

A Platform of International Dialogue on Voluntary Sustainability Standards

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No. 1

Meta-governance in the Realm of Voluntary Sustainability Standards: Early Experiences and Their Implications

Boudewijn Derkx



UNITED NATIONS

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(formerly with the Utrecht-Nijmegen Programme on Partnerships)

UNFSS | United Nations Forum on Sustainability Standards

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A. Introduction

Recent decades have witnessed a surge in popularity of the voluntary standards setting approach to social and environmental governance. Regulating production processes in forestry, fisheries, agriculture, mining, tourism, and apparel production, among others, voluntary standards initiatives are now active in a great, and still expanding, variety of economic sectors. However, a single economic sector will often see numerous (combinations of) mostly private actors promoting competing standards.

Emerging gradually as a result of the uncoordinated actions of various independently operating actors, the rise of voluntary standards setting, viewed as a system of governance, has thus been “largely spontaneous and unplanned” (Abbott and Snidal, 2009a: 36-37). While most standards initiatives appear to be aware that they have become mutually interdependent, the development of functional interdependencies and strategic alliances between competing initiatives has been hampered by the sheer number of different schemes and actors involved, a divergence in goals, priorities, and areas of focus, an inability to overcome ideological differences, and a lack of communication (Visseren-Hamakers and Glasbergen, 2007: 417; Abbott and Snidal, 2009b: 83). The voluntary sustainability standards field has thus generally come to be characterized by the absence of strategic linkages between the various, potentially mutually reinforcing, private and public initiatives. While such decentralization and multiplicity certainly has its advantages¹, this uncoordinated coexistence of multiple competing schemes may also undermine the stringency of standards programs, result in an unnecessary duplication of efforts², leading to consumer (and producer) confusion and scepticism, and exacerbate third party concerns regarding the credibility and legitimacy of (private) voluntary sustainability standards.

Overall, although degrees of multiplicity and fragmentation differ considerably across sectors and issue areas, the negative consequences of fragmentation have come to significantly hamper the effectiveness of the voluntary standards setting approach to sustainability governance. Accordingly, if the voluntary standards system is to develop the coherence necessary for effective governance, some kind of central direction and guidance, from above or more bottom up, is required. Thus, there is a clear need for what has come to be called *meta-governance*, loosely defined as “an indirect form of governing that is exercised by influencing various processes of self-governance” aimed at “enhancing coordinated governance in a fragmented [regulatory] system based on a high degree of autonomy for a plurality of self-governing networks and institutions” (Sørensen, 2006: 100).

Increasingly aware of the negative consequences of fragmentation, and more generally of the constructive role strategic coordination can play in enhancing the impacts of their programs, a number of voluntary standards organizations have over the past decade - with or without the support of UN agencies - ventured into the realm of meta-governance.

¹ For instance, this regulatory multiplicity allows for the fine-tuning of standards and procedures to local circumstances, and makes it more difficult for the targets of regulation to ‘capture’ the entire governance system. Competition between voluntary standards initiatives can also be a source of innovation, and may in the right circumstances even exert pressure towards higher standards, stricter verification mechanisms, and more democratic governance arrangements.

² This may in turn raise the costs associated with standards compliance and certification, thereby enhancing the risk of marginalization of (small-scale) developing country producers.

Their efforts generally entail the coming together of a number of frontrunner schemes and the organizations backing them to jointly address the challenges, their self-created regulatory systems face and produce greater coherence among their efforts. Rather than relying on top-down hierarchical controls, the meta-governance of voluntary standards setting has thus taken the form of more bottom-up processes of voluntary collaboration.

This paper reports on the results of a research project undertaken in 2009-2010 that looked into the experiences of four private and public-private transnational meta-governance initiatives in the realm of voluntary sustainability standards.³ On the basis of qualitative in-depth case studies,⁴ this project aimed to uncover

- how the selected meta-governance initiatives have given shape to their meta-governance aspirations,
- how successful their efforts have been, and
- what factors have influenced the effectiveness with which they have been able to effect change?

This paper will first summarize the four case studies, to then integrate their findings and distil some more general lessons and insights about the practice of meta-governance in the realm of voluntary sustainability standards.

B. The Joint Initiative on Corporate Accountability and Workers' Rights

The large number of private standards initiatives that have sprung up since the mid-1990s to regulate working conditions in the apparel industry's global supply chains, have resulted in considerable duplication of efforts, both in terms of the organizations' day-to-day operations and their ongoing search for best practices. What is more, from the company perspective, this multiplicity also makes for "a crowded and costly market in social compliance" (Thorpe, 2008: 40), as factories supplying several brands may have to deal with various codes and certifiers and their sometimes conflicting demands.

Sharing a perception that this duplication is wasting scarce resources and hindering progress, the six key civil society and multi-stakeholder organizations in the field⁵ joined forces in 2003 to establish the Joint Initiative on Corporate Accountability and Workers' Rights (JO-IN). Initiated to determine whether and how collaboration between its member organizations might enhance the efficiency and effectiveness of their respective efforts, this donor-funded project aims to reduce duplication of efforts, jointly identify best practices, and share learning experiences.

³ See for the entire study Derkx, B. in cooperation with P. Glasbergen (2011). *Meta-governance in the Realm of Private Sustainability Standards Setting*. UNPOP. The complete report can be downloaded from the website of the Utrecht-Nijmegen Programme on Partnerships, at www.unpop.nl/index.php?content=publications.

⁴ All case studies were based on a review of the information available in the public domain (occasionally supplemented with not publicly available documents) and open and loosely pre-structured interviews with individuals directly involved in the studied initiatives.

⁵ These are the Fair Labour Association (FLA), Ethical Trading Initiative (ETI), Social Accountability International (SAI), Fair Wear Foundation (FWF), Clean Clothes Campaign (CCC), and Workers Rights Consortium (WRC).

As the first major step of the Joint Initiative, the involved organizations combined their established codes into a single Draft JO-IN Code of Labor Practice (JO-IN, 2005). This initial step has been a strictly private initiative, designed and implemented by the six members.

It was also agreed that where the organizations' respective codes differed, the consensus code would incorporate those provisions affording the highest level of worker protection. Similarly, standards propagated by some but not all of the participating initiatives were also included in the JO-IN Code. However, despite considerable effort, the cooperating initiatives did not manage to come to a consensus on the most appropriate design of a system for code implementation and compliance verification.

In order to explore the opportunities for genuine on-the-ground collaboration JO-IN also conducted a trial project (2004-2007). After assessing compliance of a number of Turkish garment factories with the Draft JO-IN Code of Labour Practice, a factory-specific remediation plan was developed for each participating facility. Near the end of the project follow-up visits were conducted to assess improvements in factory compliance and the effectiveness of the remediation efforts.

After the conclusion of the JO-IN Project at the end of 2007 the organizations involved created the JO-IN Forum, "an ongoing platform for discussion and collaboration among the project participants" (Thorpe, 2008: 38) on a more ad hoc and case-by-case basis. However, after a promising start the Forum has remained largely inactive in subsequent years, and the Draft JO-IN Code has never actually been finalized to become the envisaged JO-IN Reference Code.

