

OSLO/SEATTLE PROJECT CODEBOOK

AU/21/11/96

CASE IDENTIFICATION

01. Regime name _____

02. Regime ID no. _____
(to be assigned by AU)

04. Coding refers to component no. _____
(if not applicable, score = 0)

05. Phases:

0. Not applicable
1. Pre-regime;
2. Regime formation;
3. Regime implementation;

Note that in some cases further differentiation may be required to capture important turning points in the history of the regime or one of its components. In the report the label "regime functioning" will be used to cover the period between creation (establishment) and end of existence (regardless of whether specific provisions are actually being implemented or not).

06. From year 19_____

07. To year 19_____

09. Is the regime "nested" or in some other way legally linked to another regime?

0. No formal link
1. Part of a more comprehensive "supra-regime"
2. The regime does itself constitute a "supra-regime"
3. Horizontal, formal links to another regime
4. Some combination of two or more of the above

If 1-4, please specify which other regime(s)

10. Are there other regimes that deal with the same problem or some aspect of the problem (e.g. within a different geographical scope), without having *legal* links to the regime being coded here?

1. No
2. Yes

If yes, please specify: _____

INDEPENDENT VARIABLES

11. Was there (at the beginning of this phase) a *general recognition* among the parties involved (including state as well non-state actors) that a collective problem or opportunity existed and called for some kind of joint action?

0. No
1. Some parties saw such a problem or opportunity, but several others did not
2. Most or all parties did

12. How did the problem get on the international political agenda?

1. Through efforts by the government(s) of one or more (strongly) affected nation(s)
2. Through the regular work of one or more IGOs
3. Through campaigns of one or more NGOs
4. Through reports and/or public statements from the scientific community
5. Through increase in media attention, possibly generated by particular incidents (e.g. in the form of “exogenous shocks”)
6. “Technical path”: some combination of 2 and 4
7. “Political path”: some combination of 1, 3, 5.

13. Did the *state of the problem* which the regime was designed to deal with *change* during the 3-5 years immediately preceding the establishment of the regime or regime component?

0. No (not significantly)
1. Yes, the situation was deteriorating slowly
2. Yes, the situation was deteriorating rapidly/dramatically
3. Yes, the situation was slowly improving
4. Yes, the situation was improving rapidly

14. Did the parties involved generally recognise the direction and scope of this development at the time? [Applies only if score on item 11 is not 0]

0. Not applicable
1. Yes; the development was recognised by all or at least by a clear majority
2. No; at best the development was recognised by a minority

15. *Type of problem*, considered on its own substantive merits only

1. Predominantly benign (relationship of synergy/contingencies)
2. Mixed (balanced or close to balanced)
3. Predominantly moderately malign (mainly externalities)
4. Predominantly strongly malign (significant element of competition)

Note: There may be cases where a problem is developing from one type towards another within a particular phase. If so, please indicate direction of development.

16. Does some “hidden agenda” significantly affect the overall character of the problem as perceived by the parties involved?

0. No, or only to a minor extent/for a few “unimportant” parties
1. Yes, adds benign elements
2. Yes, adds malign elements

17. *Type of problem*, as *perceived* by the parties involved at the time

1. Predominantly benign
2. Mixed
3. Predominantly moderately malign
4. Predominantly strongly malign

18. Is the structure of the *system of activities* being regulated

1. Largely symmetrical
2. Moderately asymmetrical
3. Strongly asymmetrical

19. Is the structure of the *problem* itself (in terms of e.g. exchange of externalities or impact)

1. Largely symmetrical
2. Moderately asymmetrical
3. Strongly asymmetrical
4. Indeterminate

20. Was this how the parties perceived the problem at the time?

1. Yes, essentially
2. No; at least some parties perceived it as being more symmetrical
3. No; at least some parties saw it as being less symmetrical
4. Both (2 & 3)

21. Are there significant *functional (substantive) linkage(s)* to other problems beyond the regime's domain? If so, is (are) the problem(s) to which the regime (or regime component) is linked more or less "malign"?

1. No significant functional or substantive linkages
2. Linkage(s) mainly or exclusively to more benign problem(s)
3. Linkage(s) to problem(s) of similar character, or to more benign as well as to more malign problems
4. Linkage(s) mainly or exclusively to more malign problem(s)

22. If substantive linkages existed, did they influence actor behaviour?

1. No, or only in rare cases and/or to a truly minor extent
2. Yes, in at least several cases and/or to a significant extent

23. Did at least some parties have significant *ulterior motives* in promoting or designing the regime (i.e. see the regime as an instrument for achieving (also) other purposes, beyond the problem ostensibly addressed)?

1. No
2. Yes

If yes, please specify: _____

24. Are there significant selective incentives (positive side-benefits of rules and norms) involved for some actors (such as institutionalised "rewards" for compliance, or indirect effects flowing from regime provisions - such as improving the competitive edge of particular industries or companies)?

