



International negotiations over the global commons

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Abstract

Countries today navigate a multipolar world defined by tensions between great powers. How do middle powers, small states, and Global South countries fare in this geopolitical landscape? Can they shape new international agreements on emerging, divisive topics, like trade-and-environment issues? To explore this question, I investigate the twenty years of negotiations that led to a new treaty seeking to preserve the global commons: the World Trade Organization's (WTO) Agreement on Fisheries Subsidies (AFS). Using text-as-data analyses and a rich trove of WTO documents, I investigate the sources of the treaty text. I find that middle powers, small states, and countries from the Global South contributed to the agreement; they did so by forming coalitions with like-minded countries. The findings demonstrate that a wider range of states can effectively participate in international negotiations than traditionally assumed.

Keywords WTO · Environment · Trade · Subsidies

1 Introduction

As the unipolar era recedes, countries navigate a multipolar world increasingly defined by tensions between great power rivals. In this geopolitical landscape, no single country has sufficient authority to fully protect the global commons—that is, resources that lie beyond a single state's sovereign jurisdiction. This makes international agreements regulating the global commons both more important and more elusive.

Governments and other stakeholders may incur substantial costs if a global commons is overused. However, these costs only come due in the future (McGinnis

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& Ostrom, 1996). In contrast, the costs incurred as a result of a new international agreement, and the policy changes it requires, must be paid in the short-term, which may deter some countries from joining multilateral treaties (e.g. Davis, 2004; Goldstein & Martin, 2000). Further disincentives may arise from the fact that the sustainable use of a common pool resource requires the cooperation of all participants.¹ The more participants involved, the more difficult it is to agree, monitor and enforce the rules regulating its use (Ostrom, 1990). Agreements governing the *global commons* may therefore be particularly elusive, especially in the absence of a hegemon.

Despite these challenges, members of the World Trade Organization (WTO) achieved a breakthrough in June 2022 when, after two decades of negotiations, they reached an agreement aimed at safeguarding a global commons, specifically marine fish stocks. Marine fish stocks often lie beyond a single national jurisdiction¹ and their management requires international collective action (e.g. Sumaila et al., 2019; Bernauer & Bohmelt, 2020). WTO members sought to protect marine fish stocks by prohibiting some government subsidies to the fishing industry. The WTO Agreement on Fisheries Subsidies (AFS) represents a rare global success at agreeing binding rules to preserve the global commons.² The Agreement also represents an important milestone for the WTO, as it is only the second new multilateral agreement to be reached at the WTO since its creation in 1995.³

Which countries wielded the greatest influence in these historic negotiations? Powerful countries traditionally dominate multilateral talks (e.g. Allee & Peinhardt, 2010; Novosad & Werker, 2019; Stone, 2004; Vreeland, 2006). And states with greater material resources may be better placed to exploit a common pool resource. Given this, powerful states may enjoy significant influence in multilateral negotiations over shared natural resources.

Can smaller, less powerful states also influence negotiations over the global commons? If countries with limited material power cannot participate effectively in international talks over shared resources, then agreements may fail to sufficiently account for their interests. This omission may undermine the legitimacy of new treaties and pose challenges for global governance, especially when the interests of middle powers, small states, and Global South countries diverge from those of major powers.

Existing scholarship offers competing views on the extent to which power determines the outcomes of international negotiations. Some scholars argue that states with less power can influence international negotiations by adopting strategies, such as coalition formation, to help them overcome the disadvantages they face in multilateral talks (Coleman, 1970; Elgström et al., 2001; Hopewell, 2013, 2015; Mansfield & Reinhardt, 2003; Narlikar, 2003; Odell, 2000; Page, 2004; Panke, 2012a; Panke & Gurol,

¹ A common-pool resource is subject to overuse because no individual actor independently has an interest in preserving it. Fish stocks are a classic example (Wijkman 1982).

² These prohibitions are enforceable, at least in theory, by a third party adjudication process. Although the WTO Appellate Body is not currently functioning due to the United States' refusal to appoint new members, an alternative institution exists, the Multi-Party Interim Appeal Arbitration Arrangement (MPIA), which is being used by some members.

³ The first was the 2013 Agreement on Trade Facilitation. While the WTO's performance in negotiations has been modest, Elsig (2010) suggests other areas in which the WTO is performing better.

2020). Others contend that even in coalitions, smaller, less powerful states cannot exert significant influence when negotiating with larger, more powerful states (Davis, 2004; Deitelhoff & Wallbott, 2012; Drahos, 2003; Ikenberry, 2011; Krasner, 1991; Moravcsik, 2013; Tierney, 2014).

I bring new evidence to this debate by investigating the twenty years of negotiations that led to the WTO Agreement on Fisheries Subsidies. Using text-as-data analyses, I compare the final treaty text with written submissions made to the WTO's Negotiating Group on Rules by countries and coalitions of countries. These submissions reflect the authors' positions and serve as the basis for negotiations. Comparing the concordance between submissions and the final agreement, I identify those submissions that contributed relatively more of the text included in the final treaty.

The submission that contributed the largest share of text came from a coalition of six countries all classified as Global South states by the United Nations (UN) Finance Center for South-South Cooperation.⁴ The second largest contribution came from a coalition of three small states with varied levels of economic development. The third largest contribution came from the WTO Group of Least-Developed Countries (LDC). These findings suggest that seemingly "weak" states can fare better in international negotiations than a simplistic assessment of their material capabilities alone might suggest.⁵

This study makes two contributions. First, it demonstrates that middle powers, small states and countries from the Global South can influence new international agreements. This observation raises intriguing questions about the role of power in international negotiations today. A long-standing theory in International Relations (IR) argues that powerful countries dominate global politics and multilateral negotiations (e.g. Carr, 1946; Morgenthau, 1948; Waltz, 1979). And a large body of empirical work demonstrates that major powers shape international agreements regulating a range of economic transactions, including trade (e.g. Allee & Lugg, 2016), investment (e.g. Allee & Peinhardt, 2010; Berge & Stiansen, 2023; Huikuri, 2023), and financial rescues (e.g. Vreeland, 2006; Stone, 2004; Copelovitch 2010). Yet I find evidence that weak states can establish influence in multilateral talks. By shedding light on how these states interact and assert influence in negotiations over the global commons, this study contributes to understanding the challenges and opportunities for achieving the deep international cooperation necessary to protect biodiversity and mitigate climate change in a shifting geopolitical environment (Keohane & Victor, 2016).

