Transnational Public-Private Partnerships as Learning Facilitators:

The Case of Global Governance on Mercury

Yixian Sun
Graduate Institute of International and Development Studies

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Abstract

The article examines Transnational Public-Private Partnerships’ (TPPPs) impacts on the formation of intergovernmental regimes in order to fill a gap in the scholarship of environmental governance. Drawn from theories of institutional interaction and social learning, I construct a theoretical framework inferring that TPPPs can contribute to regime formation by providing useful knowledge to facilitate policymakers’ learning. Building on data from various sources such as UNEP documents, Earth Negotiations Bulletin, and elite interviews, my empirical study use qualitative methods, including process-tracing, content analysis, and counterfactuals, to analyze the UNEP Global Mercury Partnership’s (GMP) influence in the negotiation of the Minamata Convention on Mercury. The findings show that, through technical and scientific information based on expertise of participants in the UNEP GMP, this partnership played a critical role in negotiations of several issues by not only accelerating consensus-making processes, but also changing the nature of agreements in the convention.
In the last two decades, many changes have occurred in global environmental politics, of which a remarkable dimension is the involvement of new actors, embedded in a complex web of transnational relations (Biermann and Pattberg 2012). Indeed, various actors make up the system of global environmental governance in “a messy, non-linear, non-hierarchical and intertwined fashion”, although our understanding of how these intricate interactions among different actors have created such a system remains incomplete (Najam et al 2004, 24). Improving understanding of global environmental governance thus requires researchers to look at, not only many governance mechanisms through which state and nonstate actors can interact, but also the linkages between these mechanisms.

Transnational Public-Private Partnerships (TPPPs) form an eminent mechanism of state-nonstate interaction, which has proliferated since the early 2000s as an innovative tool for filling a range of functions for effective governance.¹ Public-Private Partnerships (PPPs) can be defined as “agreements for collaborative governance” between public and nonstate actors, which “establish common norms, rules, objectives and decisions-making and implementation procedures for a set of policy problems” (Andonova 2010, 25–26). The term “transnational” refers to PPPs involving actors in different countries. With the unique features of being voluntary, non-negotiated, and multi-stakeholder, environmental PPPs are designed and promoted to reduce the deficit left by intergovernmental arrangements (Andonova and Levy 2003; Bäckstrand 2008; Börzel and Risse 2007; Hale and Mauzerallm 2004). Rather than replace states’ actions, PPPs are often seen as a complementary tool of governance, as they work in parallel with intergovernmental regimes in many issue areas (Andonova and Levy 2003; Andonova 2010). By bringing various types of nonstate actors into their decentralized networks, TPPPs are expected to generate benefits for intergovernmental regimes, such as diffusing knowledge and learning, breaking deadlocks in

¹ Hereafter, the terms “private” and “nonstate” use interchangeably.
state-led initiatives, enhancing the problem-solving capacity of international institutions, and providing a more inclusive and legitimate form of international policymaking (Falkner 2011).

However, existing research has rarely empirically tackled the questions of “the comparative advantages of each type of institution, their interaction and their combined effectiveness” (Andonova and Levy 2003, 30). To fill this gap in the literature, this article investigates TPPPs’ effects on intergovernmental regimes in order to tackle the question: How can TPPPs contribute to the development of intergovernmental regimes? Answering this question requires treating TPPPs as an explanatory variable to examine the casual pathway through which they generate outcomes at the intergovernmental level. Hence, my analytical framework draws from literatures on regime effectiveness and institutional interplay. Building on this framework, my empirical study focuses on impacts of the United Nations Environment Programme (UNEP) Global Mercury Partnership (GMP) on the negotiations of the Minamata Convention on Mercury.

The article argues that knowledge diffusion by TPPPs can contribute to the formation of intergovernmental regimes in helping policymakers to understand the scope of the problem and identify appropriate policy responses. My case study demonstrates that the UNEP GMP not only accelerated the process of reaching consensus in negotiations, but also changed the nature of the agreements in the final convention. To enhance its validity, my study triangulates data and compares different partnership areas for within-case studies. While the principal aim of this study is to illustrate a pattern of interplay between two types of governance mechanisms, my analysis also indicates some critical conditioning factors and thus put forward some policy recommendations.

The article is organized as follows. The next section reviews existing literature on PPPs and explains my analytical framework, building on research from the fields of institutional interplay and social learning. After discussing my methodology, the third section briefly
traces the formation process of an international mercury regime. A detailed analysis of the UNEP GMP’s influence on the negotiation process comprises in the fourth section. I discuss in the fifth sections various conditioning factors discovered through my empirical analysis and the final section concludes.

**TPPPs providing usable knowledge for intergovernmental regimes**

*PPPs as a hybrid governance mechanism*

Scholars of environmental politics often conceptualize TPPPs as a special form of transnational governance, defined by three common features: pursuing public goods, steering a particular constituency, and being recognized as authoritative (Andonova et al 2009; Bulkeley et al. 2012). In terms of sources of authority, TPPPs are generally located in the middle ground on a complex continuum between public and private governance (see Figure 1), driven by “the deliberate pooling of authority, competences, and resources from both the public and private spheres” (Andonova 2010, 28; also see Andonova et al 2009; Bäckstrand 2008; Börzel and Risse 2007).

**Figure 1. Continuum between public and private governance**

Two features of TPPPs are worth noting. First, led by voluntary cooperation around a common purpose, their authority of governance is negotiated across public and private spheres, instead of being granted through delegation, market mechanisms or moral recognition. As voluntary governance mechanisms, TPPPs may thus have several potential
benefits for problem-solving. From a legal perspective, a non-binding “soft” instrument may allow states to gain experience through “learning by doing” and to avoid the risk of having only “least-common-denominator” in international treaties (Victor 1998; Wirth 2007, 398).

Second, TPPPs form a special type of “networked governance” based on transnational networks encompassing both public and private actors, which are interacting in decentralized and flexible ways (Andonova et al 2009; Bäckstrand 2008; Bäckstrand et al. 2012). This hybrid nature can also enable TPPPs to be more accountable, thus easily diffuse normative expectations. In short, the reasoning above sheds light on some outstanding advantages that TPPPs may have, but empirical research demonstrating how they provide such benefits in global environmental governance is still missing.

