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EU Environmental Governance: Vision of Polycentricity Over Hierarchy

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1. Introduction

European policies that tackle issues related to environment and a vision for global environmental governance is remarkably different compared to sovereign nation-states. Already in the preamble of the Treaty on European Union (TEU) the economic and social progress the EU strives to bring to its people is qualified by the desire to ensure sustainable development and environmental protection (Corthaut and Eeckhoutte 2012).

There is a progressive departure of environmental decision-making from national level to collective decision at the Union level. Main concept lies at the core of the European Union (EU) vision is multilateralism since it is promoted as a part of the forming identity of the "Union". While powerful players like the United States or emerging giants like China are opposed to many aspects of international regulation, the EU generally sees its own vision as being in tune with the ethos of the United Nations system itself, despite the fact that it labors under a number of disadvantages in New York, not the least of which is the inferior status of the European Community in an organization exclusively composed of sovereign states (Vogler and Stephan 2007).

In August 2008 the European Commission invited European Union (EU) citizens and stakeholders from industry, trade unions, consumer organizations, environmental NGOs and academia to comment on the design of a future climate treaty beyond 2012 (Bäckstrand, Khan, Kronsell and Lövbrand 2010). The consultation covered both normative and technical issues and was organized in the form of an online questionnaire distributed via the European Commission's webpage (Bäckstrand, Khan, Kronsell and Lövbrand 2010). This attempt to include public and private actors in proceedings over the current and future European climate policy signals the shift to the new mode of environmental governance trend which increases the importance of procedural qualities such as dialogue, transparency, participation and accountability not only within the Union, but also beyond the EU. That is also remarkable sign of multi-level governance that promotes stronger decentralization and participation of non-state actors throughout the decision-making process on various levels of governance.

During the past decades environmental policies on local, national, EU and global levels have become associated with the rise of less hierarchical and more collaborative

governance arrangements (Bäckstrand, Khan, Kronsell and Lövbrand 2010). Public-private partnerships, stakeholder dialogues, citizen juries and voluntary standards are part of the deliberative, participatory and market-oriented strategies that are utilized in the policy areas such as food safety, forestry and climate change. In the field of environmental policy, in particular the inclusion of non-stake actors into policy-making achieved prominence thanks to four EU directives pushing forward more collaborative forms of governance, for example, the Water Framework Directive (2000/60/EC) and the Public Participation Directive (2003/35/EC) (Newig and Fritsch 2008). It is expected to enhance the quality of decisions through participatory governance which will open up the political ground for all the stakeholders. Hence, inclusion of stakeholders might reflect positively on compliance and implementation on the ground. All the constituted strategies and inclusion of various parties aim to turn environmental decision-making process into inclusive, transparent and accountable one while increasing the performance and effectiveness.

Environmental policy in Europe and elsewhere has been suffering from a lack of effectiveness (Newig and Fritsch 2008). Scale of environmental problems seem to be various. Whereas soil contamination on a hazardous waste site may remain a strictly local problem, water pollution typically extends the scale of a river basin (and beyond), and climate change and biodiversity loss indicate the global level of cause-and-effect-chains (Newig and Fritsch 2008). Generally, established administrative territorial jurisdictions are distant from being an answer to the environmental problems which transcend their orbit. And established systems of multi-level governance struggle with its own problems of effectiveness. From the perspective of policy implementation theory, a high number of decision points and involved actors hampers effective policy delivery. On the other hand, 'polycentricity' is regarded as conducive to long-term effective environmental policy (Newig and Fritsch 2008).

The strongholds of national environmental policy competence gave room for international regimes beginning in the 1980s, a development that reached a peak during the Rio Earth Summit in 1992 (Eckerberg and Joas 2004). The trend is steered towards sub-national units that struggling to reform environmental governance standards in cooperation with the supra-national units, such as the EU, with nation states, with inter-governmental and non-governmental organizations. Additionally, that trend naturally

possesses an impact on shifting the trajectory of responsibilities from the public to private, hence becoming a pioneer for new forms of environmental governance regardless of formal hierarchies.

After modest beginnings in the 1970s, the EU emerged as a regional and global leader in many areas of environmental politics and policy-making. This remarkable development, largely unanticipated at the onset, was made possible by a series of amendments to the Rome Treaty expanding the EU's legal authority on environmental issues and increasing the influence of EU bodies over individual member states (Selin and Van Deveer 2015).

The EU has been one of the few actors in global environmental arena that perpetually advocated institutional reform and accountable implementation of existing commitments. Union's resolve to become a leader in global environmental arena is proved to be promising by setting sustainable development as an objective of the Union (TEU Art.2) and integrating environmental protection requirements into the definition and implementation of European Community's other policies and activities (TEC Art.6 in line with Art.11 TFEU). However, there is a salient mismatch between the aspirations and demands of the EU as an international actor and its internal and institutional problems with delivering. Within the EU, high number of vertical, horizontal and task specific levels of governance exist in which establishes environmental governance as quite complex system consists of decision points which hampers effective policy delivery. Nevertheless, the EU did not take a step back from embracing the sustainable development and promoting it robustly while seeking ways to fortify sector of international environmental governance in order to preserve an autonomous stance for the environment.

2. Theoretical Background

The traditional way to see policy making in general as a top-down system -from the international level down to the local level, with nation-states as dominating actors -as been considered outdated among academics (Eckerberg and Joas 2004). Position of

nation states in the center has been questioned on a general level, and this central position of the nation states along with the closely connected institutions is slowly fading out as a political authority. This not a disappearance from the stage, yet it is a departure of the nation states from its classical role in the stage. This change is at the heart of the most common definitions of governance within social sciences, including multi-level governance (Rhodes, 1996; Pierre, 2000, p. 1). This development has been even more evident regarding the environmental policy sector, than for other more institutionalized sectors (see for example, Dryzek, 1997 and Gibbs, 2000).

Multi-level governance (MLG) has been defined as 'political structures and processes that transgress the borders of administrative jurisdictions, aiming to cope with interdependencies in societal development and political decision-making which exist among territorial units' (Benz 2006: 95, translation JN). From a political science point of view, the core in the definition of governance is in the 'erosion of traditional bases of political power', i.e., the changing institutional position of the nation states (Pierre 2000, p.1). Pierre bases this erosion upon several processes that occur within the same period of time. First of all, with the assist of liberalization of financial markets, potency of national governments' is subject to decreasing trend vis-à-vis international actors as well as individual actors (markets, business and corporations). Secondly, governance refers to an alteration in the process of interaction among various political actors, during which included policy networks possess their own position regardless of the states' position. Thirdly, position of local and regional actors, who are detached from the national governments, has been remarkably cemented. Sub-national units, local governments, civic organizations and networks primarily attempt to manifest their own policies. In case of failure, they hope to coordinate common efforts to influence policy-making process on different system levels, at least. This means, according to Pierre (2000, p.1), there is an emerging simultaneous shift of the political power ranging from trans-national levels of government and down to local communities.

