

Accountability of Networked Climate Governance The Rise of Transnational Climate Partnerships

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Abstract

Public-private partnerships (PPP) have been advanced as a new tool of global governance, which can supply both effective and legitimate governance. The aim of this paper is to map the landscape of various types of climate partnerships, classified according to their different functions (policy-making, implementation, advocacy etc) and their degree of public-private interaction (ranging from private to hybrid participation). The legitimacy of the different types of climate partnerships will be examined, focusing particularly on accountability. The paper raises the question whether climate partnerships are symptomatic of a shift to market multilateralism, replacing universal state-centric multilateralism epitomized by the Kyoto process. Three kinds of partnerships are advanced— public-private (hybrid), governmental and private-private. The frequency of these is mapped in climate governance. Most of the climate partnerships have functions of advocacy, service provision and implementation. None are standard setting, which indicates that governmental actors are less willing to 'contract out' rule-setting authority to private actors in the climate change. Some partnerships, such as the WSSD climate partnerships and CDM projects represent 'new' modes of hybrid governance with high degree of public-private interaction. However, many partnerships, not least the voluntary technology agreements such as the AP6, have elements of 'old' form of governance based on the logic of lobbying, corporativism, co-optation and interstate bargaining. Finally, private (business-to business) climate partnerships are to varying degrees are geared toward targets in the Kyoto protocol. A key conclusion in this paper, which is supported by studies of transnational climate governance, is that partnerships do not necessarily replace or erode the authority of sovereign states. Rather, partnerships pave the way for hybridization and transformation of authority that is shared between state and non-state actors.

1. Introduction

Public-private partnerships (PPP) have been advanced as a new tool of global governance, which can supply both effective and legitimate governance. The 330 multi-stakeholder public-private partnerships adopted at the 2002 World Summit on Sustainable Development have gained public attention and been subject to scholarly assessment.¹ PPP are defined as institutionalized forms of non-hierarchical steering involving a mix of public and private actors. The aim of this paper is to map the landscape of various types of climate partnerships, classified according to their different functions (policy-making, implementation, advocacy etc) and their degree of public-private interaction (ranging from private to hybrid

¹ On evaluation of WSSD partnerships, see for example Andonova and Levy 2003; Bäckstrand 2006, Benner, Streck and Witte 2003; Ivanova 2003; Hale and Mauzerall 2003; Joyner 2005.

participation). Based on earlier work (Bäckstrand 2006b), a framework for appraising the legitimacy of climate partnerships is developed, highlighting accountability as an essential element of legitimacy. A general theoretical concern is the impact of these emergent climate governance mechanisms on the multilateral system. Are climate partnerships symptomatic of a shift to market multilateralism, replacing universal state-centric multilateralism epitomized by the Kyoto process?

The proliferation of partnerships is tied to the rise of global networked governance, involving multi-sectoral collaboration between civil society, government and market actors. Networks are emblematic of the shift from ‘government’ to ‘governance’ (Rosenau and Czempiel 1992), or from hierarchical to networked governance. Networked governance has gained attention in studies on transnational advocacy networks consisting of state and non-state actors (Kick and Sikkink 1998) and the epistemic community literature on scientific networks (Haas 1992). Partnerships signify a shift to ‘new’ modes of governance, which build non-hierarchical steering (Börzel and Risse 2005) and are characterized by decentralized, voluntary, market-oriented interaction between public and private actors. In the climate arena, self-regulation by market actors, public-private partnerships, business-to-business partnerships, civic-business partnerships, emission trading schemes, certification programs, labeling and standards for climate neutrality fall under the rubric of ‘new’ modes of governance. This is contrasted with ‘old governance’, building on hierarchical top-down modes of steering and command and control regulation. In conceptualizing partnerships as networks, I will advance three kinds of partnerships: public-private, governmental and private-to-private. Building on Börzel and Risse (2005), the distinct character of public-private partnerships (PPPs) as examples of new modes of governance in terms of their hybrid authority will be demonstrated.

The organization of the paper is as follows. The remainder of this section will highlight the key propositions of the paper and contextualize the role of partnerships in current debates on post-2012 climate governance. The *second* section defines partnership networks according to their functions and types. Public-private partnerships represent ‘new’ modes of governance, which are defined by hybrid authority and non-hierarchical steering. The *third* section maps different types of climate partnerships ranging from multilateral Johannesburg partnerships, Clean Development Mechanisms (CDM) and voluntary technology partnership, such as the Carbon Sequestration Leadership Forum (CSLF). The *fourth* section analyzes legitimacy of the different types of climate partnership networks, focusing particularly on accountability. The concluding section discusses the implications of networked climate governance on multilateralism. The turn to partnerships in international climate diplomacy has raised concerns whether this represents a transformation to elite multilateralism, market multilateralism or democratic multilateralism.

1.1. Key Propositions

This paper does not make any argument with respect to the legitimacy of global climate governance as whole (intergovernmental treaties, climate public-private partnerships, voluntary carbon market). However, a key argument is that plural forms of accountability mechanism are needed in order to appraise networked climate governance consisting of various types of hybrid partnerships. Non-electoral accountability such as peer, reputational, market accountability (Benner, Reinecke and Witte, 2004; Keohane and Nye 2001; Ruth and Grant 2005) can to be applied to assess partnerships.

Secondly, the relationship between state and non-state actors are not as a zero-sum game as many scholars argued (Börzel and Risse 2005; Newell 2000; Okereke and Bulkeley 2007). The dichotomy between sovereign and post-sovereign power underpins much theorizing in international relations. For example, the regime literature is premised on the primacy of the state and civil society literature predicts the demise of the state. The rise of the partnership discourse can lead to the conclusion that the sovereign state is outdated and replaced by networked governance. However, many climate partnerships operate in the ‘shadow of hierarchy’ as states and international organizations are delegating rule setting or implementation to partnership networks. This paper brings into focus the hybrid nature of partnerships, in terms authority-sharing between market, civil society and governmental actors.

Thirdly, the rise of partnerships in climate politics signifies a transformation of multilateralism, which relies increasingly on collaboration between private and public actors, such as business and civil society. Complex multilateralism, public-private multilateralism, market multilateralism are terms that denote the changing forms of interstate cooperation. Do partnerships will consolidate a privatization of multilateralism? While multilateralism is transformed by the proliferation of partnerships, the direction is not clear. Three ideal types of multilateralism are advanced – multi-stakeholder multilateralism, market multilateralism and elite multilateralism - each associated with the predominance of a certain type of partnership.

1. 2. Partnerships and Fragmentation of Global Climate Governance

Is the sum of fragmented ‘architecture’ of thousands of climate partnerships outside the UN Kyoto framework an effective response to post-2012 challenges? What is the collective impact of these public-private, private-private or transgovernmental partnerships? Do these climate governance efforts complement (or substitute) Kyoto regime in reducing the threats associated with climate change? Do these new modes of governance increase the prospects for reaching more ambitious long-term post-Kyoto targets? What are the implications for accountability (transparency, fairness, representativeness)? These recurrent questions tap into contemporary debates on benefits and disadvantages of current fragmented climate policy architecture, the (in)effectiveness of the Kyoto protocol, and the prospect for post 2012 targets. In different ways these issues are underpinned by questions of the effectiveness and legitimacy of contemporary climate governance.

There are currently thousands of more or less formalized and institutionalized climate partnership networks, ranging from UN registered public-private climate partnerships to voluntary technology partnerships between industrialized and developed states. The climate partnerships reside at the nexus of the global carbon market and the intergovernmental multilateral system. Post-2012 climate governance draws on the market as a legitimizing force. Some examples are governmental networks, such as voluntary partnerships on technology cooperation (AP6), multilateral public-private implementation partnerships (CDM projects) and business-to-business partnerships (Combat Climate Change) and NGO-business partnerships (Greenhousegas Protocol). The voluntary carbon market with different carbon standards, carbon finance and carbon brokers, is a universe of governance in itself, which can be defined as non-state market driven modes of governance (Bernstein and Cashore 2005).

