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From Rio to Rio via Johannesburg: Integrating institutions across governance levels in sustainable development deliberations

Sylvia I. Karlsson-Vinkhuyzen

Abstract

Twenty years of international deliberations on sustainable development reaches another peak in 2012 during the United Nations Conference on Sustainable Development, Rio+20. However, with every review of the implementation of the ambitious Agenda 21, it becomes more difficult to reignite the “spirit of Rio” and in this paper I argue that one contributing factor is the inability to find a way to vertically integrate institutions and other actors across governance levels. The paper analyzes this long deliberation process and its normative outcome with respect to its multi-levelness and approach to vertical integration. It concludes that both the first Earth Summit in Rio 1992 and the World Summit on Sustainable Development expressed high ambitions for dynamic interaction between governance at different levels, both in the deliberation and implementation stages. Yet, the actual number of practical links between levels could have been much higher and the references to vertical linkages in the conference process decreased over time. The preparations for Rio+20 continue this downward trend despite a widespread recognition that the need for coherence and integration were major motivational factors for Rio+20. The prospects for the process to stimulate the forming of coalitions of the willing that could bring closer vertical integration and implement multi-level governance are thereby limited.

Keywords: Institutions; sustainable development; vertical integration; multi-level governance; Rio+20.

1. Introduction

The international community is preparing for the next stopover in its journey of deliberations on sustainable development; the United Nations Conference on Sustainable Development (Rio+20) in Rio de Janeiro in June 2012. These deliberations, which usually include much tough negotiation, started in that same city twenty years earlier with the United Nations Conference on Environment and Development (UNCED, or Rio 1992), and have evolved in a process of regular institutionalized deliberations and negotiations following in its footsteps: in the annual meetings of the Commission on Sustainable Development (CSD) since 1993, in the review of progress in 1997 (Rio+5), and in the World Summit on Sustainable Development (WSSD) in Johannesburg in 2002.

All of these deliberations have been wide in scope, aiming to develop recommendations for actions that address all three dimensions, economic, social and environmental,

of sustainable development (as the process itself has defined the concept). The process has also resulted in recommendations for action across all levels of social organization — levels of governance — and even for non-State actors. This formulation of global action plans aimed at enabling sustainable development is an ambitious enterprise of norm development by the international community over two decades. It has at times been a painful process, especially when implementation was evaluated every year in the CSD or in the WSSD and it became obvious that many lofty goals had turned into broken promises. Nonetheless, as indicated by the plans for the Rio+20 conference, the process persists, indicating that at least some Governments and non-State actors — the latter have been engaged in lobbying Governments to organize this conference — continue to find it of value.

A recurrent theme in these United Nations-based deliberations on sustainable development has been the institutional framework for sustainable development, where institutions refer first to the organizational set-up. This has included topics such as which institutions and other actors have the responsibility for the recommended actions, whether there is a need for the creation of new institutions, and how different institutions are to cooperate. However,

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the institutional framework also includes the development of formalized norms such as treaties. The deliberation process has paid special attention to international institutions, a natural emphasis for the international community, but has included references to institutions at lower levels of governance.

The United Nations General Assembly (UNGA) considered the institutional framework for sustainable development important enough to make it one of the two major themes (the other being the green economy) for Rio+20. One of the more challenging aspects of institutional design from a theoretical standpoint, and even more so from a political standpoint, is to consider the vertical integration of institutions and governance in a broader sense; to provide coherence and dynamic interaction between institutional actors across different levels. This paper takes stock of how such vertical integration is envisioned and addressed in the international deliberation process between the Rio conferences in 1992 and 2012, with a particularly close look at the mid-point between these, the WSSD in Johannesburg in 2002. It thus analyses what political mandate has emerged on promoting vertical integration from this 20-year deliberation process and how this integration is envisioned (or not). After a brief introduction to how the academic literature has approached the vertical integration of institutions, I describe the methodological approach used to analyse the deliberation process. This is followed by the analysis of WSSD, first the analysis of the deliberation process in broader terms, and then of the output in terms of action plans. Then comes the analysis of the preparations of Rio+20, a section with discussion and conclusions before I in the final section explore a possible way forward to strengthen vertical integration.

2. The vertical integration challenge — some theoretical perspectives

The calls for more vertical integration between institutions and governance at different levels arise from the observation that current governance efforts for sustainable development are notoriously ineffective. Many would link this ineffectiveness to the failure of governance to address the processes that have been referred to as, for example, globalization (Held *et al.*, 1999), distancing (Giddens, 1990) or “fragementation” (Rosenau, 2000). In terms of sustainable development, these processes are manifested in increasingly global-scale environmental degradation and increasingly globalized “driving forces” behind both global and local environmental, economic and social problems (Karlsson, 2007). These processes have elicited responses where more governance levels are involved, where various types of actors beyond national governments have a role and where there is more direct interaction between actors from different levels. The mere involvement of institutions

and other governmental and non-governmental actors at different levels, however, is not sufficient for effective, nor indeed legitimate, governance.¹ More effective governance would require that their actions are integrated, moving in the same direction and not made in isolation from each other while more legitimate governance would require more participation also of non-State actors across levels and avoidance of the two extremes of top-down dictated policy or local isolationist policies that do not consider their impact on global change.

