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# Reclaiming U.S. Leadership in Global Environmental Governance

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# Reclaiming U.S. Leadership in Global Environmental Governance

*Maria Ivanova and Daniel C. Esty*

*The United States entered the 21<sup>st</sup> century actively pursuing a “go-it-alone” approach to international relations. This is especially the case in global environmental affairs, where the United States is now widely perceived as a laggard and even an obstacle to collective action. Yet, the United States was the prime proponent and creator of international environmental organizations in the 1970s. In this article, we analyze the U.S. role in global environmental governance from a historical perspective and present a platform for U.S. re-engagement. We contend that the new U.S. Administration should re-examine its strategy towards global environmental concerns and reinstate a commitment to multilateralism as well as to playing a leadership role.*

There was a time when the United States led the way on international environmental cooperation. U.S. efforts were instrumental in launching the United Nations Environment Programme in 1972. President Richard Nixon pledged to contribute 40 percent of the \$100 million that initially capitalized the Environment Fund, enabling the new organization's work. The United States was also the driving force behind the Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention), the International Whaling Commission, the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), and the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (Ocean Dumping Convention). The United States also led the highly successful world effort to phase out chlorofluorocarbons (CFCs) and other chemicals threatening to the earth's protective ozone layer during the 1980s.

However, the United States has since retreated from its global environmental leadership role. The George W. Bush Administration has obstructed progress on a number of international environmental initiatives: protecting

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biodiversity, regulating the trade in genetically modified products, and instituting a legally binding treaty banning mercury. The high watermark—or perhaps the low tide—of U.S. obstructionism, however, came with the U.S. “unsigning” of the Kyoto Protocol on climate change in 2001 and once more at the 2007 international climate negotiations in Bali, Indonesia. The only developed nation not having ratified the Kyoto Protocol, the United States was the main opponent in Bali to a proposal for greenhouse gas reductions by 25 to 40 percent by 2020 from 1990 levels. As the United States balked at the emerging Bali consensus, an extraordinary diplomatic breach occurred: the U.S. delegation was booed. Lest there be any doubt, Nobel Laureate Al Gore weighed in, observing that the United States was “obstructing progress.”

The list of international environmental initiatives that the United States has failed to join has become longer. The United States has yet to ratify the 1982 Law of the Sea Treaty, the 1992 Basel Convention on Export of Hazardous Waste, the 1993 Convention on Biological Diversity, and, of course, the Kyoto Protocol (see Table 1 for a chronological overview of main international environmental conventions and the status of U.S. participation). The Bush Administration’s “go-it-alone” strategy in security issues has mirrored a similar unilateralism in the international environmental domain. Once a leader in international environmental policy, the United States has lost much of its political influence today. What is more, U.S. withdrawal from multilateralism has left the United Nations—the imperfect but important instrument for international cooperation—“in limbo, neither strengthened nor abandoned,”<sup>1</sup> threatening the ability of the world community to resolve fundamental global problems.

Two key dynamics now mark international environmental policy. First, while it is widely recognized that U.S. engagement and cooperation is not just important, but historically seen as essential for progress, other nations today seem willing to move ahead with or without the United States. Germany, for example, announced a national greenhouse gas emissions reduction target of 40 percent by 2020 and threatened to boycott the U.S. “major emitters” initiative launched outside the Kyoto framework. That the United States could have gotten itself crosswise with so many other nations on so many issues is unprecedented. As Jonathan Lash, President of the World Resources Institute, recently observed, the extraordinary degree of anger and confrontation on environmental matters “reflects increasing alarm on climate change and the level of frustration with the U.S.”<sup>2</sup> At the same time, many U.S. governors and mayors have launched state and local initiatives to reduce greenhouse gas emissions. Governor Arnold Schwarzenegger in California has gone so far as to open talks with the European Union on how to link his state-level initiatives with Europe’s emerging carbon market.

Second, the Bush Administration’s reflexive unilateralism on international concerns—whether environmental, economic, or security—represents a break with the prevailing presumption since World War II favoring co-

operation and multilateralism through NATO, OECD, and other regional bodies, if not the UN. The “go-it-alone” approach is especially difficult to justify on issues that are inescapably global in scope, such as climate change. Even if the United States were able to eliminate its greenhouse gas emissions entirely, climate change would not be stopped. The build-up of atmospheric concentrations of carbon dioxide driven by rising emissions in China, India, Indonesia, and other developing countries would continue, leaving the United States exposed to the threat of global warming, increased intensity of windstorms, altered rainfall patterns, melting ice caps, and rising sea levels.