0. No, or only to a minor extent
1. Yes; the regime itself explicitly include such provisions
2. Yes; the regime *indirectly* provides selective incentives
3. Yes; both 1 & 2

If 1-3, please specify: _____

25. Does the regime include a requirement to set technical standards?

1. No
2. Yes

26. Did the governments involved treat the problem essentially in “pragmatic” terms, i.e. with emphasis on the (material) interests involved, or is it (also) framed in terms of *values* and *symbols*?

1. Problem treated essentially in terms of (material) interests affected
2. Mixed; problem is to some extent or by a minority of actors seen as involving basic values or as having symbolic significance, but interest-based perspectives seem to have been dominant in the negotiations
3. Mixed; problem is to a large extent or by a majority of actors seen as involving basic values or as having symbolic significance; negotiations are to a large extent framed in terms of values or symbols
4. Problem framed essentially in terms of values or symbols

27. Did the (main) non-governmental actors involved frame the problem in different terms?

0. Not applicable
1. No, or only to a minor extent
2. Yes; overall more emphasis on symbols and values
3. Yes; overall less emphasis on symbols and values

28. Is the *configuration of interests* for different components of the regime characterised predominantly by (applies only when a regime has two or more components)

1. crosscutting cleavages
2. the overall picture is one of crosscutting cleavages, but one or a few major actors stand(s) out as exception(s)
3. cumulative conflict (pits the same actors against each other on different issues)
4. the overall picture is one of cumulative conflict, but one or a few major actors stand(s) out as exception(s)
5. some (balanced) mix of crosscutting and cumulative cleavages

40. Institutional setting: *formal decision rule* for substantive decisions

1. Consensus/unanimity explicitly required
 2. (Qualified) majority decisions permitted, with right of reservation
 3. (Qualified) majority decisions permitted, no right of reservation
 4. Other, please specify:
-
-

40a: Institutional setting: *actual decision rule* for substantive decisions (“rule in use”)

1. Consensus/unanimity
 2. (Qualified) majority, with right of reservation
 3. (Qualified) majority, without right of reservation
 4. Other, please specify:
-
-

41. Do the decision-making rules explicitly recognise (substantial) differences in terms of “basic game” capabilities (e.g. through some mechanism of weighted voting, or differential weighting with regard to ratification requirements)?

1. No
2. Yes

42. Does the regime have substantive rules that differentiate among its members in terms of requirements, prohibitions, or permissions?

1. No
2. Yes

43. Does the regime include specific provisions for any of the following “fast track” options, or did the parties in fact resort to one or more of these (circle as appropriate)

0. none
1. explicit recognition of more ambitious (voluntary) efforts by a subset of actors
2. provisional treaty application (before treaty or protocol formally enters into force)
3. resort to less formal instruments (“soft-law”) than originally envisaged
4. both 1 and 2
5. both 1 and 3

6. both 2 and 3
7. all three

44. Institutional setting: role of *secretariat*

0. No secretariat (of its own)
1. Confined to office- and record-keeping functions only
2. Provides some independent inputs into negotiation processes, but only of a descriptive or informational nature (includes also monitoring functions)
3. Provides (also) some “political” inputs, but of a low-key nature; its “political” role is essentially that of a mediator or go-between
4. Provides (also) “political” inputs; acts as advocate promoting own ideas and solutions

Note: treat as cumulative scale - score *highest* response category applicable.

44a: Is the regime supported by the secretariat of a more comprehensive organisation?

- 0: No
1. Yes, but this secretariat is rather weak in terms of resources
2. Yes, by a secretariat that is relatively strong in terms of resources

44b: Is the secretariat serving the regime *financially dependent* upon contributions from member states for the specific purposes of managing the regime?

0. Not applicable in this phase
1. Yes; entirely or for most of its budget dependent upon contributions from member states given specifically for this particular regime
2. The secretariat is dependent upon contributions from member states, but regular contributions are given (mainly) for the purpose of supporting a wider range of activities (not only this particular regime).
3. The secretariat is independent of member state contributions for most of its budget (i.e. financed through fees, allocations from “supra-organisation”, etc.)

44c: Does the regime have its “own” *body of scientists/experts* to provide advice, or a formal link of collaboration to some established scientific organisation/body (established (mainly) for some other purpose)?

1. Neither
2. Yes, the regime has its “own” scientific (advisory) body
3. Yes, the regime regularly seeks the advice of an established scientific organisation/body (e.g. ICES)
4. Other, including some combination of 2 and 3.