The second type of (multi-level) governance implies a horizontal shift of responsibilities from governmental actors/authorities towards non-governmental actors (Eckerberg and Joas 2004). This development can be observed on all societal levels – local, regional, national and international, especially EU-level. This indicates existing constrain not only on national governments' autonomous position but also on local governments' by

new varieties of political actors who involve themselves in the political process. The scope is enlarged, hence becoming more suitable for influences from stakeholders. Eventually, that updated political process results in forms of representative democracy.

Within the context of democratic theory, deliberative model of democracy gained attention in the 1990s (for example Fishkin and Laslett, 2006; Gutmann and Thompson, 2004; Bohman and Regh, 1997), it simply means democratizing the democracy. In the essence, this model stresses that members of the public should be allowed to take a part in the collective decision-making process. Even though, deliberative model of democracy is divided into two branches, liberal tradition and critical tradition, both of them promote public justification and political equality. Open argument which is purified of manipulation and the exercise of power will assist in emerging of equal and legitimate decision.

In the recent years, green political thinkers have established a connection between the deliberative democratic ideals to environmental outcomes. The notion that public participation in environmental policy-making will increase the democratic legitimacy and performance of green regulation is a recurrent theme within contemporary green political theorizing (Baber and Bartlett, 2005; Meadowcroft, 2004; Smith, 2003; Dryzek, 2000). Therefore, it is conceivable to argue that deliberative democracy has become a vital piece of the notion of ecological democracy.

Green political theory brings different perspective to the debates about environmental governance by attempting to establish a link between democratic procedure and environmental outcomes. Main concern is how to achieve policy effectiveness without giving up on democratic legitimacy which is the classic dilemma. The promise associated with new modes of environmental governance implies that less hierarchical and more collaborative forms of steering will resolve this dilemma (Bäckstrand, Khan, Kronsell and Lövbrand 2010). Since, this theory is directly concerned with the environmental governance, it is reasonable to utilize it in my study.

In recent years, theories of deliberative democracy have, for instance, informed debates on transnational democracy beyond the nation-state (Glasbergen et al., 2007, Koehnig-Archibugi and Zürn, 2006; Risse, 2004). Moreover, notions of global stakeholder

democracy have gained ground (Bäckstrand, 2006; MacDonald, 2008). The global public sphere has advanced as a viable model for counteracting the democratic deficit and enhancing the legitimacy of international governance arrangements and institutions (Beisheim and Dingwerth, 2008; Dingwerth, 2007; Börzel and Risse, 2005; Steffek, 2003). A recurring argument also in this literature is that procedural values such as public accountability, transparency, representation and participation of societal stakeholders will strengthen the performance of environmental agreements (Mason 2005).

Within the context of contemporary environmental policy, there is prevalent argument that inclusive and participatory decision-making will increase the public acceptance for policy decision which also cement the knowledge base for possible implementation. Therefore, participation of citizens and societal stakeholders have been promoted in multilateral, national and local contexts. This trend can be exemplified with the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro in 1992, where the multi-stakeholder model for subsequent environmental mega-summits was initiated (Bäckstrand, Khan, Kronsell and Lövbrand 2010). Agenda 21, which was adopted in Rio, states that '[o]ne of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making' (UNCED, 1992, Ch. 23.2). We witness participatory mode of governance's growing institutionalization following the years of Rio meeting and it has experienced even stronger institutionalization in Johannesburg during the World Summit on Sustainable Development (WSSD) in 2002. This summit outcome exemplifies this trend with almost 400 partnerships for sustainable development and detailed procedures for including civil society, business and governments in stakeholder forums and dialogues (Martens 2007).

3. **The EU Environmental Governance in cooperation with the "New Mode of Governance"**

The EU environmental management strategies are gradually fall within the orbit of a new network governance approach which might be seen at par with deliberative quality and collaborative governance. These new governance modes are claimed to be functional, to handle the complex, cross-sectoral, multi scale and long-term temporal

aspects of modern environmental problems (Jordan, 2008; Biermann, 2007). While much of what is called 'new governance' is little more than old wine being poured into new bottles, nevertheless there is some evidence of change, even if it is difficult to pin down in concrete cases (Baker 2001). This new approach comes with the new process of governing at the EU level. Foundation of this new mode is involving partnership and shared responsibility in order to achieve policy objectives rather than solely relying upon the actions of governments alone. Departure from traditional approach paves the way for utilizing market-led solutions which leads to non-hierarchical and mutual dependent relationship between state and non-state actors to address environmental problems.

Integration of this new mode of governance into the EU is substantially complex. This is because, in the EU, policy is always an outcome of complex bargaining and shifting alliances among the Member States and between them and EU institutions (Baker 2001). During the formulation process of policy, differences frequently come in sight within institutions and in particular within the Commission. In the implementation stage following the formulation of the policy, the Union has less control over. Member states take the main role in that section. All this policy making process under the multi-level structure of the EU requires a long period of negotiation and discussion through a variety of different formal and informal channels. There is no monopoly, but mutual interdependence among all the actors involved.

Environmental problems are mostly transboundary, cross-sectoral and complex hence it is coherent with the multi-level governance of the EU. The characteristics associated with environmental problems partly explain why environmental governance tends to be global or transnational in design, why often environmental governance calls for the engagement of many sectors and multiple public and private actors, and why a future-looking and global perspective is relevant and precautionary action necessary (Bäckstrand, Khan, Kronsell and Lövbrand 2010). Merely that explanation is enough to reveal the possibility of implementation and legitimacy deficits that might occur in environmental governance. Various actors such as companies, local authorities, environmental administrations, social movements, global and supranational movements play an active role in governance processes which simply ensures that governance is becoming less hierarchical and less limited to the will the nation states.

All the complexity involved in the environmental governance and multi-level governance at the EU level along with the involvement of stakeholders in policy-making steered me to compose the first hypothesis:

H1: Broad participation by public and private actors in collective decision-making will foster more legitimate and effective environmental policies within the EU.

This hypothesis will demonstrate the influence of the new mode of governance in regard to the environmental policies of the EU. EU policies on food safety and genetically modified organisms (GMOs) are coherent fields in order to evaluate the validity of this thesis.

European food safety governance is an interesting domain, since it appears as a deliberative rationality that has influenced policy-making in a multi-level context between governments, supranational institutions and a range of public and private actors (Bengtsson and Klintmann 2010). The food policy field is divided into different sectors: farming, fisheries, development, health; environment, transport, consumer affairs and so on. Since 2000, food safety is equipped with comprehensive and integrated approach which is officially named "Farm to Fork". The guiding principle is that food safety policy must ensure a high level of food safety through the entire food chain as well as a high level of human health and consumer protection (European Commission, 2000). Latter two objectives are novel which demonstrate the shift from a market focus to a market and consumer driven policy domain. Main trigger for that shift was the food scarce caused by mad cow disease, E-Coli and salmonella (Bengtsson and Klintman 2010). The food scares generated economic catastrophe for many groups of farmers and other agricultural actors, yet the common was that this crisis was essentially a political one. In 1998, the Eurostat survey revealed that most consumers in Europe trusted NGOs more than national governments or EU institutions with respect to information on food safety risks (Ansell et al., 2006). This established the ground for re-conceptualization and re-organization of the policy-making context of food in Europe.