Second, this study advances our understanding of how "power" can be created in international negotiations. The findings illustrate that coalitions can provide a mechanism for weak states to establish influence in multilateral talks. While previous

⁴ They are also members of the UN Group of 77 (G-77). Membership of the G-77 serves as a reasonable guide to the Global South's composition (Shidore 2023).

⁵ Countries with small economies and those with low levels of economic development are often perceived as being "weak". See Snidal et al. (2024) for a comprehensive discussion of weak states in international organizations.

studies explore the important question of *which* coalitions form in international negotiations (e.g. Allan & Dauvergne, 2013; Genovese et al., 2023; Johnson & Urpelainen, 2020; Klöck et al., 2020), they often leave unanswered a crucial subsequent question: what influence do coalitions have on outcomes?

Conflicting theoretical answers to this question have been offered, but empirical evidence is scarce.⁶ The lacuna is due, in part, to the difficulty of identifying coalitions' contributions. In an effort to overcome this challenge, this study employs a strategy to discern the sources of a treaty's text.⁷ Knowing where a treaty's text comes from can illuminate coalitions' contributions and provide insights into how states interact in a multilateral context.

Results found using this approach demonstrate that weak states can influence negotiated outcomes via coalitions. Coalitions need not be formal or institutionalized to augment the influence of weak states. Nor must they consist exclusively of regional neighbors, or states with similar levels of economic development.⁸ In short, a wider range of states can effectively participate in international negotiations than conventionally assumed. The interplay among these varied types of states adds complexity to the geopolitical landscape, challenging traditional notions of power and influence.

2 Power politics

A large literature in International Relations examines the role of power, which often - but not always - refers to material power, typically measured by gross domestic product (GDP). Although the impact of material power has been extensively investigated, the specific dynamics underlying negotiations over trade-and-environment issues merit further investigation, particularly in today's changing geopolitical environment. Understanding how power influences negotiations over the global commons is pivotal for the future of shared natural resources.

Powerful states are widely perceived to possess the strength and competence necessary to shape international outcomes to their will (e.g. Drezner, 2008; Jupille et al., 2013; Ikenberry, 2011). The resource-based advantages they enjoy, including the size of their economies, give them bargaining leverage with which to influence outcomes. Powerful states can offer package deals, market access, or side payments to influence international agreements (e.g. Krasner, 1976). Countries with significant material resources can, for example, promise foreign aid to states that support their position in international negotiations.

⁶ See, however, Drahos (2003) and Panke (2012b).

⁷ For the application of similar strategies to other research questions, see Allee and Lugg (2016), Alschner and Skougarevskiy (2016), Allee et al. (2017), Manger and Peinhardt (2017), Peacock et al. (2019), and Allee and Elsig (2019).

⁸ As some argue, see Odell (2000) on regional groups and Genovese et al. (2023) on economically homogeneous groups.

Although countries with more material resources may be advantaged in international negotiations, states with fewer resources may be able to overcome at least some of the constraints hindering them by employing various strategies. First, states can cultivate specialized expertise by building on their knowledge and experience of certain sectors. This type of authoritative expertise may give weak states the ability to advocate for their interests and contribute meaningfully to negotiations, particularly in technical policy-making contexts (Hearson et al., 2023; Jones et al., 2010).

Second, states may increase their bargaining power via issue linkage. By linking trade issues with other policy areas, such as environmental protection, smaller states and developing countries may win concessions from wealthier nations (Odell, 2000; Davis, 2004; Jones et al., 2010). The emergence of environmental norms within the international community may add weight to arguments made by weak states on trade-an-environment issues (e.g. Lipsy, 2017; Snidal et al., 2024).

Third, states looking to amplify their voices in international negotiations may form coalitions.⁹ Coalitions are groups of countries that work together with a common purpose to achieve a desired outcome in international negotiations.¹⁰ Coalitions can take a variety of forms, falling along a continuum from formal, durable, and highly institutionalized collectives to temporary, informal and ad hoc groups.

3 The role of coalitions

Coalitions may wield influence in international negotiations because of the collective strength derived from their multiple members (e.g. Page, 2004; Mansfield & Reinhardt, 2003). Coalitions may be particularly helpful for small states and those with lower levels of economic development (e.g. Mansfield & Reinhardt, 2003; Narlikar, 2003; Odell, 2000; Panke & Gurol, 2020). As members of a coalition, countries can pool their resources to improve how they research, articulate, and represent their interests in international negotiations (Narlikar, 2003; Panke, 2012a). Coalitions may therefore increase not only the bargaining power of their members but also the capacities of their participants, thereby increasing their influence over outcomes (Coleman, 1970; Elgström et al., 2001; Hopewell, 2013, 2015).

However, coalitions may not always be effective at advancing states' interests in multilateral talks. For example, coalitions formed by developing countries during the Uruguay Round negotiations, which commenced in 1986, in an effort to increase their bargaining power were largely ineffective (Narlikar, 2003). Various reasons have been offered for their ineptitude including the absence of a strong issue-specific focus (Hopewell, 2013; Narlikar, 2003).

More generally, coalitions may be ineffective for several reasons. First, countries may not always gain strength from numbers (Deitelhoff & Wallbott, 2012). Davis (2004) finds that when multiple countries make demands for trade liberalization

⁹ Complementarities may exist between these strategies and they are not mutually exclusive.

¹⁰ International negotiations are a sequence of actions in which states address demands, arguments, and proposals to each other for the ostensible purposes of reaching an agreement (Davis 2004; Odell 2000).

during international negotiations, the likelihood of liberalization is actually *reduced* slightly. Second, coalitions may be hampered by the need to coordinate and bargain internally (Drahos, 2003). Building and maintaining coalitions is difficult and the effort needed to keep a coalition together may limit the group's influence in multilateral negotiations. Third, material power may win the day even in the presence of coalitions (Krasner, 1991). Some coalitions formed by developing countries during the Uruguay Round collapsed in the face of pressures from the dominant powers (Hopewell, 2013; Narlikar, 2003). By fractionalizing the global order, coalitions may give advantages to powerful countries (Ikenberry, 2011; Tierney, 2014). And in situations where powerful states' authority is challenged by coalitions, they may threaten to withdraw from participation, thereby impeding the progress of international negotiations (Moravcsik, 2013).¹¹

In sum, competing expectations exist about the role of coalitions in international negotiations. I bring novel empirical evidence to this debate by using text-as-data analyses to identify the sources of the text of the WTO's 2022 Agreement on Fisheries Subsidies.

