Does bureaucracy really matter?

The authority of intergovernmental treaty secretariats

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Abstract

Embedded in a larger qualitative research framework on organizational effectiveness, this paper explores the role of small treaty secretariats—conceptualised as a distinct type of intergovernmental organizations—in international politics. Although the relevance of bureaucratic actors in international negotiations and regime implementation has been acknowledged by a number of scholars, IR research still lacks theoretical distinction and empirical scrutiny in understanding just when and how intergovernmental organizations affect the behaviour of other actors—both public and private—in the international arena. Theoretically and methodologically, the paper employs organizational theories and sociological institutionalism for qualitative case study research. Empirically, the research traces variances at the outcome level of two environmental treaty secretariats, the secretariat to the Vienna Convention and the Montreal Protocol (“Ozone Secretariat”) and the secretariat to the UN Convention to Combat Desertification (“Desertification Secretariat”). While the organizational design of both secretariats is similar, their institutional histories and outcomes differ markedly. Notably, the Ozone Secretariat is part of what is considered a swiftly implemented and largely effective environmental regime, whereas the Desertification Secretariat has only recently been set-up to complement a regime that took almost two decades from its agenda setting stage to the ratification of a substantive international convention. Looking for possible explanations for different outcomes this paper focuses on the activities of both secretariats and how they relate to the authority these secretariats enjoy vis-à-vis the parties they serve.
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1 Introduction

As of now, scholars from virtually all relevant disciplines remain unable to specify how intergovernmental organizations affect the outcomes of world politics. At the same time politicians and practitioners debate organizational reform in the international arena over and over again. Reliable answers on how intergovernmental organizations may contribute to or hinder the world's governing capacity are not available. Thus, a substantive and systematic research effort that analyses the activities of existing international organizations is a requirement for scholars to deliver.

This paper focuses on intergovernmental treaty secretariats as a distinct type of international organizations and seeks to explore the specific contribution these organizations can make in shaping international environmental politics. It thus conceptualises secretariats as political actors that can and should be analysed in the International Relations subfield of International Organization. In doing so, I will draw on the small expert literature that has explicitly addressed international environmental secretariats so far as well as on preliminary empirical findings from an ongoing research programme that aims to assess the effectiveness of intergovernmental organizations, i.e. the ‘Managers of Global Change (MANUS)’ research programme of the Global Governance Project (glogov.org).

Naturally, the outcomes of international politics are first and foremost determined by factors other than treaty secretariats and the intergovernmental civil servants employed by these secretariats. Indeed, the potential influence of secretariats on the overall effectiveness of a given international environmental regime is limited as it is subject to a great number of factors that are beyond its grasp. It is for this reason precisely that the larger part of the institutionalist literature in International Relations does not conceive of intergovernmental secretariats as actors in their own right and only rarely attributes attention to the roles they play apart from facilitating government interaction and providing fora for negotiations among nations. I argue in this paper that not only is the influence of secretariats, albeit limited, noteworthy for scholars of international studies but essential to gain a better, more comprehensive understanding of intergovernmental political processes. As can be shown in the field of international environmental politics the influence exerted by treaty secretariats differs. Again, much of this variance will need to be attributed to factors outside of these organizations. However, thorough empirical analysis of international environmental politics should help to reveal how variation in the attitudes and behaviour of the secretariats as intergovernmental bureaucratic actors can also make a difference to the ways an international environmental agreement is furthered or implemented. In this respect, this paper will elaborate on some theoretical assumptions regarding the authority that intergovernmental treaty secretariats have as bureaucratic actors in international environmental politics. Furthermore, it aims to illustrate how empirical findings can be

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1 The MANUS study is conducted as an interdisciplinary joint research programme of the Freie Universität Berlin, the Vrije Universiteit Amsterdam, the Potsdam Institute for Climate Impact Research and Carl-von-Ossietzky Universität Oldenburg. The author of this paper is research group coordinator of the MANUS programme and affiliated to the Environmental Policy Research Centre of the Otto-Suhr-Institute for Political Science at Freie Universität Berlin. Research funding through Volkswagen Foundation and a travel grant of the International Studies Association are gratefully acknowledged. For a broader outline of the MANUS research programme see last year’s ISA contribution of Frank Biermann and Steffen Bauer (2003).
employed to assess whether these assumptions are plausible and ultimately, whether bureaucracy really matters in international environmental politics.

**Scope and set-up of the paper**

Drawing on the examples of the secretariat to the Vienna Convention and the Montreal Protocol (the “Ozone Secretariat”) and the secretariat to the United Nations Convention to Combat Desertification (the “Desertification Secretariat”) I will investigate what constitutes the authority these secretariats have within the wider regimes they are part of and whether the authority of both organizations differs. The condensed characterisation of only two secretariats will of course not allow for tangible generalisations regarding the authority of treaty secretariats. Nonetheless, at the end of this paper, I will attempt to hypothesise about potential causal relations of bureaucratic authority and the effects of intergovernmental secretariats in international relations.

At first, however, I will offer a brief background discussion on the treatment of intergovernmental organizations in International Relations theories and why they can and should be analysed as actors rather than as a static structures of the world polity. Following this, I will offer a more specific conceptualisation of intergovernmental treaty secretariats as bureaucratic actors in world politics and discuss theoretically why they are bearers of authority. With regard to the latter I will draw in particular the conceptualisation of the “power and pathologies” of international organizations as provided by Michael Barnett and Martha Finnemore (1999). While the very concept of authority will need to be briefly discussed, too, I will not go into the details of the sophisticated political philosophy debates that are attached to it. Rather, in the second part of the paper, I will trace what generates the specific authority of the Ozone Secretariat and the Desertification Secretariat respectively. Drawing on secondary literature and own empirical case study research I will show that both secretariats do bear authority, but also that there are differences to the authority (and the use thereof) with respect to either secretariat. Finally, I will analyse where these differences generate from and contemplate how these differences may relate to the overall effectiveness of intergovernmental treaty secretariats with regard to treaty implementation and how, from this vantage, plausible hypotheses may be generated for further research.
2 Intergovernmental treaty secretariats as international organizations

2.1. International organizations in theoretical perspective: a brief review

Although scholars of international relations increasingly come to agree that there is more to world politics than ‘politics among nations’ one must not be oblivious to the fact that it is first and foremost the lack of political willingness among national governments that the main responsibility for the global challenges humankind faces can be attributed to. This rather trivial statement implies neither caving to the realist notion of total anarchy in the absence of a world government nor does it mimic the achievements of international and indeed transnational cooperation that can be witnessed as well as analysed by means of the social sciences. If we agree that multiple actors matter, the question however remains, which actors are doing what and to which effects in world politics. One group of actors that has remained largely out of the analytical focus of the social sciences, including International Relations, is the group of intergovernmental organizations.4

Broadly speaking there are two major groups of scholars in international studies, both of which take intergovernmental organizations as a given in world politics and subsequently neither group is having a closer look at what intergovernmental organizations do. One growing group of inspired researchers ambitiously reaches beyond the traditional focus of international relations by means of integrating the role of non-state actors and public-private as well as private-private actor networks into their research agenda. Another—more traditional, still very large and by no means uninspired—group of scholars keeps their eyes on states and their governments as the paramount actors of international politics. Consequently, this latter group views international institutions as instruments that may help to facilitate state interaction and greets the notion of an active role for non-state phenomena with a good portion of scepticism. While I’m not saying that either group is wrong I view the wide-spread neglect of intergovernmental organizations as a major flaw in the academic discourse. I am of course not the first to point to this and there are at least some scholars who also address this theoretical gap in their current research.5 Alas, before elaborating further what this paper aims to contribute in this respect, let us have a very condensed look at what is the conventional wisdom on intergovernmental organizations as far as the two schools of thought are concerned that have most dominantly shaped International Relations theories over the past decades, namely neorealism and liberal institutionalism.