Based on the principles expressed in the White Paper on Food Safety, as well as in the General Food Law, a number of institutional reforms were initiated, among them the establishment of a more integrated food policy under the Commission Directorate on Health and Consumer Protection (DG SANCO), and a new agency – the European Food Safety Authority (EFSA) (Bengtsson and Klintman 2010).

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The regulatory framework on GMO is based on a diffusion of institutional authority and is an example of network governance within a supranational–intergovernmental organization (Bengtsson and Klintman 2010). While the Commission is equipped with the exclusive right to propose legislation, the European Parliament (EP) and the Council of Ministers are co-legislators on all GMO issues. Therefore, absolute majority in the EP along with a qualified majority in the Council are absolute requirement for the Commission to pass new legislation. Even though the regulatory system consists of hierarchical form of governance where main source of authority is the national governments, it also manifests drawback from administrative rationality. DG SANCO, as well as Members of the European Parliament, is provided with information, knowledge and feedback from non-state actors. For example, DG SANCO consults stakeholders and gives them access to policy formulation. The purpose, according to the Commission, is to ensure that proposals are technically viable, practically applicable and acceptable by all the players involved (European Commission, 2004).

Since 2004, Directive 2011/18/EC, concerning the use of genetically modified plants, Regulation 1829/2003 concerning food and feed made from such plant are two different sets of rules governing the authorization of GM products in the EU. Co-decision between the Council and the European Parliament marks the adoption of the first legislation in 2001. The central objective of the directive was to protect the environment and human health when GMOs are released into the environment and placed on the market 'as or in products', in accordance with the precautionary principle (Shaffer and Pollack 2009). In order to address the complaints from several member states, new regulations that covers labelling and traceability deficits adopted in 2003. As a supplement to the protection of the environment, human life and health, the legislation from 2003 includes the rather vague criterion of 'consumer interest in relation to genetically modified food or feed' (Shaffer and Pollack, 2009, p. 281).

The governance of GMO needs to be evaluated within the context of the General Food Law, risk analysis thus is the foundation of the European food policy. While the risk assessment performed independently scientific body which is European Food Safety Authority (EFSA); risk management is the procedure of estimating policy alternatives with the information booth provided by interested parties. And, risk communication involves exchange of information and opinions among all the actor that took part throughout the procedure. It is often stated that the EU's GMO legislation is the most stringent in the world, and that politicians who are directly accountable (risk managers) have the final authority to approve GMOs (Skogstad, 2006). All in all, the regulatory framework has contained and still contains rigorous debates.

The regulatory power in the area of food safety and GMO exemplifies multi-level governance as it has become increasingly centralized at the EU level while, at the same time, the European Commission's authority has constantly been challenged by member states and other actors (Bengtsson and Klintman 2010). Legitimacy of GMO within the context of EU governance has suffered several problems. First problem is related to the authorization procedure: "Deadlock in the Council" which basically refers to a quasi-dysfunction within the institutional system. For a decade, the Standing Committee on the Food Chain and Animal Health (SCFCAH) as well as the Council of Ministers have been unable to either approve or reject GMOs (Bengtsson and Klintman 2010). None of the concerned parties is managed to reach a decision. Eventually, proposed decision is ended up in the Commission. Therefore, exception has appeared as the main principle which sabotaged the procedural and input legitimacy of the authorization procedure. Second problem concerns the risk analysis in addition to the division between risk assessment and risk management. The worries are that the opinions of the EFSA create excessive spillovers to risk management, in the sense that the Commission too frequently treats the opinions of the EFSA as a result of both risk assessment and risk management, and not just risk assessment (Bengtsson and Klintman 2010). Certain EU member states, NGOs and EU-parliamentarians have repeatedly criticized the EFSA for representing pro-GMO bias and argue that the Commission's responsibility to act as risk manager is de-politicized: the Commission simply relies on EFSA's assessments, overlooking the expertise of the member states and independent scientists (EurActiv 2006). Critics are raised regarding the European Commission's unresponsiveness towards public concerns and failing to carry out its duty as risk manager. In a modest

way, that's also an issue of accountability. Third problem concerns disputes regarding the methods of risk assessment. National governments, environmental ministers and research groups have repeatedly challenged the scientific authority of the EFSA (Bengtsson and Klintman 2010). Fourth problem is about the member states' revolt. Several member states have repeatedly invoked a EU safeguard clause enabling them to suspend the marketing or cultivation of GM crops within their borders even though they have EU-wide authorization (Bengtsson and Klintman 2010). But the EU executive has never substantiated their applications and has always ordered them to lift the national bans (Bengtsson and Klintman 2010). In that regard, as a result of rejection of Commission's recommendations that are supported by scientific evaluations from the EFSA, institutional and compliance-related effectiveness is substantially harmed. In December 2008, the EU Environment Ministers adopted a conclusion on GMOs. In addition, the EFSA commenced a procedure to update its guidelines regarding the environmental risk assessments of GMOs following the request of the European Commission. However, the calls for introducing socioeconomic criteria into the GM crops registration process, and to give member states greater freedom to establish GMO-free areas, have not been supported by the other ministers (Bengtsson and Klintman 2010).

Based on this analysis, it is feasible to arrive in a conclusion that outside of the realm of stakeholder consultation is where legitimacy of the authorization process of GMO has taken place. Stakeholders have certainly exercised influence on this matter, yet mainly through channels other than the open and transparent mode of governance that stakeholder consultation represents (Bengtsson and Klintman 2010). Therefore, main role in the policy-making process regarding the authorization procedure on GMO pertains to government actors, while formal inclusion of other type of actors was finite.

Reforms aimed at improving the authorization process are based on an administrative and a deliberative rationality (Bengtsson and Klintman 2010). First, administrative governance logic composes the new reform proposals since the discussion involves high ministerial level, between agencies, scientific experts and regulators on high ministerial level. Instruments which are utilized falls under the trajectory of hard law. According to a respondent from the EFSA's GMO-panel, the regulatory approach of the Commission to science and risk assessment has caused criticism among scientists in the

EFSA GMO-panel (Bengtsson and Klintman 2010). Main source of this criticism is scientist's discomfort of politicians' potency in the realm of science and taking decisions on risk assessment. Secondly, governance logic is deliberative since the debate and criticism that come from civil society and environmental organizations reflected in the governance institutions. Problem-solving activities welcomed multiple actors not only through the organizational form of networks that consists between EU public institutions, the EFSA and member states, but also through stakeholder consultation at DG SANCO and by the Barroso Commission.