1. The Joint Initiative's Effectiveness

Although minor improvements were realized in (some of) the few facilities that participated in the JO-IN trial project, the factory reassessments showed that the Joint Initiative has not been very effective in terms of changing company policies or achieving concrete improvements on the ground in Turkey. As for its more long-term objectives - to facilitate shared learning, kick-start collaboration between the member initiatives, and initiate a convergence on workplace standards and best practices in code implementation and remediation - the Joint Initiative has shown mixed results.

JO-IN has certainly resulted in an increased convergence of standards as the different initiatives involved use the Draft JO-IN Code as a reference in their own code revision processes, and also check the code language of the other member initiatives when considering revisions. As it has been adopted as the company code by a number of commercial brands and has served as a model for the codes of other multi-stakeholder initiatives, it is influencing the field widely. However, contrary to initial expectations the JO-IN members have not yet been able to finalize the JO-IN Reference Code, and the agreement on the proper design of a code implementation system is even further away. Furthermore, disagreement has arisen among the participating initiatives concerning whether the common code should, as originally strived for, eventually replace the codes of the individual member initiatives, or if it should remain as a model code. Till now, the Joint Initiative has

achieved very little with regard to its other shared-learning-related objectives, such as identifying good practice with respect to remediation strategies and introducing new, innovative approaches to evaluation, monitoring, and interviewing methods. Similarly, the project did not directly contribute towards the aim of reducing audit overlap and fatigue.⁶

Still, while concrete achievements remained limited, at the time of project completion participants felt that the Joint Initiative, spawning collaborations on specific projects and work programs as well as more generally enhancing cross-fertilization among member organizations, did create considerable momentum for ongoing collaboration. It was hoped that, while the least tangible, the enhanced trust, communication, the potential for both structured and *ad-hoc* collaboration would in the long run prove to be the most important of JO-IN's impacts. However, considering how inactive the JO-IN Forum appears to have been since its establishment, it may by now be questioned whether the momentum has been lost.

2. Barriers to the Success of the Joint Initiative

An important constraint hindering the Joint Initiative's progress was the tension that persisted between its twin aims of rolling out a practical project on the ground. on the one hand, and serving as a vehicle for its member organizations to converge, on the other. During the design and implementation of the trial project, preparations for the on-ground activities constantly raised issues that were considered to be of structural or political significance by one or more of the member initiatives. The need to have a workable consensus between the member initiatives consumed considerable amounts of project time and repeatedly caused delays (Thorpe, 2008: 40-41). Besides, the close interrelationship between the two lines of work, it allowed challenges very specific to the design and implementation of the on-the-ground trial project – such as negative on-the-ground reactions, a significant capacity problem in the auditing profession in Turkey, and limited participation by both brands and suppliers⁷ - to spill over and frustrate the 'global convergence dimension' of the collaboration.

Its attempt to simultaneously manage the challenge of working together and the challenge of running a project on the ground was not the only facet of the collaborative effort with regard to which the Joint Initiative simply was too ambitious. As member initiatives kept encountering problems worthy of cooperation and the extremely high and varied expectations in the field were constantly communicated to the organizations involved, JO-IN ended up pursuing an overly ambitious set of project objectives. In combination with the fact that, as a donor-funded project, JO-IN was on a very tight and inflexible time schedule, this almost doomed the project to failure from the outset. JO-IN simply had to squeeze too many activities in too little time, and proved unable to cope with the delays that occurred throughout the project.

⁶ However, by enhancing their ability and willingness to cooperate, the Joint Initiative *has* more indirectly inspired a few bilateral collaborations among its members that have helped to reduce audit duplication.

⁷ Only seven brands participated in the project, which – unwilling to offer financial incentives or strong-arm their suppliers into participation - were only able to bring in six supplying facilities.

The reasons for these delays were varied, ranging from more or less ‘accidental’ setbacks (e.g. high staff turnover, difficulties with ensuring the participation of brands and suppliers) to constraints fairly fundamental, to the set up and design of the initiative. The latter category includes the fact that, given the large differences in constituency and regulatory approach, it was a real challenge for the campaigning NGOs and the business friendly multi-stakeholder initiatives to collaborate productively. This diversity of perspectives and interests made this a very complex process, which was perhaps not sufficiently taken into account in determining the timeline of the project. Another constraint that continuously slowed down progress was the fact that the Steering Committee, which consisted of the heads of the various member organizations, was involved in pretty much all of JO-IN’s decision making. With progress dependent on the leaders of very busy organizations, “geographically separated by continents and by heavy travel schedules” (Thorpe, 2008: 41), months were lost trying to organize meetings and getting these individuals to find the time and mind space to dedicate to the project. However, members showed very uneven levels of participation and engagement in the process, as JO-IN with some organizations - while a priority theoretically - lacked sufficient support from constituencies and lower-level staff and appeared to be overshadowed by other priorities.

Overall, JO-IN’s timelines - established within a context of donor short-termism - were not realistic given the realities the project faced and the broad-ranging and important issues the initiative tried to tackle. In the end, the comparison and testing of a menu of remediation options, which was meant to be the core of the on-ground project, was “so constrained by time that proper testing was impossible”⁸ (Thorpe, 2008: 41). JO-IN’s inability to absorb delays and correct the mismatch between its ambitions and time schedules thus severely limited what it could achieve, both in terms of improving workplace standards in participating facilities and with respect to initiating learning and identifying good practice in remediation strategies.

C. International Task Force on Harmonization and Equivalence in Organic Agriculture

In addition to more than a hundred different private standards and conformity assessment bodies, the organic agriculture sector also counts a gradually increasing set of equally diverse government regulations and accreditation systems. Given a lack of formal recognition between national regulations and private labels and the fact that access to many markets depends upon the demonstration of compliance with the local standard,⁹ this regulatory multiplicity has a profound impact on organic producers (many of which are smallholders with limited resources) wishing to engage in international trade.

As most importing nations do have mechanisms in place for foreign operators to establish compliance with import requirements, and many certification bodies have managed to improvise the basic arrangements needed to be able to certify compliance with various regulations, international trade in organic products is possible and “working on a

⁸ Baseline assessments were only completed about half a year before the project was to be concluded, allowing just six months for remedial action to be undertaken. Remediation on the challenging issues that were the focus of the project could simply not realistically be expected to show results by the time the reassessments had to be undertaken (Thorpe, 2008: 35).

⁹ Indeed, these governmental organic regulations are not *voluntary* sustainability standards at all.

basic level” (Bowen, 2004: 17). However, “cobbled together” as it is (Bowen, 2004: 17), the current system is very inefficient, giving rise to considerable duplication of efforts and confronting traders seeking market access with burdensome, time-consuming, and expensive processes. Given the importance of international trade to the sector, the plethora of standards, certification requirements, and regulations, and the lack of effective linkages between them, are widely considered to be “a major, if not the key, obstacle for continuous and rapid development of the organic sector” (Twarog, 2008: 4).

