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## **Governance Approaches that Can be Used to Implement Sustainability Criteria**

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### **ABSTRACT**

*Implementation of sustainability criteria, both in legal frameworks and voluntary sustainability standards, is an urgent and important issue. In the article, three less state-centric governance approaches and their capacity to be used to implement sustainability criteria have been investigated. The chosen approaches are good governance, multi-level governance and self-governance. Their potential strengths and weaknesses have been pointed out. The research indicates that sustainability criteria can be implemented in different ways, which have the potential to highlight, strengthen or weaken different aspects of their function. The use of different governance approaches, or their combinations, can lead to different implementation results for the same sustainability criterion. The choice of an appropriate governance approach depends on the circumstances in each case, on the purpose of using sustainability criteria and on the results that are strived at. Possibilities to establish a profitable international regime with homogeneous requirements and sustainability criteria for a certain production branch or a product should be explored. The article suggests that the most promising solution is to combine the use of legal regulations (juridical steering) with less hierarchical and less state-centric governance approaches, involving the participation of different groups of interested actors. Elements of good governance, multi-level governance and self-governance can be efficiently incorporated in legal frameworks and voluntary sustainability standards with sustainability criteria. Further research and case study analysis in this area are recommended.*

**Keywords:** governance, good governance, multi-level governance, self-governance, implementation of sustainability criteria.

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### **INTRODUCTION**

Governance is crucial for achieving sustainable development and sustainability results, and for managing improvement processes [Good Food Security Governance (2011), p. 2]. Different governance approaches can be distinguished. Each of them can have typical advantages and weaknesses, as well as bear potential conflicts that need be resolved. The aim of governance in relation to the implementation of sustainability criteria can be to implement sustainability criteria in

the most efficient way, so that they fulfil their purpose, function to their full potential, and promote and safeguard the sustainable quality of products and their production processes.

Sustainability criteria can be implemented in legal frameworks, which are binding for their addressees, and non-obligatory voluntary sustainability standards, which are free to be chosen by the interested producers. A frequently occurring situation is that legal frameworks and voluntary sustainability standards for the same product co-exist, the biofuel sector being an illustrative example here. This can create a situation of disorder, especially if the co-existing frameworks and standards are not appropriately governed and harmonized. The most suitable solutions to this challenge are still to be found. A perfect governance approach that gives answers to how to create, enforce or harmonize legal frameworks and voluntary sustainability standards with sustainability criteria do not seem to exist. However, certain clues can be given.

In the article, three less hierarchical and less state-centric governance approaches are researched, which are *good governance*, *multi-level governance* and *self-governance*. The choice of the approaches has been made on the basis of their potential to contribute to the efficient implementation of sustainability criteria. Possible strengths and weaknesses of each governance approach are pointed out. The less hierarchical and less state-centric character of the chosen governance approaches can be explained by the fact that governments alone can fail governing the implementation of sustainability criteria in a traditional top-down and command-and-control hierarchic way [Di Lucia, L. (2012), p. 31]. For more efficient results, they need to interact with other involved actors, such as market representatives, producers, non-governmental organizations [NGOs] and consumers.

The objective of the article is to investigate the chosen governance approaches together with their strengths and weaknesses in relation to how and to what extent they can be used to implement sustainability criteria. A broader objective behind the article is to find the most appropriate and efficient ways to govern and implement sustainability criteria in their function of a tool that promotes and safeguards sustainable products and sustainable production methods. The environmental perspective, which is based on the preservation of the bio-capacity of our planet and protection of the existing natural resources, eco-systems and biodiversity is emphasized. Examples from the biofuel sector and the EU policy on transport biofuels, which are being quickly developed today and has global impacts, are provided to illustrate the opinion of the author.

The results of the article underline that sustainability criteria can be implemented in different ways, which have the potential to strengthen, weaken or emphasize different aspects of their function. The choice of an appropriate governance approach, or their combination, depends on the circumstances in each particular case, on the purpose of using sustainability criteria and on the results that are strived at. If the chosen governance approach does not fully suit the sustainability criteria that should be implemented, other means, mechanisms and constructions suitable for this purpose should be searched for. The article suggests that the most promising solution is to combine the use of legal regulations (juridical steering) with less hierarchical and less state-centric governance approaches, involving the participation of different groups of interested actors. This is relevant for using sustainability criteria in both legal frameworks and voluntary sustainability standards.