The social sciences have traditionally been divided between disciplines that have worked at different levels of social organization. This includes political science, where scholars specialize either in international relations (the global level) or domestic politics (the national or local level). This has posed a special challenge for academic analysis to catch up with the increasing multi-levelness in the empirical world and to develop appropriate methodologies and theories to analyse it. Although there is much left to do, some progress has been made, often cast in terms of studies in multi-level governance, such as by scholars focusing on EU governance. (see for example Bache and Flinders, 2005; Hooghe and Marks, 2003; Scharpf, 1997), or environmental governance (see for example Vogler, 2003). Most of this literature has, however, been written within and about a western liberal democracy and industrialized country context where multi-level governance has been described as emerging from the “combined result of decentralisation, the ‘hollowing out’ of the state, a shift from interventionist towards an ‘enabling state’, budgetary cutbacks and a growing degree of institutional self-assertion and professionalism at the subnational level” (Peters and Pierre, 2001:134). While some of these trends are certainly also influencing developing countries, due to, for example, the influence of international financial institutions, others are not. Considering multi-level governance in a global context brings in many more complex issues of unequal capacity, power and authority among the same level of governance in different countries, national sovereignty and diverse political and constitutional contexts. This makes it difficult to find much guidance in this literature for indicators and prescriptions for the more vertically integrated multi-level governance in a global-local context that I focus on in this paper. Instead, I turn to the more functional literature on environmental governance, despite its detachment from political context, where at least a general direction for what vertically integrated governance looks like and what it requires is emerging, but only in rather general terms. Concerning global environmental regimes, scholars argue that they “must make sense at all levels of aggregation: local, regional, national, transnational and

¹ Effectiveness and legitimacy are two of the most common criteria on which governance is evaluated, see Karlsson-Vinkhuyzen and Vihma (2009) for a more detailed discussion of these criteria and their components.

global” (McGinnis and Ostrom, 1996:476), and it has been stressed that a key for an effective regime is both to allocate “tasks to specific levels of social organization” and to “ensure that cross-scale interactions produce complimentary rather than conflicting actions” (Young, 2002:266). In the literature on environmental federalism, it has been argued that “what is required is a multitier regulatory structure that tracks the complexity and diversity of environmental problems” (Esty, 1996:571).

Karlsson (2000) developed the concept of multilayered governance and defined it as a system of co-ordinated, collective governance across governance levels that would involve a nested hierarchy of mutually supportive policies and institutions initiated at all governance levels. Vertical integration, which is the focus of this paper, is an important part of multilayered governance, but horizontal integration among actors (stakeholders) and sectors at each governance level can be seen as a vital element to strengthen such vertical integration as it would, for example, bring more diverse insights and perspectives from different levels into the deliberations, and possibly make more groups active in implementation.² The *Oxford English Dictionary* has as two of its definitions of integration “combine parts into a whole” and “bring or come into equal participation in” (Allen, 1990). The literature on institutional interplay has taken a closer look at integration, both vertical (across levels) and horizontal (across regimes) and how interplay management could improve such integration and ensure coherent governance for sustainable development (Oberthür and Stokke, 2011). Measures that can be deployed for interplay management include communication, policies and programmes, organizational mergers or integration and the adoption of common norms (Karlsson-Vinkhuyzen and Kok, 2011). The adoption of common norms can be particularly important, considering how time-consuming it is to achieve integration and norms (whether international treaties or soft agreements), and helps to maintain consistency over time (Karlsson-Vinkhuyzen and Kok, 2011). An important dimension of integration is its direction. Does it only imply top-down implementation of global policies and norms at lower levels or is it a two-way dynamic where bottom-up input of perspectives and experiences informs higher-level governance? I would argue that in order for governance to be both effective and legitimate, a two-way dynamic of integration is necessary.

3. Methodology

Turning from the academic literature to the political reality, my research question is how this multi-levelness of governance and institutions is manifested in global

² One approach to horizontal integration is the “mainstreaming” of one issue into other sector areas, such as the mainstreaming of climate change issues in development agendas, see for example Karlsson-Vinkhuyzen and Kok (2011).

deliberations on sustainable development and how much attention is explicitly given to improving the vertical integration. The methodology I have used to approach this question is to select the mid-station, the WSSD process and outcome, as the centre of the empirical analysis. This is, however, complemented by a brief analysis of the Rio 1992 Summit, the intermittent CSD meetings, and the preparations for the Rio+20 conference. The analysis of the WSSD is based primarily on documents from the negotiation process. As I attended part of the Preparatory Committee (PrepCom) III, IV and the whole Summit as an observer for a scientific Non-Governmental Organization (NGO), I obtained draft negotiation texts.³ The different versions of the negotiation text including the final Johannesburg Plan of Implementation (JPOI), together with the NGO bulletins that described the negotiations (primarily Earth Negotiations Bulletin) were my major source for the analysis of the negotiations and their result. I attended only very few negotiation sessions partly because I had other tasks, partly because many were taking place in parallel. Furthermore, most of the sensitive negotiations and final decisions over text formulations were taken behind closed doors without observers present.

The document analysis was both quantitative and qualitative. The quantitative analysis was used to give an overview of the distribution of references to specific scale words and levels and how it shifted over time; between Agenda 21 and the JPOI and between various negotiation drafts of the JPOI. The qualitative analysis was used to identify how various aspects of integrating governance, primarily vertically but also horizontally, emerged. As most of the actual negotiations could not be observed, the analysis is limited to the textual traces it left in the various drafts of the negotiation texts. It is an analysis of discourse without having access to the arguments used for and against various textual options.

The Rio+20 preparations were analysed through documents prepared by the United Nations Secretary General (UNSG) for the preparatory meetings and their outcome documents, as well as the minutes of the United Nations Conference on Sustainable Development (UNCSD) Bureau meetings. In the following, I outline the result of the analysis in two major sections. Section 4 deals with the preparation process in broader terms and section 5 with the negotiated normative output.

4. A process aimed at integrating levels

UNCED and its follow-up process already had some special features that, more so than in earlier UN conferences, could be seen as bringing the various governance levels closer

³ These often did not have an official document number but are kept on file with the author. Most of them are also available on the official website of the summit, see <http://www.un.org/jsummit/html/documents/prepcoms.html>.

together and, at least indirectly, as giving the governance system more multi-level and integrated characteristics. Civil society participated in an unprecedented way: in the Summit itself; in the Commission on Sustainable Development (CSD) created to review Agenda 21 implementation; at the national level if the recommendation for a participatory process for achieving national consensus on implementation was adhered to and at the local level through local Agenda 21 processes.⁴ The mere inclusion of chapters on the roles of each of nine major groups — including local governments, which in the UN context find themselves oddly classified as non-governmental actors — was a first in this global arena.⁵ While none of these features yielded any formal power from states in global-level decision-making, it provided a potential for actors at lower levels to influence global agenda-setting and deliberation and encouraged more involvement in implementing global goals across levels.

