



# GOVERNANCE

BASEL INSTITUTE ON GOVERNANCE

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## **The role of non-state actors in standard setting processes for US-foreign policy: the example of the International Religious Freedom Act**

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The United States are one of the main actors who promote standards and laws at the international level, and – via their foreign aid – in developing countries. Usually the US-Government (USG) is not doing this on its own, but consults with US-Congress and with selected experts and representatives of US-civil society.

The presentation discusses the International Religious Freedom Act as one of the latest examples of this phenomenon, which was the result of a consultation process over several years. The result is (1) a set of standards how a foreign government should treat religious groups, (2) new institutional arrangements and mechanisms to monitor, whether foreign states comply with these standards, (3) sufficient funding to finance this monitoring that is carried out with the help of interested non-state actors, and (4) tools to promote the issue internationally, e.g. through annual reports of the State Department, setting up a web-site, and international diplomacy. This mechanism follows the same model that is used for the human rights agenda of the USG, the agenda against human trafficking, or the maybe coming agenda on standards for treatment of non-governmental organizations (NGOs).

The line between state and non-governmental actions seems to be blurred more and more in these standard setting processes. First, the subject is usually one, where US-civil society actors are seeking some kind of international regulation themselves. Second, USG absorbs very frankly the inputs of its own civil society. Third, USG is using US-NGOs and their local partners as an integral part of its monitoring system. Fourth, USG is supporting US-civil society and its partners also financially to participate in the monitoring of the agreed standards.

The presentation provides opportunity to reflect the interplay between state and non-state actors in setting standards of international relevance and to discuss them with regard to the political context. It is based on the research for my thesis on “The Politics of Civil Society Building of the United States of America”.