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Section thématique 45 | Organisations internationales et acteurs non étatiques: vers de nouvelles pratiques démocratiques dans l'espace international?

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Quelle participation des acteurs non-étatiques aux complexes de régimes ?

Résumé en français :

L'intervention des acteurs non-étatiques (ANE) sur la scène internationale est connue de longue date, notamment pour la négociation des régimes internationaux précis. Or, les règles, principes et normes internationaux ne sont plus discutés auprès d'un unique forum interétatique que les ANE tenteraient d'influencer. Plutôt, suite à la globalisation et à la prolifération des organisations et des régimes internationaux, les enjeux internationaux sont maintenant négociés au sein de complexes de régimes (voir ci-dessous pour deux exemples concrets).

Dès lors, la participation des ANE à ces complexes de régimes pose plusieurs interrogations. Sur une même question, les ANE sont-ils capables de suivre et d'exprimer leurs revendications d'un forum

interétatique à l'autre ? Si oui, la même organisation se charge-t-elle de suivre cette même question d'un forum à l'autre ? Ou les ANE agissent-ils en réseaux en élaborant préalablement un partage des tâches ? En résumé, comment les ANE gèrent-ils la complexité ?

Pour répondre à cette question de recherche, cette contribution se propose d'analyser la mobilisation des ANE relativement à deux enjeux transnationaux négociés dans le cadre de complexes de régimes. La première étude de cas choisie porte sur la gestion internationale des ressources génétiques naturelles. La deuxième sur la gestion internationale des forêts. Le premier enjeu est négocié en parallèle à l'Organisation mondiale pour le commerce (OMC), à l'Organisation mondiale pour la propriété intellectuelle (OMPI), au sein de la Convention sur la diversité biologique (CDB) et auprès de l'Organisation des Nations unies pour l'Alimentation et l'Agriculture (FAO). Le deuxième est discuté auprès de la FAO, du Forum des Nations unies sur les forêts et de l'Organisation internationale des bois tropicaux.

D'un point de vue méthodologique, cette étude croise des outils quantitatifs et qualitatifs. Dans un premier temps, des données statistiques sont élaborées pour rendre compte de la participation des ANE aux complexes de régimes choisis. Ensuite, les caractéristiques des ANE « multi-forums » (qui suivent plus d'un forum de négociation) (catégorie, origine, thématique) sont comparées à celles d'ANE « mono-forum » (qui participent uniquement à un forum de négociation). Enfin, des entretiens semi-directifs avec des ANE impliqués dans les complexes permettent d'approfondir les résultats.

Non-state actors' participation to regime complexes: how does it work (or does not work?)

Abstract :

The participation of non-state actors (NSAs) to international politics is now a well-established subject of studies, in particular in relation to particular international regimes. However, the rules, principles and norms that constitute international regimes are no more discussed in single, isolate forum that NSAs try to influence. Rather, under the influence of globalisation processes, and as a consequence of the proliferation of international regimes and organisations, international issues are now negotiated in a context of several international regimes, a context known as “regime complexity” (see below for two concrete examples).

In this context, new questions arise regarding the participation of NSAs to these complexes. On the same issue area, are NSAs able to follow and express their claims in different intergovernmental fora? If so, do all organisations follow these different fora? Or are NSAs organised in networks that help them benefit from a certain division of labour? To summarise, how do NSAs manage complexity?

In order to answer to this research question, this contribution proposes to analyse the mobilisation of NSAs with regards to two transnational issues that are negotiated in the context of regime complexes. The first case study deals with the international management of natural genetic resources. The second deals with international forestry management. The first issue is negotiated in parallel at the World Trade Organisation (WTO), at the World Intellectual Property Organisation (WIPO), at the Convention on Biological Diversity (CBD) and at the United Nations Food and Agriculture Organisation (FAO). The second issue is discussed at the FAO, at the United Nations Forum on Forests and at the International Organisation for Tropical Timbers.

With regards to methodology, this study uses quantitative and qualitative tools. In a first step, statistical data are elaborated to describe the participation of NSAs to both regime complexes. The characteristics of “multi-fora” NSAs (that participate to more than on negotiation forum) (category, origin, topic) are then compared to those of “mono-forum” NSAs (that participate only to one negotiation forum). Finally, semi-structured interviews with NSAs participating to the complexes help qualify the results obtained.

Keywords:

Discursive power; Forests politics; Material power; Multi-fora non-state actors; Organizational power; Natural genetic resources; Regime complexes

List of Acronyms:

ABSWG – Access and Benefit Sharing Working Group

CDB – Convention on Biological Diversity

CGRFA – FAO Committee on Genetic Resources for Food and Agriculture
FAO – Food and Agriculture Organization

IGC – WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources,
Traditional Knowledge and Folklore

ITTC – International Tropical Timber Council

ITTO – International Tropical Timber Organization

NGO – Non-governmental Organizations

NSA – Non-state actors

SFM - sustainable forests management

UIA – Union of International Associations

UN – United Nations

UNFF – United Nations Forum on Forests

WIPO – World Intellectual Property Organization

WTO – World Trade Organization

Introduction

While international issue areas were initially meant to be negotiated under unique international regimes (as analysed by classical regime theory), it recently appeared that, with the growing proliferation of international institutions, several regimes could be responsible for the same topic. This is how the concept of regime complex emerged. Regime complexes have been defined as “elements of interlocking structures or networks of regimes that operate in broad issue areas” (Underdal and Oran R. Young 2004, 374). In particular, they present three characteristics: (i) they gather at least two international regimes; (ii) these elemental regimes have no clear hierarchical relationship; (iii) they deal with the same issue area (Orsini, Morin, and Young 2013).