Moreover, research on environmental governance points out the various governance functions fulfilled by TPPPs, including information sharing, capacity building, and rule setting (Andonova et al 2009; Börzel and Risse 2007). While scholars often accept that transnational governance are able to improve the performance of the overall governance system (Biermann 2004; Falkner 2011), research has not yet engaged with retrospective examinations of the manners in which hybrid or private governance instruments have assisted traditional intergovernmental regimes or with the appealing question about the conditions under which intergovernmental regimes can benefit from new governance mechanisms. To address such questions, my analysis relies on a common thread in previous theorizing, which states that knowledge constitutes a key asset of TPPPs (Andonova 2010).

Given that TPPPs and intergovernmental regimes coexist in several issue domains, research on TPPPs’ influence at the intergovernmental level can also expand the scope of the original “regime complex” theorizing, which only focused on regimes established by states (Keohane and Victor 2011). While recent developments in studies on regime complexes have incorporated transnational governance mechanisms by mapping them onto the overall
governance system, still no research has “assess[ed] the effectiveness, normative impact, and distributional consequences of these diverse schemes and activities” (Abbott 2012, 580). Even if recent studies on private authority have tried to fill such a gap by analyzing linkages between public and private rules (Auld and Green 2012, Green 2013), the impacts of hybrid governance on intergovernmental regimes, such as TPPPs, remain largely untreated in the literature.

**Interaction between TPPPs and intergovernmental regimes**

Drawing on the conceptualization of regime formation as a process of policy learning, the question of whether TPPPs contribute to making intergovernmental regimes turns on examining the extent to which they can be conducive to the related learning process. Although learning may not necessarily lead to regime formation, this analytical lens is capable of illuminating the impacts of TPPPs on the related negation process. In short, I argue that TPPPs can facilitate the learning of policymakers by providing usable knowledge on environmental challenges facing them.

As noted above, this framework draws upon research on regime effectiveness, which treats regimes as an explanatory variable of international outcomes. Studies show several indirect and direct ways in which international regimes affect state behavior, such as lowering transaction costs and altering the interests or preferences of major countries (Haggard and Simmons 1987, 513-514). More specifically, Haas’ (1989) theorizing of epistemic communities focuses on learning triggered by international regimes and that led to policy convergence among states. A helpful means identifying the various interpretations of regime effectiveness is to differentiate among three levels of effects: the output level, concerning collective knowledge or norms prescribing behavior; the outcome level, where the behavioral changes of relevant actors occur; and the impact level, where the effects on the ultimate governance target can be observed (Underdal 2004).
Taking into account the effects that many international regimes may generate, I draw on Gehring and Oberthür’s (2009, 129) theory of institutional interplay, which differentiates between institutions at the macro-level and actors at the micro-level; and by focusing on two levels of analysis, the authors suggest a causal mechanism of institutional interplay through which actors transfer influence from the source institution to the target institution. In the following study, TPPPs are the source institution and intergovernmental agreements are the target institution. A simplified causal mechanism is illustrated in Figure 2.

**Figure 2. The causal relationship between the explanatory and outcome variables**

Since the formation of an intergovernmental regime is generally seen as a decision-making process before actors change their behaviors, the influence from the source institution on the target institution can be seen only at the output level. In other words, the process of regime formation “can hardly be systematically influenced other than by knowledge and obligations generated by another institution” (Gehring and Oberthür, 2009, 145). Because of being voluntary and non-binding, TPPPs should influence the formation of intergovernmental regimes mainly through cognitive interaction which relies on the power of knowledge. This type of interaction consists of four steps: first, the source institution generates certain knowledge, which can be new scientific or technical information or experiences from previous governance structures; next, actors within either the source institution or target institution feed this knowledge into the decision-making process of the target institution; then, the knowledge changes the preferences of actors relevant to the target institution; and finally, the modification of actors’ preferences influences the collective

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2 In their theory, the term “institution” is equivalent to “regime”, but refers only to formally-negotiated arrangements by states.
negotiation process (Gehring and Oberthür, 2009, 133). In short, this model of cognitive interaction constitutes a solid basis for analyzing TPPPs’ effects on the formation of intergovernmental regimes.

**TPPPs facilitate learning in regime formation**

To further clarify this process of interaction in which knowledge plays a critical role, it is also necessary to draw upon the theory of social learning. Learning is a dynamic process, which refers not only to “the acquisition of new information about the environment”, but also “the acceptance of new and innovative ways of drawing linkages between causes and effects and means and ends” (Adler and Haas 1992, 385). With respect to public policy, learning is reflected by alterations or innovations in policy, implying improved understanding beyond mimicking or copying behaviors, as embodied by an ability to draw lessons about policy problems, objectives or interventions (Heclo 1974; May 1992). Thus, the knowledge-intensive, diffuse character of global environmental management emphasizes the need for attention to the role of learning as an “agent of change” (Clark et al 2001, 6).

This concept of learning contains two key elements: actors – including “learners” and “teachers”, and knowledge to be learned. As mentioned earlier, international regime literatures often emphasizes the role of epistemic communities as would-be teachers in the learning process. Bounded by shared beliefs in the verity of particular forms of knowledge, epistemic communities consist of, for example, officials or experts from different governments, IOs, research institutions and advocacy groups; research also demonstrate that such communities can be empowered by regimes, and thereby promote the formation of consensual knowledge among policymakers of different states, which in turn leads to regime development (Haas 1989; Haas 1992).

Consequently, one can infer that **TPPPs are capable of enhancing the influence of epistemic communities** for two reasons. First, by bringing together experts from different
stakeholder parties, this new governance mechanism can facilitate the creation or expansion of epistemic communities, and thus enable knowledge diffusion, in particular when such diffusion needs to “tap into multiple levels of expertise” (Andonova and Levy 2003, 20). Second, TPPPs also establish political arenas different from traditional intergovernmental ones for the activities of epistemic communities. In being less formal and more flexible but still involving public actors, the related new arenas can help epistemic communities to influence more easily governmental policies.

With respect to the knowledge to be learned, it has to be “usable”, in terms of accuracy and political tractability for its users – policymakers (Haas 2004, 116). Since learning usually occurs without coercion, learners must be willing to accept related knowledge. Indeed, in order for scientific information to become influential, its potential users must see it as “salient, credible as well as legitimate” (Clark et al 2006, 15). Salience requires related knowledge to capture the interests of potential learners so that they cannot ignore it; credibility concerns the use of several standard procedures, including data reliability, methods, and the validity of inferential claims; and legitimacy implies overcoming distrust and beliefs that the information is being used to pursue the self-interests of its providers. These three factors determine the level of authority of any knowledge, and only authoritative knowledge can influence policy outcome.3

Taking such reasoning into account, it can be inferred that the hybrid nature of TPPPs may be conducive to enhancing the authoritative status of the knowledge they provide. On one hand, knowledge from PPPs can gain more “civic legitimacy” by involving nonstate stakeholders; on the other hand, the support of international organizations can also increase the credibility of knowledge from TPPPs (Clark, Mitchell, and Cash 2006, 16). Moreover, for TPPPs that works closely with their intergovernmental counterparts,

3 This argument is drawn from Parson’s analysis on the importance of scientific assessments for the ozone problem, which states: “the authoritative status of assessments s crucial to being influential”. See Parson 2003, 8–9, 266–267.
particularly when the members of the two bodies overlap, it is probable that the knowledge generated by the former are highly salient for policymakers in the related intergovernmental arenas.

