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THE GLOBAL POLITICS OF FOREST CONSERVATION, 1983-1994

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Thesis submitted in fulfilment of the requirements
for the degree of
Doctor of Philosophy in International Relations

TRANSGOVERNMENTAL RELATIONS RESEARCH GROUP
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*"Never does nature say one thing
and wisdom another"*

Juvenal (c50-c127 A.D.)

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Declaration

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Abstract

This study adopts regime theory as an analytical framework to investigate why, at present, no global forests conservation regime exists. The study also pays attention to the roles of non-governmental organisations (NGOs). Chapter 1 reviews regime theory literature, and considers the notion of regime effectiveness. It is argued that effectiveness should be defined as the maintenance of environmental quality. In the case of a global forests conservation regime, it is argued that a minimal level of regime effectiveness should be considered as a situation where there is no net-loss of global forest cover. This, it is argued, raises the question as to whether effectiveness can be achieved within the confines of the present political and economic systems, and allows for the regime theorist to adopt a critical perspective. Chapter 2 adopts a structural paradigm to argue that a neo-dependency theory explains the causes of deforestation. This view feeds into the author's formulation of the forests conservation problematic which, it is argued in Chapter 3, consists of a causal dimension, an institutional dimension and a normative dimension. Chapter 3 also considers agenda-formation and epistemic consensus theory.

Four case studies are presented in Chapters 4 to 7. These are: the Tropical Forestry Action Programme; the work of the International Tropical Timber Organization from 1985 to 1994; the forest negotiations that occurred prior to and at the United Nations Conference on Environment and Development; and the negotiation of a Successor Agreement to the International Tropical Timber Agreement, 1983. These case studies use material drawn principally from primary sources.

Chapter 8 presents the findings of the study with respect to regime theory, NGOs and the forest conservation problematic. It is concluded that an application of regime theory to the issue of forests conservation has utility in isolating those conditions that may be conducive to the formation of a global forests conservation regime. However, the study is not successful in identifying those conditions that are necessary for the formation of such a regime. It is recommended that the next generation of regime theorists should not solely consider regime formation, but should also pay greater attention to those factors necessary to ensure the long term effectiveness and viability of regimes. It is argued that NGOs have played important roles with respect to forests conservation, and that regime theorists should pay greater attention to their roles and influence. Finally it is argued that little progress has been made in dealing with the three dimensions of the forest conservation problematic.

Glossary of Acronyms

AFOS	Agriculture, Forestry and Other Human Activities (workshop of the IPCC)
ASEAN	Association of Southeast Asian Nations
BCSD	Business Council for Sustainable Development
CAN	Canada, Australia, New Zealand group (UN caucus)
CAPE '92	Consortium for Action to Protect the Earth, 1992 (US NGO network formed for the UNCED process)
CARICOM	Caribbean Community
CCNFP	Country Capacity for National Forest Programmes
CFCs	Chlorofluorocarbons
CFDT	Committee on Forest Development in the Tropics (of the FAO)
CH ₄	Methane
CIDA	Canadian International Development Agency
CIEL	Centre for International Environmental Law (London, now FIELD)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973
CO ₂	Carbon Dioxide
COFO	Committee on Forestry (of the FAO)
COICA	Coordinating Body for the Indigenous Peoples' Organisations of the Amazon Basin
CSA	Core Support Agency (for a NFAP)
CSCE	Conference on Security and Cooperation in Europe
CSD	Commission on Sustainable Development (of ECOSOC)
CSE	Centre for Science and Environment (India)
CSF	Core Support Funding Agency (for a NFAP)
DTI	Department of Trade and Industry (UK)
EC	European Community
ECOSOC	Economic and Social Council (of the United Nations)
EESI	Environmental and Energy Study Institute (USA)
ELCI	Environment Liaison Centre International (Kenya)
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FAG	Forestry Advisers Group (formerly the TFAP Forestry Advisers Group)
FFDC	Forests Forum for Developing Countries

FIELD	Foundation for International Environmental Law and Development (London, formerly CIEL)
FINNIDA	Finnish International Development Agency
FoE	Friends of the Earth
FSC	Forests Stewardship Council
G7	Group of Seven Industrialised Countries
G15	Group of Fifteen (also known as the Summit Level Group of Developing Countries)
G77	Group of Seventy-Seven Developing Countries
GATT	General Agreement on Tariffs and Trade
GEF	Global Environmental Facility
GFC	Global Forests Convention
GFI	Global Forests Instrument
GLOBE	Global Legislators' Organisation for a Balanced Environment
IBRD	International Bank for Reconstruction and Development
ICB	International Commodity Body
ICSU	International Council of Scientific Unions
IFC	International Facilitating Committee (of the Centre for Our Common Future)
IGADD	Intergovernmental Authority on Drought and Development in Eastern Africa
IGO	Intergovernmental Organisation
IIED	International Institute for Environment and Development
ILO	International Labour Organisation
IMF	International Monetary Fund
INCB	International Narcotics Control Board
INGI	International NGO Forum on Indonesia
IPC	Integrated Programme for Commodities (of UNCTAD)
IPCC	Intergovernmental Panel on Climate Change
IPPF	International Planned Parenthood Federation
ITTA	International Tropical Timber Agreement (1983 or 1994)
ITTC	International Tropical Timber Council (of the ITTO)
ITTO	International Tropical Timber Organization
IUCN	World Conservation Union (formerly the International Union for the Conservation of Nature and Natural Resources)

IUFRO	International Union of Forest Research Organisations
JATAN	Japan Tropical Forest Action Network
LEEC	London Environmental Economic Centre
LRAG	London Rainforest Action Group
MEP	Member of the European Parliament
NFAP	National Forestry Action Plan/Programme
NGO	Non-governmental organisation
NIEO	New International Economic Order
N ₂ O	Nitrous Oxide
ODA	Overseas Development Administration (UK)
OECD	Organisation for Economic Cooperation and Development
OFI	Oxford Forestry Institute (of Oxford University)
PC/65	UN document A/CONF.151/PC/65, "Guiding Principles for a Consensus on Forests" (UNCED process)
PrepCom	Preparatory Committee (of the UNCED process or of the negotiations for the ITTA 1994)
RSWG	Response Strategies Working Group (of the IPCC)
SA	Supporting Agency (for a NFAP)
SAP	Structural Adjustment Programme
SADCC	South African Development Coordination Conference
SAREC	Swedish Agency for Research Cooperation with Developing Countries
SCOPE	Scientific Committee on Problems of the Environment (of ICSU)
SKEPHI	Indonesian NGOs Network for Forest Conservation
SONED	Southern Networks for Development
SWCC	Second World Climate Conference
TERRA	Towards Ecological Recovery and Regional Alliances (Thai NGO)
TFAP	Tropical Forestry Action Programme, sometimes referred to as the Tropical Forests Action Programme (until 1990 the Tropical Forestry Action Plan)
TFF	UK Tropical Forest Forum
TNC	Transnational Corporation
TRADA	Timber Research and Development Association (UK)
TRAFFIC	Trades Record Analysis of Fauna and Flora in Commerce
TTF	UK Timber Trade Federation

UN	United Nations
UNCED	United Nations Conference on Environment and Development (Rio de Janeiro, 1992)
UNCHE	United Nations Conference on the Human Environment (Stockholm, 1972)
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational Scientific and Cultural Organization
UNFPA	United Nations Population Fund (formerly the United Nations Fund for Population Activities)
UNRISD	United Nations Research Institute for Social Development
UNSO	United Nations Sudano-Sahelian Office
USA	United States of America
USAID	United States Agency for International Development
WALHI	Indonesian Environmental Forum
WCFSO	World Commission on Forests and Sustainable Development
WFP	World Food Programme
WG	Working Group (of the UNCED Preparatory Committees)
WMO	World Meteorological Organisation
WRI	World Resources Institute
WRM	World Rainforest Movement
WTO	World Trade Organization
WWF	World Wide Fund for Nature (formerly the World Wildlife Fund)

CHAPTER 1

THE THEORETICAL FRAMEWORK

1.1 Introduction

This is a thesis written from within the academic discipline of International Relations, a discipline that has expanded and diversified in recent years in response to the perpetually shifting sands of global politics. The advent of global environmental issues, including deforestation which will be the central concern of this work, has attracted the attention of policy-making élites at the very highest level of international society since the 1980s. Other global environmental issues to have emerged include ozone depletion, global warming, acid rain and desertification. In an effort to understand and analyse these qualitatively new issues there has emerged within the discipline of International Relations a global environmental change research community.¹ It is as a member of this community that the present author has researched and written this work. The central enquiry of this thesis will be why has a global forests conservation regime not yet emerged. There will be four case studies: the Tropical Forestry Action Programme (TFAP); the International Tropical Timber Organization (ITTO) during its first nine years; the forest negotiations that took place prior to, and at, the United Nations Conference on Environment and Development (UNCED) of 1992; and the negotiation of the International Tropical Timber Agreement, 1994.

Within International Relations there is a literature, namely regime theory, that seeks to explain the emergence of international forms of governance, or regimes. The word theory is somewhat misleading, as there is no single coherent regime theory.² Rather there exists a literature

that employs a variety of analyses that seek to explain how and why cooperation emerges at the international level leading to regime creation. The first reference to "international regimes" was provided by Ruggie who defined a regime as

a set of mutual expectations, rules and regulations, plans, organizational energies and financial commitments, which have been accepted by a group of states.³

Young later defined regimes as

social institutions governing the actions of those interested in specifiable activities (or meaningful sets of activities) ...regimes are social structures".⁴

However, the most oft-cited definition is that regimes are

sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations.⁵

This definition is often referred to as the Krasner definition; in fact it is a consensus definition reached by the contributors to a special edition of *International Organization*⁶ edited by Stephen Krasner in 1982. Oran Young had previously referred to "convergent expectations among actors" in 1980.⁷

Regime theory offers a useful framework for analyzing regime creation; it poses questions, and guides enquiry, rather than provides definitive answers. Such analyses have, in the past, helped explain the creation of regimes. Their principal application, to date, has been to forms of governance involving governments and governmental actors. Rarely has the role of non-governmental organisations (NGOs) and other non-state actors been considered in regime theory. One exception is Young who notes the importance of what he terms "transnational alliances" such as the International Union for the Conservation of Nature and Natural Resources (IUCN) in creating the regime limiting the trade in endangered species (Convention on International Trade in Endangered Species of Wild Fauna and Flora - CITES), and of the International Council of Scientific Unions (ICSU) with respect to Antarctic regimes.⁸ Peter Willetts argues that

the "Neo-Realists' assumption that regimes are dominated by governments need not be shared".⁹ He introduces the theoretical concept of the iquango, namely an international organization in which both NGOs and governments participate.¹⁰ Adopting this definition IUCN and ICSU, both of which are umbrella organizations that embrace a host of national organisations, both governments and NGOs, should be considered iquangos. However, despite the fact that NGOs have, through their participation in iquangos, participated in regime creation, theorists have, for the most part, excluded them from their analyses. Other writers to have noted the importance of NGOs in regime creation are Karen Litfin and Virginia Haufler.¹¹

This thesis will analyse the global politics of forest destruction and of international forest conservation efforts. With, at the time of writing, no global forests conservation regime in existence, the principal theoretical question to be answered is whether regime theory can assist in explaining why this is so. Can we, by adopting the analytical rigour of regime theorists, explain why a global forests conservation regime has yet to emerge? Why, despite a great deal of activity by actors to whom the issue of forest conservation is salient, has cooperation not crystallised to yield a regime around which expectations have converged?

The objectives for the remainder of this chapter are as follows. Section 1.2 will seek to clarify the core concepts used by regime theorists. Section 1.3 will consider the main theories adopted to explain regime creation. Section 1.4 will provide a critique of regime theory. The critique will not be focused at a micro level, that is on individual types of explanation, but will be centred on a macro-level consideration of what regime theory does not explain. It will be argued that while regime theory can help explain why international cooperation occurs, there is also much that it ignores. With respect to deforestation it will be argued that a critical perspective is also needed.

1.2. Clarification of Terminology and Definitions

Clarity is needed when using the terminology of regime theory. This section will consider competing usages of the of the words "regime" and "norm", and will also consider the other core concepts of the 1982 consensus definition, namely principles, rules and decision-making procedures.

1.2.1 What is a Regime?

Regimes can be described as forms of institutionalised international governance, often existing with a specific organisational focus. Many of the actors involved in international environmental politics employ the word "regime", but without using the methodologies of the International Relations analyst.¹² We can therefore distinguish between two usages of the word "regime"; that of theory, and that of praxis. As Kratochwil and Ruggie have noted, regimes, as the term is used by theorists, are conceptual, as opposed to concrete, entities, therefore it is not easy to determine the "threshold" of a regime. Regime boundaries are "fuzzy", so that it is difficult to tell where one regime finishes and another begins, or where a regime ends and "non-regime" begins.¹³ Even allowing for this, the concept is used so widely by theorists that definitional precision is needed on at least three variables used to describe regimes: strength; issue-density; and scope.