Regime complexes are today arising on a growing number of international topics ranging from, among others, climate change (Keohane and Victor 2010), international migrations (Betts 2009), intellectual property (Muzaka 2010) or security (Hofmann 2009). For instance, Keohane and Victor enumerate not less than eight sub-units in the regime complex for climate change including among others the United Nations (UN) international conventions (the Climate Convention and the Kyoto Protocol); several UN specialized agencies (for instance the UN program for Environment); bilateral initiatives (between China and the United States or China and India); clubs (G 20 and G8 + 5) and the multilateral banks for development (the World Bank).

To capture this new phenomenon, research on regime complexes has increased and taken diverse orientations. First, scholars have worked to propose tools to define and describe regime complexes. Among others, they have increasingly recognized the key role played by hybrid forms of governance and private actors in parallel to governmental agreements to manage international issues. As a consequence, several have extended their research scope to hybrid institutions (Green 2008) and proposed new analytical concepts, such as “global governance architectures” (Biermann et al. 2011) to encompass the broad range of institutional fragmentation.

More importantly, while using the concepts of synergies/conflicts as starting points, a consensual typology emerged, describing a continuum going from highly fragmented regime complexes and global governance architectures, to highly integrated ones. A possible decomposition of this continuum is to differentiate phases of atomization, competition, specialization and integration, in what would look like the life-cycle of regime complexes (Morin and Orsini 2013). Others have proposed a three-cornered classification with synergistic/cooperative/conflictive global governance architectures (Biermann et al. 2011, 19). These classifications have developed in parallel to empirical case-studies. For instance, the regime complex for climate change has been described as highly fragmented between a broad range of public authorities (Keohane and Victor 2010) and hybrid ones (Green 2008).

Other researchers have also questioned the origin of regime interactions and fragmentations that led to the formation of regime complexes. Several explanations centre on the role of States in regime interactions. The role played by States is either strategic (in particular through the use of forum shopping), or organisational (path dependency)(Morin and Orsini 2013). Other explanations concentrate on the role of international organisations. Gehring and Oberthür for instance distinguish four causal mechanisms of international regimes’ interactions (Gehring and Oberthür 2009).

Finally, a recent research stance investigates the impact of institutional fragmentation for international cooperation. As power is a central concept in political science, researchers have questioned the impact of regime complexity on its distribution. They have tended to demonstrate that regime complexity favours the more powerful governmental actors (Drezner 2009). On the effectiveness side of international cooperation, others have proposed analytical tools to understand if complexes or institutional fragmentation favour the elaboration of international norms by improving flexibility and adaptability (Keohane and Victor 2010; Biermann et al. 2011).

As this brief overview of research trends regarding complex governance architectures shows, research on this topic is flourishing. Yet, despite all these different research streams, one important analytical aspect of institutional fragmentation has been particularly neglected; i. e. the study of the role played by non-state actors (NSA) in institutional fragmentation, and more precisely of the role they play in the negotiation of intergovernmental regime complexes. In order to fill this gap, this paper proposes to tackle analytically one important debate (i.e. participation) linking NSA to regime complexes, and to propose some methods to test them empirically. In the same lines as other authors, our investigation is driven by an

apparent lack in the academic literature on the causes and problem of international fit (Biermann et al. 2011, 14) for non-state actors.

This work is still at an exploratory stage. Therefore, this paper follows a classical structure consisting of a literature review, the presentation of the analytical framework, a development on methodology and the obtained empirical results. Indeed, a first part discusses the work done so far on non-state actors in a regime complex' context. It shows that two analytical problems are important to explore in order to better understand the role of non-state actors in regime complexity. The first one refers to the constraints posed by regime complexes for NSA participation in international politics. The second one develops the positive feedback loop that participation to regime complexes create for NSA's impact on international cooperation. The second part of the paper elaborates an analytical framework to further investigate these two dimensions. The framework contends that material and organizational powers are prerequisites for NSA participation to regime complexes. It also hypothesises that once involved in the negotiation of a regime complex the organizational and discursive powers of NSA are boosted. The third part presents a quantitative methodology to test the first dimension, and parts of the second one. The fourth part presents the results obtained both on the participation and on the impact of NSA. The last part summarizes the main findings and discusses how the proposed framework could be enhanced.

NSA in regime complexes: a literature review

The use of the expression “non-state actors” is meant to refer to a broad range of international actors that are not governmental. Similar expressions are “major stakeholders” used in the UN language, or “private actors”. In particular, NSA refer to business actors (being individual firms, business associations, etc.), scientific stakeholders (individual experts, academia, research organizations), non-profit organizations (what we will call non-governmental organizations), indigenous and local communities, farmers, workers, women and youth. This broad expression has been chosen as a response to two current trends in international politics: (i) the growing importance of all categories of NSA in all issue areas; (ii) and the increasing recognition that all these categories act on the same basis. Indeed, while business and NGOs have initially been opposed in the literature on the basis of their for-profit/ not-for-profit characteristics, their role on the international scene has been increasingly recognized as comparable. For instance, in 2002, Edwards already noted that “most NGOs are still confused about their identity. They have always been both market-based actors, providing services at a lower price than the commercial sector, and social actors, representing particular non-market values and interests in the political process” (Edwards quoted in Berry and Gabay 2009, 345). In this paper we analyse the role of all NSA on the same basis, as others did before on other research topics (for instance see Sell and Prakash 2004).

