

course of action. They can, however, be shamed into complying with their obligations; for example, to avert the extinction of a species (see **CITES**). Human rights and the environment constitute the main issue areas where shaming has been deployed and studied (see **Human and environmental rights**).

The targets of shaming strategies have included states and multinational **business and corporations**. For example, in their campaign against biopiracy, a coalition of **nongovernmental organizations** (NGOs) have brought pharmaceutical companies into the limelight by awarding them the Captain Hook Award for profiteering of **indigenous peoples and local communities'** genetic resources. The actors deploying the strategies range from NGOs to international organizations or states, which can use international fora to shame other states into complying with international norms. An example constitutes the annual meetings of the **International Whaling Commission** (IWC), where a coalition of anti-whaling states, together with anti-whaling NGOs, have sought over the last three decades to shame Japan into halting its commercial and scientific whaling activities (see Epstein 2017, 2008).

Conceptually, "shaming" has been analyzed through both rationalist and constructivist accounts of international politics. Rationalist explanations focus on the material effects of shaming strategies, whether on their costs to actors who are shamed (Lebovic and Voeten 2009) or on their benefits to international cooperation (Franklin 2008). Shaming enters into the neoliberal institutionalist analysis of cooperation as a corollary to the interest-based analysis of reputation and the effect of the shadow of the future upon interstate interactions (Hafner Burton 2008).

However, insofar as it involves complying with normative behavior, shaming beckons constructivist accounts that emphasize the intrinsic power of norms. Here, two lines of enquiry have been pursued successively: how shaming strategies operate, and why they are successful. With regards to the first, shaming constitutes the linchpin to "leverage politics" applied upon states (Keck and Sikkink 1998) or a key mechanism of their socialization into international norms. In seeking to understand why states actually respond to this form of leverage the second foregrounds the role of identities. States are sensitive to shaming because of the moral damage to their self-images and identities (Epstein and Barclay 2013).

References

- Epstein, Charlotte 2008. *The Power of Words in International Relations: Birth of an Anti-Whaling Discourse*. Cambridge, MA, MIT Press.
- Epstein, Charlotte. 2017. "Stop Telling Us How to Behave: Socialization or Infantilization?" In *Against International Relations Norms: Postcolonial Perspectives*, Ed. Charlotte Epstein, 74–86. Abingdon, Routledge.
- Epstein, Charlotte and Kate Barclay. 2013. "Shaming to 'Green': Australia–Japan Relations and Whales and Tuna Compared." *International Relations of the Asia-Pacific* 13(1): 195–123.
- Franklin, James C. 2008. "Shame on You: The Impact of Human Rights Criticism on Political Repression in Latin America." *International Studies Quarterly* 52(1): 187–211.
- Hafner Burton, Emilie M. 2008. "Sticks and Stones: Naming and Shaming the Human Rights Enforcement Problem." *International Organization* 62(4): 689–716.
- Keck, Margaret E. and Kathryn Sikkink. 1998. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY, Cornell University Press.
- Lebovic, James H. and Erik Voeten. 2009. "The Cost of Shame: International Organizations and Foreign Aid in the Punishing of Human Rights Violators." *Journal of Peace Research* 46(1): 79–97.

SOVEREIGNTY

Jean-Frédéric Morin

Université Laval, Canada

Amandine Orsini

Université Saint-Louis – Bruxelles, Belgium

"The Earth is one but the world is not" begins the Brundtland Report of the World Commission on Environment and Development (WCED) (1987: 27). Indeed, states are divided whereas the biosphere exists as a unit. This fact makes environmental politics an interesting case of reflection for the principle of sovereignty.

In the 1960s, during the decolonization process, developing countries insisted upon controlling their natural resources. Many were suspicious of Western environmental intentions, fearing a form of neocolonialism (see **Critical political economy**). In 1962, they strongly advocated for the adoption of the United Nations Resolution 1803 on the *Permanent Sovereignty Over Natural Resources*, recognizing "the inalienable right of all states freely to dispose of their natural wealth and resources in accordance with their national interests." Still today, developing countries frequently

refer to this principle and make sure that negotiated texts explicitly recall it (Conca 1994; Hochstetler et al. 2000).