## **The Issue of Governance**

Governance is becoming an increasingly fashionable and complex issue [Weiss, T. (2000), p. 795; Papadopoulos, Y. (2003), p. 488; Bader, V. (2012), p. 1169; Ehrhart, H. G., Hegemann, H., Kahl, M. (2013), p. 3; Willke, H. (2013), p. 198]. It can be broadly defined as the system of values, policies and institutions by which a society organizes collective decision-making and actions related to political, economic and socio-cultural and environmental affairs through the interaction of the state, civil society and the private sector [Work, R. (2002), p. 3; Hill, M. (2013), p. 17]. Governance involves interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say [Plumptre, T., Graham, J. (2009), p. 3]. Governance can involve the participation of a wide range of private and public actors at different levels. The United Nations Development Program, UNDP, defines governance as the exercise of political, economic and administrative authority in the management of a country's affairs at all levels [UNDP (1997), p. 3; Weiss, T. (2000), p. 797; Cook, J. (2013), p. 11]. In the environmental context, governance can be referred to the processes, decision making, and mechanisms by which actors and institutions influence environmental actions and outcomes [Lemos, M., Agrawal, A. (2006), p. 298; Stoessel, S. et al. (2014), p. 47].

Governance has the potential to conceptualize the relationships and rules needed in today's society, where traditional structures of command and control may no longer be sufficient [Hill, M. (2013), p. 18]. The choice of a governance approach or a model, which would efficiently support the implementation of sustainability criteria, is not an obvious process. Forms of governance can consist of many efforts, ranging from narrowly defined binding legal frameworks that are enforced by a state to broad voluntary sustainability standards promoted by non-governmental organizations [Bailis, R., Baka, J. (2011), p. 834].

## **Governance Approaches that can be Used to Implement Sustainability Criteria**

More traditional governance approaches can be unsuitable for the implementation of sustainability criteria, especially internationally, because they are too institution-oriented, and require much negotiation time, as well as expensive financial and administrative resources. They may be unable to cope with the multifaceted nature of sustainability challenges of today. Other less hierarchical and less state-centric governance approaches for this purpose should be considered, such as good governance, multi-level governance and self-governance. These approaches are named and researched in the subsequent sub-sections.

### **Good Governance**

Defining good governance is difficult and controversial [Graham, J., Amos, B., Plumptre, T. (2009), p. 3; Szerletics, A. (2011), p. 1]. The United Nation's Development Program, UNDP, launched in 1997 a set of features that characterize good governance and are fundamental for its function. Among them there is following the rule of law, transparency, consensus orientation, effectiveness, efficiency and accountability [UNDP (1997), p. 3, p. 4; Michels, A., van Montfort, C. (2013), p. 29; Rotchanakitumnuai, S. (2013), p. 309]. With slight variations, the features of good governance defined by UNEP have been referred to in the majority of literature sources on this subject. For example, it has been added that good governance should be responsive to the present and future needs of society [UNESCAP (2013)].

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The rule of law is based on law and order, property rights and contract enforcement, observance of norms of human rights and constitutional constraints on the power of the executive [Kleinfeld, R. (2006); Fukuyama, F. (2013), p. 350; for further information see Badamasiuy, J., Bello, M. (2013), pp. 220 – 221]. It implies that decisions taken and their enforcement are done in line with existing rules and regulations. Good governance should follow the rule of law. It should require fair legal frameworks that are enforced efficiently and impartially. It should also require full protection of human rights of different groups of the involved actors [Office of the UN High Commissioner for Human Rights (2007), pp. 1 – 2; Szerletics, A. (2011), p. 4, p. 9], for example the rights of minorities. In the case of sustainability criteria, special circumstances and needs of small-scale producers and producers in developing countries should be taken into account.

Transparency as a feature of good governance is built on the free flow of information. It means that the required information is freely available and directly accessible to those who will be affected by made decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms [Saladin, A. (1999), p. 1; Esty, D. (2006), p. 1530; Siddiqi, S. et al. (2009), p. 18; UNESCAP (2013)]. Performance reporting is an essential element of transparency [Lockwood, M. (2010), p. 759].