One of the lessons to be drawn from the numerous literatures on NSA is that they play a crucial role at all stages of international policy-making, being for agenda setting, treaty negotiations, or implementation of international norms (for a synthesis, see Wallace and Josselin 2002). Sometimes NSA follow governmental processes and propose their assistance in dealing with them; sometimes they prefer to elaborate their own rules. Overall,

international relations cannot be fully understood without at least giving a glance at NSA. For instance, there are good reasons to believe that NSA will play an important role regarding institutional fragmentation as they play important roles in regimes' development: "For this reason, regime actors need not be limited to states — all state and non-state actors (businesses, academics, experts, NGOs and so on) who actively participate in and shape, to a greater or lesser degree, the outcomes of contests over the principles, norms and rules that govern an issue-area are necessarily considered regime actors" (Muzaka 2010, 6). Indeed, as one author explains about one environmental regime complex: "[The regime complex for forests is] highly fragmented and characterised by a multiplicity of state and non-governmental actors and institutions" (Glück et al. 2010, 37).

As mentioned earlier, despite the growing literature on NSA in international politics, studies of NSA' role regarding regime complexes are lacking. Most studies of regime complexity focus on the role of States or international organisations. In this context, Jessica Green's study on private actors' initiatives in the climate change regime complex is an exception to the rule. Yet this study focuses exclusively on non-state initiatives developed in parallel to governmental processes, but neither on the participation of NSA to governmental regime complexes, nor on their impact (Green 2008). Autonomous NSA initiatives are likely to emerge depending on the role these NSA can play in governmental processes. Therefore, it is also important to assess to which extent NSA interact with regime complexes negotiated by States.

Another study which is close to our research interest is the one conducted by Valbona Muzaka on the regime complex for intellectual property (Muzaka 2010). In her article, Muzaka focuses on the role of States and NSA in the development of the complex. However, the research mostly focuses on agenda-setting and not on the further developments of the complex. In that case, Muzaka focuses on the short-term involvement of NSA as agenda setters but not on their long-term participation. To the contrary, we wish to focus on the role of NSA once the complexes are in place and in the negotiations of their detailed rules and principles. By adopting this domain of inquiry, we agree with the assessment of former authors that the study of NSA' involvement in international negotiations is relevant for the assessment of their overall influence on the international scene (Betsill, Corell, and Dodds 2007).

Even if direct studies of NSA in regime complexes are lacking, it is still possible to find some slight and punctual indications of NSA' involvement in regime complexes in the literature briefly presented in the introduction of this paper. In particular, two analytical problems seem particularly relevant to investigate.

The first one refers to the participation of NSA to regime complexes. Indeed, in their special issue of the journal *Political Perspectives* dedicated to the concept of regime complexes, Karen Alter and Sophie Meunier signal that institutional fragmentation favours the involvement of NSA: "complexity contributes to making states and IOs more permeable, creating a heightened role for experts and non-state actors" (Alter and Meunier 2009, 17). Yet, this indication is somehow surprising as institutional fragmentation also probably

complicates the involvement of NSA. When issue areas are dealt with in parallel negotiation fora at the same time, NSA will probably need more resources to be able to follow the debates, resulting in their decreasing involvement in the whole complex' negotiations (and not individual regimes' negotiations). Participation is likely to depend on the resources at the disposal of the corresponding actors: "If nothing else, such participation requires a great deal of (expensive) expertise and resources which undoubtedly disadvantage weaker actors" (Muzaka 2010, 18). Muzaka adds a few lines later: "It is mainly the stronger actors who have the capacity and resources to engage meaningfully and sustain long-term contestations taking place at various levels and in multiple fora simultaneously. This is not to say that stronger actors necessarily intend to create regime complexes, merely that they are better positioned to control how they unfold and take advantage of them" (Muzaka 2010, 18).

Non-State actors and regime complexes: a framework of analysis

Three strands of literature

In order to develop a detailed analytical framework to study the participation of NSAs in regime complexity, we draw elements from three strands of existing literature in related domains. Two strands are rather directly linked to our research object, whereas one is a more indirect path.

The two direct strands are the literature on NSA lobbying in a single regime context, and the literature on governmental strategies regarding regime complexes. Work on NSA lobbying in single regimes is very well developed, with several analytical studies and empirical evidences in issues such as climate change (Peter John Newell 2000), biological diversity (Arts 1998) or the trade regime (Woll 2008); and so is the work on governmental involvement regarding regime complexes, which, again, comprises several issue areas (Busch 2007; Raustiala and Victor 2004; Helfer 2004; see also the special issue of *Political Perspectives*, vol.7 n°1).

Another strand of literature that is useful is the literature on transnational networks¹. Our aim in this paper is to understand how one actor manages several parallel negotiations on a single issue area. This is why we propose to take inspiration from the literature on transnational network which explores how several actors manage a single issue area. For instance, transnational advocacy networks, which are a certain type of transnational networks are defined as "those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse and who engage in a voluntary, reciprocal, and horizontal exchange of information and services" (Keck and Sikkink 1998, 200, our emphasis). Thinking through a network perspective facilitates three conceptual efforts: to think about the world in horizontal terms (Castells 2000); to picture the "different forms of relationships between interest groups and the state" (Börzel 1998, 255); to capture more complex political arrangements (Capra 2007, 6).