Climate governance is both multi-layered and fragmented, characterized by private, public and hybrid authority. Intergovernmental regimes, such as the UNFCCC and Kyoto, co-exist

with market-based mechanisms and private regimes. Along with state-dominated international organizations and treaty-making, the climate policy arena is characterized by civil society led standard setting and advocacy, self-regulation of transnational corporations and various hybrid governance arrangements, such multi-stakeholder partnerships. If we take authority to mean the legitimate exercise of power (Bernstein 2005: 649), the contemporary climate governance order consists of many sites of political authority. Authority in this respect rests upon the marriage of power and legitimacy (Conca 2005: 186; Stripple 2005).

There is a general argument that the increase in transnational PPP is a response to the 'regulatory deficit' or 'implementation deficit' permeating multilateral regimes not least in the field of climate change. Partnerships, self-regulation and voluntary agreements, can be interpreted as a response to deadlocks in the intergovernmental negotiations, represented by the US rejection of the Kyoto treaty and target base agreements at large. Consequently, climate partnerships can be seen as a symptom of a larger crisis of multilateralism and public diplomacy. 'Minilateralism', exemplified by the Asia-Pacific Partnership for Clean Energy and Climate (AP6), has been framed as an alternative to the 'Eurocentric' Kyoto protocol (Kellows 2006: 302). Does the fragmented mosaic of climate governance mask processes of privatization, deregulation, commercialization, de-governmentalization? Do these partnerships signify market multilateralism or democratic multilateralism? In order to appraise the effectiveness and legitimacy of the complex mosaic of climate governance, we need to conceptualize how 'new' governance relate to state-centric 'old' governance. Furthermore, we need to empirically map and make a systematic categorization of various types of climate partnerships. This is what the following sections set out to do.

2. Partnerships and New Modes of Governance

This section conceptualizes international public-private partnerships as networked governance, summarizes the debate on the benefits and disadvantages with partnerships and discusses how climate partnerships are related to new modes of governance.

2.1. Defining Transnational Public-Private Partnerships

Transnational public-private partnerships (PPP) can be seen as institutionalized cooperative relationships between public actors (governments and intergovernmental organizations) and private actors (corporate and civil society actors) beyond the nation-state for governance purposes (Börzel and Risse 2005: 198). Partnerships have been defined as 'voluntary cooperative arrangements between actors from the government, business and civil society that display minimal degree of institutionalization, have common non-hierarchical decision-making structures and address public policy issues' (Steets 2004: 25). In domestic politics, public-private partnerships fall under the rubric of 'collaborative governance', cross-sectoral policy networks and advocacy coalitions (Mörth and Sahlin 2006). Partnerships are multisectoral public policy networks that bring together public sector, business and civil society in issues such as health, environment, human rights and finance (Benner et al. 2004: 191-192). In recent study, 50 percent of the PPPs were identified in the health and environmental sectors (Kaul 2005). These networks capture the essence of post-sovereign governance entailing collaboration between market actors, governments, international organizations and NGOs on a range of issues from sustainable development, climate change, water, AIDS, Malaria prevention and biodiversity protection (Benner et al 2004: 191-192). Partnerships reflect 'new modes of governance', which is defined by non-hierarchical steering and a mix of public and private actors. This can be contrasted with 'old' modes of governance based on hierarchical steering, such as top-down regulation and enforcement and threat of sanctions (Börzel and Risse 2005; Mörth and Sahlin 2006). However, 'new' and 'old' is more

of an analytical distinction. The novelty of ‘new’ modes of governance can be questioned. In fact, they can be seen as ‘return to the normal’ in international relations (Börzel and Risse 2005: 206).

Public-private partnerships, which rest on shared authority between state and non-state actors, should be differentiated from private authority, such as corporate networks and non-profit organizations (Cutler 2003; Haufler 2001; Hall and Biersteker 2002). Conceptually, public-private partnerships should be distinguished from civil society networks (Lipschutz 1996; 2005) or epistemic communities (Haas 1992) that rest on moral respectively scientific authority. PPP can be defined as *institutionalized* cooperation between state and non-state actors, rather than institutions in themselves (Andonova 2005). In climate governance, partnerships vary in both functions and degree of institutionalization and permanence. Some partnerships are established institutions in themselves while other are more loose networks of collaboration with a time limit. Others have been transformed to organizations with a physical secretariat and headquarters.

It is easy to fall into the methodological trap of making partnerships a broad and all-inclusive concept that includes organizations, governance functions, self-regulatory activities etc. Making the partnership definition too comprehensive can create the false impression that partnerships have an omnipotent presence and that they are replacing traditional regulation. It is also problematic to identify partnerships based on the actors’ own definition of their activities as a ‘partnership. There is a proliferation of a partnership discourse in policy praxis, partly because the word carries positive connotations. To limit the partnership concept, self-regulated market governance, such as emissions trading as well as lobbying and advocacy by private actors do not qualify as ‘new modes’ of governance or public-private partnerships (Börzel and Risse 2005).

Partnerships have been classified in different ways depending on their different functions in the policy making process². For the purpose of this paper, partnerships are categorized according to four functions:

- **Advocacy**, such as raising and mobilizing political awareness through global campaigns directed to public and citizens.
- **Rule and standard setting**, which involves direct participation of private non state actor in public rule making, standard setting and negotiation
- **Rule implementation** involving private actor participation in implementing and ensuring compliance with multilateral goals and targets.
- **Service provision**, which builds on private actor participation in delivering goods and services for their own member or transnational groups.

Most transnational partnerships in the field of political economy, development, environment, health and security have service providing, advocacy and implementation functions. This can be interpreted as the unwillingness of state to contract out rule-making authority (Börzel and Risse 2005). This general pattern is also reflected in global climate governance, where most

² In their book on the role of PPP in the UN work on global development Bull and McNeill (2006: 13) distinguish between resource mobilization, advocacy, policy and operational partnerships. Börzel and Risse (2005: 199) propose three types of generic partnerships – rule setting, rule implementation and service provision. Martens (2007) divide partnerships into five categories; advocacy, standard setting, financing, implementation and coordination. In their analysis of Johannesburg partnership, Witte, Streck and Benner (2003: 66) advance three types of partnership networks, namely negotiating, coordination and implementation.

climate partnerships function as implementation, advocacy and service provision networks (see Table 1). As will be demonstrated, in the next section, virtually no climate partnerships are rule-making or standard setting.

2.2. Contesting Transnational Partnerships

Proponents of partnerships argue that they are effective in performance and results-based due to their decentralized flexible structure, collaborative nature, speed and diverse expertise (Benner et al 2004; Streck 2003: 4; Streck 2004:291). Partnerships are seen as ‘new’ breed of effective and legitimate governance that can tackle the implementation deficit, the governance deficit and the legitimacy deficit permeating international environmental agreements (Streck 2002). Partnerships can potentially reduce the implementation gap by connecting local practice and global rules in a flexible and decentralized manner. They can complement multilateral treaties by providing voluntary standards and self-regulation. Finally, partnerships reduce the legitimacy deficit in global governance by including a diverse set of societal stakeholders and public actors (Fisher and Green 2004). From a liberal institutional perspective, public-private partnerships are a response to functional demands for better governance, particularly in issue areas where states and multilateral institutions have failed (Andonova 2005:4). Accordingly, the rise of partnerships can be seen as response to the crisis of multilateralism in the early 1990s when international organizations had to rethink their agenda (Bull and Benedicte 2006). Under the General Secretary Annan’s leadership UN has actively promoted the partnership model by ‘contracting out’ service-provision and implementation functions to public-private partnerships in the fields of development, aid, environment and health etc.