The research on modes of governance within the GMO field typically concerns national experiences with consensus conferences and public consultations (Bengtsson and Klintman 2010). It focuses on the general public rather than on stakeholders, and on nation-states rather than the EU (Klüver, 1995; Nielsen et al., 2007; Blok, 2007; Irwin, 2001; 2006). GMO food is a topic which draws high amount of attention on a national level, hence remains as publicly recognized issues within the EU. According to Bengtsson and Klintmann, there is absence of deliberative innovations at the interface between the state and civil society that has a specific focus on GMOs and the public at the EU level. Furthermore, lack of EU-wide consensus conference, nor citizen juries could not be neglected for the purpose of this research. Therefore, stakeholder conferences have practiced in member states. It can therefore be argued that GMOs are, at the EU-level, governed for rather than by the affected (cf. Eckersley, 2004, p. 112). Previous analysis indicates that the input legitimacy of GMO governance at the EU-level has been limited to informal and ad hoc interest representation and parliamentary representation (Borras 2006). However, important initiatives in regards formal and direct participatory mechanisms for stakeholders have been introduced in the food safety domain. EU food safety domain has acknowledged stakeholder consultation, involvement, engagement, participation and dialogue as essential terms.

Oels (2006) stresses that stakeholder dialogues possess three main purposes. They aim to clarify and improve the knowledge, to garner political acceptance after deliberations and to strengthen the implementation. Bengtsson and Klintmann (2010) adds the fourth purpose which is developing the procedures for decision making and participation. The table below illustrates the types of stakeholder consultations within the framework of the European Food Safety Domain.

Table 6.1   Typology of stakeholder consultation

Purpose	Example	Institutional position
Stakeholder consultation as contribution to risk assessment and/or risk communication	EFSA's Consultative Stakeholder Platform	EFSA
Stakeholder consultation as policy advice	The Advisory Group on the Food Chain and Animal Health	DG SANCO/ Food safety
Stakeholder consultation as management	EU Platform on Diet, Physical Activity and Health	DG SANCO / Health
Stakeholder consultation as development of procedures for decision-making and participation	DG SANCO Stakeholder Dialogue Group	DG SANCO / General

The first type of stakeholder consultation is associated with the risk assessment process. The creation of the EFSA Stakeholder Consultative Platform in 2005 serves the purpose of bringing EU-wide stakeholder organizations working in areas related to the food chain, therefore these organizations will be able to assist the EFSA in the development of its overall relations and policy with stakeholders. Yet the EFSA has been highly criticized on the basis of both input and output legitimacy. For example, Greenpeace has raised concerns about holding separate meetings with NGOs and about including too few stakeholders and have questioned the meaning and outcome of interactions with the EFSA (Bengtsson and Klintmann 2010). However, the platform does not seem to live up to this aim and has been criticized for lacking in-depth discussions, for having an unclear rationale and for giving results that are perceived as insufficient (Paeps 2008). Notwithstanding the critiques, the principle of inclusion and transparency has generally been improved.

In addition, stakeholder consultations are able to provide contribution to the policy process in the development of procedures for decision-making and participation. As a result of the DG SANCO 2006 Peer Review Group on Stakeholder involvement, the DG SANCO Stakeholder Dialogue Group (SDG) was created in September 2007. This group's main target is to advise the Director General and the European Commission on

different procedural issues in order to facilitate the inclusion of stakeholders in the DG SANCO. Since SDG focuses on procedures rather than on food safety topics, the SDG has not had any impact on the regulations of GMO (Bengtsson and Klintmann 2010). Compared to the other grounds of stakeholder participation, this one hosts the transformation of preferences and exchange of arguments which relates to a key dimension of input legitimacy: deliberative quality. An important outcome of the SDG is the Comitology Planner, published yearly to allow stakeholders to anticipate consultations in the forthcoming year so that they know in advance when they will be consulted and on what particular topic (Bengtsson and Klintmann 2010).

In light of the attempts for the sake of deliberative quality, it is conceivable to attribute these efforts and indications to growing increase of the policy-makers who operates within the food safety domain in stakeholder consultation. Moreover, there are salient differences between the EFSA's Consultative Stakeholder Platform and DG SANCO's Stakeholder Dialogue Group. Deliberative quality is higher in the latter which focuses on procedures. Nevertheless, input legitimacy on the basis of transparency and inclusion is strong in both stakeholder consultations.

The Advisory Group on the Food Chain and Animal and Plant Health, which is based on consultation that is transparent, inclusive and formalized, is the mere option for stakeholders to participate in risk management and discuss technical issues along with legislative proposals. Its purpose is to establish a dialogue between the Commission's departments and the socio-professional circles involved in the fields covered by food legislation. The dialogue is said to make sure there is an opportunity to 'anticipate and pinpoint the nature of the difficulties and uncertainties which the Union may have to address, with an eye to taking decisions and ensuring that the risks can be clearly explained to the public (Bengtsson and Klintmann 2010). Another promise of this group is to ensure that the Commission's proposals are 'technically viable, practically applicable and acceptable by all the players involved' (Commission Decision, 2004a, p. 2).

Right address for key stakeholders involving farmers, the food industry, consumer organizations, retailers and others to cluster is the Advisory Group on the Food Chain and Animal Health. It gathers twice a year in plenary sessions to debate general policy

issues that have an interest for all the 36 member organizations, thus influencing European Commission on food safety policy. If necessary, the Commission may invite additional experts or observers, including representative bodies from non-member states, to participate in the work of the Advisory Group or its working groups (Bengtsson and Klintmann 2010). Working groups aim to unite all the technical contributions from various fields and inform the stakeholders over the implementation of existing law and rules of procedure. Nevertheless, critics such as Greenpeace are not satisfied with representativeness because of structural inequalities. Despite improvements, consumer interests remain a minority and there are great disparities between participants in terms of access to resources (Bengtsson and Klintmann 2010). Stakeholder consultation in the Advisory Group is based on an integrated approach to the food chain (Bengtsson and Klintmann 2010). This forum includes representatives from different components of the food chain. Regulation 178/2002 rules that consultation should be open and transparent, in accordance with that regulation, the minutes of the Advisory Group are published on the webpage. Additionally, this forum is escorted by established procedure for stakeholder participation along with institutionalization for stakeholders to debate. However, there are some obstacles to the process since the Commission is not liable to use input from the consultation or the Advisory Groups which paves the way for the emergence of the potential output legitimacy issue in terms of reduced risks to health or the environment.

Even though, it might seem that stakeholders are resorted to present their opinions on every single occasion and on every topic in the context of the EU food safety domain, this is not the case. There are strict limitations on stakeholder participation, and they are never authorized to participate directly in risk assessment or risk management (Bengtsson and Klintmann 2010). According to the Bengtsson and Klintmann (2010) decision-making is never in the hands of stakeholders, consultation can never replace the procedures and decisions of legislative bodies. Stakeholder consultation which concerns hard-law and occurs in the shadow of hierarchy, always falls under the initial degree of the policy-making process.

4. The EU's Role in Global Environmental Governance

Within the global environmental governance domain, there is a widespread dissatisfaction with the current fragmentation of global environmental governance and the lack of coordination that leads to gaps, overlaps, and inconsistencies among organizations and programmes (Andresen 2007). There are numerous treaties and agencies runs entirely independent from each other. Each one of them created their own norms and standards, they launched their own environmental programs under the framework of worded norms and standards with little effective policy coordination among themselves or with United Nations Environment Programme (UNEP).