Yet, the occurrence of learning does not necessarily lead to regime formation. Therefore, it is crucial to examine how this can happen – a question that needs to be addressed by considering the underlying causes of regime change: power, interests, and ideas (Hasenclever et al 2000; Young 2010, 183). The effects of learning in regime formation processes are mainly reflected by the function of usable knowledge, which raises policymakers’ awareness about certain problems and helps them to identify the necessary objectives and means (Dimitrov 2003). Accordingly, learning may not only change state interests in intergovernmental negotiations, but even spread certain social norms through a “logic of appropriateness” so that states change their ideas about certain issues in seeking to “fulfill the obligations encapsulated in a role, an identity, a membership in a political community or group” (March and Olsen 2008, 689).

Besides the interests and ideas of states, powerful states maintain many resources to direct the course of regime formation. Hence, the support of powerful actors should be a precondition for TPPPs to facilitate learning in regime formation by enabling policymakers to reevaluate certain interests or accept certain norms. By contrast, if powerful actors are not interested in forming an intergovernmental regime, they may try to change the process of learning in accordance with their preferences. Figure 3 illustrates this causal pathway for the influence of TPPPs on intergovernmental regimes.

Figure 3. Pathway for the influence of TPPPs on intergovernmental regimes

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4 For an example of learning related to the policy on carbon sinks, see Green 2013.
Empirical study: the case of global mercury governance

Methodology

In order to uncover the causal mechanisms inferred above, we need to examine issue areas where TPPPs exist alongside the related process of establishing an intergovernmental regime. Global mercury governance makes for a good case study, as the UNEP Global Mercury Partnership (GMP) was working in parallel with an Intergovernmental Negotiating Committee (INC) from 2010 to 2013 to prepare a global legally binding instrument on mercury. My analysis is twofold. First, I use a longitudinal design, focusing on a single case in order to eliminate the interference of problem structures in small-N comparative studies across issue areas (Mitchell 2006). Moreover, this case can be further expanded for a within-case comparison, as the UNEP GMP comprises several partnership areas and each of these can be seen as a public-private partnership. Therefore, I subsequently use a comparative analysis across partnership areas to show the variation in the effects of TPPPs on intergovernmental regimes.

My research relies on qualitative methods, including process-tracing, content analysis of documents and interviews, and counterfactual analysis. I begin by tracing the process of regime formation to examine how the Convention was created. Next, I further analyze each point of progress to identify whether the related progress was mainly driven by the learning of policymakers, and if this is the case, whether such learning was triggered by the Partnership. To sort out the true effects of TPPPs, I rely on historical counterfactuals, by focusing on the proximity of events, to identify the casual relationship between knowledge
provided by TPPPs and the change of states’ interests or idea, (Fearon 1991, Biersteker 1993). Data triangulation is also used to enhance the validity of my analysis: in addition to the documents of UNEP, other stakeholders, and secondary sources as Earth Negotiations Bulletin and academic publications, I conducted intensive interviews with fourteen important practitioners from different organizations who participated in the negotiations of the Minamata Convention and the UNEP GMP. The interviews were semi-structured and anonymity was guaranteed.

The formation of an intergovernmental regime on mercury
This subsection details briefly the formation process of the Minamata Convention: a chronological table of the evolution of regime formation is showed in Table 1. While the risks of mercury to human health and the environment have been acknowledged for many centuries, as of the early 2000s, no comprehensive international arrangement existed to address this issue, and many countries and regions were still lacking stringent measures (Selin and Selin 2006). With the growing concern of some countries, in February 2001, this issue was first put on the agenda of the UNEP Governing Council (GC), which approved a US-led proposition to undertake a comprehensive scientific assessment of global mercury pollution (Earth Negotiations Bulletin 2001).

The Global Mercury Assessment Report was presented at the UNEP GC-22 in 2003; it concluded that mercury and cycles globally so that national or regional action by itself was not sufficient to tackle the issue (UNEP Chemicals 2002). Accordingly, the EU, Norway and Switzerland strongly argued for a legally binding instrument to tackle the problem of mercury pollution; however, this proposal was opposed by the US, Australia and New Zealand, which advocated immediate voluntary action (Eriksen and Perrez 2014; Andresen et al 2013). Due to the confrontation between the two blocs, the final GC-22 decision was a compromise that
<table>
<thead>
<tr>
<th>Time</th>
<th>Events</th>
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<tbody>
<tr>
<td>Feb. 2001, UNEP GC-21</td>
<td>Initiating a global scientific assessment of mercury and its compounds</td>
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<tr>
<td>Feb. 2003, UNEP GC-22</td>
<td>- Appealing for national, regional and global action to reduce or eliminate the release of mercury or its compounds</td>
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<td>- Setting the objectives for international action</td>
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<td>- Inviting the submission of governments’ views on medium- and long-term actions</td>
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<td>Feb. 2005, UNPE GC-23</td>
<td>- Calling for developing partnerships between governments, IGOs, NGOs and the private sector</td>
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<tr>
<td>Sept. 2005</td>
<td>Identifying five priority partnership areas</td>
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<td>Feb. 2007, UNEP GC-24</td>
<td>- Urging governments and other stakeholders to continue and enhance their support of these partnerships</td>
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<td></td>
<td>- Establishing an Ad hoc Open-Ended Working Group (OEWG) to review and assess different options</td>
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<td>Nov. 2007</td>
<td>First OEWG meeting</td>
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<td>Dec. 2008</td>
<td>Second OEWG meeting</td>
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<td>Feb. 2009, UNEP GC-25</td>
<td>- Agreeing on the elaboration of a legally binding instrument</td>
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<td></td>
<td>- Forwarding the overarching framework of the UNEP Global Mercury Partnership to the UNEP GC</td>
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<td>Oct. 2009</td>
<td>A working group meeting to prepare for the INC</td>
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<td>June 2010</td>
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<td>INC1</td>
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<td>Jan. 2011</td>
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<td>INC2</td>
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<td>Oct.- Nov. 2011</td>
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<td>INC3</td>
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<td>June-July 2012</td>
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<td>INC4</td>
<td></td>
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<tr>
<td>Feb. 2013</td>
<td>Adopting the final text of the Minamata Convention</td>
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<td>INC5</td>
<td></td>
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<tr>
<td>Oct. 2013</td>
<td>The Conference of Plenipotentiaries, opening the Convention for signature</td>
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Table 1. Chronology of important events in the establishment of the international mercury regime
only “urge[d] all countries to adopt goals and take national actions” and leave the consideration of different options including “a legally binding instrument, a non-legally instrument or other measures or actions” to the next UNEP GC (UNEP 2003, 47).

