



The role of the subnational level of government in decision-making for sustainable development
A multi-level governance perspective

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February 2008 – Working Paper n°4

The Flemish Policy Research Centre on Sustainable Development is one of the 14 Centres for Policy Relevant Research that were established by the Flemish government in January 2007. These centres are financed for the period 2007-2011 and are expected to deliver a combination of short term and longer term policy relevant research in a wide range of policy fields. The Policy Research Centre for Sustainable Development gathers 4 research groups from 3 universities (GEGSD-KUL, HIVA-KUL, MEKO-VUB, CDO-UGent).

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This paper was written in the framework of project 4 ‘The Flemish Sustainable Development Policy and Multilateral Decision-Making’, by Karoline Van den Brande, Institute for International and European Policy, KULeuven

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1. Introduction

Since the publication of the Brundtland report *Our Common Future* by the World Commission on Environment and Development in 1987, the concept of sustainable development gained importance. In 1992, the focus shifted from defining the concept of sustainable development to shaping policies in order to achieve sustainable development worldwide. This policy shaping process received an important impulse from the UN Conference on Environment and Development (1992) and the World Summit on Sustainable Development (2002). Moreover, from 1993 on, the UN Commission on Sustainable Development gathers yearly to ensure an effective follow-up of the 1992 UN Conference on Environment and Development. Obviously, the shaping of sustainable development policy is a complicated task as it requires strong commitment from governmental as well as non-governmental actors at the global, the regional, the national, the subnational and the local level. Consequently, the decision-making process that lies behind the policy-making process is for the same reasons expected to be complex as it takes place in a so-called multi-level and multi-actor context.

This paper will focus on the process of decision-making for sustainable development. Decisions are understood as “choices of solutions that end some uncertainty or reduce contention” (Peterson and Bomberg, 1999, p. 4). The distinction with a policy becomes apparent by referring to Peterson and Bomberg’s definition of a policy. It is an “action (or inaction) by public authorities facing choices between alternative courses of public action” (Peterson and Bomberg, 1999, p. 4). Thereupon, the authors also add: “When *any* choice is made, the result is a decision. All policies are a product of decision about what to do, how to do it, and how to decide what to do. Decisions are the building blocks of policies” (Peterson and Bomberg, 1999, p. 4). In particular, this paper will examine the role of one kind of actor in the decision-making process, namely subnational governments or the subnational level of government. The involvement of subnational governments in decision-making for sustainable development is especially important, firstly because of their role in the implementation of sustainable development policy and secondly because of their proximity to citizens and other stakeholders (Berger and Pohoryles, 2004, p. 8).

First, we will frame the role of the subnational level of government by a theoretical model on decision-making in general. In this paper, we will analyse the applicability of multi-level governance as a model for framing decision-making on sustainable development. The choice for multi-level governance can be explained by the role it ascribes to subnational governments. Consequently, the first part of this paper consists of a thorough discussion on multi-level governance (in a EU context). Special attention will be given to the role of the subnational level of government according to multi-level governance, and in particular to the different channels of mobilisation available for subnational governments in order to influence European policy and decision-making.

Subsequently, the second part of the paper will go deeper into decision-making for sustainable development. First, the concept of sustainable development will be treated by discussing its definition and five policy principles. This first section is followed by a description of the multi-level and multi-actor characteristics of decision-making for sustainable development. A third section will focus on the institutions set up for achieving sustainable development. The last section will analyse the role of the subnational level of government and the various subnational channels for influencing decision-making on sustainable development at the European and the global level.

In a concluding section, we will look at the applicability of the model of multi-level governance to decision-making for sustainable development and at the role of the subnational level of government in it.

2. Multi-level governance

The concept of multi-level governance (MLG) is rather new in the study of politics and is often used in the context of EU policy and decision-making. As the concept cannot be discussed without acknowledging the concept of governance, we will first go deeper into the origin and the definition of governance. Subsequently, the origin and the definition of the concept of MLG will be handled. MLG is often considered as a new model for explaining and describing EU decision-making. For that reason, the next section will elaborate on the differences between MLG and state-centric governance, a model, together with neofunctionalism, normally used for analysing EU decision-making. As the main research question in this paper is which role the subnational level of government can play in decision-making for sustainable development, we will illuminate in the next section which role in decision-making MLG ascribes to the subnational level. Next, we will work out a first start for applying MLG to decision-making for sustainable development, by examining the analytical value of the concept. Finally, this first part will be concluded by the most important criticisms concerning the concept of MLG.

2.1 A changed way of governing

Before discussing the theoretical background of MLG, it is necessary to consider a debate that has received much attention in the theoretical literature on international relations the last twenty-five years, namely the debate on ‘governance’. Although some traditional definitions describe governance as a synonym for government, recent work redirected the definition (Rhodes, 1996, p. 652; Stoker, 1998, p. 17; Bursens and Helsen, 2001, p. 60). Many of these authors used the term to indicate a changed way of governing. According to Rhodes, for example, “governance signifies a change in the meaning of government, referring to a *new* process of governing; or a *changed* condition or ordered rule; or the *new* method by which society is governed” (Rhodes, 1996, p. 652-653). The concept is defined in many different ways. Marks and Hooghe, for example, define governance as “binding decision making in the public sphere” (Marks and Hooghe, 2005, p. 15). In general, authors agree, however, on blurring boundaries between and within the public and the private sector and on various governing actors influencing each other (Stoker, 1998, p. 17). Government, in contrast to governance, refers to “the formal institutions of the state and their monopoly of legitimate coercive power. (...) to the formal and institutional processes which operate at the level of the nation state to maintain public order and facilitate collective action” (Stoker, 1998, p. 17). Clearly, the debate on governance can be complemented with the debate on government versus governance or, differently put, the debate on the transition from government to governance, with the state not necessary as a unique actor anymore. Zijdeveld points in this context at the idea of the “democratic triangle” or a “welfare mix” which means that there has to exist a balance between state (government), market (economy) and civil society (Zijdeveld, 1999).

One of the many authors who discussed the distinction between government and governance is James Rosenau. According to Rosenau, the difference between the two has to be recognised to get a grip on the emerging demands for governance. Both government and governance enable citizens to pursue their preferences by exercising authority through rule systems. These rule systems, on the other hand, differ between government and governance. In a government context, rule systems are formal structures or institutions (such as sovereignty, constitutional legitimacy, laws, ...). Governance, by contrast, can comprise informal or formal rule systems (traditional norms and habits, informal agreements, shared premises, successful negotiations, (public-private) partnerships...) carried out by public or private actors (Rosenau, 2005, p. 31-32). Rosenau defines governance as follows: “governance

consists of rule systems that perform or implement social functions or processes in a variety of ways at different times and places (or even at the same time) by a wide variety of organizations” (Rosenau, 2005, p. 31).

To summarise, it can be interesting to look at the five complementary propositions on governance which Stoker presents (Stoker, 1998, p. 18):

1. “governance refers to a set of institutions and actors that are drawn from but also beyond government;
2. governance identifies the blurring of boundaries and responsibilities for tackling social and economic issues;
3. governance identifies the power dependence involved in the relationships between institutions involved in collective action;
4. governance is about autonomous self-governing networks of actors;
5. governance recognizes the capacity to get things done which does not rest on the power of government to command or use its authority. It sees government as able to use new tools and techniques to steer and guide.”

From all these definitions and propositions on governance we derive our own conception of governance. We take the definition of Marks and Hooghe, “governance as binding decision making in the public sphere”, as a starting point and, to be more comprehensive, we complete it with some specifications and with a few of the ideas previously explained. Firstly, we want to clarify how we interpret the term “binding”. From our point of view binding decision-making does not automatically have to be understood in the strict sense of taking decisions that can be enforced and sanctioned afterwards (hard law). Rather, binding decision-making, in our view, can refer to formal as well as informal declarations endorsed by decision-makers who consequently, to a certain degree, engage themselves based on these declarations. This kind of decision-making can be situated somewhere on the continuum between hard law and soft law with the latter being according to Francis Snyder “rules of conduct which in principle have no legally binding force but which nevertheless may have practical effects” (Snyder, in Trubek et al., 2005, p. 1). In addition, we see the public sphere as the sphere where decisions are taken, through the cooperation of governmental and non-governmental actors, such as civil society. Finally, decisions can result in law, but also in other kinds of rule systems, such as partnerships, declarations, agreements... To summarise, in this paper governance has to be interpreted as binding (not necessarily enforceable) decision-making in the public sphere which can involve governmental and non-governmental actors and results in formal or informal rule systems. In the next section, we will introduce the concept of MLG, bearing in mind the debate on governance .

2.2 Introduction to multi-level governance

The previous section has made clear that political science concentrated for a long time on formal institutions and on policy-making processes of states and governments. The debate on governance shed some new light on this traditional way of thinking. However, some policy problems demand a still more extended view on governance. For example, as the use of certain goods can lead to externalities occurring at various levels, from the global to the local level, governance at a single territorial level is not sufficient to manage this kind of problems. Internalizing these externalities requires governance at multiple levels (global, regional,

1 Though not elaborated in this paper, some authors have also developed typologies of governance (e.g., Rhodes, 1996, p. 653-659; Rosenau, 2005, p. 40-46).

national, subnational, local), including multiple jurisdictions² (Marks and Hooghe, 2005, p. 16). The kind of governance that, consequently, can be deduced³ is MLG which offers, in line with the debate on governance, a way of thinking about politics³ that moves beyond the traditional one (Bache and Flinders, 2005b, p. v).

The concept of MLG is introduced by Gary Marks when he tried to get a grip on the major 1988 reforms of the EU structural policy which implied a doubling of the allocations of structural funding for poorer EU member states (Marks, 1992). These reforms were introduced following the EU member states' agreement to the Single European Act (or the internal market programme) in 1987, to compensate poorer states for the expected negative consequences of this agreement. In order to spend the funds in an effective way, the European Commission proposed the governments of the member states to manage the funds through partnerships. These partnerships had to include representatives of actors from the various levels of governance⁴ involved in the process, namely actors from the national, the subnational (and/or the local) and the European level (supranational actors such as the European Commission) (Marks, 1992; Marks, 1993; Bache and Flinders, 2005c, p. 2-3). In one of his articles on structural policy,⁵ Marks consequently describes MLG as “a system of continuous negotiation among nested⁵ governments at several territorial tiers – supranational, national, regional, local – and as the result of a broad process of institutional creation and decisional reallocation that has pulled some previously centralised functions of the state up to the supranational level and some down to the local/regional level” (Marks, 1993, p. 392). Further on in this article, Marks adds that in this system of MLG “supranational, national, regional, and local governments are enmeshed in territorially overarching policy networks” (Marks, 1993, p. 401-402). We interpret a policy network here as “a cluster of actors, each of which has an interest, or “stake” in a given...policy sector and the capacity to help determine policy success or failure” (Peterson, 2003, p. 1). In this way, Marks⁶ also integrates insights from domestic politics, in particular from the policy networks approach⁶, in his description of MLG (Bache and Flinders, 2005c, p. 3). Bache and Flinders infer two dimensions from Marks' definition of the concept of MLG, namely a vertical and a horizontal one. The vertical dimension concerns the ‘multi-level’ component of the definition and refers to the “increased interdependence of governments operating at different territorial levels”, while the ‘governance’ component (horizontal dimension) focuses on the “growing interdependence between governments and non-governmental actors at various territorial levels” (Bache and Flinders, 2005c, p. 3).

² Marks and Hooghe summarize some of the advantages of multiple jurisdictions: more efficient; a better reflection of the heterogeneity of preferences among citizens; facilitate credible policy commitments; allow jurisdictional competition; and facilitate innovation and experimentation (Marks and Hooghe, 2005, p. 16).

³ In particular concerning EU policy and decision-making.

⁴ As a result of the debate on governance versus government, a distinction can be made between “levels of governance” and “levels of government”.

⁵ With this notion, Marks and Hooghe allude to a Russian Doll: each doll represents a jurisdiction of another territorial scale (of decreasing size) with non-intersecting membership boundaries (Marks and Hooghe, 2005, p. 16).

⁶ One of the main authors concerning this approach is Rhodes, whose work served as the basis for the development of the policy networks approach. Peterson and others applied Rhodes' model to EU policy and decision-making. Peterson and Bomberg also add that “... policy networks usually bring together a diverse variety of institutional actors ... and other ‘stakeholders’: private and public, national and supranational, political and administrative” (Peterson and Bomberg, 1999, p. 8).

