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Managing regime complexity: Introducing the interface conflicts 1.0 dataset

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Managing regime complexity: Introducing the interface conflicts 1.0 dataset

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WZB

Berlin Social Science Center

Julia Fuß, Christian Kreuder-Sonnen, Andrés Saravia, and Michael Zürn

Managing Regime Complexity: Introducing the Interface Conflicts 1.0 Dataset

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Abstract

Managing Regime Complexity: Introducing the Interface Conflicts 1.0 Dataset[1]

by Julia Fuß, Christian Kreuder-Sonnen, Andrés Saravia, and Michael Zürn

The increasing density and entanglement of international law and institutions leads to a growing potential for collisions between norms and rules emanating from different international institutions. It is an open question, however, when actors actually create manifest conflicts about overlapping norms and rules and how – and with what consequences – such conflicts are handled. We therefore utilize the concept of "interface conflicts" in which two or more actors express positional differences over the scope or prevalence of different international norms. Building on the findings of the DFG research group OSAIC (Overlapping Spheres of Authority and Interface Conflicts), we introduce the Interface Conflicts 1.0 dataset, which assembles information on 78 interface conflicts. The dataset provides information on the actors and norms at stake in interface conflicts and focuses specifically on their subsequent handling. It distinguishes co-operative from non-cooperative conflict management, and codes the institutional as well as distributional outcomes of all management efforts. Drawing on the Interface Conflicts 1.0 dataset, the paper discusses first descriptive statistics regarding the bones of contention in interface conflicts, distributions across types of conflict management, and conflict management effects on the legal and institutional arrangements in the areas at stake. We thus contribute empirical building blocks to debates about global (dis)order and open new avenues for future research.

Keywords: Interface Conflicts, Conflict Management, Authority, Liberal International Order, Database, Institutional Overlap

[1] The Interface Conflicts 1.0 dataset is available on the GESIS repository and can be found at https://doi.org/10.7802/2241.

Zusammenfassung

Zur Handhabung von Regimekomplexität: Eine Einführung in den Datensatz „Interface Conflicts 1.0“

von Julia Fuß, Christian Kreuder-Sonnen, Andrés Saravia, und Michael Zürn

Die zunehmende Dichte und Verschränkung von internationalem Recht und internationalen Institutionen führt zu einem wachsenden Potenzial von Kollisionen zwischen Normen und Regeln, die unterschiedlichen internationalen Institutionen zugehören. Es bleibt jedoch eine offene Frage, wann Akteure tatsächlich manifeste Konflikte über überlappende Normen und Regeln erzeugen und wie – und mit welchen Konsequenzen – solche Konflikte bewältigt werden. Demzufolge nutzen wir das Konzept der Schnittstellenkonflikte („interface conflicts“), in denen mindestens zwei Akteure Positionsdifferenzen über die Reichweite oder den Vorrang von verschiedenen internationalen Normen äußern. Auf Grundlage der Ergebnisse der DFG-Forschungsgruppe OSAIC stellen wir den Interface Conflicts 1.0 Datensatz vor, welcher Informationen über 78 Schnittstellenkonflikte enthält. Der Datensatz bietet Informationen über die Akteure und Normen der jeweiligen Schnittstellenkonflikte und fokussiert insbesondere auf deren darauffolgende Handhabung. Er unterscheidet zwischen kooperativem und nicht-kooperativem Konfliktmanagement und kodiert die institutionellen sowie die distributiven Folgen aller Konfliktmanagement-Bemühungen. Anhand des Interface Conflicts 1.0 Datensatzes präsentiert dieses Papier erste deskriptive Statistiken über die Streitpunkte in Schnittstellenkonflikten, die Verteilungen verschiedener Typen von Konfliktmanagement und die Effekte von Konfliktmanagement auf juristische und institutionelle Übereinkünfte in den jeweiligen Politikfeldern. Auf diese Weise tragen wir empirische Bausteine zu Debatten über die globale (Un-) Ordnung bei und zeigen neue Pfade für zukünftige Forschungsvorhaben auf.

Stichworte: Schnittstellenkonflikt, Konfliktbearbeitug, Autorität, internationale Ordnung, institutionelle Überschneidungen, Datenbank

1. Introduction[2]

Over the last two decades, the study of global order and global governance has oscillated between integration and fragmentation. After the end of the Cold War, the subfield mostly focused on the deepening and expansion of global governance. It was argued that global governance encompasses an increasing set of issues and intrudes more deeply into formerly domestic affairs (Kahler and Lake 2004). The rise of international authority and its study in qualitative (Avant et al. 2010; Lake 2010) and quantitative (Hooghe, Lenz and Marks 2019; Zürn, Tokhi and Binder 2021 forthcoming) terms became the major foci of global governance studies. For the first time, the study of global governance had a conceptual core (Coen and Pegram 2018). Paradoxically, the real-world effects of growing international authority once again separated the field thematically so that we can currently speak of two big subfields. The first focuses on the shortcomings, challenges, contestations, and decline of international institutions (see e.g. Lake et al. 2021 for an overview). One major argument here is that the rise of authority and its unsatisfying exercise has provoked a backlash and a potential retreat of global governance (Zürn 2018; Kreuder-Sonnen and Rittberger 2020). The second subfield starts from the observation that the rise of international authority has produced overlaps and collisions between different segments of global governance. It is this growing regime complexity (Alter and Meunier 2009; Alter and Raustiala 2018) that has produced a strand of research focusing on conflict and contestation among multilateral institutions (Morse and Keohane 2014). It is impossible to separate all global governance research neatly into only these two boxes. Arguably, however, they do cover a significant share of contemporary research on global governance.

This contribution belongs to the second strand of research. It is widely agreed upon that global governance is characterized by institutional density that has grown in the two decades after the fall of the Soviet Union. In this period, a fast-growing set of

[2] This paper builds on collaborative work in the DFG-funded research group FOR 2409 "Overlapping Spheres of Authority and Interface Conflicts in the Global Order (OSAIC)". We would like to thank all group members for the conceptual debates that underlie the database, as well as for their empirical contributions that fill the database. All coders are mentioned online with the dataset. We would also like to express our gratitude to Joia Buning and Felicitas Fritzsche for their excellent research assistance in the course of the project.

formal and informal international institutions has occupied a slowly growing global governance space (Raustiala 2013, p. 296; Pauwelyn et al. 2014; Drezner 2013). As a consequence, frictions between these institutions have emerged. When norms and rules overlap, conflict among actors over the prevalence of such norms and rules is not necessary, but more likely. For example, the overlap of the World Trade Organization's (WTO) rules on intellectual property protection and the World Health Organization's (WHO) norm of essential medicines provision gave rise to opposing actor positions on the application or suspension of patent laws related to AIDS medication in developing countries. Similarly, the overlap between the WTO's Agreement on Sanitary and Phytosanitary (SPS) Measures and the Cartagena Protocol to the Convention on Biological Diversity (CBD) led to conflicting positions on the application of either a scientific risk assessment or the precautionary principle for the assessment of hormone-treated beef.

Outstanding contributions have pointed to the dark side of this development. Both International Law (IL) and International Relations (IR) scholars have worked a lot on the assumption that this "fragmentation" or "international regime complexity" undermines international law and order. In IL, the view that colliding international legal regimes undermine the integrity of international law is prevalent (Benvenisti and Downs 2007; Dunoff and Trachtman 2009; cf. Peters 2017). Many IR analysts share this view and contend that institutional overlap creates opportunities for "forum-shopping" and "regime-shifting" that allow, especially the most powerful states, to evade international obligations (Drezner 2009, 2013; Helfer 2009; Morse and Keohane 2014). However, there is another side to the coin. Some analysts emphasize the functionality of institutional complexity (e.g. Keohane and Victor 2011) or highlight the potential normative benefits arising from inter-institutional contestation (Faude and Große-Kreul 2020).

This contribution speaks to this field but offers two innovations. First, while studies about the rising contestation of international authority by now also rely on quantitative data, the research program on regime complexity and international legal fragmentation is lagging behind in this respect. In IR, respective studies have mostly been issue-area or problem-field specific, and largely based on single or small-N comparative case studies (see e.g. Raustiala and Victor 2004; Betts 2013; Abbott 2012;

Gómez-Mera 2016; Keohane and Victor 2011; Margulis 2013; Gehring and Faude 2014; Hofmann 2011).[3] International Law has taken a more macro perspective, but contributions are not built on (nor do they provide) systematic data (see e.g. Koskenniemi and Leino 2002; International Law Commission 2006; Crawford and Nevill 2012). So far, we lack high quality data that can be used in comparative studies with a substantial N. As a first step towards alleviating this problem, in this paper, we present a dataset on "interface conflicts" that is based on structured expert knowledge amenable for use in both qualitative and quantitative designs. Moving the study of regime complexity and fragmentation beyond case studies is a major purpose of the dataset presented in this paper.

Our second contribution is that we move the question of whether regime complexity enhances or undermines international cooperation and global governance from the realm of theoretical conceptualization to the realm of empirical observations. How fragmentation and institutional complexity affect global order is a question that is far from settled. It also is an open question whether interface conflicts increase or decrease the quality of governance in a given issue area. However, contributions in IR and IL often tend to treat the phenomenon of interest as inherently desirable *or* undesirable. Our approach allows studying these questions in a way that does not already inscribe the answer into the conceptualization.

