



IP 5: The democratic accountability of transnational private governance

The globalization process goes with more demand for regulation and coordination at the international and transnational levels. In the last two decades, major changes have taken place in the modes of such regulation. There has been a proliferation of transnational networks of regulatory agencies in different policy domains. Furthermore, private forms of governance have developed. Examples of such transnational, private regulatory bodies are companies (e.g., rating agencies), private organizations (e.g., the International Accounting Standards Board), private standard-setting bodies (e.g., the International Organization for Standardization), non-profit organizations (e.g., the Forest Stewardship Council), and multi-stakeholder platforms (e.g., the United Nations Global Compact).

Some of these private actors are considered to be extremely powerful and relevant for global governance. Although the rules they issue are deliberately voluntary, they may be de facto binding and even become incorporated into “hard law”. Often they provide normative guidance for the elaboration and preparation of domestic legislation and are eventually included in national laws.

A significant and increasing share of policy making is thus carried out by private bodies that are neither elected — which would make them directly accountable to citizens — nor embedded in democratic institutions. However, these non-public actors make rules that involve collectively binding decisions. How do such forms of private governance affect democratic policy-making? To whom are these private bodies accountable? And how can transnational, private governance be democratically controlled? These are the central questions this research project will explore.

In particular, the project aims to find out:

- to what extent and how transnational, private soft rules coexist with “hard law”, and possibly combine with or replace it;
- to what extent and how transnational, private governance actors are held accountable;
- how individuals assess the legitimacy of transnational, private governance actors, and how they are perceived by the media.

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