Accountability in Global Environmental Governance

ISA Venture Workshop Report

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Written by
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Workshop Participants

Karin Bäckstrand, Stockholm University

Cristina Balboa, City University of New York

David Downie, Fairfield University

David Gordon, University of Toronto

Lars Gulbrandsen, Fridtjof Nansen Institute

Matthew Hoffmann, University of Toronto

Teresa Kramarz, University of Toronto

Jon Kuyper, Stockholm University

Susan Park, University of Sydney

Jonathan Rosenberg, University of Alaska Fairbanks

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Workshop Structure

This one-day, ISA Venture workshop was organised by Associate Professor Susan Park and Dr Teresa Kramarz. It took place on the sidelines of the International Studies Association Annual Convention in New Orleans on 17 February 2015.

The workshop was comprised of four sessions:

1. Conceptualisations of Accountability in Global Environmental Governance;
2. Accountability in Hybrid and Private Institutions;
3. Accountability in State Institutions; and
4. Accountability in Climate Governance.

The objectives of the workshop had essentially been carried on from another workshop held earlier in March 2014 at the University of Toronto: that is, to 'promote collaborative research on the concept of accountability in global environmental governance' in order to 'creat[e] a unified approach to tracing accountability across global environmental governance [that] can be applied by scholars and policy-makers working in different issue-areas or institutions'.

The workshop began with an introduction to the ongoing collective research project on accountability in global environmental governance, while taking stock of the progress and research-related outcomes achieved so far, especially vis-à-vis publication opportunities.

Presenters were then invited to speak for approximately 20 minutes, with Associate Professor Hoffmann acting as discussant and providing his detailed feedback on each of the papers. This was followed by a dynamic Q&A discussion with other workshop participants.

The workshop concluded with a discussion led by Park and Kramarz on next steps, which focused specifically on publication plans and strategy.

Session 1: Conceptualisations of Accountability in Global Environmental Governance

This first session featured a presentation from Teresa Kramarz and Susan Park, whose paper provides the conceptual framing for the overall project. In interrogating 'why accountability mechanisms are structured the way they are in global environmental governance' and 'the conditions under which such mechanisms may be effective', Kramarz and Park looked at public, private and social accountability regimes, and considered the 'grammar of accountability' and 'hierarchy of normative ordering principles' that delineate these regimes' parameters of action. Here, Kramarz and Park posit that only when environmental needs converged with public, private or social priorities are accountability mechanisms then able to address environmental problems in an effective manner.

The presentation was followed by a discussion, whereupon the ensuing questions and key issues were raised: first, is it possible to go beyond the oft-heard conclusion that accountability is complex, but still demonstrate that complexity across multiple cases (i.e. via the different papers/cases explored in this project)?

This, in turn, begs the questions of what exactly counts as 'accountability' and to what extent accountability is contextually-contingent? There is a need here to identify the parameters of what defines accountability measures and what 'raw materials' actors draw upon to build such measures. A decision would also need to be made vis-à-vis theorizing the relationship between the ordering principles discussed in the paper and the other variables that comprise an accountability mechanism.

To define 'accountability' as 'the process of being held to account for one's action' is, however, tautological and must be avoided. Given the extensive literature that already exists on defining accountability, it should suffice for the paper to draw upon an existing definition rather than coming up with an entirely new one.

Following from this, it was also asked if accountability here is to be understood as an independent or dependent variable? As discussed later, this informs one of the key themes that surfaced during workshop discussions on whether accountability is best conceptualized as an analytic lens or a subject of study (see p. 10). Related to this is the question of whether it would be possible to organise the 'accountability regimes' outlined in the paper around the different ends that are discussed (directly and indirectly) in the other papers.

Finally, participants took note of one of the 'elephants in the room': that is, the question of to what extent accountability translates into actual responsiveness. This, of course, feeds into the broader critique/paradox that accountability mechanisms have so far failed to solve existing environmental problems. Part of the question was whether the framing paper would need to foreground the various findings made in the other papers in relation to this overarching and unresolved question.

Session 2: Accountability in Hybrid and Private Institutions

In this session, Dr Lars Gulbrandsen's, Assistant Professor Cristina Balboa's and Professor Jonathan Rosenberg's papers explored 'accountability' at three different levels of actor specificity and within three different contexts: Gulbrandsen looked at a non-state certification programme—the Marine Stewardship Council (MSC); Balboa at environmental impact bonds (EIBs); and Rosenberg at development assistance agencies (DAAs). Each paper arrived at distinct conclusions that complement and add to the project's theoretical foundations, as outlined in Kramarz and Park's framing paper.