1.2.1.1 Strength

The idea that regimes vary according to strength was introduced by Jack Donnelly. Table 1 below reproduces the Donnelly classification of regimes. The vertical axis shows how regimes may vary according to normative scope. Donnelly distinguishes between four principal types of norms, standards or rules, ranging from purely national standards to authoritative international norms. The horizontal axis shows how regime decision-making procedures vary, with six types of procedure identified varying from purely national

decisions to authoritative international decision-making procedures. Donnelly argues that regime "strength" increases according to both procedural and normative scope,¹⁴ so that regime strength varies from weak declaratory regimes to strong enforcement regimes.¹⁵

TABLE 1 - DONNELLY'S CLASSIFICATION OF REGIME TYPES

	National Decisions	Promotion or Assistance	Information Exchange	Policy Coordination	International Monitoring	International Decisions
International Norms	Strong Declaratory		Strong Promotional		Strong Implementation	Strong Enforcement
International Standards with National Exemptions				Weak Implementation		
International Guidelines	Weak Declaratory	Weak Promotional				Weak Enforcement
National Standards	No Regime					
	Declaratory Regime	Promotional Regime		Implementation Regime		Enforcement Regime

Source: Jack Donnelly, "International human rights: a regime analysis", International Organization, Volume 40, No. 3, Summer 1986, p. 603.

1.2.1.2 Issue-density

The second respect in which definitional precision is necessary is regarding the issues encompassed within a regime. Regimes may be issue-specific (single-issue regimes) or issue-dense¹⁶ (multiple-issue regimes). For example, the General Agreement on Trade and Tariffs is an issue-dense regime dealing with a multitude of trade and trade-related issues. However, there are trade agreements that are "nested"¹⁷ within the GATT regime. Similarly, the United Nations Convention on the Law of the Sea (UNCLOS) provides a framework intended to provide for the creation of a regime encompassing all issues concerning the use of the sea, although this does not preclude the negotiation of issue-specific regimes nested within the UNCLOS. According to

Keohane, increases in issue-density will lead to an increased demand for regimes.¹⁸

Adopting the distinction between single-issue and multiple-issue regimes, it is possible to distinguish between two possible applications of the regime concept with respect to forests conservation. Firstly the term may be applied to a global regime. The forest negotiations that preceded the UNCED were all-encompassing and issue-dense. The negotiations were a failed attempt to agree upon a convention within which a global forests conservation regime may have emerged. The negotiations will be considered in Chapter 6.

The second possible application of the regime concept to forest conservation is less sweeping, and more issue-specific. Here regime theory may be applied where actors adhere to a form of governance with respect to some, but not all, of the issues that may be expected to be dealt with by a global forests conservation regime. These issues may be expected, at a minimum, to include:

- (a) banning the trade of tropical tree species that are close to extinction, and monitoring the trade of other endangered species;
- (b) developing guidelines for sustainable forest management;
- (c) introducing an efficient and rational labelling system for timbers grown from verifiably sustainable sources;
- (d) channelling aid to tropical forest countries to encourage sustainable management of forests;
- (e) regulating the international trade in tropical timber to ensure that it comes from sustainable sources.

Although there is no global forests conservation regime, institutions exist that aim to achieve the above objectives, all of which offer a possibility for an application of regime theory.

For example, with respect to (a) above, the CITES regime aims to prohibit the trade of species near extinction

(Appendix I listing), and to monitor other endangered species (Appendix II listing). Presumably any competent global forests conservation regime would seek to prohibit or monitor trade in endangered tree species in much the same way as the CITES does. We will briefly consider the role of CITES with respect to the trade in endangered tropical trees in Section 5.6.4 of Chapter 5.

With respect to (b) above the ITTO has produced guidelines, which approximate to Krasner's rules and principles, for the sustainable management of tropical forests. We will briefly consider these guidelines in Section 5.5.5 of Chapter 5.

The Forest Stewardship Council (FSC), which held its Founding Assembly in Toronto in October 1993,¹⁹ has been created to fill the function described in (c) above. The FSC aims to promote a global, voluntary labelling scheme for sustainably-produced tropical and non-tropical timbers. We shall encounter the FSC again in this work (Section 5.5.7 of Chapter 5) although it will not be a central consideration. Given that almost all applications of regime theory to date have focused on governments, the FSC would offer a peculiar challenge for regime theorists. The FSC is a NGO and none of the actors that have established relations with it are governments; all are NGOs or private companies.²⁰

With respect to (d) above, one of the intended functions of the TFAP, which will be considered in Chapter 4, is the channelling of aid flows to tropical forest countries. Finally, regarding (e) above, the ITTO has been mandated by its membership to work towards an international trade in tropical timber entirely from sustainable sources by the year 2000 (see Section 5.5.4 of Chapter 5).

The existence of these bodies, and other international actors with a forest-related mandate, raises questions as to what would be their relationship with a global forests conservation regime. Would they be subsumed under the overall authority of a secretariat or an intergovernmental organisation, or would they become obsolete? This is a

question which policy-makers considering the creation of such a regime would presumably wish to consider.

1.2.1.3 Scope

The third respect in which clarity is needed with usage of the word "regime" concerns the level of international society under consideration. With respect to forests, the term could be applied at local, country or international level. A possible application of regime theory to common-property regimes, sometimes referred to as local commons regimes, can be noted. Gibbs and Bromley use language similar, but not identical, to regime theorists when defining common-property regimes as

forms of management grounded in a set of accepted social norms and rules for the sustainable use of collective goods such as forests, grazing grounds, fisheries and water resources.²¹

A body of empirical literature is emerging which theorists could use to test regime theory on local commons regimes.²² Regime theory could also be fruitfully applied at country level. The National Forestry Action Programmes (NFAPs) of the TFAP and ITTO projects provide a wealth of empirical material here.

Having noted these possible applications, the principal focus of this work will be an enquiry as to why political activities at the global level have not resulted in a global forests conservation regime. The local and national levels will not be neglected however, and they will be considered, in as much they impact upon the international dimension.

1.2.2 What is a Norm?

Consideration will now be given to the use of the word "norm". This requires special attention in a thesis using a regime analysis. There are at least four different types of norm, namely ethical standards, legal norms, regime norms and behavioural norms.

The term as used by normative theorists describes a norm as an ethical standard of behaviour that is considered

"right", in other words as a "guide" against which behaviour can be evaluated and judged. In this context, a norm is not determined by instrumental criteria, but by standards of justice and fairness, or rightness and wrongness.²³

Secondly there are legal norms. Here the term is used by international lawyers to define a standard of behaviour embodied in customary international law or in an international convention or protocol to a convention.²⁴

Thirdly, and most relevant for this thesis, the word norm is used by regime theorists to describe a standard of behaviour, defined in terms of rights and obligations,²⁵ observed by the actors within a regime. In this context a norm is often institutionalised in an international organisation. Regime theorists are uncertain as to the number of norms that may be embedded in any given regime; do the actors in a regime adhere to one central norm, or to more than one? Donnelly notes that, where more than one norm exists, there may arise normative incoherence, defined as

inconsistencies between individual norms (either outright incompatibility or vagueness that allows for inconsistent interpretation) or from significant "logical gaps in the overall structure of norms, especially loopholes that effectively cancel other norms."²⁶

Fourthly, a norm, as a commonly-accepted standard of behaviour, may also emerge outside an institutionalised context. This may refer to behaviour outside a regime, but may also refer to a behavioral pattern among actors in a weak regime, where the actors observe "norms" different from those enunciated by the regime, while still remaining members of that regime. This last point is one reason for discounting the Puchala and Hopkins definition of a regime. Puchala and Hopkins define regimes as existing

in every substantive issue-area in international relations where there is discernibly patterned behaviour. Wherever there is regularity in behaviour, some kinds of principles, norms or rules must exist to account for it.²⁷

As Haggard and Simmons note, this definition has been largely abandoned, primarily because it exhibits a high

potential for tautology.²⁸ Perhaps more importantly, the Puchala and Hopkins approach does not allow for the possibility that actors within a regime may follow a behavioural pattern different from the norms enunciated within the regime itself.

Confusion inevitably arises between the four uses of the word "norm" which, it should be noted, are not necessarily mutually exclusive. Ethical standards may be embodied in international law, but this is not to say that normative theory reduces to the study of international law.²⁹ Overlap may also occur between legal norms and regime norms; many international conventions provide the framework within which international regimes may develop. The climate change and biodiversity conventions, signed by heads of state at the 1992 UNCED, are two such examples. However, there are many aspects of international law which do not embody regime norms, and likewise there are regimes that have no status in international law.³⁰

1.2.3 Principles, Rules and Decision-making Procedures

Krasner defines principles as "beliefs of fact, causation and rectitude", rules as "specific prescriptions or proscriptions for action", and decision-making procedures as "prevailing practices for making and implementing collective choice".³¹ Krasner considers norms and principles as the essential defining characteristics of a regime; changes of norms and principles will lead to a change of the regime, whereas "[c]hanges in rules and decision-making procedures are changes within regimes".³²

Young defines a rule as having three characteristics, namely "(a) an indication of the relevant subject group, (b) a behavioral prescription, and (c) a specification of the circumstances under which the rule is operative".³³ Young differentiates between use rules (which limit actors' behaviour, for example in the use of air space or sea lanes), liability rules (which stipulate an actor's liability arising from injury to other actors) and

procedural rules (concerning the resolution of disputes).³⁴ Young would consider rules concerning the ways in which forests should be utilised as use rules. Ernst Haas's categorisation of rules differs from that of Young. Haas notes that rules may be injunctions "designed to channel or foreclose action", rules designed to increase information availability, or rules designed to increase the body of relevant consensual knowledge.³⁵

The final feature of the consensus definition is decision-making procedures. We may distinguish broadly between three types of decision-making procedure: that of simple majority voting, whereby a decision is passed if a majority of regime members approve; weighted majority voting, whereby regime members have different numbers of votes, depending on an agreed-upon relevant measure; and consensus, where a decision is passed only if all regime members approve. There may, of course, be more complicated voting systems. The frequency with which regime members will meet to take decisions varies from regime to regime.

1.2.4 Summary of Section 1.2

This section has illustrated the wide range of possible applications of the regime concept and has sought to clarify terminology, although it has been noted that regime scholars continue to differ in their definition, categorisation and application of the core concepts. The next section will outline four explanatory theories of regime creation in order to establish the research questions for the remainder of this thesis. However, just as regime scholars often differ in their use of regime concepts and terminology, they also differ in the ways in which they categorise explanations.

1.3 A Review of Regime Theory Literature

Different scholars identify different groups of explanations for regime formation. Haggard and Simmons identify four theories (structural, game theory, functional

and cognitive),³⁶ a classification adopted by Tooze.³⁷ In 1990 Young identified five streams of analysis - structural, power, interests, cognitive and contextual³⁸ - but in 1993, in an investigation into the formation of international environmental regimes Young conducted with Gail Osherenko, only four groups of explanation were investigated.³⁹ Young's power explanations are similar to Haggard and Simmons' structural explanations, while his interest-based explanations approximate closest with Haggard and Simmons' functional explanations. Keohane also elaborates what he terms contractual theories of regime formation, a category which proximates with Haggard and Simmons's functional theories.

Sections 1.3.1 to 1.3.4 below will identify four types of regime theory: power-based (or structural); interest-based (or functional or contractual); cognitive; and the wider international context. These have been trawled from the regime theory literature from 1982 to 1994.

1.3.1 Power-based Theories

This school of thought views regimes as reflecting existing power structures in the international system. The Keohane notion of hegemonic stability focuses primarily on power capabilities. Keohane and Nye argue that under conditions of complex interdependence military capabilities do not play a role in determining outcomes.⁴⁰ Keohane asserts that the power of the hegemon, namely the USA, is derived from its economic capabilities. According to this theory, a regime is likely to emerge when there is a hegemonic power, with hegemony defined as a preponderance of material resources, namely "raw materials, control over sources of capital, control over markets, and competitive advantages in the production of highly valued goods".⁴¹ Keohane views hegemonic power as state power: the government of a hegemonic power may act as a political entrepreneur in supplying a regime, if it can expect to "gain more for itself from the regime than it invests in organising the

activity".⁴² He does, however, acknowledge that "it is less clear that hegemony is a necessary condition for stable international regimes under all circumstances".⁴³ Webb and Krasner have found that recent empirical data is not consistent with the hegemonic stability thesis,⁴⁴ and it is now widely-accepted that the entrepreneurial role for regimes need not necessarily be filled by a hegemon. The role of the IUCN and ICSU (what Young refers to as non-state actors and what Willetts refers to as iquangos) has been noted above. Snidal argues that collective leadership by smaller states may also fill an entrepreneurial role.⁴⁵ Keohane, writing in 1993, acknowledges this point.⁴⁶

Litfin has argued that, "There is no hegemonic power in international environmental politics"⁴⁷ (although this is not to say that there is no hegemon in other areas of international politics; many analysts would argue that the US remains a hegemon for global security and global economic issues). However, there may exist a state that has dominant power on the issue of forest conservation, though not necessarily on other environmental issues. Peter Haas refers to this as issue-specific hegemony.⁴⁸

Power-based theories may have utility in explaining the non-formation of a global forests conservation regime. The countries of the South have raw materials, namely tropical forests, from which they produce, either directly (e.g. tropical timber) or indirectly (e.g. carbon sinks) goods demanded by other actors in international society, while the North has control over international markets and a comparative advantage in international trade. This thesis will consider the ways in which actors have used their power capabilities and, in turn, how this has influenced the global politics of forest conservation.