Quite clearly, neorealists disapprove of the very idea that intergovernmental organizations may do anything meaningful that is not explicitly asked for, indeed demanded, by their member state masters—nevermind acting on their own behalf. To the neorealist mindset, intergovernmental regimes and organizations are epiphenomena of the interaction amongst sovereign national governments. If these would not function as instruments in the

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4 This is not to say that scholars have not looked at intergovernmental organizations at all. However, most of the literature explicitly dealing with intergovernmental organizations are descriptive studies that are generally based on the (more or less biographic) accounts of practitioners, diplomatic history and international institutional law.

5 Indeed, this particular deficit in IR research has been criticised time and again (see among others Rochester 1986; De Senarclens 1993; Malik 1995; Pease 2000).
hands of their member states they would be dismembered or rather they would not have emerged in the first place. Hence, intergovernmental institutions are perceived as structures in the political world system and, like other externalities, can be treated as givens while analysing the political processes among nations.

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

The neglect of intergovernmental organizations in the environmental policy debate is problematic for at least two reasons. First, the limited understanding of intergovernmental organizations and their effects on international environmental politics is likely to mislead conclusions about the state of international environmental governance, resulting in an anachronistic emphasis on sovereign states that encompasses a perception of international institutions as mere instrumental structures established by these sovereign states. Consequently, little to no attention is being paid to the role of other actors such as intergovernmental organizations. Second, taking into account the effects international organizations do or do not have in international environmental politics will contribute to ongoing policy debates about the very structure of international environmental governance. Not least has the ‘effectiveness’ of the UN and its specialised agencies in the field of environment and development been subject of intense debate in public policy circles, albeit with limited academic response. In particular, it can be assumed that the very debate about the pros and cons of upgrading the United Nations Environment Programme to a specialised agency or a ‘world environment organization’ could benefit greatly from a more solid grounding in academia.6

In the current debates in the International Relations discipline and its International Organization subfield—and despite the revived consideration of concepts such as hegemony and super-power unilateralism—neorealist approaches to international cooperation appear to serve more or less as a theoretical point of reference against which non-realist arguments can be distinguished.7 Nonetheless, as far as the analytical treatment of intergovernmental organizations is concerned neoliberal institutionalism and neorealism share the same fundamental flaw. Michael Barnett and Martha Finnemore have convincingly pointed out that both approaches fail to address intergovernmental organizations as actors because ontologically, they are theories about states (1999: 706). Fuelled by the ‘constructivist turn’ in International Relations scholarship a number of authors have begun to challenge this state-

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6 For a comprehensive survey of this particularly dynamic reform debate see Biermann and Bauer (2004).
7 I for one do not personally know of an academic colleague who would label him- or herself a neorealist.
centred ontology and developed an institutionalist branch that draws heavily on sociologist approaches to organizational analysis—notably the works of Powell and DiMaggio (1991) as well as March and Olsen (1989)—and has been branded as ‘sociological institutionalism’.

In order to overcome the ontological flaw of liberal institutionalism scholars of sociological institutionalism aim to look beyond the “limits of rationality” (March and Olsen 1996: 251) that have so far constrained utilitarian approaches to institutional analysis by means of integrating “the frames of meaning guiding human interaction”—namely symbol systems, cognitive scripts, and moral templates—within an expanded framework of institutional characteristics that is traditionally confined to norms, rules and procedures (Hall and Taylor 1996: 947). Moreover, the emergence of a distinct sociological institutionalist approach greatly benefited from the cognitivist branch of regime analysis, which enriched the discipline by considering knowledge and ideas as drivers of international cooperation. As a result, cognitive variables now compete with the long-standing explanatory variables of rationalist scholars, namely power and interests.8

Proponents of global governance approaches, too, have questioned the appropriateness of maintaining a state-centric ontology and make a strong case to accept a multiplicity of actors as one characteristic empirical manifestation of the globalisation phenomenon.9 However, in their effort to integrate actors such as multinational corporations and civil society organizations into their analytical frameworks they, too, fail to pay closer attention to intergovernmental actors, although this is probably an unintentional side-effect of their occupation with private actors.

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

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

2.2. Intergovernmental treaty secretariats: public non-state actors in international environmental politics

Intergovernmental treaty secretariats can be understood as one specific type of international organizations. Steinar Andresen and Jon Birger Skjaerseth (1999: 2) have usefully defined such secretariats as “international organization[s] established by the relevant parties to assist them in fulfilling the goals of the treaty” and emphasised that they “can be conceived of as actors within broader institutional structures or networks” (ibid.). For the

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8 For a comprehensive survey on power-based, interest-based and knowledge-based approaches to regime analysis see the volume by Andreas Hasenclever and colleagues (Hasenclever, Mayer, and Rittberger 1997).

9 See for instance the particularly insightful conceptual paper by Dingwerth and Pattberg (2003).
purpose of this paper I wish to be a bit more specific. I thus conceptualise intergovernmental treaty secretariats as intergovernmental bureaucracies that are best understood as public non-state actors. To be precise, bureaucratic organizations that administer intergovernmental treaties on behalf of the signatory parties to a specific treaty do represent the shared interests of these parties, which are, of course, state governments. The function of representing governments makes the bureaucracies public actors. At the same time they are non-state actors—a term that is commonly attributed to private actors—in so far as they simply are not states. In short, it is not mutually exclusive for a political entity to be public and non-state.10

2.2.1. Bureaucratic personality and the authority of public non-state actors

Having said this, which features qualify these particular intergovernmental bureaucracies as actors in world politics? In a sense, it is the host of intergovernmental civil servants, employed by a secretariat that turns it into an actor. In political practice this actor is focused in one or few top executives, like the Secretary-General Kofi Annan who represents the actor that is the United Nations Secretariat. Generally speaking, intergovernmental civil servants are the people that act on behalf of the secretariat and thus constitute what I would like to call an organization’s ‘bureaucratic personality’—as opposed to the legal personality which commonly generates from a document of international law such as an international environmental treaty. Indeed, it can be assumed that intergovernmental civil servants first and foremost serve the purpose of their organization and not so much the partial interest of the signatory they are affiliated with by nationality. This assumption is backed by own observations from within three UN agencies—the two secretariats discussed in this paper plus the UNEP secretariat—and a broader empirical study which covers for five treaty secretariats and confirms that “professional and personal commitment to the values espoused by the treaty objectives were significant factors in job satisfaction and staff retention, uncertain employment conditions notwithstanding” (Sandford 1994: 25).11 The notion of bureaucratic personality does not question the general consensus that an intergovernmental bureaucracies’ freedom to act is constrained by the control of its state principals, that is national governments. However, just as the administrative apparatus of a national ministry acts vis-à-vis its executive government at the domestic level intergovernmental secretariats may act within the international arena.

The question remains what makes these intergovernmental bureaucratic personalities meaningful actors in terms of political influence within their respective regime. I follow the proposition that bureaucratic authority is the disposition which determines whether environmental treaty secretariats should be conceived of as actors of international environmental politics. Other than states and governments intergovernmental secretariats do

10 See also the wider discussion of the role of non-state actors in global environmental governance by Dingwerth and Pattberg (2003, section 4.1.).

11 This assumption appears to hold even for officers that are deployed to an organizations by their government of origin rather than selected by the organizations itself. For instance the so called Junior Professional Officers within the UN system that are generally paid for by their respective government but work according to the terms of reference that are given to them by the organizations they have been placed at. Such ‘officers on loan’ must not be confused with national delegates or diplomatic representatives which are mandated by their governments to uphold national interests vis-à-vis an international organizations.
neither possess sovereignty or power. However, as constructivism and sociological institutionalism teach us power and sovereignty are not the only dispositions by which political processes are constituted and shaped. But how to conceptualise the authority of public non-state actors vis-à-vis the material ‘hard’ powers of states and governments?

Authority—like power, interest or anarchy—is one of the key concepts of political thought. As for most of such concepts, there are two main ways to approach them: either by scientifically asking for explanations of the emergence of the phenomenon they conceptualise or by trying to grasp the implications of the existence of the phenomenon and its conceptualisation from a normative angle (Raz 1990: 1). This paper will not indulge in sophisticated discussions of the meaning of authority, but seek to employ it as a concept that can help us to understand how intergovernmental secretariats interact with other players in the arena of global governance. Nonetheless, reference needs to be made as to which understanding of authority is applied here. In this respect, the paper is certainly closer to the idea of exploring the causes which generate authority that can be empirically found with intergovernmental secretariats and not so much whether such authority is, after all, legitimate.