Since the second half of the 1980s, the EU has assumed a clear leadership role in international environmental and climate governance and has, over the years, considerably improved its leadership record and its recognition as a global actor (Oberthur 2009). The EU has cemented its organization along with the coordination of its foreign environmental policy which certainly promoted the unity within the Union and enhanced capacity for outreach to other parties.

There is no doubt that the EU may act externally in the field of the environment. This is made explicit in Article 191(4) TFEU for those aspects that fall within the hardcore of environmental policy (Corthaut and Eeckhoutte 2012). In all major global environmental fora, the EU has been one of the few actors to consistently argue in favor of institutional reforms and the speedy and accountable implementation of existing commitments (Vogler and Stephan 2007). However there remains an argument of "disturbing mismatch between aspirations and demands of the EU as an international actor and its relatively limited ability to deliver" (Chaban 2006). It is almost never possible in international environmental meeting negotiations to accommodate the subjects under the clear categories of "entirely Union competence" or "entirely Member state competence". Instead, both the Union and is Member States possess competencies to different degrees. This mismatch certainly undermines the EU's endeavors to lead the global environmental governance.

There was not a single mention of environmental affairs in the Treaty of Rome, however; the situation changed in the 1970s with the introduction of a set of internal legislation in order to cope with the environmental effects of the success of economic integration in Europe. Now, sustainable development is an objective of the Union (TEU Art.2) and environmental protection requirements are integrated into the definition and implementation of European Community's other policies and activities (TEC Art.6) (Vogler and Stephan 2007). Since 2009, the Treaty on the Functioning of the European Union (TFEU) which is, together with the TEU a sort of constitution of the EU, provides as one of the objectives of the EU environmental policy 'combating climate change' (Article 191 TFEU) (Kramer 2019). Additionally, Article 194 TFEU promotes energy saving and efforts towards the development of new and renewable sources of energy. The EU has, on the one hand, wholeheartedly embraced the ideal of sustainable development and sought to promote it vigorously. At the same time, it has explored ways of strengthening the more focused sector of international environmental governance (IEG) to preserve an autonomous voice for the environment (Vogler and Stephan 2007).

Considering the EU's ambition to possess a strong voice for the environment and internal struggles mainly regarding the governance issues, hereby, I have composed the following hypotheses.

H2: The new mode of governance has contributed to the EU's environmental leadership ambition in the international domain.

The EU's recognition as an international actor is a remarkable issue. Although it has developed extensive rights of participation in the negotiation of multilateral environmental agreements (MEAs) it has encountered particular difficulties with recognition at the UN General Assembly, within UNEP, at the 'Rio plus' conferences and within the Commission for Sustainable Development (CSD) (Vogler and Stephan 2007). Apart from the complexity of internal structures of EU policy making, there are always circulating questions about the representation of the Union in international environmental governance and to what extent the EU is comparable with other prominent actors. While the Lisbon Treaty has introduced a number of provisions to strengthen the visibility, coherence and consistency of the Union's external action, the

treaty has no straightforward answer to the question who represents it externally, and stays virtually silent on the yet all too common situation of mixity (Corthaut and Eeckhouette 2012).

Directives of the European Community developed competencies in the significant fields such as atmospheric pollution, water quality, marine conservation and waste management is the main source of environmental legislation for the member states. Due to internal legislative powers, the European Community commenced to play an active role in the negotiation of multilateral environmental agreements. It has played a leading role in the 1989 Basel Convention on hazardous waste, in the 1999 and 2001 conventions on prior informed consent procedures for hazardous chemicals (PIC) and persistent organic pollutants (POPs), and in the negotiation of the 2000 Cartagena Protocol on biosafety (Vogler and Stephan 2007). Being a part of these conventions is a sign that EU fills the vacuum created by US' abandonment of its leading role in the international environmental policy. But even more importantly ratification of the Kyoto protocol proved EU's willingness and dominance as a player in international environmental politics. The EU fully complied with its commitments under the Kyoto Protocol and is well on track to comply with its commitments under the Doha Protocol (Kramer 2019).

The United Nations Conference on Environment and Development (UNCED) at Rio in 1992 was the first global showcase for the Union's emerging actorness. Whereas its predecessor, the UNCHE at Stockholm in 1972, was influenced by the rudiments of European Community environmental policy, UNCED witnessed the emergence of the Community as a 'full participant' for the first time (Mensah 1996). Despite the extensive degree of Community competence for the issues under discussion, the Commission had to negotiate hard for expanded recognition in advance of the 1992 Rio Earth Summit to acquire speaking rights equivalent to those of state participants (Vogler and Stephan 2007). Jacques Delors who was the President of the Commission at that period was given equal treatment to other heads of government. Despite the difficulties encountered by the Europeans in this first appearance on the stage of global environmental governance, the overall outcome was a success – not so much for sustainable development but for the reputation of the EC (Vogler and Stephan 2007). On the other hand, this was a diplomatic disaster for the United States.

Five years subsequent to the Rio, states assembled once again at the Special Session of the United Nations General Assembly in June 1997 (UNCED+5). The EU reaffirmed its commitment to sustainable development and presented some new initiatives on water, energy, eco-efficiency and climate change (Vogler and Stephan 2007). This effort probably cemented its status as the leader in global environmental issues. Nonetheless, proposals that are introduced by the EU failed to gather prevalent support. Therefore, EU's claim on leadership, this time, has not clustered remarkable support, notwithstanding the USA's salient disinterest in environmental governance.

Following year, states gathered at Johannesburg in order to scrutinize the sustainable development progress. The EU was willing to avoid any type of stalling similar to previous assembly. Hence, the EU already proposed its new idea of working towards striking a global deal. In principle, the 'global deal' should have been an attractive package for developing countries, offering better access to Northern markets and increased ODA, and demanding an explicit commitment to the Rio Declaration coupled with implementation in return (Vogler and Stephan 2007). In the end, the EU fell short of its targets and the result was not any different than the previous summit. The global deal was quietly discarded. Member states' different targets and visions at Johannesburg along with the content of global deal has not facilitated the Union's internal cohesion at all. For instance, while Sweden was advocating rejuvenated commitment to sustainable development and cementing international environmental governance, the UK turned its attention to a strong focus on poverty eradication and pointed out to remarkable and growing gap between commitments and implementation. In other words, Sweden pushed for action-oriented institution-building, while the UK's position was to address major concerns, and preferred to utilize market-based instruments rather than pressing for environmental sustainability.

Externally, the Union found itself with international negotiating parties that were either still distrustful of its objectives and credibility (G77 and China) or openly opposed to further institutional strengthening, financial commitments and principled language with normative implications (US and allied countries) (Vogler and Stephan 2007). Idea of global deal and committing to a list of targets and timetables found unappealing by both sides. The lack of international support underlined the central problem of many

environmental negotiations – how to convince those parties who do not share the same priorities of the need for a comprehensive outcome package (Lightfoot and Burchell 2004: 341).