Critics of the partnership model raise the problem and risk using the partnership model as mechanism for policy making and implementation. The increased use of partnership, which is embedded in model of new public management, can lead to ‘hollowing out’ of the state, reinforce neo-liberalism and accelerate privatization of global environmental governance. Negative side effects of the increased use of partnerships by states and international organization are business influence, power inequalities and skewed representation in partnerships, fragmentation of global governance, reinforcement of elite multilateralism and retreat of state responsibility in production of public goods (Martens 2007: 4). Studies of the performance of WSSD partnerships conclude that there transparency, accountability and monitoring mechanisms are generally weak (Andonova and Levy 2003; Bäckstrand 2006; Hale and Mauzerall 2003). How can networks between international organizations, transnational companies and non-governmental actors be accountable if the actors themselves are unaccountable?

2.3. Partnerships and New Modes of Climate Governance

In Figure 1, Börzel and Risse’s (2005) framework for understanding the distinct character of PPP as new modes of governance is adopted and refined. Partnership and networked governance represent the transformation, contestation and hybridization of political authority (Conca 2005), where public and private actors share power of rule making and implementation. Hierarchical modes of steering are defined by the authoritative allocation of values and enforcement by states and public actors. In contrast, non-hierarchical steering is based on participation of non-state actors in rule making and implementation. The increased use and influence of PPP has been interpreted as the demise of sovereign state power and rise of corporate power. However, this view has been challenged on empirical and theoretical grounds. The increased use of PPP as policy tools in transnational governance should neither be interpreted as a zero-sum game between state power and non-state actors (Börzel and Risse

governance and diplomacy (the UNFCCC and the Kyoto protocol). What is the level of ‘publicness’ (participation of private and public actor), ‘delegation’ (delegation by public actors of governance functions to private actor) and ‘inclusiveness’ (participation of multiple stakeholders) in climate governance arrangements (Koenig-Archibugi and Zürn 2006)? As discussed previously, market-based governance (such as emission trading schemes), self-regulation, lobbying and advocacy activities do not constitute ‘new’ modes of governance. Only some of the partnerships qualify as public-private partnerships in terms of institutionalized cooperation between state and non-state actors.

Private self-regulation: In the left-hand side of Figure 1, governance is the self-coordination by markets, without intervention by states and international organizations. The voluntary market for carbon offsets (outside the Kyoto markets) private self-regulation, which promotes norms and standards ‘carbon neutrality’ (Taiyab 2006). Companies, governments, NGOs and individuals take part in this market to offset their carbon emissions. For instance, the Climate Neutral Company and Climate Care have pioneered this market. A central node in this market is the Chicago Climate Exchange (CCX) for voluntary carbon trading. However, voluntary carbon offset markets are under scrutiny for problems with fraud and additionality in trading carbon credits (Harvey 2007). Voluntary standards, such as those established by the International Emissions Trading Organizations (IETA) and the Gold standard, represents attempts to ensure climate integrity of voluntary trading. Under this self-regulated arena, a number of private-private partnerships can be identified, such as the Combat Climate Change and International Climate Change Partnerships (ICCP), which are both consortiums of MNCs calling for global framework for curbing greenhouse emissions (see section 3.4). The Greenhouse Gas Protocol initiative is business-civil society partnership between World Business Council for Sustainable Development (WBCSD) and the World Resource Institute (WRI) with the purpose to provide greenhouse gas accounting tools. These business-to-business partnerships involve no governmental actors even if they connect more or less to multilateral goals for climate change protection.

Private self-regulation in the shadow of hierarchy: This type of private governance can be captured by the term ‘regulated self-regulation’. Under this type of governance arrangements no climate partnerships have been identified. While private actors develop their own standards, it is conditioned by the ‘shadow of the hierarchy’, i.e. the direct or indirect interference of governmental actors. The Kyoto Protocol’s flexibility mechanisms set the terms for standard setting activities by private actors in the Kyoto carbon markets. The Kyoto carbon market is made possible by multilateral rule making, such as international emission trading, project-based emission trading (CDM, JI), the European Union Emission Trading Scheme (EU-ETS) (Warren and Drexhage 2005). So do domestic and regional emission schemes, such as the Regional Greenhouse Gas Initiative (REGGI) in the U.S., which involves eleven Northeastern states. The Gold standard for sustainable development performance of CDM projects has been developed by the non-profit organizations with the same name.³ Activities by IETA, a non-profit business organization dedication to promote carbon market and emissions trading (both Kyoto and voluntary markets) also constitute private regulation in the shadow of the state. In contrast to the voluntary carbon offset markets, Kyoto carbon trading are depend on public rule-making, and therefore involve a higher degree of ‘publicness’ (Koehnig-Archibugi & Zürn 2006). For example, the CDM market is dependent on a post-2012 climate agreement in order to expand.

³ The Gold Standard has also developed standards for the voluntary carbon offset market, see <http://www.cdmgoldstandard.org>

Delegation to private actors: The delegation, or ‘outsourcing’ of governance functions by international organizations, governments and regimes to private actors are abundant in international relations, exemplified by technical standardization such as the International Organization for Standardization (ISO). Delegation comes in different forms. International organization can delegate rule making or rule implementation to non-state actors or hybrid networks. The around 90 WSSD climate partnerships in Figure 1 can clearly be seen as an act of delegation of implementation functions to partnership networks. The rationale of the Johannesburg partnerships was that multi-stakeholder partnerships were effective and performance based instruments suitable for implementing multilateral targets on climate and energy, such as those found in the Kyoto protocol and Johannesburg Plan of Implementation (Benner et. al 2003). Similarly, in their operational phase, two of the Kyoto Protocol’s flexibility mechanisms – the Joint Implementation (JI) and the Clean Development Mechanism (CDM) can be conceived public-private partnerships for implementing the Kyoto Protocol’s twin goals of cost-effective reductions of greenhouse gas emissions for industrialized countries and sustainable development benefits for developing states (Streck 2004). Moreover, the World Bank’s several Carbon funds, such as Prototype Carbon Fund (PCF), can also be seen as an implementation partnership between multinational firms and governments to promote Kyoto carbon markets.

The CDM project cycle certifying eligible projects can be seen as an example of delegation. To ensure that projects generate actual emission reductions, the CDM Executive Board has delegated the verification process to accredited Designated Operational Entities (DOE). These are approximately 15 global accounting firms, such as Norska Veritas, SGS, Price Waterhouse (UNDP 2006), which have been approved for this function.

Public adoption of private regulation: The lack of global agreement have prompted private norm setting and rule making, which has subsequently been adopted by the state. This is illustrated by the forest certification, whereby some states have supported certain standards developed by private actors, such by the Forestry Stewardship Council (Bernstein and Cashore 2005; Cashore et al 2003). However, as noticed Figure 1, there is no instance of public adoption of private regimes in climate governance. As argued above, there is an abundance of private standards (for the voluntary offset market and Kyoto markets) but these have not been publicly sanctioned.

Co-regulation of public-private regulation: Similarly to above, no example of public-private rule making can be identified in the climate governance arena. This can be contrasted with other policy areas, such as the World Commission on Dams (WCD) that consists of multi-stakeholder rule making (Dingwerth 2005).