Consensus orientation is based on understanding that there are a variety of actor groups in a society, and these groups can have different and sometimes contradictory interests. Good governance requires mediation of the different interests, in order to reach a broad consensus in society on what is in the best interest of the whole community, and how this can be achieved [UNDP (1997), p. 5; Edgar, L., Marshall, C., Bassett, M. (2006), p. 5]. It also requires a broad and long-term perspective on what is needed for sustainable development and how to achieve the goals of such development [UNESCAP (2013)].

Effectiveness and efficiency imply that processes and institutions produce results that meet the needs of society, while making the best use of resources at their disposal. Effectiveness also involves the capacity to fulfil organizational objectives [Eagles, P. (2009), p. 233; Vaneman, W., Jaskot, R. (2013), p. 2; for further information see Koroso, N. et al. (2013), p. 423 – 424]. Efficiency includes the sustainable use of natural resources and the protection of the environment [UNESCAP (2013)]. In the context of sustainability criteria, effectiveness and efficiency can be applicable on a production process with a minimum amount of natural resources and quantity of waste, as well as reduced expenses and unnecessary efforts.

Accountability is an important feature of good governance. It underlines that not only governmental institutions but also the private sector and non-profit organizations must be answerable and responsible to the public and their institutional stakeholders for decisions and actions. Who is accountable to whom, as well as the extent of accountability vary depending on the organizations and whether the decisions are internal or external [Edgar, L., Marshall, C., Bassett, M. (2006), p. 5; Siddiqi, S. et al. (2009), p. 18; Lockwood, M. (2010), p. 759]. An organization or a producing company should be answerable and responsible to those who will be affected by its decisions or actions.

The named features of good governance are mutually interconnected and cannot stand alone [UNDP (1997), p. 5]. For example, accountability cannot be enforced without transparency and the rule of law [UNESCAP (2013)].

The strengths of good governance are many. It contributes to the positive organizational performance [Wiedenegger, A., Kern, A., Rupprechter, M. (2012), p. 3]. Applying good governance, companies become more efficient in their businesses and avoid wastage of company resources [Best-practice (2013)]. Good governance leads to a more productive decision-making due to the available information, sharing stakeholder views and open debate, which reflects the main interests of the involved actors [Good Governance (2012)]. Good governance protects the interests of stakeholders by reducing the probability that problems will be unnoticed before it is too late [Aman, H., Nguyen, P. (2013), p. 16].

The weakness of good governance is that this concept lacks a precise and commonly accepted definition. It is not always clear how it should be implemented. Some researches argue that good governance lacks theoretical utility. They mean that the concept confuses, rather than provides help in the formulation of a theory or hypothesis testing. This effect takes place because the concept is fluid, and analysts can easily refer to it in the way that best fits their data [Guisselquist, R. (2012)].

### **Multi-level Governance**

Multi-level governance is a rather popular concept, which, like many other popular concepts, runs the risk of being utilized and subsuming disparate phenomena [Piattoni, S. (2009), p. 163; Stephenson, P. (2013), p. 818]. The concept has been developed to a large extent on the basis of the EU studies [Peters, B., Pierre, J. (2004), p. 75; Smith, M. (2004), p. 741; Gibson, R. (2011), p. 6]. Its history goes down to the beginning of 1990-ies, when it was proposed by Marks, G. and Hooghe, L. in the context of the EU structural policy and decision-making [before this, the field of EU studies had been dominated by the theories of neo-functionalism and inter-governmentalism, see Piattoni, S. (2009), p. 165].

In the 1992 work on structural policy in the European Community, Marks referred to the “distribution of authority, and decision-making powers across the Community, member states, and regional governments”, highlighting the existence of several levels of governance [Marks, G. (1992), p. 192]. In his 1993 Chapter on “Structural Policy and Multilevel Governance in the EC”, Marks defined the concept of multi-level governance more precisely as “a system of continuous negotiation among nested governments at several territorial tiers – supranational, national, regional and local – 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 or regional level” [Marks, G. (1993), p. 392; Böhme, K. et al. (2004), p. 1182; Bache, I. (2005), p. 5; Maldonado, E. et al. (2010), p. 11; Aalbers, C., Eckerberg, K. (2013), p. 342]. In this definition, the idea of having different levels of government, which are constantly interacting, can be emphasized.