¹ We use the broad term of "transnational network" to encompass expressions such as "new transnationalism", "study of transnational networks", "global civil society", "transnational social movements", or "world politics" (della Porta and Sydney Tarrow 2004, 152).

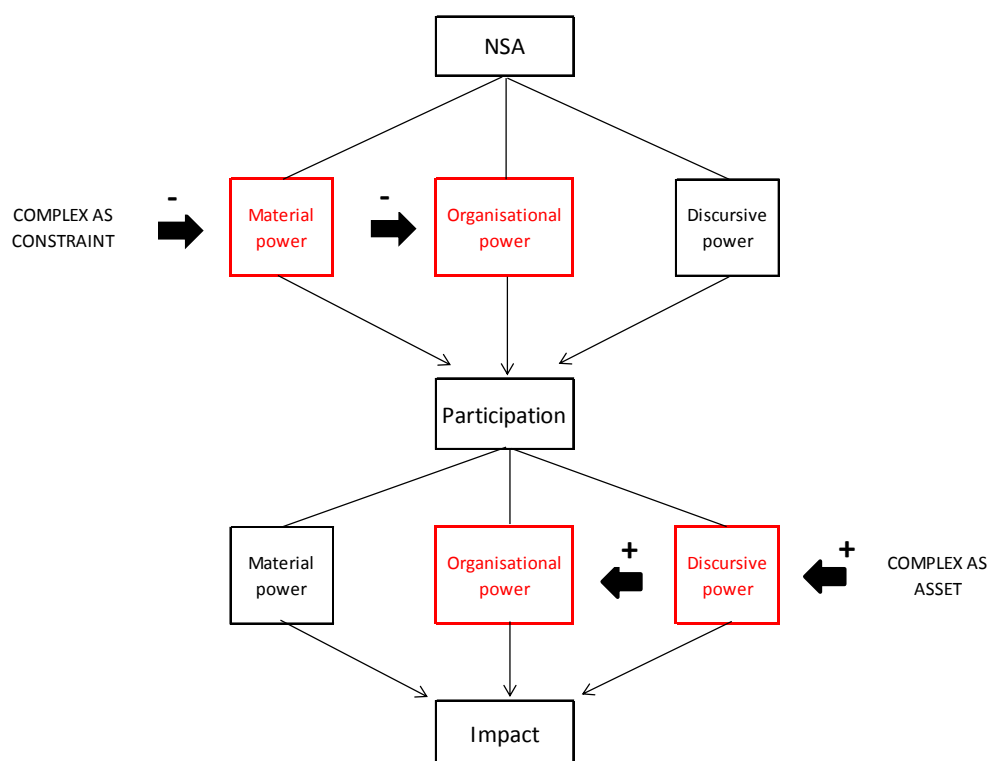
Our point of departure for the conceptual framework is a consensual typology of NSA' power on the international scene. This typology encompasses material power, organizational power and discursive power (Levy and Newell 2005; Shawki 2011). Material power refers to NSA' financial capacities, number of staff and access to rare resources that give them bargaining power. For instance, oil companies that possess important oil concessions assorted with few obligations have considerable material power. Organizational power corresponds to the capacities to work with others, to bridge alliances, to play with contacts. For instance, an international federation of environmental groups such as Friends of the Earth as great organizational power as it can mobilize people in numerous countries and build relationships with numerous and important local, national, regional or international actors. Discursive power refers to the ability to master information, to diffuse it, and to frame debates. For instance, Greenpeace international has been central for the framing of the whale hunting issue as an environmental one.

The dimension of participation

As already evoked by authors interested in NSA and regime complexes, participation to a complex probably requires important resources (Muzaka 2010, 18). This is a point confirmed by analysts of governmental strategies regarding complexes that explain that "there are powerful reasons to believe that regime complexity will enhance rather than limit the great powers" (Drezner 2009, 68). The literature on NSA in a single regime rarely evokes this problem for participation. While it often exposes the rules of the game for non-state participation (openness of the negotiation sessions for instance), it rapidly resolves the issue of participation by underlying that national and international subsidies are often available to weaker groups for participation. For instance, in the negotiations on traditional knowledge undertaken by the World Intellectual Property Organization (WIPO), subsidies are given to indigenous and local communities that wish to participate.

Resources needed to participate in single regimes' negotiations are mostly material resources – availability of staff and capacities to secure expenditures for travel and accommodation - and organizational ones – networking with other organizations to know about important negotiations. These resources are likely to be even more needed to follow regime complexes. It indeed multiplies expenditures for travel as negotiations often take place all over the world. Moreover, national and international subsidies to participate in single regime negotiations do not exist for whole issue areas. Also, alliances and good contacts with governments are needed for NSA to picture the different components of the regime complex. Moreover, internal organization is essential. Indeed, Keck and Sikkink show that the denser the network, the more efficient it is (Keck and Sikkink 1998, 28-29, 206-207). With respect to single regime's negotiations, regime complexes are likely to constraint NSA participation to international politics. This first step of their involvement in regime complexes' negotiations is represented in the upper part of Figure 1.

Figure 1. Conceptual framework of the involvement of NSA in regime complexes



Institutional fragmentation as constraint to NSA participation: empirical elements

The dataset elaborated with the lists of observers to the different negotiation meetings identified for each complex enables us to draw some general statistics about NSA involvement. Table 1 below presents such statistics.