Commission on Sustainable Development (CSD), founded in 1993, aims two main policy objectives: continuous political dialogue and guidance for sustainable development policy. Operating under the framework of Economic and Social Council of the UN (ECOSOC) which do not possess any political authority, legal power or proper financial resources become an obstacle to CSD. It was, in other words, a doomed attempt to "maintain a high-profile leadership role on the Rio follow-up from a relatively low place in the institutional hierarchy" (Hyvarinen and Brack 2000: 25). The vision of consensual or cooperative problem solving was failed to become reality, instead the CSD developed into another organization with remarkable amount of talk with the level of action that is tragically upsetting. However, this dynamic started to improve following the consensus over a CSD reform.

Out of 53 elected state members of the CSD, there have generally been eight or nine EU participants. France, Germany and the UK have taken the new forum very seriously and aim to influence ethe EU position through their direct access to the discussions (Vogler and Stephan 2007). The Union only attained the status of 'full participant' (without the right to vote) in February 1995 and has traditionally relied on a 'lead-country' approach in the CSD (Vogler 2003, Cameron 2004). This arrangement signifies that the Presidency of the European Council identifies the joint EU position, while it is up to particular member states to handle specific issues areas within their capacities and expertise. In the end, the Union has gained competent and steady advocacy role. After UNGASS 1997, the EU began to argue for a re-orientation of the CSD towards a more pragmatic, goal-oriented purpose – a plea that was shared by other delegations at Johannesburg and resulted in a noticeable institutional overhaul (Vogler and Stephan 2007).

In 1994, the CSD held its first genuine meetings. Based on the EU statements, European perspective advocated that CSD's task was to implement the Rio Agenda, not re-negotiating. Debates that are principled extended over a long period of time were not appreciated by the Union and thought that these types of debates would undermine the

ultimate goal of the European project: global sustainable development. Starting from 1998, the EU's concerns regarding lack of action grew bigger, thus, started to push for more strict national reporting requirements along with the monitoring arrangements.

The EU often introduced action proposals rather than merely responding to others' suggestions. Under the guise of such forward-looking and often "problem-solving" proposals (Wagner 1999) the EU has sought to dominate the political agenda and direct the debate away from political principles towards the practical implementation of sustainable development (Vogler and Stephan 2007).

Overall, it is obvious that the attempts at indirect agenda-setting and de-politicization were more successful than direct proposals for national regimes of implementation and monitoring (Vogler and Stephan 2007). The EU managed to execute a remarkable reform which accelerated the involvement of technical experts, civil society and industry groups. Experts who have exchanged their experiences took over the CSD's first review session in 2004.

In a nutshell, the CSD is becoming a ground for practical implementation and a loudspeaker for sustainable development in line with the Union's objectives. The other EU Member States has reached an agreement on this path which proves the structural power and diplomatic perseverance of the EU as an international actor no matter how small piece the CSD is in the complexity of GEG. Except the global conferences on environment and development, the Union turned majority of its attention on cementing the status of UNEP.

In 1972, governments created the United Nations Environment Programme (UNEP) as catalyst and coordinator of environmental policy in the UN system (Biermann, Davies and Grijp 2009). Since the creation of UNEP, the EU has been one of the most solid supporters. This support was made visible by the amount of funding and the Union's steady backing of institutional strengthening. Scientific fact-finding, persuasion, and advances in international environmental law are the foundations to the UNEP. This catalytic role has been assumed with surprising success, although it does not measure up to the much greater European ambitions of creating a strengthened and more unified system of environmental governance (Vogler and Stephan 2007).

In 2001, an Environment Management Group (EMG) is established based on the recommendation of the UN Task Force on Environment and Development in order to improve the coordination on specific issues related to the domain of environment, which will intrinsically result in coherent and coordinate action within the UN system. EU evaluated that move as "a first step in the right direction" (Environment Council 2000). Several years later, it has been realized that "EMG has failed to meet expectations due to relatively weak mandate and status" (EU Speaking Points 2006a). Broadscale European project of GEG reform took place subsequent to the Johannesburg summit in 2002. According to the Union's opinion, forming a constitution of an environmental pillar within the UN system was reckoned as the best way for environmentally conscious future.

Meanwhile, political debates in UNEP were already raging. Having renewed their commitment to Agenda 21 and professed their faith in UNEP as an institution in the Malmö Declaration of May 2000, the members of the Governing Council (GC) gave a new lease of life to this beleaguered institution (Vogler and Stephan 2007). Furthermore, the EU, in accordance with China and Hungary, had convinced participants to begin convening an annual high-level ministerial forum – the Global Ministerial Environment Forum (GMEF). Yet, this was not sufficient for the EU: the EU proposed an ad hoc intersessional working group for the review of options to strengthen GEG (ENB 2001a: 4). The US objected to the establishment of a working group which aims to enhance coherence and integration of governance institutions. Instead, the US recommended that fragmentation and competition in the system was a reflection of healthy tension. Perspective of the US was not welcomed by the Union's side. Lingering distrust of an environmental and potentially anti-development agenda played as much a role here as the fear of greater monitoring competencies which could highlight countries' lack of implementation and undermine their national sovereignty (Vogler and Stephan 2007).

Therefore, the EU found itself in a situation against powerful diplomatic opposition and eventually strayed away from the idea of forming WEO or UNEO. Facing strong diplomatic opposition led to adopting a new strategy which aims to amend the status of GMEF. At the final meeting in February 2002, the EU, a handful of allies, and their plea for extensive reform – including compliance monitoring, co-location of MEA

secretariats and a stronger GMEF – faced a US-G77 coalition which opposed language about UNEP's enhanced role, the idea of a UNEO, and kept referring the issue of better coordination back to the EMG (ENB 2002). Interestingly, the EU still left this session with mild satisfaction and an optimistic perspective for Johannesburg (Vogler and Stephan 2007).

The EU's optimism did not emerge because of the WSSD and its Johannesburg Plan of Implementation (JPI). The JPI merely gave a nod in the direction of institutional reform and invited UNGA to consider universal membership of UNEP's GC (Vogler and Stephan 2007). In late 2004, before Millennium Review Summit in September 2005, the EU had adopted a new negotiating objective. If, at the 8th Special Session of the GC in April 2004, the case for a specialised agency (UNEO) was "deftly kept afloat by France in the margins of various meetings" (ENB 2004: 8), which then reached the status of a common EU reform proposal.

Universal membership issue is deeply cared by supporters. This reform is debated at an international round table formed by the German government and the think tank Ecologic. Participants emphasized that a common view on GC membership was essential in order to "not allow divisions within the EU to weaken its position" and "prepare the EU to speak clearly and with one voice" at the upcoming meetings (Ecologic Round Table 2004: 2-3).

The UNEO motion had become so attractive for EU policy-makers because it offered a compromise between the options of a moderately strengthened UNEP without much coordinative power and a fully-fledged WEO with all its problems of legitimacy and acceptability (Vogler and Stephan 2007). A UNEO would represent an umbrella organization for the numerous MEAs and it would thus achieve some much-needed rationalization in GEG (Lenzerini 2006). The EU brought this scenario to the UN World Summit 2005 where it attempted to integrate it into the environmental aspects of the Secretary-General's report named "In Larger Freedom". Following diligent analyze of the successive drafts of the World Summit's Outcome Document, Morgera and Duran (2006) conclude that the EU managed to considerably raise the number of references to sustainable development. However, while a June draft made explicit references to aspects of environmental governance, such as a coherent institutional framework with

better coordination and monitoring, the final outcome merely included a section on 'Environmental Activities' and only promised to "explore the possibility of a more coherent institutional framework to address this need".