Some environmentalists see the biosphere as one entity and fear that a full, exclusive, and supreme state sovereignty impedes environmental protection. Under this line of reasoning, two options are frequently mentioned as means to limit sovereignty and favor environmental protection. The first consists in extending the **common heritage of humanity**. This would allow, for example, for the establishment of a global system of inspection and **taxation** for resources traditionally under state sovereignty. The second route for a post-Westphalian order is to increase the rights of non-state actors: **nongovernmental organizations, business and corporations, epistemic communities, or indigenous peoples and local communities** (Shadian 2010).

However, the supremacy of state sovereignty is not universally accepted as an impediment to environmental protection. International law already includes principles that limit sovereignty. Following the **preventive action principle**, for example, a state cannot use its territory in a way that damages the environment of another state. It was politically endorsed in the Stockholm (1972) and the Rio (1992) Declarations (see **Summit diplomacy**), and legally recognized by the International Court of Justice (ICJ) (Sands 1995).

Moreover, international treaties qualify sovereignty rights by assigning specific obligations to states (Schrijver 1997). The **Law of the Sea Convention**, for example, extends sovereignty rights to 200 nautical miles from the coasts but provides for environmental duties. This led some legal experts to affirm that sovereign rights "over certain environmental resources are not proprietary, but fiduciary" (Sand 2004: 48). Here, sovereignty can be seen as a form of public trusteeship granted to states with specific obligations and limitations.

Other requirements also create conditions that push states toward cooperation and joint action. For instance, several environmental treaties prohibit trade with non-parties. The Montreal Protocol (see **Ozone regime**) bans imports, even from non-parties, of products containing substances that are harmful to the ozone layer. The **hazardous wastes regime** bans imports and exports of toxic wastes with non-parties. Consequently, a country whose firms produce sprays or process toxic wastes has a high incentive to respect these treaties (DeSombre 2005). Global interdependence prevents regulatory autarky.

With time, it appeared that sovereign rights could even consolidate environmental cooperation. As the **tragedy of the commons** suggests, a clear definition of rights can provide incentives for the **conservation and preservation** of natural resources. For example, the 1992 **biodiversity regime** and its 2010 Nagoya Protocol placed genetic resources under national sovereignty, rejecting the common heritage principle that was formerly found in the 1983 FAO International Undertaking on Plant Genetic Resources. Through their sovereign rights, states can now control access to their biodiversity and ask biotechnology **business and corporations** to compensate for the use of their national genetic resources.

Arguably, concerning **effectiveness**, states are often the best actors to enforce and control environmental measures. Not only are they able to impose regulations, levy taxes, offer subsidies, and define education programs, they also have the political and legal capacity to challenge actors that damage their natural resources. Fish stocks are unsustainably fished and extra-atmospheric space hazardedly over-polluted partly because of the lack of national sovereignty over these resources.

The debates between sovereignty as an obstacle or as a means for environmental protection could be somewhat resolved by breaking down the concept. Karen Litfin (1997) divides sovereignty into authority, control, and legitimacy. She argues that states engage in "sovereignty bargains" along these dimensions. For instance, tying emission targets to domestic ownership of green technology could increase autonomy but reduce legitimacy, while delegating emission targets to an internationally recognized scientific body (see **Boundary organizations**) could increase legitimacy but decrease autonomy. Here, sovereignty is not understood as an absolute attribute but as a multidimensional concept in constant flux, and in constant social redefinition (Conca 1994; Chayes and Chayes 1998; Hochstetler et al. 2000).

To further understand the complex interaction between the principle of sovereignty and environmental protection, it might be useful to differentiate environmental problems. The quality of scientific knowledge (see **Science**), the level of ecological interdependence, the availability of international institutions, and the type of natural resources might affect the desirability for a strong sovereignty norm and the bargains settled between sovereignty dimensions. One hypothesis is that the protection of local resources benefits from the direct involvement of transnational and supranational actors, whereas transboundary resources are better protected when states guard their sovereign rights.