The approach of Marks also underlined the increasingly important contribution of non-state actors to the policy-making process in general and to the EU procedures in particular. The introduction of the concept of multi-level governance raised new and interesting questions about the function and the role of various involved actors [Karstens, S. (2009), p. 52; Rozbicka, P. (2013), p. 843], as well as highlighted different patterns of their participation and influence, which state-centric approaches may overlook [Bache, I., Flinders, M. (2004), p. 203].

Multi-level governance contains both vertical and horizontal dimensions [Bache, I., Flinders, M. (2004), p. 3]. The vertical dimension links the central and lower levels of governance. This includes

their institutional, financial and informational aspects. The model of collaboration here is typically bureaucratic and hierarchical [Exworthy, M., Powell, M. (2004), p. 266]. It considers at which level the policy ownership should take place. For higher levels of multi-level governance it is important to clarify the common purpose of their collaboration with lower levels [Exworthy, M., Powell, M. (2004), p. 268]. Problems within the vertical dimension, e.g. rising transaction costs, would increase with the number of administrative levels and the degree of sub-national autonomy [Kaiser, R., Prange, H. (2004), p. 250].

The horizontal dimension refers to the co-operation between the involved actors at the horizontal level, e.g. between states, regions or between municipalities. The central idea here is that in multi-level governance, the involved actors and organization bodies are not ordered hierarchically, but have a more complex and contextually defined relationship [Peters, B., Pierre, J. (2004), p. 79]. Cooperation between the involved actors at one horizontal level is very much desirable. Bauer, A. and Steurer, R. specify that interactions within the horizontal dimension can bridge the divides between different policy areas or sectors, between state and non-state actors, or between regions or local authorities [Bauer, A., Steurer, R. (2014), p. 122]. This type of co-operation can be promoted e.g. with the purpose to achieve similar goals, share experiences and generate knowledge. Special agreements between the involved actors at one horizontal level can improve the efficiency of local public services and implementation of development strategies. On the contrary, divergence between the involved actors at one horizontal level can lead to implementation difficulties and discrepancy in implementation results.

Some researchers even distinguish the third multi-governance dimension, which involves the “beyond governance” relationships. This dimension is based on interactions between public, private and other sectors as policy ideas are contested in policy-making and implementation [Böhme, K. et al. (2004), p. 1182].

The strength of the multi-level governance approach is that it explicates a wider range of the involved actors than traditional models of intergovernmental relations. The participation of public as well as private and voluntary actors in governance can be expected [Peters, B., Pierre, J. (2004), p. 82].

Many difficulties, associated with the implementation of multi-level governance are concentrated around the notion of levels. The idea of levels is connected to their hierarchical complicity. However, different levels and the involved actors, who represent them, often interact or come across with one another in complex and multipurpose ways that are not strictly hierarchical. In some situations, it is difficult to identify levels. A general understanding that international bodies and organizations constitute a separate level of authority and governance is not always true. They may not be separate sources of authority but instead represent certain forms of state authority and state-level governance. Different levels and belonging groups of the involved actors may preserve different, sometimes conflicting goals and interests, which would hamper their coordinated work [Friis, K., Jarmyr, P. (2010), p. 13; Maldonado, E., Maitland, C., Tapia, A. (2010), p. 13].

Multi-level governance usually suits for the research and analysis of the EU policy measures, which are directed at the EU Member States and then at their national authorities [Böhme, K. et al. (2004), p. 1182]. The use of multi-level governance outside of the supra-national entity of EU can be a challenge [Gibson, R. (2011), p. 6]. Awesti, A. argues that the application of the multi-governance approach on the EU structure reveals that in an increasing number of policy areas no one actor has

complete competence [Awesti, A. (2009), p. 3]. Decision-making competencies are rather shared amongst a variety of actors located at different levels [Hooghe, L., Marks, G. (2001), p. 3]. The importance of the involved actors varies in accordance with the features of the particular policy problem and the resources each actor possesses [Awesti, A. (2009), p. 4]. Another difficulty that the use of multi-level governance can emphasize in this context is the lack of transparency to outsiders of what is happening at different governance levels and between different dimensions [Papadopoulos, Y. (2010), p. 1033].