In 2003, UNCTAD, FAO, and IFOAM moved to address the trade-restrictiveness of the governance system by launching the International Task Force on Harmonization and Equivalence in Organic Agriculture (ITF). Bringing together a wide range of public and private sector individuals involved in the regulation, accreditation, and/or certification of organic agriculture, this Task Force was to investigate and promote “opportunities for harmonization, recognition, equivalence and other forms of cooperation within and between government and private organic guarantee systems” (GOMA, 2012). During almost six years of conceptual work and collaborative meetings (2003-2008) the Task Force agreed upon a number of concrete recommendations on how to reduce barriers to organic trade.¹⁰ Furthermore, it developed two practical tools meant to standardize and facilitate the process by which governments and private standards setting, accreditation, and certification bodies evaluate and accept other systems: a set of baseline requirements for organic certification bodies – the International Requirements for Organic Certification Bodies (IROCBs) (ITF, 2008b), and a guide standardizing the equivalence assessment process for organic production standards (EquiTools, later supplemented by the Common Objectives and Requirements of Organic Standards – COROS) (ITF, 2008c).¹¹

Building upon the conceptual work of the ITF, a much more implementation-oriented follow-up project running from 2009 to 2012 - the Global Organic Market Access (GOMA) project – took charge of the stewardship, promotion, and implementation of the ITF’s outputs while also facilitating and supporting a number of regional harmonization and equivalence processes as building blocks of enhanced global equivalence.

1. The Effectiveness of the ITF

By getting many of the relevant public and private stakeholders networked and spawning mutual understanding and trust, the Task Force has considerably enhanced the potential for (public-private) collaboration within the global organic regulatory environment. Moreover, the ITF has also instilled a much greater appreciation and understanding of the harmonization and equivalence agenda among ITF members, especially also within the wider organic regulatory community. The resulting paradigm shift in the way regulatory fragmentation in the sector is perceived and thought about has already contributed to a surge in cooperation within the global regulatory community in recent years, and will certainly facilitate future progress on the harmonization and equivalence agenda as well. What is more, in addition to fulfilling its initial assignment of initiating and facilitating a dialogue and formulating proposals for possible solutions, the ITF also ended up developing

¹⁰ For an overview of ITF agreements and recommendations, see the Summary Report of the International Task Force on Harmonization and Equivalence in Organic Agriculture 2003-2008 (ITF 2008a).

¹¹ For more information, see www.goma-organic.org/.

the high quality practical tools (i.e. the EquiTools, including COROS, and the IROCBs), which are now considered its main outputs. Overall, those involved in the process were very pleased with the outcomes of the Task Force, which has achieved all of its self-set objectives and has developed a fairly widely supported vision of the direction in which the regulatory system needs to move.

However, although they *have* been taken up in a number of settings,¹² on the whole the uptake of the ITF's tools has remained rather limited so far. Similarly, notwithstanding the rare exception, overall there are few indications that the Task Force's various recommendations have already had tangible impacts on the decision making processes of the regulatory arena's major players. Thus, in terms of actually reducing the trade-restrictive effects of regulatory multiplicity relatively little tangible progress has been achieved to date. In the final analysis, how much of a success the ITF shall be judged to have been depends considerably on the further uptake of its outputs in the years to come. It is promising in this regard that, while not formally adopting the ITF's tools, many of the actors engaged in the GOMA project are more informally taking up components of the approach to coordination embedded in these tools. Furthermore, ITF and GOMA have supported emerging regional organic standard initiatives, e.g. the already existing East African Organic Product Standard, a currently developed Asian Regional Organic Standard (just being taken over by ASEAN to be developed into its regional standard), and discussions in South and Central America on regional standards, as building blocks of enhance global harmonization and equivalence.

2. Determinants of the ITF's Effectiveness

To the credit of the expertise, competence, commitment, and collaborative spirit of the individuals organizing and managing the Task Force, an evaluation of the design and implementation of the process goes a long way to explain how the ITF managed to outperform initial expectations. One key factor underlying the Task Force's success was the nature of the process as a collaborative partnership between UNCTAD, FAO, and IFOAM, all three of which contributed distinct analytical and technical strengths and social and political outreach capacities. In addition to their different perspectives and specific competencies, the convening organizations also brought different constituencies to the table. While IFOAM drew private actors from across the organic sector into the process, the two UN bodies were absolutely essential for ensuring the participation of governmental representatives from agricultural and trade ministries. In combination with the fact that ITF management was very active in terms of mobilizing (and maintaining continuity of) participation and more generally organized the process in a very participatory, open, and transparent manner, the mix of convening organizations did thus ensure that all major views and interests were represented. Also important in this regard was that ITF members were invited to participate in their personal capacity, rather than as formal representatives of their respective institutions. Underlining that the ITF was to be a forum for open discussion rather than formal negotiations, having participants 'take off their uniform' permitted them to open up and speak freely, allowing the Task Force to derive maximum benefits from their different perspectives and expertise.

¹² For instance, both of the tools were referenced as examples of international best practices in the latest revision of the European Commission's Guidelines for Import of Organic Products into the European Union (DITC 2010, p. 41).

Another important strength of the Task Force was the very grounded and realistic approach it took to the task at hand. Deliberately starting out with modest objectives¹³, ITF management continuously reflected on the approach and direction taken by the Task Force, adjusting its ambitions as the process unfolded. Furthermore, it also ensured that the project timeline allowed for sufficient time for the process to ‘warm up’. In its initial stages the Task Force faced considerable skepticism towards its direction and approach, as well as a lack of mutual trust, understanding of the technical issues involved, and readiness to make concessions among its participants. If the Task Force at this stage attempted to come to a consensus on possible solutions or, worse yet, force a particular solution on the participants, chances of success would have been rather modest. However, as there was little pressure to immediately come up with tangible results, the stakeholders involved had the opportunity to get to know one another, come to terms with the complexity of the issue, and get to grips with the different interest structures involved. Once a certain comfort level with the subject matter, the ITF’s approach, and the other participants was reached, it became a lot easier to deal with the various technical, conceptual, and political issues.

Overall, the design and implementation of the process were thus very good, allowing for the development of good recommendations and high quality technical tools. However, as the ITF was an outward-oriented institution, aiming to change the wider regulatory environment rather than merely the practices and standards of its participants, the effective set up and implementation of the process was not by itself enough to bring about the desired amounts of regulatory change. Rather, a lack of concern about the trade-restrictive effects of the current system, a desire to protect the vested commercial interests benefiting from barriers to trade, sovereignty concerns, and a reluctance to abandon established mechanisms for (as of yet unproven) regulatory innovations all appear to have coalesced to severely limit the willingness of regulators, private standards setters, and accreditors to take up the ITF’s tools and recommendations.

The reasons behind the lack of political will to implement these solutions were thus largely external to the Task Force itself, and to a certain extent beyond its control. That having been said, however, the Task Force *could* at times have done a better job in terms of adapting to and handling these external barriers. It could have initiated its political support mobilization work earlier on in the process, and its members could have been more proactive in communicating the ITF’s agenda and progress to higher political levels. More fundamentally it was the fact that most of the ITF’s public sector participants were relatively low-level civil servants, combined with the decision to have them participate in their personal capacity that limited the effectiveness of the political outreach dimension of the ITF’s work.

Yet had the ITF succeeded in attracting governmental participation of a higher political level, or decided to have people participate as formal representatives of their respective organizations, the open and predominantly constructive dialogues and expert discussions characterizing the Task Force as it would probably have been largely replaced by more formal and less constructive interest-based negotiations. Faced with this trade-off

¹³ Although it did feel responsible to donors to show some kind of practical results with actual use value, in its Terms of Reference (ITF, 2003) the ITF only professed to be an open-ended platform for dialogue that would formulate some proposals for the consideration of stakeholders.

between the quality of its technical work, on the one hand, and the prospective effectiveness of its external outreach activities, on the other, the ITF – as it did elsewhere (for instance when prioritizing resource allocations) - prioritized its more content-related work. As the ITF was indeed set up primarily to do work of a conceptual rather than directly action-oriented nature, this focus is both understandable and valid.