The Union certainly made a strong case both for universal membership of the GC and for an indicative scale of contributions for the financing of UNEP (Vogler and Stephan 2007). Even though it could not achieve to cement its mandate, the presence of the GMEF alone formed a stronger UNEP in international arena. Finally, it is encouraging to observe that, on all matters of environment and sustainable development, the EU spoke with a single voice at the 2005 World Summit, thus acting as a "unified negotiating bloc" for its 25 members and an additional 9-11 associated countries (Morgera and Duran 2006).

5. Conclusion

As far as environmental policies are concerned, there are struggles in front of meeting climate targets on grounds of high effectiveness not only in Europe but also on the international ground. New mode of governance appears as an alternative to tackle the issue despite its own flaws. Throughout the paper, I analyzed this governance approach which essentially targets including various stakeholders from the industry, trade unions, environmental NGOs and many others in inclusive, transparent and accountable decision-making process.

In the first hypothesis, I attempted to find out the impact that comes with the new mode of governance on the domains of EU food safety and GMOs. Even though, stakeholder consultations on food safety governance have been employed in order to cement the input legitimacy, there is a staunch influence of member states and supranational institutions. In the governance of GMO, as well as in the food safety domain in general, policy-makers use a deliberative logic in relation to certain stakeholders, whereas the public is, per definition, excluded from the concept of 'stakeholders' (Bengtsson and Klintmann 2010).

There are specific problems within the GMO domain regarding input and output legitimacy. Criticism of the 'Deadlock in the Council', the EFSA's pro-GMO bias and

a de-politicized Commission, among other issues, have in some cases entailed a breakdown of normal EU decision-making processes (Bengtsson and Klintmann 2010). Regulatory power is more and more centralized at the EU level while drifting further away from network governance. Important reforms including new guidelines for risk assessments have been introduced, yet stakeholders are completely excluded, and only high ministerial level is engaged. On the other hand, interested parties are engaged in exchange of information and opinions in the risk communication. Main role belongs to government actors, while formal inclusion of other type of actors was quite finite.

Digging deeper into the participatory processes of stakeholder consultations reveals that civil servants work under the framework of the EFSA and DG SANCO are eager to involve and consult the stakeholders in participatory processes. When stakeholders are consulted in the initial phase of the policy-making process, purpose is to collect diverse voices, hence civil servants could decide upon informed choices when drafting a piece of legislation. Stakeholders consultation fall under the shadow of hierarchy and cannot reach further steps of the policy-making process. Transparency and inclusion are two essential building stones of the stakeholder consultations within the food safety domain. It is interesting to note that respondents are satisfied with the organizational set-up, even though the effectiveness and problem-solving capacity of these processes are unclear (Bengtsson and Klintmann 2010).

It is feasible to propose the existence of a deliberative turn in the EU food safety domain and in GMO governance. However, deliberative quality is higher in low-stake issues. In addition, the case seems to be that stakeholder consultations are stronger in terms of transparency and inclusion rather than effectiveness.

With my second hypothesis, I aimed to discover whether the new mode of governance somehow affect the EU's contribution to global environmental governance domain. It is possible to indicate the EU's absolute influence in the agenda setting phase if not in delivery, yet sometimes it has failed claiming self-proclaimed leadership role.

The Union has developed some competencies through directives in significant fields such as atmospheric pollution, water quality to reach its internal policy targets and to show its ability to lead environmental agreements as an independent actor. 1992 Rio

was the first example of the EU's emerging willingness to become a leader, yet the Union had to fight to gain equivalent speaking rights as its member states in international arena. Member states have not always shared the same priorities and the EU was the one that was required the convince them to be on the same page which is the most remarkable problem in front of the targets. Therefore, "internal unity" is first and foremost condition for EU to pursue its leadership goal.

The problem of consistency between Member States themselves and the Commission ought not to be exaggerated (Vogler and Stephan 2007). Even when competence is held by the Member States, the presidency and the Council Secretariat provide structure and the Commission can act as a 'sheep-dog' to round up wavering Member States although the problems of co-ordination are sometimes 'horrendous' (Interview Commission 2006).

Consequently, by putting forward principles and norms like sustainable development and precaution and by insisting on institutional movement towards more coherence, authority and coordination, the EU is often "able to define the international problem and provide a plausible solution early enough in the process to gain the advantage over other actors" (Zito 2005).

At the end of my research there is no sign of any stakeholders that might affect EU's contribution or leadership claims within global environmental governance domain. However, we should not neglect the fact that EU draws its power in global arena from internal context that requires coherence and credibility. New mode of governance that encourages stakeholders that have positive impact in internal context might contribute to the Union's endeavors on global arena. Last but not least, competency issues are the main obstacles in front turning all the policies into actions and fixing competency issues will become a turning point not only within the EU but also in the international arena.

6. Bibliography

Vogler, John and Hannes R. Stephan (2007), *"The European Union in Global Environmental Governance: Leadership in the Making?"* International Environmental Agreements 7(4):389-413 DOI:10.1007/s10784-007-9051-5

Kronsell, Annica and Jamil Khan, Karin Bäckstrand, Eva Lövbrand (2010), *"Environmental Politics and Deliberative Democracy: Examining the Promise of New Modes of Governance"* in: Karin Bäckstrand and Jamil Khan, Annica Kronsell, Eva Lövbrand, *Environmental Politics and Deliberative Democracy: Examining the Promise of New Modes of Governance.* Edward Elgar Publishing DOI: 10.4337/9781849806411

Eckerberg, Katarina and Marko Joas (2004), "*Multi-level Environmental Governance: A Concept under Stress?"* Carfax Publishing: 405-412

Oberthür, Sebastian (2006), *"The Climate Change Regime: Interactions with ICAO, IMO, and the EU Burden-Sharing Agreement"* in: Sebastian Oberthür and Thomas Gehring, *Institutional Interaction in Global Environmental Governance: Synergy and Conflict among International and EU Policies,* MIT Press

Farmer, Andrew (2006), *"Interactions of EU Legal Instruments Establishing Broad Principles of Environmental Management: The Water Framework Directive and the IPPC Directive"* in: Sebastian Oberthür and Thomas Gehring, *Institutional Interaction in Global Environmental Governance: Synergy and Conflict among International and EU Policies,* MIT Press

Bengtsson, Beatrice and Mikael Klintmann (2006), *"Stakeholder Participation in the EU Governance of GMO in the Food Chain"* in: Sebastian Oberthür and Thomas Gehring, *Institutional Interaction in Global Environmental Governance: Synergy and Conflict among International and EU Policies,* MIT Press

Hagberg, Lovisa (2006), *"Participation under Administrative Rationality: Implementing the EU Water Framework Directive in Forestry"* in: Sebastian Oberthür

and Thomas Gehring, *"Institutional Interaction in Global Environmental Governance: Synergy and Conflict among International and EU Policies"*, MIT Press