In general terms, authority can be understood as a function that enables a subject to effectively implement its will because the objects it addresses deliberately obey to it. As such it is clearly distinct from power which does not require the notion of deliberateness on behalf of the addressees. Power, which is a core disposition of statehood, is evidently not at the disposal of intergovernmental secretariats. Consequently, in the absence of power, the potential for an intergovernmental organization to purposively interfere with international political processes rest solely on its authority. Other than for domestic authorities, such as local governments or universities, it is also not an option for intergovernmental actors to engage a third-party force, e.g. by calling upon the police or the military, to break the power of others.

In a recent attempt to come to terms with ‘private authority’ in the realm of global governance, Claire Cutler and her colleagues have brought a forth a definition that highlights similar aspects of authority. According to them authority “involves a surrendering of individual judgement, an acceptance of its dictates based not on the merits of any particular pronouncement but on a belief in the rightness of the authority itself” (Cutler, Haufler, and Porter 1999: 334). This understanding resonates well with the classic conception of Hannah Arendt on which I have drawn above to approach the concept of authority as such.

To grasp what determines the bureaucratic authority of intergovernmental secretariats—which is by definition not private—and how it generates it is insightful to turn to Max Weber’s classic analysis of bureaucratization as has been convincingly excersised by Barnett.

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12 It may be argued that some of the bigger intergovernmental organizations possess means to exert power, too, e.g. the World Bank can pressure governments of developing countries to implement the policies it wishes them to by withholding loans, but firstly, from the vantage of political philosophy, such power tools are not genuine power (see Arendt 1970: 44-58 for one seminal discussion of the terminology) and secondly the availability of either genuine power or indirect power tools can most certainly be excluded for the case of environmental treaty secretariats.

13 Hannah Arendt (1970: 47, footnote 61) has employed the example of the 1969 Berkeley student rebellion to illustrate this point. In this dramatic showdown the university administration, having lost its authority, found itself confronted by the power of a collective of disobedient students. In order to survive institutionally it ultimately called upon the police to break the students’ power by force.

14 I owe this observation to Philipp Pattberg, see also his ISA paper on the changing nature of authority in environmental governance (Pattberg 2004).
and Finnemore (1999: 707-710; see also Kieser 1999; Weber 1980 [1921]: 541-579). Of course, one needs to be cautious in so far as classic sociological studies of bureaucracy result from observations of the domestic level and it is the very raison d’être for students of International Relations that lessons from national arenas cannot simply be transferred to the inter-national realm. With regard to authority it is crucial to note that at the domestic level, in the ideal-typical relation between a government and a people, people are generally willing to submit to the ‘rational-legal authority’ of the governmental bureaucracy. At the intergovernmental level, however, states are generally reluctant if not principally unwilling to submit to the authority of an intergovernmental secretariat (the very reason why the latter are power-less and without the means to exert force). Nonetheless, most features that determine rational-legal authority at the domestic level also apply to intergovernmental bureaucracies. Environmental treaty secretariats embody the institutional memory of the regime, they possess expert knowledge of various categories, all of which are relevant to regime dynamics—technical and scientific knowledge on the problem, administrative and procedural knowledge, which to significant parts they will generate themselves, as well as normative and diplomatic knowledge which is relevant to deal with the complex web of connections that typifies international regimes—, they control, at least to some extent, the flow of information between regime components, and, not least, they develop their own organizational culture15 which distinguishes them from their organizational outside. Moreover, skilful and charismatic leadership—another concept that goes back to the sociology of Max Weber—may effectively boost a bureaucracy’s authority, but it also politicises it and hints to where the concept of bureaucratic authority goes beyond a mere technocratic understanding of a narrowly Weberian ‘rational-legal authority’.16 All these elements contribute to the generation of bureaucratic authority and some of them will be illustrated in the empirical section below. In sum, the acquisition of authority “invites and at times requires bureaucracies to shape policy, not just implement it” (Barnett and Finnemore 1999: 708), ultimately, it turns bureaucratic personalities into public non-state actors.

Some authors go as far as to consider the control of knowledge and expertise that is exerted by international organizations as a manifestation of power. Prominently, this has been the case in Ernst B. Haas’ (1990) study of organizational change wherein he debated the conditions under which knowledge that is at the disposal of intergovernmental organizations turns into power. Also, Barnett and Finnemore, if more cautiously, refer to international organizations as ‘powerful bureaucracies’. However, authority not only represents a different concept than power, but its empirical manifestation is also more delicate. Thus, both categories should be kept distinct, at least analytically. The delicateness of the authority we find vested in intergovernmental organizations is closely related to their attitudes and behaviour as non-state actors. The degree of authority at the disposition of a bureaucratic

15 The concept of organizational culture, which has emerged as a distinct field of study in its own right cannot be discussed in the confines of this paper. For an illustrative study on the relevance of organizational culture with regard to the performance of international organizations see the particularly insightful study of the World Bank by Leiteritz and Weaver (2002).

16 Again, I will not go into detail here as to what determines skilful and charismatic leadership of an international organization. One example from my empirical research at the United Nations Environment Programme may serve as a point in case. Asked for explanations why UNEP has in recent years regained trust and confidence amongst member states and subsequently increased its authority as a player in international environmental governance a striking number of officials pointed to the change in leadership and the way UNEP is and was represented in the international arena by its respective Executive Directors Klaus Töpfer (since 1998) and Elizabeth Dowdeswell (1993-1998). Different styles of leadership will also be referred to in the empirical section of the paper.
personality depends not only on its activities but also on the ways and manners in which these activities are conducted. I will return to this aspect in the following conceptualisation of intergovernmental treaty secretariats.

In the empirical part of this paper I will employ some empirical evidence from the cases of the Ozone Secretariat and the Desertification Secretariat to trace the sources from which these particular bureaucracies generate their authority and how they apply it as bureaucratic actors within the respective regimes.

**A word on bureaucracy and ‘red tape’**

The discussion of bureaucratic personality and authority as it has been discusses here deliberately neglects one peculiar aspect of bureaucratic administration which coincides with prominent colloquial wisdom on bureaucraticism that is often referred to as ‘red tape’. Leaving this aspect aside is supposed to reduce the complexity of the argument in this paper. Suffice to say here, that it can be plausibly assumed that heavy red tape and subsequent inefficiencies in secretariat performance are not a source of bureaucratic authority and will much rather discredit a secretariat in the perception of governments.

Naturally, the factors that connote the bureaucratic manoeuvrability of an intergovernmental administration will vary according to its size. It is more or less trivial to assume that an administration will be the more clumsy the more employees it has, the more levels of hierarchy it requires to manage itself and so on. However, as far as internal administrative processes in small environmental treaty secretariats are concerned variation is negligible. In particular with regard to those organizations that operate within the overall bureaucratic system of the United Nations. This is the case with the vast majority of environmental treaty secretariats and applies two both empirical cases addressed in the following sections of this paper.

### 2.2.2. Treaty secretariats in the International Relations literature

Intergovernmental treaty secretariats have received some attention within the distinct branch of the institutionalist research that seeks to explain the effectiveness of international environmental regimes. For instance, to Jorgen Wettestad, treaty secretariats are one of six key factors which help to explain the effectiveness of such regimes (Wettestad 2001), and Konrad von Moltke and Oran Young have emphasised that secretariat effectiveness is a necessary condition for the effectiveness of the regime it is part of. In more general terms, although secretariats are occasionally addressed in the International Relations literature, it does not really tell us a great deal about the roles secretariats play in world politics.