Looking at both internal and external accountability processes, Gulbrandsen found that the MSC is committed more to enhancing internal accountability than external accountability. What this means is that certifiers within the MSC system are 'not directly accountable to outside stakeholders or the general public'. According to Balboa, while very little research has been done on the subject of EIBs (and as such, her paper remains in rough draft form), there is reason to suspect that such bonds can help to encourage accountability through the imperative of making returns on investment. And yet, reminiscent of a key finding from Kramarz and Park's paper, it would appear that the environment does not constitute the primary concern for stakeholders across the different accountability relationships examined in this case. Finally, through the application of a principal-agent theoretical lens, Rosenberg discussed the effects of privatisation on accountability by examining the roles played by consulting firms that 'act on behalf and as agents' for DAAs. He argues that privatised outsourcing of project implementation creates challenges to accountable governance that can determine the effectiveness or failure of projects.

Taken together, these three papers underscore the interdependence between the 'organising principles' (as identified by Kramarz and Park) and how they work politically,

as they spotlight the diverse interests and orientations favoured by the actors under study. In addition, the papers illustrate how different actors will often result in the application of different accountability indicators. As such, not only do they reveal the sizable impediments that can work to hinder the effectiveness of accountability regimes vis-a-vis environmental governance, but they also shed some light on the politics of accountability. Further, they suggest how accountability might be better viewed as a means or process for the achievement of certain objectives: for instance, in the case of the MSC, accountability is central to determining the functionality of the MSC and its ability to contribute to open and democratic governance.

That said, among the issues that still need to be addressed further in this set of papers is that of conceptual consistency. When considering how each of the papers relate back to Kramarz and Park's paper, a disjuncture becomes apparent with regard to the conceptualisation of accountability. Participants took note of how accountability seems to be used as an analytic framework in Kramarz and Park's paper, while in these three subsequent papers, it becomes a complex process whose various components need to be critically unpacked. At the same time, concerns were also raised in relation to the project's conceptual and empirical boundaries, with Hoffmann questioning how far the project ought to stretch the scope of 'global environmental governance'.

Session 3: Accountability in State Institutions

The papers presented in this third session bring into relief the roles played by state actors in different accountability mechanisms. Teresa Kramarz, Alejandro Rossi (ECOJURE) and David Cosolo (University of Toronto) explained how, in the case of the Riachuelo River Basin, the judiciary in Argentina adopted an 'overly active policy role' that ultimately undermined—contrary to mainstream portrayals—'vertical' accountability in the issue, and accordingly, represented a failure of 'horizontal' accountability on the part of the Supreme Court. Associate Professor David Downie offers a preliminary glimpse into how treaty secretariats might be held accountable. He notes that while secretariats are accountable to treaty Parties, they are 'in a position to potentially do more'.

Kramarz et al's and Downie's papers add secretariats and courts to the complex constellation of actors involved in accountability mechanisms within the global environmental governance sphere. Kramarz et al's piece, in particular, poses an interesting question vis-a-vis the unintended consequences of a state actor attempting to fulfill accountability expectations. In so doing, their papers feed quite nicely into one of the

three regimes outlined in Kramarz and Park's conceptual framework—that is, the public accountability regime. Hoffmann also noted that while the 'paradox of accountability' was not explicitly mentioned in either of the papers, it was a dynamic that constantly remained in the background of both.

Even so, concerns over consistency with the other papers persisted, as the two papers appear to have conceptualised accountability under a different light. While Kramarz et al explores accountability as a lens on politics, Downie takes accountability as a subject-matter to be analysed. The issues of stretching the boundaries of global environmental governance too far and emphasising 'complexity' were also brought up again by Hoffmann. He noted that while it was interesting that these papers—like those which came before—spotlighted the inherent complexity of accountability, the nature of their empirical focus could still pose as a challenge to the overall framing of the project.

Session 4: Accountability in Climate Governance

In this session, the two papers presented by Professor Karin Bäckstrand and Dr Jon Kuyper, and David Gordon focus on accountability in the broad realm of climate governance. Consistent with preceding papers, these two provide accounts of how a distinct cast of actors, operating at varying levels of climate governance, contribute to or detract from extant accountability mechanisms. Bäckstrand and Kuyper focus, more specifically, on the focal points through whom constituencies interact with the secretariat to determine how accountability mechanisms play out, noting that it is possible to hold non-political representatives to account, albeit to vary degrees of success. In Gordon's paper, he considers how cities seek to be accountable to various audiences into order to claim legitimacy as vital actors in climate governance. For Hoffmann, he saw both papers as addressing 'nested accountabilities' to networks and individual cities, respectively.

In both papers presented, it is evident that accountability measures serves an instrumental purpose to the actors in the cases examined. Particularly in the case of cities and climate governance, Gordon's paper suggests how accountability becomes instrumental to branding—and as such, central to an actor's self-image—whereas for Bäckstrand and Kuyper, accountability is necessary for the achievement of democratic and positive environmental outcomes. Hoffmann noted in his comments that both papers effectively underscore the nexus between accountability and power. They also point out the interrelationship between the three regimes (as described by Kramarz and Park) and

what he terms 'meta-principles', which can be democracy, disclosure and measurement within a neoliberal order or empowerment (of marginalised groups).