4 The case

WTO negotiations over fisheries subsidies sought to address a global commons problem, namely the overfishing of marine fish stocks. More than one-third of fish stocks around the world are overfished, according to the United Nations Food and Agriculture Organization (FAO). Overfishing depletes stocks at a rate that the species cannot replenish, which leads to lower fish populations. Overfishing contributes to the destruction of the ocean's biomass and puts at risk an important component of global protein consumption. Seafood accounts for 17 percent of the world's protein intake and in some parts of Asia and Africa, the share is nearer 50 percent.

Solving the problem of overfishing is difficult because many marine fish stocks lie beyond a single country's sovereign jurisdiction. Fish that migrate along countries' coasts are trans-boundary resources (Vogler, 2012; Wijkman, 1982). These fish stocks are characterized by the familiar incentives for over-grazing—that is, the short term individual gains from fishing lead to longer term ecological collapse (Vogler, 2012).

Government subsidies to the fishing industry can contribute to overfishing. By reducing the costs of doing business, subsidies may generate over-capacity in the industry. In Türkiye, for example, the government provided subsidies that enabled fishers to construct larger trawling vessels. The early financial success of the larger trawlers, together with lucrative government subsidies, lured others to enter the industry, which subsequently undermined the sustainability of fish stocks (Ostrom, 1990).

¹¹ And in some cases, coalitions may simply be unnecessary. At the WTO, all member states formally enjoy an equal say in proceedings and consensus is required. Given this, weak states may be able to influence negotiations without joining coalitions (Davis 2006).

Today, two-thirds of government subsidies to the fishing industry contribute to over-fishing (Sumaila et al., 2019) and without government subsidies, over 50 percent of high seas fishing would be unprofitable at its current scale (Sala et al., 2018).

Discussions about fisheries subsidies at the WTO commenced in 2001 during the Doha Ministerial Conference. The primary objective was to “clarify and improve” the existing WTO regulations on subsidies. During the 2017 Buenos Aires Ministerial Conference (MC11), ministers agreed to advance the negotiations with an aim to achieve an agreement on fisheries subsidies that aligned with the United Nations’ Sustainable Development Goal (SDG) 14.6, which focuses on sustainable fishing and explicitly aims to eliminate certain forms of fisheries subsidies (Hoekman et al., 2023). After two decades of negotiations, an agreement was finally reached in June 2022 at the 12th Ministerial Conference (MC12) in Geneva.

The Agreement on Fisheries Subsidies seeks to address both competitiveness-related spillovers and protect the global commons by prohibiting government-funded subsidies for: 1) illegal, unregulated, or unreported (IUU) fishing; 2) fishing overfished stocks; and 3) fishing on unregulated high seas. These prohibitions apply to all WTO members.¹²

The AFS constitutes a ground-breaking international agreement—one that seeks to protect a shared natural resource via binding and enforceable international rules.¹³ As the first WTO treaty to explicitly address the adverse environmental impact of trade policies,¹⁴ the AFS is heralded as a bellwether for future multilateral agreements on trade-and-environment issues.¹⁵ Because the AFS focuses on environmental global public goods, in addition to increasing commercial market access, it may help to mitigate criticism that the WTO prioritizes economic exchange over environmental concerns (Hooghe et al., 2019). This, in turn, may help to secure the WTO’s legitimacy – the belief that an organization’s authority is appropriately wielded – which affects the body’s long-term capacity to deliver (Tallberg & Zurn, 2019).

The Agreement on Fisheries Subsidies signifies a significant achievement for the WTO. It is only the second new multilateral agreement to be reached since the establishment of the WTO in 1995.¹⁶ Concluding the fisheries subsidies negotiations was seen as a “litmus test for the ability of WTO members to negotiate meaningful outcomes” (Hoekman & Wolfe, 2023, p.2390) and was viewed by many, including diplomats in Geneva and the International Chamber of Commerce, as necessary to demonstrate that the WTO “can continue to write meaningful trade rules.”¹⁷

¹² Special and differential treatment for developing countries takes the form of a two year transition period after the entry into force of the agreement during which activities occurring within a nation’s exclusive economic zone are not subject to the prohibitions.

¹³ For the AFS to become operational, two-thirds of members have to deposit their “instruments of acceptance” with the WTO.

¹⁴ There are, however, 669 international environmental agreements with at least one trade-related provision that governs fisheries (Morin et al. 2023).

¹⁵ Gonzalez, Deputy Director-General, WTO, June 21, 2023.

¹⁶ The first was the 2013 Agreement on Trade Facilitation.

¹⁷ Open Statement from the International Chamber of Commerce to Trade Ministers, 13 July 2021, <https://iccwbo.org/news-publications/policies-reports/open-letter-to-trade-ministers-on-wto-fisheries-subsidies-negotiations/>. See also Hoekman and Wolfe (2023)

Because the AFS confirms that consensus is possible among the WTO's members, it may help to ensure that the WTO remains the primary arena for coordinating policies and addressing global trade issues (and perhaps also trade-and-environment issues). The Agreement has consequently been celebrated as a win for the global trade regime, and multilateralism more generally.¹⁸

5 Research design and methodology

During the negotiations over fisheries subsidies, countries, and coalitions of countries, articulated their positions in submissions to the WTO Negotiating Group on Rules. Submissions to the Negotiating Group are circulated among WTO members and serve as the basis for negotiations. They represent an attempt by members to advance a shared vision for cooperation and can be viewed as an effort by the author(s) to shape the final outcome.

Given the extensive volume of text produced over the two decades of negotiations, automated text analysis offers a valuable tool for examining the submissions. Using automated text analysis to scrutinize the content of these documents, I aim to identify where the language used in the final agreement came from. To do this, I assess the concordance between: 1) the language in the final treaty; and 2) submissions made to the Negotiating Group on Rules. I employ a methodology that calculates the textual similarity between these document-pairs. Using this method, I calculate the percent of content in the final AFS text that comes from a given submission. For brevity, this value is referred to as the percent of "matching text" in all figures.

Comparing texts in this manner proves valuable for several reasons. First, within the context of international treaties, precise wording is importance (e.g. Allee & Elsig, 2019; Manger & Peinhardt, 2017). The wording of a treaty determines how its provisions will be interpreted and implemented by the signatory parties. Even minor differences in phrasing can lead to varying legal interpretations, thereby affecting the obligations, rights, and responsibilities of the involved parties (e.g. Spirling, 2012). Consequently, negotiations often center around deciding whose preferred language will be adopted and the exact formulation of the treaty's content.