D. International Social and Environmental Accreditation and Labelling Alliance

Recognizing that they share many similarities and face the same challenges, a number of frontrunner private sustainability standards initiatives from across different sectors joined forces around the turn of the century to learn from each other's programs and cooperate on the identification of best practices. They established the International Social and Environmental Accreditation and Labelling (ISEAL) Alliance, a membership-based yet autonomous organization with a strong independently operating secretariat aiming to "strengthen credible and accessible voluntary standards and to promote them as effective policy instruments" (ISEAL, 2009).

Often involving research projects and various mechanisms for stakeholder consultation, the majority of ISEAL's work programs revolve around the development, implementation, and stewardship of "internationally applicable good practice guidance for the implementation of credible standards systems" (ISEAL, 2012). The most extensive and high-profile of these work streams culminate in the development of so-called Codes of Good Practice, which serve as benchmarks that standards organizations can refer to when developing or improving their programs and provide third parties with a means to differentiate credible standards initiatives from less credible counterparts. There currently are Codes of Good Practice for standards setting, impact assessment, and compliance assurance (certification and accreditation) as well as ISEAL's credibility principles. In addition to its Codes of Good Practice, compliance with which is mandatory for all full members, ISEAL has also developed and shared less formalized and non-binding good practice guidance on other areas of relevance to its members, including accreditation, auditor competence, the accessibility of certification for developing country producers, and the governmental use of voluntary standards.

ISEAL also actively supports its members with the implementation of its good practice guidance, operating both as a service provider offering knowledge and expertise and as a platform for more ad hoc and informal knowledge transfer, shared learning, and collaboration among members themselves. Additionally, while the great majority of member cooperation it facilitates revolves around the sharing of information and expertise, ISEAL does also support more direct collaboration between members on more tangible issues, usually in the form of bilateral initiatives for technical and political cooperation. Furthermore, the ISEAL Secretariat routinely monitors relevant policy developments, engages with members to develop common policy positions, and serves as an advocate for the voluntary standards movement in the wider policy environment. Looking beyond its current membership, ISEAL also operates an Emerging Initiatives Program, supporting new and emerging standards initiatives with formalized training materials as well as more case-specific and individualized technical and peer support.

1. Effectiveness of the ISEAL Alliance

The most high profile of ISEAL's work streams so far, the development and promotion of its Standards Setting Code, has also had the greatest impact.¹⁴ Many standards initiatives have improved their standards setting and revision processes to become compliant (or are in the process of doing so), and the credibility (as perceived by third parties) of Code-compliant initiatives has increased. The Code is quickly becoming *the* international benchmark on the subject, raising the "democratic expectations" of states, international organizations, and donors for all voluntary sustainability standards (Bernstein, 2011: 17-51).

While achievements are not entirely absent, ISEAL's other work programs combining conceptual work on the development of good practice guidance with related shared learning and capacity building activities have progressed a lot slower and been less effective. Cooperation within ISEAL has thus far also yielded relatively little in terms of successful tangible collaboration on concrete projects.

Overall, however, although some particular programs have not been very successful up to now, ISEAL *is* considered to have been very effective as a shared learning platform. More generally, by facilitating continuous interactions and coordinating various attempts at cooperation, ISEAL has considerably strengthened relationships between members and is contributing significantly to the creation of a cohesive voluntary standards movement. The Emerging Initiatives Program, which has already assisted over 50 upcoming or new standards organizations, has also been very helpful in allowing a wide range of initiatives to avoid "lots of poor practice, duplication and 'wheel reinvention'" (Roberts and Echeverria, 2009: 27). ISEAL also gives very useful advice to a lot of other initiatives approaching them, many of which never actually join the Emerging Initiatives Program because they ultimately conclude¹⁵ that yet another standard is not the most useful output (Roberts and Echeverria, 2009: 3).

Moreover, ISEAL has had a positive impact on the extent to which (inter)governmental bodies understand and use voluntary standards, and although some stakeholders have expressed concern (Roberts & Echeverria, 2009: 11 and 22) that ISEAL has not yet been able to impact significantly upon more mainstream standards organizations and the other major players in the private standards movement,¹⁶ ISEAL *is* considered to be "one of the few organizations who could really influence the agenda around voluntary standards" (Roberts and Echeverria, 2009: 19). Member standards setters consider ISEAL to provide very good value for money (Roberts and Echeverria, 2009: 24), and given the recent growth in membership and the strong position ISEAL has carved out for itself as a key international reference point on voluntary sustainability standards, prospects for future influence are promising.

¹⁴ The effectiveness is mostly evaluated on the basis of the Standards Setting Code. The more recently developed codes (on impact and assurance) are simply too 'young' for assessing their impact.

¹⁵ Not seldom following ISEAL feedback.

¹⁶ Such as the International Organization for Standardization (ISO) and the International Accreditation Forum (IAF).

2. Determinants of ISEAL's Effectiveness

Perhaps the most important factor underlying ISEAL's organizational effectiveness is its basic set up as a secretariat-driven organization. It functions as an autonomous organization with its own staff, responsible to its members yet operating relatively independently from them¹⁷ thereby able to operate more decisively, productively, and effectively than it would be able to as a collaborative platform dependent upon its member organizations for direction, initiative, and resources. Allowing it to take the lead on specific issues rather than exclusively responding to and implementing the ideas and plans of its members, its relative independence enables ISEAL to address issues its members did not themselves have on the agenda. What is more important is that, its strong and autonomous secretariat allows ISEAL to transcend its character as a membership organization and work for the benefit of the wider voluntary standards community. For instance, the Emerging Initiatives Program benefits dozens of non-member standards initiatives,¹⁸ while ISEAL's advocacy work has evolved from an initial "member-focused lobby for us approach to speaking [and taking a leadership role] for the wider voluntary standards movement" (Roberts and Echeverria, 2009: 21). Additionally, its relative autonomy also facilitates ISEAL's genuine openness and responsiveness to stakeholder input, a cornerstone of its credibility and legitimacy which considerably benefits its standing in the field.

It is by no means a coincidence that, whereas JO-IN for instance never became more than a collaborative arrangement between a number of principal organizations that remained firmly in charge, the ISEAL Alliance did reach the next level of organizational development and independence. There are two reasons in particular why the ISEAL Alliance does not (or to a lesser extent) incite the defensive reactions from its members that would impede delegation (even by these same organizations) in other collaborative projects.

The first is that, as its various members target different sectors and issue areas, ISEAL is not in the first place a collaboration between competitors.¹⁹ In comparison with many sector-specific meta-governance initiatives bringing together competing schemes, collaboration within ISEAL is thus less politically charged, with relatively little mistrust and animosity between the participating organizations. As a result members feel comfortable taking a step back and steering a bit more loosely, confident that ISEAL will stay the course they would approve of.

The second reason relates to ISEAL's mandate and the scope of work. As ISEAL primarily pursues procedural rather than content-based harmonization, its work does not directly touch upon the substantive standards of its members. Since changes to their operating procedures generally are less politically charged and controversial for member

¹⁷ Although ISEAL's Board of Directors (which is entirely made up of representatives of its full members) has the final word on all important decisions, it is the ISEAL Secretariat that is in charge of the initiative's day-to-day operations and develops the bulk of its work programs.