### **Self-governance**

Self-governance means exercising control or rule over oneself autonomously [Kooiman, J. (2003), p. 79; Termeer, C. et al. (2013), p. 286]. It functions with the help of internal regulations or a set of practices, which guide the behaviour of its members. Self-governance is often expert driven and does not have capacity to engage the public sufficiently [recommendations have been made to include public participation into a self-governed organization, in order to allow e.g. public service providers and users to develop governance solutions that are adapted to local circumstances, see Ostrom, E. (2005), p. 254; Eriksson, K. (2012), p. 691; Speer, J. (2012), p. 2381; Edelenbos, J., van Meerkerk, I. (2013)]. Self-governance can be based on internal reporting and auditing. In some cases self-governance calls for collaboration and can require partnership with governmental bodies and non-governmental agencies, as well as integration into broader management systems.

Self-governance diminishes the use of human and economic recourses. Under similar conditions, government-centered regulation can be expensive to administer and to enforce [Townsend, R. (1995), p. 39]. Besides, local norms are more likely to support requirements that are self-imposed than to support externally-imposed rules. Locally imposed rules may in this sense have the advantage of greater local acceptance [Townsend, R. (1995), p. 40].

Within the frames of self-governance, the involved actors, such as companies, voluntary and interest organizations and consumers are increasingly regarded as knowledgeable, competent, resourceful and responsible contributors to solving governance tasks. In such a way, self-governance redefines society from being an object of governance that represents a burden to the governors, to being a potential resource that needs to be activated. [Sørensen, E., Triantafillou, P. (2009), p. 1].

Some researchers point out that for successful self-governance it is important to get it started, even if it requires external initiatives and motivation. The transition to self-governance entails uncertainty, partially because it is new for the involved actors, and transaction costs. At this stage, governmental financial incentives can be of much help [Uchida, E. et al. (2012), p. 63].

Among the weaknesses of self-governance there is the lack of control of what is happening inside a self-governed organization and, as a consequence, openness to fraud and erroneous decisions can increase. The question is whether a legal framework or a voluntary sustainability standard with sustainability criteria based on self-governed control mechanisms is able to function appropriately and fulfil its purposes.

Another weakness of self-governance is the lack of the third party assessment of the achieved results and the absence of coordination at the higher level than a self-governed organization. Vermeulen argues that the risk can be that too many self-governed actors will co-exist and compete

with each other, just causing confusion and inefficiencies, and that major developments and needs will be overlooked [Vermeulen, W. (2013), p. 12].

## **DISCUSSION**

In this section, each of the investigated governance approaches, which are good governance, multi-level governance and self-governance, are discussed more detailed. Examples from the biofuel sector and the EU policy on transport biofuels are provided to suggest how these approaches can be used to implement sustainability criteria and improve aspects that require improvement.

### **Good Governance**

All the features of good governance, named in the article, can and should be applicable when sustainability criteria are implemented in legal frameworks and voluntary sustainability standards. It is very much desirable that the implementation of sustainability criteria follows the rule of law and is based on fair legal frameworks and impartial executive decisions. This would create order, predictability and security, and ensure investments to promote sustainable products. Suitable mechanisms for contract enforcement and administrative bodies to regulate these issues should exist. Human rights of different society groups, for example the human rights of small-scale biofuel producers and farmers in developing countries should be respected and protected. Property rights, e.g. rights to own land, which is needed for the cultivation of energy crops for biofuels, should be preserved.

The implementation of sustainability criteria should be consensus oriented, taking into consideration and balancing different and sometimes contradictory interests of the involved groups of actors. Negotiations, round-table meetings and public debates aimed at finding the most appropriate implementation methods and enforcement tools can be recommended. Connection to the overwhelming goal of sustainable development, as well as strategic plans for regional and local sustainable development, should be maintained.

The implementation of sustainability criteria should be effective and efficient. The results of the implementation should meet the needs of the society in general and various groups of the involved actors in particular. Environmental concerns and protection of the environment should be among the most prioritized issues. Sustainability criteria should be implemented with the minimum use of economic, administrative and natural resources.

Clearly defined accountability for the implementation of sustainability criteria, as well as the assignment of actors and organization bodies responsible for that are important for the implementation process to function as it should. Contribution of NGOs and their accountability for the preservation of e.g. human rights and environmental interests in production areas should be endorsed. Producers should be answerable for their use of natural resources and waste management. Particularly, large companies that hire lands in developing countries in order to produce biofuels of an agricultural origin should be accountable for choosing sustainable production methods and preserving the existing eco-systems and biodiversity.