Key Themes

The following themes recurred over the course of the workshop, highlighting areas in need of further attention as well as points of convergence and divergence among the papers:

Power, Influence and Identity in Accountability

It was noted that issues to do with the politics of accountability and its various components—power, influence and identity—require much more explicit, 'front-and-center' treatment in the papers presented. Kramarz and Park's paper, for one, raises the (unanswered) question of how and where power and politics feature into the accountability regimes and organising principles they discuss. Given how different actors will generally come with a different set of interests, dealing with this issue directly could help the project to shed more light on the key paradox in global environmental governance between accountability demands and poor environmental outcomes.

As mentioned above, it is also the case that a number of the papers already touch upon the importance of accountability in informing an actor's reputation and legitimacy. By looking at the accountability of the diverse cast of actors involved in the COPs, Bäckstrand and Kuyper's paper invariably engages with the politics of representation, considering how civil society, for example, will often claim to speak for a broader set of actors. Here, there is a potentially strong link to be discerned between being democratically representative and the ability to influence the UNFCCC governance process.[1] Participants took note of how being seen as accountable can help to cloak actors in legitimacy, which in turn promises to endow them with a certain degree of influence. Here, the notion of instrumentality proves yet again central to the enterprise of accountability, as the latter becomes not just an end but also a means to achieve the outcomes of enhanced influence, increased power and a better self-image.

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[1] Even so, this begs the question of whether influence and accountability are the same. Is it a matter of having certain actors influencing policy or about which actors have influence as a result of their level of accountability?

Moreover, through a more explicit focus on the politics, this could bring into sharper relief the various stages involved in accountability processes/mechanisms. Based on the papers, one might discern four stages altogether: (1) rule-setting (procedural accountability) — e,g, Kramarz's paper; (2) rule implementation — e.g. Downie's paper; (3) rule enforcement — e.g. Gulbrandsen's paper; and (4) rule-influencing — e.g. Bäckstrand and Kuyper's paper.

Accountability as Analytic Lens v. Subject-Matter

A recurring question asked during the workshop was whether accountability mechanisms are better described as a means or an end? And whether it can actually be both? In light of the majority of the papers (with the main exception being Kramarz and Park's paper), it would appear that there is a stronger inclination towards the view that accountability serves more as a means to an end. However, this only raises a further question of what exactly are the ends to be achieved here?

Of course, to say that accountability is instrumental to enhancing an actor's identity or sense of legitimacy is clearly different from saying that accountability is important for attaining stipulated environmental outcomes. This, in turn, raises the bigger question of where the project's focus primarily and ultimately lies: is it on 'accountability' and defining its shifting contours? Or is it on global environmental governance (in which case there would need to be a clearer focus among some of the papers of this dimension)?

Actors of Accountability

Across the papers presented at this workshop, there is a clear focus on making sense of the *actors* of accountability—in contrast to the study of accountability in different issue-areas—in enforcing and/or impeding the effectiveness of a varied array of accountability mechanisms. Indeed, what could potentially set this project apart from others is the range of actors that are accounted for across each of the papers: from cities and courts to secretariats, NGOs and international certification programmes.

But while this could very well serve as a strength for the project, it can also undermine the coherence across the cases examined and the project's overall sense of 'cohesiveness'. As such, part of the answer might lie with a clearer articulation of the rationale behind

each of the cases/actors looked at in the project. Hoffmann suggested that one way to go about this could be for the project to identify and classify each paper's focus as being on either or a combination of 'processes', 'agents' and 'class of governance'. Doing so could help to not only add more structural and substantive coherence to the overall project, but also clarify the specific contributions to be made by each of the papers to the project's overarching questions and objectives.

Summary of Workshop Outcomes

To take the project to the next pre-publication stage, participants generally agreed on the following points:

1. While the papers presented are currently at different stages of development, participants agreed to pursue publication opportunities in academic journals (in the form of a special issue), as opposed to an edited volume (though some concerns were raised with regard to the time-lag involved in submitting a special issue).

2. There was a consensus that the group would need to revisit the theoretical underpinnings of the project and ensure consistency across the individual papers. Here, there would need to be a stronger indication of how and where the project's conceptual and empirical fences are to be built: that is to say, how the project is defining global environmental governance and its instruments (emphasis being on the 'environment' component), as well as the levels of analysis employed.

3. The papers will have to collectively reconcile the underlying tensions between their varied focal points: for example, actors v. issues; accountability as lens v. accountability as process; procedural accountability v. accountability in implementation/enforcement.