1.3.2 Interest-based Theories

Interest-based theories seek to explain the emergence of a regime according to the anticipated benefits it will provide to participants. They build upon game theory, with the latter defined as a "formal, mathematical model of studying decision-making".⁴⁹ Intrinsic to game theory is the idea that all actors seek to maximise their gains, or pay-offs, through rational behaviour. Actors will have an incentive to cooperate if they can realise mutual gains. However, under the conditions of the Prisoner's Dilemma, they may defect from a cooperative situation, if they estimate that the pay-offs from defection will exceed those realised from an attempt at cooperation that actually fails.⁵⁰

Both game theory and other interest-based theories assume rational actors, but the main difference between them, as Tooze notes, is that the latter allows for "greater uncertainty and complexity in the world political economy".⁵¹ Interest-based theories as considered here include what Zacher, and Haggard and Simmons, call functional theories, and what Keohane refers to as contractual theories. To Keohane,

If no contractual problems existed, no institutions would be needed, and if contractual problems were utterly severe, no institutions would be possible. For international regimes to be devised, contractual problems must be significant but not overwhelming.⁵²

The focus of Keohane's contractual theories is very similar to the interest-based/functional theories of other regime scholars. Indeed Keohane now refers to "contractual" theories where previously, in *After Hegemony*, he had referred to "functional" theories; this is to avoid confusion with "sociological functionalism", with which he does not identify.⁵³ Hence interest-based, contractual and functional theories should be seen as similar in approach. Keohane's contractual explanations focuses on the reduction of transaction costs and the importance of information flows, factors Haggard and Simmons also consider,⁵⁴ and on the importance of mutual gains, which Zacher also

considers.⁵⁵

Porter and Brown identify four stages to environmental regime formation. The first stage is issue definition which brings the issue to the attention of policy-makers and also shapes and defines any subsequent debate. Issue definition is an aspect of agenda-formation which will be considered in Chapter 3. Second is the fact-finding process. A pertinent example here would be the role of the Intergovernmental Panel on Climate Change in gathering data on global warming prior to the UNCED process. The third stage is the bargaining process. Finally, there is regime strengthening, which takes place when the regime structures are already in place. This involves further bargaining, possibly as the result of issue redefinition.⁵⁶

Porter and Brown's work suffers the weakness of equating a regime with an international legal agreement. They do not employ any of the analyses of the regime theorist in their work, but they do introduce the useful concept of a veto coalition, the absence of which is a necessary condition for regime formation.⁵⁷ A veto coalition is a group of states whose cooperation is necessary for agreement on a particular issue, and which has the power to block international regime creation if it so chooses. The influence of a veto coalition may arise from economic capabilities (the neo-Realist notion of power); Japan, as a major whaling country, led a powerful veto coalition against a whaling ban for many years.⁵⁸ But a veto coalition may also achieve influence derived from an institution's decision-making procedures; a previously established institutional arrangement gave Australia power as an original Antarctic Treaty Consultative Party. Australia has a legal veto on any subsequent treaty or convention relating to Antarctica, and in 1989 it led a coalition to veto a Convention on the Regulation of Antarctic Mineral Resources Activities.⁵⁹

As well as writing on power-based theories which, in part, seek to explain when regimes will be supplied, Keohane

continues the economics analogy when arguing that contractual theories help explain the increased demand for international regimes since the Second World War;

...favourable conditions on the supply-side ...could only be necessary conditions for the formation of international regimes. To obtain a fuller account it is necessary to look at demand as well as supply.⁶⁰

Haggard and Simmons observe limitations to functional theories: "They are not causal in a strong sense. They are better at specifying when regimes will be demanded rather than suggesting how or when they will be supplied".⁶¹ Zacher responds to this by arguing that "the ability to identify when most states are likely to see regulation resulting in absolute gains is not an insignificant accomplishment".⁶² Strong regimes are likely to develop when international regulation reduces uncertainty regarding costs and barriers to exchange.⁶³

The bargaining process, which is Porter and Brown's third stage of regime creation and which is where a veto coalition may operate, seeks to shape and define the relative gains that will accrue to the actors involved in a regime. Young first enunciated his institutional bargaining model of international regime creation in 1989.⁶⁴ Since then, Young and Osherenko have elaborated on and added to this approach, although they now classify as interest-based those theories contained within Young's earlier institutional bargaining approach.⁶⁵ Young and Osherenko's work offers a rich seam of interest-based and other theories for regime creation which were tested in a joint collaborative research project on polar regimes.⁶⁶ Their interest-based theories that will be considered in this thesis are those of integrative bargaining, the veil of uncertainty, leadership, equity and exogenous shocks.

Young and Osherenko distinguish between two types of bargaining in regime creation, namely integrative and distributive bargaining, although they note that bargaining is "seldom wholly integrative or distributive, but rather constitutes a hybrid involving both types".⁶⁷ Distributive

bargaining occurs where issues are defined in jurisdictional terms, that is where actors seek to demarcate geographical or functional boundaries within which authority may be exercised.⁶⁸ With distributive bargaining, an actor concentrates on devising tactics to procure the best possible outcome for itself, whereas a process of integrative bargaining develops "new opportunities for mutually beneficial relationships"⁶⁹ and where "a search for mutually beneficial solutions assumes a prominent place in the [bargaining] process".⁷⁰ In other words, distributive bargaining involves an actor seeking to improve its position relative to other actors (relative gains), whereas integrative bargaining involves a search for absolute gains for all actors. Young and Osherenko's findings lead them to conclude that "a measure of integrative bargaining" may be a necessary condition of regime formation.⁷¹

A second interest-based explanation is that of the veil of uncertainty. A veil of uncertainty may contribute to regime creation by making it difficult for an actor to judge precisely in advance the costs or benefits of participation in a regime.⁷² Actors' inability to predict such impacts "increases incentives to formulate provisions that are fair or equitable".⁷³ Young and Osherenko argue that a veil of uncertainty contributes to integrative bargaining; with a thicker veil of uncertainty, parties will tend to approach a problem as an integrative exercise.⁷⁴

A third interest-based explanation explored by Young and Osherenko is leadership. In an earlier work Young defined leadership as

the actions of individuals who endeavor to solve or circumvent the collective action problems that plague the efforts of parties seeking to reap joint gains in processes of institutional bargaining.⁷⁵

Young identifies three types of leadership, namely structural, entrepreneurial and intellectual. Structural leaders normally act on behalf of states, with the essential feature of such leadership resting on the ability "to translate structural power into bargaining leverage as a

means of reaching agreement on the terms of constitutional contracts".⁷⁶

The entrepreneurial leader is "an individual who relies on negotiating skill to frame issues in ways that foster integrative bargaining".⁷⁷ This may include an agenda-formation role, namely shaping the way in which issues are presented, what Porter and Brown refer to as issue definition. It may also involve popularizing the importance of issues at stake and/or devising "innovative policy options".⁷⁸ Entrepreneurial leaders may also act as brokers, although Young emphasises that they are not third party mediators. Unlike mediators, entrepreneurial leaders "are typically agents of actors that possess stakes in the issue at hand"⁷⁹.

The third type of leadership identified by Young is intellectual leadership. An intellectual leader is

an individual who produces intellectual capital ...that shape[s] the perspectives of those who participate in institutional bargaining and, in so doing, plays an important role in determining the success or failure of efforts to reach agreement on the terms of constitutional contracts.⁸⁰

The entrepreneurial or intellectual leader need not be acting on behalf of state actors. An example of an entrepreneurial leader in the case of the ozone regime is the UNEP Executive Director, Mostafa Tolba.⁸¹

A fourth interest-based factor explored by Young and Osherenko is that fair institutional arrangements, defined as "the articulation of institutional options that all participants can accept as equitable",⁸² will increase the chances of regime creation. Institutional bargaining "can succeed only when all the major parties and interest groups feel that their primary concerns have been treated fairly".⁸³

Fifthly, Young and Osherenko have identified exogenous shocks as an interest-based theory of regime formation:

a shock or crisis that is exogenous to the process of regime formation ...increases the probability of success in efforts to reach closure on the terms of an international regime".⁸⁴

Exogenous crises such as the Chernobyl accident and the hole in the ozone layer can catalyse policy-makers into action.⁸⁵

1.3.3 Cognitive Theories

Cognitive explanations are in many ways central to all regime theory. Haggard and Simmons argue that cognitive theories explore what other approaches bracket.⁸⁶ Cognitive theories attempt to explain the ways in which an actor views reality and to identify the context within which perceptions of relative gains, costs and power are viewed. Two cognitive theories will be considered in this section, namely consensual knowledge, and formulas and metaphors. A third, namely actor motivation, will be considered in Section 1.4.

The first cognitive theory concerns the role of consensual knowledge in determining actors' perceptions and belief structures. To Ernst Haas, a "claim to knowledge becomes consensual whenever it succeeds in dominating the policy-making process".⁸⁷ Peter Haas has drawn attention to the role of epistemic communities, which in 1990 he defined as

transnational networks of knowledge based communities that are politically empowered through their claims to exercise authoritative knowledge and motivated by shared causal and principled beliefs.⁸⁸

In 1992 he expanded this definition. Epistemic communities consist of four features, namely

- (1) a shared set of normative and principled beliefs...
- (2) shared causal beliefs...
- (3) shared notions of validity...
- (4) a common policy enterprise.⁸⁹

Epistemic consensus may play a role in changing states' perceptions of their interests, thus encouraging regime formation. To Peter Haas this has led to a new form of international cooperation, driven partly by state power and partly by epistemic communities.⁹⁰ Haas's focus remains the state: epistemic communities help states identify their interests.⁹¹ Hence, despite the large cognitive component of the epistemic community approach, it also involves power-

based and interest-based aspects. Haas considers the emergence of an epistemic community to have been decisive in the emergence of the ozone regime. Chapter 3 will consider the ways in which NGOs may fit into the epistemic community concept. Chapter 3 will also argue that Haas's theory requires modification, and that more than one epistemic community may be necessary if a regime is to be created. The chapter will consider whether epistemic consensus exists on the causes and the effects of deforestation.

The second cognitive theory, provided by Christer Jönsson, centres on the use of common formulas and metaphors which cause actors to view a problem of mutual concern from a fresh perspective. Jönsson refers to Ernst Haas's notion of a "core anchoring concept" or strategic variable,⁹² and applies it to international regime formation. He draws attention to the importance of the formula of the seabed as a "common heritage of mankind", adopted by the UN General Assembly in 1970, in the negotiations on the UNCLOS, while noting that "this formula failed to translate into a regime principle".⁹³ This view is shared by Ernst Haas who does not consider "common heritage of mankind" to have been a core concept,⁹⁴ while Young notes the reluctance of the USA and other developed countries to accept the concept.⁹⁵ The concept of a core anchoring concept will be investigated in this work with respect to efforts to create a global forests conservation regime. As Jönsson concludes,

in considering the creation of an international regime, one should not underestimate the role of a formula consisting of a systematic metaphor which makes the actors view their common problem in a new light.⁹⁶

It is also worth noting that an explanation provided by Young and Osherenko is that the existence of salient solutions, which have "the power to shape expectations increases the probability of success in institutional bargaining".⁹⁷ They include "salient solutions" among their interest-based approaches, presumably because they cause actors to view their interests in a different light. However, their definition of this explanation, namely "the

ability of those formulating proposals to draft simple formulas that are intuitively appealing"⁹⁸ corresponds closely with the common metaphor explanation of Jönsson.

Finally under the heading of cognitive theories we will consider the Donnelly notion of normative incoherence (Section 1.2.2 above). The chances of regime creation will be improved if those seeking to create a regime intend that the regime should deal only with norms that are coherent.