The two contributions this paper seeks to make are rendered possible by one central analytical move: We analyze norm collisions and interface conflicts from the perspective of the actors. This is the core of the research program that we undertook in the DFG-funded Research Group "Overlapping Spheres of Authority and Interface Conflicts in the Global Order" (OSAIC) (Zürn et al. 2018). Both IR and IL tend to claim collisions between norms, rules, or institutions by merely looking at them from the observer perspective and trying to determine inconsistencies "from the outside" (Wisken and Kreuder-Sonnen 2020; Kreuder-Sonnen and Zürn 2020). The question of whether the involved actors (state governments, intergovernmental organizations [IGOs], non-governmental organizations [NGOs], etc.) perceive inconsistencies and collisions and how they engage with them is largely left untouched. To really understand

[3] See Pratt (2018) and Haftel and Lenz (forthcoming) for notable exceptions.

the consequences of increasing institutional density and the growing number of institutional overlaps, we argue that three key steps are in order:

- First, we need to zoom in on the level at which conflict manifests between actors over the prevalence of different international institutions. Our core unit of analysis is what we call *interface conflicts*, that is, those norm collisions in the global realm that are perceived or constructed by actors and expressed in positional differences. We thus take an internalist approach to the identification of conflict that allows a focus on those normative inconsistencies that have actual social consequences. Concentrating on cases in which actors justify their incompatible positions with reference to competing international norms or rules allows us to exclude "false positives", that is, instances in which observers treat overlapping institutions as conflicting whereas the involved actors do not. One example might be the overlap between the World Bank and the newly created Asian Infrastructure and Investment Bank (AIIB), which has widely been treated as conflictual. Upon closer inspection, however, actors seem to perceive the institutions as complementary rather than contradictory (Faude and Fuss 2020).
- Second, we ask whether and how those interface conflicts are *managed*. Actors respond to conflicts differently, either in a co-operative or a non-cooperative manner, employing specific legal and institutional frameworks (Zürn and Faude 2013). Thus, conflicts are not necessarily bound to undermine order, they can just as well reinforce existing normative structures or create new ones. Of course, fragmentation and persisting incoherence are distinct possibilities if the parties to a conflict behave uncooperatively. Yet, where conflict parties agree to the terms of a co-operative conflict management, inter-institutional coordination is the more likely outcome. Beyond the descriptive focus on the effects of conflict on order, this analytical lens allows addressing the question of the conditions under which an interface conflict is likely to incite co-operative or non-cooperative forms of conflict management. This should provide important – and also practically relevant – insights on how to deal with institutional overlap.
- Third, we hold that, in order to provide reliable information on patterns of interface conflicts and conflict management in the global order we need a broad empirical basis that allows for the comparative study of regime collisions across is-

sue areas, types of involved actors, time periods, and regions. No such data exists so far. In this paper, we introduce an original dataset on interface conflicts and conflict management that is amenable to the study of questions raised above.

The database is a collective effort of our interdisciplinary research group. It contains empirical material gathered by six projects that were part of the endeavor. We introduce the projects and contributors in the section on case selection. The database contains information on 78 interface conflicts and their management. The conflicts span almost all conceivable issue areas, their starting dates range from 1970 to 2018, and, besides states and international organizations (IOs), they include conflict parties as diverse as NGOs, business firms, indigenous communities, and national regulatory bodies. The paper presents the database and offers some illustrations for possible uses. In section 2, we introduce the basic structure of the database, including its main dimensions. We also discuss sampling and data sources. In section 3, we present the key variables and categories that are coded in the dataset. We provide definitions and point to difficult decisions that some of the codings entailed. In section 4, we present some descriptive statistics of our data. Finally, we point to four interesting correlations as illustrations for the possible uses of the data, and the type of questions that can be addressed in future research by relying on this dataset.

2. Building the dataset

The DFG Research Group OSAIC brought together a set of six research projects that studied norm collisions and interface conflicts with a similar set of questions that were based on a common conceptual framework, rendering observations across research projects comparable. In this section, we first present the structure of the data and define key concepts such as interface conflicts, conflict management, and its consequences (section 2.1). We then go on to briefly present the projects that contributed cases to the dataset of the research group (section 2.2). In this step, we explain our sampling and point to possible biases of the sample. As part of this step, we discuss issues of reliability and comparability of the codings.

2.1 Structure of the data

Our data is structured by a general model of interface conflicts in world politics consisting of four components: conflict manifestation, conflict management, management outcomes, and effects on order. We put these four elements in a temporal order. The dataset thus divides up information on interface conflicts as our unit of analysis in four temporal dimensions (see Figure 1): T_0 denotes the moment in which an interface conflict becomes manifest in actors' discursive or behavioral expressions. T_1 denotes the period of conflict management in which the conflicting parties respond to normative inconsistencies – one way or another. Conflict management itself can go through different subphases. T_2 denotes the moment when conflict management ends because some kind of settlement is reached, that is, the *outcome* of conflict management. It starts either when positional differences dissolve or when conflict management becomes routinized. Finally, T_3 denotes the longer-term phase after conflict management ends, when its effects on the global order become visible.

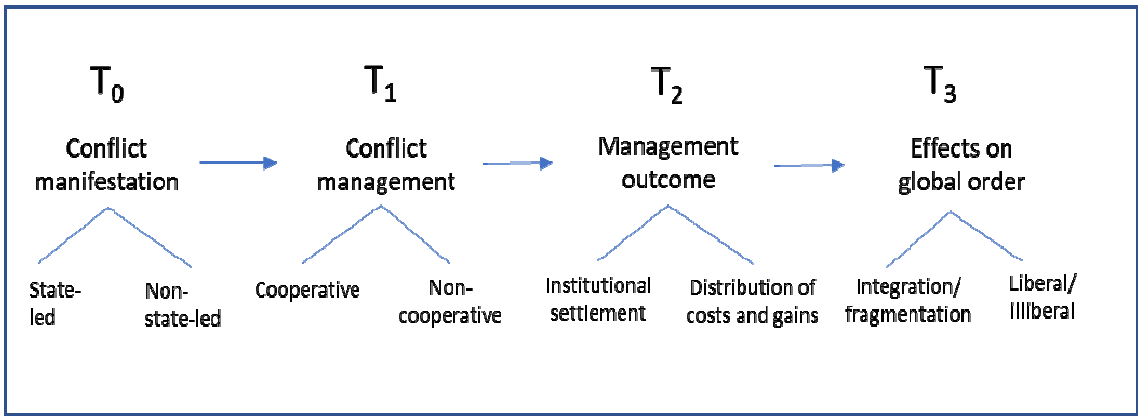

Figure 1: A temporal model of interface conflicts in world politics

To begin with, our core unit of analysis is interface conflicts. They are defined as "incompatible positional differences between actors about the prevalence of two or more norms or rules emanating from different institutions" (Kreuder-Sonnen and Zürn 2020, p. 252). Interface conflicts are thus activated by state or non-state actors expressing differing and incompatible positions on a given bone of contention – the moment of conflict manifestation (T_0) in our model. Our emphasis lies on the involvement of at least two international norms or rules rooted in different source in-

stitutions. It does not qualify as an interface conflict if two actors exhibit positional differences on the interpretation of one norm or rule (e.g. non-discrimination in international trade) or on the prevalence of two norms emanating from the same institution (e.g. most favored nation vs. regional trade bloc exceptions in WTO law). Instead, we always need to pinpoint at least two actors that invoke different norms and rules from distinct source institutions to justify their conflicting positions. One example is the ongoing interface conflict between Japan (and other pro-whaling states) and Australia (and other anti-whaling states), over the ban on commercial whaling established by the International Whaling Commission in 1982. While Japan emphasizes the cultural importance of whaling and refers to principles of permanent sovereignty over natural resources in addition to food autonomy and food sovereignty norms, anti-whaling states refer to the need to protect endangered species, as laid down in environmental protection norms, to substantiate their position.

Next, we suppose that manifest conflicts regularly incite some form of conflict management. We define the management of interface conflicts as "any deliberate attempt to address, mitigate, or remove any incompatibility between the [norms] in question".[4] These attempts are in no way predetermined to be rational, balanced, or technical. The same way a conflict can be highly political itself, so can its management.. Most importantly, we distinguish between conflict management that is co-operative and non-cooperative. While co-operative conflict management refers to attempts that address an interface conflict in which the conflict parties agree to follow procedural norms and/or accommodate each other's preferences, at least somewhat in their respective position, non-cooperative conflict management is characterized by the conflict parties seeking to solve the dispute in their favor without regard for the preferences of their opponent and without following procedural norms (see Keohane 1984, p. 51–52). The "management" of a conflict is thus not predisposed to be a compromising exercise or one in persuasion.

[4]Zelli 2011, p. 207. This conceptualization and the distinction between conflict and conflict management is based on the liberal conflict theory by Coser (1964) and Dahrendorf (1961). It has been reconceptualized for the study of international regimes (see Efinger et al. 1988; Rittberger and Zürn 1990) including the notion of conflicts as positional differences and conflict management as all behavior speaking to these positional differences.

Irrespective of its type, conflict management is likely to lead to some kind of settlement eventually: the management outcome. A (preliminary) settlement does not imply that the positional differences were resolved or that all conflict parties agree to its terms, but attempts at conflict management regularly produce relatively stable practices. To the extent that these practices stabilize over time and become routinized, we speak of a conflict management outcome. At this point, we are most interested in the type of institutional arrangement produced by conflict management: Is there a division of labor? Does one norm/institution displace the other(s)? Does institutional overlap persist? Moreover, we ask how the management outcome distributes costs and gains across the parties to the conflict. Is the distribution symmetric or asymmetric? Is it in line with the interests of the most powerful states, the actors with the broadest support in civil society, or those backed by courts or tribunals?

Finally, as an interface conflict ends because positional differences dissolve or because management outcomes become institutionalized and broadly accepted, we enter the phase of effects on global order. We then want to know whether the interface conflict and its management had consequences that eventually increased the level of integration in the international system or whether they led to more fragmentation, and how it affected international order in substantial terms.

Let us illustrate these temporal dimensions using a well-known example: the dispute over trade in genetically modified organisms (GMOs). It features collisions between global health norms and international trade norms enacted in one way by the European Union (EU) and, in another, by the United States (US), Canada, and Argentina. A *manifest interface conflict* (T_0) emerged after 1997, when the EU introduced testing of GMO products before entry of its internal market, and the US, Canada, and Argentina openly voiced their discontent with the EU's measures on approving genetically modified foods (Peterson 2010, p. 8). While the EU justified its measures by invoking the precautionary principle as codified in the Biosafety Protocol, the other conflict parties contended that the EU measures violate WTO law and rejected the application of the Biosafety Protocol to this dispute. At the point of time when the US, Canada, and Argentina filed a complaint in the WTO, the period of *conflict management* (T_1) started, which largely took place within the confines of the WTO dispute settlement process. Since both conflict parties demonstrated a willingness to engage with the other party

and stuck to the procedural rules of WTO dispute settlement, conflict management was co-operative. Following the Dispute Settlement Body's decision of September 2006 in favor of the complaining parties, both conflict coalitions concluded an additional political agreement in which the EU maintained some of its existing restrictions, but committed to abstain from imposing further import restrictions on GMO products. This *management outcome* (T_2) led to an institutional settlement that we describe as collaboration. The longer-term *effects on order* (T_3), however, are categorized as contributing to fragmentation, because the EU's self-restraint is the result of a political solution reached outside of formal institutions. Overall, the interface conflict thus weakened the international institutional order (see the Appendix for a detailed overview of the specific codings of the GMO case).