Although we agree with Marks' interpretation of MLG, we prefer to use, in order to avoid confusion, another conceptual designation for the appellation of the different territorial levels of governance⁷. Combining all of the elements on governance and MLG elaborated above, we propose the following adopted definition of MLG:

*A system of continuous negotiation among nested governance systems at several territorial tiers - global, regional (e.g., European), national, subnational, local - which are enmeshed in territorially overarching policy networks and are the result of a broad process of institutional creation and decisional reallocation that has pulled some previously centralised functions of the state up to supra-national levels and down to sub-national levels.*⁸

The concept of MLG was thus developed in the context of theories about the EU as it became clear that it was a political organisation that had to be approached by new conceptual categories instead of the traditional ones (Bache and Flinders, 2005b, p. v-vi). More⁹ specifically, two trends, namely European integration and (downward) regionalisation, provoked the development of the concept. European integration resulted in a widening and deepening of EU policy-making, and consequently had an impact on the autonomy and the authority of EU member states (Hooghe and Marks, 2001, p. 1). Authority reallocated from state-level institutions to institutions at the European level in many key areas of policy-making. The second decisive development was regionalisation in many EU member states. This trend caused a down-ward shift of authority from the national to the subnational level of government (Hooghe and Marks, 2001, p. xi).

Hooghe and Marks state that both subnational empowerment and European integration have caused a decline in the authority of the central state in Western Europe and have consequently led to MLG. In this context, they claim an important role for human actors in decision-making. Starting from an actor-centred approach, Hooghe and Marks focus on the question why government leaders would allow a change in the locus of political authority to happen. According to them, this is possible in three cases: the desire to shift authority, the obligation to shift it or the loss of control over actors to which government leaders shifted authority before (Marks, 1997; Hooghe and Marks, 2001, p. 69-77). Government leaders may actually want to diffuse authority beyond their control. Some reasons can explain this desire. A first reason is the possible positive influence on their bargaining leverage in negotiations (domestic or international), as they are domestically limited by the veto capacity of subnational actors who have to approve the internationally made agreement. Moreover, a shift of authority over a particular policy area to another level (supranational or subnational) can be used to block the handling capacity of successors. Finally, government leaders may want to shift authority in order to strip themselves from the responsibility of taking decisions on critical policy problems (Marks, 1997; Hooghe and Marks, 2001, p. 71-74). In this context Hooghe and Marks also point at the fact that government leaders may sometimes want to shift authority to the European level in order to bypass subnational governments in decision-making. They may want to do this because national governments still dominate negotiations at

⁷ We prefer to divide the different territorial levels of governance in global, regional (in the case of this paper: European), national, subnational and local. Our choice will be elaborated later in this paper (p. 25).

⁸ The terms supra-national (in contrast to supranational) and sub-national (in contrast to subnational) will be used to explicitly point at all the levels of governance respectively situated above and below the nation-state.

⁹ Further on in this paper (p. 14), we make a distinction between downward and upward regionalisation.

the European level.¹⁰ Despite this, subnational governments may try to counter and bypass the nation-state in order to influence EU decision-making by mobilising through different kinds of channels (Marks, 1997; Hooghe and Marks, 2001, p. 77-78). Which channels they can use to mobilise at the EU level, will be discussed later in this paper. But government leaders can also - to a certain degree- be obliged to shift political authority in order to achieve other policy goals. The wish of government leaders to stay in power often necessitates to make compromises. An example is the choice between decision-making rules at the EU level where a trade-off can arise between holding on to unanimity in order to preserve national sovereignty or agreeing to the introduction of qualified majority voting on more policy issues in the Council of Ministers to facilitate reforms (Marks, 1997; Hooghe and Marks, 2001, p. 74-75). A last possible reason that could explain the fact that government leaders would allow a shift in political authority to happen, is that they (as principals) may have lost control over the behaviour of actors (agents) in supranational and subnational institutions to which they had diffused authority before (Marks, 1997; Hooghe and Marks, 2001, p. 75-77).

In the next section, we will focus on explaining and framing EU decision-making by MLG.

2.3 European Union Decision-Making

As pointed out above, Marks developed the concept of MLG in the context of the EU, in particular, its structural policy. Subsequently, he and other authors tried to apply the concept to EU decision-making in general, and more specifically to other EU policy areas. In order to apply MLG, many authors first opposed MLG to two models previously explaining EU decision-making and the nature and pace of European integration, namely neofunctionalism on the one hand, and state-centric and realist theories such as liberal intergovernmentalism (state-centric governance) on the other hand. Both models have contending views of EU decision-making and MLG offers a new way of thinking in between these two models. In this section we will focus primarily on the difference between state-centric governance or liberal intergovernmentalism and MLG and on the characteristics of both models determined by Hooghe and Marks and by Fairbrass and Jordan. In their research on MLG in the EU, Hooghe and Marks evaluated the validity of the two models by examining the policy process of the EU. Fairbrass and Jordan pointed at the explicit differences between state-centric governance and MLG as they examined the application of MLG to the EU environmental policy.

Before focusing on the differences between state-centric governance and MLG, it can be useful to briefly discuss the core aspects of the third model, namely neofunctionalism. This model, developed from the tradition on pluralism in international relations studies, offers a perspective from which supranational actors and organised interest groups (e.g., civil society) can play an important role in European integration (Bache and Flinders, 2005c, p. 2). Central in neofunctionalism is the concept of 'functional spill-over' or the idea that "one quasi-constitutional decision to integrate might 'spill-over' and provoke further, related acts of integration" (Peterson and Bomberg, 1999, p. 14). More concretely, the integration of one sector of the economy, would -assuming interconnectedness between different sectors- result into the integration of other functionally related sectors. From a neofunctionalist perspective, supranational actors and interest groups experiencing benefit from integration, would support European integration and push forward the European integration process. Moreover,

¹⁰ However, according to the Treaty establishing the European Community (Maastricht Treaty), national governments can be represented in the Council of Ministers (incl. Council working groups) by members of subnational governments as long as these representatives defend state interests (former art. 146 Maastricht Treaty; art. 203 according to new numbering Amsterdam Treaty) (Hooghe and Marks, 2001, p. 83).

neofunctionalism expects that supranational actors could use this process of economic integration to realise a spill-over with regard to the political integration process in the EU (George, 2005, p. 108-109). Neofunctionalist ideas have to be framed in a context of growing interdependence which governments increasingly have to take into account (Bache and Flinders, 2005c, p. 2).

The model of state-centric governance builds on the ideas of mainly intergovernmentalist authors.¹¹ In the context of the EU, this model claims that European integration and membership do not threaten the autonomy and sovereignty of a state. States (or national governments) only become member of the EU and devolve authority to the European supranational institutions in their own interest and to pursue the ultimate policy goals. So, states play a central role in the integration process and are considered as 'gatekeepers' which can resist integration and its unwanted consequences (Bache and Flinders, 2005c, p. 2). Moreover, according to the intergovernmentalists, decision-making in the EU is based on bargaining among the member states resulting in a lowest common denominator decision. This implies that decision-making on crucial issues takes place on the basis of unanimity. Finally, policy and decision-making is not free from domestic political pressures. Negotiating positions of national governments can be influenced by political interest groups nested within each negotiating state. So, contrary to realist assumptions of international relations, policy and decision-making among states does not take place in a political vacuum (Marks et al., 1996, p. 342-345; Hooghe and Marks, 2001, p. 1-3). To summarise, the state-centric model claims "that policy-making in the EU is determined primarily by national governments constrained by political interests nested within autonomous national arenas" (Marks et al., 1996, p. 342-345; Hooghe and Marks, 2001, p. 1-3).

In their article on MLG and environmental policy, Fairbrass and Jordan set out five guiding principles of this kind of state-centred theories that claim the nation-state as the most important actor in EU policy and decision-making. The first three principles are more or less similar to some of the characteristics which Hooghe and Marks point out, the two following principles complete their view. First, states determine the process of integration. Second, EU policy and decision-making result in lowest common denominator outcomes of state preferences. Third, states are rational, self-interested actors whose first task is to aggregate preferences of societal forces. Subsequently, these preferences are negotiated between states at the international level. Fourth, in spite of subnational lobbying, national channels of representation remain the most important ones. Finally, the state is strengthened by the EU integration process as it can help the state in bypassing domestic opposition concerning certain internally sensitive issues (slack cutting) (Fairbrass and Jordan, 2005, p. 152-153).

Opposed to the state-centric model, Hooghe and Marks consider the MLG model¹². One of the central claims of the model is that European integration has diminished the dominant role of the state in policy and decision-making at the EU level. Starting from the MLG model, three essential elements can be elaborated. A first one has already been mentioned: it poses that the state no longer plays a dominant role in decision-making but has to share its decision-making competences with different actors at different levels. In this context Hooghe and Marks point at the influence and role of supranational EU-level institutions such as the European Parliament, the European Commission, and the European Court of Justice. Moreover, decision-making among states has to be collective which leads to less control for national

¹¹ Such as Caporaso, Garrett, Hoffman, Keeler, Milward, Moravcsik, and Taylor.

¹² Hooghe and Marks have drawn the model from several strands of writing (e.g., Börzel, Caporaso, Hooghe, Jachtenfuchs, Keeler, Kohler-Koch, Leibfried, Marks, Pierson, Risse-Kappen, Sbragia, Schmitter, Scharpf, and Tarrow).

governments, zero-sum decisions and consequently gains and losses for individual states. Finally, the MLG model considers subnational actors not only as nested within national states, but also as actors operating in interconnected national and supranational political arenas, meanwhile creating transnational associations. In the MLG model the domestic and the international arena are not separated and as Hooghe and Marks put it: “National governments are an integral and powerful part of the EU, but they no longer provide the sole interface between supranational and subnational arenas, and they share, rather than monopolise, control over many activities that take place in their respective territories” (Marks et al., 1996, p. 342-347; Hooghe and Marks, 2001, p. 1-4).

Fairbrass and Jordan highlight four features of MLG. A first one is mobilisation of subnational actors who aim at communicating directly with policy-makers at the level of the EU. This subnational mobilisation can be explained by the potential rewards actors can acquire at the EU level. Moreover, decision-making has become complex, uncertain and contested which leads to uncertainty about which level of governance can influence the policy process the most. Hence, both the national and the supranational level of governance become important for subnational actors to stay in contact with. From a MLG perspective a role is also put aside for supranational actors such as the European Commission, the European Parliament, the European Court of Justice, etc. Their role can be decisive and proactive (entrepreneurial) and they can also play an alliance building role. Finally, MLG seems to lead to unintended outcomes and learning. States can not predict outcomes anymore and for that reason they loose their grip on policy-making in the EU and they have to share control over policy-making. However, the state keeps some kind of control at the policy implementation stage because it can define the budget of its subnational governments. In this way, the state can still act as “an extended gatekeeper” (Fairbrass and Jordan, 2005, p. 150-152).

Table 1 summarises the different features of state-centric governance in contrast to MLG, pointed out by Hooghe and Marks and by Fairbrass and Jordan. In the next section of this paper, we will discuss the role MLG attributes to the subnational level.

Table 1 State-centric governance vs. multi-level governance

	STATE-CENTRIC GOVERNANCE or LIBERAL INTERGOVERNMENTALISM	MULTI-LEVEL GOVERNANCE
European integration and (downward) regionalisation	<ul style="list-style-type: none"> ▪ form no threat for state-autonomy or state-sovereignty 	<ul style="list-style-type: none"> ▪ led to a reallocation of authority ▪ have diminished the dominant role of the state ▪ led to a loss of grip and control of the state on policy and decision-making
	<ul style="list-style-type: none"> ▪ states only become EU-member out of own interests and to pursue their own goals ▪ the state determines the EU-integration process ▪ EU-integration can strengthen the state through the bypassing of domestic/-subnational opposition 	<ul style="list-style-type: none"> ▪ /

EU policy and decision-making	<ul style="list-style-type: none"> ▪ bargaining among member states ▪ determined by national governments and their preferences 	<ul style="list-style-type: none"> ▪ negotiations among nested governments and non-state actors at several territorial ties (supranational, national, subnational, local)
	<ul style="list-style-type: none"> ▪ lowest common denominator decisions ▪ on crucial issues: based on unanimity 	<ul style="list-style-type: none"> ▪ collective, complex, uncertain and contested ▪ unintended and unpredictable outcomes ▪ zero sum decisions
	<ul style="list-style-type: none"> ▪ the state is the most influencing level of governance 	<ul style="list-style-type: none"> ▪ lack of clarity about the most influencing level of governance
The state	<ul style="list-style-type: none"> ▪ dominant role ▪ most important actor ▪ rational and self-interested 	<ul style="list-style-type: none"> ▪ no dominant role ▪ sharing of control and decision-making competences with different actors at different levels of governance
	<ul style="list-style-type: none"> ▪ most important interface between supranational and subnational arenas 	<ul style="list-style-type: none"> ▪ no longer sole interface between supranational and subnational arenas
	<ul style="list-style-type: none"> ▪ but: not free from domestic political pressures (no political vacuum), the state aggregates preferences of societal forces 	<ul style="list-style-type: none"> ▪ but: “extended gatekeeper”
Supranational actors	<ul style="list-style-type: none"> ▪ no important role for supranational actors ▪ supranational actors are assigned by the member states 	<ul style="list-style-type: none"> ▪ decisive, ▪ proactive (entrepreneurial), and ▪ alliance building role
Subnational actors	<ul style="list-style-type: none"> ▪ subnational lobbying 	<ul style="list-style-type: none"> ▪ subnational mobilisation
	<ul style="list-style-type: none"> ▪ national channels most important ▪ political interest groups influence negotiating position of national governments (domestic political pressure) 	<ul style="list-style-type: none"> ▪ stay in contact with both the national as the supranational level of governance

2.4 The role of the subnational level in multi-level governance

MLG clearly ascribes an important role to subnational actors. In the following two sections we will focus on the role of the subnational level of government in EU policy and decision-making, according to MLG. More specifically, we will discuss the different channels through which subnational governments try to influence EU policy and decision-making, usually referred to as channels for subnational mobilisation.