1.3.4 The Wider International Context

The three categories of explanation so far considered offer useful analytical distinctions but they cannot necessarily be considered in isolation from actors' wider interests and power positions. So important do some writers regard such factors that they see regime theory as having little, if any, utility. Susan Strange's critique of regime theory argues that analysing the bargains made between actors, and the way in which actors dispose of their power, will reveal more than regime theory. The nature of power, such as the power to deny access to a market or the power to refuse to transfer technology, will vary, but it is always a key variable.⁹⁹ So too is vulnerability, so that bargains "reflect both the positive goals the parties ...wish to achieve, and the negative risks and threats from which they wish to find some security".¹⁰⁰ Key bargains will not necessarily be between governments, but will also involve corporate enterprises, banks and other non-state actors. In short,

The *dynamic* character of the 'who-gets-what' of the international economy ... is more likely to be captured by looking not at the regime that emerges on the surface but underneath, at the bargains on which it is based. [emphasis in original]¹⁰¹

Andrew Hurrell picks up on a similar, though not identical, theme. Although, unlike Strange, Hurrell sees regime theory as analytically useful, he agrees with Strange that the wider role of power is important in explaining "the relationship of specific bargains and bargaining processes to the ...broader structures of the international

system".¹⁰² However, he argues that power is not enough: "it is a cardinal feature of rationalist regime theory that power alone cannot explain the emergence or impact of institutions".¹⁰³ The logical corollary of this argument is that interest-based theories on relative gains cannot be viewed in isolation. It is not just the relative gains that a state may realise from participation in a regime that are important. It is also necessary to take into account the costs that may accrue outside the regime in question. To Hurrell, states are

positional, rather than atomistic actors and are often deterred from entering into cooperative arrangements if these entail negative implications for their relative power position.¹⁰⁴

A similar point is made by Keohane who argues that if each regime existed in isolation, regimes "would be abandoned when governments calculated that the opportunity costs of belonging to a regime were higher than those of some feasible alternative course of action".¹⁰⁵ As other regimes may be affected, the rational government will only break the rules of a regime if "the net benefits of doing so ...outweigh the net costs of the effects of this action on other international regimes".¹⁰⁶ Zacher also notes that if "international regulations have an important influence on the competitive positions of major states and coalitions, then strong regimes are not likely to develop".¹⁰⁷

The implications of such views for this thesis are profound; the thesis will study the failure to create a regime, rather than study the reasons for the emergence of an already established regime. In different ways, Strange, Hurrell, Keohane and Zacher suggest that we should focus on wider considerations, and not purely on negotiations between actors regarding forest conservation. This work will be sensitive to the fact that power-based and interest-based theories should not necessarily be viewed in isolation. This raises an interesting question concerning Keohane's contractual environment: is the contractual environment solely composed of those issues relating to the regime; or

does it also embrace factors outside the regime? It appears that the contractual environment must be seen as one that takes into account wider considerations.

Young also notes the importance of what he calls contextual arguments. He suggests that "success in regime formation requires an ability to capitalise on windows of opportunity that emerge when a variety of contextual factors are aligned".¹⁰⁸ Windows of opportunity arise from "events and conditions seemingly unrelated to the issue under consideration",¹⁰⁹ such as wider domestic and international events.

1.3.5 Summary of Section 1.3

It has been noted that regime theorists disagree among themselves both in their use of terminology and the way in which they bracket theories of regime creation. The explanatory categories considered in Section 1.3 cannot be viewed in isolation from each other. It has already been noted that power-based and interest-based theories should not be viewed in isolation. There is also further overlap between the four types of theory. For example, Peter Haas notes a linkage between exogenous shocks and the formation of epistemic communities:

it often takes a crisis or shock to overcome institutional inertia and spur [decision makers] to seek help from an epistemic community. In some cases, information generated by an epistemic community may ...create a shock.¹¹⁰

This suggests that politicians may influence the work of epistemic communities; epistemic communities may not be solely an input to political decision-making but may also be an output from it. Haas also notes a linkage between institutional bargaining and epistemic communities, what he terms epistemically-informed bargaining, where a regime reflects "the causal and principled beliefs of the epistemic community".¹¹¹ The discussion in Section 1.3.3 above has also noted that the epistemic community approach embraces considerations of state power and state interests as well as consensual knowledge.

Although Young and Osherenko include leadership among their interest-based theories, this does not mean that leadership is always functional in nature, although it may be if it helps redefine the relative gains that may accrue to actors, thus inducing them to partake in a regime they may not otherwise have joined. There is a clear correlation between what Young defines as intellectual leadership and cognitive theories. A similar, and equally obvious, linkage exists between structural leadership and power-based theories. However it is justifiable to consider the three leadership types as separate variables. In this thesis structural leadership will be considered as a power-based theory. Following Young's observation that entrepreneurial leaders are agents of actors that possess stakes in the issues at hand, entrepreneurial leadership will be considered as an interest-based theory. Intellectual leadership will be considered as a cognitive theory.

A far more fundamental linkage is that between power-based theories and interest-based theories. Both power and interest are neo-Realist-based concepts and, possibly because of this, some writers tend to consider the two in tandem.¹¹² For example, Evans and Wilson, argue that both the English School and regime theorists consider power and interests to be central concepts in international cooperation, although they differ in approach, with regime theorists focusing on the use of power and interest to promote international cooperation in specific areas, while the English School are concerned with the prevalence of order in international society as a whole.¹¹³ Hurrell explores the relationship between power and interests, and law and norms. He notes two poles to this relationship: on the one hand that rules and norms are "purely reflective of the power and interests of states: ...power politics translated into a different idiom";¹¹⁴ on the other hand that the "norms and rules of international life are so far away from the power political 'realities' that their study becomes an empty and formalistic exercise".¹¹⁵

The conclusions of both Evans and Wilson, and Hurrell, though interesting, ignore the fact that regime theorists differentiate *between* power-based and interest-based theories. Krasner helps explain the relationship between power-based and interest-based views. He differentiates between "power in the service of a common good" and "power in the service of particular interests",¹¹⁶ which is effectively a distinction between using power for common interests and using power for self-interest. In game theoretical terms, notes Krasner, power is used to promote joint maximization, that is "to secure optimal outcomes for the system as a whole" when it is used in the service of the common good, whereas it is used to maximise individual pay-offs when it is in the service of particular interests.¹¹⁷

There is no doubt that an actor's ability to achieve its interests depends, in large part, on its power capabilities. It would appear that the key intermediate variable between power and interests is actor motivation. Acton considers that the two types of power identified by Krasner correspond with benign and malign views of hegemonic leadership.¹¹⁸ Leaders may act to deploy structural power in a "benign" sense, by supplying a regime, or in a "malign" sense, as is the case with a veto coalition. It can be posited that if a powerful actor is motivated by the common good it will be prepared to sacrifice certain pay-offs in order to benefit other actors by providing, or helping to provide, a common good. However, a powerful actor motivated solely by self-interest will seek solely to maximise its own pay-offs, and will consider defecting if it considers this a tactic likely to secure pay-off maximisation for itself. Actor motivation will be considered as a cognitive theory, one that, it is suggested here, provides the linkage between power-based and interest-based theories. In many ways actor motivation is central to any consideration of international environmental politics: are actors motivated by the common good of ensuring the survival of all humanity in the environmental age; or are they be motivated solely by their

perceived self-interests?

This discussion leads us to query the emphasis in regime theory literature on "convergent expectations". It is not enough merely to seek to explain the convergence of expectations. Consideration should be given to whether expectations have converged around norms that are genuinely in humanity's present and future interests. Again the importance of motivation becomes apparent, yet it is a factor that has received scant attention from regime theorists. One of Young and Osherenko's disconfirmed interest-based hypotheses is that it is not necessary for actors to have a shared conception of the common good that prevails over national interests for regime creation to occur.¹¹⁹ They do not consider whether the absence of such a shared conception is a good thing, nor do they consider whether those regimes created without a shared conception of the common good are likely to be effective. (We will consider the question of regime effectiveness in more detail in Section 1.4 below.) In short, regime theorists, who specialise in the analysis of norm-guided behaviour, have not considered normative questions themselves.¹²⁰ They have merely considered the formation of regimes, and how these affect state behaviour. Despite Young and Osherenko's conclusion that a shared conception of the common good is not necessary for international environmental regime formation, this thesis will investigate whether such a conception has existed with respect to global forest conservation efforts. It is considered that such a conception is necessary if deforestation is to be curbed. This will be considered as a cognitive theory; the motivations of key actors will be investigated.

So far, this chapter has merely outlined, in summary form, the main types of regime theory that scholars have developed. It is time now to ask how appropriate it is to apply regime theory to complex environmental problems in general, and to forest conservation in particular.

1.4 The Efficacy of Regime Theory

Attention will now turn to the problems that may arise from an uncritical usage of regime theory. Three broad problems will be noted. The concept of regime effectiveness will then be explored.

Firstly, and as was noted earlier, regime theory is primarily a state-centric tool. Regime theory deals with international agreements among governments, and many theorists assume that such agreements are successful if they alter state behaviour. However, it is a central contention of this thesis that, with respect to deforestation, it is insufficient for norms to be observed solely by governmental actors. To return to Strange's critique, other actors, such as TNCs, are also important. Agents of deforestation act at a very localised level, and the support of local-peoples' NGOs can also be seen as essential if deforestation is to be curbed. These points will be developed in greater detail in Chapters 2 and 3.

Secondly, regime theory assumes *a priori* that there are universally-valid techniques, norms and rules. It may be the case that universal prescriptions and proscriptions are applicable to many types of environmental problem, and it may even be the case with forest conservation, although with the biological and geographical diversity of forests and the socio-economic differences between forested countries it is unlikely. But either way it should not be taken as a starting assumption. Many of those involved in forest conservation deny that there is such a thing as a technical fix,¹²¹ and the idea of universal rules is dismissed by some as "ecocratic". To Sachs the ecocrat

likes universal ecological rules, just as the developmentalist view liked universal economic rules. Both pass over the rights of local communities to be in charge of their resources ...global resource planning protects nature as environment around the economy, while local conservation efforts protect nature as environment around the home.¹²²

Sachs also opposes, in language very similar to the regime theorist, the way in which

the state assumes the task of gathering evidence on the state of nature and the effects of man, of enacting norms and laws to direct behaviour, and enforcing compliance with the new rules.¹²³

Perhaps surprisingly, Sachs' views would appear to receive some tacit support from within the regime theory community. Young has noted that it

is not easy even to imagine how to implement a regime requiring the individual members to take effective steps to control the forces causing habitat destruction within their jurisdiction.¹²⁴

Thirdly, regime theory does not question current economic, political and institutional structures. Regime theory takes the current intergovernmental system and the neo-liberal economic system as its starting points. For example, Young and Osherenko note that "some international institutions are broad and encompassing (for example, the international economic order)" before noting that the majority of regimes "deal with a set of well-defined activities or a specific area of geographical interest...".¹²⁵ They do not, however, consider the relationship between the international economic order and these regimes. Other International Relations scholars are more sensitive to questions of world order. Robert Cox argues that assumptions of the fixity of world order "is not merely a convenience of method, but also an ideological bias".¹²⁶

Roger Tooze has adopted a discriminating approach to regime theory. He discerns a link between power hegemony and regime theory itself in arguing that

regime analysis allows for the continued articulation of interest by a dominant political and economic power... the concept of regime, and its widespread adoption not only changes the way that we think about international cooperation, but also enables and legitimises a continuation of American power within the 'new' regime framework.¹²⁷

According to such a view, the predominantly American discourse of regime theory helps perpetuate hegemony, rather than providing an explanation for it. Tooze also claims that "issues of international cooperation within regimes are

considered as 'technical' non-political matters, requiring 'technical' solutions".¹²⁸ It is interesting to note that the language used here by Tooze is similar to that of Sachs and others who, it has been noted, do not consider that environmental degradation can be dealt by the adoption of universal, technical norms and rules.