Consultation and cooptation of private actors: There are many governance arrangements under this type of public-private interaction. Multilateral institutions, EU and national governments as incorporate business and civil society in various consultative arrangements. The World Bank’s consultation with civil society and the multi-stakeholder dialogues arranged by the UN Commission for Sustainable Development (Bäckstrand 2006a; Mason 2005) reflect efforts to increase the legitimacy of international organizations. However, this can also be seen as cooptation of private actors by public actors. A number of climate partnerships between industrialized and developing countries, such as voluntary technology agreements on energy and climate can be identified in this context. The US initiated Asia-Pacific Partnership on Clean Development and Climate (AP6) and the Carbon Sequestration

Leadership Forum (CSLR) are recent examples (see section 3.2). Many of these high-level partnerships incorporate in varying degrees private actors in developing climate-friendly technologies for renewable energy and energy efficiency (Philibert 2005).

Lobbying of public actors by private actors: As argued above, lobbying and advocacy by interest groups at international climate negotiations do not constitute networked governance or PPP. Rather this type of private-public interaction constitute ‘old’ forms of governance in terms of lobbying by civil society and industry groups, such as the Climate Action Network (CAN) or the former Climate Change Coalition (CCC).

Public regulation: This governance arena constitutes multilateral rule making and inter-state negotiation of UNFCCC and Kyoto Protocol, where governments have decision-making power and non-state actors have a consultative standing. No policy-making authority is given to PPP.

3. Mapping the Terrain of Climate Partnerships

Table 1 presents an overview of various types of international climate partnerships, which are classified along two dimensions. In the horizontal row the sponsorship of partnerships are identified. Is the partnerships initiated by multilateral, state or private actors? The second dimension relates to the four functions of partnerships (advocacy, rule setting, rule implementation, service provision), outlined in the previous section. By classifying climate partnerships in this fashion three types of partnerships can be identified: hybrid public-private, trans-governmental and private partnerships (involving business or civil society). Hybrid partnerships have shared public-private authority and are defined by non-hierarchical steering. These partnerships operate to varying degrees under the ‘shadow of hierarchy’. As we will discussed, many climate partnerships reflect the logic of ‘old’ modes of governance, in which government are the primary actors. Some partnerships represent self-regulated governance by civil society or business actors, free from state intervention and hierarchical steering.

3.1. Multilateral Hybrid Partnerships

The first category of climate partnership that is marked in the shaded area in Table 1 is hybrid in terms of public-private interaction and multi-stakeholder nature. They are multilaterally sanctioned, under the auspices of the UN or World Bank. The WSSD climate partnerships, CDM projects and the various carbon funds under the World Bank carbon finance unit are examples of hybrid partnership networks. These are all multi-stakeholder partnerships that involve a diverse set of actors, such international organizations, governments, NGOs, companies and trade associations. They have the function of rule implementation, connecting to multilateral targets and provisions in the Kyoto protocol targets or the Johannesburg Plan of Implementation (JPOI). The partnerships are relatively formalized and institutionalized with formal reporting mechanisms. For example, the partnerships registered at the Commission for Sustainable Development (CSD) is reviewed at its annual session. Since the late 1990s agencies in the UN system under General Secretary Annan’s leadership have been promoted multi-stakeholder partnership arrangements from the Johannesburg partnerships to the UN Global Compact (Bull and McNeill 2006; Andonova 2005; Marten 2007). The turn to public-private partnerships by UN actors can be seen as a way to restore legitimacy for the UN system as a result of the weakened multilateral system in the 1990s. With shrinking resources, delegation of tasks to public-private partnerships represented a way for UN

agencies to reinvent their mission and mobilize more resources. The 2002 WSSD represented the peak of the public-private partnership movement. The voluntary multi-stakeholder partnerships, also known as so-called Type II agreement, were said to serve as an important complement to Type I agreement, i.e. negotiated agreements between governments. The Prototype Carbon Fund (PCF), which is managed by the World Bank, can also be defined as a multi-sectoral partnership between seventeen companies and six governments. The purpose to promote the carbon market and strengthen the Kyoto flexibility mechanisms (Streck 2004:314). Below the WSSD climate partnerships and the CDM are discussed more in depth.

Johannesburg Climate Partnerships: The 2002 World Summit on Sustainable Development (WSSD) represented a turning point for the partnerships. The Johannesburg Type II agreements, which currently amounts to 330 multistakeholder public-private partnerships that are registered at CSD⁴ are central to the implementation of the Agenda 21, the Johannesburg Plan of Implementation (JPIO) and sustainable development at large. The partnerships cover several topics, such as biodiversity protection, energy and climate, poverty eradication, water management, capacity building. About 90 partnerships (27 percent) of the total CSD registered partnerships are climate and energy related.⁵ The overall function of the WSSD climate partnerships is rule implementation, and, to some extent, advocacy. The purpose of climate partnerships is to implement multilateral rules and targets in the UNFCCC, the Kyoto Protocol, the Millennium Development Goals (MDG) and the JPIO. Most of these partnerships are multi-stakeholder, involving participation by the UN ‘major groups’: business, NGOs, youth, farmers, scientific communities, women, local governments and trade unions. However, a general pattern for WSSD partnerships, which is also reflected in the climate PPP, is that governments or international organizations are often the lead partner. The private sector involvement is less than expected, since business actors choose their own partnerships (see section 3.4) with less formalized reporting mechanism (Bäckstrand 2006b; United Nations 2006). The climate partnerships are focused organized around several clusters, such as transition to renewable energy, energy efficiency, provision of clean technology, adaptation and vulnerability to climate change, capacity building for Clean Development Mechanism (CDM). Half of the partnerships have a duration time 10 years but many PPP are open-ended.

- Renewable Energy Policy Network for the 21st Century (REN21) 2005-open-ended
Lead: REN21
- Renewable Energy and Energy Efficiency Partnership (REEP), 2002-open-ended
Lead: REEP
- Global Bioenergy Partnership (GBEP), 2006-2016. Lead Government of Italy, United Nations Food and Agriculture Organization (FAO)
- US Clean Energy Initiative, 2002-2012. Lead: US government
- Methane to Markets (M2M), 2003-open-ended. Lead: US government

In general, the WSSD climate partnerships are relatively institutionalized in terms of linking up to targets in climate change agreements. Most of the Johannesburg climate partnerships involve public and private stakeholders, many of them are lead by international organizations

⁴ On the Johannesburg partnerships, see further Andonova and Levy 2003; Bäckstrand 2006, Benner, Streck and Witte 2003; Ivanova 2003; Hale and Mauzerall 2003; Joyner 2005.

⁵ After a search in the Partnership database with climate change as first and secondary theme, 91 regional or global climate and energy-related partnerships were been identified. See Appendix 1 for the most central PPP. see UN CSD Partnership database, <http://webapps01.un.org/dsd/partnerships/public/welcome.do>, accessed May 8, 2007. Around 35 of the Johannesburg partnerships have climate as a primary focus.

or governments. For example, the US government is leading the Methane to Markets (M2M), which is one of many voluntary technology partnership agreements (see section 3.2). M2M, which, is currently the only US initiated technology partnership registered in the CSD partnership database. Some registered partnerships have been transformed to actors in themselves with their own secretariat, The Renewable Energy and Energy Efficiency Partnership (REEP) and the Renewable Energy Policy Network for the 21st Century (REN21) are examples of this.

