific interest groups that 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, integration in the biodiversity cluster faces similar challenges to those encountered in other MEA clusters (see Oberthür 2002; von Moltke 2001b; Briceño 1999): the conventions are administered by different agencies and operate according to their own organisational elements and functions. In other words, co-operation is affected by what Churchill and Ulfstein (2000) refer to as *autonomous institutional arrangements*. As some interviewees 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 and NG11). A clustering process akin to that launched by the chemicals and hazardous waste-related conventions 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 co-ordinator of an institutional cluster of biodiversity-related conventions to strengthen its power and authority in IEG (Interviewees TS2 and 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 and 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).

The conventions of the biodiversity cluster have not been immune to the international governance dilemma in which increasing tasks create a strain on *institutional capacity* (Eberlein and Newman 2008; Keohane 2001). The World Heritage Centre has found it particularly challenging to get involved in co-operative activities. 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 a 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 in the biodiversity cluster 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 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.). Andresen and Rosendal (2009) have noticed that the smaller secretariats (for example, Ramsar) acknowledge the need of co-ordination from UNEP.

#### 4.2 Political aspects: discord, adverse asymmetric adjustment and individual entrepreneurship

Because the biodiversity cluster is characterised by co-operative, rather than synergistic, fragmentation, some degree of discord among its constituent conventions exists (which may emerge at the level of international bureaucracies, governing bodies, national focal points or convention constituencies). Discord has been managed through organisational strategies of mutual adjustment. Such adjustment has been asymmetrical, however, due to power disparities between the framework and the specialist conventions.

In interplay settings characterised by common objectives and overlapping memberships such as those where co-operative fragmentation prevails, institutions interact to activate additional means of implementation (see Gehring and Oberthür 2006). In the biodiversity cluster, the CBD depends on the specialist conventions’ technical action on the ground to achieve its mandate as much as the latter necessitate the CBD’s political visibility and influence to meet their goals. There is mutual interest in ensuring synergy, but because their objectives and memberships are not fully coincident, (1) their relationships are tainted by discord, and (2) the synergistic effects of co-operation are not equally valued or reciprocally beneficial (see Corning 1998 on the eufunctional and dysfunctional effects of synergy).

*Discord* in the biodiversity cluster has both a substantive and an organisational component (see Abbott et al. (2012, 2013). On a substantive level, tensions derive from the CBD’s position as core institution (see Sect. 4.1). 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 that 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 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 and OT2). 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). Distrust between the CBD Secretariat and the secretariats of the other conventions of the biodiversity cluster have been noticed in previous studies (see Andresen and Rosendal 2009).

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. 2012, 2013). Linkages in the biodiversity cluster are asymmetrical because the CBD’s influence on the specialist conventions’ agendas has not been reciprocated (see Young (2002) on the symmetry of institutional linkages). A CBD Secretariat official acknowledged that the CBD has managed to advance its goals into the other conventions “in a way that has generated a little bit of tension” and not through “a truly synergistic process”. The CBD, according to the same interviewee, has not always been “a good listener to other voices”.

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 and 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. An impression prevails that the BLG is the CBD’s instrument and that the BLG forum is not a meeting of equals (Interviewees TS1 and TS3). The secretariats of the non-CBD conventions “feel that quite often they are just being asked to participate in something that the CBD has already pre-cooked” (Interviewee TS1). The preparation of the new *modus operandi* of the BLG, adopted at the second retreat of the group (Geneva, 4 September 2011), exemplifies this. As recounted by a CBD Secretariat official, 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. Eventually, the *modus operandi* agreed at the meeting was very close to the draft that was initially circulated. 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’”.

*Individual entrepreneurship* affects regime inter-connections. 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 will allow CITES’ Parties to access GEF funding (Interviewee NG5). Individuals in international bureaucracies can be influential actors in international governance (see Biermann and Siebenhüner 2009), proving capable of affecting institutional interplay. Jinnah (2010), for instance, observed that the charismatic leadership of Ahmed Djoghlaif, former CBD’s Executive Secretary, was critical 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.

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 observed that the effectiveness of the BLG is undermined by the lack of involvement of member states of the conventions (Jóhannsdóttir et al. 2010).

#### 4.3 Cognitive aspects: diffusion and ownership

Global targets are popular instruments for mobilising international and national action (see White and Black 2004; Jolly 2003). The CBD’s 2010 Biodiversity Target had a wide *diffusion* in the biodiversity cluster, fostering increased inter-treaty co-operation (Interviewees IG2 and IG4). However, real *ownership* of the Target did not seem to occur (see CBD Doc BLG-5/2). The Target was the result of a CBD’s process intended to advance implementation of the Convention (see CBD Doc UNEP/CBD/COP/6/5; CBD Doc UNEP/CBD/MSP/2; CBD Doc UNEP/CBD/WS-StratPlan/5), and this necessarily set limits to its appropriation in other international venues.