Second, my objective is to compare the AFS treaty with a specific collection of potential source texts (i.e. submissions to the Negotiating Group). Since the structure is known *ex ante*, I do not use the bag-of-words approach effectively employed in a range of other studies.

I compile all documents related to the fisheries subsidies negotiations via the WTO's online document center.¹⁹ To calculate the percent of content in the final treaty that comes from a given submission, I utilize an open source program called WCopyfind, which is designed to detect matching sequences of text between

¹⁸ Okonjo-Iweala, Director General, WTO, February 7, 2023.

¹⁹ https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S005.aspx

documents²⁰. This program has been used effectively in a range of studies (e.g. Allee & Elsig, 2019; Allee & Lugg, 2016; Allee et al., 2017; Corley et al., 2011; Grimmer, 2010). It is a particularly good fit here because it systematically compares a set of texts (i.e. submissions) to a benchmark text (i.e. the AFS agreement) and calculates the share of matching text. It also identifies the matches and allows users to specify the length of phrases to be compared.²¹ I compare ten-word phrases across each document-pair to ensure the preservation of crucial information inherent in word order and to safeguard against shorter, common phrases being flagged as matches, such as the six-word phrase, “*the Agreement on Fisheries and Subsidies*”.²²

Examples of flagged matches include text from a submission made by Brazil, China, India and Mexico in 2010 that said a subsidy “*shall be attributable to the Member conferring it, regardless of the flag(s) of the vessel(s) involved*”.²³ Also, in July 2017, the WTO’s LDC Group made a submission that proposed text ultimately included in the final agreement stating that the treaty “*shall have no legal implications regarding territoriality or delimitation of maritime boundaries*”.²⁴

6 Analysis of submissions to the negotiating group

6.1 Over time

Figure 1 reports the year a submission was made to the Negotiating Group on Rules, as well as the share of text included in the final agreement from a given submission. Each dot represents a submission. As illustrated, more submissions are made in some years than others.

Early submissions, specifically those made before 2005, generally contribute little text to the final agreement. These submissions tend to spell out high-level principles, rather than specific treaty text. In April 2002, for example, Canada made a submission that outlined its opposition to a fisheries-specific subsidy agreement, expressing concern about “*efforts to fragment subsidy disciplines on a sector-by-sector basis*” and making it clear that the country’s “*preference has been to support generic subsidy disciplines rather than a sectoral approach*.”²⁵

In contrast, more recent submissions tend to suggest specific text for inclusion in the final agreement. The 2021 submission by the United States included text that was “*proposed for inclusion in Article 3.1*”.²⁶ The US submission also suggested

²⁰ <https://plagiarism.bloomfieldmedia.com/software/wcopyfind/>

²¹ Minor imperfections are allowed. Punctuation, numbers, and letter case are ignored.

²² The results described below are largely robust to comparisons using two alternative phrase lengths (6 and 8 words), cosine similarity score calculations, and where the comparison is switched—that is, the share of the submission copied in the final agreement is calculated. This calculation accounts for the possibility that short submissions may contribute only a small share of text to final agreement, even if a large share of the submission itself is included. These results are available upon request.

²³ TN/RL/GEN/163.

²⁴ TN/RL/GEN/193.

²⁵ TN/RL/W/1.

²⁶ TN/RL/GEN/205.

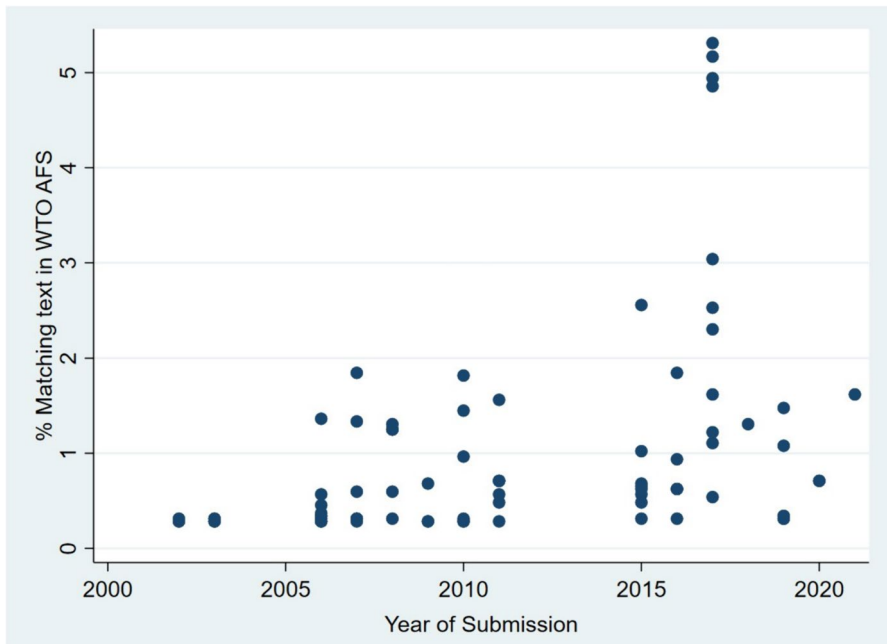


Fig. 1 % Matching text over time

text for inclusion “*as Article 8.2(b)*”. Similarly, in November 2019, draft text was submitted by the delegations of Argentina, Australia, the United States and Uruguay “*to illustrate how subsidy caps could be reflected in an Agreement.*”²⁷

The most influential submissions were made in 2017 – five years before an agreement was finally reached. These submissions were made in the run up to the 11th Ministerial Conference, held in Buenos Aires in December 2017. Agreement on a final text was not reached until the next Ministerial Conference, which was held in Geneva in 2022 having been delayed due to Covid-19.

6.2 Authorship

During the twenty years of negotiations over fisheries subsidies, individual countries made the majority of submissions to the WTO’s Negotiating Group on Rules (52 percent). Forty-eight percent of submissions were made by coalitions of countries. One-third of the submissions made by coalitions came from WTO Groups. WTO Groups are coalitions of countries that advocate with a unified voice during WTO negotiations and typically operate under a single coordinator or negotiating team. WTO Groups tend to endure over time and engage in a wide range of issues in the WTO framework. Two prominent examples include the African, Caribbean, and Pacific countries (ACP) and the group of Least-Developed Countries (LDC)²⁸.

²⁷ TN/RL/GEN/203.

²⁸ The Organisation of African, Caribbean and Pacific States (OACPS) evolved from the ACP Group.