2.4.1 The subnational level

One of the two trends that provoked the development of the concept of MLG, as elaborated in the beginning of this paper, is (downward) regionalisation. Before embarking on the involvement of the subnational level of government in EU policy and decision-making, it is necessary to clarify how we understand and use the notions ‘regionalisation’, a ‘region’, ‘regional’ and ‘subnational’ in this paper.

‘Region’ and ‘regionalisation’ are terms that can be interpreted from two different perspectives. Researchers at the United Nations University-Comparative Regional Integration Studies (UNU-CRIS), for example, state that regionalisation “denotes the (empirical) process

that leads to patterns of co-operation, integration, complementarity and convergence within a particular cross-national geographical space” (UNU-CRIS, 2007). Consequently these researchers interpret a region as “a territorially based subsystem of the international system”. In this way a region can be situated between the level of the nation-state and the global level. This reasoning is in line with how the UN system classifies its member states. Depending on the intended use, the UN has divided the countries of the world in different regions. For example for statistical use, the UN Statistical Division distinguishes six geographical (continental) regions and sub-regions, namely Africa¹³, Asia¹⁴, Europe¹⁵, Latin America and the Caribbean¹⁶, Northern America and Oceania¹⁷ (United Nations Statistics Division, 2007). Another example are the five regional commissions¹⁸ (subsidiary bodies) of the Economic and Social Council (ECOSOC) of the UN (ECOSOC, 2007). A last example is the unofficial and geopolitical division of the UN into five regional groups¹⁹ used for instance for candidacies and elections (UNEP, 2007, p. 78). The UNU-CRIS authors also use a typology that distinguishes between micro-regions (subnational and below the nation-state), cross-border regions, macro-regions (supra-national and above the nation-state). As the micro-region and macro-region are the most relevant ones in this context, we will only cite the definition of these two kinds of regions: a micro-region is “a territorial area that is smaller than the state to which it belongs” (for example Flanders, North Rhine-Westphalia, Catalonia...) and a macro-region is “a large territorial unit comprising different states” (for example the EU, Mercosur...) (Tavares, 2004; UNU-CRIS, 2007).

In contrast to this group of researchers, other authors conceive a region as situated between the national and the local level and consequently regionalisation as a top-down phenomenon. For example, according to the literature on MLG, regionalisation is a trend that caused a downward shift of authority from the national to the subnational level of government. In line with this reasoning, Keating states about a region that:

“It takes different forms in different places and refers to a variety of spatial levels. Moreover, in most states, the region is a contested area, both territorially and functionally. Spatially, it exists somewhere between the national and the local and is the scene of intervention by actors from all levels, national, local, regional and now supranational. Functionally, it is a space in which different types of agency interact and, since it is often weakly institutionalized itself, a terrain for competition among them” (Keating, 1997).

Another interesting example is the definition of a region according Olaf Tauras in which he refers to the different levels of governance. He defines a region as:

¹³ Eastern Africa, Middle Africa, Northern Africa, Southern Africa and Western Africa.

¹⁴ Eastern Asia, South-Central Asia, South-Eastern Asia and Western Asia.

¹⁵ Eastern Europe, Northern Europe, Southern Europe and Western Europe.

¹⁶ Caribbean, Central America and Southern America.

¹⁷ Australia, New Zealand, Melanesia, Micronesia and Polynesia.

¹⁸ UN Economic Commission for Africa (UNECA), UN Economic and Social Commission for Asia and the Pacific (UNESCAP), UN Economic Commission for Europe (UNECE), UN Economic Commission for Latin America and the Caribbean (UNECLAC), UN Economic and Social Commission for Western Asia (UNESCWA).

¹⁹ African Group, Asian Group, Central and Eastern Europe Group (CEE), Latin American and Caribbean Group (GRULAC), Western European and Others Group (WEOG).

“An area where a system of governance exists and which is the largest and first level of political subdivision within an individual state, represented by the UN, but which is above the municipal level”
(Taurus, in Catenacci, 2007, p. 7).

Despite the possible confusion concerning the interpretation of the notion ‘region’, the literature on MLG is mixed regarding the use of ‘regional’ or ‘subnational’ to indicate the level of governance situated below the nation-state. In order to avoid confusion when discussing the different levels of governance, we will opt for the use of the notions ‘subnational entity’, ‘subnational’ and ‘inter-subnational’ instead of ‘region’, ‘regional’ and ‘inter-regional’. We will only use the latter while quoting other authors. ‘Inter-regional’ and ‘inter-subnational’ will be used to refer to, for example, associations, networks, agreements, communications... between respectively regions or subnational entities. Table 2 gives a brief overview of this terminological clarification. The notion ‘regionalisation’ will still be applied²⁰, but we will distinguish between upward and downward regionalisation. The former refers to the interpretation of, for example, the researchers of UNU-CRIS, the latter refers to the trend that caused a downward shift of authority from the national to the subnational level of government.

Table 2 Terminological clarification

ABOVE THE NATION-STATE	BELOW THE NATION-STATE
a region	a subnational entity
regional	subnational
inter-regional	inter-subnational
(upward) regionalisation	(downward) regionalisation

In the next section we will focus on the role put aside for the subnational level of government in MLG²¹. As indicated above, the main claim of MLG is that the subnational level of government has to be involved in EU policy and decision-making. For instance because of the role of subnational governments in implementing decisions. We will mainly describe the different channels used by subnational governments to mobilise at the different levels of government in order to influence and consequently to get involved in policy and decision-making at the level of the EU.

2.4.2 Subnational mobilisation

As a consequence of the processes of European integration and (downward) regionalisation a new phenomenon arose on the international scene, namely subnational mobilisation (above also mentioned as one of the characteristics of MLG). Subnational actors (governments,

²⁰ Because of the less obvious meaning of the (non-existing) notion ‘subnationalisation’.

²¹ Our focus will be on the subnational level of government. In this paper, no attention will be given to mobilising channels of other, non-governmental, actors.

interest groups, NGOs, businesses...) try to influence policy and decision-making at the European and the international level by engaging in direct exchange with supranational EU institutions and global organisations (and vice versa) (Hooghe, 1995, p. 2; Fairbrass and Jordan, 2005, p. 150; Peters and Pierre, 2005, p. 75). As our focus will be on subnational governments, subnational mobilisation can be interpreted as a form of response of subnational governments to the traditional and dominant way of representation, namely through state executives. The three different models on the functioning of the EU approach subnational mobilisation in the EU in a different way. The state-centric model claims a “Europe des patries”, the supranational model (neofunctionalism) claims a “Europe of the Regions” and finally the MLG model claims a “Europe with the Regions” (Hooghe, 1995, p. 2-8).

Many authors have already discussed subnational mobilisation, the impact and the role of subnational governments’ mobilisation and the ‘regional dimension’ (the third level) of the EU (Hooghe, 1995; Hooghe and Marks, 1996; Jeffery, 1997; Bomberg and Peterson, 1998; Jeffery, 2000; Hooghe and Marks, 2001; Marks et al., 2002). Interesting to note is the way in which Jeffery tries to address some of the shortcomings of MLG, namely the limited attention that is paid to the ‘bottom-up’ mobilisation of subnational actors, by providing a new concept: “European domestic policy” (Jeffery, 2000, p. 9). With this notion Jeffery wants, first, to point at the circumstances in which subnational governments try to gain access at the EU level, second, to punctuate the range of policy sectors where these governments want access and third, to differentiate between member states concerning the scope and the intensity of the subnational mobilisation (Jeffery, 2000, p. 11). As an extensive overview of all the literature on subnational mobilisation and the ‘regional dimension’ of the EU falls outside the purpose of this paper, we will limit ourselves to an enumeration of the most important channels which subnational governments use -since the beginning of the 1980s- to access and influence policy and decision-making in the EU. In general, a multiplication of channels for mobilisation of subnational governments is notable (Hooghe and Marks, 2001, p. 81). But before, we need to emphasise that these channels can vary from country to country and are dependent on the subnational government and that using these channels doesn’t automatically lead to access and influence (Hooghe and Marks, 2001, p. 78 & 81). As Hooghe and Marks summarise it, “some are open to almost all regions and localities, while others are only for the strongest; some provide powerful levers for political influence, while others are mainly symbolic” (Hooghe and Marks, 2001, p. 81).

In general, many authors make a distinction between three kinds of channels for subnational governments to influence EU policy and decision-making: institutionalised channels in the European arena, institutionalised channels in the national arena and non-institutionalised channels (Hooghe, 1995; Bomberg and Peterson, 1998). Institutionalised channels in the European arena consist of directly connecting with the European Commission (more specifically, the EU commissioners); participating in the Committee of the Regions; influencing European Members of Parliament; and campaigning for direct representation in the Council of Ministers (art. 203, former art. 146) (Hooghe, 1995, p. 10-16; Hooghe and Marks, 1996, p. 75-82; Marks, 1997, p. 31-32; Bomberg and Peterson, 1998, p. 223-227; Hooghe and Marks, 2001, p. 78 & 81-86). In addition, subnational governments can influence EU policy and decision-making through institutionalised channels in the national arena, for example through the mandatory approval of treaty revisions; by attaching a subnational observer to the permanent representation of the member state; by participating in the European Council and Commission working groups; by establishing subnational electoral districts for European parliamentary elections; and by staying informed about upcoming EU initiatives by the central government (Hooghe, 1995, p. 17-20; Marks, 1997, p. 31-32; Bomberg and Peterson, 1998, p. 227-228; Hooghe and Marks, 2001, p. 78). Finally, subnational governments can also try to influence EU policy and decision-making through non-

institutionalised or rather informal channels. In this context the establishment of subnational offices (in Brussels) and the creation of inter-subnational networks (and associations) are most often mentioned. By forming networks, subnational governments try to build coalitions with actors who share the same goals concerning a specific policy area. Traditional examples of such associations are the Assembly of the European Regions and the Council of European Municipalities and Regions (Hooghe, 1995, p. 21-33; Hooghe and Marks, 1996, p. 82-90; Marks, 1997, p. 31-32; Weyand, 1997; Bomberg and Peterson, 1998, p. 228-231; Hooghe and Marks, 2001, p. 78 & 86-89; Kern and Löffelsend, 2004). All the subnational channels for influencing EU policy and decision-making which are mentioned above, are presented in table 3.

Table 3 Subnational channels for influencing EU policy and decision-making

INSTITUTIONALISED CHANNELS IN THE EU ARENA	INSTITUTIONALISED CHANNELS IN THE NATIONAL ARENA	NON-INSTITUTIONALISED CHANNELS
<ul style="list-style-type: none"> ▪ connecting directly with the European Commission ▪ participating in the Committee of the Regions ▪ influencing European Members of Parliament ▪ campaigning for direct representation in the Council of Ministers (art. 203, former art. 146) ▪ ... 	<ul style="list-style-type: none"> ▪ mandatory approval of treaty revisions ▪ attaching a subnational observer to the permanent representation of the member state ▪ participating in the European Council and Commission working groups/parties ▪ establishing subnational electoral districts for European parliamentary elections ▪ staying informed on upcoming EU initiatives by the central government ▪ ... 	<ul style="list-style-type: none"> ▪ establishment of subnational offices (in Brussels) ▪ creation of inter-subnational networks (and associations) ▪ ...