The WSSD was not an agenda-setting summit: renegotiating Agenda 21 was not among its aims. Rather, it was a ten-year review which, according to the charge from the UNGA, “should focus on the identification of accomplishments and areas where further efforts are needed to implement Agenda 21 and the other results of the Conference, and on action-oriented decisions in those areas” (United Nations General Assembly, 2001b:3). There were features of both the WSSD process and output (discussed further below) that could be seen to strengthen cross-level linkages among governance levels even further than in UNCED. The preparatory process was set up with a bottom-up approach. Many Governments stressed that a comprehensive and critical assessment of progress made should be done at all levels and by Governments and all other stakeholders. When the WSSD was being discussed during the eighth session of the CSD, there was a wish to see preparations at the local, national, regional and international levels (Commission on Sustainable Development, 2000b), which UNGA later confirmed, only adding the sub-regional level (United Nations General Assembly, 2000; 2001b). Fourteen sub-regional preparation meetings were held, followed by five regional meetings. In addition, as a contribution to the bottom-up approach, the United Nations Department for Economic and Social Affairs (UNDESA) organized regional Roundtables of eminent persons, with invited experts who had been “actively involved” in the implementation of Agenda 21 at the local, national and regional levels (United Nations Economic and Social Council, 2001).

⁴ Chapter 37 of Agenda 21 urged countries to involve all relevant interest groups in building national consensus on Agenda 21 implementation (37.5), and chapter 28 recommended that local authorities engage in dialogue with its citizens, local organizations and private enterprise for the formulation of a local Agenda 21 (28.3) (UNCED, 1993).

⁵ The nine major groups were local authorities, women, farmers, youth, indigenous peoples, trade unions, scientific and technological community, business (UNCED, 1993).

The resolution adopted at PrepCom I included a request that the UNSG “take fully into account” the results of national, sub-regional, regional and interregional preparatory processes, including those of major groups, when preparing his report, and on that basis indicate possible main themes for the Summit (United Nations General Assembly, 2001a:6). Furthermore, Governments wanted trends in implementation and constraints “at all levels” (United Nations General Assembly, 2001a:7a). There was a particular emphasis from many Governments on the regional preparatory processes, which should determine “regional priorities and new initiatives for further implementation of Agenda 21”, based on the outcome of the national preparatory processes (Commission on Sustainable Development, 2000a:28). The assessments at lower levels were envisioned to inform and feed into the ones at higher levels and ultimately the international review.

Another component that can be seen as striving to strengthen the cross-level linkages was an increased inclusion of the major groups identified in Agenda 21; this increased inclusion would thus also strengthen horizontal integration, both in the WSSD preparatory process and in the Summit itself. The ambition to have a high degree of major group input to the process was raised in the earliest discussions and resolutions on the Summit process (Commission on Sustainable Development, 2000b; United Nations General Assembly, 2001b). The invitation of involvement from major groups was to follow the rules and procedures of the CSD as well as its “established practices” (United Nations General Assembly, 2001b:12). These practices had developed over the years, with multi-stakeholder dialogues (MSDs) becoming an official part of its meetings from 1998 onwards (Consensus Building Institute, 2002). In concrete terms, the engagement of major groups eventually involved MSDs between major groups and governments at PrepCom II and IV and partnership plenaries on a range of themes and roundtables with Heads of State at the Summit (IISD, 2002a). Major groups were also invited to present written reports with their assessment of implementation and future priorities, and they were most strongly encouraged to develop and present their own commitments in the form of partnerships.⁶ The sub-regional and regional preparatory processes also included some multi-stakeholder elements. Indeed, there was an expectation that the bottom-up approach in the preparatory process would give major groups “many more opportunities to influence the outcome” (United Nations Economic and Social Council, 2001:32).

It is difficult to evaluate the degree to which this bottom-up and participatory ambition was successful in achieving a closer integration among governance levels. One of the major challenges of the bottom-up process was

⁶ WSSD partnerships, or the so-called Type II outcomes, constituted a new element to the official outcome of a UN Summit. They were voluntary agreements not subjected to intergovernmental negotiations which could be submitted to the Secretariat by different constellations of actors.

the time factor. When the UNGA gave its formal “go-ahead” to the Summit in December 2000, this was only a year and a half before the Summit, a whole year less than the preparation time for UNCED. The time available for an ambitious preparatory process, including a review of implementation with bottom-up characteristics, was thus not ideal. Preparations at the different levels ran partly parallel; many national reports were not finished until long after sub-regional and regional preparations had taken place and coincided with the presentation of the UNSG’s report on the implementation of Agenda 21. The sub-regional, regional and global preparations did follow a consecutive timeline that in most cases allowed the reports of lower-level meetings to be available for the preparation of reports for higher-level meetings. However, this in itself does not guarantee that the reports were considered. Indeed, the bureau that was responsible for the preparatory process saw it as a “continuing challenge” to ensure that “regional platforms build on sub-regional inputs” (Bureau of CSD-10, 2001b:8).

A major challenge for the effective participation of major groups and thus contributing to a dynamic dimension of vertical integration was to make the MSDs truly interactive. They were severely criticized, particularly for the lack of participation from Government delegations and the delivery of formal statements rather than a dialogue (Hiblin *et al.*, 2002, IISD, 2002b), despite the Bureau’s high ambitions to make the dialogues truly interactive (Bureau of CSD-10, 2001a). A survey of the CSD MSDs showed that many participants considered the dialogues valuable yet not sufficiently dynamic and not realizing their full creative potential (Consensus Building Institute, 2002). The official multi-stakeholder events at the Summit itself came too late in the process to have the potential to influence the negotiated output. Nonetheless, the symbolism of having roundtable discussions between Heads of State and members of major groups sitting face to face was significant. It posed a stark contrast to the separation between leaders and civil society with security barriers during meetings of, for example, international financial and trade organizations. Interestingly, many of the proposals included in the official reports from the roundtables did not disclose who had raised them, whether a Head of State or a farmer’s representative (United Nations, 2002c).