This chapter has noted that different theorists, as well as focusing on different theories of regime creation, have also occasionally employed different definitions of "regime". Definitional confusion was further compounded when two members of the German Tübingen group, Wolf and Zürn, sought to modify the 1982 consensus definition of a regime by adding a further criterion, namely effectiveness.¹²⁹ Noting Wolf and Zürn's definition, Rittberger elaborates

...a regime is said not to have come into existence if the pertinent norms and rules are disregarded by states at their discretion ...norms and rules which do not shape the behaviour of states cannot be considered reliable predictors of states' behaviour capable of producing convergent expectations.¹³⁰

The question as to how regime effectiveness should be defined is an important one worthy of further consideration. Until recently, the majority of American theorists had not considered this question, although it is one to which they are now devoting some attention. For example, in 1993 Haas, Keohane and Levy wrote that an international institution, including an international regime,¹³¹ may be considered effective if "the quality of the environment or the resource [is] better because of the institution".¹³² In other words, environmental quality would be worse if the institution did not exist. Referring to themselves as "pragmatists", Haas, Keohane and Levy state that they consider institutions as effective if they "retard the rate of environmental decline, even if they fail to confront the underlying causes of such decline".¹³³

This is not a view that will be adopted here; it allows for continued, even accelerating, environmental decline, with institutions, including regimes, able only to mitigate the worst effects of environmental destruction. As Karen

Litfin argues, the

strongest indictment of existing institutions comes from the recognition that, despite the flurry of institution-building over the past two decades, the quality of the global environment has degenerated over the same period. If we are to be honest with ourselves, environmental quality must be the principal measure of effectiveness.¹³⁴

Litfin's emphasis differs from that of Haas, Keohane and Levy, with the former stressing maintenance of environmental quality, while the latter stress the mitigation of environmental degradation. The Litfin view is the one that will be adopted in this work. It will be recalled that this thesis is investigating why a global forests conservation regime has not emerged. Plainly it would be illogical to talk of such a regime if deforestation, as a global phenomenon, was to continue to occur. Effectiveness will form a central part of the definition that this work will adopt of a global forests conservation regime. Clearly effectiveness must be observable, and it is necessary to stipulate a minimal level of effectiveness below which no regime can be said to exist. The minimal level of effectiveness of a global forests conservation regime in this work is defined as a *situation where there is no net-loss of global forest cover*. In other words, as long as net deforestation continues, no global forests conservation regime can be said to exist. Now clearly actors may engage in conservation activities, and succeed in slowing the rate of deforestation. Some writers may consider this to be a sign of regime effectiveness. They may argue that to slow deforestation rates is "effective" as it is a regime consequence, namely the result of actors adhering to norm-governed behaviour. However, it is argued here that this should be considered as a sub-optimal outcome that is insufficient to warrant the name of a regime.

This discussion illustrates how contentious the question of effectiveness can be. Nonetheless, it is a question that cannot be avoided if environmental regimes are to ensure genuine environmental quality. There is a need for

students of international regimes to be clear as to whether or not they include effectiveness in their definition of any given regime and, if so, to be explicit as to how they define effectiveness. Including effectiveness in regime definition allows theorists to exhibit a critical potentiality if it is the case that genuine environmental quality cannot be achieved within the existing political and economic systems.

We can now arrive at a definition of a global forests conservation regime. The definition that follows fuses the mainstream regime theorist's notion of norm-governed behaviour with an emphasis on effectiveness defined as the maintenance of environmental quality. A global forests conservation regime is defined as

a form of international governance adhered to by governments and other relevant actors, the principal norm of which is that the world's forests should be effectively conserved, and which ensures that there is no net-loss of global forest cover.

One feature of this definition deserves further comment. The emphasis on "other relevant actors" centres on two contentions of this thesis, one of which is theoretical, the other practical. On a theoretical level, and as already noted, regime theory has neglected the role of non-state actors, an omission which requires rectification. On the level of praxis, and as Chapter 2 will argue, forest destruction cannot be curbed purely as the result of governmental action. It will be necessary for other actors, including TNCs, UN agencies, local authorities and local communities, to agree to adhere to forest conservation as an authoritative international norm.

It has been suggested that including effectiveness in regime definition, with effectiveness defined as the maintenance of environmental quality rather than the mitigation of environmental degradation, raises the important question as to whether or not deforestation can be arrested within the confines of the present economic system. If we wish to question this system it is necessary to adopt a critical perspective. Cox distinguishes between two types

of theory. Problem-solving theory "takes the world as it finds it, with the prevailing social and power relationships and the institutions into which they are organised, as the given framework for action".¹³⁵ Adopting this definition, regime theory should be considered as problem-solving theory. Critical theory "stands apart from the prevailing order" and "allows for a normative choice in favour of a [different] social and political order".¹³⁶ To Cox, the strength of one type of theory is the weakness of the other.¹³⁷

In adopting Cox's views on what constitutes a critical theory, it is emphasised that we are not necessarily adopting his analyses of the structures and processes of international politics. Nonetheless, it is interesting to note that Cox's distinction between problem-solving theory and critical theory is similar in many respects to the analysis of Matthew Paterson, who distinguishes between "success" and "effectiveness". Regimes, Paterson notes, have been considered "successful", if they alter state behaviour, even if they are ineffective in dealing with an environmental problem.¹³⁸ Paterson casts doubts on whether regime theory offers a suitable understanding of the complex problems of global environmental degradation. He considers two ways in which it is possible to approach environmental problems - from regime theory and from the source of the problem itself - and concludes that the second approach is best-suited to solving problems of environmental degradation.¹³⁹

The above discussion has explored the notion of effectiveness that was first introduced to regime theory by the Tübingen group. It has been suggested that in order to achieve an effective global forests conservation regime it may be necessary to call into question the present neo-liberal economic system. Chapter 2 will argue in detail that the forces of deforestation have their roots in the global political economy. Section 3.4 of Chapter 3 will enunciate the author's view of the forest conservation problematic

that will guide the critical enquiry of this work.

1.5 Concluding Remarks

It has become clear in this chapter that regime theory offers a useful analytical framework for understanding international, principally intergovernmental, cooperation. As noted earlier, the four case studies of this work will be the TFAP, the ITTO, the forest negotiations of the UNCED process and the negotiation of the International Tropical Timber Agreement, 1994. Section 1.6 below lists the research questions suggested by the evaluation of regime theory literature presented in this chapter. This thesis will investigate these questions in order to determine whether conditions were in place during the period 1983-1994 that were, or could have been, conducive to the formation of a global forests conservation regime. The findings will be presented in Chapter 8. It has also been suggested that regime theory should take into account the role of NGOs, and a consideration of NGO activity will be an integral feature of this work.

This chapter has set out to achieve the following. Firstly to present, in summarised form, the main features of regime theory. Secondly, some of the problems that may arise from an uncritical usage of regime theory were noted. While an application of regime theory should have some utility with respect to deforestation, it is also the case that while regime theory reveals, it also conceals. Hence, and thirdly, it was argued that a critical perspective is necessary. It is intended that the adoption in this work of a combination of these two approaches - regime theory and a critical perspective - will shed light as to why, at the time of writing, there is no global forests conservation regime.

1.6 Regime Theory - Research Questions

1.6.1 Power-based Questions

- Can an issue-specific hegemon be identified?
- Was structural leadership exercised in favour of a regime?

1.6.2 Interest-based Questions

- Was the Porter/Brown notion of a veto coalition absent, that is a coalition of actors that had the power to block regime creation?
- Was a regime demanded?
- Is there any evidence of entrepreneurial leadership?
- Is there any evidence of a veil of uncertainty?
- Was bargaining of a predominately integrative nature?
- Were any bargains struck?
- Did actors feel that their primary concerns were dealt with fairly?
- Can any exogenous shocks be identified?

1.6.3 Cognitive Questions

- Is there epistemic consensus on the causes of deforestation?
- Is there epistemic consensus on the effects of deforestation?
- Is there any evidence of intellectual leadership?
- Was there a common formula or metaphor around which actors' expectations converged?
- Were key actors motivated by common interests? Was there a shared conception of the common good?
- Was there normative coherence?

1.6.4 The Wider International Context

- Did a window of opportunity open when an agreement on global forests conservation could have been concluded?

Notes to Chapter 1

1. Global Environmental Change panels are now a regular feature at the Annual Conference of the British International Studies Association (BISA). A Global Environmental Change working group, composed mainly of BISA members and funded by the Economic and Social Science Research Council (ESRC), has met at approximately three-monthly intervals since 1991 at City University, London. This group is a part of the ESRC's Global Environmental Change Programme which embraces, aside from International Relations, other academic disciplines.
2. This argument is contained in Jack Donnelly, "International human rights: a regime analysis", International Organization, Volume 40, No. 3, Summer 1986, pp. 640-1.
3. John Gerard Ruggie, "International responses to technology: Concepts and trends", International Organization, Volume 29, No. 3, Summer 1975, p. 570.
4. Oran R Young, "International Regimes: Problems of Concept Formation", World Politics, Volumes 32, No. 3, April 1980, p. 332.
5. Stephen D Krasner, "Structural causes and regime consequences: regimes as intervening variables" in Stephen D Krasner (ed.), International Regimes, (Ithaca NY: Cornell University Press, 1983), p. 2.
6. International Organization, Volume 36, No. 2, Spring 1982.
7. Young, op.cit., p. 355.
8. Oran R Young, "The politics of international regime formation: managing natural resources and the environment", International Organization, Volume 43, No. 3, Summer 1989, p. 364.
9. Peter Willetts, "Transactions, Networks and Systems", in AJR Groom and Paul Taylor (eds.), Frameworks for International Cooperation, (London: Pinters, 1990), p. 274.
10. Ibid., p. 275.
11. Karen Litfin, "Eco-regimes: Playing Tug of War with the Nation-State", in Ronnie D Lipschutz and Ken Conca (eds.), The State and Social Power in Global Environmental Politics, (New York: Colombia University Press, 1993), esp. p. 101. Virginia Haufler, "Crossing the Boundary between Public and Private: International Regimes and Non-State Actors", in Volker Rittberger (ed.), Regime Theory and International Relations, (Oxford: Clarendon Press, 1993), pp. 94-111. (This volume consists of papers presented by invited scholars to a conference on regime theory held in Tübingen, Germany, 14-18 July 1991.)
12. See, example, Richard Elliott Benedick *et al*, Greenhouse Warming: Negotiating a Global Regime, (Washington: World Resources Institute, January 1991). This volume deals comprehensively with the issues involved in the early negotiations for the Climate

Change Convention. However, the analyses used, excellent in their own right, are not those of the International Relations regime theorist.

13. Friedrich Kratochwil and John Gerard Ruggie, "International organization: a state of the art on an art of the state", International Organization, Volume 40, No. 4, Autumn 1986, p. 763.

14. Donnelly, op.cit., p. 605. For an interesting application of Donnelly's classification of regimes to the global commons see John Vogler, "Regimes and the Global Commons: Space, Atmosphere and Oceans", in Anthony G McGrew, Paul G Lewis *et al*, Global Politics, (Cambridge: Polity Press, 1992), especially pp. 124-27.

15. For an interesting application of the Donnelly classification to global commons regimes, see John Vogler, "Regimes and the Global Commons: Space, Atmosphere and Oceans", in Anthony McGrew, Paul Lewis *et al*, Global Politics, (Cambridge: Polity Press, 1992), pp. 118-137.

16. Robert O Keohane introduces the concept of issue density in "The demand for international regimes" in Krasner (ed.), op.cit., pp. 155-7.

17. Robert O Keohane enunciates the concept of "nested agreements" in After Hegemony: Cooperation and Discord in the World Political Economy, (Princeton NJ: Princeton University Press, 1984), p. 90.

18. Robert O Keohane, "The Analysis of International Regimes: Towards a European-American Research Programme", in Rittberger (ed.), op.cit., p. 36.

19. Peter Knight, "Timber watchdog ready to bark", Financial Times, 6 October 1993, p. 18.

20. Membership of the FSC will be divided into two chambers. The first chamber, which will have 75 % of voting power in General Assemblies, will be composed of social, environmental and indigenous peoples organisations. The second chamber will have 25 % of voting power, and will be composed of individuals and organisations with an economic interest in the timber trade. Christopher Elliott, "Notes on the Forest Stewardship Council Founding Assembly, Toronto, Canada, 1-3 October 1993", 11.10.93.

21. Christopher J N Gibbs and Daniel W Bromley, "Institutional Arrangements for Management of Rural Resources: Common-Property Regimes", in Fikret Berkes (ed.), Common Property Resources: Ecology and Community-Based Sustainable Development, (London: Belhaven, 1989), p. 22.

22. See, for example, Tariq Banuri and Frédérique Apffel Marglin, Who will Save the Forests?: Knowledge, Power and Environmental Destruction, (London: Zed Books, 1993); Marcus Colchester, Sustaining the Forests: the Community-based Approach in South and South-East Asia, United Nations Research Institute for Social Development, Discussion Paper 35, (Geneva: UNRISD, May 1992); Marcus Colchester and Larry Lohmann (eds.), The Struggle for Land and the Fate of the Forests (London: Zed

Books, 1993); Dharam Ghai, Conservation, Livelihood and Democracy: Social Dynamics of Environmental Changes in Africa, United Nations Research Institute for Social Development, Discussion Paper 33, (Geneva: UNRISD, March 1992); Mohamed Ahmed Hisham *et al*, Whose Trees?: a People's View of Forestry Aid, (London: Panos Institute, 1991); Mark Poffenburger (ed.), Keepers of the Forest: Land Management Alternatives in Southeast Asia, (West Harford: Kumarian Press, 1990); and Peter Utting, Trees, people and power, (London: Earthscan, 1993).