Two-thirds of the submissions from coalitions were made by informal, ad hoc coalitions. Informal coalitions tend to be relatively fluid and short-lived. In 2008, for example, India and Indonesia submitted a proposal calling for “*unconditional special and differential treatment for developing countries*.”²⁹ A month later China joined India and Indonesia as a co-author of a submission that called for “*special and differential treatment for developing countries*.”³⁰ (In this submission, the term “*unconditional*” was dropped.) The three countries never came together again to make a submission in the fisheries subsidies negotiations.

Only two informal coalitions persisted with identical membership across multiple submissions. In both cases, the coalitions exhibited a regional orientation: 1) Japan, Korea and Taiwan; and 2) Argentina, Colombia, Costa Rica, Panama, Peru and Uruguay. Region-based coalitions may be relatively more durable than other ad-hoc coalitions because regional neighbours have repeated interactions across a range of issues and this may help to keep a coalition together over time (e.g. Odell, 2000; Jones et al., 2010). Regional coalitions may also share more similar interests than non-regional groups, depending on the geographic distribution of the natural resource under discussion. Regardless, neither of these two coalitions lasted more than nine months, suggesting the potential challenges involved in sustaining informal coalitions.³¹

6.3 Relative contributions

Figure 2 displays the share of the final treaty text contributed by submissions to the Negotiating Group on Rules.³² Submissions that contributed more than 1.5 percent of the final text are listed in rank order.

The largest contribution came from a submission authored by an informal coalition of six countries all classified as Global South countries by the UN Finance Center for South-South Cooperation. This coalition included Argentina—a middle power, as well as Colombia, Costa Rica, Panama, Peru and Uruguay. Their submission contributed 5.1 percent of the text in the final agreement across a range of issues, including: 1) special and differential treatment for developing and least developed countries; 2) exemptions for subsidies in response to natural disasters; 3) the definition of fishing and fishing vessels; 4) restrictions on subsidies for IUU fishing; and 5) subsidy notification and reporting requirements.

²⁹ TN/RL/GEN/155.

³⁰ TN/RL/GEN/155/R1.

³¹ Japan, Korea and Taiwan made a submission in April 2006, and subsequently submitted two revisions to their original submission in June 2006. Argentina, Colombia, Costa Rica, Panama, Peru and Uruguay made a submission in November 2016. They made a new, different submission in May 2017 and submitted two revisions to it in July 2017. The coalition’s 2016 submission contributed 9 percent of the text in the May 2017 submission.

³² When revisions are made to a submission by the same author(s) within 12 months, I calculate the mean share of matching text. The shares across revisions are often very similar, as changes are typically minor. Larger changes generally result in a new submission.

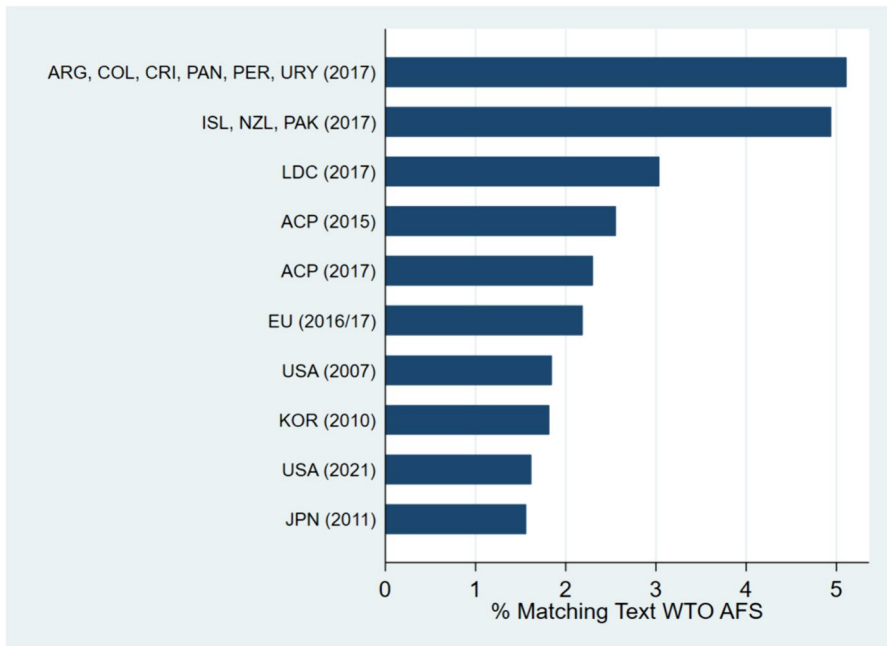


Fig. 2 % Matching text in rank order

The second largest share of text came from a submission made by three small states with varying levels of economic development: Iceland, New Zealand and Pakistan. Their submission included text, which was ultimately included in the final treaty, prohibiting three types of subsidies: 1) subsidies to IUU fishing; 2) subsidies to fishing activities where stocks are not assessed or are assessed as being overfished; and 3) subsidies provided to fishing activities on the high seas.

Prior to making this submission, New Zealand and Iceland had undertaken domestic reforms to reduce overfishing, including the voluntary withdrawal of government subsidies that might negatively affect fish populations (Rickard, 2022). Following the reforms, these countries spent their fisheries subsidies budgets on programs with either neutral or positive environmental impacts, including subsidies to offset the cost of determining sustainable catch limits (Rickard, 2022).³³ In this way, New Zealand and Iceland were “first movers” in fisheries subsidy reform. Because they had already transformed their fisheries subsidy programs, a new international agreement restricting subsidies with negative environmental impacts would impose few additional costs. Such an agreement would, in fact, help to ensure that other countries’ fishing fleets operated on equal footing with their own.

³³ Comprehensive fisheries subsidy data are not available for Pakistan.

This example suggests how domestic policy reforms may shape countries' positions in international negotiations. Domestic reforms may also determine, at least in part, countries' influence in multilateral talks. Iceland and New Zealand may have been seen as "leaders" in fisheries subsidies reform and this perceived leadership may have added weight to their proposal, engendering support from other countries.

The next three submissions by share of text included in the final agreement came from WTO Groups. The LCD's 2017 submission made the third largest contribution to the final treaty. The ACP Group authored the fourth and fifth largest contributions to the Agreement in 2015 and 2017 respectively. (These contributions related mainly to IUU fishing and special and differential treatment for developing countries.) Both Groups' members consist primarily of developing countries and countries from the Global South, suggesting that countries traditionally viewed as having little influence in multilateral negotiations can, in fact, shape international agreements via coalitions.