The stalemate remained at the meeting of the UNEP GC-23 in 2005. Having deep reservations for a legally binding agreement, the US, Japan and Australia called for a partnership approach. The EU, Norway and Switzerland were not against the development of TPPPs as such, but argued that this approach must be complementary to a legally binding instrument (Earth Negotiations Bulletin 2005). As a compromise, the UNEP GC-23 only urged governments, international organizations, NGOs and private sector actors to develop and implement partnerships based on the objectives previously identified (UNEP 2005). According to this mandate, five priority partnership areas were determined in late 2005. In 2007, the bargaining at the UNEP GC-24 meeting led to a two-tiered arrangement. On one hand, the UNEP GC-24 decided to establish an Ad Hoc Open-Ended Working Group (OEWG) of governments, regional economic integration organizations and stakeholder representatives to assess different options, including a legally binding instrument, so that the GC-25 could make a decision. On the other, this GC also urged governments, the UNEP and other stakeholders to strengthen and develop partnerships addressing the issue of mercury pollution; in particular, the UNEP was requested by the GC-24 to develop an overarching framework for the UNEP GMP, identifying partnership goals and operational guidelines (UNEP 2007). Since then, the UNEP Chemicals Branch

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5 The term “United Nations Environment Programme Global Mercury Partnership” first appeared in a mandate made by the UNEP GC-24 in 2007. Before 2007, while several partnership areas were identified and conducted some activities, they were not considered as a part of a larger “Partnership”
(hereafter “UNEP Chemicals”) has been designated as the secretariat to coordinate the UNEP GMP’s activities. Accordingly, the UNEP GMP was instituted with a well-defined structure and coherent goals in different areas around 2008-2009, while the number of the partners and scope of activities was gradually expanded.

At the end of 2008, after two OEWG meetings, the situation remained uncertain. The tipping point at the intergovernmental level occurred at the GC-25 in 2009, because of the new position of the US, led by the Obama administration. With unreserved support from the US for a legally binding instrument – a dramatic change surprising many other governments – an agreement to elaborate a global legally binding instrument on mercury regulation was soon reached and the GC-25 requested the establishment of a preparatory INC (Earth Negotiations Bulletin 2009).

The negotiations started in June 2010 and was organized into five meetings with seven to nine months between each. Having identified key areas of agreement and contention at the INC1, delegates made some preliminary agreements at the INC2 on issues such as the management of mercury storage, the reduction of primary mining and mercury use in artisanal and small-scale gold mining (ASGM); however, they left the issues of mercury-added products and atmospheric emissions unaddressed. The INC3 confirmed an article on ASGM and provisions about the issues of storage, waste, and contaminated sites (Earth Negotiations Bulletin 2011b).

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6 Author’s interviews with two UNEP officials, Geneva, September 11, 2013 and May 20, 2014. For a detailed analysis on the change of the US position, see Andresen et al. 2013.
Three clusters of contentious issues were deferred to the last two INC meetings: the regulation of the use of mercury in products and industrial processes; control of atmospheric emissions; and financing and compliance. Final consensus on these issues was reached during an overnight meeting on the last day of the INC5, and several flexible regulatory measures were established. In short, the new convention covered the whole life cycle of mercury and set a range of targets, such as a ban on new mercury mines and the phase-out of existing ones; the phase-out and phase-down of many mercury-added products and mercury used in some manufacturing processes; control measures for air emissions, waste management and the regulation of ASGM (Selin 2014). The Convention opened for signature in October 2013; to date, 128 countries have signed and twelve countries have ratified. While the formation of the Convention was far from easy, its establishment with widespread support demonstrates that policymakers from different countries gradually improved their understanding of the mercury pollution and necessary solutions.

The influence of the UNEP GMP in the negotiation process

The process described above reveals that the UNEP GMP was unable to exert important, if any, influence on the formation of an intergovernmental regime before 2009, for two reasons. First, without a governing body, this TPPP had neither well-defined objectives nor operational guidelines until the end of 2008, and only started to undertake formal activities in 2009. Second, as shown by Figure 4, the partnership originally had only a very small number of constituencies,

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and its network was quickly expanded after countries had agreed to negotiate a new convention. In fact, with the concern that a strong partnership can render a treaty unnecessary, countries advocating a legally binding instrument were reluctant to lend their support to the partnership before 2009.\footnote{Author’s interviews with a UNEP official, Geneva, May 19, 2014; a former negotiator for Nigeria, Geneva, May 27, 2014; and phone interview with a negotiator for Switzerland, Bern, May 27, 2014.}

**Figure 4: Number of the UNEP GMP’s official partners**

(Sources: UNEP 2009, 2010b, 2012, 2013b)

Yet this TPPP still interacted in an active way with the intergovernmental negotiations from 2009 to 2013 as the number of its participants and activities significantly increased. Indeed, several channels existed for the UNEP GMP to influence the negotiation process, and its influence was particularly important during the first three INC meetings mainly devoted to helping negotiators understanding the nature of the problems and feasible solutions. For instance, at the request of the INC Secretariat, the UNEP GMP organized a series of technical briefings on the day before the negotiations for each of the first three INC meetings; each session centered on an important issue to be negotiated and invited experts involved with the UNEP GMP to give
presentations and answer questions.\textsuperscript{9} More in-depth analyses for each partnership area are showed below.