5. Much about levels

The JPOI, the major text adopted at WSSD, also has aspects of multi-levelness, and, to a much more limited extent, vertical integration. The analysis of the JPOI, which includes a few comparisons with Agenda 21, is presented in three subsections. The first gives a broad overview of how levels of governance were spoken about in the negotiations and the relative relationship between levels in the final text. The second subsection analyses the JPOI chapter on the

institutional framework at different levels and their possible integration, while the last looks at how the whole of JPOI deals with vertical linkages and integration.

5.1. Talking about levels

There are numerous words and phrases in Agenda 21 and the JPOI that refer to a particular point on the geographical scale or a specific level of governance.⁷ These can be clustered into the following categories:

- Why — the problem dimension: describing the scale of a problem for which action is needed.
- What — the goal dimension: describing the point on a scale towards which a goal should be achieved (and sometimes by when).
- What and Where — the solution dimension: designating at what level(s) actions should be taken, supported, promoted, encouraged, etc.
- Who — the responsibility dimension: designating institutions and other actors associated with particular governance levels, such as national governments, international organizations, local authorities, or indigenous and local communities.
- How — the conditional dimension: used as a qualifier for how policies, plans, actions, institutions, etc. crafted at higher levels should take into consideration specific conditions, circumstances, stages of development, cultural values or priorities at lower levels.

The reference to different scale words in the JPOI was on many accounts similar to that in Agenda 21 (see Figure 1). Each of these categories could include an aspect of how levels relate to each other. Governments agreed that measures for the same objective needed to be taken at either one specific level of governance — most frequently the national or international level — at a specified subset of levels or at “all levels” (see Figure 2). Assigning more than one level for solutions and responsibility indicates the need for some form of vertical integration. The combination, “all levels”, was used much more frequently in the JPOI than in Agenda 21. It was only used 58 times in Agenda 21, compared to 80 in the JPOI, the text length of which is only 18% of that of Agenda 21. In the JPOI, it emerged as the standard phrase introducing most action-oriented paragraphs. In most cases, however, the text does not expand on how to divide the responsibility between levels and how they should interact. All levels rather seemed to be

⁷ As this paper is focused on the relationships between levels including how their integration is envisioned through the negotiated outcome, I merely present a brief summary here of the “allocation” of governance to specific levels. I address this aspect of the negotiations in detail in another manuscript, see Karlsson-Vinkhuyzen (2010) where links to different theories of effective and legitimate allocation of governance to specific levels are made. See also Karlsson (2007) for an elaboration of some of those theories.

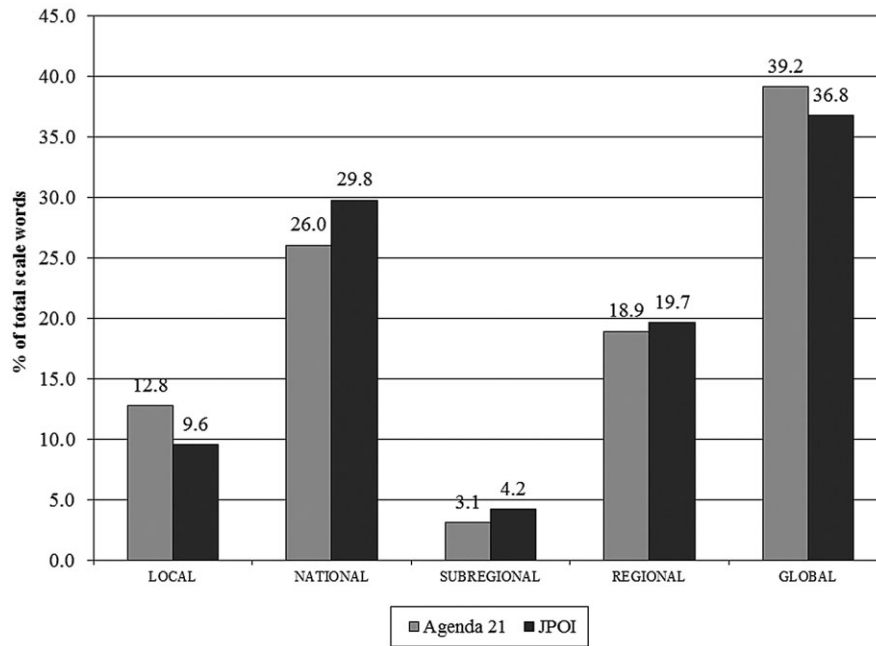


Figure 1. Percentage of scale words in Agenda 21 and JPOI.

Source: Author's elaboration.

Note: The figure shows that the ranking among the “scale words”, words that can be clearly associated with one particular point on either the geographical or governance scale, was identical between Agenda 21 and JPOI: (1) Global; (2) national; (3) regional; (4) local; (5) sub-regional; and that the percentage of scale words in each category was very similar. The words counted in each category were — Local: local, locally. National: national, nationally, domestic, domestically. Sub-regional: sub-regional, sub-regionally. Regional: regional, regionally. Global: international, internationally, global, globally.

a catch-all phrase that reduced the need to address more detailed division of labour between levels. There was considerable disagreement on the role responsibility of specific levels of governance to address specific problems as reflected in negotiations where countries and country groups successively added and deleted which levels should be mentioned in connection with various issues. Much less attention was given to how the final combination of levels should or could interact to achieve the stated goals.

5.2. A more multi-level institutional framework

The final chapter of the JPOI addressed the institutional framework for sustainable development. It addressed each of the international, regional and national levels in specific sections.⁸ The mandate for WSSD to “address ways of strengthening the institutional framework for sustainable development” was given in GA resolution 55/199 (UNGA, 2001b:15e).⁹ There seemed to be a broad consensus on the need for this, even if there were different views on how encompassing that mandate was. I will briefly highlight

some points of particular relevance to the discussion on levels in the different sections, if and how the text relates to horizontal and vertical integration among these.

5.2.1. The international level

The first general section on strengthening the international institutional framework states that the international community should integrate sustainable development in various international organizations, including trade and financial institutions. It makes a strong and detailed case for good governance at the international level, for strengthening the social pillar, and implementing UNEP Governing Council decisions on environmental governance.