Again, while the proliferation of intergovernmental treaties that aim to ameliorate transboundary and global environmental problems has been immense over the last decades, few scholars have so far explicitly addressed the role of the secretariats that are generally set

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17 This does not imply that red tape would not matter in the world of intergovernmental treaty secretariats. In fact the issue has—under the somewhat euphemistic heading of bureaucratic manoeuvrability—extensively been addressed in my research interviews at both secretariats.

18 See also the contribution of Ngaire Woods (1999) who discusses how administrative procedures relate to ‘good governance’ on behalf of international organizations.

19 According to an estimate of Andresen and Skjaerseth this applies to more than two thirds of environmental treaties (1999: 14).

20 This statement relates to a workshop paper that is referred to by Andresen and Skjaerseth (1999: 3).
up to administer them. This is all the more striking as these secretariats have not only grown in number, but also in diversity of their functions and features. Filling a notable gap in the literature Rosemary Sandford has traced a three step evolution of environmental treaty secretariats from the organizational embodiments of the early treaties that had been spawned by the United Nations Conference on the Human Environment in 1972 via those secretariats that were typically helped into being by the United Nations Environment Programme during the 1980s to the distinct bureaucracies attached to the so-called ‘Rio Conventions’ which came into being in the aftermath of the 1992 United Nations Conference on Environment and Development (Sandford 1994: 19).

Active and not so active secretariats

Those who do address the performance of secretariats and look for variation in secretarial performance commonly rely on an analytical distinction between passive and active secretariats (Sandford 1994; 1992; Andresen and Skjaerseth 1999). The general assumption behind this distinction—which, according to Sandford, relates to an early study of Oran Young—is that activist secretariats significantly influence both treaty making and implementation whereas ‘minimalist’ passive secretariats take a back seat on the processes that determine a regime’s dynamics (Sandford 1992: 27; see also Young 1967). While this distinction is useful in an ideal-typical sense, I would argue, however, that there is no such thing as a passive secretariat. Clearly, some secretariats are more active than others, but even those secretariats who would describe themselves as passive are not that passive that they would not interfere with the political processes relevant to the treaty they serve. In fact, as we shall see from the case of the Ozone Secretariat, a secretariat that is eager to characterise itself as a passive instrument to its parties may well be quite active behind the scenes. But just because secretariat activity often occurs behind the scenes, indeed in the corridors and hotel bars of conference venues, does not mean they are obsolete to regime dynamics. Thus, it is preferable to talk of cautious rather than passive secretariats, like Andresen and Skjaerseth have done in their analysis of the International Whaling Commission (1999: 12). For secretariats who wish to make a difference in the ways ‘their’ treaty is being implemented, and I follow the proposition that most of them do, such cautiousness often is an appropriate prerequisite to being active as it is directly linked to the authority they will enjoy vis-à-vis governments and other actors. Essentially, cautiousness and sophistication—staple skills of successful diplomats—reflect the “delicate balance” (ibid.: 7) between the activism that is necessary to make a difference and the risk to be perceived as questioning or even challenging specific interests of individual parties to the treaty.

This is where the concept of bureaucratic authority relates to the question of secretariat activity. The authority of a public non-state actor is dependent on how it is perceived by its state principals. This perception of course largely depends on the ways in which the organizational agents act. Barnett and Finnemore have pointed to the irony that authoritative

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21 Virtually all multilateral environmental agreements do provide for a permanent secretariat. Sometimes the Antarctic Treaty, that does not have a distinct secretariat of its own, is mentioned as a would-be control case. However, as Andresen and Skjaerseth (1999: 14, footnote 10) have pointed out, the Treaty provides for a number of ‘sub-regimes’ each of which are equipped with a secretariat.

22 Theoretically as well as practically the authority of a treaty secretariat will not relate to states alone, but also to private actors and other intergovernmental actors, such as cooperating UN agencies. However, in this paper I mainly focus on the secretariats’ authority vis-à-vis parties to the treaty.
international organizations can typically be characterised by a depoliticised appearance (1999: 708). As bureaucratic authority is a delicate good, even minor misdemeanours of an intergovernmental treaty secretariat—or what is perceived as such by its parties—can seriously reduce the secretariat’s authority and ultimately result in the total loss of authority. Where this is the case the secretariat at the same time decreases or loses its potential to actively interfere with the political processes around it. With regard to regime effectiveness, it is conceivable that the implementation of a treaty can still be reasonably effective if the treaty secretariat bears little or no authority. From the perspective of the secretariat however, its potential to pursue its own objectives with regard to treaty implementation and beyond crucially depends on its degree of authority.

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

3 Fixing a hole?—The role of the Ozone Secretariat in implementing the Montreal Protocol

3.1. The Evolution of the Secretariat and its Mandate

The international regime for the protection of the stratospheric ozone layer is built on a multilateral environmental agreement that is archetypical for international environmental politics of the 1980s. As it is generally considered the success story in international environmental negotiations the literature on the emergence, implementation and effectiveness of the international regime that has been established to protect the stratospheric ozone layer is abundant. I will not list, much less review it in this paper. Suffice to say, that few scholars have systematically looked at the role of the intergovernmental organization that administers the Vienna Convention and the Montreal Protocol, i.e. the Ozone Secretariat in Nairobi. Exceptions include a brief section in a recent assessment of the effectiveness of the Montreal Protocol by Jorgen Wettestad (2002) and some references in the book by Penelope Canan and Nancy Reichman (2002) who approach the ozone success story from a sociologist perspective and address the secretariat as one component of a complex network of “ozone connections”. Also, the Ozone Secretariat is included as one of five cases in Rosemary Sandford’s study of environmental treaty secretariats (Sandford 1994). Naturally, the United Nations’ inside account of ozone layer protection is eager to claim credits for its own agencies, including the Ozone Secretariat, in making ozone history a success story (Andersen and Sarma 2002).

In opposition to many other environmental problems, and despite evident variation in terms of vulnerability, ozone depletion is a genuine global commons problem that leaves everyone worse off. No country or region could reasonably gain benefits from an increase in harmful ultraviolet radiation, thus rendering concepts of ‘winners’ and ‘losers’ largely irrelevant (Wettestad 2002: 156).
This insight, of course, does not necessarily equal consensus and swift cooperation in international politics. Leaving initial uncertainty with regard to the scope and complexity of the environmental threat aside, two major factors were responsible for the contentiousness of the ozone issue in the arena of international politics: the economic importance of CFCs and other ozone depleting substances for powerful chemical industries and national economies in Europe and Northern America and, yet again, a gross imbalance of cause-and-effect matters along the North-South divide. While the former has been largely ameliorated during the process of regime formation as it boiled down to manageable questions of economic competitiveness, the latter remains to be a bone of contention and infringes upon the overall success of the regime to protect the ozone layer. Indeed, it appears as the main obstacle to ensuring “smooth sailing with regard to complete problem solving” (Wettestad 2002: 167) of an otherwise exceptionally effective regime. This problem is further intensified by the fact that the so-called ‘countries in transition’ in Middle and Eastern Europe bear a closer resemblance to developing countries than to industrialised countries with respect to their capacities to complying with the Montreal protocol.23

These flaws notwithstanding the ozone regime remains a remarkable success both in terms of constructive international negotiation and meaningful, indeed effective, problem solving with respect to a global environmental problem. Literature explaining the process of successful creation and implementation of the ozone regime is abundant and so are the scientific assessments of its ecological impact. Major explanations for the success story that the effective international regulation of anti-ozone pollution amounts to have—to various extent—emphasised the influence of a specific epistemic community (see for instance Haas 1992), strong business interests in combination with the comparatively easy availability of technical solutions, in particular economically attractive substitutes for ozone depleting substances, the genuine concern amongst decision-makers in powerful industrial countries24, and, not least, the personal authority of committed individuals, most notably Mostafa K. Tolba, the charismatic Executive Director of the UN Environment Programme during the heyday of ozone negotiations. The role of the Ozone Secretariat which, since 1987, administers the regime’s implementation from within UNEP’s headquarters has received little attention to date.