Newig, Jens and Oliver Fritsch (2008), *"Environmental Governance: Participatory, Multi-level and Effective?"* UFZ Discussion Paper, No. 15/2008, Helmholtz-Zentrum für Umweltforschung (UFZ), Leipzig

Newig, Jens and Tomas M. Koontz (2014), *"Multi-level Governance, Policy Implementation and Participation: The EU's Mandated Participatory Planning Approach to Implementing Environmental Policy"*, Journal of European Public Policy, 21:2, 248-267 DOI:10.1080/13501763.2013.834070

Selin, Henrik and Stacy D. VanDeever (2015), *"EU Environmental Policy Making and Implementation: Changing Processes and Mixed Outcomes"*

Scott, Joanne and Jane Holder (2006), *"Law and Environmental Governance in the European Union"* in: G. De Burca and J. Scott (Eds.), *"Law and New Governance in the EU and the US"*, 211-242, Oxford: Hart

Biermann, Frank and Olwen Davies, Nicolien van der Grijp (2009), *"Environmental Policy Integration and the Architecture of Global Environmental Governance"*, International Environmental Agreements: Politics, Law and Economics 9 (4): 351-369. DOI 10.1007/s10784-009-9111-0

Kramer, Ludwig (2015), *"EU Law and Global Environmental Challenges"* 394-417

Jörgensen, Kirsten and Christian Wagner (2017), *"Low Carbon Governance in Multi-level Structures: EU-India Relations on Energy and Climate"*, Environmental Policy and Governance 27, 137–148. DOI: 10.1002/eet.1749

Uusi-Rauva, Christa (2010), *"The EU Energy and Climate Package: A Showcase for European Environmental Leadership?"*, Environmental Policy and Governance 20, 73–88. DOI: 10.1002/eet.535

Holzinger, Katharina and Christoph Knill, Ansgar Schafer (2006), *"Rhetoric or Reality? New Governance in EU Environmental Policy",* European Law Journal, Vol. 12, No. 3, May 2006, pp. 403–420.

Baker, Susan (2001), "*Environmental Governance in the EU"*

Giljum, Stefan (2015), "*Environmental Governance in the European Union: Strategies and Instruments for Absolute Decoupling",* International Journal of Sustainable Development, Vol. 8, Nos. 1/2, 2005

Oberthür, Sebastian and Florian Rabitz (2013), *"On the EU's Performance and Leadership in Global Environmental Governance: The Case of the Nagoya Protocol",* Journal of European Public Policy, 21:1, 39-57, DOI: 10.1080/13501763.2013.834547

Van Holten, Saskia and Marleen van Rijswick (2014), *"The Governance Approach in European Union Environmental Directives and Its Consequences for Flexibility, Effectiveness and Legitimacy",* DOI:10.4337/9781781954775.00009

Kok, Marcel (2009), "*Adapting EU Governance for a More Sustainable Future",* Netherlands Environmental Assessment Agency (PBL)

Oberthür, Sebastian (2009), "*The Role of the EU in Global Environmental and Climate Governance"* 192-209 in: Mario Telo, "*The European Union and Global Governance",* Routledge DOI: https://doi.org/10.4324/9780203883662

Orsini, Amandine and Loic Cobut (2020), *"Global Environmental Complexity and the Limits of the EU's External Regulatory Actorness",* in: Anne Weyembergh and Mario Telo (eds.), "*The Supranational at Stake? The EU's External Competences Caught Between Complexity and Fragementation,* Routledge: 130-144

Bloor, Kevin (2022), *"Global Governance: Human Rights and Environmental Governance"* 123-154*,* in: Kevin Bloor, "*Understanding Global Politics",* E-International Relations Publishing

Carpenter, Angela (2012), "*Introduction: The Role of the European Union as a Global Player in Environmental Governance",* Journal of Contemporary European Research, 8 (2), pp. 167 172.

Van Eeckhoutte, Dries and Tim Corthaut (2012), *"Legal Aspects of EU Participation in Global Environmental Governance under the UN Umbrella"* in: Jan Wouters and Hans Bruyninckx, Sudeshna Basu, Simon Schunz, "*The European Union and Multilatereal Governance: Assessing EU Participation in United Nations Human Rights and Environmental Fora",* Palgrave Studies in European Union Politics (PSEUP)

Van den Brande, Karoline (2012), "*The European Union in the Commission on Sustainable Development"* in: Jan Wouters and Hans Bruyninckx, Sudeshna Basu, Simon Schunz, "*The European Union and Multilatereal Governance: Assessing EU Participation in United Nations Human Rights and Environmental Fora",* Palgrave Studies in European Union Politics (PSEUP)

Schunz, Simon (2012), "*The EU in the United Nations Climate Change Regime"* in: Jan Wouters and Hans Bruyninckx, Sudeshna Basu, Simon Schunz, "*The European Union and Multilatereal Governance: Assessing EU Participation in United Nations Human Rights and Environmental Fora",* Palgrave Studies in European Union Politics (PSEUP)

Lightfoot, Simon (2012), "*The EU in the World Summit on Sustainable Development"* in: Jan Wouters and Hans Bruyninckx, Sudeshna Basu, Simon Schunz, "*The European Union and Multilatereal Governance: Assessing EU Participation in United Nations Human Rights and Environmental Fora",* Palgrave Studies in European Union Politics (PSEUP)

Rhodes, R. A. W. (2000)*, "Governance and public administration"* in: J. Pierre (Ed.)*, "Debating Governance Authority, Steering and Democracy",* (Oxford, Oxford University Press).

Commission Decision (CD) (2004a), *'Concerning the creation of an advisory group on the food chain and animal and plant health'* (2004/613/EC).

Commission Decision (CD) (2004b), *'The Advisory Group on the Food Chain and Animal and Plant Health, rules of procedure'*

European Commission (2000), White Paper on Food safety, COM (99) 719 final, 12 January, Brussels.

European Commission (2001), European Governance: A White Paper, COM (2001) 428 final, 25 July, Brussels.

Klintman, Mikael and Annica Kronsell (2009), *'Challenges to legitimacy in food safety governance: the case of the European Food Safety Authority (EFSA)'*, Journal of European Integration, 32(3), 309–27.

Oels, Angela (2006), *'Evaluating stakeholder dialogues'*, in Susanne Stoll-Kleemann and Martin Welp (eds), *Stakeholder Dialogues in Natural Resources Management: Theory and Practice*, Berlin: Springer, pp.118–50.

Skogstad, Grace (2003), *'Legitimacy and/or policy effectiveness? Networked governance and GMO regulation in the European Union'*, Journal of European Public Policy, 10(3), 321–38

Bretherton, Charlotte and John Vogler (2006), "*The European Union as a Global Actor"*, Abingdon & New York: Routledge.

Vogler, John (2005) *"The European contribution to global environmental governance"* International Affairs, 81 (4), July, pp. 835-849.

Zito, Anthony R. (2005), *"The European Union as an Environmental Leader in a Global Environment"*, Globalizations, Vol. 2, No. 3, pp. 363-375.