There were many proposals during the negotiations on improving the cooperation between various intergovernmental organizations, such as WTO, UNCTAD, ILO and UNEP: how to ensure coordinated follow-up of the conferences in Monterrey, Doha and Johannesburg (and others). As discussed below, cooperation and coordination were concepts that raised less resistance than many other more far-reaching actions. Yet, it was still sensitive when it concerned the UN system, the international financial institutions (IFIs) and the WTO, respectively. Nonetheless, the final text called for strengthening interagency collaboration “in all relevant contexts with emphasis on the operational level” (United Nations, 2002a:140b).

⁸ Major groups were also discussed in a separate very short section.

⁹ “Governance”, which was used in the title of the first drafts of the chapter, was bracketed by G77 and later changed to “institutional framework”, which was also the language of UNGA resolution 55/199.

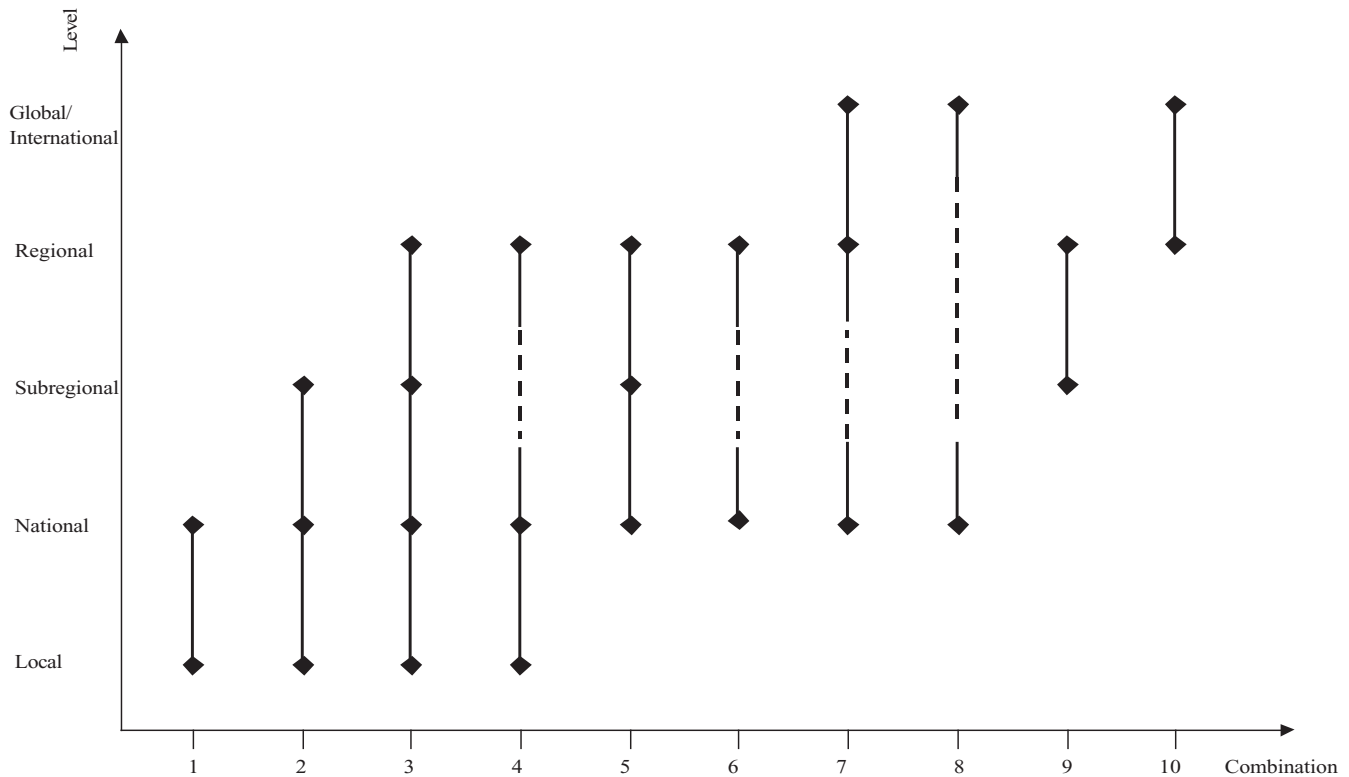


Figure 2. Combination of levels in the JPOI.

Source: Author's elaboration.

Note: The square points indicate which levels are mentioned in phrases with an explicit combination of “levels” in the JPOI. The dotted lines indicate levels bypassed and not included in combinations. The international and global levels are assumed to refer to the same level and are clustered together. The figure does not show how often each combination occurs: most of them occur only once, but combinations 7, 8 and 9 occur 3 times. Only phrases with explicit “levels” have been included in the figure, although instances of other combinations with less direct phrasing can be found in the text.

The discussions on the role of UNGA and United Nations Social and Economic Council (ECOSOC) were predominantly concerned with various aspects of horizontal integration of sustainable development within the UN system and these institutions' respective mandates of reviewing implementation, procedural and other organizational aspects. The central discussion was on the future role for the CSD. There was considerable consensus that CSD should focus less on negotiating policy positions and more on support for concrete implementation. However, the views varied considerably on what modifications should be made to achieve that. The final text stresses that the CSD should place more emphasis on actions that enable implementation at all levels and on promoting and facilitating partnerships. It was decided that negotiations should only take place every two years and in its role to provide “a forum for analysis and exchange of experiences” on measures to assist planning, decision-making and implementation, the CSD was asked to make more effective use of national and regional reports and experiences (United Nations, 2002a:148d). Subsequent decisions at CSD 11 in 2003, and the way they have been implemented, have added to the efforts of integrating levels, from the global to the community and project level. The

CSD provides a forum for institutions operating at different levels through, for example, showcasing partnerships, offering courses in relevant subjects for delegates, and inviting practitioners to present their experiences in the plenary sessions.