Both the Vienna Convention and the Montreal Protocol explicitly provide for a secretariat to administer the regime’s implementation, i.e. “to organize future meetings, prepare and transmit reports, and perform functions assigned to it by any future protocols” (Downie 1995: 179). As is evident from the description above, the so-called Ozone Secretariat is but one component of the overall ozone regime that has developed since the mid-1970s and also comprises, among other components, the Vienna Convention, the Montreal Protocol plus its London, Copenhagen, Bangkok and Vienna amendments, an Open Ended Working Group of the Parties, a variety of expert panels and the Multilateral Fund for the Implementation of the Montreal Protocol.

23 This particular problem has been salomonically addressed by making these countries’ efforts to phase out ozone depleting substances eligible for funding through the Global Environment Facility. The Multilateral Fund thus remains a preserve of developing countries.

24 The adverse health effects, notably increasing risk of skin cancer and eye cataracts, caused by increased ultraviolet radiation as a direct consequence of ozone layer depletion received a great deal of public attention in the industrialised world and required politicians to react.
It was established in the Vienna Convention that the secretariat be hosted by UNEP, but constitutes a distinct entity answerable to the Conference of Parties of the ozone regime. In practice, however, the Ozone Secretariat is often perceived as a unit of the Environment Programme and the formal legal relationship between the two is somewhat obscure. As a matter of facts, the Ozone Secretariat is permanently housed within UNEP's headquarters in Nairobi and it relies upon UNEP for conference services and administrative assistance (Downie 1995: 179). The secretariat formally reports to the UN General Assembly through UNEP and communication with parties or publications or the Ozone Secretariat formally come under the UNEP label. Indeed, UNEP officials appear keen to emphasise that the Ozone Secretariat is administered by the programme’s Environment Secretariat and that its own Coordinating Committee on the Ozone Layer, established in 1977 in accordance with the World Plan of Action on the Ozone Layer, effectively constituted the secretariat’s institutional predecessor. As this institutional conundrum notwithstanding the Ozone Secretariat emerged as distinct enough an entity to be represented by its own Executive Secretary and it can be treated as an intergovernmental treaty secretariat in its own right analytically.

As of 2003 the small secretariat consists of the Executive Secretary, the position being held by Marco Gonzalez since 1998, and his deputy Michael Graber plus four to six more professional officers and a total of eight support staff. The budget of the secretariat amounts to USD 1.3 million (1999) with respect to administering the Vienna Convention and an additional annual average of USD 3 million to cover for its activities related to the Montreal Protocol. With these resources, which must not be confused with yet another USD 9 million Multilateral Fund that is separately administered in Montreal, the Ozone Secretariat administers formal conferences and meetings of the parties as well as informal consultative meetings, provides drafts for treaties and amendments respectively, convenes review panels and, crucially, coordinates reporting and compliance issues.

Ever so small, the Ozone Secretariat has contributed to the overall performance of the regime and, it has been mused, “perhaps more so than envisioned in the regime-creation phase” (Wettestad 2002: 162; see also Andersen and Sarma 2002). In the following, I will trace where, how and to what effect the Ozone Secretariat has yielded a meaningful influence with regard to the outcomes of the overall ozone regime. This endeavour is of course complicated by the particularly complex composition of the ozone regime—its myriad treaties, institutional arrangements and actors involved therein—and notably its peculiar working relationship with UNEP’s Environment Secretariat.

3.2. Activities and Authority of the Ozone Secretariat

The evidence aggregated in the following paragraphs has been mainly generated from official documents of the secretariat and, crucially, personal interviews and communications.

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25 Jorgen Wettestad (2002: 161) points to anecdotal evidence wherafter the establishment of the Ozone Secretariat was a negotiated compromise between those who would have favoured the Vienna Convention’s administration vested to the World Metereological Organizations, mostly constituted by genuine scientists, and those who intended to entitle UNEP to the job, an organizations shaped by rather ‘typical’ UN diplomats and administrators.

26 The Ozone Secretariat used to consist of six officers altogether. Only recently have two additional professional officers been approved by the Meeting of the Parties. The secretariat appreciates this decision as an overdue step that acknowledges the continuously increasing workload which the secretariat faces due to different reporting schemes for the consecutive amendments to the Montreal Protocol (personal communication at the Ozone Secretariat).

27 For details on the role of the Multilateral Fund see Biermann (1997).
The Authority of Intergovernmental Environmental Treaty Secretariats

with virtually all professional staff of the secretariat conducted in Nairobi in between September and October 2003. However, it has to be noted that as yet the assessment and evaluation of data is incomplete and tentative and robust conclusions will require more thorough and systematic analysis of interviews, questionnaires and documents.28

A crucial explanatory factor regarding the authority which the Ozone Secretariat has acquired over time is linked to the successful realizations of one of its core functions. The network it has built as the hub of the overall ozone regime is highly efficient and the secretariat takes credit for smooth cooperation with parties around the globe through a network of 110 National Ozone Units that have been created following the ratification of the Montreal Protocol. This network provides for highly efficient communication flows between national authorities responsible for the on-the-ground implementation of the Montreal Protocol and the organizational switchboard that is the Ozone Secretariat.

National bureaucrats responsible for the implementation of the Montreal Protocol who find themselves faced with the ever more complex requirements of the Protocol and its various amendments commonly seek advice from the secretariat and are very appreciative of the respective services provided by the ‘ozone officers’ in Nairobi.29 Naturally, this is particularly important for administrators from developing country parties, who’s domestic capacities to handle implementation requirements, including reporting, are rather low. In its role as the ultimate institutional memory of the regime and as the main provider of general information and individual advice in technical as well as in procedural terms, the officers of the Ozone Secretariat have a direct influence on how compliance issues are handled at the domestic level. While the officers unanimously emphasised their role as service providers who’s advice always and exclusively serves the letters of the treaty as agreed by the parties, this does not make their advice less meaningful. Indeed, it appears to epitomise rational-legal authority in the traditional sense of Weberian bureaucratism.

As discussed above, the disposition of rational-legal authority alone does not justify the assumption of a further-reaching authority that can be acquired by a bureaucratic personality. In the case of the Ozone Secretariat, however, one finds the rational-legal authority to be enhanced by the achievement of the officers to be credited, even lauded, for their neutrality and professionalism as well as the level of transparency in the secretariat’s activities. According to one source this is the most precious asset of the Secretariat regarding its standing vis-à-vis the parties and all officers are doing their utmost to sustain this level of satisfaction among their ‘clients’. In fact, there is a real sense of pride among officers of the Ozone Secretariat for their harmonic and smooth relations to parties both in the North and the South, which they find underscored by the difficulties that other agencies have in this respect. Also, it has been argued inside the secretariat, it can be interpreted as a reward for the continous neutrality and transparency of the organization that the most recent Meeting of the Parties at the request of the Secretariat approved of an additional two programme officers for the Ozone Secretariat at a time when there is a general tendency to cut back on intergovernmental bureaucratic personnel, in particular in the environmental field.

