

Research Proposal Rebecca Schmidt

In my research I examine the emergence of transnational regulatory cooperation between public and private actors. I inquire why a private regulator and an international organisation enter into a cooperation agreement in order to regulate particular issues, and what this tells us about the relationship between ‘expertise,’ ‘authority’ and ‘legitimacy’ in particular domains of global governance. The argument I put to test is that different types of regulators cooperate because, in an unsettled global space with no hierarchical framework, it is necessary for them to acquire sufficient authority to secure compliance with their regulatory agenda. In order to acquire and maintain such authority, regulators must be perceived as legitimate and their regulation as effective. Cooperation can open venues for participation and deliberation and for the exchange of necessary competences (particularly expertise); and thus ultimately can help regulators establish and strengthen their authority.

Another important aspect of my research is that cooperation can develop into more long-lasting network structures. These networks are often of a multi-level nature. As such, they traverse local, national, and international spaces. I want to further examine the observation that bilateral arrangements generate ordering effects which extend beyond the two parties. Consequently they become the basis for norm creation and adoption for different types of actors located in the networks formed around the issue area. Thus, even in pluralistic structures, eventually a certain kind of constitutionalization can emerge putting into question sharp divisions between ‘pluralist’ and ‘constitutionalist’ interpretations of a developing global (legal) order.

I also rely on two case studies I conducted in previous research: the ISO 26000 process, whereby the ‘private’ technical standard setter ISO concluded separate cooperation agreements with the ILO, the OECD and the UN Global Compact; and a

case study on 'Sport and Environment' that focuses on the long-standing cooperation between the IOC and the UN Environmental Programme.