Concerning these channels to influence EU policy and decision-making, some remarks have to be made. According to Bomberg and Peterson, the extent to which these channels are used by subnational governments varies in accordance with the degree of their constitutional strength. Constitutionally powerful subnational governments seem to work through formal channels, while weaker ones make more easily use of informal channels, such as coalition building (Bomberg and Peterson, 1998, p. 231-232). Jeffery made an assessment of all different forms of extra-state (through EU or informal channels) mobilisation and distinguished five categories: “their time has not yet come” (the Committee of the Regions); “their time has gone” (the pro-subnational lobby, i.e. the Assembly of the European Regions); “they are dependent on the central state” (inter-subnational associations aiming to receive EU funding); “they are actually a part of the intra-state decision making process” (subnational offices and access to the Council of Ministers); and “their impact is long term and diffuse” (subnational offices and inter-subnational associations) (Jeffery, 2000, p. 4-5). In sum, Bomberg and Peterson summarise the role of subnational governments in EU policy and decision-making by means of three statements. First, the impact of subnational governments at the level of the EU can only be partly declared by their constitutional power and the available formal channels of influence. Second, although before mainly the ‘post-decision’ stage of the EU policy process was susceptible for subnational governments, recently they also play an important role at influencing the early stages of the policy process. Third, the impact of subnational governments is largest by building coalitions with like-minded actors (Bomberg and Peterson, 1998, p. 234-235).

2.5 Analytical value

As we have mentioned in the section on EU decision-making, much research has already been done on the explanatory value of MLG in comparison with its most obvious opponent, liberal intergovernmentalism (or state-centric governance), by applying both on particular EU policy

areas (Fairbrass and Jordan, 2005, p. 148-149). The applicability of MLG²² has been, for example, researched and confirmed in relation to the EU cohesion policy, structural policy, environmental policy, etc. (Bache and Flinders, 2005b). However, many authors have pointed at the less easy application of MLG in policy areas that are generally recognised as ‘high politics’, such as economic policy. Bache and Flinders sketched out a number of findings in this context. They argue that MLG is more prominent in policy areas that are usually characterised as ‘low politics’ or that attract less interest from state actors. Moreover, although policy implementation needs involvement from decentralised actors, the impact and role of central actors as ‘gatekeepers’ cannot be neglected. Finally, MLG can cause unintended consequences which are beyond state control (Bache and Flinders, 2005a).

Clearly, the usability of the concept of MLG as an analytical tool can be questioned. Bursens and Helsen distinguish three different approaches concerning the analytical value of MLG. For some authors, MLG has much analytical value. They claim that MLG at least makes it possible to describe in detail the everyday business of the EU. In some cases, they even use MLG to explain EU decision-making. In contrast to these “believers”, other authors refuse to see MLG as a model to describe and explain policy processes. Finally, there are some authors who can be situated in between. Those authors fear an overestimation of the analytical value of the concept. According to them, MLG can be used as a conceptual model, but has to be rejected for making detailed descriptions or explanatory models (Bursens and Helsen, 2001, p. 62). Bursens and Helsen consider MLG as “an optical device to look at reality” (Bursens and Helsen, 2001, p. 63). By using this concept, they are more attentive to the multi-level aspects of a political system and the way of decision-making in that system. This viewpoint makes it possible to conceptualise different political systems (at different levels of government) concerning their multi-level structure and their governance characteristics (such as the involvement of non-governmental actors) (Bursens and Helsen, 2001, p. 63). However, to explain some situations or phenomena in the EU or in Belgium, according to Bursens and Helsen, more is needed than a conceptualisation by means of the MLG concept. For this reason they try to complete the concept by adding another theoretical framework, in their case (historical) new-institutionalism (Bursens and Helsen, 2001, p. 63). Later on in this paper, we will elaborate on the applicability of MLG to decision-making processes concerning sustainable development. But to conclude this theoretical part on MLG, we will discuss in the next section the most common criticisms concerning the use of MLG.

2.6 Criticisms

The newly introduced concept of MLG has not remained without criticisms. One of the authors who have outlined the most common criticisms on MLG, is Andrew Jordan. He mainly criticises the usefulness of MLG as a theory to explain European integration and the place MLG puts aside for different actors.

²²

To apply the concept to EU decision-making, Marks and others combined insights from both domestic and international approaches to politics. As a result, overlaps emerged with approaches of other scholars concerning for example research on governance in domestic and international studies and on the ‘multi-level’ aspect which was already elaborated by scholars studying intergovernmental relations within states. Moreover these developments and processes of policy and decision-making are also described by other concepts which all aim to explain the vertical and horizontal dispersion of central government authority (Bache and Flinders, 2005c, p. 2-4). Examples of these concepts are multi-tiered governance, polycentric governance, multi-perspective governance, ‘functional, overlapping competing jurisdictions’, fragmentation (fragmentation + integration) and Rosenau’s concept ‘spheres of authority’.

As for the former, Jordan states that MLG is not in particular a new 'theory', but a mixture of existing theoretical assertions on the EU. It also has no causal motor of integration or a set of testable hypotheses and in this way, it does not give an explanation of the emergence of MLG in the EU. Instead, it describes alterations in European governance and is used only as a framework (a metaphor) by some authors. For these reasons, many authors complete the concept of MLG with other theories, most commonly with new-institutionalist (historical, sociological and rational) theories. Moreover, MLG is especially applicable to policy areas with reallocating consequences (and which try to strengthen non-state actors' power). Consequently, critics emphasise that more attention has to be devoted to essential structures and major policy decisions.

In the matter of the role of different actors, MLG attributes a too extensive role to subnational and supranational actors. By overstating their role, MLG neglects the role of the central state as a post-decisional gatekeeper and creator of politics. Moreover, MLG seems to neglect other subnational actors (such as pressure groups) than subnational governments. MLG also assumes subnational governments to achieve power passively directly from the nation-state or from the EU, rather than approaching these actors from a bottom-up perspective (as actors trying to achieve power autonomously). In this context, Jordan remarks that subnational mobilisation does not necessarily imply subnational influence on policy outcomes. Finally, MLG overlooks the influence exercised by actors at the global level and, in this way, the international drivers of EU policy. More applied, this results in questions about which actors should represent the EU in international forums (Jordan, 2001, p. 201-202; Fairbrass and Jordan, 2005, p. 152 & 164). This is especially important for decision-making on sustainable development because sustainable development is a policy area for which a significant part of the policy debate is situated at the global level (UN, OECD...).

In addition to Jordan's, we can point at Rosenau's critique in which he calls the concept of MLG misleading and imprisoning. According to him, MLG is -among other things- not elaborated enough to analyze the complexities of the emergent political world. He claims that the scope of MLG is too narrow because it does not include all 'spheres of authority' on the global stage (Rosenau, 2005, p. 39). Moreover, Rosenau qualifies the concept of MLG as exclusively referring to the levels of government and in this way not as a precursor of transnational civil society (Rosenau, 2005, p. 31-32). Rosenau himself approaches contemporary governance by using the notion 'spheres of authority', which can be found in both formal and informal rule systems (Rosenau, 2005, p. 32).

2.7 Conclusion

The main question of this paper concerns the role of the subnational level of government in decision-making for sustainable development. As our aim is to answer this question from a MLG perspective, we need to test the applicability of MLG on decision-making in the area of sustainable development policy. Therefore we first examined MLG as a perspective from which decision-making in general can be explained. A first step was introducing the concept of MLG by discussing the debate on governance and the concept of MLG itself. Out of this discussion, we formulated a definition of MLG which will serve as the thread for the rest of this paper. Afterwards we analysed MLG and state-centric governance as two contrasting models for explaining EU policy and decision-making. From this analysis, we inferred different features of MLG concerning European integration and (downward) regionalisation, EU policy and decision-making and the role of the state, supranational actors and subnational actors. The importance which MLG ascribes to the subnational level in general can be deduced from the definition of MLG. In particular, it concerns the need to involve the subnational level of governance in policy and decision-making. The discussion on the subnational level of government and subnational mobilisation made clear that subnational governments themselves

try to get involved in EU policy and decision-making. For this purpose, they use different kinds of institutionalised and non-institutionalised channels. However, MLG is a concept and a model that has evoked many criticisms concerning, for example, its analytical value and its applicability.

In the next part, we will discuss decision-making for sustainable development in order to apply MLG to it. Following Bursens and Helsen, we will start from the idea of MLG as a conceptual framework (keeping the middle between ‘believers’ and ‘non-believers’ of the analytical value of MLG). More specifically we will apply MLG as a perspective from which decision-making processes with regard to sustainable development can be conceptualised. Therefore, attention will be given to the multi-level structure and the governance characteristics of the decision-making processes on sustainable development.

3. Decision-making for sustainable development

In order to apply MLG to decision-making for sustainable development and to analyse the role of the subnational level of government, it is necessary to first elucidate sustainable development and its main characteristics in detail. For this reason, the core of the first section will be a discussion of sustainable development, more in particular its definition and five policy principles. Thereafter, we will consider some important conditions for achieving sustainable development. In this second section, the focus will be on the multi-level and multi-actor characteristics of decision-making for sustainable development. The third section will elaborate on institutions set up for achieving sustainable development, as this is one of the ways by which commitment to sustainable development is often shown. Before giving an overview of some of the institutions for sustainable development at the global, the regional (in the case of this paper: European), the national, the subnational and the local level, it will be necessary to first clarify our understanding of an “institution” and of the different levels of governance which we will distinguish in this paper. In the fourth and last section of this paper, we will analyse the role of the subnational level, in particular subnational governments, in decision-making for sustainable development. In line with our discussion on MLG, this section will conclude with an overview of the different channels subnational governments can use to influence decision-making at the international (European and global) level.

3.1 Sustainable development

Twenty years after the introduction of the concept of sustainable development as a guiding policy principle by the Brundtland Commission²³ (1987), a world without cannot be imagined. The concept is now broadly used by various actors (governmental, non-governmental, academic...) at different levels (global, regional, national, subnational, local) in many contexts (policy and decision-making, negotiations, development aid, academic literature...) and in both industrialised or developed as industrialising or developing countries. Although sustainable development is defined in various ways, the most commonly accepted and used definition is the one of the Brundtland Report, *Our Common Future*. This report defines sustainable development as follows:

“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts:

²³

Also referred to as the World Commission on Environment and Development.

- the concept of 'needs', in particular the essential needs of the world's poor, to which overriding priority should be given; and
- the idea of limitations imposed by the state of technology and social organisation on the environment's ability to meet present and future needs (WCED, 1987, p. 43).

Following the UN Conference on Environment and Development²⁴ (UNCED; usually called the Rio Conference) in 1992, the definition of sustainable development became more policy-oriented. Central to that definition was the integration of environmental, economic and social goals and reaching a balance between these goals (Bruyninckx, 2006, p. 268). These three goals are commonly referred to as the three dimensions of sustainable development. Some authors add a fourth dimension, namely the institutional dimension²⁵. According to Valentin and Spangenberg, this dimension refers to the institutions²⁵ of society and indicates human interaction and the rules by which society is guided (Valentin and Spangenberg, 2000, p. 382). This fourth dimension turned out to be very important in the context of the operationalisation of *Agenda 21*, in particular for the development of indicators for measuring its implementation (Spangenberg et al., 2002, p. 62-63).

As many authors have already elaborated on the definition²⁶ and the history²⁷ of the concept, we will not outline these in detail. To make the reader familiar with the concept, we will instead focus briefly on some important guidelines proper to sustainable development policy. These policy guidelines can be inferred from the report *Our Common Future* (WCED, 1987) and from *Agenda 21* (UNCED, 1992a) and they have emerged since the Rio Conference as general policy guidelines for many international negotiations. Many of these guidelines are developed differently in various policy texts, but Bruyninckx accentuates five of which a general consensus exists (Bruyninckx, 2006, p. 268-269).

A first important policy guideline is integration which can be subdivided in horizontal and vertical policy integration. Horizontal policy integration aims to emphasise that effective sustainable development policy will only be reached if all policy domains are involved and taken into account during policy-making. Vertical policy integration puts the coherence between the different levels of policy-making and implementation centrally. Different actors at different levels (global, regional, national, subnational, local) of policy-making have to be involved in the policy process. A second policy guideline stresses the importance of equity or "both production and consumption have to be based on a more equitable distribution of costs and benefits associated with them" (Bruyninckx, 2006, p. 269). Intergenerational solidarity is a third policy guideline which is more focused on long-term planning and the necessity for policy-makers to take into account next generations. A fourth policy guideline refers to the externalities accompanying the production of goods and the internalisation of social and environmental costs in the market price of the good. As the market price of a good not always reflects the real costs of production, this can result in price distortions and wrong price signals to the consumers of those products. A last policy guideline Bruyninckx accentuates, is

²⁴ Important outcomes of UNCED where the Rio Declaration on Environment and Development, Agenda 21, the Convention on Biodiversity, the Convention on Climate Change, the Convention on Desertification and the Declaration on Sustainable Forest Management.

²⁵ Later on in this paper, some possible definitions of an institution will be discussed, together with the way an institution will be understood in this paper.

²⁶ On the definition of the concept (see e.g., Glasby, 2002; Zaccai, 2002; Lafferty, 2004; Bruyninckx, 2006; Haque, 2006).