28 An in-depth case study working paper on the Ozone Secretariat is in preparation and should become available in fall 2004 as a contribution to the MANUS project.
29 For the most comprehensive insight on the specific requirements of the Montreal Protocol including its amendments see the massive handbook that is provided and regularly updated by the Ozone Secretariat (Ozone Secretariat 2003).
A much more sensitive issue with regard to potential influence of the Ozone Secretariat in shaping the ways in which the Montreal Protocol is furthered and implemented is the drafting of reports and, crucially, decisions that are prepared to be adopted by the Meeting of the Parties. Naturally, the Executive Secretary has emphasised that drafts are by definition only that and downplayed the relevance of the secretariat in this respect as only the letters of eventual formal decisions by the Meeting of the Parties matter in international legal terms. However, although being cautious, programme officers have also expressed that by means of their expertise, institutional memory and technical knowledge superior to most party delegates, the relevance of drafting with regard to legally-binding output of the governing bodies must not be underestimated. Quite explicitly it has been argued that by means of the legal and scientific expertise embodied in the secretariat the drafts provided to the parties are commonly seen as authoritative. Further in-depth analysis of empirical data is required to substantiate this point, which is critical in assessing bureaucratic authority. In this respect it should also be insightful to further investigate on the contributions of officers from the Ozone Secretariat in the expert panels that serve as the consultative basis of the ozone regime, notably the Technical and Economic Assessment Panel.30

The most significant manifestation of the Ozone Secretariat’s authority probably needs to be attributed to its top executives and their diplomatic skills. In the ozone case these can be traced back until before the actual emergence of the permanent Ozone Secretariat and to the time when the secretariat function was run by the secretariat of the United Nations Environment Programme. Although scholars naturally differ with regard to the prominence they attach to individual leadership amongst other explanatory variables the appraisal of Mostafa Tolba’s vital contribution in furthering the formation of a substantive ozone regime is strikingly unanimous. Retrospectively screening the literature on the issue, it appears that in the distinct cosmos of ozone negotiators Tolba appears to enjoy an almost Mandela-like status in terms of charismatic leadership, diplomatic skill and personal authority.31 Personal communications with officers of the Ozone Secretariat and national as well as intergovernmental officials who have been involved with ozone politics from early on enthusiastically underscore the point. Likewise, these sources also laud Madhava Sarma for effectively filling Tolba’s impressive footsteps when he became the first Executive Secretary of the permanent Ozone Secretariat in 1987. Like his predecessor, he has been described as a charismatic and skilful diplomat who was respected by industrialised and developing countries alike. In particular he has been credited for breaking negotiation deadlocks through personal interventions at various Meetings of the Parties that were crucial in bringing about ambitious amendments to the Montreal Protocol. As far as the new Executive Secretary Marco Gonzalez is concerned, it is too early to pass a judgement that could do him justice. This said, the upcoming extraordinary Meeting of the Parties on the highly politicised issue of phasing out methyl bromides—the first extraordinary round of negotiations to convene under

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30 Karen Litfin (1994), in her in-depth analysis of ‘ozone discourses’, has already shown how crucial the interface of scientific expertise and intergovernmental cooperation has been in shaping the ozone regime. It would be an interesting if challenging endeavour to trace specifically how knowledge and expertise processed in the Ozone Secretariat relate to this. In this vain, policy papers that, like commissioned studies, are often penned by programme officers could be found to be of particular relevance. For instance contributions to intergovernmental workshops such as (Alusa, Seki, and Christ 1995).

31 See, for instance, the insightful account of Ambassador Richard Benedick (1998) or the paragraphs by Canan and Reichman (2002: 48-52) in which they describe the role of the Executive Secretary ‘at the intersection of history, biography and personality’.
the Montreal Protocol—should provide ample opportunity to excel in the tradition of his predecessors.32

Finally, a specific aspect to the role of the Ozone Secretariat is its formal status, namely its organizational connection to the United Nations Environment Programme. While this institutional peculiarity should theoretically relate to the authority of the secretariat this could work either way empirically. The fact, that the Ozone Secretariat may be perceived as an appendix to UNEP rather than an organization of its own could be expected to lower its authority in the eyes of parties to the treaty. At the same time it would be plausible to assume, that the authority of the secretariat and its professionals gains from being a part of a reasonably bigger UN agency and enjoying the backing of UNEP’s Executive Director in the fora of international environmental governance. Notably, it is the latter who represents the Ozone Secretariat vis-à-vis the Secretary-General and the United Nations General Assembly. At this point of my study, it can not be determined whether the connection of the Ozone Secretariat to UNEP works to the benefit or adversely to the authority of the former. On a different note, however, it is apparent that the authority of the UN Environment Programme benefits from the credits it can draw from hosting the secretariat of a particularly successful environmental treaty.

4 Bridging a gap?—The role of the CCD Secretariat in implementing the UN Convention to Combat Desertification

4.1. The Evolution of the Secretariat and its Mandate

From a political-historical perspective the most apparent difference between the case of the treaty served by the Ozone Secretariat and the one served by the Desertification Secretariat is that the latter is one of the so-called ‘Rio Conventions’ (although it was agreed on only two years after the eponymous summit and did not enter into force before December 1996) and has—like the United Nations Framework Convention on Climate Change—been attributed with the status of a United Nations Convention. This implies that formally the Desertification Secretariat ranks higher in the United Nations systems than the Ozone Secretariat which is formally subordinate to the UN Environment Programme. As of 2003 the Desertification Secretariat, directed by Executive Secretary Hama Arba Diallo since before the secretariat was designated as a permanent one at the first Conference of Parties in Rome in 1997, is run by about eighty employees some thirty of which are professional officers. After the sixth Conference of Parties decided a modest increase, the regular budget for the secretariat to administer the United Nations Convention to Combat Desertification amounts to USD 17 million for the 2004-2005 biennium. As we shall see, however, the difference in formal status and size is of limited relevance with regard to the relation of the two secretariats and the roles they play vis-à-vis their respective governing bodies. A more notable implication which relates to the post-Rio emergence of UNCCD is that it has been

32 The First Extraordinary Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer will convene in Montreal, 24-26 March 2004 (UNEP/OzL.Pro.ExMP/1/1). The author of this paper has been accredited as an academic observer to the meeting.
framed as a sustainable development treaty rather than as an environmental treaty in the narrow sense, a point which is emphasised time and again by officials of the Desertification Secretariat and parties from the developing world. Indeed, poverty reduction—a policy objective central to developing countries—is prominently anchored in the convention as an essential precondition for the ‘combat’ against desertification to be effective.

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

Turning to the issue of desertification itself, scientific consensus in defining the phenomenon as a primarily anthropogenic process of severe land degradation expanding in regions where this should climatically not occur has been well established for several decades. As ever so often, this changed as soon as the problem appeared on the agenda of international politics in the 1970s. In line with Agenda 21 parties to the ‘United Nations Convention to Combat Desertification in those countries seriously affected by drought and/or desertification, particularly in Africa’ defined it as a process of “land degradation in arid, semi-arid and dry sub-humid areas resulting from various factors, including climatic variations and human activities” (UNCCD 1995: 12). However, this definition remains contentious as it is highly political for its link to the wider climate change problematique alone. It deviates from earlier assessments whereafter desertification is first and foremost a direct consequence of haphazard human interference with land development. Integrating ‘climatic variations’ as one explicit root cause of desertification potentially invokes compensatory claims against countries that are being held responsible for climate change, effectively turning the desertification problematique into a contentious North versus South issue (Toulmin 1994).

The trigger event for the desertification issue to finally appear on the international agenda was the major drought and subsequent famine that hit the Sahel region in the late 1960s and early 1970s and the United Nations’ decision to create the UN Sudano-Sahelian Office to provide assistance in coping with the consequences of the drought disaster while nine Sahelian countries established an ‘Inter-State Permanent Committee on Drought Control in the Sahel’ in 1973. Again, it was the UN Environment Programme to pick up the ball and elevate it to a larger intergovernmental arena by calling for a major conference, the 1977 United Nations Conference on Desertification, at which governments actually produced

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33 One recent doctoral dissertation by a former employee of the secretariat even goes so far as to consider the UNCCD not only a ‘tool for sustainable development’ but a model case for ‘postmodern global governance’ (Rechkemmer 2003).
34 The term emerged in scientific debate in the 1920s when first concerns were raised regarding an advance of the Sahara desert (Toulmin 1995; see also Corell 1999: 48 ff.). See also UNEP’s seminal World Atlas on Desertification which was provided right in time for the Rio Summit of 1992 (Middleton and Thomas 1992).
35 Compare for instance the pre-Rio conception of the United Nations Environment Programme, which defined desertification as “land degradation in arid, semi-arid and dry sub-humid areas resulting mainly from adverse human impact” (UNEP 1991, emphasis added). For an overview of shifting definitions of the desertification phenomenon see Corell (1999: 53-62).
a Plan of Action to Combat Desertification. Although implementation efforts turned to be a farce and the UNEP-led Inter-Agency Working Group on Desertification failed to generate meaningful support, desertification was effectively maintained as an issue of intergovernmental environmental negotiations and could no longer be treated as problem confined to the Sahel region.36 These were quintessential prerequisites for the global convention against desertification that eventually emerged in the wake of the Rio conference. While the complex institutional setting of the desertification regime, which involves a number of UN agencies as well as regional institutions and a diverse array of banks and funding agencies, has been described in greater detail elsewhere (Chasek and Corell 2002), I will now address how specific provisions of the convention relate to the role of its permanent secretariat.