Table 1. NSA participation to the identified regime complexes

	Forests regime complex	Genetic resources regime complex
Number of meetings	31	32
Sharing out of meetings	17 (ITTC), 6 (COFO), 8 (UN)	16 (IC), 10 (ABSWG), 6 (FAO)
Number of NSA sent to these meetings	617	1243
Number of different NSA sent to these meetings	262	400
NSA coming at least twice in	98	186
	37,4%	46,5%

total				
NSA following one forum	226	86,26%	365	91,25%
NSA following two fora	24	9,16%	35	8,75%
NSA following three fora	12	4,58%	4	1%
Number of NSA common to both regime complexes	9	3,44%	9	2,25%

Table 1 enables us to assess the number of NSA that follow more than one forum of negotiation of the identified complexes. We see that in both cases, the percentage of multi-fora NSA is of around 10% (13% in the case of forests). This percentage is rather low but if our study demonstrates that the few multi-fora NSA identified have a much greater impact than others, it will confirm that NSA impact is different in a regime complex' context. The same figure also shows that if institutional fragmentation overall favours the involvement of NSA on one issue area (we have more than 250 NSA participating in both cases) it complicates NSA involvement in all the negotiations dealing with this same issue area. NSA participation is rather constraints by the existence of multi-fora negotiations.

Another interesting result emanating from table 1 is that a greater percentage of NSA in the case of forests follows all three fora of the regime complex. This shows a greater level of mobilization of NSA on this case study, possibly contradicting claims that NGOs have progressively lost interest in the issue. In the same line, even if forests might be a regional or national phenomenon (Davenport 2005), it certainly is a global political issue for NSA.

Finally, Table 1 also shows that there are very few organizations participating to both regime complexes (a number of 9 NSA common to both issue-areas which corresponds to about 3% of the total). This means that there is few overlap between the two issue areas in terms of NSA participation. Out of the 9 NSA identified, 4 are multi-fora in both cases, i.e. the Global Forest Coalition, Greenpeace International, WWF and the International institute for Environment and Development.

This general overview of NSA participation is rich in information but should be précised by looking more closely at the characteristics of the NSA involved. As indicated above, coding of these characteristics has been conducted, according to nine variables (Multi-fora, location, type, staff, age, languages, scope, internationalization, Specialization) that are presented in Table 15 of the annex. Coding was conducted by using the Yearbook of International Organizations published by the Union of International Associations (UIA). For more precision, variables were coded for the year corresponding to the last meeting followed by the corresponding NSA. The database was then completed by using the ECOSOC index. Finally,

NSA websites were used to complete data on the forests case study. The variable Type is inspired by the list of major groups identified in Agenda 21. The variable Internationalization is inspired by the classification “types of organisation” used by the UIA.

The choice of the variables is meant to test both the material power and the organizational power of identified NSA. Material resources were tested using the variables location, type and staff. Organizational resources were tested using the variables age, languages, scope, internationalisation, and Specialization.

Frequency tables of two variables were constructed by listing all the levels of one variable as rows in a table and the levels of the other variables as columns. Hypothesis tests were performed on these frequency tables to determine whether or not relationships between the row and column variables are present, that is, if the levels of the row variable are differentially distributed over levels of the column variables. In particular, we use the Fisher’s test which compared our data to a model of what the world would look like if the experiment was repeated an infinite number of times when there were no effects. Each table crossed the Multi-fores variable with another one of our set of variables. This was meant to determine if Multi-fores NSA had particular characteristics.

The results obtained in the case of forests are presented below in Table 2. A p-value of less than 0,1 means that Multi-fores and non Multi-fores NSA are significantly different. Moreover, a percentage of information coded superior to 75% can be considered satisfactory. Otherwise it has an impact on the robustness of the results. Results obtained for the variable concerned by a lower percentage of coding should be considered with caution and the percentage coded should be enhanced for such variables. It appears that four variables are significantly different: location, type, internationalization and scope.

Table 2. Results obtained from the Fisher’s test in the forests case

Variable	% coded	P-value fisher test (chi squared)	Variable significantly different
Material power			
Location	93,88	0.0257723	Yes
Type	86,73	0.0942870	Yes
Staff	39,13	0.9893506	No
Organizational power			
Age	63,27	0.5587515	No
Internationalization	82,65	0,0000306	Yes
Language skills	69,39	0.1634217	No

Scope	61,22	0,0000362	Yes
Specialization	95,92	0.8638152	No

In order to see on which precise characteristics the populations of NSA are different, we present the detailed results for the significant variables (other frequency tables are available upon request). In these detailed frequency tables, a high Chi-square contribution means that the corresponding category is the one being determinant for the results obtained. A comparison between the obtained value and the expected one then enables to understand the nature of the difference.