²⁷ On the history of the concept (see e.g., Lafferty and Meadowcroft, 2000; Zaccai, 2002; Nierynck et al., 2003; Bruyninckx, 2006; Dwivedi and Khator, 2006).

participatory policy-making. More participation by non-governmental actors can serve as an instrument to improve and ease policy-making and implementation. This guideline also contains a normative component. A policy-making process that can count on the participation of the citizens and social groups will be considered more legitimate (Bruyninckx, 2006, p. 268-269).²⁸ To conclude, it is also important to mention the seventh Rio-principle on *common but differentiated responsibilities*. This principle is especially relevant in the context of North-South relations and argues that developed countries have to recognise their responsibility in aiming for sustainable development worldwide as their societies burden the global environment (UNCED, 1992b).

In the next section we will go deeper into some significant conditions for achieving sustainable development. The focus will be on the multi-level and multi-actor characteristics of decision-making for sustainable development.

3.2 Achieving sustainable development: multi-level and multi-actor

According to the *Johannesburg Declaration on Sustainable Development*²⁹ (art. 19), decision-making for sustainable development has to deal with cross-border and global problems, such as: “chronic hunger; malnutrition; foreign occupation; armed conflict; illicit drug problems; organized crime; corruption; natural disasters; illicit arms trafficking; trafficking in persons; terrorism; intolerance and incitement to racial, ethnic, religious and other hatreds; xenophobia; and endemic, communicable and chronic diseases, in particular HIV/AIDS, malaria and tuberculosis” (UN, 2002, p. 3). Moreover, the *Johannesburg Declaration* states (art. 5) that tackling these problems is a collective responsibility and has to take place at the local, (subnational,) national, regional and global levels (UN, 2002, p. 1). At the global level, a key role is put aside for international and multilateral institutions and especially for the UN as a promoter of sustainable development (UN, United Nations (UN), 2002, p. 4-5 (art. 31-32)). Yet, other levels, in particular the national one, play a vital role and they cannot be disconnected from each other. In this context, the preamble of *Agenda 21* states (art. 1.3.) that international cooperation should support and supplement the efforts of (national) governments which are first and foremost responsible for the successful implementation of sustainable development (UNCED, 1992a).

So, for achieving sustainable development, action has to be undertaken at the global as well as at the regional, the national, the subnational and the local level. But sustainable development not only has to be ‘multi-level’, it also has to be ‘multi-actor’. The participatory principle suggests that policy and decision-making for sustainable development require the involvement of both governmental actors and non-governmental actors (e.g., civil society). Moreover, also the *Rio Declaration*, *Agenda 21* and the *Johannesburg Declaration* clearly emphasise the role of these actors. In the context of sustainable development these actors are often referred to by the term ‘major groups’, including women; children and youth; indigenous people and their communities; non-governmental organisations; local authorities; workers and their trade unions; business and industry; the scientific and technological community; and farmers (UNCED, 1992a, chapter 23-32). As the *Johannesburg Declaration* puts it in articles 26 and 34 (UN, 2002, p. 4-5):

²⁸ The necessary involvement of non-governmental actors (e.g., civil society) in the sustainable development policy process is sometimes -instead of the institutional dimension- also called the fourth goal or dimension of sustainable development, namely the participatory dimension.

²⁹ This political declaration and the Plan of Implementation of the World Summit on Sustainable Development are the main outcomes of the World Summit on Sustainable Development in Johannesburg (2002).

“26. We recognize that sustainable development requires a long-term perspective and broad-based participation in policy formulation, decision-making and implementation at all levels. As social partners, we will continue to work for stable partnerships with all major groups, respecting the independent, important roles of each of them.”

“34. We are in agreement that this must be an inclusive process, involving all the major groups and Governments (...).”

Furthermore, *Agenda 21* goes deeper into their role in section III - strengthening the role of major groups, chapters 23-32 (UNCED, 1992a) and the *Rio Declaration* accentuates their importance in principles 20-23 (UNCED, 1992b). This necessary involvement of all stakeholders in the sustainable development policy process is an indication of the changed way of governing that has recently been taking place and that is indicated above by the concept of governance. In this context, some authors suggest that many sustainable development initiatives are an indication of the above discussed transition away from traditional ‘government’ to ‘governance’ arrangements, with the state not necessary as a central actor anymore (Bruyninckx, 2006, p. 280-282).

In sum, sustainable development is a policy area that requires not only strong commitment at the global, the regional, the national, the subnational and the local level but also an inclusive decision-making process involving governmental as well as non-governmental actors from all of these levels. In the next section we will discuss one of the ways by which commitment to sustainable development can be shown, namely by setting up institutions for (achieving) sustainable development.

3.3 Institutions for sustainable development

The Rio Conference resulted in a broad international agreement on the urgency of achieving sustainable development. The main ideas of the agreement were formalised by the *Rio Declaration*, *Agenda 21*, three conventions (on biodiversity, on climate change and on desertification) and the *Declaration on Sustainable Forest Management*. Moreover the agreement was institutionalised by the establishment of the UN Commission on Sustainable Development (CSD) in 1992. In order to implement the comprehensive programme of action which *Agenda 21* represents, cooperation of different actors at different territorial levels of government and governance would be necessary. One of the preconditions, also recommended by *Agenda 21*, was a strengthening of the institutions for sustainable development at the international (*Agenda 21*, chapter 38) as well as at the national and local levels (*Agenda 21*, chapter 37) (UNCED, 1992a). In the aftermath of 1992, many institutions for sustainable development were established by different kinds of actors at all imaginable levels of government and governance (Bruyninckx, 2006).

In this section we want to give a brief (and deliberately non-exhaustive) overview of some of these institutions at the global, the regional (in the case of this paper: European), the national, the subnational and the local level. However, it is necessary to firstly clarify the term “institution” by discussing the definition that will be used in this paper and, subsequently, to explain how we subdivided the different levels of governance.

3.3.1 Organisations, institutional mechanisms and institutional orientations

The scientific debate on institutions provides various understandings of the term, derived from different kinds of sciences, such as historical and legal institutionalism, economics, sociology

and political sciences.³⁰ Our interpretation of an institution will be based on the work by Spangenberg et al. (2002). In order to analyse the institutional dimension in *Agenda 21* and in the indicators developed by the CSD, they formulated a working definition of institutions for sustainable development, starting from a political sciences perspective. The main reason for this choice is their claim that sustainable development is “all about deliberate decision making in order to direct global development and system evolution towards a more sustainable route (Spangenberg et al., 2002, p. 70).” To frame their definition in the scientific debate on institutions, the authors first discussed the concept of institutions in neo-institutionalism. A summary of some of the definitions cited by Spangenberg et al. is given in table 4 below.

Table 4 The concept of institutions in neo-institutionalism

INSTITUTIONS	DEFINING THE CONCEPT OF INSTITUTIONS	AUTHORS
In social sciences: <i>Historical and legal institutionalists</i>	“Institutions are formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy.”	(Hall and Taylor, 1996, p. 6)
In economics	“Institutions are commonly devised constraints that shape human interactions. In consequence they structure incentives in human exchange, whether political, social, or economic. Institutional change shapes the way societies evolve through time and hence is the key to understanding historical change.”	(North, 1990, p. 1)
In sociology	“Institutions are influenced by actors and their activities, but (..) institutions also considerably influence actors by shaping their interests and behaviour.”	(March and Olsen, 1984)

Source: Spangenberg et al., 2002;, p. 68-70

In general the authors distinguish between the domain of ‘ideas’ or general social rules and the domain of ‘institutions’ or politically relevant social rules. The latter can be subdivided into three categories of institutions, namely institutional orientations, institutional mechanisms and organisations (Spangenberg et al., 2002, p. 70-71). Table 5 reflects this distinction and gives a definition and the comprising elements for each of the categories (or domains). Spangenberg et al. prescribe two characteristics to institutions for sustainability which they use to identify these institutions. According to them, institutions facilitate decision-making for achieving sustainable development, and they also facilitate the implementation of the adopted political decisions (Spangenberg et al., 2002, p. 71).

³⁰ (Scott, 2001, p. 154-156; Young, 2002, p. 4-10; Breit and Troja, 2003, p. 15-21; Dovers, 2003; Kooiman, 2003; Connor and Dovers, 2004, p. 9-20; Rhodes et al., 2006)

Table 5 Institutions and ideas

DOMAIN	DEFINITION	ELEMENTS
Institutions I: Organisations	Institutions are <i>organisations</i> which structure the choice of action of individual or corporate ³¹ and other collective ³² actors within a society. This includes organisations, which influence all actors or groups of actors in a society, if they directly or through these actors have a significant impact on society as a whole. Organisations can also be described as systems of rules.	Structured temporary or permanent organisations with implicit and explicit and implicit internal rules
Institutions II: Institutional mechanisms	Institutions are mechanisms, i.e. <i>explicit or formal systems of rules</i> that structure the choices of actions of individual or collective actors within a society. This includes mechanisms that apply to all actors or groups of actors in a society as well as mechanisms that apply to some collective actors, if these mechanisms through these actors have a significant impact on society as a whole. Organisations and mechanisms can both be described as explicit systems of rules.	Administrative, political and social procedures, legal norms <i>or</i> constitutional rules, organisational rules and standing orders of governmental bodies, associations, unions, NGOs, etc., written agreements...
Institutions III: Institutional orientations	Institutions are systems of orientations, i.e. <i>implicit or informal systems of rules</i> that structure the choices of actions of individual or collective actors within a society. This includes systems of orientations, which apply to all actors, or groups of actors in a society and systems of rules which apply to specific collective actors, if these rules through these actors have a significant impact on society as a whole. Organisations, mechanisms and orientations can all be described as systems of implicit rules.	Norms; socially and culturally prescribed "orientations"
Ideas	General social rules	General expectations of a society guiding its behaviour; values, ideas, principles

Source: Spangenberg et al., 2002, p. 70-72

From this political science perspective on institutions, Spangenberg et al. deduce that "sustainable development is essentially a distinctive set of institutional orientations, based on a broad variety of values and implemented by mechanisms and organizations suitable to the specific circumstances" (Spangenberg, 2002, p. 139). This interpretation of sustainable development and Spangenberg's definition of institutions will be used as the starting point for our discussion of the different institutions for sustainable development. As these institutions

³¹ 'Corporate' actors refers to "constituted political actors (governments, NGOs, unions, associations) with at least a minimal organisation" (Spangenberg et al., 2002, p. 71).

³² 'Collective' actors refers to "societal groups that potentially might act as a group because of comparable interests and preferences in specific circumstances, but do not (yet) dispose of a permanent organisational structure" (Spangenberg et al., 2002, p. 71-72).

will be described for each level of governance, it is necessary to first briefly clarify our subdivision of the different levels of governance in the next section.

3.3.2 Different levels of governance

We distinguish five different levels of governance, namely the global, the regional (in the case of this paper: European), the national, the subnational and the local level. In general, this distinction builds further on a more common classification consisting of three levels, namely the national level (level of the nation-state), the supra-national level (above the nation-state), and the sub-national level (below the nation-state). Figure 1 visualises this classification.

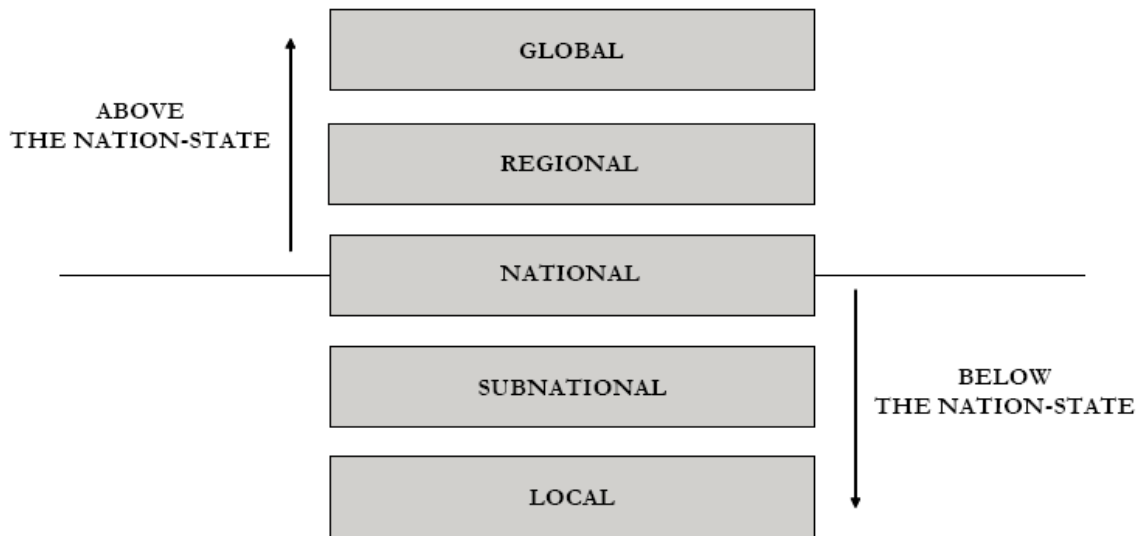


Figure 1 Different levels of governance

3.3.3 Institutions at different levels of governance

We will give a brief overview of the institutions for sustainable development set up at all levels of governance we distinguished in the previous section. Although this overview will be brief and deliberately kept non-exhaustive, it remains important to illustrate that after 1992, following the recommendations of *Agenda 21* (UNCED, 1992a, chapter 37-38), many institutions were established by different kinds of actors at different levels of governance to achieve sustainable development.