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, as reported by one interviewee, 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. Nevertheless, the 2010 Target did not affect the way in which the convention was implemented. Ongoing 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.

## 5 Advancing EPI through interplay management: lessons from the biodiversity case

Interplay management can help achieve EPI among international institutions (Oberthür 2009). Oberthür and Stokke (2011) point at certain conditions that favour interplay management and EPI in international governance: norm compatibility, political saliency and shared knowledge and understanding. These were depicted here as the institutional, political and cognitive conditions for effective international EPI. Factors shaping interplay management at these three levels were identified and illustrated by reference to experiences in the biodiversity cluster, where unexplored and underexploited synergy opportunities reveal that interplay management has not been fully successful. The main results of the analysis are discussed below.

At an institutional level, the biodiversity-related conventions have formed a network with the CBD at the centre where policy alignment is gradually emerging: the 1970s agreements traditionally associated with conservation agendas (see McGraw 2002) have become more receptive to sustainable development principles that lie at the core of the CBD's mission (Jardin 2010). Nevertheless, the specialist regimes of the biodiversity cluster have found it hard to relate their technical work to the broader principles and policies of the CBD. As others have noticed, current institutional frameworks fail to provide strategic direction or otherwise lack a common sense of purpose (see Caddell 2011; Jóhannsdóttir et al. 2010), with UNEP having a discrete (and sometimes intrusive) co-ordination role (see Andresen and Rosendal 2009). The authoritative role of the CBD as core institution of the cluster is undermined by the reluctance of one major player, the USA, to become part of the convention. The USA has been more sympathetic to CITES (Snape III 2010), a treaty which has not fully internalised sustainability principles (see Velázquez Gomar and Stringer 2011) and which occupies itself a central position among wildlife conservation treaties (Lanchbery 2006). Where normative affinities have been established, issues of institutional capacity have prevented greater complementarity.

In terms of politics, synergies among biodiversity-related conventions have lacked sufficient saliency for state actors to become involved. Co-operation tasks have been delegated to treaty secretariats with differentiated capabilities. The result has been an unequal distribution of EPI costs. As has been noticed elsewhere, the bureaucratisation of EPI processes does not necessarily make the creation of synergies a more technical task (see Adelle and Jordan 2014). Synergies usually have eufunctional and dysfunctional effects (Corning 1998). Co-operation in the biodiversity cluster has arguably allowed the CBD to activate additional means of implementation through the specialist conventions (see Gehring and Oberthür 2006). In contrast, the objectives of the specialist regimes have not made significant inroads into the CBD's policies. These asymmetrical linkages (see Young 2002) constrain opportunities for EPI, understood as an exercise of balancing and respecting different environmental objectives (Oberthür 2009). Individual secretariat officials can exert positive influence on inter-treaty relationships (see Sect. 4.2), but as they themselves recognise, political leadership is needed to bring about real change.

Cognitive interaction is recognised as a key mechanism for enhancing EPI (see Nilsson et al. 2009; Oberthür 2009). Knowledge building usually rests with the assessment bodies of interacting institutions and is not generally the result of cross-institutional negotiation (see Oberthür and Stokke 2011). Such unilateral approaches, however, may not always lead to EPI. The CBD's 2010 Biodiversity Target attempted to raise awareness and synergy within the international community to address the biodiversity crisis, but it resulted from a political process aimed at improving CBD's implementation. The Target was thus not

entirely appropriated by the constituencies of the other conventions of the biodiversity cluster.

Some have looked at the clustering process in the chemicals and hazardous waste sector as a possible model for improving synergies among biodiversity-related conventions (see Wehrli 2012; Jóhannsdóttir et al. 2010). However, the institutional and organisational conditions that have favoured deep integration in the chemicals and hazardous waste cluster can hardly be replicated (see Thomas 2010) and are certainly not present in the biodiversity cluster.

The biodiversity-related conventions are taking a more decentralised approach to advance EPI. The conventions now recognise a common political framework in the Strategic Plan for Biodiversity 2011–2020 (Velázquez Gomar et al. 2014) and are joining forces to support national-level synergies (see Caddell 2011). These developments are positive for two reasons. On the one hand, a national focus will level the playing field between the conventions because the CBD, as a framework convention, has fewer instruments to influence on-the-ground action than the other specialist regimes. This should enable a more democratic CBD-ification process. On the other hand, the new approach will encourage countries to take ownership of synergy-related activities and bolster political support for more coherent biodiversity governance. Creating synergies from the bottom to up may not solve the fragmentation of the biodiversity cluster, but will tackle some of the key political and cognitive challenges that are hindering greater synergy between its constituent conventions.

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