The feature of transparency should be separately emphasized. Transparency in how sustainability criteria are implemented can reduce risks for environmental damage and unsustainable use of

natural resources during production processes. Transparency for buyers can lead to their more rational and deliberate consumption choices.

It can be suggested that following the features of good governance have the potential to result in a more efficient, productive and result-oriented implementation of sustainability criteria. In the long run it can increase the production capacity of the involved companies and reduce the use of resources.

### **Multi-level Governance**

Multi-level governance is an interesting approach, which full potential is still waiting to be researched. The exact meaning of this concept is not obvious or transparent. Certain interpretation variations can be observed, depending on the area of its implementation. There seems to be a consensus that multi-level governance combines the vertical and horizontal dimensions, which link the involved actors and organization bodies, as well as explain the complexity and dynamics of their relations. In the context of sustainability criteria, multi-level governance can be used to explain and develop the system of interconnected legal frameworks and voluntary sustainability standards for the same product. The use of this approach can also create more order specifying the groups of the involved actors and their responsibilities.

To my mind, multi-level governance can be efficiently used for the research and development of both the EU policies and other arrangements, where the existence and correlation of different levels can be found. Speaking about the implementation of the EU policies, it is a multi-level process. Policies are first negotiated and adopted in Brussels. After that they must be implemented and enforced in each Member State. At the level of the Member States, implementation and enforcement strategies should be negotiated with various local groups, such as producers, suppliers, technical experts, consumers and NGOs. Their points of view should be taken into consideration.

The implementation of the EU sustainability criteria for transport biofuels can be analyzed and possibly improved with the help of multi-level governance. This approach is advantageous here, because the EU policy on sustainable production of biofuels requires adaptation to circumstances of different dimensions, including production of energy crops for biofuels outside EU. The application of multi-level governance on the EU experience indicates that (a) it is very difficult for higher levels in the EU vertical dimension to organize sufficient control on what is happening during biofuel production at lower levels. Several levels of control with corresponding to each level control mechanisms and controlling bodies should be established.

Moreover, the application of multi-level governance highlights that:

- (b) the number of the sustainability criteria legislated in Directive 2009/28/EC is not enough to guarantee sustainable production of biofuels at lower levels in the Member States and countries outside EU;
- (c) the EU sustainability criteria for land use are to a large extent directed at the environmental circumstances in countries outside EU, which are the major biofuel producers at present. The legitimacy of this regulation can be questioned;
- (d) the EU initiative to approve the use of voluntary sustainability standards in parallel with the legislated sustainability criteria [see EU Directive 2009/28/EC, Article 18.4] makes it complex and unclear what levels of governance are interacting; and

(e) formal and informal cooperation between the involved actors at one horizontal level, e.g. between the involved actors inside and outside EU should be promoted further. An example of formal cooperation can be multi-lateral and bilateral agreements between EU and third countries promoted in Directive 2009/28/EC, Article 18.4. An example of informal cooperation can be networks, conferences and round-table meetings between the involved private actors.

Applying multi-level governance on arrangements outside EU is also possible and beneficial. Regional policies for biofuels in other parts of the world as the South America and Africa can be regulated and implemented with the help of multi-level governance. This can be done to achieve higher degree of sustainability and environmental protection. As an example, cooperation at the regional level can lead to a broader view over the available natural resources, biodiversity and ecosystems that require protection. It can be speculated that sustainability criteria negotiated and worked out on the basis of features, specific for the whole region, would be more efficient and scientifically grounded than sustainability criteria worked out by local interested groups.

### **Self-governance**

Self-governance is not a harmonized phenomenon. It can comprise a variety of forms and establishment patterns. The efficiency and desirability of self-governance depend on the form and methods for its function that have been chosen in each case.

Elements of self-governance can be used to implement sustainability criteria and control their fulfillment. This can be an attractive solution for different groups of the involved actors. For industry representatives, it can be a possibility to avoid legally binding state-centric regulations, formulate broader policy goals, increase flexibility and steer their own development. For state authorities, it can be an opportunity not to take the main responsibilities and to avoid being accountable for potential risks and damages. Consumers will get a forum to highlight their own demands and influence the quality of the purchased products. The involved NGOs will be able to gain more control, power and public recognition.