5.2.2. *The regional (and sub-regional) level(s)*

In the section on the regional level, regional Intergovernmental Organizations (IGOs) were given more responsibility in promoting sustainable development. The text assigns several tasks to regional and sub-regional institutions, such as to improve intraregional coordination and cooperation on sustainable development, to collaborate with UN Regional Commissions to promote integration of the three dimensions of sustainable development in their work and to facilitate the provision of financing for implementing regionally and sub-regionally agreed sustainable development projects and programmes, thus contributing to vertical integration from the top downwards. The Regional Commissions were asked to promote multi-stakeholder participation and encourage partnerships in support of implementation. Since the WSSD, there have been Regional Implementation Meetings in each CSD

cycle, whose outcomes are intended to strengthen the bottom-up process envisioned for the CSD.

There was much support for strengthening the Regional Commissions' role from the North and the South, even if there were contentious issues in the detailed approaches of how to do this. For example, G77 pushed for their role in mobilizing technical and financial assistance, and supporting regional sustainable development programmes such as New Partnership for Africa's Development (NEPAD). The USA did not want regional and sub-regional processes where national reports on implementation were "mutually reviewed and analysed" only "shared", and G77 wanted the whole paragraph deleted, which in fact did happen (Commission on Sustainable Development, 2002:18d). The EU repeatedly emphasized the role of developing regional sustainable development strategies.

The sub-regional level was not mentioned in the first version of chapter XI, but was added to the section on the regional institutional framework, where the text urges implementation of Agenda 21 and the WSSD to be pursued at both regional and sub-regional levels.¹⁰ Subsequently, the role of sub-regional institutions was added to whatever role regional equivalents had been given. The only exceptions were in reference to the explicit role of the UN Regional Commissions and the development of regional sustainable development strategies. All of the additions of the sub-regional level were made by Australia (Commission on Sustainable Development, 2002). It is often stated that the WSSD strengthened the role of the regional level, and particularly the role of the Regional Commissions. Nevertheless, the Agenda 21 language on these aspects was not much different, only slightly less detailed.

5.2.3. *The national level(s)*

Most of the section on the national level changed considerably during the negotiations. The final text starts with listing two key tasks for States; to provide "coherent and coordinated approaches to institutional frameworks . . . at all national levels" and to have started the implementation of national sustainable development strategies (NSDS) by 2005 (United Nations, 2002a:162), thus envisioning national governments to initiate a top-down vertical integration process of implementing Rio and WSSD outcomes at all levels of governance below the national. The concept of all national levels was a compromise to avoid reference to the local level, which was supported by the EU and Switzerland and opposed by the G77. It was a long struggle to reach agreement on the NSDS, however, particularly on setting a target date for them.

¹⁰ There are no institutionalized subregions in the UN system, but these refer to self-defined clusters of countries that are smaller than the regions of the UN Regional Economic Commissions, where in some cases intergovernmental organisations have been created, such as the Arab league.

In its last three paragraphs, the local level surfaces more explicitly. The attempts by several countries such as Turkey, Switzerland and the EU to include it in earlier paragraphs in the section had failed (Commission on Sustainable Development, 2002). However, one of these paragraphs calls for promotion of the establishment of national sustainable development councils "and/or coordination structures at the national level, including the local level" (United Nations, 2002a:165). Another asks for support for enhancing "national institutional arrangements for sustainable development including at the local level" (United Nations, 2002a:166). An earlier proposal to ensure "policy coherence and integration between national and local sustainable development strategies" did not survive (Commission on Sustainable Development, 2002). The last paragraph finally puts the local level in the centre as it requests to enhance "the role and capacity of local authorities" and strengthening the "continuing support for local Agenda 21 programmes" (United Nations, 2002a:167). This was the second of only two references to local Agenda 21 in the whole of the JPOI.

5.3. *Little on vertical linkages and integration*

The JPOI established the role of all governance levels, in varying shades and nuances, and in most cases requested actions and governance at all of them — even if it is an open case what levels are actually included in "all levels" — but was more silent, however, on how linkages should be established between those levels. Horizontal linkages and integration among the three pillars of sustainable development is a theme often repeated in the JPOI. Nevertheless, vertical linkages and integration among levels, and what they should look like, are much more implicit. One suggested text paragraph for chapter XI called for integration along both axes:¹¹

Promoting (Australia) Ensuring horizontal and vertical (Switzerland) [coherence and] (Australia) consistency in policy formulation and implementation and ensure coordination at the appropriate level (EU) (Commission on Sustainable Development, 2002:3b).

This text was later deleted, but it is illustrative as it contained three words which can be used to explore how to approach linkages and integration: coherence, consistency and coordination. "Coordination" is used 25 times in the JPOI, but the text never explicitly refers to coordination among institutions at different levels.¹² The other two words in this rejected paragraph faced a tougher fate in the final JPOI: "coherence" occurs three times and "consistency" only once. "Coherence" was a word with which primarily

¹¹ The text in bold are inserted proposals not yet agreed upon, text in brackets have been opposed by one or more parties.

¹² The exception is when discussing integration between policy within organizations and the associated operational activities.

G77 had significant problems (Gardiner and Middleton, 2002). It remained in the text in two contexts of the institutional framework chapter. Among the objectives listed for strengthening the institutional arrangements on sustainable development in the beginning of chapter XI is to strengthen “coherence, coordination and monitoring” (United Nations, 2002a:139). It is uncertain whether this refers to strengthening coherence and coordination both horizontally among sectors/pillars and vertically among levels. It also does not specify if it refers to both policy and implementation. A direct reference to coherence in implementation, while not specifying the levels, is made when recommending that the CSD is given an enhanced role to “fostering coherence of implementation, initiatives and partnerships” (United Nations, 2002a:145).¹³

Most of the linkages in the text are unidirectional, primarily top-down from higher levels to lower levels, such as with the call for implementation at all sub-global levels of international institutions; multilateral environmental agreements, Agenda 21, JPOI, etc. It is also the case with the call for resource flows, financial, technical, etc., from the global level to the national level in primarily developing countries (and sometimes countries with economies in transition). One approach to forging linkages that indicated a more symmetrical relationship among levels, rather than one that is top-down, is in the references to partnerships, such as the call for strengthening “partnerships among and between local authorities and other levels of government and stakeholders to advance sustainable development” (United Nations, 2002a:167).