Clean Development Mechanism (CDM) partnerships: CDM, which is one of the three flexible mechanisms in the Kyoto Protocol, have been framed as innovative instrument for public-private partnerships with the purpose to provide cost-effectiveness emission reductions to industrialized states and generate local sustainable development for developing states (Streck 2004). The overall function of CDM is to implement article 12 in the Kyoto protocol with the twin objectives of assisting developed countries to achieve cost-effective GHG emission reductions and enabling sustainable development. CDM also ties into other multilateral soft commitments on environment and development, such as the JPOI and MDGs. In the CDM project cycle – from project design to validation - carbon market actors, host governments, investors, accredited independent verifiers and NGOs participate in different roles. The CDM is the most important instrument in the emerging Kyoto markets and is expected to generate almost 3 million certified emission reductions (CERs) by the end of 2012. Most of the 673 registered CDM projects (as well as the current 1600 pipeline projects waiting for approval) can be described as multi-sectoral networks involving project investors (governments or private actors), multilateral institutions, non-profit organizations and carbon brokers and developing countries.⁶

Both the WSSD and the CDM partnerships are generally the most hybrid in terms of public-private interaction. CDM can be seen as a mechanism to promote carbon market that operates in the shadow of the hierarchy. The constitutive rules for the CDM are multilaterally negotiated at COP/MOPs in a state-centric framework. However, the operational phase of CDM, i.e. the various steps in CDM project cycle and many individual CDM projects have are example of PPPs. Recent evaluations of CDM projects have concluded that there is a trade-off between the goals of cost-effective emission reduction for developed countries and sustainable development benefits to host countries (UNDP 2006). The CDM is contested due to the conflict between large-scale carbon credit generating projects and locally owned stakeholder projects with high development dividend (Lohmann 2006; UNDP 2006).

⁶ See CDM website <http://cdm.unfccc.int>

Table 1: Types and Functions of Climate Partnerships

Functions Types	HYBRID	MAINLY PUBLIC		PRIVATE
	PPP networks Multilateral, public-private actors	Governmental networks State-driven	Regional/sub-state networks Local governments	Private-Private Networks business/civil society
Advocacy	Renewable Energy Policy Network for 21 st Century (REN21) Renewable Energy and Energy Efficiency Partnership (REEP)			International Climate Change Partnership (ICCP) World Business Council for Sustainable Development Climate Partnerships
Standard-setting, rule-making				
Rule implementation	WSSD climate and energy partnerships, 91 Activities Implemented Jointly (AIJ), 157 projects Clean Development Mechanism (CDM), 660 projects World Bank Prototype Carbon Fund (PCF), Biocarbon fund Methane to Markets (M2M)	Asia-Pacific Climate Change Partnership (AP6) International Partnership for Hydrogen Economy (IPHE) Carbon sequestration Leadership Forum (CSLF)	Cities for Climate Protection (Local Governments for Sustainability) Clinton Climate Initiative	Combat Climate Change (3C)
Service Provision				Greenhouse gas protocol (WRI & WBCSD)

3.2. Governmental Partnership Networks

The second type of climate partnerships is represented by voluntary agreements between governments involving cooperation for clean technology, renewable energy and carbon sequestration. The Asia-Pacific Partnership on Clean Development and Climate (AP6), which was announced in 2005 as a climate-friendly technology agreement between the U.S. and Asia-Pacific states, is emblematic of the development. Theoretically, these partnerships can be conceptualized as ‘transgovernmental networks’ (Slaughter 2004: 159), involving transnational cooperation between government officials, government experts and sometimes even parliamentarians and judges. For example, the G8 constitutes such a powerful transgovernmental network. Sub-national networks, such as partnerships between regional

entities or cities, also fall under this category. While driven by national or sub-national officials, these networks also incorporate business and civil society actors. In AP6, involvement of industry developing greenhouse gas abatement and clean coal technology is central. A key element of these networks is the cooperation between ‘like-minded’ governments or a ‘coalition of willing’ states. As seen in Table 1 most of these governmental climate partnerships function primarily as implementation network. Implicitly or explicitly, they are geared towards multilateral goals of greenhouse gas emission reduction, transition to renewable energy, clean technology and hydrogen economy.

The rise of voluntary technology agreements, of which most of them are initiated or led by the U.S., has stirred debates about the increasing fragmentation of climate governance and to what extent these partnerships are alternative or complement to the Kyoto regime (McGee and Taplin 2006). They are mostly ‘multifunctional’ agreements, aiming to simultaneously address issues such as energy security, technology transfer, coal combustion, economic development and pollution abatement. The proliferation of governmental networks has aptly been described as ‘minilateralism’ (Kellows 2006). These state-centric climate partnerships do not qualify as ‘new modes of governance’ according to the definition in this paper. Rather they capture ‘old’ modes of governance, in which private actors are co-opted into voluntary agreements with governments. However, while the primary actors are states, steering modes are primarily based on non-hierarchical and soft forms of steering (bargaining, persuasion, side-payment) rather than legislation and litigation. Below are some examples of technology partnerships, all of them which are initiated by the US.

The Asia-Pacific Partnership on Clean Development and Climate⁷ (AP6): In August 2005 the partnership was announced as a ‘non-binding compact’ between the six ‘interested and likeminded’ governments of Australia, China, India, Japan, the Republic of South Korea and the US (AP6 2006). The founding members of AP6 collectively account for 48 percent of the world’s greenhouse gas emission, 48 percent of global energy production, 49 percent of global GDP and 45 percent of global population. Proponents of AP6 argues that this partnership constitutes a new model for effective multilateralism that can be contrasted with the ‘Eurocentric’ Kyoto protocol that is fixed around cap-and-trade solutions (Kellows 2006: 287). In the vision statement, AP6 is framed as a multi-goal partnership simultaneously addressing climate-friendly technologies, energy security, renewable energy, national pollution and poverty. In Table 1, AP6 can be conceived as an implementation partnership for clean and climate-friendly technology between a ‘coalition of willing states’ aiming to involve private actors. Key areas for cooperation are clean coal technology, energy efficiency, carbon storage and capture, civilian nuclear power, bioenergy, windpower and solar power. In the vision statement, the partnership is seen as consistent with the goals of the UNFCCC and the Kyoto Protocol. It should be noted that AP6 was registered as partnership under the Commission for Sustainable Development until 2006, but after that withdrawn (UN 2006: 28). In the vision statement, it is stressed that AP6 complements and does not substitute the Kyoto Protocol. However, the critics argue that the main principles behind the AP6, such as greenhouse gas intensity targets, non-binding national targets, multi-functional ambition (climate mitigation is only one of many goals), technology cooperation, are at odds with the target-based Kyoto regime. In this perspective, AP6 is a competing regime, contributing to the fragmentation of climate governance by setting up a technology partnership outside the Kyoto-based framework (McGee and Taplin 2006: 192).

⁷ AP6 website is <http://www.ap6.gov.au>

The Carbon Sequestration Leadership Forum (CSLF) is a US initiative⁸ established in 2003 as a voluntary climate agreement between 21 developed and developing states that altogether account for 75 percent carbon dioxide emissions.⁹ The partnership advances technologies for capture and long term storage of carbon dioxide with the aim to maximize the world's potential storage capacity for centuries. In a CSLF statement it is acknowledged 'that the world will have to rely on fossil energy for economic growth and stability during the indefinite period required to pass from the present to a point in the future where low –and no-carbon energy sources can meet those requirements' (CSLR 2006). Consequently, the partnership aims to involve the world's major users and producers of fossil fuels in order to provide clean technology, safe geological storage and sequestration. At the CSLF ministerial meetings, where private actors can be included in delegations, decisions about new projects for geological storages are taken. The CSLR consortium refers to multilateral targets on climate change, such as the long-term goal of greenhouse gas stabilization in the UNFCCC and the G8 Gleneagles Plan of Action on Climate Change. However, no reference to the Kyoto Protocol is made.