Table 3. Frequency table of the variable Location - forests complex

	Location						
Multi-fora	1	2	3	4	5	6	Row Total
0	7	19	6	7	11	10	60
Expected Values	5.217	22.826	9.783	5.870	7.826	8.478	
Chi-square contribution	0.609	0.641	1.463	0.218	1.287	0.273	
Row Percent	11.667	31.667	10.000	11.667	18.333	16.667	65.217
Column Percent	87.500	54.286	40.000	77.778	91.667	76.923	
Total Percent	7.609	20.652	6.522	7.609	11.957	10.870	
1	1	16	9	2	1	3	32
Expected Values	2.783	12.174	5.217	3.130	4.174	4.522	
Chi-square contribution	1.142	1.202	2.742	0.408	2.413	0.512	
Row Percent	3.125	50.000	28.125	6.250	3.125	9.375	34.783

Column Percent	12.500	45.714	60.000	22.222	8.333	23.077	
Total Percent	1.087	17.391	9.783	2.174	1.087	3.261	
Column Total	8	35	15	9	12	13	92
	8.696	38.043	16.304	9.783	13.043	14.130	

For forests, Table 3 shows that there are statistically more American and European NSA in the multi-fora population whereas they are less present in the population of NSA following only one forum. Moreover, there are, statistically, less African NSA in the multi-fora population. Finally, there are less South East Asian NSA that are multi-fora followers, while this category of NSA is well represented in the one-forum population.

Table 3 therefore illustrates, for the case of forests, that the population of multi-fora NSA contains more organizations coming from rich, developed countries, whereas developing countries' organizations are marginal within this group. This is an argument in favour of the statement that only materially powerful actors will be able to get involved in regime complexes. It also confirms that the forest issue is somehow a regional one as South East Asia, which gathers a high percentage of valuable forests, is well represented among the population of NSA. This is also explained by the fact that the ITTC meetings often take place in Japan, favouring the involvement of NSA from the South East Asia region.

Table 4 summarizes the results obtained for the variable Type.

Table 4. Frequency table of the variable Type - forests complex

	Type								
Multi-fora	0	1	2	3	4	5	6	7	Row Total
	9	18	8	17	1	2	0	1	56
Expected Values	7.906	19.765	7.906	13.176	1.318	1.976	1.318	2.635	
Chi-square contribution	0.151	0.158	0.001	1.110	0.077	0.000	1.318	1.015	

Row Percent	16.071	32.143	14.286	30.357	1.786	3.571	0.000	1.786	65.882	
Column Percent	75.000	60.000	66.667	85.000	50.000	66.667	0.000	25.000		
Total Percent	10.588	21.176	9.412	20.000	1.176	2.353	0.000	1.176		
	1	3	12	4	3	1	1	2	3	29
Expected Values	4.094	10.235	4.094	6.824	0.682	1.024	0.682	1.365		
Chi-square contribution	0.292	0.304	0.002	2.142	0.148	0.001	2.544	1.960		
Row Percent	10.345	41.379	13.793	10.345	3.448	3.448	6.897	10.345	34.118	
Column Percent	25.000	40.000	33.333	15.000	50.000	33.333	100.00	75.000		
Total Percent	3.529	14.118	4.706	3.529	1.176	1.176	2.353	3.529		
Column Total	12	30	12	20	2	3	2	4	85	
	14.118	35.294	14.118	23.529	2.353	3.529	2.353	4.706		

Regarding this variable, for forests, data shows that business NSA are statistically less present in the population of multi-fora NSA. To the contrary, they are overrepresented in the population of NSA following one forum. Other significant differences concern the presence of forest owners in the category of NSA that are multi-fora.

This contradicts the interpretation according to which business representatives, as powerful material actors, have more facility to follow multi-negotiation processes. Moreover, it contradicts the statement that non-forest businesses are dominating NSA representation in the regime complex. Both these interpretations might be valid when one looks at data for one single regime but they do not hold when one looks at the whole complex. Yet, the results obtained confirm that actors with important material power will more easily be involved in

the complex. Forests owners, as owners of rare resources, have considerable material power and therefore bargaining power. They also have high stakes in the issue negotiated. This tends to show that actors with high stakes follow multi-fores processes. This is an indication that multi-fores participation is an asset for NSA impact.

Turning to the organizational component, table 5 details the results obtained for the variable Scope.

Table 5. Frequency table of the variable Scope - forests complex

	Scope				
Multi-fores	0	1	2	3	Row Total
0	26	3	4	6	39
Expected Values	18.200	5.850	8.450	6.500	
Chi-square contribution	3.343	1.388	2.343	0.038	
Row Percent	66.667	7.692	10.256	15.385	65.000
Column Percent	92.857	33.333	30.769	60.000	
Total Percent	43.333	5.000	6.667	10.000	
1	2	6	9	4	21
Expected Values	9.800	3.150	4.550	3.500	
Chi-square contribution	6.208	2.579	4.352	0.071	
Row Percent	9.524	28.571	42.857	19.048	35.000
Column Percent	7.143	66.667	69.231	40.000	
Total Percent	3.333			6.667	

		10.000	15.000		
Column Total	28	9	13	10	60
	46.667	15.000	21.667	16.667	

For scope, the results show that NSA participating in multi-fora negotiations are statistically present in more countries than NSA following only one negotiation forum (there are more NSA present in at least two countries in this population). This confirms the hypothesis that actors with significant organizational power, because they are more likely to so scale shifts and to have allies, will more likely engage in multi-fora negotiations. The percentage of NSA coded for this variable should however be improved for these results to be more robust.