By mid-2009, seven partnership areas had been established: artisanal and small scale gold mining (ASGM), mercury releases from coal combustion, mercury in products, mercury cell chlor-alkali production, mercury waste management, mercury supply and storage, mercury air transport and fate research. Another partnership area on emissions from the cement industry was not added until July 2013, and therefore it is excluded from my analysis of the UNEP GMP’s effects on the negotiations. However, after 2005, the UNEP also tried to create a partnership area on mercury use in the production of Vinyl Chloride Monomer (VCM). While this partnership area was not established in the end, the UNEP Chemicals conducted related projects, and thus I do include this area in my analysis.\textsuperscript{10}

\textit{Artisanal and small-scale gold mining}

ASGM is the largest source (37\%) of anthropogenic mercury emissions to the atmosphere and the single largest demand for mercury in the world (UNEP 2013a). While it is imperative to regulate the ASGM sector in an international convention on mercury, there was no substantial discussion on ASGM at INC1, because many developing countries would not touch upon a sector providing the livelihoods of 10-15 million miners worldwide.\textsuperscript{11} In fact, many

\textsuperscript{9} Author’s interview with a senior UNEP official, Geneva, May 20, 2014.

\textsuperscript{10} The activities on VCM are listed on the UNEP GMP’s official webpage, see see http://tinyurl.com/p2mh4f9.

\textsuperscript{11} Author’s Interview with a UNEP official, Geneva, May 19, 2014, and a UNEP consultant, Geneva, May 22, 2014.
governments had banned ASGM, but the lack of both support to miners and awareness of related health risks only created a black market and exacerbated the pollution.

The ASGM partnership area is co-led by United Nations Industrial Development Organization (UNIDO) and Natural Resources Defense Council (NRDC), and involves many partners with invaluable expertise and experience in the sector. An important partner is the Artisanal Gold Council, an NGO running a database of global mercury use in ASGM. Through many UNEP documents and technical briefings, the data provided by this partner was crucial in informing negotiators from different governments about the severity and locations of the pollution, and led some countries to face the reality in this sector.\(^\text{12}\) With respect to solutions, during the preparatory meeting and INC1, the partnership area put forward two methods based on its partners’ experience: promoting mercury-free technologies and the formalization of the sector (UNEP 2010a, 12-23). By suggesting the latter, the approach advocated by the UNEP GMP differed from most previous discussions emphasizing negative aspects of ASGM; accordingly it created an environment of “rational consideration” for governments to address the ASGM issue.\(^\text{13}\)

A critical event occurred between INC1 and INC2, which largely contributed to a broad consensus on the ASGM issue at the INC2. In December 2010, the UNEP GMP convened a Global Forum on ASGM in the Philippines, attended by more than 100 participants representing seventeen governments and various IGOs and NGOs. By inviting governmental officials and

\(^{12}\) Author’s interview with a UNEP consultant, Geneva, May 22, 2014.

\(^{13}\) Author’s Skype interview with an official of NRDC, Washington DC, May 21, 2014.
civil society organizations from countries facing the most challenges, this forum provided an invaluable opportunity for stakeholders to reconsider the problems, discuss potential policies, and share success stories through constructive dialogue (UNEP 2011a). According to one participant, this meeting was “transformative”, since it might be “the first time that government officials responsible for mercury and ASGM from different continents … came together to share their experiences about the sector”. Therefore, the forum not only triggered governments’ interest in addressing ASGM in the next convention, but also helped different countries to coordinate their position before INC2.

One month later, at the INC2, many developing countries began to openly express their willingness to include an article to reduce mercury use in ASGM; this was major progress compared to previous discussions at the intergovernmental level. Since UNEP officials would not reveal the name of countries, I cannot identify exactly which countries changed their position after the Forum. Yet all of my interviewees working on this issue emphasized the importance of the Forum for reaching consensus in the later negotiations. More importantly, by comparing discourse of developing countries in the first two rounds of negotiations, an evident change can be seen: while developing countries like Tanzania or Honduras still expressed their difficulties in restricting the ASGM sector at the INC1, the African group and Latin American countries both strongly supported the reduction and gradual elimination of mercury use in ASGM at the INC2 (Earth Negotiations Bulletin 2010, 2011a). After that, the negotiations on ASGM accelerated and

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14 Author’s Skype interview with an official of NRDC, Washington DC, May 21, 2014.
the agreement on the related provisions was reached at the INC3, which required the parties to develop a national action plan in line with each country’s socioeconomic context (Article 7).

In short, one can conclude that the UNEP GMP highly influenced the course of the negotiations by a counterfactual analysis. First, developed countries did not use direct pressure on this issue although countries like Switzerland and Norway supported the regulation of ASGM. In fact, several negotiation documents showed that IGOs and NGOs were the main drivers, and the UNEP GMP provided a legitimate platform for them to diffuse usable knowledge. Second, the final provisions did not involve any new technologies in ASGM; rather, the agreement is mainly indebted to the two methods suggested by the UNEP GMP. Therefore, this partnership area changed the content of the convention by providing creative solutions. Third, it is very unlikely that the domestic politics of developing countries would support tight regulation on ASGM, since the sector is very important for rural populations in many countries. Thus, information from international actors seems critical, and this can be reflected by the praise of the UNEP GMP’s activities to promote ASGM by Nigeria (Earth Negotiations Bulletin 2011a). Fourth, the proximity of events tends to suggest that the consensus reached at the INC2 was facilitated by the success of the Global Forum. Without this forum to coordinate developing countries’ positions, the negotiations should have taken more time to reach an agreement on related provisions.15

*Mercury control from coal combustion*

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Mercury emissions were a highly contentious issue during the negotiations. Coal burning is the second largest source of mercury air emissions (24%) and more than 85% of these emissions come from power generation (UNEP 2013a, 9). Since 2009, this partnership area has been led by the International Energy Agency Clean Coal Centre (IEA CCC), a research-oriented, non-profit organization, having rich experience in mercury pollution management. Relying on the expertise of its partners, this partnership area provided important technical information to negotiators.

The provisions about coal combustion have very clear targets – big emerging economies contribute most to the coal used in power generation in the world. Accordingly, emerging economies prefer voluntary measures, whereas many developed countries called for more stringent regulation. To mitigate this conflict, the key issue lies in transferring related monitoring and abatement technologies. Thus, the UNEP GMP spared no effort in helping these governments to understand related technologies throughout the negotiations.

More specifically, this partnership area conducted several inventories and demonstration projects on emissions reduction in China, Russia and South Africa from 2009 to 2011. Through these activities, experts in the network of the UNEP GMP have taught their local partners how to monitor emissions and “pass on knowledge on mercury behavior and control means”.