2.2 Case selection and coding

An ideal case selection yields a sample that is representative of the universe of cases under consideration. In our case, however, the population of interface conflicts is unknown. It is hard to know all the cases in which actors express positional differences about the prevalence of norms in the international realm. Since we are open on the range of actors that may activate interface conflicts, we would need to observe a virtually unlimited amount of "actor-years" to find the entire population. Without knowing the population size, however, it is impossible to make definitive claims about the representativeness of the sample included in the dataset. This predicament should, however, neither discourage the systematic collection of data nor free such an effort from thinking about selection biases. Important recent data gathering efforts – for example on informal intergovernmental organizations (IIGOs) (Vabulas and Snidal 2013; 2020; Roger 2020) – that similarly defy a prior identification of the population size[5] show the usefulness of such endeavors.

The OSAIC research group consists of six individual projects and a coordination unit to integrate their findings. Working under the umbrella of a common conceptual framework, the substantive projects took a variety of separate routes to study interface conflicts in world politics. While it was made sure that the individual research

projects would cover a variety of issue areas, each project team devised its own empirical strategy to identify interface conflicts within their areas of expertise. These areas cover the fields of internet governance, drug prohibition, health, indigenous rights, African security governance, international economic governance, and international judicial bodies.

Given the internalist approach to conflict adopted by the group, which focuses on actors' expression of positional differences, cases needed to be detected first by finding such concrete expressions. According to their respective research strategies, the teams approached this differently; that is, they used distinct "fishing techniques":

- The project COLLISIONS, led by Anna Holzscheiter and Andrea Liese, is particularly interested in the construction of normative incompatibility and the activation of interface conflicts. Therefore, they looked for interface conflicts within given normative complexes – that is, they studied areas known for interweaving and overlapping normative claims such as the intersection of drug prohibition, health, and indigenous rights to search for expressions of incompatible positional differences regarding the prevalence of the international norms at stake (see Gholiagha et al. 2020). This way, COLLISIONS added eight cases to the database.
- The project INTERFACE LAW led by Nico Krisch aims to reconstruct the emergence of interface norms that govern the relations between different bodies of norms and which could lead to a greater enmeshment or even integration of these legal orders. The analysis is anchored in a substantive focus on international economic governance. Hence, the group scrutinized the interstices of economic spheres of authority with other spheres such as human rights or environmental protection in search of overlaps that became manifest interface conflicts (see Krisch et al. 2020). INTERFACE LAW contributed six cases to the database.
- The project COURTS, led by Christoph Möllers, examines a wide range of judicial decisions in order to establish which legal reasoning and what argumentative strategies international courts and court-like bodies employ in adjudicating interface conflicts brought before them. The project thus studied proceedings in front of judicial third parties such as the International Court of Justice (ICJ) to find ex-

[5] In the case of IIGOs, the informality of cooperative arrangements as well as their decentralized emergence makes simple comprehensive coverage difficult. As Vabulas and Snidal (2013, p. 205)

pressions of incompatible positional differences regarding the prevalence of international norms at stake (see Birkenkötter 2020). COURTS added seven cases to the database.

- The project AFRICAN SECURITY, led by Anna Geis, has both a regional and a thematic focus. It is interested in normative contestations between the United Nations (UN) and African regional organizations such as the African Union (AU) over questions of military interventions in regional crises. As a consequence, the project examined recent cases of military (non)intervention in Africa with a view to conflictive interactions over norms such as sovereignty, security, and human rights (see Moe and Geis 2020). AFRICAN SECURITY contributed seven cases to the database.
- The project INTERNET, led by Markus Jachtenfuchs, tracks the emergence and evolution of interface conflicts in the area of internet governance. Internet governance constitutes a rapidly evolving field that encompasses a variety of actors, ranging from public to private and from national to trans-/international. The substantive focus is on issues of content control and privacy protection. In this context, the group identified interface conflicts between two primary spheres of authority in internet governance: a "liberal" sphere backed by the US and its Western allies, and a "sovereign" sphere backed by Russia and China (see Flonk et al. 2020). INTERNET provided nine cases for the database.
- The project RESPONSES, headed by Michael Zürn, casts a wider net. It contributed 41 interface conflicts that were selected based on a systematic review of the political science and legal literature on regime complexity, legal fragmentation, and norm collisions. In its first step, 48 instances of institutional overlap[6] were identified. In the second step, a closer analysis on the micro-level identified 41 interface conflicts in which actors justify their position with reference to different international norms.

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explain, their initial "documentation was a treasure-hunt".

[6] Institutional overlaps were identified on a broad reading of the relevant literature. The group focused on 52 articles written by IR scholars and 15 articles published in IL journals as this concept is most often used in the literature. This led to a compilation of 48 instances of institutional overlap. However, an institutional overlap does not lead to an interface conflict unless it is activated by actors. In turn, some institutional overlaps consist of more than only one interface conflict (see Faude and Fuss 2020 for a discussion of the causes and consequences of institutional overlap).

Altogether, the database contains 78 cases. Naturally, every "fishing technique" introduced its own sampling biases. For instace, COURTS obviously only finds interface conflicts with third-party involvement because it detects cases in judicial proceedings. Similarly, AFRICAN SECURITY may have included a representative sample of interface conflicts in the realm of military intervention in Africa, but that is clearly not representative of the larger population of conflicts beyond Africa and beyond security.

On the other hand, however, the variety of "fishing techniques" also balances out individual sampling biases and thus increases the overall representativeness of all cases sampled in the dataset. Moreover, the largest number of cases (more than half of the sample) was contributed by RESPONSES, the one project that came closest to a random sampling strategy. Overall, the different projects complement each other in their case selection in terms of actors, policy fields, and procedural characteristics. The overall sample of 78 cases spans virtually all issue areas (with some intuitive clustering around human rights, trade, and security) (see Figure 2); looks at all conceivable conflict parties (see Figure 3); includes cases with and without third-party involvement; and covers both co-operative and non-cooperative conflict management. Against this background, we expect that, for most possible uses, the data-gathering strategy employed by the OSAIC research group does not give rise to systematic sampling biases. It is, however, important to notethat we cannot exclude the possibility that, for the study of some specific research questions, our case selection does expose biases. We thus encourage users of the dataset to carefully assess the distributions of the data in light of their research questions.

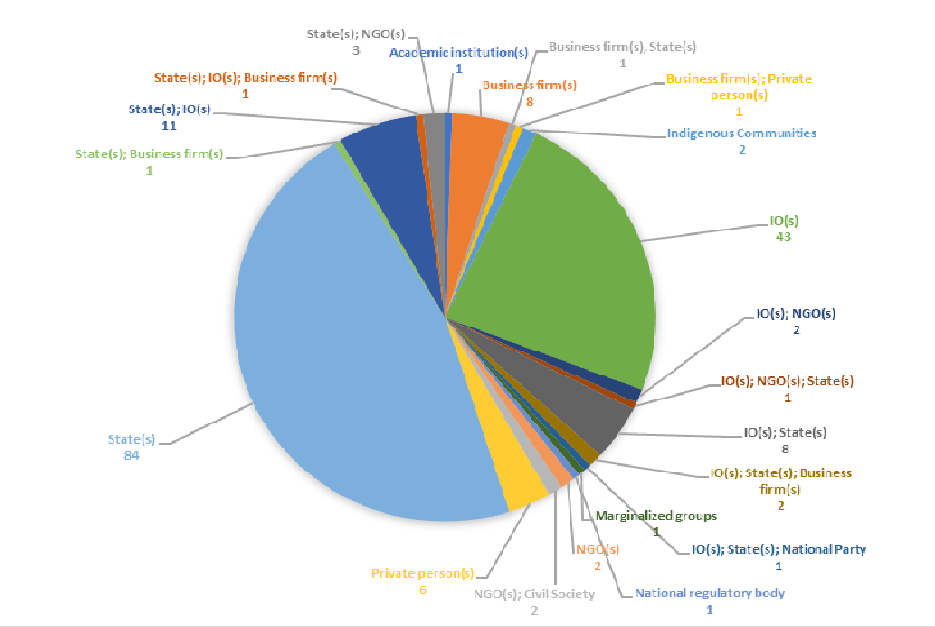

Figure 2: Concerned issue areas

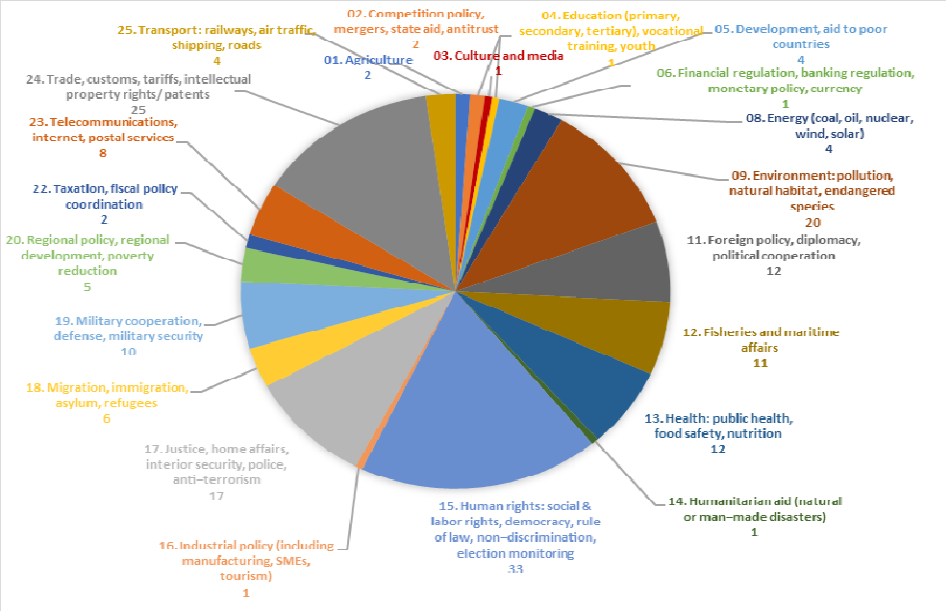

Figure 3: Types of actors and actor coalitions coded as conflict parties

The coding of the cases reflects the principles of structured expert surveys; that is, the coordination unit prepared a coding scheme that the project teams filled in based on their extensive expert knowledge of the cases they studied in depth. All coders followed a set of coding rules (see Table A1 in the Appendix). These rules both provide general guidance, for example, on determining the separation of cases, and lay out very specific requirements for the coding of single categories of conflict management

(e.g. determine that an asymmetric distribution of costs and gains exists if these costs/gains are allocated for at least two-thirds to one actor).