¹⁸ Some of which even compete with member organizations in specific markets.

¹⁹ Although some members *do* compete with each other with regard to certain commodity chains, for every individual organization the majority of fellow member schemes are non-competitors.

organizations and their constituencies than changes to the actual content of their standards, this fairly ‘non-threatening’ focus facilitates delegation and secretariat autonomy²⁰.

The flipside of ISEAL’s setup as a secretariat-driven organization is that, by reducing the active involvement of members’ staff in the initiative, it diminishes its potential as a trust building exercise. While ISEAL does bring together and build trust among a limited number of people from every member organization, it faces difficulties when it comes to transferring the resultant learning and trust to the rest of these organizations, let alone their constituencies (Roberts and Echeverria, 2009: 17-18). This is one of the reasons for ISEAL’s lack of success in terms of instigating and facilitating more (bilateral) collaboration between members on specific projects.

E. Meta-governance in the Realm of Sustainable Tourism Certification

In a sector where eco-labeling is still in its early stages, it became increasingly apparent around the turn of the millennium that the uncoordinated proliferation of sustainable tourism and ecotourism certification programs were fuelling consumer confusion and skepticism and hindering the gradual built-up of consumer demand. As a result, the past decade has spawned a number of meta-governance efforts in the sector. One of the most influential of these was the collaborative effort initiated by the Rainforest Alliance in 2000 to establish a Sustainable Tourism Stewardship Council (STSC), a global accreditation body for sustainable tourism certification programs that would guarantee the competence of accredited certification bodies and the validity of the standards they work with. However, while a 2003 feasibility study (Rainforest Alliance, 2003) outlined a detailed step-by-step trajectory for the progressive implementation of the STSC resulting in the start of accreditation as early as 2006, progress proved a lot slower than planned in the subsequent years. A considerable amount of behind-the-scenes work was being done in preparation of the introduction of an accreditation system, most importantly in terms of building support for such an umbrella organization and preparing certification programs for accreditation, yet little tangible progress was being achieved. In fact, by 2008 there was still no international baseline standard around which to build the accreditation program.

However, independent of the efforts to establish the STSC another meta-governance initiative had by now entered the scene to address this gap. Conceptualized around 2002 and eventually brought together in 2007 by the United Nations Foundation in collaboration with a number of large private sector partners, the Partnership for Global Sustainable Tourism Criteria (GSTC Partnership) set out to develop a set of baseline criteria to come to a common understanding of how sustainable tourism can be defined and operationalized. Concluding a very consultative and inclusive development process the Global Sustainable Tourism Criteria were officially launched in October 2008, after which the GSTC Partnership turned to develop educational materials and technical tools to promote awareness and guide implementation of the criteria.

²⁰ Indeed, recognizing that it cannot do it all, and that maintaining its image as a neutral forum is essential for the organization’s ability to continue to do its job effectively, ISEAL makes sure to steer clear from (being perceived to be) meddling with the contents of its members’ standards.

Despite the overlap in their memberships, the GSTC Partnership and the STSC movement initially operated rather independently of each other. However, as the leadership of both initiatives increasingly came to realize how complementary their efforts really were, a close relationship and division of tasks soon started to develop. In early 2008 it was agreed that the STSC would focus on putting in place and operating the infrastructure for an accreditation system, while the GSTC Partnership would develop and continue to revise the baseline criteria to which the STSC was to accredit certifiers as well as provide educational and implementation tools for tourism operators. As the collaboration was considered a success, the two initiatives merged in 2010 to form the Global Sustainable Tourism Council (GSTC). Combining the efforts of its predecessors, two key tasks of this Council is to manage and periodically revise the Criteria and to launch and operate an accreditation system. In addition the GSTC also promotes the business case for sustainability and develops a wide variety of education and training materials as well as mechanisms to maximize the market exposure of responsible businesses.

1. Progress of Meta-governance Efforts in Tourism

It is still too early to assess the impact of the recently established GSTC. A look at its predecessors, however, reveals significant differences between their speed of progress and ultimate impact. While the movement to establish the STSC was recording slower progress than originally anticipated, the GSTC Partnership moved forward quite quickly and has already started to leave its mark on the tourism industry. The Criteria was developed in fairly little time, and have since their launch quickly become the international reference point with regard to the definition and operationalization of sustainable tourism for the entire range of tourism stakeholders. They are raising the quality and effectiveness of the many initiatives taking them into account, and are bringing about a convergence in standards and practices.

In contrast, very few tangible impacts were realized during the years, when the movement for the establishment of the STSC operated in isolation. Rather, the main ‘output’ of the entire process rolled out under the heading of the STSC, is an increase in support for a global accreditation system among a wide range of tourism stakeholders, and certification bodies specifically. There is no doubt that the sustainable tourism certification field would not nearly be as close to an accreditation system as it is today without the efforts of those working on the establishment of the STSC. Ultimately, then, while recognizing that the STSC initiative progressed slower than initially anticipated and did not produce tangible impacts in the five plus years it pursued its vision in isolation, the true significance of the STSC effort can only be assessed when the GSTC’s accreditation program has been up and running for a while.

2. Explaining the Speed of Progress

Although preparations have accelerated significantly in the past two years or so, the fact remains that six years after accreditation was supposed to commence the accreditation system, it is still not fully operational. Ultimately, the slow speed with which the efforts to establish a global accreditation system have progressed over the past decade is due to the fact that the requisite consumer demand and business interest were not sufficiently present in the early 2000s. Therefore, sufficient private sector participation and public sector

support is crucial to create a requisite demand. However, the movement's quest for this public and private sector support and participation proved more challenging and time-consuming than expected, and became the main reason for the slow rate of progress throughout the years.

Although the various consultation, support building, and promotion activities that were organized as part of the STSC initiative's bottom-up strategy *have* been instrumental in creating the momentum that allowed for the process to finally take off under the auspices of the GSTC. The growth and maturation of the sustainable tourism certification movement that ultimately created more fertile ground for the establishment of an accreditation body was to some extent also an autonomous process of sector development that moved at its own pace. A main advantage that the GSTC Partnership had over the STSC initiative was also simply its timing. Due to the changing market circumstances and progressing insights, the GSTC Partnership was able to secure a lot more business participation than the STSC movement had managed to achieve only years earlier. This step was crucial to the GSTC Partnership's own success, it also resulted in the much-desired influx of private sector participation into the efforts to set up an accreditation system when the GSTC Partnership and the STSC initiative merged in 2010.

Similarly to its experiences with the private sector, it also took the STSC movement considerable time and effort to obtain the active involvement of the public sector.²¹ Efforts to obtain the formal support of relevant UN bodies, valued for their firmly established relationships with key players (with UNEP mobilizing environment ministries and UNWTO bringing tourism ministries to the table) and the aura of legitimacy and neutrality, their involvement bestows upon a process, made very little progress for years. However, when the STSC movement finally did secure the UN's support, this quickly proved very instrumental in speeding up the movement's progress. The UN involvement enabled the movement to engage more productively with both national and local governments and tourism boards, it also plays an essential role by housing the GSTC's Secretariat and providing a sizable portion of its operational budget.