These dynamics beg two questions: Can progress on any of the difficult global environmental issues be achieved without the participation and leadership of the United States? Conversely, can the United States shoulder the burden of addressing such concerns without the cooperation of the rest of the global community?

In this article, we address these core questions. We argue that the next President of the United States must re-engage with other nations. Success in

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protecting the planet from climate change cannot be achieved by the United States acting on its own. International cooperation is essential. Similar collaborative efforts at the global scale will be required to protect the planet’s biological diversity, restore the vibrancy of the world’s fisheries, prevent the spread of persistent organic pollutants, conserve forests, and other issues that are inescapably trans-boundary in nature.

We contend, moreover, that not only is U.S. participation critical, but U.S. leadership is crucial and necessary to achieve successful environmental outcomes. The U.S. environmental footprint is larger than any other country’s. The United States consumes a disproportionate share of the world’s energy and natural resources. With less than 5 percent of the world population, the United States uses 25 percent of the world’s fossil fuel resources—accounting for nearly 25 percent of the world’s annual coal burning, 26 percent of the world’s oil, and 27 percent of the world’s natural gas.<sup>3</sup> It also accounts for 18.5 percent of the consumption of global forestry products and 13.7 percent of the world’s water usage.

The United States is in a unique position. Given its economic and strategic power as well as its financial and technological prowess, U.S. leadership could influence international environmental policy and promote effective environmental governance. Conversely, the record of the past fifteen years has demonstrated that “when the United States declines to exercise leadership, the impact is significant.”<sup>4</sup> Little progress is made without the United States. Reasserting global environmental leadership, however, will not be easy for the next U.S. president. There are considerable domestic challenges

as the U.S. public remains deeply ambivalent about international entanglements and international organizations—even those related to protecting the planet.

In this article, we present a platform for U.S. re-engagement in global environmental governance. We develop an argument on three analytical grounds: 1) the logic for collective action *and* U.S. engagement in international environmental organizations to address global environmental problems, 2) the potential for reversing the image of the United States as a “laggard in international environmental politics,”<sup>5</sup> and 3) the core functions in global environmental governance. We tackle each of these issues in turn and conclude with a view toward U.S. engagement under a new administration.

### **The Logic of Global Collective Action**

What has confused analysts and policymakers, especially those overseas, is that the United States has manifested “inconsistent, hot and cold, national policies toward international organizations.”<sup>6</sup> While the United States was the driving force behind the creation of the United Nations in the 1940s, a number of the specialized agencies in the 1950s and 1960s, and the international environmental architecture in the 1970s, subsequent U.S. reluctance to join international agreements, limited support and even overt opposition to the United Nations, and preference for unilateral, voluntary, non-binding commitments have resulted in an almost perpetual crisis with multilateralism in general and the UN organizations in particular. At the core of this phenomenon lies American exceptionalism:<sup>7</sup> a sense that the United States is “so different in some important respects from other countries that it cannot (or it will not) fit comfortably into the decision-making and norm-setting structures of global political bodies.”<sup>8</sup>

As the world’s only superpower, the United States is indeed in a unique position. Even in the face of increasing global interdependence and vulnerability to terrorism or other undeniably supranational threats, American exceptionalism persists, undermining meaningful international cooperation in many circumstances. Global environmental problems, and climate change in particular, offer a potential opportunity and platform for U.S. re-engagement in collaborative international affairs.

Clearly, environmental challenges have global dimensions that illustrate the extent of interconnectedness of the earth’s ecology as well as its economic systems. Climate change has emerged as a top-tier threat<sup>9</sup> as the early effects of global warming are spreading across the planet, including the United States. Alaska’s permafrost is melting, taking down homes, roads, and livelihoods. Prolonged droughts in the West and Southwest have intensified the severity and frequency of wildfires and water reservoirs have dried up in the South. Ozone depletion due to chlorofluorocarbons (CFCs) and other chemicals threatens to reduce agricultural productivity and leave people exposed to higher levels of ultraviolet radiation and at a greater risk of skin cancer globally. Over-fishing has led to a collapse of fisheries in most of the world’s oceans. Deforestation unleashes carbon dioxide into the

atmosphere, reduces the capacity of forests to serve as carbon “sinks,” and eliminates the forest habitat that supports much of the biological diversity of the planet.