The concepts measured in the database were developed by the research group collectively over the course of several years, ensuring a congruent understanding of the concepts used. Most teams' codings come with a high degree of validity as they are based on in-depth case studies. Five out of six projects provided data on five to nine cases that were all subject to qualitative analysis. For these projects, information for the database was basically a side-product of research with related but separate objectives. In terms of reliability, the teams individually sought to increase inter-coder reliability by discussing cases and recoding where appropriate. Additionally, the entire research group ensured that the codings for each case in the sample was checked by at least one member of a different team at least once. Only RESPONSES conducted research with the primary goal of feeding the database and ended up with a total of 41 cases. Each case is based on a qualitative investigation of the evidence that culminated in concise case studies. RESPONSES introduced a more formalized inter-coder reliability check by having different team members double-code five cases independently. Inter-coder reliability was at 84% agreement among the expert coders.

3. Variables and distributions

This section focuses on the origins and types of interface conflicts, the characteristics of conflict management, management outcomes, and the effects on global order. Other variables not discussed in this section can be found in the Appendix. It pays special attention to the key variables of each time dimension; namely, the features of conflict manifestation, the traits of co-operative conflict management, the types of institutional settlement, the creation of norms for the handling or avoidance of interface conflicts as part of the conflict management outcomes, and the structural and substantive effects on global order (see Table 1).

Key variables	**Characteristics of key variables**
Object of conflict	• Values • Means • Interests
Types of conflict management	• Co-operative conflict management • Non-cooperative conflict management
Degree of regulation in co-operative conflict management	• Constitutionalized conflict management • Norm-based conflict management • Decentralized conflict management
Outcomes of co-operative conflict management	• Division of labor • Collaboration • Displacement • Uncertainty
Effects on global order	• Integration • Fragmentation
	• More liberal • More illiberal • Neutral/indeterminate

Table 1: Overview of key variables

To begin with, at T_0, an interface conflict is based on an institutional overlap that has either been created *intentionally* or represents an *unintended side–effect*. Whereas the activation of a conflict will most likely be intentional, we ask here whether the underlying overlap in norms came about intentionally or unintentionally. Did actors introduce overlapping norms or rules with the goal to later contest existing norms or rules? Or did these overlaps result from a general rule proliferation with unforeseen consequences?

As a rule of thumb, we consider interface conflicts to be intentionally created when a new, overlapping norm emerges in the same policy field as the already exist-

ing norm, which is then contested. By contrast, if the norms developed separately in different governance fields, we consider the interface conflict to be an unintended by-product of the increasing complexity of global governance – and thus created unintentionally, unless there is an open reference to each other from the beginning on. Both types of interface conflicts occur almost with the same frequency in our data (see Figure 4)

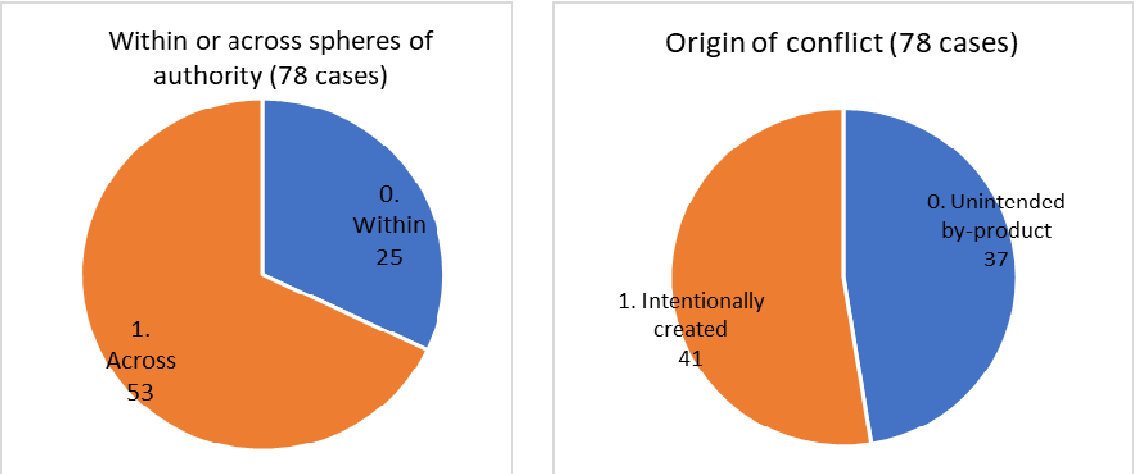

Figure 4: Type of interface conflict – origin and spheres of authority

Intentionally created interface conflicts are often used to contest an institutional status quo and circumvent costly norms. This strategy may be labelled "contested multilateralism" or "counter-institutionalization" (see Morse and Keohane 2014; Zürn 2018, chap. 7). For example, the conflict over global energy sources between the International Energy Agency (IEA) and the International Renewable Energy Agency (IRENA) constitutes a case of an intentionally created interface conflict. The creation of IRENA in the same policy field of energy governance already occupied by IEA was intended to alter the status quo (focus on oil and fossil fuels represented by the IEA) and to promote renewable energies. An example of an unintentional creation is the interface conflict between the Kichwa indigenous communities, the State of Ecuador, and oil companies over the use of land. This interface conflict referred to the collective rights of indigenous peoples to physical integrity on the one hand and to foreign investment regulations on the other – after all, the international norms and rules on indigenous rights and foreign investments developed separately in two different governance fields without any open and deliberate linkage.

Furthermore, we ask whether an interface conflict occurs within or across *spheres of authority*. A sphere of authority is defined as "a governance space with at least one domestic or international authority, which is delimited by the involved actors' perception of a common good or goal at a given level of governance" (Kreuder-Sonnen and Zürn 2020, p. 255; see also Zürn 2018, chap. 2). To put it simply, if two different norms of international trade are invoked, we speak of a conflict within a sphere of authority; if a norm of global health is used to challenge trade rules, we code it as a conflict between two different spheres of authority. The majority of interface conflicts in our sample occur across spheres (see Figure 4). Moreover, most of the cases in the dataset focus on *horizontal* interface conflicts arising at the same level of governance (e.g. between international norms promoted under the auspices of two international authorities). Both of the above examples refer to such horizontal interface conflicts. As an add-on, the dataset also includes nine *vertical* interface conflicts taking place across different governance levels (e.g. between international and national authorities) that also embody distinct spheres of authority.[7] By definition, vertical interface conflicts thus always cut across spheres of authority, while horizontal ones may also take place within a sphere of authority.

In a given period of conflict management (T_1), we mainly distinguish between two types of conflict management: co-operative and non-cooperative. *Co-operative conflict management* is characterized by a willingness of both sides to follow procedural norms and/or accommodate each other's preferences at least somewhat in their positions. At least a latent openness for compromise is key. By contrast, *non-cooperative conflict management* is characterized by both conflict parties' attempt to solve the dispute in their favor without any regard for the preferences of the other conflict party, and without following any procedural norms. In non-cooperative conflict management, each party seeks its own parochial advantage without compromise. It is generally unregulated.

[7] Most of the vertical conflicts identified in the sample take place in the realm of African Security Governance, which are concerned with different positions between regional organizations such as the AU and the African governments on the one hand, and the UN on the other. They mainly represent interface conflicts between regional and international governance and are therefore part of our database. Given the limited number and the bias of vertical interface conflicts in the sample from the realm of African Security Governance, we refrain from making claims specific to such conflicts. If there is a danger that they lead to a bias in the overall sample, they can be easily excluded.

We further subdivide co-operative conflict management by distinguishing the *degree of regulation* that each case exhibits. We first consider co-operative conflict management that is *constitutionalized* to exhibit the highest degree of regulation. To be categorized as constitutionalized, conflict management needs to take place in the context of institutionalized procedures providing norms of meta-governance to authoritatively solve interface conflicts. Typically, we thus look at cases in which the conflicting parties recognize *ex ante* that a third party is competent to render a verdict on matters including the one at stake – and where they neatly follow the legal procedures. What we call *norm–based* conflict management refers to a medium level of regulation. It describes handling of interface conflicts with reference to "third norms", that is, norms that are different from the two norms in collision. Such norms may be substantive (e.g. higher-ranking normative principles such as sustainability) or procedural (e.g. rules of precedence or applicability). Third norms may be issued by a third party with a certain independence (e.g. an international court or arbitral tribunal) or be invoked by the conflict parties themselves. The lowest degree of regulation is represented by *decentralized* conflict management that takes place if the conflict is not referred to a third party and actors do not take recourse to a third norm, but they are still willing to compromise and to accommodate some of the preferences of the other conflict party in the process of handling their positional differences. This process may be non-institutionalized and highly political. In practice, this could entail engaging in official dialogue, issuing official documents such as Memoranda of Understanding or cooperation agreements, or even result in an unofficial understanding of agreement. The distribution of these subtypes of co-operative conflict management in our sample is captured in Figure 5.