International Partnership for Hydrogen Economy (IPHE) was established in 2003 to promote transition to hydrogen economy. Like AP6, IPHE is seen as an 'multi-goal' partnership to improve energy security, environmental security and economic security through the expansion of hydrogen and fuel cell technology. IPHE consists of 18 members¹⁰ that together account for 66 percent of global CO2 emission and global energy consumption, 75 percent of electricity consumption and 85 percent of the global GDP (IPHE 2006). The partnership has materialized into an organization with a secretariat in Washington D.C., headed by an American Executive Director. The functions of IPHE are to strengthen research collaboration of hydrogen and fuel cell technology, develop safety codes and standards and stimulate private sector participation. The hydrogen economy is based on multiple energy sources, such as renewables, fossil fuel (through carbon sequestration) and nuclear energy (IPHE 2006). IPHE can be defined as an 'implementation partnership'. However, it also aims at advocacy, i.e. informing the public and stakeholder about the benefits and challenges of achieving a hydrogen economy. It is worth noting that IPHE does not refer to UNFCCC and Kyoto goals.

Methane to Market Partnership (M2M) was announced by the US Environmental Protection Agency (EPA) in 2004. The purpose of the partnership is to reduce global methane emissions in order to enhance economic growth, promote energy security, improve air quality and reduce greenhouse gas emissions. Currently, M2M has a membership of 20 developing, developed and countries in transition governments¹¹. The government parties account for more than 60 percent of anthropogenic greenhouse gas emissions (M2M 2006). The major functions of the M2M are to promote public-private collaboration on methane recovery and use, develop better methane emission estimates and identify cost-effective means to receive methane from energy production. The partnership focuses on four sources of methane emissions: agricultural (animal waste management), coal mines, landfills, oil and gas systems.

⁸ The US Department of Energy is coordinating mechanism for the partnership.

⁹ The CSLF members are Australia, Brazil, Canada, China, Columbia, Denmark the European Commission, France, Germany, India, Italy, Japan, Mexico, the Netherlands, Norway, Russia, South Africa, the United Kingdom, the United States. Pending new members are South Korea and Saudi Arabia, see website...

¹⁰ The members of IPHE are Australia, Brazil, Canada, China, European Commission, France, Germany, Iceland, India, Italy, Japan, Republic of Korea, New Zealand, Norway, Russian Federation, United Kingdom, United States. See website <http://www.iphe.net>

¹¹ The members of M2M are Argentina, Australia, Brazil, Canada, China, Colombia, Ecuador, Germany, India, Japan, Mexico, Nigeria, Poland, Republic of Korea, Russia, Ukraine, United Kingdom, United States, Vietnam. See website www.methanetomarkets.org

However, in contrast to the partnerships discussed above, M2M extends beyond government partners and builds on broader stakeholder involvement that includes the private sector, NGOs, multilateral development banks and scientists. The Asian Development Bank, Atlas Copco, American Petroleum Institute, Chicago Climate Exchange and Ecoscurities are examples of non-state members. M2M was registered as a CSD climate partnership after the Johannesburg Summit. Accordingly, it has an explicit linkage to multilateral agreed climate and energy targets. It is also the only partnership that includes an African nation – Nigeria.

To sum up, the technology partnerships above, of which all of them are initiated by the US, can be seen ‘minilateral islands’, using technological diffusion to respond to climate change. This can be interpreted as an American hegemony and unilateralism in global environmental politics (Falkner 2005). The U.S. rejection of Kyoto can be seen as skepticism of multilateralism as U.S. strikes climate pacts with willing coalitions. Reducing greenhouse gas emissions is only one of many goals of these partnerships: other goals are energy security, clean technology cooperation, economic and social development, poverty alleviation etc. In this respect they consolidate the view that there is a fragmentation of climate governance with competing legal and technical agreements (Biermann 2005). As argued above, some of the partnerships explicitly tie into multilateral targets (CSLF and M2M) while others are clearly alternative frameworks for technology cooperation and R&D outside the UN process for climate diplomacy (AP6 and IPHE). A key question is then effectiveness can be monitored when goals and targets in partnerships are soft, voluntary and non-quantifiable.

3.3.Regional and City Partnerships

The local and regional level has become more prominent in climate governance, where the cities, municipalities and local governments take on efforts to curb climate change through adopting greenhouse gas emission targets and implementing climate mitigation programs. These city networks with a global reach challenges the idea that climate change should primarily be dealt with at the global level (Bulkeley and Betsill 2003).

The Cities for Climate Protection (CCP) campaign coordinates 678 municipalities in 31 countries. CCP can be seen as local trans-governmental partnership. This network represents 15 percent of the worlds’ carbon dioxide emissions.¹² Consequently, local level climate mitigation efforts can significantly contribute to reaching national and multilateral greenhouse gas emissions. The purpose of CCC is to promote cities to adopt policies and measure to reduce local greenhouse gas emissions. The program has a methodology for determining baselines, make emission inventories, adopting emission reduction targets, developing action programs and monitoring and implementing action plans. Some cities have adopted more stringent emission targets than the Kyoto protocol, for example 20-30 percent reduction. There are additional goals, such as the improvement urban air pollution quality, urban sustainability and integrating climate change mitigation and adaptation in local decision making (Betsill and Bulkeley 2004). CCC is a program under International Council for Local Environmental Initiatives (ICLEI) that was established in 1990. The rise of sub-national governments in climate governance is part of the post-Rio agenda and the Agenda 21 process to connect global and local sustainability.

¹² See website <http://www.iclei.org>

The Clinton Climate Initiative (CCI)¹³ was initiated in August 2006 as a program under the Clinton Foundation, which has numerous global initiatives on HIV/AIDS, development and health. Like the ICLEI Cities for Climate Protection, this network includes the 40 largest cities in the world with the aim to reduce energy use in transport and buildings and greenhouse gas emissions. At the time of this writing, the Large Cities Climate Summit gathers participating cities as well as multinational sponsors such as Shell, Time Warner, Siemens etc. Some 500 US elected mayors pledged on this summit to reduce greenhouse gas emissions in line with targets in Kyoto Protocol, signaling their objections to the environmental policies of President George W. Bush. The Mayors' Agreement is the only climate protection agreement of its kind among US elected officials. The partnership provides assistance in areas such as building efficiency, clean transportation system and renewable energy.¹⁴ The partnership employs methods that will allow cities to establish a baseline on their greenhouse gas emissions and monitor the effectiveness of their emission reduction programs.

3.4. Private to Private Partnerships

The third type of network in Table 1 is private-private partnerships. These do not constitute 'new modes of governance' (since there is no public-private interaction) but rather represent self-regulative among private actors, either business-to-business or civil-society networks. Their main functions are advocacy and implementation.

The International Climate Change Partnership (ICCP) was established in 1991 and currently has 22 industry members, mainly multinational companies in the fossil fuel and chemical industry.¹⁵ The main purpose is advocacy, such as promoting market-based and scientifically sound climate policies that do not disadvantage specific industries. Technological innovation and maximum national flexibility in achieving future commitment are stressed. In comparison with the Combat Climate Coalition (3C) discussed below, the ICCP has a more cautious position to UN climate agreements, stressing that environmental concerns must be balanced with economic goals in multilateral negotiation processes. There is no mentioning of the Kyoto Protocol.