With the achievement of sufficient private sector participation and the realization of formal support and endorsement by UN agencies (and, by extension, governments), the main challenge to the successful implementation of a global umbrella organization has now been overcome. With the establishment of the GSTC the movement has also made considerable progress in terms of operational capacity and financial viability. The GSTC's organizational model, in which a number of working groups consisting of volunteering members do most of the work with the support a small Secretariat, is not only cost efficient, but does also tap into a great diversity of views and expertise and generates a sense of ownership of the process that is hoped to boost member commitment to its outputs.

²¹ As governments operate or support about half of all sustainable tourism certification programs, such active public sector involvement was again identified early on as crucial to the movement's success.

F. Conclusions

1. The Objectives of Meta-governance

As illustrated by the case studies, meta-governance in the realm of voluntary sustainability standards can have a lot of different faces, depending on the regulatory context within which it is being pursued and the specific weaknesses in the regulatory system it aims to address.

The studied meta-governance efforts have taken the form of

- an internally oriented collaboration between a limited number of like-minded peers active in the same sector,
- an inclusive process aiming to bring together and influence as large as possible a subset of standards initiatives and other stakeholders in a particular industry, and
- a collaboration between frontrunners from a variety of different fields.

Meta-governance initiatives may be implementing procedural or more content-based harmonization, and may be set up as permanent autonomous organizations or as temporary platforms for collaboration. They also show considerable variation with regard to the nature of the change they are trying to effect on the regulatory system and the individual standards initiatives they are meta-governing. While meta-governance activity in the final analysis is almost always aimed at enhancing the effectiveness with which standards initiatives can improve the sustainability performance of the targeted economic sectors. This is done by boosting the gains in sustainability per certified operator or by increasing the number of certified operators – there are three more specific objectives of meta-governance that can be distinguished:

- increasing the public interest orientation of standards,
- enhancing the democratic legitimacy of standards initiatives, and
- improving the effectiveness and efficiency with which standards are implemented in targeted supply chains.

Firstly, meta-governance efforts are thus often aimed at imposing some common goals and priorities on (a subset of) the standards initiatives making up a particular regulatory system and reducing discrepancies between the goals being pursued by these (often private) standards setters and ‘the public interest’. As standards initiatives’ goals are operationalized and formalized in the standards they use for certification these efforts generally involve the negotiation of a common ‘consensus standard’, which may then be integrally adopted by standards organizations or used as a reference point in standards revisions and the development of new standards. Such benchmarking does in the first place involve codifying minimum levels of performance for relevant social and environmental variables, yet among growing concerns about the effects of voluntary sustainability standards on the trade competitiveness of developing country producers it may increasingly also entail ensuring that standards are relevant to and realistic in developing country contexts. While being largely disregarded by ISEAL on account of the diversity of its membership, such a convergence of standards has been pursued by all of the studied sector-specific initiatives, yet with varying degrees of emphasis and success. For instance, whereas the Global

Sustainable Tourism Criteria have already had a significant effect on standards and practices throughout the sector, JO-IN never managed to actually finalize its draft code.

Secondly, meta-governance activities can be aimed at enhancing the democratic legitimacy of private standards systems. Overall, however, this meta-governance objective has received the least amount of attention so far. While those involved in the sector-specific case study initiatives do certainly appreciate that it is important to organize standards initiatives, internal governance arrangements and standards setting procedures in a legitimate manner - by promoting inclusive, fair, and representative participation.²² It can only be done by ensuring the deliberative quality of opinion, will formation, and enhancing accountability and transparency. However, currently they simply do not consider encouraging such 'normative procedural legitimacy' a priority.²³ With respect to ISEAL, its efforts to enhance democracy and legitimacy in the governance processes of private standards initiatives²⁴ represent its biggest achievement to date. In fact, given its widespread acceptance and lack of sector-specificity, ISEAL's work on legitimacy in standards setting may increasingly take care of meta-governance's legitimacy dimension for other meta-governors. Illustrative in this regard is that the GSTC has decided to not waste time and resources developing its own procedures for ensuring democratic legitimacy, but simply makes use of ISEAL's work in the area.

The third objective meta-governors often pursue is to enhance the capacity of individual standards initiatives and the governance system as a whole by implementation of standards. As it generates the most obvious and immediate benefits for the standards initiatives being meta-governed, this is the meta-governance objective most often pursued by the studied initiatives. Whether it was by testing different remediation strategies (JO-IN), facilitating the harmonization and equivalence of organic guarantee systems (ITF and the GOMA project), stimulating market demand for certified products and developing training materials to aid standards implementation (GSTC), or developing best practice guidance on accessibility and the governmental use of voluntary standards (ISEAL), all case study initiatives invested considerable effort into enhancing the effectiveness and efficiency with which standards organizations are able to achieve the implementation of their standards. Indirectly, stimulating standards implementation is also the ultimate goal of most meta-governance interventions aimed at reducing transaction costs and more generally increasing the efficiency with which standards initiatives operate, as efficiency gains strengthen the business case for certification by reducing the associated costs. However, even when meta-governance aims to enhance the public interest orientation or legitimacy of voluntary standards this is often at least partly because it is hoped that successes in those realms will result in higher market uptake rates.

A reflection on the nature of the first two of these meta-governance objectives, combined with the realization that meta-governance initiatives depend for influence on the voluntary uptake of their outputs by standards organizations, may conclude that the focus of

²² This does expressly also include the participation of developing country firms and producer associations.

²³ The 'inflation' of voluntary sustainability standards and the increasing number of 'cosmetic' standards may increase the urgency of the 'legitimacy' or 'integrity' issue.

²⁴ Most notably its Standards Setting Code.

meta-governance efforts to date is very much on further improving the crème de la crème of standards initiatives rather than on addressing the instances of greenwashing, malpractices and anti-competitive practices. Indeed, as the least credible and least sincere initiatives in a particular standards field are also the least likely to voluntarily adopt and implement meta-governance solutions aiming to enhance their legitimacy or public interest orientation, meta-governors will not be able to directly challenge this ‘dark side’ of voluntary sustainability standards setting as long as they lack the capacity for coercive enforcement.

However, in the absence of this capacity the studied meta-governance initiatives have sought to curtail the incidence (or at least the efficacy) of green-washing and anti-competitive practices in the long run via more indirect mechanisms. In addition to further strengthening the frontrunners in their field, all the case study initiatives more or less attempt to increase the market share of credible initiatives with stringent programs at the expense of their less credible counterparts²⁵. By manipulating market dynamics in favor of the ‘best’ schemes, they attempt to enhance the overall public interest orientation, legitimacy, and/or goal attainment capacity of the standards fields. They meta-govern without having to engage directly with the ‘weakest links’. Furthermore, it is hoped that raising the bar for the frontrunners in the field, while simultaneously increasing their efficacy vis-à-vis their less credible counterparts, will inspire a certain ‘pull’ on the mainstream to also implement (more incremental) improvements. While inevitably a long-term prospect, this may eventually force the ‘bad apples’ to improve their ways to maintain credibility with third parties.

2. Outcomes

As the uptake and implementation of non-binding regulatory innovations is a gradual process and it takes a while for the effects of implemented meta-governance solutions to fully manifest themselves, a substantial part, if not the majority, of the case study initiatives’ impacts is still to materialize in years to come. That having been said, the case studies do already reveal a rather mixed picture regarding the studied initiatives’ tangible impacts to date and their potential for future influence. While generalized statements on the effectiveness of the first generation of meta-governance initiatives are thus not warranted, there *are* two common threads running through the various case studies worth highlighting.

