

# Re-Calibrating Global Environmental Governance through NGO Activism: A Legal Analysis

Konasinghe, Kokila

Department of Public and International Law, University of Colombo.

[kokila\\_konasinghe@hotmail.com](mailto:kokila_konasinghe@hotmail.com)

It is widely recognised that global environmental governance tends to more strongly reflect ideas emanating from Northern political actors, while their Southern counterparts often lack the necessary tools to contest this dominance. Although intergovernmental cooperation is clearly essential in addressing many environmental issues, it may not be sufficient to achieve global environmental protection within the prevailing context because of the imbalance in North-South power relations. However, according to the rigid interpretation of international law, international environmental negotiations are mainly inter-state affairs. However, transboundary environmental matters, arising in the polarised world of the North and the South increasingly pose challenges to the strict interpretation of inter-state environmental governance efforts.

This paper argues that, as Southern states often fail to effectively communicate their environmental concerns in the fora of global environmental governance, NGO participation may be a vital ingredient to counteract this tendency. There is considerable scepticism, however, about whether NGOs can identify and legitimately represent the whole range of Southern environmental concerns. This paper explores to what extent these actors reflect a legitimate understanding of the local environmental and political conditions. It also discusses the importance of setting up a clear framework for NGO representation and makes suggestions as to how NGOs may represent the 'real' needs of the South without submitting themselves to Northern environmental agendas. While recognising the utility of using the NGOs as 'loudspeakers' in global fora, the paper also argues that true Southern aspirations must also look beyond NGO representation towards the global environmental governance structure.

**Key words:** *GlobalEnvironmental Governance, North-South Dimension, Southern Environmental Concerns, Southern NGOs, NGO Legitimacy*