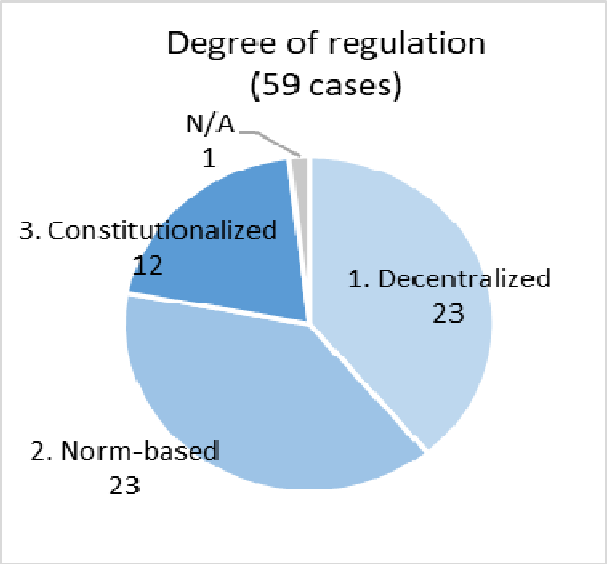

Figure 5: Management outcomes (Dimension I: Institutional settlement

The *conflict management outcomes* described in temporal dimension T_2 consist of different types of institutional settlement and their distributional consequences. The categories of institutional settlement include *displacement*, *collaboration*, *division of labor*, and *uncertainty*.[8] Figure 6 shows that uncertainty and collaboration are the most frequent conflict management outcomes.

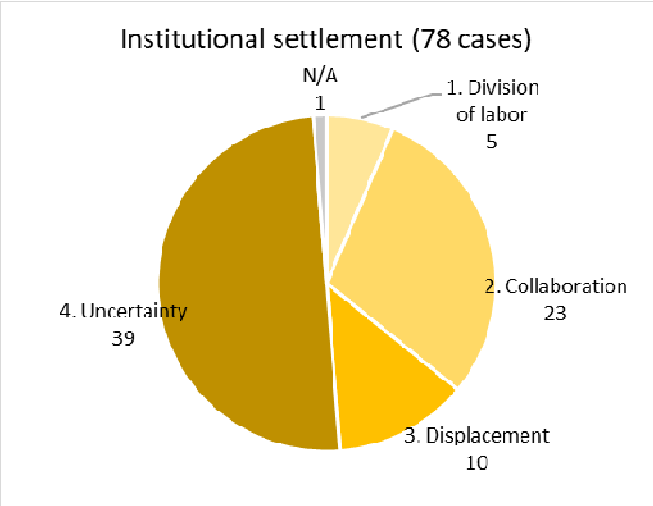

Figure 6:Management outcomes (Dimension I: institutional settlement)

In cases of *displacement*, the outcome of conflict management is the retreat of one institution from the governance area, thus dissolving the underlying overlap. *Collaboration*, in turn, describes a management outcome in which competing claims to

authority are settled by way of pooling or mutual self-restraint. In a *division of labor* scenario, conflicting or overlapping governance functions and/or sectors are divided among authorities, providing a systemic ordering principle. *Uncertainty*, finally, describes a conflict outcome that appears as unstable. Uncertainty persists if competing claims to authority or overlaps in resource spending remain virulent. Many conflict management outcomes are coded as uncertain, since the outcome is based on a political compromise, often not transferred into legal terms. In such situations, it is plausible that states maintain their principled positions.

Moving to the final temporal dimension in our model, we are interested in the *effects on order* (T_3) that interface conflicts and their management produce. Here, the key question is whether conflict management leads to more *integration* or more *fragmentation* in global governance.[9] This final step in our model is relatively abstract and not immediately observable. It involves a significant degree of interpretation.[10] We still tried to provide valid codings by explicating the typical phenomena associated with each. Integration is coded in the cases in which we see an institutionalization of meta-governance for conflict management or a clear-cut delineation of formerly overlapping institutions. By contrast, fragmentation is indicated by an increased conflict-proneness in the governance space under question, inter-institutional contradictions, or a deinstitutionalization of co-operative conflict management systems. Figure 7 indicates that, in the long run, interface conflicts have a slight tendency to lead to more integration rather than fragmentation.

[8] Further distinctions of conflict management outcomes include symmetric and asymmetric distribution of costs and gains. They are described in more detail in the Appendix.

[9] Further effects on global order include whether the conflict management outcome contributes to a more liberal or illiberal world order. See the Appendix for more details.

[10] In general, it should be noted that, the later in the temporal model, the greater the amount of interpretation on the side of the coders, and hence the greater the degree of uncertainty for each coding.

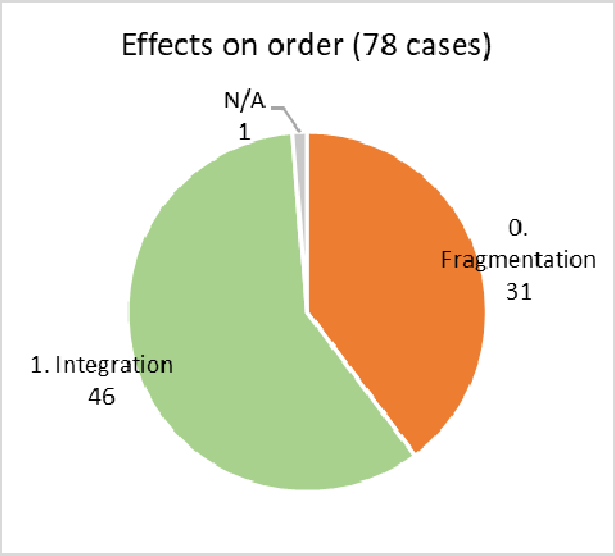

Figure 7: Effects on order – integration or fragmentation

This section gave an overview of the key variables contained in each time dimension shown in Figure 1. However, these are not all the variables we coded. A more fine-grained account of all variables and their descriptions is included in the Appendix.

4. Some descriptive findings

In this section, we present additional descriptive statistics that illustrate some of the more interesting distributions within the database. Thereby, we present first preliminary findings on the characteristics of conflict management and management outcomes. In the second part, we display four correlations that are exemplary for the possible uses of the dataset.

4.1 Case selection and coding

As mentioned above, in temporal dimension T_1, all interface conflicts can be divided into different subphases of conflict management. These phases can be delineated by changing institutional venues, a switch from co-operative to non-cooperative (or vice versa) conflict management, or the alteration of periods with or without third-party involvement. Out of the 78 conflicts in the Interface Conflicts 1.0 dataset, only 13 are sustainably managed in just one straightforward attempt. Thirty-five interface conflicts are managed in two phases and 30 interface conflicts even go through three phases of conflict management. In each subphase, conflict management is coded as

either being managed in a co-operative or non-cooperative manner, in accordance with the characteristics outlined in section 3 above.

Figure 8 shows the distribution of co-operative and non-cooperative types of conflict management within each phase of conflict management. There are at least three important messages here: First, there is a clear overall preponderance of co-operative over non-cooperative conflict management in our sample. Regime collisions are thus no doom for international cooperation per se, and they should also not be interpreted as always reflecting a desire to undermine international institutions. If that were the case, the conflict parties would hardly resort to co-operative conflict management as their coping mechanism of choice as often as they do. Second, it is striking that in those interface conflicts that are managed in only one phase over 80% are managed co-operatively. What explains this high rate compared to those conflicts that go through more phases is a question for future research. Could it be due to the important role of the arbitral bodies that quickly bring the conflict parties on a co-operative pathway? Or is this due to a given type of conflict that pre-determines conflict management for all three periods? Third, additional phases of conflict management increase the share of co-operative conflict management. It suggests either a decreasing willingness of actors to sustain uncooperative behavior over time (Gehring and Faude 2014) or that the development of co-operative conflict management takes time.

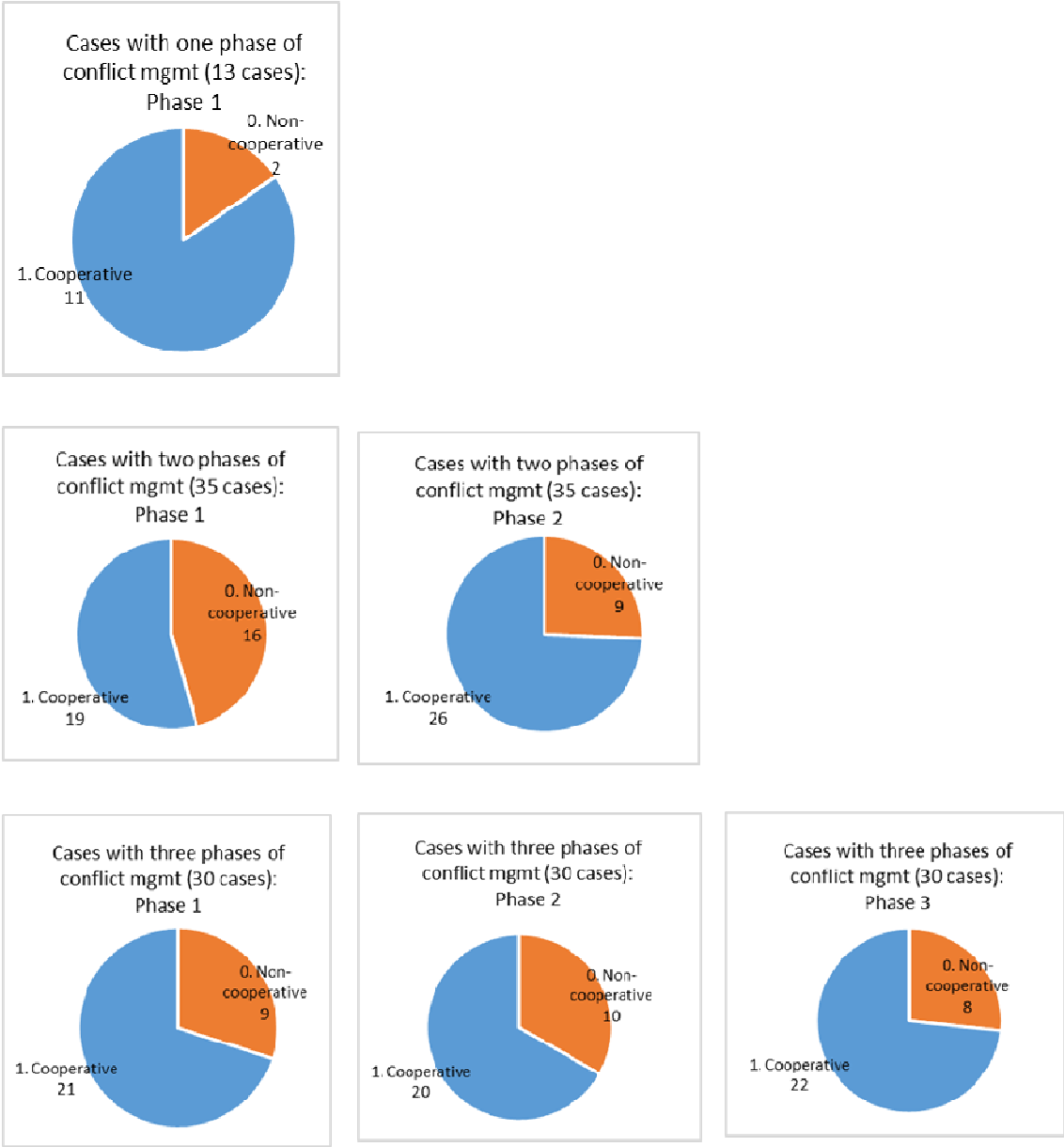

Figure 8: Type of conflict management across phases: co-operative or non-cooperative

Regarding the conflict management outcome (T_2), we distinguish between *symmetric* and *asymmetric* distribution of costs and gains among the conflict parties. In our dataset, 54 of the 78 conflicts result in an asymmetric distribution of costs and gains. This means that, in two-thirds of the cases, one party has managed to emerge as a "winner" from the conflict. In 21 cases, the management outcome is symmetric, and costs and gains are distributed more evenly between the parties.[11]

[11] Three interface conflicts in our dataset are considered as still ongoing, thus their outcome in terms of distribution of costs and gains cannot yet be determined.