6. Vertical integration towards Rio+20?

From 2010 to 2012, the international community once again involves itself in a process of reviewing its sustainable development commitments and setting new directions for the years ahead through the UNCSD in Rio. How has it taken the challenges of vertical integration on board this time? The preparatory process for the UNCSD started in early 2010 after a resolution by the UNGA, laying out the major objectives of the conference and the overall design of its preparatory process (United Nations General Assembly, 2010d). The analysis first indicates an awareness of the failure to implement vertical integration across levels and, second, of a scaled-down preparation process compared to the WSSD, with bottom-up multi-levelness given less prominence.

In its first report to the preparatory process, the UNSG examined “not only outcomes, but also coherence among national and international policies and institutional structures,” as many Governments had made specific

references to coherence and integration in voicing their support for the UNCSD (United Nations General Assembly, 2010b:6). The report stresses that the integrated decision-making at national and local levels that Agenda 21 had envisaged “had not yet taken a form that could promote convergence on a sustained basis” (United Nations General Assembly, 2010b:28). The report argued that “there is a lack of a proper framework for vertical integration between local and national processes” as well as a lack of international support for such initiatives (United Nations General Assembly, 2010b:30-31), and concluded that institutions “for increasing vertical coherence between national and subnational levels” were less developed (United Nations General Assembly, 2010b:90). The UNSG asserted that the institutional framework for sustainable development “must be considered at the local, national, regional and international levels” and that the international institutional landscape has been characterized as “fragmented, with a silo-like arrangement of regimes and institutions and a related lack of coherence and coordination” (United Nations General Assembly, 2010c:91), thus a considerable lack of horizontal integration at this level.

Moving to the intergovernmental preparation process, the UNGA resolution stressed the importance of having “efficient and effective preparations at the local, national, regional and international levels by Governments and the United Nations system” (United Nations General Assembly, 2010d:20e). However, very little guidance or support was given for these processes. National experiences were intended to feed into the UNSG report for PrepCom II, primarily through a questionnaire distributed by UNDESA. However, only 49 Member States responded, 24 from developed and 25 from developing countries or countries with economies in transition (United Nations General Assembly, 2011:2). The responses from 27 UN organizations and 32 organizations or networks of major groups provided more than half of the input for the report. Recognizing that developing countries need support for the preparations, repeated requests for funds were made, but as of June 2011 no donors had provided resources for country-level preparations in developing countries.¹⁴ In early 2011, the Bureau noted with concern that there “appears to be some degree of inertia and indifference towards UNCSD preparations” in countries (UNCSD, 2011a:12). Regional preparation meetings were scheduled for the second half of 2011, and thus too late to feed into the preparatory documentation or even the first two PrepComs. While the Secretariat recommended that “[c]onsideration should be given, where appropriate, to the organization of sub-regional preparatory meetings” (United Nations General Assembly, 2010a:16), there were no systematic plans for such meetings.

¹³ Coherence is also used, stressing the importance of coherence (and consistency) in macroeconomic policies at the national level (United Nations, 2002a:83).

¹⁴ Despite this lack of additional funds, UNDESA supported 21 countries in their national preparations for Rio+20 through its capacity-building programmes (UNCSD, 2011b).

The number and duration of official preparatory negotiation meetings was much smaller than before WSSD. Instead, the UNCSO Bureau later suggested several “informal informal” week-long negotiation sessions in New York in the spring of 2012 to allow enough time to negotiate the outcome document. Such “informal informal” meetings were the only option, as these could be carried out without incurring additional costs. This meant that participation by some developing countries would in practice be limited to members of permanent missions to the UN, rather than delegations from capitals. The Bureau also noted an absence of delegations from capitals at the first intersessional meeting, related to the lack of funds (UNCSO, 2011c). This is likely to even further weaken the engagement of Governments in the Rio+20 process, including the implementation of its output.

There was explicit encouragement for the involvement of major groups in the process (United Nations General Assembly, 2010d:21), with the modes of interaction expected to follow the rules and practices of the CSD and the modalities of the WSSD thus not considering any reasons for addressing the challenges to these. On the other hand, major groups sought to strengthen their engagement by, for example, requesting the Bureau to give them permission to attend its meetings, but this was denied (UNCSO, 2010).

7. Discussion and conclusion

The analysis of the international community’s sustainable development deliberations and negotiations from Rio to Rio via Johannesburg illustrates a partial, half-hearted aspiration towards a certain degree of integration among governance levels and the many challenges to its application. Implicitly, the lack of top-down vertical integration; the lack of implementation at all levels of Agenda 21, particularly in local settings to improve peoples’ livelihoods and environmental quality, were the main foci of the WSSD. The contention around a global top-down target for countries to set up NSDS can be seen as sensitivity to an “outside” prescription of setting up any national institutions, but it can also be taken as an indication of considerable lack of political will to take seriously the integration of global goals on sustainable development in national policy processes.

The considerable weakening of references in the WSSD outcome to the local level compared with Agenda 21 is a major omission from a multi-level governance perspective. The one level of governance that is both closest to people’s knowledge, perspective and actions and where implementation of any global goals finally have to be manifested, is the most invisible one in the intergovernmental action plan. Local governments are not even considered to be governmental actors but can take part in the process on the same terms as non-State actors. The

UNSG report for Rio+20 evaluating the progress of implementation particularly highlights the lack of a framework for vertical integration between local and national processes. In the context of the post Westphalian order of sovereign States, this is nothing that should cause any risen eyebrows, but in a world in need of more multilayered governance there is room for new perspectives on this.