23. For a concise summary and analysis of normative theories see Chris Brown, International Relations Theory: New Normative Approaches, (Hemel Hempstead: Harvester Wheatsheaf, 1992).

24. On the subject of international environmental law, see for example: Patricia Birnie, "International Environmental Law: Its Adequacy for Present and Future Needs", in Andrew Hurrell and Benedict Kingsbury (eds.), The International Politics of the Environment: Actors, Interests, and Institutions, (Oxford: Clarendon Press, 1992); Makumi Mwagiru, "The Legal Milieu of the Environment: An Overview", Paradigms: The Kent Journal of International Relations, Volume 7, No. 1, Summer 1993; Oscar Schachter, "The Emergence of International Environmental Law", Journal of International Affairs, Volume 44, No. 2, Winter 1991.

25. Krasner in Krasner (ed.), op.cit., p. 2.

26. Donnelly, op.cit., p. 605.

27. Donald J Puchala and Raymond Hopkins, "International regimes: lessons from inductive analysis", in Krasner (ed.), op.cit., p. 63.

28. Stephen Haggard and Beth A Simmons, "Theories of international regimes", International Organization, Volume 41, No. 3, Summer 1987, p. 493.

29. As noted by Chris Brown, "Not My Department?: Normative Theory and International Relations", Paradigms: The Kent Journal of International Relations, Volume 1, No. 2, December 1987, p. 111.

30. Two examples may be given. Filipović identifies a transnational, non-governmental regime for capital flows. See Miroslava Filipović, "Governments, Banks and Global Capital: The Emergence of the Global Capital Market and the Politics of Its Regulation", City University PhD Thesis, London, April 1994. The Financial Action Task Force, a diplomatic cooperation group established by the G7 in 1989, acts as an international money-laundering control regime. See Mandy Bentham, "The Global Politics of Illicit Drug Control", City University PhD Thesis, London, September 1994.

31. Krasner in Krasner (ed.), op.cit., p. 2.

32. Ibid., pp. 3-4.

33. Young (1980), op.cit., p. 335.

34. Ibid.
35. Ernst B. Haas, "Why collaborate? Issue-Linkage and International Regimes", World Politics, Volume 32, No. 3, April 1980, p. 400. Note also that Haas's definition of regimes differs from the 1982 consensus definition in that he defines a regime as consisting of norms, procedures and rules (p. 397).
36. Haggard and Simmons, op.cit.
37. Roger Tooze, "Regimes and international cooperation" in Groom and Taylor (eds.), op.cit., pp. 201-15.
38. Oran R Young, "Global Environmental Change and International Governance", Millennium: Journal of International Studies, Volume 19, No. 3, Winter 1990, pp. 340-2.
39. Oran R Young and Gail Osherenko (eds.), Polar Politics: Creating International Environmental Regimes, (Ithaca NY: Cornell University Press, 1993). In this volume four types of hypotheses are tested: power-based; interest-based; knowledge-based; and contextual.
40. Robert O Keohane and Joseph Nye, Power and Interdependence, (Boston: Little Brown, 1977), pp. 27-29.
41. Keohane (1984), op.cit., p. 32.
42. Keohane in Krasner (ed.), op.cit., p. 155.
43. Ibid., p. 170.
44. Michael C Webb and Stephen D Krasner, "Hegemonic stability theory: an empirical assessment", Review of International Studies, 15, No. 2, 1989, p. 195.
45. Duncan Snidal, "The limits of hegemonic stability theory", International Organization, Volume 39, No. 4, Autumn 1985, p. 613.
46. Keohane in Rittberger (ed.), op.cit., p. 34.
47. Litfin, in Lipschutz and Conca (eds.), op.cit., p. 99.
48. In the case of the ozone regime, the USA had an issue-specific hegemony "based on its dominance in science, its diplomatic competence and its market dominance". See Peter M Haas, "Stratospheric Ozone: Regime Formation in Stages" in Young and Osherenko (eds.), op.cit., p. 165.
49. Graham Evans and Jeffrey Newnham, The Dictionary of World Politics: A reference guide to concepts, ideas and institutions, (Hemel Hempstead: Harvester Wheatsheaf, 1990), p. 106.

50. For an application of game theory to international regimes see Arthur A. Stein, "Coordination and collaboration: regimes in an anarchic world" in Krasner (ed.), op.cit., pp. 115-140.
51. Tooze, op.cit., p. 205.
52. Keohane in Rittberger (ed.), op.cit., p. 35.
53. Ibid., footnote 6, p. 36.
54. Haggard and Simmons, op.cit., pp. 506-9.
55. Mark W Zacher, "Toward a Theory of International Regimes", Journal of International Affairs, Volume 44, 1990, pp. 139-157.
56. Gareth Porter and Janet Welsh Brown, Global Environmental Politics. (Boulder, Colorado: Westview Press, 1991), pp. 69-70.
57. Ibid., p. 70.
58. Ibid., pp. 78-82.
59. Ibid., pp. 88-92.
60. Keohane in Rittberger (ed.), op.cit., pp. 34-5.
61. Haggard and Simmons, op.cit., p. 506.
62. Zacher, op.cit., p. 155.
63. Ibid., p. 141.
64. Young (1989), op.cit., pp. 349-375, and Oran R Young, International Cooperation: Building Regimes for Natural Resources and the Environment. (Ithaca NY: Cornell University Press, 1989).
65. Note how Young's original institutional bargaining approach [as outlined in Young (1989), "The politics of international regime formation", op.cit.] is classified as an interest-based approach in Young (1990), op.cit., p. 340.
66. See Young and Osherenko (eds.), op.cit. and Oran R Young and Gail Osherenko, "Testing Theories of Regime Formation: Findings from a Large Collaborative Research Project", in Rittberger (ed.), op.cit., pp. 223-251.
67. Young and Osherenko, "International Regime Formation: Findings, Research Priorities, and Applications", in Young and Osherenko (eds.), op.cit., p. 238.
68. Oran R Young (1989), International Cooperation, op.cit., pp. 176-7.
69. Ibid., p. 178.

70. Young and Osherenko, "The Formation of International Regimes: Hypotheses and Cases" in Young and Osherenko (eds.), op.cit., p. 13.
71. Young and Osherenko, "International Regime Formation: Findings, Research Priorities, and Applications" in Young and Osherenko (eds.), op.cit., p. 239.
72. Young (1989), "The politics of international regime formation", op.cit., pp. 361-2; Young (1989), International Cooperation, op.cit., p. 232; Young (1990), op.cit., p. 341. Young and Osherenko found that a veil of uncertainty contributed to regime formation in three out of five international environmental regime case studies in Young and Osherenko, "International Regime Formation: Findings, Research Priorities and Applications", in Young and Osherenko (eds.), op.cit., p. 238.
73. Young and Osherenko, "The Formation of International Regimes: Hypotheses and Cases", in Young and Osherenko (eds.), op.cit., p. 13.
74. Ibid.
75. Oran R Young, "Political leadership and regime formation: on the development of institutions in international society", International Organization, Volume 45, No. 3, Summer 1991, p. 285.
76. Ibid., p. 289.
77. Ibid., p. 293.
78. Ibid., p. 294.
79. Ibid., p. 295.
80. Ibid., p. 298.
81. The role of Mostafa Tolba in the formation of the ozone regime is noted by Peter M Haas, "Stratospheric Ozone: Regime Formation in Stages", in Young and Osherenko (eds.), op.cit., pp. 174-77, and by Porter and Brown, op.cit., pp. 49-50 and p. 77.
82. Young and Osherenko, "The Formation of International Regimes: Hypotheses and Cases" in Young and Osherenko (eds.), op.cit., p. 14.
83. Ibid.
84. Ibid., p. 15.
85. Young (1989), "The politics of international regime formation", op.cit., p. 372.
86. Haggard and Simmons, op.cit., p. 509.
87. Ernst B Haas, op.cit., p. 370.

88. Peter M Haas, "Obtaining International Environmental Protection through Epistemic Consensus", Millennium: Journal of International Studies, Volume 19, No. 3, Winter 1990, p. 349. See also Peter M Haas, "Do regimes matter?: Epistemic communities and Mediterranean pollution control", International Organization, Volume 43, No. 3, Summer 1989, pp. 377-403.
89. Peter M Haas, "Introduction: epistemic communities and international policy coordination", International Organization, Volume 46, No. 1, Winter 1992, p. 3.
90. Haas (1990), op.cit., p. 347.
91. Haas (1992), op.cit., p. 2.
92. Haas argues that a common core anchoring concept or strategic variable for the World Bank, OECD, UNEP and the IMF is "economic growth linked to an improved quality of life", while for the World Health Organization the strategic variable is "integrated health services at the rural level". See Ernst B Haas, When Knowledge is Power: Three Models of Change in International Organizations, (Berkeley: University of California Press, 1990), p. 162.
93. Christer Jönsson, "Cognitive Factors in Explaining Regime Dynamics", in Rittberger (ed.), op.cit., p. 209.
94. Ernst B Haas (1980), op.cit., p. 381 and p. 383.
95. Young (1989), op.cit., p. 357.
96. Jönsson in Rittberger (ed.), op.cit., p. 210.
97. Young and Osherenko, "The Formation of International Regimes: Hypotheses and Cases" in Young and Osherenko (eds.), op.cit., p. 14.
98. Ibid.
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100. Ibid.
101. Ibid., p. 354.
102. Andrew Hurrell, "International Society and the Study of Regimes: A Reflective Approach", in Rittberger (ed.), op.cit., p. 58.
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106. Ibid.
107. Zacher, op.cit., p. 140-1.
108. Young (1990), op.cit., p. 342.
109. Young and Osherenko, "The Formation of International Regimes: Hypotheses and Cases" in Young and Osherenko, op.cit., p. 20.
110. Peter M Haas (1992), op.cit., p. 14.
111. Peter M Haas, "Epistemic Communities and the Dynamics of International Environmental Co-Operation", in Rittberger (ed.), op.cit., p. 189.
112. Indeed, early Realists claimed that it is in the national interest to accumulate power, and that the acquisition of power was necessary to achieve the national interest, a view that can only be interpreted as tautological.
113. For example Tony Evans and Peter Wilson, "Regime Theory and the English School of International Relations: A Comparison", Millennium: Journal of International Studies, Volume 21, No. 3, 1992, pp. 337-9.
114. Hurrell in Rittberger (ed.), op.cit., p. 51.
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116. Krasner in Krasner (ed.), op.cit., pp. 13-16.
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118. Philip Acton, "Regimes and Hegemony", Paradigms: The Kent Journal of International Relations, Volume 3, No. 1, Autumn 1989, p. 51.
119. Young and Osherenko, "International Regime Formation: Findings, Research Priorities, and Applications", in Young and Osherenko (eds.), op.cit., p. 240.
120. An exception here is Hurrell in Rittberger (ed.), op.cit., pp. 65-9.
121. See Utting, op.cit., p. x, and Marcus Colchester, "Colonizing the Rainforests: The agents and causes of deforestation" in Colchester and Lohmann (eds.), op.cit., p. 10. Colchester refers his readers to Jack Westoby, The Purposes of Forests, (Oxford: Basil Blackwell, 1987) p. 31.
122. Wolfgang Sachs, "Introduction" in Wolfgang Sachs (ed.), Global Ecology: A New Arena of Political Conflict, (London: Zed Books, 1993), p. xvii. See also Nicholas Hildyard, "Foxes in Charge of the Chickens", in the same volume, p. 23.
123. Wolfgang Sachs, "Environment", in Wolfgang Sachs (ed.), The Development Dictionary: A Guide to Knowledge as Power, (London: Zed Books, 1992), p. 33.

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126. Robert W Cox, "Social Forces, States and World Orders: Beyond International Relations Theory", Millennium: Journal of International Studies, Volume 10, No. 2, Summer 1981, p. 129.
127. Tooze, in Groom and Taylor (eds.), op.cit., p. 211.
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129. Klaus Dieter Wolf and Michael Zürn, "'International Regimes' und Theorien der Internationalen Politik", Politische Vierteljahresschrift, 27, 1986, pp 201-221, cited by Volker Rittberger, "Research on International Regimes in Germany: The Adaptive Internalization of an American Social Science Concept", in Rittberger (ed.), op.cit., p. 9.
130. Rittberger in Rittberger (ed.), Ibid.
131. Haas, Keohane and Levy consider international institutions to include bureaucratic organizations, regimes, and conventions. See Robert O Keohane, Peter M Haas and Marc A Levy, "The Effectiveness of International Environmental Institutions", in Peter M Haas, Robert O Keohane and Marc A Levy (eds.), Institutions for the Earth: Sources of Effective International Environmental Protection, (Cambridge MA: MIT Press, 1993), p. 5.
132. Ibid., p. 7.
133. Ibid.
134. Litfin, op.cit., p. 110.
135. Cox, op.cit., p. 128.
136. Ibid., pp. 129-130.
137. Note that not all International Relations writers would agree with Cox's definition of critical theory. As Brown notes, the term critical theory is an ambiguous one. See Chris Brown, "Critical theory and postmodernism in international relations", in AJR Groom and Margot Light (eds.), Contemporary International Relations: A Guide to Theory, (London: Pinter, 1994), pp. 56-62.
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139. Ibid.