Following Spangenberg's definition, we will limit our overview to two of the three components of his definition of institutions, namely organisations and institutional mechanisms for sustainable development. Both will be discussed for the global as well as the regional, the national, (inter-)subnational and the local level of governance. As our focus will be here on the levels of governance instead of the levels of government, with regard to the organisations (as institutions) both governmental as well as non-governmental organisations will be considered. While discussing these organisations, a distinction will be made between organisations with an exclusive sustainable development focus and organisations which have integrated a sustainable development component in their functioning. Concerning institutional mechanisms, the focus will be only on institutional mechanisms resulting from governmental organisations (as institutions). In sum, organisations as well as institutional mechanisms for sustainable development will be discussed for each level of governance respectively from the global to the local level.

As giving an extensive overview of all institutions (organisations and institutional mechanisms) at all of these levels of governance is first of all an almost endless exercise and not the aim of this paper, some limitations are essential, especially for all levels below the global level. Consequently, a first limitation concerns the regional level. At this level only the EU will be discussed. Furthermore, with regard to the national, the subnational and the local level, we will focus only on the Belgian federal state (at the national level) that consists of six subnational entities (three communities: the Flemish Community, the French Community and German-speaking Community; and three regions: the Flemish Region, the Brussels-Capital Region and the Walloon Region) at the subnational level and of cities and municipalities at the local level. Once again, in order to remain concise and to deviate not too much from the main aim of this paper, we will limit ourselves regarding the subnational level to the subnational entity Flanders which consists of the Flemish Community and the Flemish Region. Finally, it must be emphasised that the local level will only be handled very concisely. So in general, the overview of institutions below is intentionally kept brief and, consequently, non-exhaustive.

3.3.3.1 The global level

Indisputable, at the global level one of the most important institutions, understood as organisations, is the UN system. In the framework of the UN, many conferences, commissions and summits on themes concerning sustainable development have been set up since 1972, such as the UN Conference on the Human Environment in Stockholm (UNCHE, 1972), the World Commission on Environment and Development (WCED, 1987), the UN Conference on Environment and Development in Rio de Janeiro (UNCED, 1992), the Millennium Summit of the UN (UNMS, 2000) and the World Summit on Sustainable Development in Johannesburg (WSSD, 2002). Table 6 gives a brief overview of the institutions, understood as the organisations and institutional mechanisms, that resulted from all of these summits.

Table 6 Institutions resulting from UN summits

YEAR	SUMMIT	RESULTS	
		ORGANISATIONS	INSTITUTIONAL MECHANISMS
1972	UNCHE		<ul style="list-style-type: none"> ▪ Stockholm Convention
1987	WCED		<ul style="list-style-type: none"> ▪ Brundtland Report Our Common Future
1992	UNCED	<ul style="list-style-type: none"> ▪ UN Commission on Sustainable Development 	<ul style="list-style-type: none"> ▪ Rio Declaration ▪ Agenda 21 ▪ Convention on Biodiversity ▪ Convention on Climate Change ▪ Convention on Desertification ▪ Declaration on Sustainable Forest Management
2000	UNMS		<ul style="list-style-type: none"> ▪ Millennium Declaration
2002	WSSD		<ul style="list-style-type: none"> ▪ Johannesburg Political Declaration on Sustainable Development ▪ Johannesburg Plan of Implementation of the WSSD

In this table, especially the UN Commission on Sustainable Development attracts attention. The CSD is established as a functional commission of the UN ECOSOC by the UN General Assembly in 1992 as a result of the UNCED in Rio de Janeiro. In the first place, the CSD was

set up to ensure an effective follow-up of the UNCED, more particularly to review progress in the implementation of *Agenda 21* and the *Rio Declaration*. Following the WSSD, the *Johannesburg Plan of Implementation* (JPOI) reaffirmed the role of the CSD as the high-level forum for sustainable development within the UN system and consequently the CSD also had to provide policy guidance to follow-up the JPOI at the local, subnational, national, regional and global levels (UNDESA: DSD, 2008). Concerning the CSD, it is important to note that its annual sessions are open to broad participation of both governmental and non-governmental actors. Finally, in the framework of the UN system, many UN Funds and Programmes, entities, commissions, specialised agencies and related organisations have integrated a sustainable development component in their functioning, such as for example the Sustainable Development Network of the World Bank, a specialised agency of the UN (World Bank, 2008).

Next to the UN, at the global level, also the Organisation for Economic Cooperation and Development (OECD) plays an important role for decision-making on sustainable development. Within the OECD, two kind of institutions for sustainable development are set up, namely the Round Table on Sustainable Development (RTSD) and the Annual Meeting of Sustainable Development Experts (AMSDE). Established in 1998, the RTSD functions “as a forum for international dialogue among stakeholders” (OECD, 2008a) consisting of participants such as the OECD ministers, intergovernmental organisations, the private sector and stakeholders from civil society. The main aim of the RTSD is to assist in achieving sustainable development objectives by generating policy ideas and building consensus for action (OECD, 2008a). The AMSDE, on the other hand, is an annual meeting of sustainable development experts from government ministries in OECD capitals that oversees the activities of the OECD. More specifically, it reviews “special projects as well as progress in mainstreaming sustainable development concepts into the overall work of the OECD” (OECD, 2008b).

The institutions described above are mainly intergovernmental, sometimes involving non-governmental actors. Moreover, civil society actors have also set up different kinds of institutions, such as civil society organisations (e.g., ANPED – the Northern Alliance for Sustainable Development), CEO-led global associations (e.g., World Business Council for Sustainable Development), student organisations (e.g., Oikos International), multi-stakeholder organisations (e.g., Stakeholder Forum for a Sustainable Future), research institutes (e.g., Stockholm Environment Institute, International Institute for Sustainable Development, ...), NGOs (e.g., International Center for Trade and Sustainable Development), policy networks (e.g., Renewable Energy Policy Network for the 21st Century), multi-stakeholder networks (e.g., Global Reporting Initiative) and other kinds of associations, federations or networks, (e.g., Third World Network, Global Footprint Network - Advancing the Science of Sustainability, IUCN - The World Conservation Union, Consumers International, the UN Global Compact...).

Table 7 gives a brief summary of the institutions (organisations and institutional mechanisms) discussed in this section. The next section will go deeper into the institutions (organisations and institutional mechanisms) at the regional level.

Table 7 Institutions for sustainable development at the global level

INSTITUTIONS	
ORGANISATIONS	INSTITUTIONAL MECHANISMS

<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ ANPED - the Northern Alliance for Sustainable Development ▪ Global Footprint Network - Advancing the Science of Sustainability ▪ International Center for Trade and Sustainable Development ▪ International Institute for Sustainable Development ▪ OECD: Annual Meeting of Sustainable Development Experts ▪ OECD: Round Table on Sustainable Development ▪ Oikos International ▪ Renewable Energy Policy Network for the 21st Century ▪ Stakeholder Forum for a Sustainable Future ▪ Stockholm Environment Institute ▪ UN: UN Commission on Sustainable Development ▪ World Business Council for Sustainable Development ▪ ... 	<ul style="list-style-type: none"> ▪ Agenda 21 ▪ Brundtland Report 'Our Common Future' ▪ Johannesburg Plan of Implementation of the WSSD ▪ Johannesburg Political Declaration on Sustainable Development ▪ Millennium Declaration ▪ Rio Declaration ▪ Stockholm Convention ▪ ...
<p><i>With a sustainable development component</i></p> <ul style="list-style-type: none"> ▪ Consumers International ▪ Global Reporting Initiative ▪ IUCN, The World Conservation Union ▪ The UN Global Compact ▪ Third World Network ▪ UN Funds and Programmes, entities, commissions, specialised agencies and related organisations ▪ ... 	

3.3.3.2 The regional level

As previously discussed, the distinction between the different regions worldwide, can be based on various classifications (even within the UN system itself). One of the classifications of the UN is based on the five Regional Commissions of the UN ECOSOC. This classification distinguishes five regions, namely Africa, Europe, Latin America and the Caribbean, Asia and the Pacific, and Western Asia. In this context, it is necessary to refer to the Regional Implementation Meetings on Sustainable Development organised by the each of the UN Regional Commissions in collaboration with the CSD secretariat. These meetings are the result of a decision of the UN ECOSOC following the provisions of the JPOI and based on the recommendations of CSD-11. They preferably take place before the review session of the CSD and are aimed at considering regional inputs and at maximizing flexibility (UN, United Nations (UN), 2008). In this paper we will focus, though, on a regional organisation in the region of Europe, namely the EU which has integrated sustainable development in its organisation. Moreover we will also briefly mention some European organisations and networks with regard to sustainable development.

A first sign of the integration of sustainable development in the EU is the insertion of sustainable development in the Treaty of Amsterdam (1997). This Treaty changes the Treaty of

the EU (1992), among others, by replacing the existing seventh recital by the following (EC, European Communities (EC), 1997, emphasis added):

"DETERMINED to promote economic and social progress for their peoples, taking into account the principle of sustainable development and within the context of the accomplishment of the internal market and of reinforced cohesion and environmental protection, and to implement policies ensuring that advances in economic integration are accompanied by parallel progress in other fields, (...)."

And by replacing article B (new numbering: article 2) by:

"The Union shall set itself the following objectives:

- to promote economic and social progress and a high level of employment and to achieve balanced and sustainable development, in particular through the creation of an area without internal frontiers, through the strengthening of economic and social cohesion and through the establishment of economic and monetary union, ultimately including a single currency in accordance with the provisions of this Treaty;

- (...)."

Afterwards sustainable development was integrated in the main institutions of the EU (European Commission (in particular, DG Environment), European Parliament, European Council...) and also by the establishment of the Sustainable Development Observatory³³ of the European Economic and Social Committee, the Commission of Sustainable Development (DEVE)³⁴ of the Committee of the Regions and the Stakeholder Forum on Sustainable Development³⁵, etc. Furthermore, in 2001 the European Commission accepted the Gothenburg Strategy (2001) which gave the Lisbon Strategy (2000) a more sustainable development oriented direction:

"The European Council (...)

- agreed on a strategy for sustainable development and added an environmental dimension to the Lisbon process for employment, economic reform and social cohesion;

- (...) (European Council, 2001)."

Moreover, in 2001 the European Commission accepted a European Strategy for Sustainable Development (Commission of the European Communities, 2001). This strategy was renewed in 2006 by the Renewed European Strategy for Sustainable Development (Council of the European Union, 2006).

Finally, also interesting to note in this context are two European Networks, namely European Sustainable Development Network (ESDN) and European Environmental and Sustainable Development Advisory Councils (EEAC). The former network, ESDN, is rather informal and consists of public administrators and experts -from EU member countries- that are involved in the formulation of sustainable development strategies at the national level (ESDN, 2008). The latter, EEAC, is a network of 30 advisory councils for environmental policy and sustainable development from 15 EU member countries (EEAC, 2008).

³³ More information: http://www.eesc.europa.eu/sections/sdo/index_en.asp.

³⁴ More information: <http://www.cor.europa.eu/En/presentation/deve.asp>.

³⁵ More information: http://eesc.europa.eu/sustainable_development/forum_12_09_2002/index_en.asp and http://eesc.europa.eu/sustainable_development/forum_14_04_2005/index_en.asp.

In sum, table 8 gives an overview of the institutions discussed above. In the next section, institutions for sustainable development at the national level will be discussed.

Table 8 Institutions for sustainable development at the regional (European) level

INSTITUTIONS	
ORGANISATIONS	INSTITUTIONAL MECHANISMS
<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ Committee of the Regions: Commission of Sustainable Development ▪ European Economic and Social Committee: Sustainable Development Observatory ▪ European Environmental and Sustainable Development Advisory Councils ▪ European Sustainable Development Network ▪ Stakeholder Forum on Sustainable Development ▪ ... 	<ul style="list-style-type: none"> ▪ Amsterdam Treaty ▪ European Strategy for Sustainable Development ▪ Gothenburg Strategy ▪ Renewed European Strategy for Sustainable Development ▪ ...
<p><i>With a sustainable development component</i></p> <ul style="list-style-type: none"> ▪ EU institutions ▪ ... 	