We expected that the distribution of costs and gains would depend on a variety of factors that we collected additional data on. Concretely, we measure three variables: a) whether the distributional effects (if asymmetric) are in line with the most powerful actor(s), b) whether they are in line with the actors that had more epistemic (judicial) support, or c) whether they are in line with the actors that had more NGO support. One central finding in our data is that the amount of material power and NGO support does not reliably predispose a conflict party to emerge victorious from an interface conflict (see Figure 9). Instead, epistemic (judicial) support seems to be the most reliable source of success.

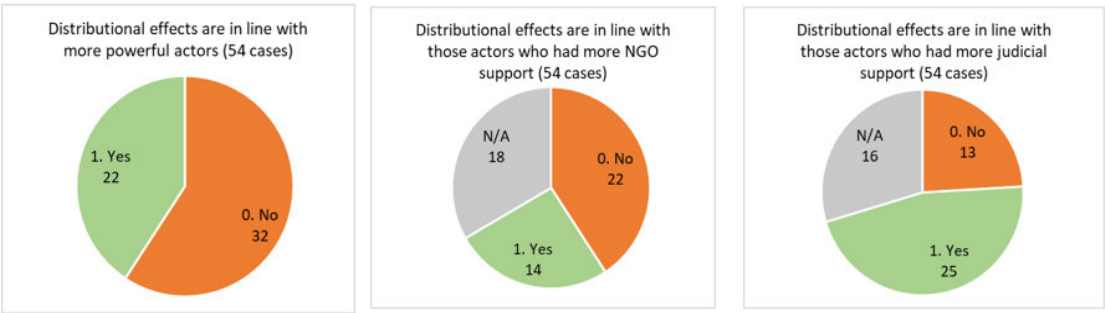

Figure 9: Management outcome: distributional effects (asymmetric costs and gains)

A further finding regarding the outcome of conflict management already hints in the direction of longer-term effects at T_3. One element also measured in management outcomes is whether they led to the creation of new norms for handling future instances of the same type of conflict – or for avoiding interface conflicts of similar kinds altogether. As Figure 10 indicates, this has not been the case in the majority of cases, but at least in one third. This should be reckoned as one way in which interface conflicts have a sustained positive effect on the development of global order. When we further focus on the types of norms that have been created as an outcome of conflict management, we observe that roughly half of those are *overarching norms*. These norms regulate relations centrally either through hierarchies or through conflict norms such as *lex specialis* or *lex posterior*. They may also be formed as part of substantive integrative norms such as human rights, sustainable development, or democracy/good governance. In the other half of management outcomes that create norms to handle future conflicts, outside norms may enter a given body of norms (as is the case

for *reception norms*) or these norms connect different bodies of norms without being seen to belong to either of them (as is the case with *connecting norms*).

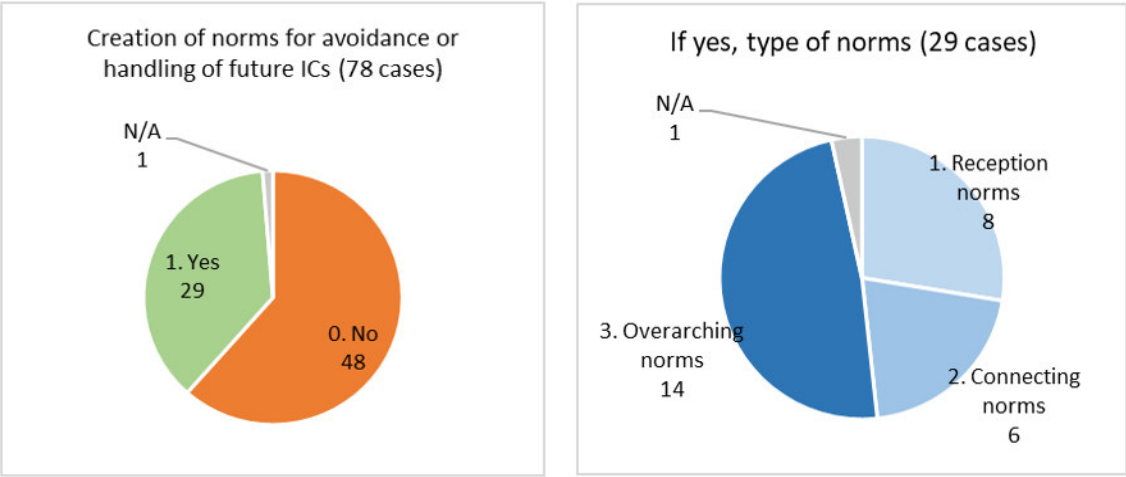

Figure 10: Management outcomes – creation of norms for avoidance or handling of future interface conflicts

4.2 Correlations

We shall now present four simple correlations as examples for possible usage of the dataset. The first two are based on expectations that are theoretically and intuitively compelling; therefore, they primarily serve as probes of the face validity and quality of the codings. The latter two tackle more contested propositions demonstrating the usefulness of the dataset. First, we hypothesize a correlation between the origin of conflict and the type of (final) conflict management. As indicated above, an interface conflict can either be intentionally created by a conflict party to provoke institutional change, or emerge as an unintended by-product of an increasingly complex global governance system. We assume that intentionally created conflicts are more likely to result in non-cooperative conflict management than in conflicts that occur unintentionally, as actors would be less willing to adapt their positions if they were the ones who had deliberately started the conflict in the first place. If the interface conflict arose without intention, the involved parties would be more disposed to making compromises and managing the conflict cooperatively.

To examine if this hypothesis holds, we recoded both dichotomous categories as dummy variables: For overlaps that were produced deliberately, the variable *IntentionallyCreated* takes the value 1; and for cases with an unforeseen overlap, it takes

the value 0. For cases which are coded as *co-operative* in their last phase of conflict management, the variable *CoopCM* takes the value 1, and the others take the value 0.

Since we have dichotomous variables, we can measure bivariate correlation using Pearson's r. For the two variables, we find a coefficient of -0.2998 which indicates a negative correlation between *IntentionallyCreated* and *CoopCM*. To test if the correlation between the two variables is significant, we conducted a chi-squared test of independence (see Table 2). Our results indicate a significant correlation and are in line with our hypothesis: Intentionally created interface conflicts are more likely to result in non-cooperative conflict management.

Intentionally created	Co-operative conflict management 0	1	Total
0	4	33	37
1	15	26	41
Total	20	59	78
Pearson chi2(1) = 7.0122	Pr = 0.008		

Table 2: Cross tabulation of origin and type of conflict management

A second hypothesis refers to the relationship between the type of (final) conflict management and the effect on global order. We strongly expect that interface conflicts that are managed cooperatively lead to an increased level of integration in the international system, whereas non-cooperative conflict management makes fragmentation more likely.

To probe this hypothesis, we used the variable *CoopCM* and created an additional dummy variable *Integration*, which takes the value 1 for interface conflicts whose effect on order is coded as *integration* and the value 0 for interface conflicts whose effect on order is coded as *fragmentation*. Omitting one case in which the effect on order could not be assessed, our sample consists of 77 observations. The coefficient of 0.6358 indicates a high degree of correlation for these two variables. Table 3 displays that, in 45 cases, co-operative conflict management results in more integration. On the other hand, there are also 13 cases in which co-operative conflict management in the last phase comes with more fragmentation in the international system (such as the GMO case; see the Appendix). However, 18 interface conflicts that are managed in

a non-cooperative way have a fragmenting effect on the global order, and only one case with final non-cooperative management results in more integration. The results again indicate statistical significance, which is compatible with our second hypothesis.

Co-operative conflict management	Integration 0	Integration 1	Total
0	18	1	19
1	13	45	58
Total	31	46	77
Pearson chi2(1) = 31.1248	Pr = 0.000		

Table 3: Cross tabulation of type of conflict management and effect on global order

We now move to less intuitive and theoretically more relevant propositions in order to demonstrate the usefulness of the database. For this purpose, we probe deeper into specific differences in management outcomes depending on the actors that are involved in a conflict. To begin with, we check whether the involvement of the US correlates with a distribution of gains and losses that is in line with more powerful states. As shown in Figure 9, more power over resources usually does not enable a conflict party to receive systematically more gains from an interface conflict. However, based on Hegemonic Stability Theory, one would still expect that interface conflicts are more likely to be managed in a way favoring the US due to its hegemonic position and extraordinary influence in IOs. We, therefore, examined interface conflicts in which the US is a conflict party, either alone or as part of an actor coalition as well as the single most powerful actor[12], and the distributions of costs and gains is asymmetric. As Table 4 shows, out of 18 conflicts in which the US partakes as the most powerful actor, it manages to evolve victorious from the conflict in 9 cases and in the other 9 it does not. We find that the distributional effects of an outcome are only slightly tilted in favor of the powerful actors if the US is involved. Therefore, possessing great power over resources does not put the US at a significantly strong advantage in obtaining favorable gains from interface conflicts.