CHAPTER 2

THE CAUSES OF DEFORESTATION

2.1 Introduction

Chapter 1 outlined the main theoretical focus of this thesis, namely regime theory. It was noted that regime theory is used within a framework that takes the existing political and economic systems as its starting points. It was also suggested that in order to arrest deforestation it may be necessary to call into question the global economic system. This chapter will develop this theme in detail. A structural paradigm will be adopted to argue that the forces of deforestation lie in the complex structure of global economic relations. It will be argued that the views of ecologists on the causes of deforestation are very similar to a modified version of the theory of the dependency school that arose in Latin America in the 1960s.

It is first necessary to define what we mean by ecologism. It is necessary to distinguish between ecologism as a science and ecologism as a belief system or ideology.¹ Peter Haas considers ecologism to be a framework that "assimilates other scientific disciplines"² and which has "facilitated the formation of coalitions among scientists".³ These views would be rejected by ecologists such as Wolfgang Sachs who differentiates between two views of global ecology, namely "a technocratic effort to keep development afloat [or] a cultural effort to shake off the hegemony of ageing Western values".⁴ In short, ecologism as ideology provides a political critique of the *status quo*, whereas ecologism as science does not. The operative mode of the term 'ecologism' that will be used in this chapter is an ideology that questions the state-centric international system, that rejects top-down economic development and free trade, and that advocates a shift in power relations from

the state to the local level.⁵

First, a brief review of dependency theory will be given, followed by a theoretical comparison between dependency theory and ecologism. The bulk of the chapter will be spent outlining a neo-dependency view, which corresponds very closely with an ecological view, on the causes of deforestation.

2.2 The Structural Theory of the Dependency School

As Brown notes, there is no single, coherent dependency theory⁶ and the objective of this section is to draw out the commonalities and similarities of the writings of those theorists who are usually referred to collectively as the dependency school. Insufficient space exists here for anything other than a rudimentary coverage of the school's work. The dependency school offer a structuralist theory, of an essentially Marxist orientation, with the structure in question being the global economic order. In their analysis of the world economy, dependency theorists take countries as the principal units of analysis, and argue that centres and peripheries exist both in countries and in the world economy. André Gunder Frank argues that a class relationship, a legacy of colonialism, has evolved between the developed metropolitan countries of the centre and the under-developed satellite countries of the periphery. The periphery is dependent on the centre, while the centre exercises an exploitative relationship over the periphery.

Johan Galtung modified Frank's theory to argue that there are centres and peripheral areas in both the Centre and in the Periphery. A harmony of interests exists between the Periphery-centre and the Centre-centre, while there is a disharmony between the two peripheries.⁷ Where Galtung refers to the Periphery-centre, other writers refer to a comprador class, or comprador bourgeoisie, whose interests are tied to transnational capital. The Periphery-centre, or comprador class, may be seen as occupying an intermediary position, exploiting the Periphery-periphery, yet itself

exploited by the Centre-centre. Bodenheimer sees the comprador as a clientele social class, occupying a "dual position as junior partners of metropolitan interests, yet dominant élites within their own societies".⁸

Wallerstein developed centre-periphery analysis to argue that there is a core, periphery and semi-periphery. He sees the existence of a semi-periphery as necessary "to make a capitalist world-economy run smoothly".⁹ Without the existence of a semi-periphery the exploited majority would overwhelm the minority.¹⁰ Among the countries that Wallerstein includes in the semi-periphery are Brazil, Mexico, Argentina, Venezuela, Portugal, Spain, Italy, Greece, Norway, Finland, Algeria, Egypt, Saudi Arabia, Nigeria, Zaire, Iran, Indonesia and China.¹¹

Frank has since adopted the idea of a semi-periphery,¹² thus moving closer to the Wallerstein position. However, it is argued here that with respect to tropical forests there is only a centre, namely the countries of the North, and a periphery, namely the countries of the South. This distinction is made not for reasons of simplicity; Chapters 4 to 7 will demonstrate that there exists a distinct North-South divide regarding international tropical forestry issues. This exists in a variety of forms, such as the dichotomy between aid donors and aid recipients, and tropical timber producers and tropical timber consumers. Hence, with respect to the issues under consideration in this thesis, no discernable semi-periphery exists.

Central to the theory of the dependency school is the idea that surplus, or profit, is channelled from the satellites to the "world metropolis of which all are satellites".¹³ The comprador class (what Galtung refers to as the Periphery-centre) will acquire a share of this surplus, accrued from the investment of transnational capital, which gives the comprador class its leading role in the periphery. However, the élites of the centre (the Centre-centre) extract the greater share of any surplus.

The concept of underdevelopment is at the heart of

dependency theory. To Frank, underdevelopment is the inevitable consequence of a country's involvement on the periphery of the world economy. Frank denies that development in the satellites can occur as long as these countries maintain their links with the metropolis. He forwards the view that "the satellites experience their greatest economic development ...if and when their ties to their metropolis are weakest".¹⁴

To the dependency school, TNCs play a central role in the extraction of surplus. The role of TNCs was briefly referred to in Chapter 1 when it was noted that Susan Strange's critique of regime theory argues that many of the key bargains of international relations are between states and corporate enterprises.¹⁵ Strange, like the dependency school, views international relations through a structural paradigm. She has further argued that there are two sides to diplomacy that are frequently overlooked, namely state-firm diplomacy and firm-firm diplomacy.¹⁶ Other International Relations writers have pleaded for greater attention to be given to the role of TNCs.¹⁷

Dale Johnson sees TNCs as being at "the core of the nexus of power relations within the international system".¹⁸ By investing in the periphery, TNCs are able to channel profits accrued from this investment to the centre. Stephen Hymer, in line with the general dependency theory position, has argued that the activities of TNCs limit the opportunities for development in the periphery.¹⁹ Johnson notes that Latin American countries are progressively losing control of their manufacturing industries to TNCs, controlled from Europe and North America, which take advantage of low-cost factors of production in the periphery.²⁰ In the periphery such an arrangement is advantageous only to those members of the local comprador class who enter into a cooperative relationship with TNCs.

Although the dependency school emphasise that the centre countries and the TNCs are the dominant actors in the international economy, they do not assume that there is

coherency of structure. The structure is dynamic and shifting rather than simple and rigid. Wallerstein argues that the analytical categories of centre, periphery and semi-periphery have prevailed for 400 years, with the relationship of particular countries *vis à vis* the centre varying over time. Membership of these categories is not static. Furthermore, competition exists amongst the various actors. TNCs compete in the international market place, and Wallerstein notes that an ambivalent relationship exists between TNCs and governments. The two sets of actors need, and cooperate with, each other, yet their interests are not necessarily the same. A TNC is a profit-making body, whereas a state machinery must "respond to the needs of its own citizens".²¹ Wallerstein sees the position of periphery governments as weak "both in terms of what they have to offer, and in their ability to affect the overall position of the outside investor".²² Neither is it the case that the relationships of TNCs with countries in the centre, or the core as Wallerstein sometimes calls it, are necessarily harmonious. TNCs "are torn between the economic advantages of being tied to one state machinery as a protective force, and the economic advantages of moving between core states".²³

Dependency theorists also argue that the World Bank and the IMF play a role in perpetuating the dependence of the periphery on the centre. To Johnson the World Bank and the IMF are "agencies of imperial power".²⁴ However, he proceeds to note that these institutions are not part of a conspiracy, and that their policies are "rational and flow from the structure of the international system".²⁵ Frank also notes the role of the World Bank and the IMF.²⁶ He comments on how IMF-imposed policies in Latin America have led to currency devaluation, which turns the terms of trade against Latin American countries, leads to balance of payments difficulties and "which occasions renewed and increased dependence on the IMF and on other metropolitan loan and investment instruments...".²⁷

The subject of external debt as a factor that perpetuates underdevelopment is also a concern of dependency theorists, despite the fact that most of their writing took place before the onset of the global debt crisis in 1982. Frank notes that to repay past debts, Brazil became increasingly dependent on the metropolis, especially the United States, a dependence which was advantageous only to metropolitan, as opposed to Brazilian, interests.²⁸

A reading of Ernesto 'Che' Guevara's work reveals many of the ideas inherent in the work of the dependency theorists. For example, the idea that the "centre" should delink from the "periphery" in order to achieve development was made by Guevara in his speech to the UN General Assembly in 1964 when he argued that, "So long as the economically dependent peoples do not free themselves from the capitalist markets ...there will be no solid economic development".²⁹ Elsewhere, Guevara used other language similar to the dependency school. For example, he wrote on the dangers of underdevelopment and referred to Latin American countries as "colonial, semi-colonial or dependent countries".³⁰ He also comments on the role of IMF austerity programmes in constraining government policies.³¹ It is difficult to determine what Guevara's intellectual influences were; his work is not accompanied by a bibliography. It is possible that he was influenced by the same writers on Marxist theories of imperialism and colonialism as were the dependency school, although it is emphasised that no evidence exists either for or against such speculation. What is clear is that some of the dependency school have openly acknowledged Guevara as an intellectual influence.³²

2.3 The Dependency School and Ecologism:

A Comparative Analysis

The environment generally has not been a concern of dependency theorists, although Samir Amin is one exception to this rule. In 1977 Amin argued that problems of environmental degradation "are rooted in the very structure

of the capitalist economic and social system".³³ While noting that environmental problems accrue to all humanity, he argues that it is the centre that benefits in economic terms, while the periphery bears the costs, for example, in terms of soil erosion and deforestation.

Certain differences exist between dependency theory and ecologism. Both share a deep concern about the present structure of economic relations, but for very different reasons. Five fundamental differences may be noted.

Firstly, and most obviously, the concerns of the two schools differ. The dependency school are concerned with development, or more precisely underdevelopment, in the periphery, which proximates closely with what is contemporarily referred to as the South. Ecologists, however, are concerned with environmental degradation, in both North and South. Furthermore, the two schools disagree whether there is a role for development, and in particular on economic growth. As Brown notes, there are a number of assumptions in dependency theory including the notions

that development equals westernization, that the existing 'advanced industrial nations' have arrived and constitute a model for [less developed countries], and that the end result of the process of development will be the emergence of an homogenous world culture on Western lines.³⁴

These assumptions are not shared by ecologists. In particular the emphasis on economic growth is anathema to many ecologists.³⁵ Its centrality to dependency theory stems, notes Michael Redclift, from assumptions "under capitalism which were carried over into the socialist project, as conceived by Marx".³⁶ The dependency school tend to consider standard of living as defined by economic criteria, whereas the ecologist talks not of standard of living, but of quality of life, which is defined by non-economic criteria. So whereas the dependency school favour a project that is economistic and consumer-orientated, the ecologist is anti-economics (including "green economics") and anti-consumerism (including "green consumerism").

Secondly, and also noted by Redclift, Marx dealt

primarily with the role of labour in the production process.³⁷ The exploitation of labour is a central concern of the dependency school, especially labour in the periphery, whereas the exploitation of nature is not. With few exceptions, such as Amin, the dependency school have ignored the environment. However, ecologists draw attention to the fact that developmentalists from both North and South treat both labour and nature as resources to be exploited. Developmentalist culture sees nature as a resource to be managed, that is to say they assign instrumental values to nature. Ecological culture argues that nature is not a resource, that it is of intrinsic value, and that its limits should be respected.³⁸

Thirdly, the focus of the dependency school is still an élitist one. The dependency school argue that, in a reformed international structure, there will remain a role for government and economic élites in peripheral economic and development planning. However they oppose those élites that cooperate with international capital. The view of the ecologists, however, is distinctly anti-élitist; ecologists seek the disempowerment of all economic élites, who they see as largely responsible for environmental degradation, and the empowerment of local communities.

Fourthly, the goals of the two schools differ markedly. Theorists such as Frank in the dependency school argue that the periphery nations should delink from the centre if economic development is to be achieved outside an exploitative relationship.³⁹ To adopt the jargon of Galtung, the dependency school favour the delinking of the Periphery from the Centre, whereas the ecologists, with their inherent belief in the ability of the local community to care for their local environment, argue in favour of the delinking all peripheries from all centres, with the empowerment of the former. While both schools favour delinking, the ecologists carry the logic of this process further than the dependency school.