45. Institutional setting: role of *conference president(s) and committee chairs*

1. Act(s) essentially as process manager; no significant “political” role
2. Provide(s) (also) some independent “political” inputs, but of a low-key nature, and essentially as mediator or go-between
3. Acts) (also) as “political” advocate promoting own ideas and solutions

Note: treat as cumulative scale - score *highest* category applicable

46. Did some delegates or delegations play particularly important roles with regard to providing entrepreneurial leadership in the negotiations?

1. No
2. Yes

If yes, please specify: The American and Nordic delegations seem to have been specifically active_____

INTERVENING VARIABLES

47. *Coalition patterns*

0. Not applicable (no distinct coalitions observed)
1. Formed essentially on the basis of issue-specific interests
2. Formed essentially on the basis of issue-specific values
3. Formed essentially on the basis of more general, exogenous (e.g. high politics) cleavages, such as East-West, North-South
4. Some combination of 1 and 2

48. *Negotiation strategies* of (main) “pushers”

1. Inclusive approach, search for common ground or compromise
 2. (When faced with “laggards”) pursue “ambitious” solution including like-minded countries, even if this would lead some others to “exit”
 3. “Coercive” approach; will neither yield, compromise, nor let “laggards” stay outside or leave
 4. Other (please specify)
-

49. Did the (main) “pushers” to a significant extent use *substantive links* to other issues in regime formation or implementation?

0. No

1. Yes

If yes, identify issue(s): _____

50. Did the (main) “pushers” use *tactical issue-linkage* to a significant extent?

1. No
2. Yes, largely in order to compensate “losers” or soften the resistance of “laggards”
3. Yes, largely in order to put coercive pressure on “laggards” to cooperate
4. Yes, for accommodative as well as coercive purposes

51. Negotiating strategies: (main) “laggards”

1. Inclusive approach, search for common ground or compromise
 2. (When faced with ambitious “pushers”): accept sub-inclusive regime (solution), but will itself file reservation (if constitution so permits), refuse to join, or chose the “exit” option
 3. “Coercive” strategy; will neither yield, compromise, nor accept a sub-inclusive regime (solution)
 4. Other (please specify)
-

52. Did the (main) “laggards” to a significant extent use *substantive links* to other issues in regime formation or implementation?

1. No

2. Yes

If yes, specify issue(s): _____

53. Did the (main) “laggards” use *tactical issue-linkage* to a significant extent?

1. No
2. Yes, largely for accommodative purposes (to increase the set of integrative solutions)
3. Yes, largely in order to put coercive pressure on “pushers” (not to establish a solution that would not be acceptable or favourable to the “laggards”)
4. Yes, for accommodative as well as coercive purposes

54. Negotiating strategies: (main) "intermediaries"

1. Low profile; apparently prepared to accept whatever "pushers" and "laggards" might agree on
 2. Inclusive approach; search for common ground or compromise, active mediation
 3. "Coercive" strategy; active pressure on "pushers" and/or "laggards"
 4. Other, please specify
-

55. Did the (main) "intermediaries" to a significant extent use *substantive links* to other issues in regime formation or implementation?

1. No
2. Yes

If yes, specify issue(s): _____

56. Did the (main) "intermediaries" use *tactical issue-linkage* to a significant extent?

1. No
2. Yes, largely for accommodative purposes
3. Yes, largely in order to put pressure on "pushers" and/or "laggards"
4. Yes, for accommodative as well as coercive purposes

57. Negotiating strategies: (main) "bystanders"

1. Withdrawal: did not participate in international decision-making processes, or did so only occasionally
 2. Formal participation on a (fairly) regular basis, but little active involvement in discussions of problem "diagnosis" and "cures"; own preferences somewhat vague
 3. Formal participation, low-key support for positions taken by (coalition) leader
 4. Other, please specify
-

58. *The knowledge base*: level and scope of uncertainty

1. Low uncertainty; the basic causal mechanisms and relationships are "known", and descriptive knowledge is, by comparative standards, solid

2. Intermediate; includes high score on one dimension (theoretical or empirical) and low on the other, as well as intermediate on both¹
3. High uncertainty; applies to theoretical understanding of cause-effect relationships as well as to descriptive knowledge

59. Did the knowledge base improve significantly over time (if score refers to a specific phase: during this phase)?

1. No
2. Yes, particularly with regard to estimates of inputs (pollution) or harvest (biological resources)
3. Yes, particularly with regard to the state of the recipient, stock or ecosystem
4. Yes, particularly with regard to the causal relationship between 2 and 3
5. Generally, along all three dimensions (2-4)

60. How much of the improvement in knowledge base (if any) can be attributed to the functioning of the regime itself?

0. Not applicable (no significant improvement did occur)
1. Only a small amount (well below 50 per cent)
2. The regime itself did not contribute much to knowledge-building, but indirectly it stimulated national or NGO activities. Direct and indirect contributions taken together seem to have been about as important as exogenous factors
3. The contributions of the regime itself (not including indirect effects) seem to have been about equally important as exogenous factors
4. When direct contributions and indirect effects are taken together, most or all can be attributed to the regime
5. Most or all can be attributed directly to contributions by the regime itself
6. Can not be determined