These problems are notable because they represent “super-externalities,”<sup>10</sup> which inescapably require international collaboration. The logic of collective action in this global context is awkward but unavoidable. Ecologically, the actions of one actor or a small subset of actors might delay but cannot solve a problem if others continue to run-down natural resource stocks or spread pollution. Economically, national action is likely to generate diffused benefits (spread across the world) and highly concentrated costs (on producers and consumers in the country taking action). The resulting cost-benefit analysis almost always argues against action. The realities of national self-interest make it difficult to get harm-causers or natural resource users to confront the trans-boundary impact of their actions. As a result, global public goods, including international environmental protection—controlling pollution and managing shared natural resources—tend to be underprovided.<sup>11</sup> In the absence of a collaborative response that draws all harm-causers and harm-bearers into a regime that internalizes these externalities and provides an appropriate degree of global-scale environmental protection, a tragedy of the commons will likely unfold.<sup>12</sup> Pollution-causing activities will be conducted at a large scale, and open-access resources, such as the atmosphere and the oceans, will be over-exploited. Protecting shared natural resources and preventing environmental spillovers at a global scale makes sense in the context of a shared destiny, as countries move together as a world community to address common threats.

To this end, as countries recognize their inability to address critical environmental problems on a national basis, collective response will spur the development of international institutions and organizations. Almost forty years ago, global environmental governance took shape as the United Nations Environment Programme (UNEP) was established as the core, or “anchor institution” for the global environment.<sup>13</sup> The organization was intended to serve as the world’s ecological conscience, provide impartial monitoring and assessment, be a global source of information on the environment, “speed up international action on urgent environmental problems,” and “stimulate further international agreements of a regulatory character.”<sup>14</sup> Subsequently, additional elements of today’s environmental architecture have sprung up under the auspices of the United Nations to address various environmental concerns. As new problems were identified, new organizations and agreements were established and a multi-dimensional system of global environmental governance developed. However, the earlier constructive engagement on the part of the United States has given way to a progressively more guarded and even openly hostile attitude.

### **The Ambivalence of U.S. Environmental Leadership and Platform for Re-engagement**

Recent U.S. involvement in global environmental governance is characterized by a fundamental ambivalence about multilateralism and the inter-



national institutions that support it. As Edward Luck explains, “Persistent strains of idealism and cynicism, multilateralism and unilateralism, internationalism and isolationism have long coexisted across the spectrum of American thinking. The resulting ambivalence . . . about the soul and shape of America’s place in the world . . . has yet to be resolved either intellectually or politically, leaving Washington unable to abandon the world organization or to give it full support.”<sup>15</sup> This dual-edged attitude toward international organizations has clearly diminished the U.S. leadership position and its ability to exert influence in the global environmental domain.<sup>16</sup>

The recent U.S. track record has overshadowed the nation’s tradition of leadership in the architecture of global environmental governance. Careful historical research, however, shows that a handful of visionary American officials “deeply passionate about the environment”<sup>17</sup> drafted in the early 1970s the blueprint for international environmental cooperation that served the world well for many years. Several key figures at the Council on Environmental Quality (CEQ) and the State Department conceptualized the international environmental initiatives that the United States put forth.<sup>18</sup> Despite the fact that the 1970s were marked by U.S. dissatisfaction with the United Nations, these leaders recognized that there was “in practice no effective alternative, whether governmental or nongovernmental to working principally through that body to provide a global context for international cooperation on environmental matters.”<sup>19</sup> In the nascent stages of global environmental governance, the official U.S. position was progressive and far-reaching. In creating a new international environmental organization, the United States emphasized the importance of leadership, authority, and legitimacy and the UN Environment Programme, a UN-based entity focused on catalyzing environmental action, developing policies and guidelines, establishing a global monitoring system, and offering a mechanism for dispute settlement.

The U.S. leaders involved in building the global environmental governance system understood the value to the United States of international treaties. At the same time, the United States possessed sound institutional structures at the domestic level and was positioned to provide analysis and leadership as well as first-rate experts committed to effective global environmental problem solving. Under U.S. leadership, the world had moved forward. During the 1970s and 1980s, a number of international environmental treaties were negotiated. Not only did the United States lead the global efforts at environmental protection, it had ratified the treaties and promoted global compliance.<sup>20</sup> However, the U.S. ratification record in the 1990s and 2000s has been poor: as Table 1 illustrates, the United States signed and ratified the first wave of international environmental agreements but has subsequently pulled away from international cooperation.