US involved as most powerful actor	Distributional effects are in line with most powerful actor		Total
	0	1	
0	21	12	33
1	9	9	18
Total	30	21	51
Pearson chi2(1) = 0.8942	Pr = 0.344		

Table 4: Cross tabulation of US involvement and distributional effects

If a conflict party's power over resources alone are not decisive, what other factors are relevant for obtaining gains from interface conflict management? From a constructivist perspective, it should be the persuasive or rhetorical power of normative arguments that explains the outcomes of conflict management. We might therefore assume that the distribution of costs and gains benefits those actors enjoying more NGO support. The reason being that NGOs often support actors representing positions pertaining to non-material and collective interests, which involve issues such as biodiversity protection or indigenous rights. However, as laid down in Figure 9, it is only in a minority of cases that NGO support also coincides with advantageous management outcomes. As rational institutionalism would hypothesize, however, norm-based outcomes are particularly likely where disputes are channeled through independent third-parties (e.g. Zangl 2008). Hence, the involvement of a third party is expected to enhance the chances of the conflict party sided by NGOs to attain a beneficial management. To probe this hypothesis, we examined the cases in which the costs and gains are distributed in favor of the conflict parties with more NGO support and tested them in terms of involvement of a third party.

Table 5 shows that the empirical distribution is in line with the hypothesis. When a third party is involved, the number of cases in which distributional effects are in line with the actors who had more NGO support more than doubled from 4 cases (no third-party involvement) to 10 cases (with third-party involvement). Whereas generally more NGO/civil society support does not lead to more success in interface con-

[12] Out of 21 cases in which the US is involved, 3 cases describe a conflict between the US and the EU within the issue area of international trade. Since it is difficult to determine which actor is consid-

flicts, this correlation reveals that the involvement of a third party has a significant positive effect on the probability that distributional effects are in line with those actors who had more NGO support.

Third party involvement in any phase of conflict management	Distributional effects are in line with those actors who had more NGO support 0	 1	Total
0	14	4	18
1	8 (4 cases involve courts)	10 (8 cases involve courts)	18
Total	22	14	36
Pearson chi2(1) = 4.2078	Pr = 0.040		

Table 5: Cross tabulation of third-party involvement and distributional effects

Our analyses show that the Interface Conflicts 1.0 dataset can be used for multiple purposes, and is also suitable for investigating larger questions of IR and IL research. On one hand, we have shown that it provides concrete insights into particular incidents of interface conflicts and the nature of their management (see Table 2 and 3). On the other hand, the OSAIC data affirms existing research that material power is less important in managing norm collisions than often assumed (Wisken 2018; Wisken and Kreuder-Sonnen 2020) (see Table 4 and 5). These simple correlations provide only a glimpse at the broad range of possible linkages that can be drawn between the various categories of cases in our dataset. Further analysis could, for instance, examine relations between objects of conflict, preexistence of procedural norms, or take a closer look at specific time periods and issue areas.

5. Conclusion

The goal of this paper was to explain the purpose and structure of the Interface Conflicts 1.0 dataset. The dataset aims at offering high-quality data that can be used in comparative studies with a substantial N. This provides the opportunity to study is-

ered to be more powerful in these conflicts, these cases are omitted.

sues of regime complexity and fragmentation with Qualitative Comparative Analysis (QCA) or even statistical tools and move the field beyond case studies.

So far, we have provided simple univariate distributions and some bivariate descriptions in order to explain the structure of the database and highlight some preliminary findings. Most importantly, we could show that, in a large majority of cases, the management of interface conflicts is co-operative (or becomes co-operative over time), and that co-operative conflict management is significantly correlated with more inter-institutional coordination and integration rather than fragmentation at the level of the order as a whole. One important result from the work of the OSAIC group is thus that the doomsayers in the fields of regime complexity and fragmentation who predict global disorder or a return to more "realist" international politics may hold explanatory leverage over a smaller share of the empirics than is often assumed.

Beyond such immediate observations, the dataset can be used for studying many different issues and questions about interface conflicts, conflict management, and its consequences for the global governance system. Let us briefly outline three avenues for further research that could fruitfully be carried out based on our data. The first would be to study the development of conflict management over time. By focusing on within-case comparisons, one could aim at comparing the overall dynamics during the three phases of conflict management. Under which conditions do actors shift gears in conflict management? Which interface conflicts are stable regarding conflict management, and which ones change over time? Does the length of non-cooperative conflict management depend on the type of actor? A second line of inquiry might aim at uncovering the relationship between types of conflict and conflict management. The underlying question is to what extent conflict management is pre-determined by features of the object of conflict. What is the effect of the difference between conflicts within and across spheres of authority for their management? Can we replicate older findings that conflicts over values are much less conducive to co-operative conflict management than conflicts over means (see Efinger and Zürn 1990)? A third avenue for further research lies in the comparison of different types of actors and their relationship with interface conflicts and conflict management. Is it true that the func-

tions and resources of different actors pre-determine their behavior in interface conflicts? Which strategies are typical for states and which for IOs?

While these and related questions can be answered based on the Interface Conflicts 1.0 dataset, it is likely to be more productively used in connection with other data sources. Using datasets about the type and amount of authority of IOs, for instance, we can test whether IOs with high levels of authority are more often involved in interface conflicts than IOs with lower levels. One may also probe the extent to which interface conflicts play out differently in issue-specific organizations compared to general-purpose IOs like the UN or the EU. One may also study, to which extent regional areas plagued by a high level of violence display less co-operative management of interface conflicts. These examples are only the simplest ones that come to mind. We are sure that many other uses are also possible.

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Appendix:
The following table (Table A1) depicts all variables that are part of the Interface Conflicts 1.0 dataset and provides operational definitions for each category. As an example, we include the coding of the GMO case described in section 2.1. of this paper.

		Definitions and coding instructions	**Example (GMO case)**
	Case descriptor/name		EC Biotech/environmental protection vs trade in GMOs
Actors and positions (T0)	Starting year of IC	*Year in which the conflict started, related event in parentheses.*	2003 (the US, Argentina and Canada put in a request for consultations)
	Description/Specification of the emergence of the conflict (T0)		Conflict manifestation starts in 1997, when Austria banned a variety of genetically modified corn by invoking the safeguard clause article 16 of the EU's 90/220 Directive
	Conflict party 1	*Parties to interface conflicts can be individual or collective actors as well as actor coalitions. Collective actors should preferably be referred to as the entity under which they operate. If multiple states or actors are directly involved, they should be listed individually, indicating the most involved/most active states or actors first. The first party should be, in cases where it is clear, the party that activated the conflict.* *To determine if a separate conflict exists involving NGOs: 1) If NGOs are part of conflict management, it is decisive whether the NGOs also make a compromise in the conflict management process, 2)if conflict management is different for NGOs as opposed to the other conflict parties, a separate case involving NGOs likely exists, and 3)NGOs need to represent a position that is clearly different from other parties, also during conflict management.*	US, Canada, Argentina
	Conflict party 2		European Communities (EC)/EU member states
	Conflict party 3 [year entering conflict]		
	Position conflict party 1		The EC measures (moratorium on the approval of GMOs and some national bans/restrictions on GMO foods) violated WTO law inter alia specific provisions of the SPS Agreement related to scientific risk assessment (the complainants rejected the application of the Biosafety Protocol to the dispute)

	Position conflict party 2		The EC seeks to ensure adequate testing of GMO products to ensure food safety and environmental protection. It justified its measures by invoking the precautionary principle as codified in the Biosafety Protocol.
	Position conflict party 3		
	Intl. norm/rule used to justify position 1	***International norm(s):*** *value-based social standards of appropriate behavior at the international level that are based on intersubjectively shared understandings and expectations of a relevant number of actors.* ***International rule(s):*** *the specific regulations and prescriptions for actors' behavior that enact international norms in concrete situations. International rules can (and most often are) but do not have to be legally codified.* *Two specifications should be made: legal status/codification and substantive meaning. If possible, narrow down the legal code in question (Law, Convention, Treaty, Resolution + Article, etc.) and indicate the substantive meaning of the norm or rule in parentheses.*	WTO SPS Agreement article 2 (the right to take (phyto)sanitary measures to protect human, animal or plant life or health), article 5 (risk assessment and determination of the appropriate level of (phyto)sanitary protection)
	Intl. norm/rule used to justify position 2		Cartagena Protocol article 1 (ensuring adequate level of protection in the field of safe transfer, handling and use of modified organisms in accordance with principle 15 of the Rio Declaration on Environment and Development (precautionary principle))
	Intl. norm/rule used to justify position 3		
	Intl. authority associated with norm 1	*An international or transnational, (inter-) governmental or non-governmental institution whose decisions, judgments, or interpretations are recognized as binding (or at least relevant) by a critical number of actors for their behavior.*	WTO
	Intl. authority associated with norm 2 (if any)		UN
	Intl. authority associated with norm 3 (if any)		
	Commentary (optional)		
Characteristics of the interface conflict	Bones of contention	*Description of the positional differences.* *Given that two cases have identical bones of contention, two separate cases exist if they either refer to different norms, or if the actors involved are so separate that it's impossible to say that they are on the same side (no cross-referencing).*	Whether parties can deviate from WTO obligations (approval and marketing restrictions on GMO/biotech products) based on the precautionary principle (as codified in the Biosafety Protocol).
	Concerned issue	*We define an issue area as a*	24. Trade, customs, tariffs, intellectual