References

- Chayes, Abram and Antonia H. Chayes. 1998. *The New Sovereignty: Compliance with Treaties in International Regulatory Regimes*. Cambridge, MA: Harvard University Press.
- Conca, Ken. 1994. "Rethinking the Ecology-Sovereignty Debate." *Millennium* 23(3): 701–711.
- DeSombre, Elizabeth R. 2005. "Fishing under Flags of Convenience: Using Market Power to Increase Participation in International Regulation." *Global Environmental Politics* 5(4): 73–94.
- Hochstetler, Kathryn, Ann Marie Clark, and Elisabeth J. Friedman. 2000. "Sovereignty in the Balance: Claims and Bargains at the UN Conference on the Environment, Human Rights, and Women." *International Studies Quarterly* 44(4): 591–614.
- Litfin, Karen T. 1997. "Sovereignty in World Ecopolitics." *Mershon International Studies Review* 41(2): 167–204.
- Sand, Peter H. 2004. "Sovereignty Bounded: Public Trusteeship for Common Pool Resources." *Global Environmental Politics* 4(1): 47–71.
- Sands, Philippe. 1995. *Principles of International Environmental Law*. Manchester: Manchester University Press.
- Schrijver, Nico. 1997. *Sovereignty over Natural Resources: Balancing Rights and Duties*. Cambridge: Cambridge University Press.
- Shadian, Jessica. 2010. "From States to Politics: Reconceptualizing Sovereignty through Inuit Governance." *European Journal of International Relations* 16(3): 485–510.
- United Nations World Commission on Environment and Development. 1987. *Our Common Future*. Oxford: Oxford University Press.

STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS

Jessica Templeton

London School of Economics and Political Science, United Kingdom

Adopted in 2001, the Stockholm Convention on Persistent Organic Pollutants (POPs) is a legally binding global agreement designed to protect human health and the environment from exposure to certain hazardous, transboundary chemical pollutants. POPs fall into three categories: pesticides, such as DDT (dichloro-diphenyl-trichloroethane);

industrial chemicals, such as the flame retardant PFOA (perfluorooctanoic acid); and unintended by-products of combustion and industrial processes, such as dioxins.

The concept of a POP is socially constructed; POPs include only those chemicals that are subject to long-range environmental transport and thus pose threats to human health and the environment on a global **scale** (Selin 2010). This characteristic necessitates global collective action to protect people from exposure to these substances, which tend to concentrate in the Arctic (Downie and Fenge 2003). POPs are also toxic, bioaccumulative (increasing in concentration as they move through the food chain), and persistent (breaking down very slowly in the environment).

Decisions to ban or limit production and use of POPs are based on **science**. Substances nominated for regulation are evaluated by the POPs Review Committee, a subsidiary body composed of thirty-one technical experts affiliated with parties to the Convention (see **Epistemic communities**). The committee reflects a variety of areas of expertise, as well as regional and gender diversity. Kohler (2006) argues that such diversity is essential to the perceived legitimacy of **boundary organizations** which work at the interface of science and policy.

The Stockholm Convention is one of three treaties that address global chemical pollution; the other two are the Basel Convention on **hazardous wastes** and the **Rotterdam Convention** on prior informed consent in trade. While these conventions are legally autonomous, an unprecedented "synergies" initiative by the **United Nations Environment Programme** has formalized administrative and programmatic linkages among them. The three **secretariats** have merged to increase administrative efficiency, and the biennial meetings of the Conferences of the Parties to the conventions are held back-to-back to enhance the cooperation of these instruments in overlapping areas of responsibility (see **Institutional interactions**). These changes have strengthened the vertical and horizontal linkages among the chemicals and wastes conventions, including through integration of technical assistance to developing countries to support implementation. However, strengthening linkages can also confuse issues and create obstacles to agreement; for example, when controversy in one forum spills over to another (Selin 2010) or when delegates engage in cross-treaty deal-making and brinksmanship (Allan et al. 2018).