Instead, the United States has turned increasingly to unilateral action, shown preferences for narrow ‘partnerships’ rather than effective global action, and has placed emphasis on engaging individuals and corporations rather than international organizations in international environmental protection.<sup>22</sup> This shift can be explained by several factors. First, the sheer

**Table 1. U.S. Participation in Environmental Treaties<sup>21</sup>**  
**Chronological by Year Adopted**

Treaty	Substance	Year Adopted	Year Entry into Force	Nr. of Parties	U.S. Status
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention 1972)	Protects the marine environment from human activities. Promotes the effective control of all sources of marine pollution and aims to prevent the pollution of the sea by dumping of wastes and other matter.	1972	1975	82	April 29, 1974 (R)
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	Establishes international controls on global trade in endangered or threatened species of animals and plants. CITES prohibits all commercial trade in wildlife species threatened with extinction.	March 3, 1973	July 1, 1975	172	January 14, 1974 (R)
Convention on Long-range Trans-boundary Air Pollution (LRTAP)	A UN Economic Commission for Europe (UNECE) Convention LRTAP, with eight protocols specifying specific measures to be taken, aims to limit and gradually reduce and prevent air pollution, including long-range trans-boundary air pollution.	November 13, 1979	March 16, 1983	51	November 13, 1979 (S); November 30, 1981 (R)



Table 1, continued.

Treaty	Substance	Year Adopted	Year Entry into Force	Nr. of Parties	U.S. Status
Vienna Convention for the Protection of the Ozone Layer (Vienna Convention)	Aims to protect human health and the environment against adverse effects resulting from human activity, which modify the ozone layer.	March 22, 1985	September 22, 1988	191	March 22, 1985 (S); August 27, 1986 (R)
Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol)	Operationalized the Vienna Convention. Controls the production and consumption of the most commercially and environmentally significant ozone-depleting substances such as CFCs, halons, and methyl bromide.	September 1987	January 1, 1989	191	September 16, 1987 (S); April 21, 1988 (R)
Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)	A UN Economic Commission for Europe (UNECE) Convention, the Aarhus Convention grants the public rights and imposes obligations on Parties and public authorities regarding access to information, public participation and access to justice.	June 25, 1988	October 30, 2001	41	Has not signed or ratified

Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal (Basel Convention)	Regulates the trans-boundary movement of hazardous wastes and obliges its Parties to ensure that such wastes are managed and disposed of in an environmentally sound manner. It also protects the right of states to ban entry of foreign waste into their territories.	March 22, 1989	May 5, 1992	170	March 22, 1990 (S)
Convention on Environmental Impact Assessment in a Trans-boundary Context (Espoo (EIA) Convention)	A UN Economic Commission for Europe (UNECE) Convention, the EIA Convention obliges Parties to assess the environmental impact of certain activities at an early stage of planning as well as to notify and consult each other on all major projects that are likely to have a significant adverse environmental impact across boundaries.	March 1, 1991	September 10, 1997	41	February 26, 1991 (S)
Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes (Water Convention)	A UN Economic Commission for Europe (UNECE) Convention, the Water Convention obliges Parties to prevent, control and reduce water pollution from point and non-point sources. Two Protocols under the Convention, on Water and Health and on Civil Liability were adopted in 1999 and 2003, respectively.	March 17, 1992	October 6, 1996	36	Has not signed or ratified

Table 1, continued.

<b>Treaty</b>	<b>Substance</b>	<b>Year Adopted</b>	<b>Year Entry into Force</b>	<b>Nr. of Parties</b>	<b>U.S. Status</b>
United Nations Framework Convention on Climate Change (UNFCCC)	Recognizes climate change as “a common concern of humankind,” UNFCCC is a framework for inter-governmental efforts to tackle the challenges of climate change.	May 9, 1992	March 21, 1994	192	June 12, 1992 (S); October 15, 1992 (R)
Convention on Biological Diversity (CBD)	The centerpiece of international efforts to conserve the planet’s biological diversity, ensure the sustainable use of biological resources, protect ecosystems and natural habitats, and promote the fair and equitable sharing of the benefits arising from the utilization of genetic resources.	May 1992	December 29, 1993	190	June 4, 1993 (S)
United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD)	Promotes effective action to manage the problems posed by dry-land ecosystems through innovative local programs and supportive international partnerships and promotes the sustainable development of countries affected by drought and desertification.	June 17, 1994	December 26, 1996	192	October 14, 1994 (S); November 17, 2000 (R)