61. Presence and role of *transnational epistemic communities* [use Peter Haas' criteria]

1. No transnational epistemic community can be seen operating in this case
2. Yes, but it seems rather loosely integrated (by no means a coherent actor), did not "penetrate" deeply into national governments /administrations, and did not play an active or influential role in regime formation or implementation processes

¹ In the original coding instructions a distinction was made between 2=fair/good knowledge about the *state* of the stock/ecosystem/recipient but poor *theoretical* understanding of cause-effect relationships, and 3=fair/good understanding of general cause-effect relationships but weak empirical knowledge about this particular case. The replication database provides both the original and the revised coding. The latter has been used in much of the analysis reported (including Miles et al., 2002).

3. Yes; it seems fairly well integrated, “penetrated” national governments /administrations to a significant extent, and played an active and influential role in regime formation and/or implementation processes

DEPENDENT VARIABLES

62. *Level of collaboration*

0. Joint deliberation, but no joint action
1. Coordination of action on the basis of tacit understanding
2. Coordination of action on the basis of explicitly formulated standards, but with national action being implemented solely on a unilateral basis. No centralised appraisal of effectiveness.
3. Same as level 2, but including centralised appraisal of effectiveness
4. Coordinated planning combined with unilateral implementation. Includes centralised appraisal of effectiveness.
5. Coordinated through fully integrated planning *and* implementation. Includes also centralised appraisal of effectiveness.

63. *Regime effectiveness*: behavioural change in relation to the hypothetical state of affairs that would have existed in its absence [refers to change in behaviour regulated by the regime]

0. Negative (net) improvement (behaviour changed in the wrong direction)
1. Situation unchanged, or some negative and some positive effects with no clear *net* impact on behaviour either way
2. Small (marginal, slow) improvement
3. Significant, but not truly major improvement
4. Major improvement

64. *Regime effectiveness*: has the state of the problem the regime was (officially) designed to solve changed significantly during the life-time of the regime? [Refers to changes in the problem itself (*impact*)]

0. Situation deteriorated
1. Situation unchanged, or some negative and some positive effects with no clear *net* impact either way
2. Situation improved, but only marginally and/or slowly
3. Significant, but not truly major improvement
4. Major improvement

65. How much of the *total* change that has taken place (if any) in the *state of the problem* can in your judgement be *causally* attributed to the establishment or operation of the regime? (Expert knowledge or your own best judgement)

0. Little or nothing
1. Some, but exogenous non-regime factors such as technological innovation, industrial restructuring, domestic political changes etc. have clearly been more important
2. Some, but other regimes operating in the same or a functionally linked issue-area have contributed more
3. The regime and exogenous factors seem to have been about equally important
4. The regime seems to have been the major cause of change (improvement)
5. Cannot be determined on the basis of available data

66. Regime effectiveness: distance to collective optimum - *functional* (technical) judgement

1. Regime falls short, by a large margin, of meeting the requirements of a functionally optimal solution
2. Regime does not meet these requirements fully, but the gap is not very large either
3. Regime meets or comes close to meeting the requirements of a technically optimal solution
4. Regime rules and regulations go *beyond* what is considered to be “functionally optimal”

Note: base judgement on the knowledge that was available at the time of decision.

68. Has the regime substantially changed the contents or priorities of the international political agenda or the overall relationship among the participating states?

1. No (neither)
2. Yes, affected international political agenda
3. Yes, affected the overall relationship among at least some of the participating states
4. Yes, both (2 & 3)

69. Has the regime itself served as an important arena for transnational *learning*?

1. No, or only to a very modest extent
2. Yes, to a significant extent

70. *Regime development path:* Looking back at the time period covered in the case study, how would you characterise the overall path of regime development?

1. Stability; no significant growth or decline
2. Fairly stable trend of incremental growth

3. Overall growth, but not stable and incremental
 4. Decline
 5. Other, please specify:
-

71. Regime transformation: did the regime at some point(s) in time go through a substantial change in basic norms and rules?

0. No
1. Yes

If yes; please specify *when*: _____

72. Power skew, basic game

1. Strongly skewed in favour of pushers
2. Moderately skewed in favour of pushers
3. Skewed in favour of intermediaries
4. Balanced
5. Moderately skewed in favour of laggards
6. Strongly skewed in favour of laggards

73. Power skew, policy (negotiation) game

1. Strongly skewed in favour of pushers
2. Moderately skewed in favour of pushers
3. Skewed in favour of intermediaries
4. Balanced
5. Moderately skewed in favour of laggards
6. Strongly skewed in favour of laggards