Table 6. Frequency table of the variable Internationalization - forests complex

	Internationalization							
Multi-fora	1	2	4	5	6	7	8	Row Total
0	1	26	10	4	2	5	4	52
Expected Values	0.642	17.333	11.556	3.210	4.494	7.062	7.704	
Chi-square contribution	0.200	4.333	0.209	0.194	1.384	0.602	1.781	
Row Percent	1.923	50.000	19.231	7.692	3.846	9.615	7.692	64.198
Column Percent	100.000	96.296	55.556	80.000	28.571	45.455	33.333	
Total Percent	1.235	32.099	12.346	4.938	2.469	6.173	4.938	
1	0	1	8	1	5	6	8	29

Expected Values	0.358	9.667	6.444	1.790	2.506	3.938	4.296	
Chi-square contribution	0.358	7.770	0.375	0.349	2.482	1.079	3.193	
Row Percent	0.000	3.448	27.586	3.448	17.241	20.690	27.586	35.802
Column Percent	0.000	3.704	44.444	20.000	71.429	54.545	66.667	
Total Percent	0.000	1.235	9.877	1.235	6.173	7.407	9.877	
Column Total	1	27	18	5	7	11	12	81
	1.235	33.333	22.222	6.173	8.642	13.580	14.815	

Finally, for forests, the results in Table 6 for the variable Internationalization also show that the population of multi-fora NSA statistically contains greater internationalized groups and less national ones. It also demonstrates that federations tend to be more present in this population, compared with individual membership organizations. This shows that big organizations, in terms of numbers of interests represented, and organizations able to play on different scales, participate more easily to multi-fora negotiations.

For forests, results confirm that material and organization powers are prerequisite to participate in multi-fora negotiations. However, this does not mean that business interests will be predominant over other NSA interests.

In the genetic resources case, table 7 summarizes the results obtained. It shows that only one variable, Specialization, is significantly different between the population of multi-fora and single-forum NSA. Unfortunately, as table 7 shows, the percentage of coded variables has a strong impact on the robustness of our results and should be improved for nearly all variables but the Specialization one. For Location, the P-value obtained is nearly significant. In order to precise the results, additional NSA should be coded.

Table 7. Results obtained from the Fisher's tes in the genetic resources case

Variable	% coded	P-value fisher test (chi squared)	Variable significantly different
Material power			

Location	76,34	0.119144	No
Type	61,29	0.580603	No
Staff	27,41	0.111090	No
Organizational power			
Age	46,23	0.171477	No
Internationalization	37,63	0.182495	No
Language skills	62,36	0.870261	No
Scope	33,87	0.818299	No
Specialization	98,92	0.073162	Yes

For the only significantly different variable, Specialization, Table 8 shows that multi-fora NSA are significantly more specialized than single-forum ones. It is interpreted as greater organizational power as these NSA are going to identify more easily the key interlocutors.

Table 8. Frequency table of the variable Specialisation - genetic resources complex

	Specialization		
Multi-fora	0	1	Row Total
0	138	8	146
Expected Values	134.891	11.109	
Chi-square contribution	0.072	0.870	
Row Percent	94.521%	5.479%	79.348%
Column Percent	81.176%	57.143%	
Total Percent	75.000%	4.348%	
1	32	6	38
Expected Values	35.109	2.891	

Chi-square contribution	0.275	3.342	
Row Percent	84.211%	15.789%	20.652%
Column Percent	18.824%	42.857%	
Total Percent	17.391%	3.261%	
Column Total	170	14	184
	92.391%	7.609%	

Unfortunately, this is all we can say on the genetic resources case as data should be completed.

Conclusion

In this paper, we have argued that for non-state actors, involvement in a regime complex's context was different from lobbying different independent international institutions. We have built on existing literature to propose a conceptual framework detailing which parameters were different in the case of institutional fragmentation. We have stated that regime complexes were going to interact as constraints on NSA participation. We have proposed a way to test such an hypothesis, for the participation dimension.

Although the results presented here need to be further elaborated, several important conclusions can be drawn from this study, both on the overall implication of NSA in regime complexes, and on the precise case study on forests governance. The data gathered validates the hypothesis according to which participating to regime complexes' different negotiations is much more requiring in terms of resources as participating to single international regimes' development. This means that only already powerful groups can pretend to become multi-fora NSA. Yet, a certain degree of diversity is maintained in the multi-fora population of NSA as business but also NGOs or scientific organizations can gather the resources required. This however poses more difficulty to weaker groups such as indigenous peoples or to organizations coming from developing countries.

On the precise case study of forests, the results show that this issue area is highly global for an important number of NSA – also compared to the natural genetic resources issue area. Moreover, the results contradict interpretations according to which forests politics are dominated by strong economic actors and tend to be left aside by discouraged global NGOs.

There are many possible paths to further develop the research presented here. Ways to improve the results obtained are to complete the database on NSA characteristics for the

natural genetic resources case. Moreover, qualitative data on the experience of the different multi-fora NSA is needed.

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Annexes

Table 9. List of meetings included in the forest regime complex database

International organization	Forum	Meeting number	Starting date	End date	City
ITTO	ITTC	46	13/12/2010	18/12/2010	Yokohama
FAO	COFO	20	04/10/2010	08/10/2010	Rome
ITTO	ITTC	45	09/11/2009	14/11/2009	Yokohama
UN	UNFF	8	20/04/2009	01/05/2009	New York
FAO	COFO	19	16/03/2009	20/03/2009	Rome