Combat Climate Change (3C) is a recent business leader partnership with 40 multinational company members and World Business Council for Sustainable Development as a supporting organizations.¹⁶ The organization is coordinated by the Swedish Energy company Vattenfall. It is worth noting that BP and General Electric are members of both the ICCP and 3C. In contrast to the ICCP, Combat Climate Change a strong implementation focus, focusing on multilateral agreements on climate change. There is a commitment to Kyoto goals and long-term more ambitious emission reduction in line with IPCC:s scenarios. Among the nine principles adopted by the 3C are a worldwide framework to replace the Kyoto Protocol by 2013, a switch over to a low emitting carbon economy, global pricing of carbon emissions,

¹³ See website <http://www.clintonfoundation.org>

¹⁴ See website <http://www.nycclimatesummit.com>

¹⁵ Examples of some corporate members are: 3M Company, Association of International Automobile Manufacturers, Boeing, BP, Dow Chemical, DuPont, European Chemical Industry Council (CEFIC), General Electric, General Motors, Halliburton Industries, Intel Corporation, Japan Fluorocarbon Manufacturers Association. For the whole list, visit the website <http://www.iccp.net>

¹⁶ Some of the business are: ABB, Bayer, BP, British Sky Broadcasting Group, Deutsche Bahn AG, E.On, General Electric, Hitachi, Lufthansa, Norske Skog, Reuters, SAS group, Siemens, Vattenfall. For full membership list, see <http://www.combatclimatechange.org>.

promotion of a global emission market, leadership by developed countries and a fair global burden-sharing between rich and poor countries (Combat Climate Change 2006).

4. Legitimacy and Accountability of Climate Partnerships

The legitimacy question concerns how global climate governance can be designed to function in more representative, accountable and effective ways. This paper does appraise the overall legitimacy of the global climate governance. Rather the purpose is to suggest fruitful avenues for approaching the accountability of the different types of climate partnerships mapped in the previous section. As will be argued, different standards of legitimacy and accountability will be applied to different types of partnerships. There is no single point of accountability and, 'one size does not fit all'. I avoid attaching the prefix 'democratic' to the legitimacy of global climate governance. Democratic legitimacy and electoral accountability is just one source of legitimacy: there can be transnational legitimacy without liberal democracy (Ruth and Keohane 2005). The term democratic legitimacy is closely associated with domestic models of electoral democracy, which are less suitable to evaluate transnational non-electoral, non-territorial governance arrangements. With the exception of transgovernmental networks of climate governance (such as the AP6) in which governmental elites should be accountable to their domestic constituencies (Slaughter 2004), hierarchical models of accountability and liberal-democratic standards of legitimacy are less applicable to transnational networks.

In the scholarly debate, international institutions are increasingly challenged on normative grounds for their 'democratic' deficit'. Transnational democracy (Anderson 2004) cosmopolitan democracy (Held 2000), discursive democracy (Dryzek 2000; Payne and Samhat 2004), deliberative democracy (Börzel and Risse 2005; Nanz and Steffek 2004) and stakeholder democracy (Bäckstrand 2006a) have been advanced as institutional innovations to reduce the democratic deficit of multilateral institutions and global governance. However, the debate on the democratic deficit has primarily focused on the legitimacy of international organizations, such as the World Trade Organization (WTO) and the International Monetary Fund (IMF) and less on institutions and sites of networked governance.

4.1 The (Il)legitimacy of Global Climate Governance?

There are a number of arguments with respect to the legitimacy (or illegitimacy) of the global climate regime. For example, the neo-gramscian critique questions the legitimacy of climate governance as it is premised on neoliberal hegemonic values of the market place, manifested by the Kyoto flexibility mechanisms, carbon trading, the global carbon market and the rise of public-private partnerships. This critique has been extended to demonstrate the illegitimacy of the market and trade-embedded climate regime, serving as an instance of commodification of climate change carbon colonialism and carbon capitalism (Lohmann 2006). Clearly, the legitimization of climate policy increasingly occurs through the market - international emissions trading schemes and voluntary carbon offsetting (Mathews and Paterson 2005). According to radical accounts, this reinforces neoliberal climate order. In contrast, the liberal pluralist perspective embraces market-oriented climate governance, due to its flexibility and decentralized and voluntary nature. Cross-sectoral cooperation between private and public actors in climate change can pool together diverse resources and expertise. A third argument with respect to the legitimacy of transnational climate governance is that the different modes of global climate governance collectively amount to an emerging 'global public domain' (Ruggie 2004). Accordingly, the multi-sectoral climate partnerships can be seen as an institutionalized arena for non-state and state actors to provide for a global public good, such

as greenhouse gas mitigation, adaptation or carbon neutrality. The above illustrates that existence of highly competing accounts of what constitutes a legitimate global climate order.

4.2. Legitimacy in Networked Climate Governance

In climate governance, political authority is fragmented and weak and there are multiple co-existing governance models (Keohane and Nye 2005) - centered around states, international organizations, transnational civil society and multi-sectoral public policy networks. What does transnational legitimacy mean in the context of complex climate multilateralism, which is defined by overlapping state, private and 'hybrid' authorities? A key question is then: what standards of legitimacy and accountability can be applied to assess the multiple sites of networked climate governance?

Global governance can be conceived as the process of creating a legitimate social order and rule compliance in the absence of supranational authority or world government. Hurd (1999) posits three rationales for why actors obey rules: coercion, self-interest and legitimacy. In the coercive realist account actors obey norms because of fear of punishment. According to liberal-institutional account, rule compliance stems from self-interest of the actors. This paper focuses on a third source of rule compliance – legitimacy - where the *perception* by the actors of the particular social order, institution and set of norms is central. Actors' perceive the norms as legitimate and therefore think they ought to be obeyed. Legitimacy refers to the perception of the actors by the overall quality of the social order, which includes institutions, norms and rules (Risse, 2004b: 7). Legitimacy is therefore a feature of the political order rather than characteristic of actors themselves. The legitimacy stems both from a procedural logic (that rules are predictable and determined by legitimate actors) and a consequential logic (that rules and institutions lead to collective problem-solving).

In appraising the legitimacy of climate governance, the concepts of *input* and *output* legitimacy (Scharpf 2001) can be used as heuristics. In this perspective, the legitimacy of the governance stems from both producing effective results and ensuring procedural fairness. First, legitimacy resides in the political system's contribution to collective problem solving and efficacy. Secondly, legitimacy is based on 'due process' and the political system's responsiveness to societal interests, and mechanisms to hold rules accountable. Input or procedural legitimacy refers to the participatory quality of the decision-making process and asks whether the process conforms to procedural demands, such as representation of relevant stakeholders, transparency and accountability. Output legitimacy relates to effectiveness or problem solving capacity of the governance system. In this paper output legitimacy is referred to as *effectiveness* and input legitimacy simply to *legitimacy*. It has been argued that high effectiveness (or output legitimacy) in terms of collective problem solving can, compensate for low input legitimacy (Risse 2004; 2005). Vice versa lack of effective regulatory capacity prompts the need for greater input legitimacy in terms of transparent and accountable decision-making processes. This argument is underpinned by ideas of deliberative democracy¹⁷: more participation and deliberation by affected groups will generate more effective collective problem solving.

Applying this to the multilateral climate regime, the Kyoto protocol would most likely score low on effectiveness as the Kyoto targets are widely recognized as insufficient to reverse

¹⁷ Arguments for deliberative democracy are found in Nanz and Steffek 2004; Risse 2004a; Smith 2003; Steffek 2003.

climate change (Christoff 2006). There is both a problem of compliance effectiveness (failure to comply with modest Kyoto targets of average 5 percent reduction to 2012) and environmental effectiveness (failure to adopt ambitious long-term post-Kyoto targets, such as 50-80 percent reduction). The new modes of governance based on self-regulation, private-public partnerships and voluntary technology agreements can be seen as a response to the regulatory deficits at the multilateral level, the failure to deliver an effective Kyoto agreement with high climate integrity. In a state-centric framework, the climate regime could arguably score higher on the legitimacy due to the universal membership of 191 UN member states, formalized national reporting procedures, implementation review, which enables transparency and accountability.