The preparation process for WSSD had high ambitions to be a bottom-up process, with stakeholders at all levels of governance providing their input both on the state of implementation of earlier commitments from Rio and what priorities should be set for the future. This bottom-up process was expected to increase the possibilities for input from civil society. The ambitions were, however, not followed through. The final reports left much of the inputs from lower levels, if it was even available, behind and the final negotiations were as usual dominated by diplomats defending their country’s particular priorities and sensitivities linked to national sovereignty. The preparations for Rio+20 have somewhat lower explicit ambitions of a bottom-up process, but it seems even these may be difficult to meet. Whether this reflects poor leadership, a general growing scepticism towards the value of the process, or less priority given to the topic of sustainable development is difficult to know, but a combination of these factors is plausible. The discrepancy between aspiration for a more participatory process and poor practice is likely to dishearten those who have taken an effort to contribute to the process, whether non-State actors or regional intergovernmental institutions, and make them more sceptical about the value of taking part in future processes.

The major institutional tool for vertical integration, and indeed horizontal integration at least at the international level, that came out of Agenda 21 was the CSD. The reforms of its mandate from the WSSD can be interpreted as intending to strengthen vertical integration in both directions. It was designed to integrate more bottom-up perspectives from both governmental processes at national and regional level, as well as from major groups and partnerships operating on the ground, and, through this, to somehow further strengthen integration. While progress was certainly made, it turns out to be challenging to create a true dialogue between major groups and Governments and enable more learning from bottom-up perspectives to take place. Multi-stakeholder dialogues are often limited to carefully crafted statements with limited interaction. Furthermore, it is doubtful whether it is the real experts of implementation who dominate the corridors of the CSD meetings, representing major groups or Governments, and whether the dialogue and other interactions have a concrete impact on the CSD decisions or implementation on the ground.

The revised CSD was also intended to strengthen top-down implementation of already adopted decisions. The

lack of reporting makes it difficult to judge,¹⁵ but it is an often asserted claim that the CSD does not influence countries' actions to any significant degree (Hyvarinen and Brack, 2000)¹⁶ and its influence on the agendas of international institutions in the UN system also seems relatively limited (Karlsson and Hämäläinen, 2005). The value and effectiveness of the CSD has been increasingly questioned over the years. Major international NGOs disregard it. The failure to reach a negotiated policy text in its 2007 and 2011 sessions strengthened the critique and it is likely that the future of the CSD will be a key issue for the Rio+20 deliberations.

8. A possible way forward?

What should interactions along the vertical governance scale look like in order to produce complimentary and non-conflicting actions? As already indicated in my definition of multilayered governance, it is impossible to do this if governance is only top-down or bottom-up and not initiated at all levels. In the former case, it is likely to be considered illegitimate; disenfranchising actors at lower levels who feel they have not contributed to the setting of global targets or who see no relevance in them in their own lives. In the latter case, efforts at local and national levels may be taken without the outward perspective towards the global community and make immediate short-term local or national priorities override governance efforts for the global and longer time horizons.

It is then crucial to find a strategy of enthusiastic deliberation and sincere cooperation among actors and institutions at different levels. A minimum requirement for this is that motivation exists to approach the challenges of sustainable development *or* that the deliberation process itself strengthens this motivation. An observation from the assessment of the implementation of Agenda 21 made by some countries during PrepCom II for the WSSD gives motivation in the form “coalitions of the willing” as a condition for establishing vertical linkages:

“much of the concrete action on sustainable development has taken place in coalitions, involving governments at all levels — national, state and local, as well as NGOs, business, indigenous groups and other stakeholders. Such “coalitions of the willing” are the most effective way to pursue sustainable development” (United Nations, 2002b:115).

Motivation enables “coalitions of the willing” to form, which are needed in institutions and among other actors

¹⁵ Kaasa (2005) notes that already in the first CSD period from 1993 to 2002 the significance of national reports declined.

¹⁶ This is also based on the author's interviews with officials from Governments and international organizations carried out during CSD meetings in 2007.

at all levels for vertical integration to occur. Institutional and financial incentives can naturally encourage such motivation and enable more multi-level and even multilayered governance, but that is not enough. One of the main objectives of the UNCSD is to renew the political commitment for sustainable development and thus strengthen motivation. Indeed, the biggest barrier identified by States to the implementation of the sustainable development agenda was “[l]ow political priority for integrated decision-making” (United Nations General Assembly, 2011:37). The question is whether the formula for Rio+20 will include the answer to how such commitment can be renewed. One criterion for this is most likely that institutions and other actors across all levels of governance perceive the UNCSD process to be legitimate, which in turn depends on how they are involved and heard. A Rio+20 process could benefit from much wider outreach and engagement of civil society and the global public (which would require longer preparation time and considerably more financial and human resources). However, it should not be an *ad hoc* involvement but instead measures should be adopted to give more room for them to engage in implementation in cooperation with governmental institutions at local, national and global levels. This could include: taking even more radical steps to strengthen the participatory elements of the CSD (or what may come in its place); making an in-depth analysis of why local stakeholder processes initiated under the Agenda 21 banner have largely died out; and analyzing why there is such limited enthusiasm for national sustainable development councils. Two other measures would be for Governments and international institutions to take much more seriously the partnership with local governments who indeed interact most directly with people and find a way for parliamentarians and indeed parliaments to engage with these global deliberations. As the output of these deliberations primarily falls in the “soft law” category, that is non-legally binding norms, they have no role in ratifying them and may be largely unaware of their content. Finally, if the process itself is to strengthen motivation, it would be valuable to engage particularly with those groups in society that are already involved in activities that aim at changing values and motivations; such as educators and educational institutions as well as Faith communities.

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Appendix

List of abbreviations

CSD	Commission on Sustainable Development
ECOSOC	United Nations Social and Economic Council
EU	European Union
G77	Group of 77 and China
IFI	International Financial Institutions
IGOs	Intergovernmental Organizations
ILO	International Labour Organization
JPOI	Johannesburg Plan of Implementation
MSD	Multi-stakeholder Dialogues
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organization
NSDS	National Sustainable Development Strategies
SIDS	Small Island Developing States
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCSD	United Nations Conference on Sustainable Development
UNCTAD	United Nations Conference on Trade and Development
UNDESA	United Nations Department for Economic and Social Affairs
UNEP	United Nations Environment Programme
UNGA	United Nations General Assembly
UNSG	United Nations Secretary General
WSSD	World Summit on Sustainable Development
WTO	World Trade Organization