As a result, these countries were able to monitor their emissions, based on which they can adopt control measures. Meanwhile, the partnership area developed a technical guidance document for determining appropriate approaches to control mercury emissions in individual coal-fired plants. This document was introduced to negotiators by several technical briefings and a report

16 Author’s email contact with an environmental expert of the IEA CCC, May 28, 2014.
distributed at the INC2. According to an expert from the IEA CCC, activities in Russia and South Africa succeeded in giving them “some optimism on how reducing mercury emissions may be available”, and she emphasized that “the project work in China was a real eye-opener in terms of showing how emissions are actually already far more under control than anyone thought, and how existing and impending legislation could actually result in emission reductions within the next decade”.\(^{17}\)

Nonetheless, all of these activities were unable to accelerate the negotiations on mercury emissions, and the agreement was only achieved at the end of the INC5. But by analyzing the evolution of the negotiation process and interests of major countries, one can still find that this partnership area was helpful for establishing a consensus among governments to address the emissions issue. Such influence can be demonstrated by changes in the positions of major countries in the negotiations. For example, since the INC3, China and India have no longer attempted to avoid obligations for the “unintentional emissions” that they had being against in the first two INC meetings (Earth Negotiations Bulletin 2010, 2011a, 2011b). In fact, an implicit agreement to address emission issues in the Convention was reached among countries after the INC2, and the debate then turned to the concrete regulation to be established.

*Mercury-added products*

Similarly, the regulation of mercury-added products caused such intense debates that the final agreement was only made in the last minutes of INC5. The provisions concerned phasing out

\(^{17}\) Ibid.
various products (batteries, lamps, switches and relays, cosmetics and pesticides, and measuring devices etc.) and phasing down dental amalgam. Yet this long debate mainly centered around the approach to regulation – a negative list versus a positive list – instead of product categories (Selin 2014). Indeed, a list very similar to the final agreement already appeared in a draft text submitted at the INC3 (UNEP 2011b), and I will show below that this consensus on the products to be regulated was driven by the activities of this partnership area.

The product partnership area is led by the US Environmental Protection Agency (EPA) and consists of some IGOs (e.g. World Health Organization) and NGOs (e.g. Health Care without Harm) endeavoring to promote mercury-free products. A major contribution of this partnership area was creating global databases on manufacturers of mercury-containing products before the INC1, classified by product category, country, and region.\(^{18}\) Such information was helpful for governments in identifying their problems and also for the INC Secretariat in preparing the draft text.\(^{19}\) At the INC5, the partnership area also made a brochure listing alternatives to mercury-added products to further urge negotiators to reach an agreement.\(^{20}\)

Moreover, this partnership area conducted research on the economics of conversion to mercury-free products. For instance, a project in China analyzed the social and economic impacts of the transition towards mercury-free thermometers and sphygmomanometers, and promoted exchange among different stakeholders (Chemicals Register Center of Ministry of Environmental Protection 2012). According to one Chinese academic, these activities indeed

\(^{18}\) Available at the UNEP GMP’s website [http://tinyurl.com/q65xyj5](http://tinyurl.com/q65xyj5), last accessed May 25, 2015.
\(^{19}\) Author’s phone interview with a former UNEP official, Patagonia, June 10, 2014.
\(^{20}\) Available at [http://tinyurl.com/p6j8w9r](http://tinyurl.com/p6j8w9r), last accessed May 31, 2015.
raised awareness among Chinese health regulators about the risks of mercury-added products.\textsuperscript{21} Likewise, the partnership area attempted to demonstrate the feasibility and benefits of phasing out mercury-containing products in many other developing countries, in order to raise awareness within the relevant medical communities.\textsuperscript{22} Finally, this partnership area also influenced debates on dental amalgam, when some industry stakeholders were trying to remove this product from the list in the late stage of the negotiations, emphasizing the shortcomings of available alternatives. In response, the product partnership area made a strong counterargument by diffusing scientific information and successful experience; the Partnership even initiated a project in East Africa in 2012 to demonstrate the feasibility of introducing non-mercury dental fillings.\textsuperscript{23} Ultimately, dental amalgam was regulated in the convention, although the provision only required a phase-down.

In short, the analysis above shows the important role of the product partnership area in identifying the products to be regulated. Additionally, for many developing countries, economic interest in phasing out mercury-added products could be only generated if they had access to the requisite knowledge, which the UNEP GMP played a major role in transmitting.

\textit{Mercury reduction in the Chlor-Alkali sector}

The negotiations for mercury reduction in industrial processes were less arduous than those dealing with/relating to emission and product issues. Since the mercury-cell chlor-alkali plants are a major source of mercury demand, the UNEP GMP developed a specific partnership area for

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{21} Author’s email contact with a Chinese delegate participating in the negotiations, May 29, 2014.
\item \textsuperscript{22} Author’s Skype interview with an official of the US EPA, Washington DC, May 23, 2014.
\item \textsuperscript{23} Author’s phone interview with a former UNEP official, Patagonia, June 10, 2014.
\end{itemize}
\end{footnotesize}
this industry. The partnership area is also led by the US EPA and is involved an important partner – the World Chlorine Council (WCC), a global industry association representing chlorine producers. Taking advantage of their close link with the chlorine industry, the partnership area was able to undertake and update a global inventory of mercury-cell chlor-alkali facilities, and the data presented to delegates at the INC2 served as a basis for the negotiations.24

Moreover, this partnership area was trying to promote mercury-free technology through information exchange and technical assistance, as many developing countries and economies in transition were still lacking the technical information and financial investment necessary to convert to mercury-free production. The partnership area conducted a study on the economics of conversion to help stakeholders understand the related costs and benefits. It also launched several projects assisting producers in reducing their mercury emissions and use. Their work in Russia is a remarkable example, Russia had been unwilling to accept stringent regulation and, at the country’s insistence, the final phase-out date was deferred to 2025 (Eriksen and Perrez 2014). To incentivize Russia to tackle this issue, the chlor-alkali partnership area assisted Russian chlorine producers until 2010 in upgrading plant processes and obtaining equipment to reduce mercury consumption and releases (UNEP 2011c). As one project official estimated, the partnership area’s work in Russia was important to “raise awareness [of local stakeholders]” and “build a cooperative relationship between industry and government”, and thus “certainly helped the negotiation process”.25 While it is difficult to ascertain whether or not Russia would have

25 Author’s Skype interview with a US EPA official, Washington DC, 23 May 2014.
embraced the phase-out provision without this intervention, one cannot deny the chlor-alkali partnership area’s impact on generating interest among Russian stakeholders – both government and industry.

However, to examine the degree of influence held by this partnership area, it is crucial to take into account the remarkable decrease of mercury use in the chlor-alkali sector from 2000 to 2010 (UNEP Global Mercury Partnership Cholar-Alkali Area 2012). This decrease suggests that the influence of the knowledge disseminated by this partnership area was only moderate in achieving a consensus in the negotiations, because producers in many countries – such as many in the EU and India – had been already aware of alternative technologies and the benefits of adopting.