Firstly, while one might have feared that when a number of private actors come together to agree on some kind of common baseline standard or set of procedural guidelines the outcome of such ‘negotiations’ would merely reflect a lowest common denominator, the meta-governance initiatives studied have (where they managed to come to a consensus) actually developed very strict reference standards. Although meta-governors do need to be careful not to be overly ambitious when developing their benchmarks, and be aware that reference standards that are too stringent may result in limited buy-in, the stringency of the standards developed by the case study initiatives bodes well for the future of (public-)private meta-governance.

²⁵ For instance, both ISEAL’s efforts to get its Standards Setting Code referenced by a variety of (inter)governmental bodies and donors as well as efforts to establish a global accreditation system in tourism should be seen in this light.

The second striking finding relates to the great importance attached to the meta-governance initiatives' relationship, trust building dimension and its effects on the potential for future bilateral and multilateral collaboration among those involved. Apparently, given current levels of fragmentation in the voluntary standards, the need for enhanced relationships, trust, and understanding among the various actors involved is so big that these secondary effects of meta-governance initiatives are often considered just as important, if not more important, than the actual official outputs these processes generate. Moreover, as well as being an important outcome of the process in and of itself they are also a prerequisite for meta-governance processes to move forward successfully. As meta-governance initiatives really do require a certain level of trust, mutual understanding, and willingness to make concessions, tangible progress is generally slow until a foundation of mutual trust and understanding is sufficiently present. Accordingly, the first meta-governance efforts in a sector are often to a large extent about laying the groundwork for future cooperation, and the speed with which meta-governance initiatives progress towards their substantive goals does usually increase once this foundation has been established. Consequently, even though initial progress may be slow, it is generally worthwhile to keep such efforts going. It is thus very promising that the case study initiatives that were not set up as permanent organizations were nevertheless considered to be first steps in more incremental processes of convergence, and have indeed spawned follow-up initiatives to continue their work.

3. Determinants of Meta-governance Effectiveness

Although the case studies - of which the current paper only provides brief summaries - succeeded rather well in uncovering the main process design characteristics and contextual variables that have determined how much progress the case study initiatives were able to achieve, a synthesis and comparison of their experiences provides disappointingly little in terms of clues regarding the optimal design of meta-governance initiatives in general. Moreover, the few more or less universally applicable process design 'rules' that *did* repeatedly resurface across the various case studies can (perhaps because of their universal nature) all be considered to be rather mundane and straightforward. They are:

- Avoid a mismatch between ambitions, time and funds available for pursuing them: allow sufficient time for the process to 'warm up', maintain flexibility in project timelines, keep ambitions realistic and adjust when necessary.
- Ensure the balanced participation of a good cross-section of all major stakeholder groups: organize open and transparent processes, proactively mobilize relevant stakeholders, and maintain a balance between industry participation and civil society (and public sector) involvement.
- Ensure that the benefits of participation (e.g. greater understanding of issues; enhanced mutual trust) do not only affect the small number of organizational representatives most actively involved in the process, yet extend to other units, branches, and levels within these organizations as well as to their wider constituencies.
- Foster a collaborative culture of trust, openness, willingness to make concessions; minimize turnover in leadership, staff, and participation.

- Ensure the availability of timely and sufficient funding: maintain good relationships with donors and diversify funding base where possible.

Overall then, given the limited number of such universal design principles, the best manner in which to organize a meta-governance process appears to be very much dependent on the change sought after and the context within which the process is rolled out. Overcoming fragmentation-related trade barriers in the organic sector, tackling consumer confusion in tourism, and addressing legitimacy concerns in standards setting more generally are simply very different tasks, and do hence each require a different approach to coordination. Consequently, rather than attempting to identify *the* optimal process design for meta-governance initiatives in the voluntary standards field, those interested in how to implement such meta-governance processes most effectively would do well to focus on gaining a better understanding of the interactions between such process design features and the characteristics of the regulatory field being meta-governed. Accordingly, the remainder of this paper will consider some more context-dependent influences on the effectiveness of meta-governance: the role of the public sector, the organization of collaborative meta-governance as a membership- or secretariat-driven process, and the degree to which a standards field is matured and institutionalized.

4. The Role of the Public Sector

Even though the rise of voluntary sustainability standards setting started out as a private sector response to public regulatory failure, voluntary sustainability standards fields do virtually always have strong linkages with (the regulatory efforts of) governments and intergovernmental agencies.²⁶ Accordingly, the public sector does generally have considerable influence over the effectiveness of (even the private) voluntary standards setting and certification efforts. With the mainstreaming of voluntary sustainability standards their importance to public sector decision makers is also on the increase. Not only do (private) voluntary standards affect public social and environmental policy objectives, they do also increasingly affect developing country opportunities for export and (hence) economic development.

In view of the different ways in which the practice of voluntary standards setting affects public policy objectives and the influence public actors - given the special resources, formal authority, and democratic legitimacy they possess - can in turn exert over the voluntary standards realm, it is virtually always a good idea for (inter)governmental actors to somehow be involved in the meta-governance of voluntary standards setting. Given their global reach, extensive expertise, strong legitimacy, perceived neutrality, and ability to act as a gateway to more government involvement, UN agencies are particularly well-positioned to successfully take up such a meta-governance role. Indeed, the case study initiatives featuring the involvement of UN agencies (the ITF and efforts in tourism) did not only find their direct contributions to be invaluable, but also found that their support allowed them to engage with governments much more effectively. While it is no coincidence that the two case study

²⁶ For instance, the workplace standards propagated by private initiatives in the apparel industry are all directly based on relevant ILO conventions. Furthermore, in the realm of organic agriculture facilitating the assessment of compliance with national regulations has often become one of the functions of voluntary standards, while in tourism about half of the certification schemes in operation are backed by governments.

initiatives featuring (and clearly benefiting from) UN involvement were those efforts actually dealing with public standards setters,²⁷ UN involvement would also be beneficial when it concerns the meta-governance of exclusively private standards setting fields.

In fact, as suggested previously, if meta-governance is to enhance legitimacy and public interest orientation in sustainability standards fields by ‘pushing upwards’ the worst performers, rather than by ‘pulling’ further upwards the best schemes,²⁸ the involvement of public sector actors willing to (hint at the) use (of) their capacity for coercive enforcement is essential. This does not mean, however, that public sector actors should flat out force certain state-designed solutions on to the private standards setting field. Though, public sector involvement cannot substitute for the input of and ownership by directly affected private organizations. It is often that the voluntary standards initiatives and the organizations behind them that have the best insight into what meta-governance interventions are most needed, as well as how they can best be given shape as to maximize their effectiveness. The ownership of a meta-governance process by the private standards initiatives concerned can also by itself breed support for its outputs and improve implementation. Thus, even when intent on giving a meta-governance effort a more obligatory character by demanding the uptake of its outputs, public actors need to ensure that the involved private actors continue to ‘own’ the process and are not ‘crowded out’ by increasing public sector involvement. While this in the first place calls for collaborative public-private efforts, the public sector may in certain instances even simply formalize the outcomes of widely supported private meta-governance initiatives.