3.3.3.3 The national level

In order to give a brief overview of some institutions existing at the national level, we decided to focus on only one state, namely the Belgian state. As Belgium is a federal state with federal and subnational institutions, we will only discuss in this section its federal institutions (organisations and institutional mechanisms) for sustainable development. We will limit our discussion to governmental institutions, as in Belgium most non-governmental institutions are situated at the subnational level.

At the federal level, one of the institutional mechanisms that plays a very important role is the Law of 5 May 1997 on the Coordination of the Federal Sustainable Development Policy (Belgisch Staatsblad, 1997). This law commits the federal government to draw up every four years a Federal Plan on Sustainable Development³⁶, which has to specify the federal measures needed to achieve sustainable development, and every two years a Federal Report on Sustainable Development³⁷, that describes and evaluates the current situation in Belgium, the conducted sustainable development policy and the expected developments. In addition, the Law of 1997 also provides a Federal Council for Sustainable Development³⁸ (giving advise and being a forum³⁹ for the exchange of ideas) and a Interdepartmental Commission Sustainable Development (with representatives of all the members of the federal government, of the Federal Planning Office, and of each community and regional government).

Until 2007, there was also a Secretary of State with competences for sustainable development at the federal level. While this Secretary of State was added from 1999 until 2003 to the Federal Minister of Mobility and Transport, from 2003 until 2007 this function was

³⁶ More information: http://www.icdo.be/NL/publicaties/federale_plannen.

³⁷ More information: <http://www.plan.be/index.php?lang=en&TM=30&IS=61>.

³⁸ More information: <http://www.frdo-cfdd.be/en/frontpag.htm>.

³⁹ More information: <http://www.icdo.be/>.

added to the Federal Minister of Budget and Consumers Affairs. Recently, a federal Minister⁴⁰ of the current Belgian interim-government is responsible for sustainable development. In addition, in 2002 the federal government⁴¹ also established a Federal Public Service for Programming on Sustainable Development⁴¹ and from 2004 on, each Federal Government Service has internally a Cell for Sustainable Development at its disposal.

Finally also important to mention are the Task Force on Sustainable Development of the Federal Planning Office, the cell M4.1 Sustainable Development and Environment of the Federal Government Service for Foreign Affairs, Foreign Trade and Development Cooperation, the frame text for the National Strategy on Sustainable Development and the insertion of sustainable development in the Belgian Constitution⁴² in 2007.

A brief summary of all these institutions at the federal level is provided in table 9. The institutions for sustainable development at the subnational level, in particular in Flanders, will be dealt with below.

⁴⁰ Federal Minister of Climate and Energy, responsible for Sustainable Development, Energy, Environment and Consumer Affairs.

⁴¹ Its main tasks are preparation of sustainable development policy, coordination of its implementation, provision of expertise and sensitisation of the public. More information on: www.poddo.be.

⁴² The insertion of sustainable development in the Constitution will be elaborated in detail in section 2.4.1 (p. 34).

Table 9 Institutions for sustainable development at the national level

INSTITUTIONS	
ORGANISATIONS	INSTITUTIONAL MECHANISMS
<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ Belgian Federal Public Service for Programming on Sustainable Development [Programmatorische Overheidsdienst Duurzame Ontwikkeling - PODDO] ▪ Cells for Sustainable Development in the Belgian Federal Government Services ▪ Federal Council for Sustainable Development [Federale Raad voor Duurzame Ontwikkeling - FRDO] ▪ Federal Minister of Climate and Energy responsible for Sustainable Development, Energy, Environment and Consumer Affairs (interim government: 21 December 2007 - 23 March 2008) ▪ Interdepartmental Commission Sustainable Development [Interdepartementale Commissie Duurzame Ontwikkeling - ICDO] ▪ State Secretary for Sustainable Development (1999-2007) ▪ Task Force Sustainable Development of the Federal Planning Office ▪ ... 	<ul style="list-style-type: none"> ▪ Federal Plan [Federaal Plan] ▪ Federal Report [Federaal Rapport] ▪ Frame text for a National Strategy on Sustainable Development [Kadertekst Nationale Strategie Duurzame Ontwikkeling] ▪ Law of 5 May 1997 on the Coordination of the Federal Sustainable Development Policy [5 mei 1997 - Wet betreffende de coördinatie van het federale beleid inzake duurzame ontwikkeling] ▪ Sustainable development in the Belgian Constitution ▪ ...
<p><i>With a sustainable development component</i></p> <ul style="list-style-type: none"> ▪ Cell M4.1 Sustainable Development and Environment of the Belgian Federal Government Service for Foreign Affairs, Foreign Trade and Development Cooperation ▪ ... 	

3.3.3.4 The subnational level

Until 2004, the Flemish Minister for the Environment, Nature and Energy had the responsibility for sustainable development policy at the subnational level of Flanders. Thereafter, sustainable development became a competence of the Flemish Minister-president. Within the Services for General Governmental Policy of the Minister-president, a Coordination Cell for Sustainable Development has subsequently been set up. This cell aims to coordinate Flemish sustainable development policy and presides the Flemish Interdepartmental Working Group on Sustainable Development. Despite this shift of competence, the Flemish Minister for the Environment remains responsible for the implementation of the international aspects of the sustainable development policy. In this regard it is important to also mention the division of International Environmental Policy within the Department of the Environment, Nature and Energy (Happaerts et al., 2008, p. 13-14).

Next to these Flemish governmental institutions, two kinds of non-governmental institutions that attributed a significant role to the achievement of sustainable development, must be mentioned. On the one hand, it concerns advisory councils such as the Flemish Socio-Economical Council and the Flemish Council for Environment and Nature. On the other hand, some Flemish NGOs have integrated sustainable development either as the main theme

or as one of the main themes of their organisation. An example of an NGO that dedicated its actions to sustainable development is the Flemish Platform on Sustainable Development.

Furthermore, it is also possible to distinguish institutional mechanisms for sustainable development at the Flemish level, namely the Flemish Policy Note on Sustainable Development (one for each term), the Flemish Policy Letter⁴³ on Sustainable Development (yearly), the Flemish Strategy on Sustainable Development⁴³ and the Decree on Sustainable Development (forthcoming).

Table 10 summarises these institutions as organisations and institutional mechanisms at the subnational level of Flanders.

Table 10 Institutions for sustainable development at the subnational level

INSTITUTIONS	
ORGANISATIONS	INSTITUTIONAL MECHANISMS
<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ Coordination Cell for Sustainable Development of the Services for General Governmental Policy of the Minister-president [Coördinatiecel Duurzame Ontwikkeling - CCDO binnen Diensten Algemeen Regeringsbeleid - DAR] ▪ Flemish Interdepartmental Working Group on Sustainable Development [Werkgroep Duurzame Ontwikkeling - WGDO] ▪ Flemish Platform on Sustainable Development [Vlaams Overleg Duurzame Ontwikkeling - VODO] ▪ Minister-president of the Flemish Government qualified for Sustainable Development ▪ ... 	<ul style="list-style-type: none"> ▪ Flemish Decree on Sustainable Development [Vlaams Decreet Duurzame Ontwikkeling] ▪ Flemish Strategy for Sustainable Development [Vlaamse Strategie voor Duurzame Ontwikkeling] ▪ Policy Letter on Sustainable Development [Beleidsbrief Duurzame Ontwikkeling] ▪ Policy Note on Sustainable Development [Beleidsnota Duurzame Ontwikkeling] ▪ ...
<p><i>With a sustainable development component</i></p> <ul style="list-style-type: none"> ▪ Department of the Environment, Nature and Energy: division of International Environmental Policy [Departement Leefmilieu, Natuur en Energie (LNE): afdeling Internationaal Milieubeleid] ▪ Flemish Council for Environment and Nature [Milieu- en Natuurraad van Vlaanderen - Minaraad] ▪ Flemish Socio-Economical Council [Sociaal-Economische Raad van Vlaanderen - SERV] ▪ ... 	

3.3.3.5 The inter-subnational level

At this level, we will discuss the institutions starting from the interpretation of an institution as an organisation. Consequently institutions at the inter-subnational level are organisations, associations, networks... that consist of especially subnational entities as members. In order to discuss the institutions for sustainable development at this level, it is necessary to make a

⁴³ More information: <http://www3.vlaanderen.be/duurzameontwikkeling/documenten.htm>.

distinction between inter-subnational organisations with on the one hand a global reach and on the other hand a regional reach.

With regard to the *global* inter-subnational organisations, the most important role is put aside for the Network of Regional Governments for Sustainable Development (nrg4SD). The creation of nrg4SD is based on the Gauteng Declaration ('The Gauteng Declaration,' 2002) and has as its main aim "to be a voice for and to represent regional⁴⁴ [subnational] governments at the global level in promoting sustainable development at the regional [subnational] level around the world (nrg4SD, 2004)." Important to mention in this context is the Forum of Global Associations of Regions (FOGAR), consisting of several networks of subnational entities, of which nrg4SD is a founding member and which it will represent in the area of sustainable development (nrg4SD, 2007).

Next to these examples of globally oriented inter-subnational organisations, more examples exist of *regional* inter-subnational organisations, with an exclusive sustainable development focus or which have integrated sustainable development as a policy objective in their functioning (more specifically as a priority, as an activity or as the theme of a working group). We will limit ourselves to an enumeration of some of these European organisations, associations or networks by presenting them, together with the globally oriented institutions for sustainable development, in table 11 below.

Table 11 Institutions for sustainable development at the inter-subnational level

ORGANISATIONS	
GLOBAL FOCUS	REGIONAL FOCUS: EUROPEAN
<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ Network of Regional Governments for Sustainable Development (nrg4SD) 	<p><i>With an exclusive sustainable development focus</i></p> <ul style="list-style-type: none"> ▪ Sustainable European Regions Network (SERN) ▪ ...
	<p><i>With a sustainable development component</i></p> <ul style="list-style-type: none"> ▪ Assembly of European Regions (AER) (SD priority) ▪ Conference of Peripheral Maritime Regions (CPMR) (SD activity) ▪ Council of European Municipalities and Regions (CEMR) (SD activity) ▪ Environmental Conference of the European Regions (ENCORE) (SD Working Group) ▪ ...

3.3.3.6 The local level

As the discussion of the institutions at the local level will be kept brief⁴⁵, it suffices to note that also the local level (cities and municipalities) is very active in establishing different initiatives for sustainable development. An obvious example of such an initiative is the application of

⁴⁴ Nrg4SD uses the notion 'regional' to refer to subnational governments.

⁴⁵ In the framework of the Centre of Expertise for Sustainable Development extensive research on the local level is carried out by Debruyne (Centre of Expertise for Sustainable Development, 2008).

Local Agenda 21 at the municipal level (e.g., Tandem⁴⁶; the Cooperation Agreements “The environment as a step to sustainable development” between the Flemish Region and the provinces/communities; and the Centre of Expertise for Local Agenda 21⁴⁷), but in a Flemish context it also important to mention the appointment of a public servant responsible for sustainable development in Flemish local authorities. Moreover, local governments also form global networks for sustainable development. A typical example of this kind of network is ICLEI - Local Governments for Sustainability⁴⁸.

3.3.4 Conclusion

This discussion on the institutions for (achieving) sustainable development indicates the commitment to sustainable development of governmental and non-governmental actors at the different levels of governance. Especially when linking it to the recommendation of *Agenda 21* concerning the need for a strengthening of the institutions for sustainable development at the international (global and regional) as well as at the national, subnational, and the local levels. At each of these levels of governance, many institutions for sustainable development are established by different kinds of actors.

3.4 The role of the subnational level in decision-making for sustainable development

In this last section, we will focus on one specific level of government, namely the subnational level, and on its role in decision-making for sustainable development. Again, the subnational entity of Flanders will serve as a case for the discussion. First, we will elaborate on the role of the Flemish subnational government with regard to sustainable development policy in Belgium and with regard to the decision-making process on sustainable development. In a second section, we will describe the various channels through which subnational actors try to get involved and influence multilateral decision-making for sustainable development. This second section will be on the one hand based on the typology of subnational channels for influencing policy and decision-making at the level of the EU (elaborated in section 1.4.2), but will on the other hand try to broaden its scope by also looking at the subnational channels for influencing decision-making for sustainable development at the global level.

3.4.1 The subnational level

The many governmental institutions (organisations and institutional mechanisms) for sustainable development in Flanders unveil the role of the Flemish subnational government with regard to sustainable development and its policy. This role follows from the shared competences on sustainable development in Belgium, as they are divided between the federal government and its federated entities. However, it is no obvious task to make an overview of which aspects of sustainable development policy belong to which government⁴⁹. Not only because of the shared competences with regard to the three dimensions and within each dimension, but also because of the characteristics proper to sustainable development itself (Task Force Duurzame Ontwikkeling, 1999, p. 72-73 & 77-78). For example, in Belgium

⁴⁶ Centre of expertise between associations for a sustainable local environmental policy. More information: <http://www.tandemweb.be/index.php>.