4.2. Activities and Authority of the Desertification Secretariat

In terms of what can be found in the literature, the case of the Desertification Secretariat naturally differs from the case of the Ozone Secretariat. Although, as stated above, few scholars have bothered to look at the Ozone Secretariat specifically, it has existed for about two decades now and references, although often vague and implicit, can be found in the vast literature on the effectiveness of the Montreal Protocol. With regard to UNCCD, the permanent secretariat as we find it today has only really been set up at the United Nations’ Bonn location in January 1999. Moreover, close observers of the UNCCD process have noted that only now, in the wake of its sixth Conference of Parties which convened in Havana in September 2003, has the convention entered its implementation phase (IISD 2003; Pilardeaux 2003). As a result of this, while there is an increasingly substantive literature on the negotiation process that finally led to the anti-desertification convention, no studies are yet available that evaluate its achievements in a manner that could possibly match the insights of the excellent case studies that analyse the effectiveness of most other major environmental conventions.

Thus, the anecdotal evidence aggregated in the following paragraphs draws almost entirely on my own research interviews conducted at the Desertification Secretariat in Bonn in November and December 2003 as well as personal communication with desertification experts, mostly academics and diplomats, since the summer of 2003. In analogy to the above case of the Ozone Secretariat above, the purpose of this endeavour is to illustrate the authority of the Desertification Secretariat within the overall regime to combat desertification. Again, the assessment and evaluation of data is definitely incomplete and thus tentative. Like before, robust conclusions will require more thorough and systematic analysis of interviews, questionnaires and documents.37

This said, the role of secretariat officials, many of which—including the current Executive Secretary Hama A. Diallo—have been involved in the negotiation process that finally led to

36 In fact, the follow up to the UN Conference on Desertification ranks high among the most frustrating episodes in the history of UNEP (see in particular McCormick 1989: 116-122; but also Corell 1999: 69-72). At the same time, it has been convincingly traced how the initiative, in combination with the persistent demands of African governments, has helped over time to forge desertification into a global issue and ultimately led to the establishment of UNCCD (Corell 2003; Jokela 2001).

37 An in-depth case study working paper on the Desertification Secretariat is in preparation and should become available in fall 2004 as a contribution to the MANUS project.
the convention, in what should best be called the ‘desertification discourse’ is a highly interesting object of study. The very framing of ‘desertification’ rather than ‘land degradation’ has been of prominence in the process of institutionalising the convention and subsequently bears strong implications for the implementation of the convention. While scientists generally agree that ‘desertification’ is not a precise but much rather a misleading term for the environmental phenomenon which policy makers actually target, that is dryland degradation, the Desertification Secretariat is purposively maintaining the usage of ‘desertification’. The explanation offered by its Executive Secretary is as simple as it is straightforward: “Desertification has a political appeal that land degradation does not have” (cited in Corell 1999: 65). Indeed, it is striking how most intergovernmental agencies that cooperate under the UNCCD umbrella, in particular the Food and Agricultural Organization, the UN Development Programme or the Global Environment Facility, avoid the term desertification in their own parlour by a clear preference for the term land degradation. Even the UN Environment Programme, which is either blamed or lauded for having introduced the desertification ‘myth’ to the international political agenda and which has effectively manifested its usage in the Rio context by publishing the acclaimed World Atlas of Desertification, is now seen to shift its vocabulary more and more consistently to land degradation.38 This notwithstanding the Desertification Secretariat can be considered as highly effective in preventing its desertification trademark from sinking into oblivion. The title of the convention vouchsafes it and the secretariat ensures that its usage is vividly fluctuated, if not diffused, by means such as the World Day to Combat Desertification which is commemorated on 17 June each year since the ratification of the convention in 1994.

In a similar vein, the secretariat has greatly promoted the gradual discursive transformation of desertification from being a regional problem that can be observed worldwide into a global commons problem. This shift in meaning is a striking example for the ‘power of discourse’ as it has far-reaching material implications. With desertification as a global problem, projects that relate to the implementation of the Convention to Combat Desertification have finally become eligible for funding through the resourceful Global Environment Facility as of 2003—if under the heading of land degradation. This is a concession of the donor community that African countries, in particular, have pushed for ever since the establishment of the Facility. While it is hard to determine the specific impact of the Desertification Secretariat in bringing this concession about, it has played its part to keep the issue on the GEF-agenda and backed developing countries’ efforts in this respect. Although this particular lobbying effort would need to be examined much closer, personal communication indicates that the secretariat is happy to accept credit for having contributed to this end. Officers also expressed the view that accessibility to the Global Environment Facility is an overdue step to make up for lack of a genuine financing mechanism of the United Nations Convention to Combat Desertification.39

38 As a point in case, even UNEP’s African Environment Outlook (AMCEN/UNEP 2002) is making scarce use of the term desertification and prefers to talk of land degradation or soil degradation respectively. More strikingly, when the author was approaching the UNEP secretariat for interview appointments with the organization’s ‘desertification experts’ it was repeatedly and by various officers emphasised that UNEP does not deal with desertification but land degradation.

39 In this respect, there has been some controversy with regard to the ‘Global Mechanism’, which is one of the distinct institutional provisions of the convention. This mechanism, however, is not a financing mechanism as such, but a clearing house utility that is meant to help parties to the convention to attract funding from the appropriate available sources.
Close links to civil society organizations and close cooperation with ‘affected regions’—institutionalised by means of the secretariat’s respective Regional Action Facilitators for Africa, Asia and Latin-America—can also be conceived of as distinct sources for authority of the Desertification Secretariat. Both the emphasis on regional cooperation and the involvement of nongovernmental stakeholders are explicitly provided for by the secretariat’s mandate to promote the development of regional action programmes in cooperation with local populations and nongovernmental organizations. Although a thorough evaluation of available material remains to be done, it appears that the secretariat is very active with regard to nongovernmental stakeholder contacts. There is a legacy to the pre-convention negotiation process, where nongovernmental organizations had been involved to a considerable and arguably unprecedented extent, on which the secretariat can now build, at least potentially.40

With regard to enhance regional cooperation efforts the Desertification Secretariat has actively sought to strengthen the Regional Coordination Units that cooperate under the convention and mustered support for this endeavour among the affected country regions. However, the main donor countries remain sceptical with regard to institutional duplication and put the secretariat’s initiative on hold for later consideration at COP-7 in 2005, where it should be an insightful negotiation to follow (IISD 2003).

Two other initiatives illustrate particularly well the Desertification Secretariat’s authority to shape the institutionalisation process of the convention under its administration as well as the set up and agenda of Conference of Parties meetings are particularly insightful. They also serve to prove the point that bureaucratic authority may cut either way. First, the establishment of the Committee for the Review of the Implementation of the Convention (CRIC) shows how the secretariat triggered the creation of an additional institution that was initially perceived to be at odds with the interests of powerful parties but has by now turned out to be a useful and thus accepted institutional complementation to the desertification regime. Second, the inclusion of a so-called High Level Segment at the last Conference of Parties in Havana, which was designed to elevate the event to a more authoritative and publicly realised level. Instead it turned into a political farce for which the secretariat was harshly criticised by parties, not only from the North. The former example relates to the establishment of CRIC as a subsidiary body of the Conference of Parties. This was decided on initiative of the Desertification Secretariat at the fifth Conference of Parties in Geneva in 2001, despite outright scepticism and initial unwillingness on behalf of major donor countries and the European Union. By now, the first CRIC has convened in Rome in November 2002 and was hereafter widely acclaimed as a highly constructive meeting and a reasonable instrument to further the implementation of the convention.41 The second example is politically delicate and helps to prove the point that the activity of a bureaucratic personality is a factor to be reckoned with on the stage of intergovernmental diplomacy. The idea of a distinct High Level Segment including a ‘Round Table’ of Heads of States was effectively pushed on the agenda of the sixth Conference of Parties by the Desertification Secretariat. In the event, the most prominent of altogether nine Heads of State to actually attend COP-6 and to participate in the High Level Segment were Fidel Castro of host country