To date, however, the political feasibility of such a coercive meta-governance approach has not been demonstrated. Governments and intergovernmental bodies alike remain hesitant to proactively implement coercive meta-governance interventions. Still, even without exercising their capacity for coercive enforcement public sector actors may facilitate, participate in, or co-manage meta-governance processes as to induce private standards initiatives to take the process of convergence and system improvement that extra step further. For instance, in fields where private standards initiatives do not acknowledge the need for convergence or where the sector dynamics prevent the necessary cooperation, UN agencies may use their agenda setting powers or play a more active organizational role in initiating meta-governance. The UN participation in the process, in a stakeholder capacity (providing just one of many perspectives), can enhance the process’s perceived legitimacy and contribute to ensuring that meta-governance interventions do actually benefit the public interest, rather than solely the interests of the involved private standards setters and their clients. Finally, how to balance the public and private sector contributions to meta-governance in a particular realm is in large part dependent on the nature and extent of the linkages between private standards and public policy mechanisms, the actor constellations in that particular regulatory field, and the relevance of the sector in question to public policy objectives.

²⁷ That is, in addition to private standards initiatives.

²⁸ Which has been the essence of meta-governance efforts so far.

5. Secretariat-Driven Versus Membership-Driven Process

One of the most context-dependent design decisions a meta-governance initiative will face is the choice whether to organize a collaborative meta-governance effort as a secretariat-driven or a membership-driven process²⁹. Naturally, both set ups have their advantages and disadvantages.

By allowing for more membership involvement and ownership of the process, membership-driven initiatives may be more successful in generating support for (the outputs of) the meta-governance process among member organizations and their constituencies. Also, they will generally be more effective as learning and trust building exercises for the individual members, and are more likely to lead to further (bilateral or multilateral) collaboration between member organizations. An important point to consider is that, having volunteering members do a lot of the work is also cheaper than hiring secretariat staff to do so³⁰, and does thus reduce reliance on donor funding. However, as all member organizations are usually very busy and processes of collaborative decision making are often difficult and time consuming, membership-driven processes may also be relatively slow.

In comparison, a large degree of secretariat autonomy generally allows meta-governance initiatives to operate faster, more decisively, and more productively. A strong and independently operating secretariat may also offer greater opportunity for a meta-governance initiative to address issues that, while important, are not (high) on the agenda of (most of) its member organizations. However, secretariat-driven processes generally have greater difficulty generating a sense of ownership over the meta-governance process and its outputs among members, and may thus find it harder to secure the implementation of the developed solutions. Moreover, as suggested earlier with respect to the ISEAL case study, members may be very hesitant to delegate meta-governance tasks to a strong and independent secretariat depending on their relationship with their meta-governance partners and the focus of meta-governance efforts.

Overall, while a gross simplification, secretariat-driven processes are most suitable to effectively develop technically high quality meta-governance outputs in a context of pre-existing agreement among members on the goals to be pursued and the general strategy to be followed, while membership-driven processes have a comparative advantage when it comes to tackling more politically charged issues. When building support for regulatory innovations and forging agreement among member initiatives is a large part of the meta-governance task at hand, the degree of involvement sought from these members needs to be larger than when the required changes can be expected to be relatively uncontroversial.

6. Degree of Institutionalization in the Field

Another determinant of the effectiveness with which meta-governance initiatives are able to achieve change is the pre-existing degree of institutionalization in the regulatory field. The more organizations that are involved in and/or affected by the meta-governed regulatory

²⁹ While the choice between a membership- and secretariat driven process is presented here more or less as a dichotomy for emphasis, in reality the two should be considered the two extremes on a continuum.

³⁰ Although a secretariat-driven process may rely on volunteers as well.

system feel that they have vested interests to protect, the harder it is generally to generate significant change and truly transform the system. For instance, the more firmly established the commercially inspired private standards systems in a certain field are, the more difficult it will be for a meta-governance initiative to increase the regulatory system's public interest orientation. Even mission-driven initiatives inspired by a legitimate desire to minimize a production chain's social and environmental impacts can be expected to be very hesitant to support and go along with meta-governance strategies that will play out against their organizational interests, even if the suggested changes would ultimately benefit the regulatory system as a whole and further the organization's mission. People simply tend to get attached to their organizations and their ways of doing things, which causes them to resist change. At the macro level this means that a higher degree of maturation and institutionalization in a regulatory environment will generally result in higher levels of inertia. This has a number of implications for those with meta-governance aspirations.

Firstly, given the dependence of meta-governance initiatives on the voluntary uptake of their outputs, the tendency of those involved in voluntary standards setting and certification to protect their vested organizational interests imposes a straightforward yet important requirement on meta-governance: the outputs of a meta-governance process need not only benefit the regulatory system as a whole, but also all the individual standards initiatives and other organizations who are meant to pick up and implement these outputs. Accordingly, meta-governance interventions that can be expected to have significant distributional consequences for the standards initiatives on which their implementation depends will generally be hard to sell.³¹

Secondly, it is interesting to note that where their high level of institutionalization causes inertia among standards initiatives, it tends to do so the most with regard to those aspects of their systems which they consider to be most 'defining' of their programs. When standards organizations feel it is the specific (unique) content of their standards that justifies their continued existence and market share they will be most reluctant to pursue convergence in this realm (e.g. ITF), whereas initiatives that consider their internal governance arrangements or verification mechanisms to be their distinctive contribution to the regulatory field will be more likely to harmonize at the standards level and less eager to work towards a convergence of these more procedural dimensions of their systems (e.g. JO-IN).

Thirdly, the significance of a regulatory system's pre-existing level of institutionalization also points to the importance of timing. As it may actually be easier for a meta-governance initiative to fill a regulatory gap than it is to introduce regulatory innovations that will serve to replace or otherwise undermine existing mechanisms or institutions, it clearly is advisable to initiate meta-governance efforts before the regulatory field being targeted has become completely institutionalized. Initiating meta-governance early on may also to some degree preempt the development of excessive multiplicity by

³¹ Note that this does not mean that metagovernance interventions will often not have distributional consequences at all. In fact, enabling a field's 'best' schemes to increase their market share (at the expense of their less credible and/or stringent counterparts) is often a key aim of metagovernance. What metagovernance initiatives will usually *not* do, however, is systematically benefit some of their members in favor of others; nor have any of the studied initiatives, and this deserves highlighting, been established with the aim of strengthening its founders' position in the market at the expense of other *credible* initiatives.

preventing the creation of more new initiatives. However, at the same time some degree of maturation is necessary, as there is also such a thing as launching a full-blown meta-governance effort too early on in the development of the practice of standards setting and certification in a sector. Attempting to orchestrate convergence before a certain foundation of operational standards initiatives and market interest in certification is present will probably result in slow progress and limited initial impacts, and may even undermine the momentum on which the gradual mainstreaming of voluntary standards ultimately depends.

Overall, the degree to which voluntary standards setting and certification has already been institutionalized in a certain field does to a considerable extent determine what type of meta-governance innovations could most effectively be implemented as well as the pace at which meta-governance will be able to progress. As a contextual factor outside of the control of those pursuing meta-governance, a regulatory fields' degree of institutionalization does not actually point to the necessity of specific design features, yet does need to be taken into account in every initiative's ambitions and timelines.

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