No individual country appears in the top five contributors to the AFS. The five largest contributions all come from coalitions. The most influential submission made by an individual country comes from the United States and is ranked seventh in terms of contribution share. The US makes a second appearance in the top ten with their 2021 submission, which is ranked ninth. But even summing together the two US submissions, they still contribute less text to the final treaty than the submission made by the six-country coalition of Global South countries or the joint submission by three small states.³⁴

These descriptive data suggest that coalitions contributed more text to the final agreement than individual countries. Figure 3 supports this observation. It reports the mean share of matching text for submissions made by individual countries and by coalitions of countries. On average, submissions by coalitions contribute 67 percent more of the final treaty's text than individual country submissions. The difference is statistically significant in a two-sample t-test with equal variances.

6.4 Strength in numbers

Do coalitions with more members have relatively greater influence? As a preliminary probe, I plot the number of countries authoring a submission and the percentage of text in the AFS that comes from the submission. As illustrated in Fig. 4, larger coalitions—that is, those with more members—do not make significantly larger contributions than smaller coalitions. While there is a slight positive correlation between the number of countries authoring a submission and the share of text it contributes to the final agreement, the correlation is small (0.2). The fact that larger coalitions do not make significantly larger contributions than smaller coalitions suggests that the pooling of material power alone is insufficient to ensure coalitions' effectiveness.

³⁴ Japan and Korea also made individual submissions that appear in the top ten. However, they each contribute less than 2 percent of the text in the final agreement.



Fig. 3 % Matching text by author type

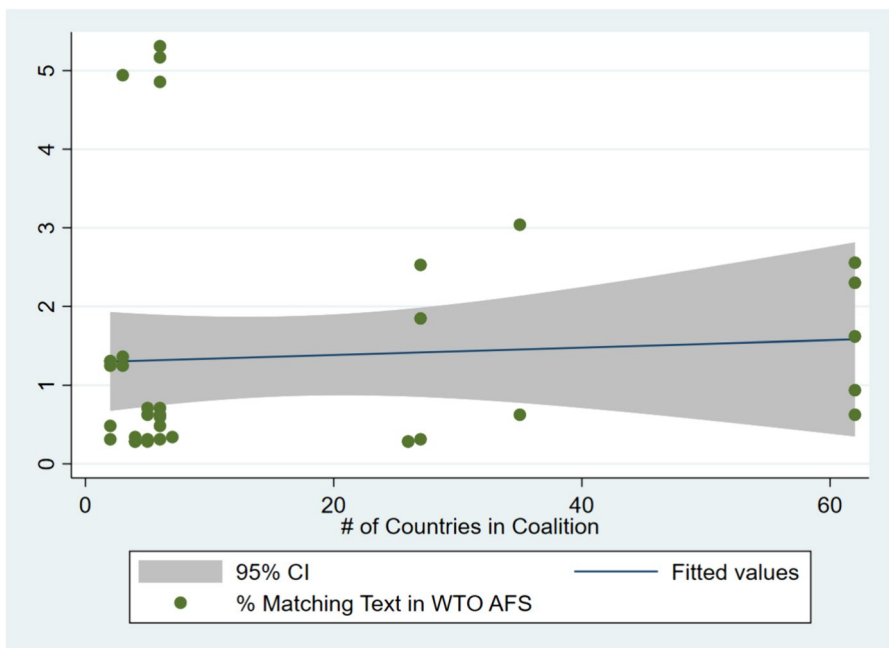


Fig. 4 Coalition size and % matching text

While larger coalitions may have more material power in aggregate, their effectiveness may be limited by the challenge of remaining cohesive as membership becomes more heterogeneous. This dynamic may help to explain the relative ineffectiveness of large groups of countries in international negotiations, like the UN's G-77 group, whose members are generally characterized as Global South countries. This group includes a diverse range of states with heterogeneous interests, which may limit the group's ability to effectively engage in and influence multilateral talks.

However, the results from this study suggest that Global South countries can and do have influence. Their influence emerges when smaller, sub-groups of Global South countries form coalitions with other like-minded states that share similar interests, as illustrated in the AFS case by the six-country coalition of Argentina, Colombia, Costa Rica, Panama, Peru and Uruguay.

6.5 Strength via economic size

To explore the potential importance of economic power, in Fig. 5, I plot the share of matching text against the natural log of a submission's GDP, as measured by the author's GDP in the submission year. For submissions made by coalitions, I calculate the mean GDP for coalition members in the submission year.³⁵ As illustrated in Fig. 5, the correlation is slightly negative (-0.22), suggesting that countries and coalitions with smaller average economies had somewhat *more* influence on the final agreement than those with larger economies.

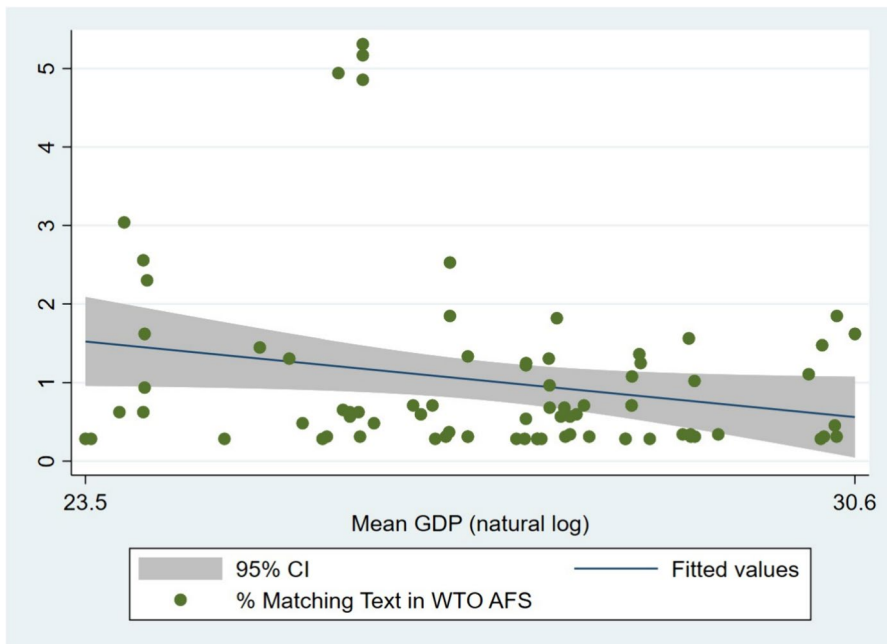


Fig. 5 Economic size and % matching text

³⁵ GDP values are in constant 2015 US dollars and come from the World Bank.