40 On the particular involvement of NGOs in the UNCCD negotiation process see Corell and Betsill (2001).
41 The fact that CRIC-2, held back-to-back with COP-6 at Havana, was perceived as far less constructive has been attributed to the highly politicised atmosphere of the COP rather than to the performance of the CRIC itself.
Cuba, Robert Mugabe of Zimbabwe and Muamar al Gaddafi of Libya. Ultimately, this resulted in an open confrontation of the donor countries who view these particular presidents as persona non grata.42

Also adversely affecting the Desertification Secretariat’s authority and in stark contrast to the Ozone Secretariat the former has been repeatedly criticised for lack of transparency in its operations. Specific allegations that have been raised at the Havanna-COP related to perceived formal irregularities regarding the election of CRIC officials as well as controversial financial support that the secretariat had granted to selected nongovernmental organizations (see IISD 2003: 14). While executive officers of the secretariat have offered explanations for the Havanna controversies and explicitly deny the alleged intransparency of their activities, the damage has been done and the authority of the Desertification Secretariat took a blow that has its manifest expressions, among other things, in a formal demarche of the European Union and the decision of the sixth Conference of Parties to subject the secretariat’s activities to a comprehensive review by the United Nations’ Joint Inspection Unit.

Authoritative but confrontational leadership that comes to the fore in secretariat initiatives such as insisting on the High Level Segment at the Havanna-COP appear to generate from a self-understanding of the secretariat as an internationally sanctioned advocacy organization of the global South. Virtually all secretariat officials that were interviewed have emphasised, in slightly varying wordings, that the secretariat “serves the majority of parties” to the Convention to Combat Desertification. While this statement can be found to be correct in so far as the attitude of the secretariat coincides with the aspirations of the majority of developing country parties as well as it may be justified on the basis of the sustainable development prosa of the convention text, it fails to acknowledge that the implementation of agreements under the roof of the United Nations ultimately relies on consensual decision making. Thus, alienating a few powerful states is not helpful in pursuing whatever objective a secretariat may have, just as it would not be helpful to disregard the interests of a less powerful share of developing countries. In the case of furthering the causes of the UN Convention to Combat Desertification, the inconsiderateness on behalf of the treaty secretariat amounts to a perceived breech of neutrality that decreases the authority of its bureaucratic personality and makes interested parties suspicious of future secretariat activities. Also, this loss of authority is not restricted to the standing vis-à-vis developed countries but also with a view to developing countries who rather not have an intergovernmental treaty secretariat alienate donor countries which may eventually turn their back on a progressive convention that was so difficult to bring about.

5 Preliminary Comparative Findings and Outlook

The empirical data outlined above demonstrates that intergovernmental treaty secretariats do bear bureaucratic authority. They also indicate that there are marked

42 CCD officials claim that President Chirac of France and Chancellor Schröder of Germany had initially suggested to attend the High Level Segment, too, but withdrew from this plan in order to avoid further deterioration in diplomatic relations with the United States as the run up to COP-6 coincided with the US-led war on Iraq which was strictly opposed by France and Germany.
differences in the sources from which this authority is generated and even more so with regard to the effects to which the authority is employed.

For the Ozone Secretariat, the case can be made that it effectively employs its bureaucratic authority to play a significantly influential role in how the Montreal Protocol is being implemented by parties to the treaty and its various amendments. In particular, the Ozone Secretariat successfully keeps the balance between being an active player behind the scenes and being perceived as a neutral and ‘passive’ tool from the viewpoint of governments. This quality is an important source of its bureaucratic authority which has been appreciated by governments in the North and the South ever since the implementation of the Montreal Protocol was on the agenda. The diplomatic skills and personal authority of its Executive Secretaries has been quintessential to this end. The case shows, that for an intergovernmental treaty secretariat to be an authoritative bureaucratic actor, the perception of neutrality is not an asset but a requirement. However, as the example of the ‘ozone officers’ shows, this does not confine intergovernmental secretariats and their civil servants to a life of passive technocraticism, but it requires them to apply a logic of appropriateness that makes them act cautiously and considerately where they seek to pursue initiatives of their own making.

Quite to the contrary, the Desertification Secretariat has tipped the balance of neutrality in actively addressing delicate North-South issues, which are related to its mandate in so far as they are covered by the UN Convention to Combat Desertification, but have, by the ways in which the secretariat operated, been perceived as reaching beyond its mandate and offending the interests of powerful parties to the convention, most notably the United States and the European Union. This has adversely affected the authority of the organization which is now embarking on efforts to regain trust and credibility amongst developed country parties. Thus, a share of secretariat activities is diverted to improve the organization’s standing with powerful players. At the same time its leeway to involve in the overall regime process has decreased as parties have become more alert to the secretariat’s activities and have shown reluctant to follow secretariat proposal at the latest Conference of Parties. As a result of this, the secretariat’s potential to shape the ways in which the convention under its administration is implemented has been seriously hampered. Here, while the Executive Secretary certainly contributed to politicising the relations between the secretariat and donor countries, it would be short sighted to blame this development solely on the moves of this experienced and highly skilled diplomat. Rather, I would argue, the behaviour of the secretariat’s executive level reflects the distinct bureaucratic culture that has evolved over time and that will need to be traced until before the actual creation of the permanent secretariat. The distinct bureaucratic culture, which ultimately shapes the bureaucratic personality of the Desertification Secretariat can be interpreted as a manifestation of the persistent driving forces that brought about the anti-desertification convention after two decades of tough North-South-bargaining. In this respect, it is only fair to attribute part of the responsibility for the current situation to hypocrisy on behalf of the developed countries that have rhetorically accepted desertification as a global problem, but merely view this as a concession to Southern interests and do not make it a priority of their actual sustainable development policies. From this perspective, the endeavours of the Desertification Secretariat appear as a steep uphill struggle. Nonetheless, the counterfactual notion that the secretariat could play a more constructive, authoritative role would it have acted differently bears plausibility.
In sum, it should be noted again, that treaty secretariats are but one factor of effective treaty implementation. Thus, they cannot be held directly responsible for the ineffectiveness of an environmental regime. This notwithstanding empirical observations indicate that intergovernmental bureaucracies will occasionally need to be commended for their contributions to improving the specific outcomes of a regime. Often these will be outcomes that have not been anticipated by the parties when crafting the treaty in question and establishing the respective bureaucracy. However, these outcomes can make a meaningful difference to the ways in which a multilateral environmental agreement is implemented. States remain the formal masters of regime implementation, but they find themselves reacting to incentives by authoritative bureaucratic personalities. The latter will be the more successful, indeed effective, the more they are accepted as authoritative players in the overall regime setting. To make an active and meaningful difference to international environmental governance treaty secretariats depend on the authority they create vis-à-vis the other actors that operate in the regime which brought them into being. Thus, while treaty secretariats will hardly have to be blamed for spoiling regime outcomes, they can only be expected to affect the behaviour of other actors if they generate bureaucratic authority. Consequently, a secretariat that performs badly will only undermine its own authority and ultimately render itself meaningless in terms of shaping the political processes around it.

In order to substantiate these findings, this paper has employed a number of empirical examples to illustrate how the activities of both the Ozone Secretariat and the Desertification Secretariat relate to the concept of bureaucratic authority. It is in the nature of anecdotal evidence that it does not fully satisfy the quest for reliable general statements, never mind ‘hard evidence’ that would meet the requirements of positivist social science research. As this paper outlines no more than a work in progress—as such it contributes to a nascent dissertation project and a wider research programme on organizational effectiveness—, data that is presented here will need to be complemented and further substantiated, in particular by thorough evaluation of the research interviews that have been conducted at both secretariats in recent months.
References


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