ITTO	ITTC	44	03/11/2008	08/11/2008	Yokohama
ITTO	ITTC	43	05/11/2007	10/11/2007	Yokohama
ITTO	ITTC	42	07/05/2007	12/05/2007	Yokohama
UN	UNFF	7	16/04/2007	27/04/2007	New York
FAO	COFO	18	12/03/2007	16/03/2007	Rome
ITTO	ITTC	41	06/11/2006	11/11/2006	Yokohama
ITTO	ITTC	40	29/05/2006	02/06/2006	Yokohama
UN	UNFF	6	13/02/2006	24/02/2006	New York
ITTO	ITTC	39	07/11/2005	12/11/2005	Yokohama
ITTO	ITTC	38	19/06/2005	21/06/2005	Yokohama
UN	UNFF	5	16/05/2005	27/05/2005	New York
FAO	COFO	17	15/03/2005	19/03/2005	Rome
ITTO	ITTC	37	13/12/2004	18/12/2004	Yokohama
ITTO	ITTC	36	20/07/2004	23/07/2004	Interlaken
UN	UNFF	4	03/05/2004	14/05/2004	Geneva
ITTO	ITTC	35	03/11/2003	08/11/2003	Yokohama
UN	UNFF	3	26/05/2003	06/06/2003	Geneva
ITTO	ITTC	34	12/05/2003	17/05/2003	Panama City
FAO	COFO	16	10/03/2003	14/03/2003	Rome
ITTO	ITTC	33	04/11/2002	09/11/2002	Yokohama
ITTO	ITTC	32	13/05/2002	18/05/2002	Bali
UN	UNFF	2	04/03/2002	15/03/2002	New York
ITTO	ITTC	31	29/10/2001	03/11/2001	Yokohama
UN	UNFF	1	11/06/2001	22/06/2001	New York
ITTO	ITTC	30	28/05/2001	02/06/2001	Yaoundé

FAO	COFO	15	12/03/2001	16/03/2001	Rome
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Table 10. List of meetings included in the genetic resources regime complex database

International organization	Forum	Meeting number	Starting date	End date	City
CBD	ABSWG	9bis	10/07/2010	16/07/2010	Montréal
WIPO	IGC	16	03/05/2010	07/05/2010	Geneva
CBD	ABSWG	9	22/03/2010	28/03/2010	Cali
WIPO	IGC	15	07/12/2009	11/12/2009	Geneva
CBD	ABSWG	8	09/11/2009	15/11/2009	Montréal
WIPO	IGC	14	29/06/2009	03/07/2009	Geneva
FAO	GB	3	01/06/2009	05/06/2009	Rome
CBD	ABSWG	7	02/04/2009	08/04/2009	Paris
WIPO	IGC	13	13/10/2008	17/10/2008	Geneva
WIPO	IGC	12	25/02/2008	29/02/2008	Geneva
CBD	ABSWG	6	21/01/2008	25/01/2008	Geneva
FAO	GB	2	29/10/2007	02/11/2007	Rome
CBD	ABSWG	5	08/10/2007	12/10/2007	Montréal
WIPO	IGC	11	03/07/2007	12/07/2007	Geneva
WIPO	IGC	10	30/11/2006	08/12/2006	Geneva
FAO	GB	1	12/06/2006	16/06/2006	Rome
WIPO	IGC	9	24/04/2006	28/04/2006	Geneva
CBD	ABSWG	4	20/01/2006	03/02/2006	Geneva
WIPO	IGC	8	06/06/2005	10/06/2005	Geneva
CBD	ABSWG	3	14/02/2005	18/02/2005	Bangkok
FAO	CGRFA	2	15/11/2004	19/11/2004	Rome

WIPO	IGC	7	01/11/2004	05/11/2004	Geneva
WIPO	IGC	6	15/03/2004	19/03/2004	Geneva
CBD	ABSWG	2	01/12/2003	05/12/2003	Montréal
WIPO	IGC	5	07/07/2003	15/07/2003	Geneva
WIPO	IGC	4	09/12/2002	17/12/2002	Geneva
FAO	CGRFA	1	09/10/2002	11/10/2002	Rome
WIPO	IGC	3	13/06/2002	21/06/2002	Geneva
WIPO	IGC	2	10/12/2001	14/12/2001	Geneva
CBD	ABSWG	1	22/10/2001	26/10/2001	Bonn
FAO	CGRFA EX	6	25/06/2001	30/06/2001	Rome
WIPO	IGC	1	30/04/2001	03/05/2001	Geneva

Table 11. Variables coded for NSA participation to the forest regime complex

Variable	Possible values
Multi-fora	0 the NSA has followed only on forum of negotiation 1 the NSA has followed two or three fora of negotiations
Location	1 headquarter country in Africa 2 headquarter country in Europe 3 headquarter country in North America 4 headquarter country in South America 5 headquarter country in South East Asia 6 Other
Age	0 before 1950 1 between 1950 and 1980 included 2 between 1980 and 2000 included 3 from 2000

Type	0 science 1 Non-governmental organization 2 Indigenous, local communities and farmers 3 business 4 youth 5 workers 6 forest owners 7 other
Specialization	0 NSA non specialized in forests' issues 1 NSA specialized in forests' issues
Staff	0 small (<20) 1 medium (<100) 2 large (<500) 3 very large (>500)
Internationalization	1 Local organizations 2 National organizations 3 Internationally-oriented local organizations 4 Internationally-oriented national organizations 5 Regionally defined membership organizations 6 Regional federations 7 Universal membership organizations 8 International federations
Language skills	Languages spoken from 1 to 6
Scope	0 Present in one country 1 Present in 2-20 countries 2 Present in 20-60 countries

	3 Present in more than 60 countries
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