The negative correlation between GDP and the share of matching text is consistent with the observation that none of the top three countries in terms of GDP (the US, China, and Japan) appear in the top five contributors to the AFS, despite being sizable fishing nations. In 2021, China caught 14.1 percent of the global marine catch (in metric tons) and was responsible for 12.1 percent of global exports of fisheries products.³⁶ The US caught 4.7 percent and accounted for 3 percent of global exports. Japan caught 3.5 percent and was responsible for 1.5 percent of global exports. Given their material resources and involvement in fishing, it is somewhat surprising that none of these countries made individual submissions that contributed more than 2 percent of text to the final agreement. Of course, they may have exerted influence via other means. But the positions of these powerful states, as outlined in their submissions to the Negotiating Group on Rules, did not significantly contribute to the final treaty text.

This observation suggests that material power, as measured by GDP, may not necessarily ensure success in shaping international treaties. In fact, economically large countries sometimes failed to achieve their desired outcomes in these negotiations. In May 2021, for example, the US made a submission to the Negotiating Group proposing text related to the use of forced labor on fishing vessels. However, the final agreement contains no language about labor, forced or otherwise. Similarly, in March 2019, the United States together with Australia made a submission to the Negotiating Group that proposed “*Member-specific subsidy caps, expressed in monetary terms, and in certain cases phasedowns*”.³⁷ However no subsidy caps or phasedowns are included in the final agreement.

7 Comparing the final agreement to the last draft

During the two decades of negotiations over fisheries subsidies, several draft agreements were written by the Chair of the Negotiating Group. These drafts were composed in response to countries’ and coalitions’ submissions. They served as the basis for negotiations and reflect the progress of talks through various phases. Using the same methodology described above, I compare the draft texts to the final agreement.³⁸ These comparisons can help to illuminate the adaptations, changes, and concessions that occurred throughout the negotiating process.

Figure 6 reports the month and year in which each draft was written, as well as the share of text each contributed to the final treaty. None of the drafts written prior to 2020 contributed more than 10 percent of the text in the final agreement. A breakthrough occurred in 2021 when a draft was produced in May that contributed 43 percent of the text in the final agreement. A revision of that draft, published in June 2021, contributed 50 percent and a second revision published in November 2021, contributed 56 percent of the final agreement’s text.

³⁶ All catch and export data come from the FAO Fisheries and Aquaculture Information and Statistics Branch online query, accessed April 8, 2024.

³⁷ TN/RL/GEN/197.

³⁸ The AFS agreement does not include a preamble, which I would otherwise exclude from the analysis following best practice (e.g. Allee & Elsig, 2019).

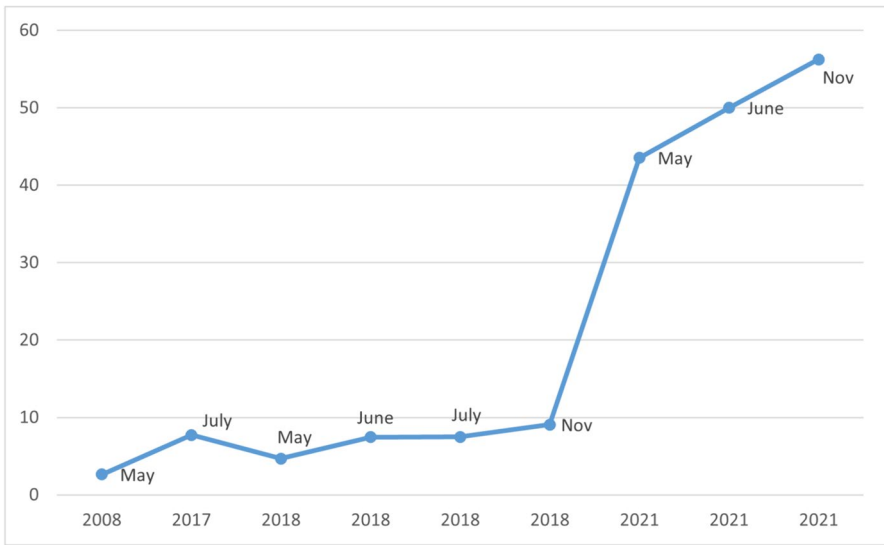


Fig. 6 Share of % matching text across drafts

Although progress was made over time, it is striking that the last draft contributed just 56 percent of the final treaty text. This suggests that significant changes occurred between the last draft and the final agreement. To explore these changes, I investigate which countries' proposals gained (or lost) traction between the November 2021 draft and June 2022 agreement. I do this by calculating for each submission the difference between the share of matching text in the last draft and the share of matching text in the final agreement. These results are reported in Fig. 7 and include all submissions that contributed at least 1.5 percent of text in the final agreement. Positive values indicate that a submission contributed more text to the final agreement than to the last draft. Negative values indicate a submission contributed *less* text to the final agreement than to the last draft.

The ACP's 2015 submission saw the largest increase in "influence" between the last draft and the final treaty; its share of matching text rose by 243 percent, or nearly 2 percentage points. Despite being authored 7 years prior to the final agreement, this submission played a pivotal role in the final treaty—making the 4th largest contribution to the final text. Its influence highlights the enduring relevance of this coalition's submission.

The next largest increase was enjoyed by Korea. The contribution made by Korea's 2010 submission increased a 100 percent from the last draft to the final treaty. Korea's submission recommended prohibiting subsidies for fishing on the high seas and suggested that this prohibition apply to all members without exception. The final agreement includes language to this effect, consistent with Korea's 2010 proposal. Korea accounts for 1.4 percent of marine capture and 1.3 percent of global exports (in 2021). Given its status as a fishing nation, Korea may have been