*Vinyl Chloride Monomer production*

Another manufacturing process frequently mentioned throughout the negotiations was the production of VCM, a chemical used in the production of Polyvinylchloride (PVC) as catalyst. Because of the nature of its raw materials, China is the only country using a significant quantity of mercury in this process. Although the UNEP GMP failed to create a specific partnership area, the UNEP Chemicals still addressed this issue by engaging different stakeholders and providing financial assistance. With the support of the UNEP Chemicals, the Chinese Ministry of Environmental Protection implemented a project from 2008 to 2011 investigating the level of mercury use and its reduction status in the Chinese PVC sector, and analyzed the feasibility of
mercury-free catalyst.\textsuperscript{26} The participation of government agencies, the industry sector, research institutions and foreign experts enabled this project to help the Chinese government in better understanding the challenges facing the PVCs sector and potential feasible solutions. After the end of this project, a critical change can be observed in China’s position in the negotiations: At the INC2 and INC3, China had consistently emphasized the absence of feasible mercury-free alternatives and called for “a practical approach [of regulation] on a voluntary basis” with the possibility of exemption from regulation; however, at the INC4, the country openly expressed its willingness to halve its mercury use in the VCM sector, and thus begun to support a phase-down (Earth Negotiations Bulletin 2011a, 2011b, 2012). Accordingly, it can be argued that this change was partly driven by the UNEP project which helped the Chinese government to understand more clearly the extent of the problem with mercury use before identifying a feasible target for phase-down. Thinking counterfactually, while the Chinese government was interested in restructuring the PVC sector and companies interested in promoting new technologies, without the UNEP’s assistance, China would still have been unwilling to accept any quantitative target of reduction.\textsuperscript{27} Therefore, the VCM project had indeed important influence in the negotiation process.

\textit{Waste management}

The partnership area of waste management is led by the government of Japan and its activities mainly focused on providing technical information. In particular, this partnership area prepared

\textsuperscript{26} Author’s interview with a UNEP official, Geneva, 18 May 2014.

\textsuperscript{27} Author’s email contact with a Chinese delegate participating in the negotiations, May 29, 2014.
in 2010 a document on good practices for the management of mercury releases and shared it with negotiators since the beginning of the negotiations. Without much contention on this issue in the negotiations, governments soon agreed on using information provided by the Partnership as the basis of the related provisions. Looking ahead, although the Partnership may largely contribute to developing the guidelines required by the Convention, the influence of this area seems very limited in the negotiation process, as the negotiations on waste and storage were “relatively uncontroversial” (Eriksen and Perrez 2014, 207).

Mercury Supply

The UNEP GMP created a partnership area on mercury supply and storage in June 2009. Since then, the activities of this area have mainly focused on primary mining, which is a major topic in the negotiations. The only mercury mines currently active exist in Kyrgyzstan and China. Since the mine in Kyrgyzstan is the only one known to export mercury to the global market, the partnership area’s main activities concerned assisting Kyrgyzstan in closing this mine by promoting more sustainable economic activities in the mining region. However, due to the unstable political environment in the country, the project was unsuccessful and the mine is still open. According to one UNEP official, the delegates of Kyrgyzstan were “quite silent” in the negotiations and the country has not yet signed the Convention; instead, the provisions on primary mining were based on the commitments made by the Chinese government which

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28 Author’s phone interview with a negotiator for Switzerland, Bern, May 27, 2014; Skype interview with a US EPA official, Washington DC, 23 May 2014.
requested a 15-year-period to close its existing mines.\textsuperscript{29} Accordingly, the Convention bans all new mines and requires existing mines to be closed within 15 years. Since this partnership area did not conduct any activity on China, this partnership area did not contribute to making the final agreement in the negotiations.

\textit{Air transport and fate research}

In addition to activities directly related to the reduction of mercury risks, the UNEP GMP also created a partnership area on research of mercury itself to improve global understanding on the transport and fate of mercury in the atmosphere. The partnership area of “air transport and fate research” comprises more than 70 scientists from 12 countries. It contributed to developing the \textit{Global Mercury Assessment 2013}, a report issued at the INC5 to better inform policymakers and call for their agreement. Some partners also attempted to develop a Global Mercury Observation System. Nonetheless, this partnership area could only indirectly improve negotiators’ understanding of basic scientific information on mercury, rather than directly affect their position.

To summarize, Table 2 compares different partnership areas’ influence on the negotiations. It shows that the influence of the UNEP GMP relies mainly on its technical and scientific information, which not only helped negotiators to identify problems, but also changed the attitude of certain governments who were uncertain about the exact challenges and feasible

\textsuperscript{29} Author’s interview with a UNEP official, Geneva, 20 May 2014.
solutions. Such critical information was mainly based on the expertise of partners, which can be seen as “one of the most distinctive advantages” of this UNEP GMP compared to other international aid programmes. Moreover, as demonstrated by the cases of ASGM, coal, and VCM, the Partnership’s activities can also send a normative message through technical information, indicating that these issues have to be addressed in the Convention. All in all, while information from the UNEP GMP was obviously not the only means of policymakers’ learning in regime formation, without the support of this TPPP, governments “would face [a] difficult time [in] having the technical information necessary for the creation of the Convention”, and the negotiations wouldn’t have been successfully finished within four years.

Table 2 Impacts of each partnership area on the negotiations

<table>
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<tr>
<th>Partnership area</th>
<th>Impacts on intergovernmental negotiations</th>
<th>Level of influence</th>
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| ASGM             | - Raise the issue and provide global data  
                   - Recommend a two-fold solution: the formalization of the sector and reduction of mercury use  
                   - Propose flexible obligations | Very high           |
| Coal Combustion  | - Convince governments that control measures are feasible  
                   - Disseminate monitoring technologies | High                |
| VCM              | - Raise the awareness of stakeholders  
                   - Support research on the current status of mercury use and development of alternative technology | High                |
| Products         | - Identify targeted products and manufacturers  
                   - Disseminate information on economics of transition  
                   - Call for action on dental amalgam | Moderate            |
| Chlor-Alkali     | - Provide global data on mercury-cell facilities  
                   - Disseminate information on economics of transition | Moderate            |

30 Author’s interview with a UNEP official, Geneva, 20 May 2014.
31 Author’s interview with a senior UNEP official, Geneva, September 11, 2013; and phone interview with a former UNEP official, Patagonia, June 10, 2014.
| Waste Management          | Provide technical assistance to targeted countries
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<tbody>
<tr>
<td>Supply and Storage</td>
<td>Promote technical guidance on good practices</td>
</tr>
<tr>
<td>Air Transport and Fate Research</td>
<td>Almost not</td>
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<tr>
<td></td>
<td>Provide basic scientific information</td>
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<td></td>
<td>Low</td>
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<td></td>
<td>Very low</td>
</tr>
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<td></td>
<td>Only Indirect</td>
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### Conditioning factors

In order to estimate the generalizability of my findings, the conditions enabling the UNEP GMP’s influence need to be considered. From a policy perspective, understanding the role of these conditions can shed light on the design of TPPPs and the management of the interplay between transnational governance mechanisms and intergovernmental regimes. This section analyzes four important conditioning factors: broad consensus on mercury risks; institutional support from the INC; a high degree of institutionalization of the partnership area; and leadership of the UNEP Chemicals and partnership areas leaders.