⁴⁷ More information: <http://www.sla21.be/>.

⁴⁸ More information: <http://www.iclei.org/>.

⁴⁹ In this context it is though necessary to remark that, in Belgium, the federal government exercises the remaining competences.

various governments are competent for tax policy (economic dimension); and employment policy, education and sensitisation (social dimension). Concerning the environmental dimension, the Belgian regions⁵⁰ are largely competent, except regarding for example the issuing of product norms, the coordination of international environmental policy and its conversion into Belgian law for which the federal government remains competent. In sum, each government in Belgium -federal as well as subnational- has to develop a sustainable development policy in accordance with its competences (Van den Bossche et al., 2005, p. 1-2). This shared responsibility of sustainable development is endorsed in 2007 by the subscription of sustainable development in the Belgian constitution by adding a new Title I bis *General policy objectives of the federal Belgian state, the communities and the regions* and a new article 7 bis (Belgian Senate, 2007):

“While exercising their respective competences the federal state, the communities and the regions aim for the objectives of a sustainable development in its social, economic and environment-related aspects, considering the solidarity between the generations” (personal translation).

Because of these competences of the Flemish subnational government on the subject of sustainable development, the Flemish government also plays an important role in the implementation of the decisions adopted in multilateral forums at the regional (European, in the case of Flanders) and the global level (UN, OECD...) where a significant part of the policy debate on sustainable development is situated. But in these multilateral forums at the regional and global level, only representatives of states are recognised as negotiating actors in decision-making. Although other kinds of actors such as non-governmental organisations can be granted an observer status, subnational governments are not recognised and cannot obtain such a status. So, however lower levels of government -such as subnational governments- often have⁵¹ been assigned domestically the power to implement the internationally negotiated decisions⁵¹, these subnational governments are not recognised as decision-making actors in the main decision-making bodies of these multilateral forums and have, consequently, no direct representation in a significant part of these forums. In this context, it is important to point to the “in foro interno, in foro externo” principle that was adopted in Belgium with the state reform of 1993 (Geeraerts et al., 2004, p. 19). This principle permits the Belgian federated entities (communities and regions) to conduct a foreign policy for those policy subjects for which they are internally competent. Some logical consequences of this principle are, firstly, the involvement of the governments of all Belgian federated entities in the negotiation process for the preparation of the Belgian position in these multilateral forums; secondly, the possibility for each federated entity to include representatives in the Belgian delegation for these multilateral forums; and thirdly, an extensive coordination between the federal government and the governments of the federated entities during the whole decision-making process.

So, despite the “in foro interno, in foro externo” principle, the Flemish government is limited by the fact that it is not recognised as a decision-making actor in the multilateral forums at the European and the global level. However, subnational governments, like Flanders, have some channels at their disposal to influence and to be involved in decision-

⁵⁰ The term regions refers to the Flemish Region, the Brussels-Capital Region and the Walloon Region.

⁵¹ Negotiations at these levels often result in soft law such as political declarations, policy goals (UN level), policy guidelines (OECD) and strategies (EU level).

making. As the section on subnational mobilisation in the first part of the paper made already clear which subnational channels exist for influencing EU decision-making, the next section will try to broaden its scope by also looking at the subnational channels for influencing decision-making at the global level.

3.4.2 Subnational mobilisation

Starting from the MLG model we derived three kinds of channels for subnational governments to influence policy and decision-making at the European level, namely institutionalised channels in the European arena and in the national arena and non-institutionalised channels. This phenomenon is not surprising when taking into account the fact that subnational governments are often responsible for the implementation of European legislation while they were not involved in the decision-making process that led to the legislation. As Hooghe and Marks put it: “Regional governments came to realise that unless they participated in European integration, they would be swept along by international agreements over which they had no control” (Hooghe and Marks, 2001, p. 90).

Although the MLG model offers an interesting framework for identifying the different channels for subnational mobilisation, the model is limited because of its focus on the level of the EU. Especially with regard to sustainable development it is necessary to identify also the different channels for subnational governments, such as Flanders, to influence decision-making on sustainable development at the global level. For this reason we will use the typology of Geeraerts, Bursens and Leroy who distinguished four routes for subnational governments to influence decision-making in multilateral forums (Geeraerts et al., 2004, p. 12-15). Before going deeper into these four routes, it is however necessary to note that this typology can only be applied for subnational governments of EU member states. The four routes Geeraerts et al. distinguished are based on a bipartition between on the one hand intra- or extra-European and on the other hand intra- or extra-state with “intra” being an *indirect* and “extra” being a *direct* way to influence decision-making. Table 12 visualises this typology.

Table 12 Typology of subnational routes for influencing multilateral decision-making

	EXTRA-STATE (direct)	INTRA-STATE (indirect)
EXTRA- EUROPEAN (direct)		<i>subnational (Flemish) officials in national (Belgian) delegation (direct)</i>
		<i>only federal or national officials / diplomats (indirect)</i>
INTRA- EUROPEAN (indirect)		<i>subnational (Flemish) officials in national (Belgian) delegation (direct)</i>
		<i>only federal or national officials / diplomats (indirect)</i>

Source: Geeraerts et al., 2004, p. 14

A first route they distinguish is “extra-European and extra-state”. Subnational governments, like Flanders, try to influence multilateral decision-making without mediation from nor the state (Belgian federal government), nor the EU. Second, a subnational government can try to bypass the state by influencing directly the negotiating position of the EU in multilateral negotiations. This route is called “intra-European and extra-state”. Third, a subnational government can opt for a route “extra-European and intra-state”. This implies that a subnational government only tries to influence the Belgian stance that is unrelated to the European stance. However, such a situation will only be possible when the EU is absent at global negotiations or does not have a common point of view at global multilateral forums. In this case, European member states will, consequently, act independently at the global level. Finally, a “intra-European and intra-state” option is also possible. Subnational governments participate at global decision-making processes through the state and through the EU (Geeraerts et al., 2004, p. 12-15). In both of these last two options, Geeraerts, Bursens and Leroy – who start from the Flemish situation - also make a distinction between on the one hand the inclusion of Flemish officials in the Belgian delegation (which is a direct way of exercising influence) and on the other hand a Belgian delegation consisting only of federal or national officials or diplomats (indirect influence).

Subsequently, the examples of subnational channels identified before by the MLG model can be approached from this typology and can be placed in one of the four categories of the typology. Table 13 puts all the examples mentioned before (table 3: subnational channels for influencing EU policy and decision-making) in the typology of Geeraerts, Bursens and Leroy and frames them from a Flemish perspective.

Table 13 Subnational channels for influencing multilateral decision-making

	EXTRA-STATE (direct)	INTRA-STATE (indirect)
EXTRA- EUROPEAN (direct)	<ul style="list-style-type: none"> ▪ Flemish representatives at multilateral organisations ▪ participation in inter-subnational networks (at the global level) 	<ul style="list-style-type: none"> ▪ influencing Belgian decision-making
INTRA- EUROPEAN (indirect)	<ul style="list-style-type: none"> ▪ connecting directly with the European Commission ▪ participating in the Committee of the Regions ▪ influencing European Members of Parliament ▪ campaigning for direct representation in the Council of Ministers / European Council ▪ Flemish representatives in Brussels ▪ participation at inter-subnational networks (at the European level) 	<ul style="list-style-type: none"> ▪ mandatory approval of treaty revisions by the Flemish government ▪ attaching a Flemish attaché to the permanent representation of Belgium ▪ participating in the Council and the Commission working groups/parties ▪ establishing subnational electoral districts for European parliamentary elections <ul style="list-style-type: none"> - Belgium: three electoral colleges, four electoral districts ▪ staying informed on upcoming EU initiatives by the Belgian federal government

Despite the fact that subnational governments, like Flanders, are not recognised as decision-making actors in negotiations at the main European and global multilateral forums, they play a significant role in implementing sustainable development at the lower levels of governance. For this reason, it is important to highlight that they have many other channels at their disposal to get involved and influence decision-making for sustainable development in these forums. The importance of each of these channels and which channels can be used best, reaches further than the scope of this paper, and will, consequently, not be analysed (see e.g., Happaerts et al., 2008).

3.5 Conclusion

We want to finish this second part on decision-making for sustainable development and the role of the subnational level by emphasising five points. First of all, we join Spangenberg, Phahl and Dellers position concerning sustainable development and the importance they ascribe at the decision-making process for sustainable development. According to them, sustainable development is “all about deliberate decision making in order to direct global development and system evolution towards a more sustainable route” (Spangenberg et al., 2002). Second, sustainable development is clearly a policy area that requires strong commitment at the global, the regional, the national, the subnational and the local level of governance, but also an inclusive decision-making process involving both governmental as non-governmental actors from all of these levels. Third, at all levels of governance various actors have set up different kinds of institutions for sustainable development. Fourth, as the subnational level plays a significant role for the implementation of sustainable development at the lower levels of governance, the involvement of this level at the decision-making process is very important. Finally, decision-making for sustainable development has to be a coordinative, integrative and participative (multi-level and multi-actor) process.

4. General conclusion: a multi-level governance perspective?

In order to analyse the role of the subnational level of government in decision-making for sustainable development, we chose to study first a model that could frame decision-making in general. Because of the special role MLG ascribes to subnational governments, we opted to

examine the applicability of this model to decision-making for sustainable development. Consequently, the first part of the paper consisted of a thorough discussion of MLG with the elaboration of respectively the debate on governance, the definition of MLG, the differences with the state-centric model (liberal intergovernmentalism), the role ascribed to the subnational level of government, the analytical value of MLG and the criticisms on MLG. Following Bursens and Helsen we decided to start from the idea of MLG as a conceptual framework, in particular as a perspective from which decision-making for sustainable development could be conceptualised. Subsequently the second part of the paper focussed on decision-making for sustainable development. Bearing in mind the previous part on MLG as a conceptual framework, we gave special attention to the multi-level (institutional) structure and the governance characteristics of sustainable development and its decision-making processes. More generally, the second part of paper wanted to identify some important characteristics of sustainable development policy that have to be taken into account at the decision-making process for sustainable development.

We will conclude this paper by summarising some important findings on MLG, decision-making for sustainable development and the role of the subnational level of government. The aggregate of these findings must form a first attempt at examining the applicability of MLG on decision-making for sustainable development. In other words, whether decision-making for sustainable development can be approached from a MLG perspective. First, sustainable development concerns cross-border and global problems that consequently require a global policy negotiated at global forums. Sustainable development therefore needs to be tackled at all levels. A second finding follows from the characteristics of sustainable development policy. In order to be successful, sustainable development as a policy domain requires a coordinated, integrated and participatory approach. For attaining this kind of approach, different actors at different levels of governance have to be involved. So, decision-making for sustainable development requires governmental actors but also other stakeholders operating at global as well as regional, national, subnational and local levels. Third, although the competences on sustainable development can be diffused over different governmental levels, not all levels are involved in decision-making for sustainable development at the international level (UN, EU, OECD...) where a significant part of the policy debate is situated. Fourth, subnational governments have various channels for subnational mobilisation at their disposal in order to influence decision-making at the European, but also at the global level. In this context it must be remarked that this paper has not examined the usefulness and the importance of each of these channels. Finally, although achieving sustainable development should be treated like 'high politics', it easily gets put in a 'low politics' box. Achieving sustainable development is often considered by policy and decision-makers as a low priority. In this 'low politics' areas, central states more easily cede their power to supranational or subnational levels of governance. In sum, decision-making for sustainable development clearly contains aspects of the governance debate and different territorial levels of government have to be taken into account. Therefore, it is reasonable to assume that decision-making for sustainable development can be approached from a MLG perspective.

We will end this paper with a few remarks concerning further research on the subject. First of all, this paper was a first attempt with the focus on the role of the subnational level of government. For an in-depth analysis of the applicability of MLG on decision-making for sustainable development the role of actors (governmental and non-governmental) at all levels of governance has to be analysed. Moreover, it will be necessary to examine the four characteristics that Fairbrass and Jordan pointed out. So further research has to analyse thoroughly subnational mobilisation; the complex, uncertain and contested nature of decision-making; the role of supranational actors; and the outcomes of MLG. Second, further research has to consider the criticism on MLG regarding the neglect of the global level as this criticism

is especially important for decision-making for sustainable development. In order to analyse decision-making for sustainable development from a MLG perspective it will also be very important to study the influence of policy declarations (such as the *Rio Declaration (& Agenda 21)*, the *Millennium Declaration (& the Millennium Development Goals)*) on decision-making at the level of the EU. To conclude, in order to enhance the analytical value of MLG it is recommended to complement it by adding another theoretical framework.

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