	area 1	*governance space marked by the perception of a common policy problem or a connected set of problems (the issue) that links actors and stakeholders. The issue area has to be chosen from the list (taken from Hooghe, L., Lenz, T., & Marks, G. (2019). A Theory of International Organization. Oxford University Press. Page 145). The number of issue areas should not exceed the number of international norms/rules invoked.*	property rights/ patents
	Concerned issue area 2 (if any)		13. Health: public health, food safety, nutrition
	Concerned issue area 3 (if any)		
	Origin of conflict	*Specify if the interface conflict is **intentionally created** or is an **unintended by-product** of the increasing density of global governance.* *Intentional: international norms that are part of the interface conflict developed in the same governance field* *Unintentional: international norms that are part of the interface conflict developed in separate governance fields*	Unintended by-product
	Object of conflict	*Specify if the conflict is about 1) **incompatible values** and normative beliefs held by the conflict parties, 2) the **means** by which common values or normative beliefs should be realized, or 3) competing (power) **interests** of the involved actors.* *Interests are always involved. However, if one set of actors approaches the case through a value perspective (i.e. rights), then the interface conflict becomes about values. If this is not the case, then it is always about conflicting interests and should be coded as such.*	Values
	Within or across spheres of authority	*A sphere of authority is defined as a governance space with at least one domestic or international authority, which is delimited by the involved actors' perception of a common good or goal at a given level of governance.* *Three characteristics of a*	Across
	Which spheres?		environmental protection, international free trade

		sphere of authority: 1) at least one authority (includes multi-purpose organizations), 2) geared towards one common social purpose, and 3) does not cut across levels of governance (i.e. impossibility of vertical conflicts within one sphere).	
	Horizontal or vertical		Horizontal
	Commentary (optional)		From a normative perspective, the precautionary principle and WTO rules evolved in two separate areas of international law, which clashed in the process of dispute settlement (from this perspective the origin of conflict is an unintended by-product and the object of conflict consists of incompatible values). From a policy perspective, if you focus on the EU policy as the status quo, then it can also be seen as the US/Canada/Argentina intentionally challenging the EU's precautionary approach (it follows that the object of conflict is about competing interests).
Responses/Conflict Management (T1)	Phase 1 of Conflict Management including dates (regulated or not)		Request for consultations received in May 2003, Panel report circulated in September 2006 --> the Panel found that because the US was not a party to the CBD (nor the Biosafety Protocol) - neither could be considered "applicable" between the parties - and also found that the precautionary principle had not yet evolved into a general principle of international law. (regulated)
	If applicable: Phase 2 of Conflict Management including dates (regulated or not)		The EC decided not to appeal the ruling and instead a "Mutually Agreed Solution" was decided between Canada and the EU in 2009 which established a bilateral dialogue on agricultural biotech market access issues of mutual interest. This cooperation agreement was subsequently reaffirmed in CETA - which institutionalises international cooperation on biotech market access and inter alia sets out the shared objective of promoting "efficient science-based approval processes for biotechnology products". At the same time however, the preamble of the Joint Interpretative Instrument on the Comprehensive Economic and Trade Agreement (CETA) "reaffirms the commitments made with respect to precaution that [the EU and its Members

			States and Canada] have undertaken in international agreements", hence relativizing the provisions requiring science-based evaluations. (regulated)
	If applicable: Phase 3 of Conflict Management including dates (regulated or not)		
	Commentary (optional)		
Type of conflict management (Phase 1)	Non-cooperative or co-operative conflict management	***Non-cooperative conflict management:*** *conflict parties seek to solve the dispute in their favor without regard for the preferences of their opponent and without following procedural norms.* ***Co-operative conflict management:*** *refers to attempts to address an interface conflict in which the conflict parties agree to follow procedural norms and/or accommodate each other's preferences at least somewhat in their respective positions.*	Co-operative
	If conflict management is co-operative: degree of regulation	*Specify whether co-operative conflict management is* ***constitutionalized***, ***norm-based*** *or* ***decentralized****.* ***Constitutionalized conflict management****: If actors recognize ex ante that there is an impartial body that has the authority to solve the conflict. Therefore, it is more likely to find constitutionalized conflict management within one sphere of authority than across spheres of authority, where certain judicialized procedures*	Constitutionalized

		can be attached to one conflict party but not the other. ***Norm-based conflict-management****: a handling of interface conflicts with reference to 'third norms', that is, norms that are different from the two norms in collision (such as substantive (e.g., higher ranking normative principles such as sustainability) or procedural norms (e.g., rules of precedence or applicability).* ***Decentralized conflict management****: if the conflict is not referred to a third party and actors do not take recourse to third norms, but when they still show willingness for mutual accommodation and political compromise in the process of handling positional differences. The orientation towards compromise is often visible in actors' acceptance of certain basic procedural norms and/or at least rhetorical embrace of some common norms. In addition, a conflict management that does not explicitly refer to norms but is still geared towards compromises also qualifies as co-operative.*	
	Commentary (optional)		
Characteristics of co-operative conflict management (Phase 1)	Normative setting: preexistence of procedural norms?	*Are the procedural norms regulating the conflict management already in place at T0 (i.e. preexisting) or created only at T1 to regulate the specific instance of conflict management?*	Yes
	Institutional setting: Third party involvement?	*Interface conflicts can be managed by including third parties. This type of regulated conflict management includes dispute-settlement bodies or administrative agencies, which can belong to the colliding orders, but nevertheless possess a certain independence from executive decisionmakers of the principal actors or are completely independent.*	Yes
	If yes, which one?		WTO Dispute Settlement Body

	Description: function/position of third party		The WTO panel ruled that the EU did in fact have a moratorium in place and that the EU must lift its bans on GMO goods by 2007 or risk facing WTO sanctions.
	If co-operative conflict management is "norm based": What type of third norm(s) are invoked?	***Overarching principles*** *(e.g. jus cogens);* ***Regulative norms*** *rooted in a specific sphere of authority (e.g. MFN principle in trade);* ***Rules of precedence*** *(e.g. lex posterior);* ***Communal or sectoral procedural rules*** *(e.g. jurisdiction, admissibility)*	
	If co-operative conflict management is "norm based": Which actor invokes third norm(s)?		
	Reference to previous management attempt		No
	If yes: Description of the previous management attempt, e.g. norms, practices		
	Commentary (optional)		
Type of conflict management (Phase 2)	Non-cooperative or co-operative conflict management	*Variable descriptions are the same as outlined in phase 1 of conflict management.*	Co-operative
	If conflict management is co-operative: degree of regulation		Decentralized
	Commentary (optional)		
Characteristics of co-operative conflict management (Phase 2)	Normative setting: preexistence of procedural norms?		No
	Institutional setting: Third party involvement?		No
	If yes, which one?		
	Description: function/position of third party		
	If co-operative conflict management is "norm based": What type of third norm(s) are invoked?		

	If co-operative conflict management is "norm based": Which actor invokes third norm(s)?		
	Reference to previous management attempt		No
	If yes: Description of the previous management attempt, e.g. norms, practices		
	Commentary (optional)		
Type of conflict management (Phase 3)	Non-cooperative or co-operative conflict management	*Variable descriptions are the same as outlined in phase 1 of conflict management.*	
	If conflict management is co-operative: degree of regulation		
	Commentary (optional)		
Characteristics of co-operative conflict management (Phase 3)	Normative setting: preexistence of procedural norms?		
	Institutional setting: Third party involvement?		
	If yes, which one?		
	Description: function/position of third party		
	If co-operative conflict management is "norm based": What type of third norm(s) are invoked?		
	If co-operative conflict management is "norm based": Which actor invokes third norm(s)?		
	Reference to previous management attempt		
	If yes: Description of the previous management attempt, e.g. norms, practices		

	Commentary (optional)		
Management outcome (T2)	Division of labor, collaboration, displacement, uncertainty	***Division of labor:*** *a management outcome of an interface conflict where conflicting or overlapping governance functions and/or sectors are divided among authorities, providing a systemic ordering principle. A division of labor can either be sectoral or functional in nature. While a sectoral division of labor creates clearly distinguishable sectoral areas of responsibility, a functional division of labor allocates governance tasks in the same sectoral area. A division of labor can either come about spontaneously, based on institutional adaptation, or through active and deliberate efforts.* ***Collaboration:*** *a management outcome of an IC where competing claims to authority are resolved by way of pooling or where overlaps in resource spending are dissolved by way of one-sided or mutual self-restraint.* ***Displacement:*** *a management outcome of an IC where institutional overlap is dissolved as one institution retreats from the governance area.* ***Uncertainty:*** *a management outcome of an IC where competing claims to authority or overlaps in resource spending persist.*	Collaboration
	Symmetric or asymmetric distribution of costs and gains	*An asymmetric distribution exists if costs/gains are allocated for at least two thirds to one actor. If we speak about cost/gains of parties that are not represented, the distributional effects are symmetric and it can be mentioned in the comments section that costs were externalized. N/A represents those conflicts that are still ongoing.*	Asymmetric

	Distributional effects are in line with the more powerful actors (power over resources)		Yes
	Distributional effects are in line with those actors who had more epistemic (judicial) support		Yes
	Distributional effects are in line with those actors who had more NGO support		N/A
	Creation of norms for avoidance or handling of future interface conflicts: Yes/No		No
	If yes, type of norms	***Reception norms:*** *outside norms enter a given body of norms. Reception norms include norms performing an accommodating function in the regulation of the interaction between bodies of norms. They can range from non-reception and ad-hoc borrowing to requirements of 'taking into account' or fixed references, potentially coupled with conditions of a procedural or substantive kind.* ***Connecting norms:*** *norms that connect different bodies of norms without being seen to belong to either of them. Such norms can be interstitial norms – including compendia or lists produced to bring together different bodies of norms – as well as hybrid norms, such as vague concepts that allow for entry from the outside or multi-sourced equivalent norms that resonate in different places.* ***Overarching norms:*** *regulate relations centrally, either through hierarchies (as in federal orders or the EU) or through conflict norms, such as lex specialis or lex posterior. They can also be constructed as*	

		substantive integrating norms, such as human rights, sustainable development or democracy/good governance.	
	Commentary (optional)		
Effects on order (T3)	Integration or fragmentation	***Integration:*** *stable integration/delineation of overlapping institutions and once colliding norms; collaboration between overlapping institutions; institutionalization of co-operative conflict management systems* ***Fragmentation:*** *increasing conflict-proneness; inter-institutional contradictions; deinstitutionalization of cooperative conflict management systems*	Fragmentation
	More liberal or more illiberal	***More liberal order:*** *if interface conflicts or conflict management affect the global or sectoral order in a way that it reflects normative principles of individual rights, the rule of law, and democracy to a greater extent* ***More illiberal order:*** *To the extent that the emerging order undermines these normative principles.* If the effect on the liberal order is not clear, it is coded as Neutral/indeterminate.	Neutral/indeterminate
General commentary for the case (optional)	*Commentary*		

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