First, the mercury issue is much less controversial than some other environmental problems, such as climate change. Therefore, before the negotiation started there has been already a broad consensus globally about the risks of mercury to humans and the environment. In fact, no country has ever argued that mercury is not a problem, and the only debatable question concerns the best approach to be used and the pace at which mercury should be phased out.  

While this consensus does not imply that the related negotiations would be easy, it can partly explain why policymakers were willing to accept the scientific and technical information.

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32 Author’s Skype interview with an official of NRDC, Washington DC, May 21, 2014.
provided by the UNEP GMP. In sum, by understanding this consensus on mercury risks as a critical precondition for the UNEP GMP’s successful influence, one cannot infer TPPPs are always helpful to the creation of intergovernmental regimes.

Second, the institutional context of the mercury negotiations was nontrivial for two reasons. First, the INC meetings authorized by the UNEP GC provided important opportunities for the UNEP GMP’s partners to communicate with negotiators and other stakeholders. The INC often asked governments to submit some data and their views on the draft text while governments also have to prepare their position for the negotiations. Accordingly, these elements increased policymakers’ demands for useful knowledge on various issues related to the negotiations and enabled the UNEP GMP to fulfill these demands. The second important institutional consideration lies in the close relationship between the INC Secretariat and the UNEP GMP. Since UNEP Chemicals – a very small branch within the UNEP – served as the secretariat to both institutions, useful information generated from the UNEP GMP’s work could be easily disseminated to the INC Bureau and other negotiators. In this respect, the UNEP GMP succeeded in gaining strong support from the Chair of the INC Bureau, Mr. Fernando Lugris, who often introduced activities of the partnership area into the negotiation process.33

Another important conditioning factor concerns the high degree of institutionalization for the UNEP GMP, which mainly benefits from the overarching framework established in 2009, which set up a Partnership Advisory Group (PAG) to annually review the progress of each partnership area; this constituted an important platform for circulating information within the

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33 Author’s email contact with an environmental expert of the IEA CCC, May 28, 2014.
network of the UNEP GMP and consequently for coordinating each partnership area’s efforts for advancing the negotiation. Additionally, the UNEP GMP has required the registration of members since 2009. This requirement has been conducive not only to information exchange, but also to creating a sense of community among its members, which may generate a norm of addressing the mercury issue. This finding tends to support a correlation between the degree of institutionalization and the effectiveness of TPPPs, as demonstrated by previous large-N studies (Bäckstrand et al 2012, 137).

Finally, support from UNEP Chemicals and the leaders of each partnership area was also critical. That this PPP is managed by the UNEP indeed enhanced the UNEP GMP’s authority and thus the reliability of its information. Meanwhile, beyond its neutral role as a broker for intergovernmental negotiations, the UNEP actually intended to behave as a “facilitator”. Therefore, it strategically used the UNEP GMP as a tool to help negotiators reach consensus. Additionally, the active engagement of some partnership area leaders was also helpful in increasing the partnership’s influence. For instance, the final outcomes on ASGM and coal combustion could not have been achieved without tireless efforts made by the related leaders.

In sum, these conditioning factors help us to explain why the influence of TPPPs was particularly salient in the negotiations of the Minamata Convention. Given the broad consensus among governments on mercury risks, three important lessons can be drawn regarding the design and management of TPPPs. First, a close relationship between institutional bodies at the

34 Author’s interview with a UNEP consultant, Geneva, 22 May 2014.
35 Author’s Skype interview with an official of NRDC, Washington DC, May 21, 2014.
36 Author’s interview with a senior UNEP official, Geneva, September 11, 2013.
intergovernmental level and related TPPPs can substantially expand channels for knowledge diffusion. Therefore, the involvement of intergovernmental organizations may lead related TPPPs to contribute to the formation of intergovernmental regimes. Second, institutional designers should pay more attention to strengthening PPPs’ institutional capacity, since the level of institutionalization seems positively correlated to TPPPs’ effectiveness. Third, leadership by actors with invaluable expertise can contribute to the success of TPPPs; thus it is worthwhile to gain support from such actors in order to expand TPPPs’ constituencies.

**Conclusion**

TPPPs have the potential to provide benefits for traditional intergovernmental regimes. Yet previous studies have rarely tackled the question of interaction between these two governance mechanisms. This article aims to provide insights into the influence of TPPPs on the formation of intergovernmental regimes.

Drawn from theories of institutional interaction and social learning, I construct an analytical framework to infer a causal pathway through which TPPPs provide useful knowledge to facilitate the learning of policymakers in the process of forming intergovernmental regimes. Taking into account three underlying causes of regime change, the framework indicates that the learning facilitated by TPPPs can contribute to regime formation by changing governments’ interests or ideas. My empirical analysis of the UNEP GMP uses data from various sources and qualitative methods; it shows that this Partnership’s activities facilitated the negotiations of the Minamata Convention by providing important technical and scientific information to
policymakers, particularly on the issues of ASGM, coal combustion, and VCM production. More specifically, my analysis indicates that TPPPs can make important contributions to the formation of intergovernmental regimes when they generate usable knowledge that is helpful to policymakers in understanding the issues to be addressed and appropriate solutions. By identifying four major conditioning factors, the article also draw some lessons for future design and management of TPPPs.

In sum, the article argues that it is both possible and necessary to analyze linkages between transnational governance mechanisms and intergovernmental regimes. Given the complex picture of global environmental governance involving multiple types of actors, researchers need to avoid isolating private or hybrid governance systems from public ones. While the generalizability of the findings is limited, this pilot study aims at suggesting a new research agenda and providing a useful analytical framework for further comparative research across issue areas. For policymakers, this analysis can shed light on the strategic use of transnational governance mechanisms to improve governance at the intergovernmental level.
References