London Protocol to the London Convention (London Protocol 1996)	Modernized and replaced the London Convention. Prohibits all dumping, except for possible acceptable wastes on the “reverse list.”	1996	March 24, 2006	32	March 31, 1998 (S)
Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto Protocol)	Building on the UNFCCC, the Kyoto Protocol is an international and legally binding agreement to stabilize greenhouse gas emissions. Requires developed countries to cut their emissions by at least 5% below 1990 levels by 2012.	December 11, 1997	February 16, 2005	176	November 12, 1998 (S)  (In 2001, President Bush withdrew the United States from the treaty)
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention)	Requires any Parties that plan to export any chemicals or pesticides that are banned or severely restricted for use within its territory to inform and obtain consent from the importing Party.	September 10, 1998	February 24, 2004	119	September 11, 1998 (S)

Table 1, continued.

<b>Treaty</b>	<b>Substance</b>	<b>Year Adopted</b>	<b>Year Entry into Force</b>	<b>Nr. of Parties</b>	<b>U.S. Status</b>
Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Cartagena Protocol)	A supplementary agreement to CBD, the Cartagena Protocol seeks to protect biodiversity and human health from the potential risks posed by living modified organisms resulting from modern biotechnology.	January 29, 2000	September 11, 2003	143	Has not signed or ratified
Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention)	Aims to eliminate or reduce the release into the environment of chemicals that remain intact in the environment for long periods. It imposes restrictions on production, import and export, and waste management of POPs.	May 22, 2001	May 17, 2004	150	May 23, 2001 (S)
Protocol on Strategic Environmental Assessment (Kiev (SEA) Protocol)	A UN Economic Commission for Europe (UNECE) Convention, the SEA Protocol augments the EIA Convention and will require Parties to evaluate the environmental consequences of their official draft plans and programmes.	May 21, 2003	Not yet in force	7	Has not signed or ratified

(S) = Signature  
(R) = Ratification

growth and increasing complexity of environmental agreements has led to an international 'green fatigue'.<sup>23</sup> Since the United States is expected to contribute a larger percentage financially to the treaty secretariats than most other countries, there is a growing apprehension of signing into any new agreements. Second, the characteristics of the domestic political process in the United States make the ratification of a treaty a particularly onerous affair. The requirement of support from a two-thirds majority in the U.S. Senate has been a recipe for failure in a context where environmental policy has lost its bipartisan appeal. Third, heightened concerns about national sovereignty sharpened political sensibilities and led to attacks from both the Left and the Right on interference with U.S. domestic affairs.<sup>24</sup> Finally, the feeling that Americans are abdicating power to faceless, unelected, and incompetent UN bureaucrats, contributes to negative attitudes toward international organizations and fear mongering about international law as undermining American democracy, sovereignty, and autonomy.<sup>25</sup> Ultimately, Americans are afraid of losing control. There is some reason for this concern because accountability is greater when officials are close at hand. But the need to be careful about how international cooperation unfolds is no excuse for systematic disengagement.

The one-time U.S. leadership and more recent retreat from the global environmental governance system point to several important lessons for the new Administration. The historical record suggests that when the United States engages in the international arena with a view toward the common good and when American ideals coincide with global values, progress happens. In the 1970s and 1980s, new international environmental organizations were created and old ones reformed, international environmental treaties were initiated and immediately signed, partnerships were forged, and funding mobilized. Moreover, U.S. commitment internationally translated into consistent domestic compliance with international environmental law. At the core of these achievements, lay individual and collective leadership and a vision for the United States as a uniting force in a divided world.

The 1990s ushered in a new era where the initial energy and enthusiasm about a global environmental agenda that could unite the world gave way to a 'sole super-power syndrome' and a gradual withdrawal from multilateralism. From a promise to internationalize U.S. domestic environmental policy objectives and bring about a greater common good, global environmental governance had become an international regulatory threat to U.S. domestic economic interests.<sup>26</sup> Without a rival on the world scene, the United States grew suspect of international initiatives as a way to curb its power and influence. At the close of the twentieth century, American political discourse regained the moralistic, self-righteous rhetoric that stalled the League of Nations at the beginning of the century.