However, self-governed procedures can possess considerable weaknesses. Self-governed organizations may be incapable of selecting and implementing useful and efficient regulations. They can lack scientific knowledge. They can have too much focus on their internal interests. Self-governance may increase unlawful behavior of the involved actors. As an example, self-governed control and result assessment usually avoid publicity. They are mainly of private nature. In that sense, they are very different from legally stated forms of control and result assessment, based on legal sanctions for those, who disobey or neglect. This indicates that self-governance should not be treated as a viable alternative to traditional top-down and command-and-control approaches. If self-governance fails to function as it has been aimed for, opportunities to switch to traditional implementation and enforcement methods should exist.

The use of self-governance in legal frameworks can be problematic. In the case of biofuel production, self-governance may result in harmful overuse of natural resources and destruction of the existing eco-systems and biodiversity. External, subordinate to higher levels and more transparent actions of self-governed companies and organizations are needed. External planning and consultations with state authorities before-hand should be recommended.

## General Reflections

Sustainability criteria can be implemented in different ways, which have the potential to highlight, strengthen or weaken different aspects of their function. The use of different governance approaches, or their combinations, can lead to different implementation results for the same sustainability criterion. The choice of a suitable governance approach would depend on the circumstances in each case, on the purposes of using sustainability criteria and on the results that are strived at. Typical weaknesses and limitations of each governance approach should be observed.

The ambition should be that the chosen governance approach helps to implement sustainability criteria efficiently and to diminish possible problems. It should promote that sustainability criteria fulfil their purpose and function to their full potential. The implementation of sustainability criteria should subsequently be made more simple, transparent, cheaper and require less administrative, economic and natural resources. Participation of private sector actors, both large-scale and small holders, should be encouraged because of their relevance to faster and broader industrial development. Possibilities to establish a profitable international regime with homogeneous requirements and sustainability criteria for a chosen product should be explored.

The purpose of governing the implementation of sustainability criteria should be clearly stated. It should have connection to the general goals of sustainability and sustainable development. The purpose of governing can be individual or reflect special features of regional and local circumstances. The results that should be reached through the use of sustainability criteria should be realistic. Practical limitations in their achievement should be explicitly defined. Without that the processes of governance and implementation can lead to disappointing outcomes and unwanted effects. Regularly reflections and assessment of the achieved results in relation to the set purposes are important. The capacity of governance should be improved, when needed.

Lidskog, R. and Elander, I. point out that there is a need to establish appropriate institutions and organization bodies that can mobilize power resources and challenge fundamental interests in society in favor of efficient governance and environmental protection. Otherwise the promotion of “green” values and “green” ideology is not enough [Lidskog, R., Elander, I. (2010), p. 38]. Di Lucia stresses that collaboration and coordination between the established institutions, organization bodies and other involved actors is an important factor, which should be elaborated further [Di, Lucia, L. (2012), p. 68].

The role of law and top-down legal frameworks in the implementation of sustainability criteria should not be underestimated [for the use of legal regulations Nilsson, A. has applied the term “juridical steering”. She means that its specific feature is that public authorities have the power to order and coerce the involved actors to change their behavior; see Nilsson, A. (2011), p. 34]. It can be difficult to implement and enforce sustainability criteria without central binding regulations. A recommendation can be made that the use of legal frameworks and less hierarchical and less state-centric governance approaches should co-exist and enrich each other.

More research and case study analysis in this area are recommended.

## CONCLUSION

In the article, three less hierarchical and less state-centric governance approaches, which are good governance, multi-level governance and self-governance have been investigated. Typical strengths and weaknesses of each approach have been highlighted. The purpose for doing this has been to research how and to what extent the chosen governance approaches can be used to implement sustainability criteria in legal frameworks and voluntary sustainability standards.

The research underlines that sustainability criteria can be implemented in different ways, which have the potential to strengthen or weaken different aspects of their function. Each governance approach, chosen for the investigation, can be used for the implementation of sustainability criteria. The achieved results would differ depending on the chosen governance approach or their combination.

The results of the research suggest that the most promising solution is to combine the use of legal regulations (juridical steering) with less hierarchical and less state-centric governance approaches, involving the participation of different groups of interested actors. Elements of good governance, multi-level governance and self-governance can be incorporated in legal frameworks and voluntary sustainability standards with sustainability criteria.

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