In the context of networked climate governance legitimacy is captured in the following question: Are the partnerships based on diverse representation of stakeholders, and are procedures transparent and accountable? Effectiveness, on the other hand refers to if the new climate partnerships reduce the climate threat, in terms of changing actors' behavior, reducing greenhouse gas emissions, and improving adaptive capacity.

Effectiveness refers ultimately to problem solving capacity and performance: does the partnership resolve the environmental problems? *Environmental effectiveness* concerns if the partnership generates the desired outcomes in terms of greenhouse emission reductions or improved adapted capacity. This ultimately relates to environmental impact of the partnership, i.e. if the partnership is effective in addressing the problem it intended to solve. However, the environmental effectiveness is methodologically difficult to evaluate for a long term-term problems such as climate change. Therefore I focus on *compliance effectiveness*, which focuses on the compliance with determined targets and goals. Are multilateral norms and rules as well as substantive and procedural obligations implemented by the partnership?

Do the climate partnerships described in the previous sections fulfill the obligations in the UNFCCC and Kyoto protocol? In order to evaluate the 'implementation record' of partnerships, clear goals and targets are required. Two preconditions for compliance effectiveness will be highlighted: 1) the institutionalization of partnerships, i.e. their linkage to multilateral agreements goals and targets in the climate regime 2) new funding, i.e. what the extent can the partnerships generate new financing for climate mitigation and adaptation.

Legitimacy in partnerships refers the procedural fairness such as balanced representation of different stakeholders, transparency, access, information sharing and accountability and reporting mechanisms. 'Deliberative' partnerships entail broad stakeholder involvement and mechanisms for deliberation (Forsyth 2003). In assessing climate partnerships, two dimensions of legitimacy are highlighted: 1) representation of various stakeholders in networks 2) accountability mechanisms. Representation concerns to what extent partnerships includes various stakeholders interests. To assess representation of stakeholder participation in climate partnerships the following question could be asked: To what extent is an appropriately wide range of stakeholder groups participating formally in the network, as lead or participating partner? Accountability in networks can to be enhanced also through non-hierarchical accountability mechanisms. Hierarchical accountability mechanisms are less suitable for many climate partnerships, which are decentralized and have networked governance features. Four ideal types of governance can be outlined: state-centric, international organization (IO), transnational and policy network (Keohane and Nye 2001: 8). These require different mechanisms of accountability from to hierarchical non-hierarchical. Horizontal accountability mechanisms are applicable to most partnerships networks (Steets

2004). Networks ‘are diffuse, complex weakly institutionalized collaborative systems that are neither directly accountable to an electoral base nor they exhibit clear principal agent relationship’ (Benner et al 2003:3). Consequently, in contrast to state-centric or IO models of governance, in policy networks the challenges to accountability are that the sites of governance are multiple and power is diffused among different actors (Keohane and Nye, 2003: 401). Partnerships should therefore be accountable to a broad range of stakeholders, such as NGOs, governments, donors and multilateral organizations. There is a need for plural accountability mechanisms, such as professional (or peer), reputational and market accountability (Witte et al 2003: 75). In line with this, ‘it is better to devise pluralist forms of accountability than to bewail the democratic deficit’ (Keohane and Nye 2003: 393).

4.3. Legitimacy and Effectiveness of the Climate Partnerships (this section is incomplete)

In Table 2 below the legitimacy and effectiveness of the different types of partnerships is presented very schematically.

Table 2: Legitimacy and Effectiveness of Climate Partnerships

Types of partnerships	Examples	Effectiveness		Legitimacy	
		Linkage to Multilateral targets	New sources of funding	Representation of stakeholders	Accountability: Hierarchical, market, peer, reputational.
Public-private partnerships	CDM World Bank Carbon Funds WSSD climate partnerships	<i>High</i> Targets in the Kyoto protocol, JPOI, Millennium Development Goals	<i>Medium</i>	<i>High</i> Business, NGOs, international organizations (UN and Bretton Woods), governments	<i>Medium/high</i> Hierarchical, reputational
Governmental partnerships	AP6 CSLF M2M IPHE	<i>Low</i> Voluntary targets,	<i>High</i>	<i>Low</i> Governmental actors, some business	<i>Low</i> Hierarchical
Private-private partnerships	Combat Climate Change International Climate Change Partnership Greenhouse Gas Protocol	<i>Low/medium</i>	<i>High</i>	<i>Low</i> Private actors, business, NGOs	<i>Medium</i> Market, reputational

Table 3: Relationship between multilateralism and partnerships

Multilateral model	Type of partnership	Primary actor
Multistakeholder multilateralism	Public-private (WSSD, CDM projects...)	Mix of governments, NGOs, IOs and business
Elite multilateralism	Governmental (AP6, CSLF...)	National and local governments
Market multilateralism	Private-private (CCC, ICCP)	Business

4. Conclusions

Climate governance can be seen a test case for the legitimacy of ‘earth system’ governance (Biermann 2007) Are the climate partnerships, which are situated at the nexus between climate diplomacy and the global carbon market, effective and legitimate tools of transnational governance? Or are they a result of lack a progress and regulatory failure in interstate cooperation on climate change? Do they serve as complements or alternatives to multilateral climate governance? What are the benefits and disadvantages of the emerging mosaic of fragmented climate governance? These questions indirectly refer to the legitimacy and effectiveness of new modes of climate governance. In order to answer these questions, a categorization between various types and functions of partnerships is needed. This paper has conceptualized three kinds of partnerships – public-private (hybrid), governmental and private-private. The frequency of these is analyzed in climate governance. These climate partnerships are to varying degrees connected to the climate regime. Some of the partnerships reinforce Kyoto goals while others are framed as alternatives to Kyoto. While this paper does not appraise the overall legitimacy of the transnational climate governance, it proposes different standards of legitimation and accountability mechanisms for the three kinds of partnerships.

Most of the climate partnerships have functions of advocacy, service provision and implementation. None are standard setting, which indicates that governmental actors are less willing to ‘contract out’ rule-setting authority to private actors in the climate change. Some partnerships, such as the WSSD climate partnerships and CDM projects signify ‘new’ modes of hybrid governance with high degree of public-private interaction. However, many partnerships, not least the voluntary technology agreements such as the AP6, have elements of ‘old’ form of governance based on the logic of lobbying, corporativism, co-optation and interstate bargaining. Finally, private (business-to business) climate partnerships are to varying degrees are geared toward targets in the Kyoto protocol. A key conclusion in this paper, which is supported by studies of transnational climate governance, is that partnerships do not necessarily replace or erode the authority of sovereign states. Rather, partnerships pave the way for hybridization and transformation of authority that is shared between state and non-state actors. This does not preclude the exercise of and struggle for power among actors within PPP.

This paper recognizes that the proliferation of climate partnerships has lead to transformation of multilateralism. The partnerships reinforce predominant trends toward ‘complex’ multilateralism. However, whether this transformation represents a privatization or weakening

of multilateralism is less clear. While Kyoto is clearly not ‘the only game in town’, it is premature to say that climate partnerships have led to a weakening of UN climate diplomacy. This paper has presented three models or ideal types of multilateralism: ‘multistakeholder’, ‘market’ and ‘elite’ multilateralism, associated with hybrid partnerships, private partnerships and governmental partnerships. Clearly these models of multilateral cooperation co-exists, the question is which predominates? The increase of transgovernmental partnerships, such as AP6, paves the way for a more elite (or technocratic) multilateral cooperation outside the purview of the UN, and led by a pact of large industrialized states. Market multilateralism is predominated by self-regulated business-to business partnerships between large transnational companies. Finally, multi-stakeholder multilateralism is embodied by the hybrid cross-sectoral public-private partnerships (such as the CDM and Johannesburg partnerships) under the auspices of the multilateral institutions.

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