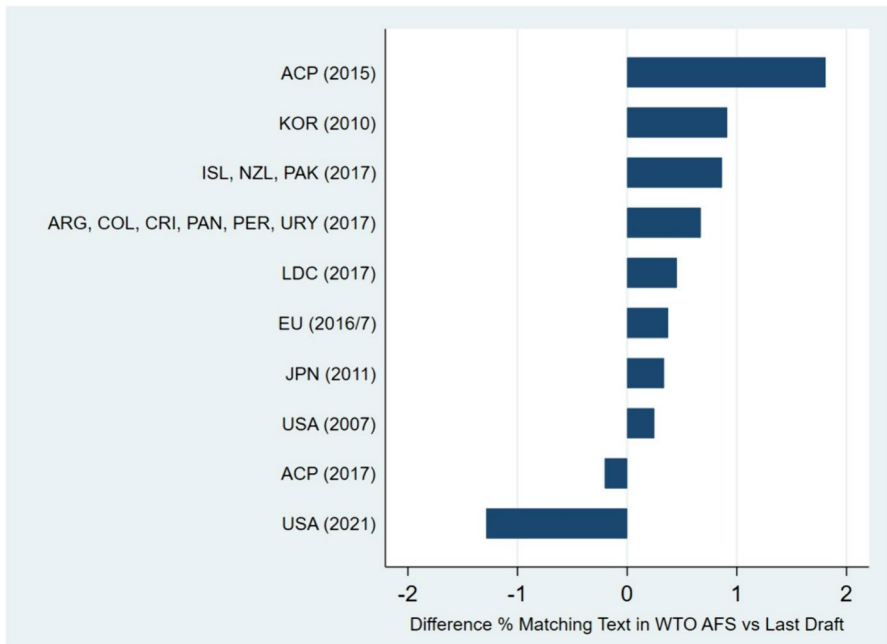


Fig. 7 Difference % matching text in final treaty vs the last draft

an important country to have on board with the agreement, which could explain why the final agreement shifted closer to Korea's 2010 submission.

The next largest increases occurred for submissions made by informal coalitions, namely the six-country coalition of Global South states and the three-country coalition of small states (Iceland, New Zealand and Pakistan). Both coalitions saw the share of text from their submissions increase from the last draft to the final agreement. Ultimately, these submissions contributed the two largest shares of text to the final agreement, respectively.

The largest decrease befell the United States' 2021 submission. Its share of matching text declined by 44 percent, indicating that less of the submission's text appeared in the final agreement than in the November 2021 draft. The ACP's 2017 submission also experienced a decrease in text share between the last draft and final treaty. Despite this, however, the ACP's (2017) submission made the 5th largest contribution to the final agreement.

As these comparisons illustrate, the journey from initial proposals to a final agreement is not straightforward. While some submissions gained traction, others lost purchase. Significant changes between the last draft and final treaty may have materialized, at least in part, because representatives in Geneva were highly motivated to get this deal done, as responses from an survey of WTO delegates made clear (Hoekman & Wolfe, 2023).

8 Conclusion

After two decades of negotiations over a challenging global commons problem, a new international treaty was reached at the WTO: the Agreement on Fisheries Subsidies. Analysis of these negotiations reveals that although powerful countries may be best able to exploit the global commons, small states, medium powers and countries from the Global South contributed to the new rules designed to protect the global commons.

This observation comes with two caveats. First, this is not a conclusive operationalization of influence. Instead, the study seeks to leverage the wealth of information found in WTO documents, specifically submissions to the Negotiating Group on Rules, to propose a method for identifying (and quantifying) the contributions of coalitions and countries to internationally negotiated agreements.

Second, the method employed in this study measures the similarities between texts. However, the differences may also be revealing. For example, the final Agreement does not prohibit subsidies that *directly* increase the capacity of fishing fleets, such as fuel or bait subsidies. Although some submissions proposed such prohibitions, consensus on this issue proved elusive. The 2022 treaty is consequently viewed by some as a “first step”³⁹ that represents an “incremental approach” (Hoekman et al., 2023). It remains to be seen if consensus can be reached on additional prohibitions in the future.

Nevertheless, the AFS represents an landmark treaty aiming at preserving the global commons—specifically marine fish stocks. Insights gleaned from these negotiations offer two lessons for achieving consensus on issues related to other global commons, including the atmosphere, the seabed, Antarctica, and Outer Space. First, ongoing dialogue is important. Continuous discussions and repeated rounds of negotiations can foster an environment in which consensus may develop over time. Second, creating room for coalitions and coalition building may be valuable for the legitimate, equitable and sustainable use of shared natural resources.

This study demonstrates that coalitions can provide a mechanism for weak states to influence multilateral agreements. Although coalition building, issue linkage, and normative appeals are often discussed as distinct strategies, they are not mutually exclusive and may, in fact, interact in meaningful ways. Coalitions may be especially successful when they link issues and/or make normative appeals.

Fisheries subsidies inherently link trade-and-environment issues. Subsidies to a country’s fishing industry create an uneven playing field by privileging a country’s fishers over foreign ones. They also contribute to environmental damage by lowering the costs to fishers of doing business, thereby increasing the industry’s capacity and potentially causing overfishing. The inherent link between trade and the environment in these negotiations may have added weight to demands for international restrictions on fisheries subsidies. However, this would be true for demands from both coalitions and individual states. Why then do coalitions appear to have relatively greater influence?

³⁹ Victor do Prado, June 27, 2022.

One reason may be that coalitions of small states and Global South countries often referenced additional issues in the AFS negotiations.⁴⁰ Many cited the importance of small-scale or “artisanal” fishing for coastal communities in their countries that have few alternative sources of employment, income or protein. These appeals may have augmented the influence of coalitions of small states and Global South countries.

This study dismisses one possible explanation for coalitions’ influence: that coalitions gain strength solely through numbers. The analysis reveals that larger coalitions—that is, those with more members (and those with larger average economies)—do not contribute significantly more to the final agreement than smaller coalitions. While larger coalitions might possess greater aggregate material power, their effectiveness may be hindered by the difficulty of maintaining cohesion as their membership becomes more diverse. This dynamic may shed light on the relative ineffectiveness of large groups of countries like the UN’s G-77 or the WTO’s G-90, whose members consist primarily of Global South countries. The diversity of interests within such sizable groups may limit their ability to effectively participate in and influence international negotiations. However, this does not mean that Global South countries cannot influence international negotiations.

Countries from the Global South can and do exert influence on new multilateral agreements, as I show here. However, their impact is greatest when smaller sub-groups of like-minded states form, as illustrated by the six-country coalition of Argentina, Colombia, Costa Rica, Panama, Peru, and Uruguay. This group contributed the largest share of text included in a new global treaty aiming at protecting the global commons, suggesting that coalitions’ influence in international negotiations may depend less on size or aggregate material power and more on cohesion and homogeneous interests.

Supplementary information The online version contains supplementary material available at <https://doi.org/10.1007/s11558-024-09566-z>.

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Data availability Data for replication are available at the Review of International Organizations’ webpage.

Declarations

Conflict of interest/competing interest The author has no conflicts of interests or competing interests to declare.

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⁴⁰ Many but not all such states supported limits on fisheries subsidies. For example, the ACP group supported restrictions but India resisted them.

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