In the 21<sup>st</sup> century, the United States has emerged with a starkly unilateralist approach to international affairs. Ironically, in today's world, successfully managing our own environmental fate requires more, not less, collaboration with others. Pollution does not respect political boundaries.



By their very nature, trans-boundary environmental issues ignore national sovereignty. Chinese greenhouse gas emissions threaten to cause disruptive global warming and severe storms in the United States, just as U.S. emissions of carbon dioxide aggravate climate change in China. The notion of strict territorial sovereignty in an ecologically interdependent world is dangerous fiction in political discourse.

### **Core Functions in Global Environmental Governance**

Any effort to achieve international environmental cooperation will require a multi-tiered, multi-dimensional structure that engages local, national, regional, and international authorities, as well as local communities, NGOs and the business sector. International organizations, however, remain central actors in this arena providing critical data, information, and knowledge; offering a forum for debate; facilitating norm- and rule-creation; building capacity; and catalyzing collaboration. Currently, international environmental responsibilities are spread across multiple organizations, including: 1) specialized agencies in the UN system such as the World Meteorological Organization, the International Maritime Organization, the UN Educational, Scientific and Cultural Organization, and others; 2) the programs in the UN system such as the UN Development Programme and the World Food Programme; 3) the UN regional economic and social commissions; 4) the Bretton Woods institutions; 5) the World Trade Organization; and 6) the environmentally focused mechanisms such as the Global Environment Facility, the Commission on Sustainable Development, and close to 500 international environmental agreements.

At first glance, the world can be quite proud of the number of multi-lateral environmental agreements and institutions that have been launched. In fact, the organizational proliferation in the environmental field seems encouraging and in line with the argument for mainstreaming environment into the mandates of all relevant organizations. The multiplicity of international agencies and conventions might also seem necessary because of the complex nature of environmental issues: they require specific responses that could probably not be delivered by any single body. The practical result, however, has been a series of jurisdictional overlaps, gaps, and an inability to respond to overarching environmental problems. This has led to operational and implementation inefficiencies, inconsistencies, and an overload of national administrations in both developed and developing countries. In this context, the capacity of national governments and international organizations to attain the environmental results desired has been severely weakened. The ultimate result has been that global environmental bodies often lack the capacity or the authority to address global environmental problems. And in the absence of a vibrant international environmental organization, many decisions with serious environmental repercussions are undertaken within the economic, trade, and financial institutions, where short-term economic priorities often trump long-term sustainability.<sup>27</sup>

In this context, international environmental organizations must be rethought, reinvigorated, and reconfigured. We see three core capacities as essential to a functioning global environmental governance system: 1) provision of adequate information and analysis to characterize problems, track trends, and identify interests; 2) creation of a policy “space” for environmental negotiation and bargaining; and 3) expansion of capacities—both global and national—for addressing issues of concern and significance. Possible reinvigorated environmental governance architecture might contain the following ten elements:<sup>28</sup>

1. Data Collection—ensuring the availability of reliable data of high quality and comparability, developing indicators and benchmarks, and publishing State of the Global Environment reports;
2. Compliance Monitoring and Reporting—providing a repository for information on compliance with agreements and established norms, and a continuous and transparent reporting effort;
3. Scientific Assessment and Knowledge Networking—drawing on basic research on environmental processes and trends, long-term forecasting, and early warnings of environmental risks;
4. Bargaining and Trade-offs—facilitating the internalization of externalities through exchanges of commitments on various environmental issues (forest cover, biodiversity protection, species management, etc.) in return for cash or policy change (market access);
5. Rule-making—for the global commons, establishing policy guidelines and international norms on protection of shared natural resources such as the atmosphere and oceans;
6. Civil Society Participation—providing a business and NGO forum for direct participation in problem identification and policy analysis;
7. Financing—for global-scale issues mobilizing both public and private resources to provide structured financial assistance to developing countries and transition economies;
8. Technology Transfer—promoting the adoption of best options suited to national conditions and encouraging innovative local solutions;
9. Dispute Settlement Mechanism—offering agreed procedures and rules to promote conflict resolution between environmental agreements vis-à-vis other global governance regimes in an equitable manner;
10. Implementation Strategies—ensuring coordination with institutions with primary implementation responsibility (such as national governments, UNDP, World Bank, business, civil society organizations) and providing a database of best practices.

For the global environmental governance system to function well, the United States must take a leadership position, promoting an institutional design that ensures results that are effective, efficient, and equitable.

### **Agenda for U.S. Re-engagement**

Recently, the academic and political debates have converged on the need for strengthening the global environmental governance system and reforming the international organizations at its core. Developed and developing countries now agree that the status quo is no longer an option. The public, however, has been fed a story of environmental heroes and villains, of

select nations striving together to protect the planet while others selfishly continue on with business as usual. Notably, the current discourse paints the United States as an impediment to global collective action for environmental protection. Yet the global environmental movement is indebted to the efforts of the United States, which helped push the environment onto the international political agenda following a domestic response to unprecedented public concern and pressure.

Today's reformers must rethink environmental mandates, appropriate organizational structures, and necessary financing at the international level, in much the same way as the founding architects of the global environmental governance system did. While the scope and scale of environmental concerns have changed and actors in the environmental field have proliferated, the crux of the debate remains the same—how does the international system implement an effective environmental policy that supersedes short-term political concerns?

The new President's approach to international institutions in general and global environmental governance in particular must be guided by three conclusions that can be drawn from the analysis in this article. First, substantial effort is required to reverse the picture of the United States as bellicose in its approach to other nations. Multilateralism must be the priority, not the exception. Unilateral action must be used as a last resort and not as the presumed policy of choice.

Second, in the face of a set of problems that are inescapably transboundary in scope—security, trade, global health as well as environmental challenges such as climate change—America's political leaders must explain to the public that international collaboration is essential for successful outcomes to be achieved. America benefits from worldwide cooperation on these issues and must therefore be willing to invest in global governance. Americans stand to gain substantially from a better functioning United Nations and a rejuvenated and well-governed international environmental regime. The new President must lead the way in building domestic support for a foreign policy of engagement. We need not surrender our insistence on better performance by international bodies, but we cannot let skepticism subvert a commitment to an appropriate degree of global cooperation.

Third, mere U.S. participation in international environmental efforts will be insufficient. The United States must actively take a leadership role in bringing about a successful response to climate change and other issues. The history of past success in galvanizing the global community into action shows that the United States can and must take the lead. However, any attempt at U.S.-led reform without credible proof of genuine U.S. leadership based on common values and the common good is likely to be met with distrust and opposition.

Finally, a commitment to revitalize the international environmental regime should be cast as part of a wider global effort for effective global governance. As the *One UN* concept<sup>29</sup> and strategy are gaining momentum, the United States could lead the establishment of a Global Environmental

Leadership Commission to examine options for structural reform in the environmental governance system.

In conclusion, we turn to the words of Russell Train, one of the early environmental governance architects, who wrote in a memo to Henry Kissinger: "It is our belief that the U.S. currently has a strong position of leadership in environmental matters that should be built on. Specifically we need to develop sharp and substantive proposals that will be of interest not only to the industrialized countries but also to the developing world."<sup>29</sup> While today the U.S. leadership position in international environmental affairs has been eroded, the time has come for a conceptual leap forward under a new Administration. The United States can and should become a leader again in the global environmental arena.

### Notes

<sup>1</sup> Luck, Edward C. *Mixed Messages: American Politics and International Organization, 1919–1999*. Washington, DC: Brookings Institution Press, 1999.

<sup>2</sup> Lash, Jonathan. WRI Stories. <http://www.wri.org/stories/2007/12/road-bali#>.

<sup>3</sup> Worldwatch Institute. "State of Consumption Today." Worldwatch Institute. <http://www.worldwatch.org/node/810>.

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<sup>16</sup> Patrick, Stewart and Shepard Forman, eds. *Multilateralism and U.S. Foreign Policy: Ambivalent Engagement*. Boulder: Lynne Rienner Publishers, 2001.

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<sup>18</sup> U.S. Congress. Committee on Foreign Affairs, Subcommittee on International Organizations and Movements. *Participation by the United States in the United Nations Environment Programme*. 93rd Congress. First Session. (April 5 and 10, 1973). At CEQ, Russell Train (a founding member of the World Wildlife Fund), Gordon MacDonald (an environmental scientist and a member of the Environmental Studies Board of the National Academy of Sciences), and Robert Cahn (Pulitzer Prize winning author) led the work. Their staff included the Smithsonian's Lee Talbot and the future Administrator of the EPA, William K. Reilly. At the State Department, John W. McDonald (a career foreign-service officer specializing on ECOSOC) and Christian A. Herter Jr. (the Secretary of State's special assistant for environmental affairs) had the freedom to shape and indeed create U.S. environmental policy.

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