Fifthly, and following-on from the above, although both

the dependency school and ecologists are structural in their assessment of the global economic relations, only the former are structural in their policy prescriptions for the future. The dependency school want to reform the present international economic structure which they argue favours the centre, but they remain in favour of an economic structure in the periphery. Ecologists, however, incline towards the abolition of all economic and developmental structures, or at the very least of all institutions that seek to fill a top-down economic and/or development planning role. In this respect, the dependency school can rightly be called structuralists whereas the ecologists, in their policy prescriptions, can almost be seen as "anti-structuralists".

2.4 The Causes of Deforestation: A Neo-Dependency View

Despite the not insignificant differences between dependency theory and ecologism, many analysts of an ecological persuasion have described the economic and political forces behind deforestation using neo-dependency language. In order to advance a neo-dependency view of deforestation it is necessary first to distinguish between cause and agency. Agents of deforestation always operate at the local level; to cut down a tree or to burn an area of forest is a highly localised act, often performed by local people. Yet these people are invariably agents acting on behalf of wider economic interests, often outside the country in question. In other words, it is frequently the case that the causes of deforestation have their loci in the structure and processes of the global political economy.⁴⁰

The causes outlined below are particularly relevant to tropical forests, although they may also apply to other forest types. The ten categories of causal process that will be explored are: internationally-sponsored development; external debt and Structural Adjustment Programmes; export-led industries and the role of TNCs; drug cultivation; government policies; wars and the role of the military;

poverty; population growth; inequities in land tenure; and natural phenomena. The degree to which these causal processes operate varies from region to region, country to country, and between forest types. It is emphasised that the processes should not be seen as being distinct in the real world. They are distinguished here for analytical purposes. In practice they interact and sustain each other.

2.4.1 Internationally-sponsored Development

National development and infrastructure projects have often been funded by international capital channelled through multilateral and bilateral agencies.⁴¹ Many of these projects, such as the Grande Carajás programme in the Brazilian Amazon, have attracted criticism for environmental destruction, including deforestation.⁴² The use of international capital to build roads has been widely condemned by NGOs. The most infamous example here is the case of the BR-364 highway (also known as the Polonoroeste highway) through the Brazilian Amazon to Peru, funded by, *inter alia*, the World Bank and the Inter-American Development Bank.⁴³ Plans to complete the construction of the Pan-American Highway will lead to forest clearance in Colombia and Panama.⁴⁴ International capital has also played a role in the construction of dams for hydro-electric power in, for example, the Amazon⁴⁵ and in Malaysia.⁴⁶

By 1987, the inhabitants of the Amazon, including indigenous forest peoples and the rubber tappers, were organising themselves to attempt to stop the World Bank and other multilateral agencies from funding infrastructure causing deforestation and the displacement of Amazonian inhabitants.⁴⁷ The World Bank has responded to the environmental destruction its projects has caused. In 1987 an Environment Department was established and a former World Bank official claims that the Bank now aims to integrate environmental criteria in its decision-making procedures.⁴⁸ Following, but not necessarily directly the result of, pressure from the WWF,⁴⁹ the World Bank published in 1991 a

Forest Sector Policy Paper which included the commitment that it "will not under any circumstances finance commercial logging in primary tropical moist forests".⁵⁰

However, in 1992 Friends of the Earth found that a World Bank project in Gabon - the first major Bank intervention in Central Africa after the publication of this policy - would lead to logging of primary forests. They recommended that a major review of the project take place.⁵¹ Friends of the Earth have also found that funding from bilateral institutions, such as the UK's Overseas Development Administration, can play a role in promoting environmentally destructive projects.⁵²

The role of international capital, especially when channelled through the World Bank,⁵³ remains a fundamental concern for ecologists, as it does for those who subscribe to the dependency school. However, the latter remain concerned with the role such capital plays in perpetuating underdevelopment, while the former focus on environmental destruction.

2.4.2 External Debt and Structural Adjustment Programmes

An oft-cited example of a cause of deforestation that has its locus in the structure of global economic relations is external debt, much of it accrued from loans to finance development projects. The debt crisis erupted in August 1982 when Mexico defaulted. Countries from the South have attracted criticism for accumulating large debts, but a report by the United Nations Centre on Transnational Corporations concluded that competition among the transnational banks to secure loans led to overlending in the developing countries and played a major contributory role in the evolution of the debt crisis.⁵⁴

The World Commission on Environment and Development noted a link between deforestation and debt, and concluded that the need for foreign exchange encourages "many developing countries to cut timber faster than forests can be regenerated".⁵⁵ A study for the ITTO noted that the large

external debts of many tropical forest countries lead to pressure on the forestry sector not only to generate foreign currency, but also to relinquish forest fees and taxes in principle designated for forest resource management to the general state budget.⁵⁶

In recent years interest and repayments accruing from debt have greatly exceeded North-to-South aid with the result that there now exists substantial net financial flows running from the South to the North.⁵⁷ However, the linkage between debt and deforestation is a contested one. With respect to the Brazilian Amazon, Hurrell notes that "the main policy decisions facilitating large-scale development were taken well before the emergence of the debt crisis".⁵⁸ Hecht and Cockburn argue that the claim that Brazil's indebtedness to the banks led to overexploitation of the Amazon "is difficult to substantiate".⁵⁹ But such views are not shared by all analysts. Diegues argues that the Brazilian government targeted the Amazon to help in the solution of the country's foreign exchange problems; "The export-oriented mining and some livestock projects that affect so much of the forest area ...are closely related to Brazil's external debt".⁶⁰ Susan George notes two debt-environment connections: firstly the act of borrowing, often to finance projects that are environmentally destructive; and secondly paying for them "by cashing in natural resources".⁶¹ She emphasises that the relationship between debt and the environment is one of feedback, and not one of "linear connections".⁶²

Patricia Adams forwards the view that a large debt burden can help save the environment. External debt was accumulated from borrowing for large environmentally destructive industrial development policies. With the debt crisis, many creditors are no longer willing to lend money, so that it is no longer possible to fund such projects.⁶³ Adams' argument is more of an indictment against the destructive effects of transnational capital rather than an argument in favour of permanently high debts in the South.

The fact that a linkage has been asserted between debt

and deforestation has led to the emergence of debt-for-nature swaps.⁶⁴ This idea was first proposed by Thomas Lovejoy of WWF-US in 1984.⁶⁵ Opinion is divided on the subject of debt-for-nature swaps among NGO activists. Some support the concept as a means of conserving forests.⁶⁶ However others, such as Mahony, oppose swaps, on the grounds that only commercial banks and other financial institutions benefit, that swaps do nothing to improve the conditions of local peoples, and that they deflect attention from crucial issues such as land tenure.⁶⁷ The WWF continue to favour debt-for-nature swaps. They note that the "debt swaps carried out to date are too small to reduce indebtedness but they can be an effective tool for financing conservation activities".⁶⁸ Friends of the Earth groups in Latin America "reject outright" debt-for-nature swaps,⁶⁹ and the UK branch of Friends of the Earth, like George, argue that there is a correlation between debt and deforestation and favour debt cancellation as opposed to debt-for-nature swaps.⁷⁰ It is also necessary to note the recent advent of "debt-for-timber" swaps, a mechanism whereby debt swaps can become a mechanism that destroys, rather than conserves, tropical forests. In 1994 it was reported that the government of France had agreed to cancel approximately half of Cameroon's external debt in exchange for a guarantee that French timber companies be given access to Cameroon's tropical forests.⁷¹

The debt crisis eventually resulted in intervention in the economies of indebted countries by the imposition of IMF Structural Adjustment Programmes (SAPs). Formerly called austerity programmes, SAPs are intended to curb inflation, promote economic growth and prune government spending thus restoring a country's balance of payments equilibrium. However, a criticism of SAPs is that the export-oriented growth strategy they aim to promote has damaged environments.⁷² In Costa Rica, the SAP resulted in increased deforestation.⁷³ Research by Friends of the Earth concludes that the link between SAPs and deforestation is generalised in nature.⁷⁴ George argues that the model of growth

advocated by the IMF and the World Bank "is a purely extractive one involving more the 'mining' than the management - much less the conservation - of resources".⁷⁵ Designed by the World Bank and the IMF in conjunction with national élites, SAPs usually by-pass local communities with the result, argues Hancock, that poverty is often the result.⁷⁶ Berthoud sees SAPs as putting economic efficiency above social justice; they are "the attempts of the IMF and the World Bank to impose liberalism on worldwide scale".⁷⁷ A special edition of *Third World Resurgence* outlined several objections, mainly those of analysts from countries of the South, to SAPs. Some of these objections fit in with dependency school theory; SAPs benefit no more than a small élite in the South. Other objections adhere more to an ecological view; the role of SAPs in environmental degradation.⁷⁸ Once again it can be seen that the dependency school and ecologists share similar concerns, though for very different reasons.

2.4.3 Export-led Industries and the Role of TNCs

According to this view, global consumption imperatives lead to the growth of export-led industries which in turn leads to deforestation. Brief consideration will be given to four such industries, namely gold, beef, oil and timber.

Gold prospecting in Brazil has resulted in forest clearance in the Amazon, especially in Roraima,⁷⁹ by *garimpeiros* (independent mineral prospectors). Hecht and Cockburn note that the present Amazonian gold rush began in 1980, with the *garimpeiros* clashing with the interests of the established Brazilian mining companies.⁸⁰ Some gold prospecting by *garimpeiros* has taken place on Indian reserves leading to intense conflict with local Indians.⁸¹ The small placer mines in Amazonia, worked by the *garimpeiros*, were generating almost US\$1 billion a year by 1989.⁸²

A second export-led industry that has led to deforestation is cattle ranching. According to the

"hamburger connection" view, forests in Central and South America have been cleared to provide rangelands to breed cattle for the Northern beefburger market.⁸³ Deforestation for cattle ranching is a cumulative process. Approximately two years after forest clearance the soil is no longer suitable for pasture with the result that further deforestation occurs. In the Brazilian Amazon, 30% of government-assisted cattle ranches have been abandoned,⁸⁴ with the agricultural frontier steadily expanding.

There is controversy as to how valid the "hamburger connection" is as a cause of deforestation in the Brazilian Amazon. Hecht argues that deforestation for livestock grazing has its origins not in the international demand for beef, but from Brazilian speculators seeking to acquire both land and financial benefits such as tax holidays and fiscal incentives.⁸⁵ Paul Harrison also notes the importance of state subsidies to cattle ranchers, and agrees with Hecht that there is no international hamburger connection in Brazil because most beef is produced for the home market.⁸⁶ However, the hamburger connection is less-contested as a cause of deforestation in Central America.

A third export-led industry which impacts on deforestation is oil. Chapter 1 of this thesis argued that forest conservation would not be achieved solely as the result of international agreement between states, and that it would also be necessary for other actors, including TNCs, to observe genuine norm-governed behaviour, with the norm in question being forest conservation. It is worth noting that three initiatives have emerged, seeking to modify the behaviour of TNCs involved in oil production in tropical forests. The first is a set of guidelines published by the IUCN in 1991.⁸⁷ Also in 1991, the Oil Industry Exploration and Production Forum (E & P Forum) issued a set of guidelines for oil companies operating in tropical rainforests. The purpose of the latter guidelines is to establish an "internationally acceptable uniform guideline for environmental conservation of rainforests in conjunction

with petroleum operations".⁸⁸ The third initiative involves a set of forestry guidelines for tree plantations. In conjunction with the WWF, Shell published in 1993 a set of guidelines on tree plantations, although it was emphasised that the guidelines were not "a statement of policy from either WWF or [Shell]".⁸⁹

A TNC formerly involved in oil production in Ecuador is British Gas which signed a contract with Petro Ecuador, the state oil company, in 1987.⁹⁰ British Gas contributed to the preparation of the E & P guidelines and stated that it intended to comply with them.⁹¹ However, the company attracted criticism from NGOs as its operations impacted upon land claimed by native forest dwellers.⁹² British Gas are sensitive to such charges, and claim to have established a good working relationships with indigenous peoples' leaders.⁹³ The company eventually pulled out of Ecuador in 1992, although they did not publicly state their reasons for this.⁹⁴ Meanwhile, Ecuador's oil production is increasing from 280,000 barrels in 1991 to a projected 370,000 barrels in 1995,⁹⁵ a factor certain to result in further deforestation. WWF question whether "it is technically possible to explore and exploit oil without damaging the environment?",⁹⁶ while Friends of the Earth note that environmental degradation has ensued in all forested regions in Ecuador opened to oil companies.⁹⁷

A fourth export-led industry which impacts upon deforestation is the international tropical timber industry which is a cause of deforestation for many tropical forest countries.⁹⁸ With respect to tropical timber, TNCs provide the economic linkages between the felling of timber and the international timber market. They have also altered the social relations of tropical forestry by introducing to the forests new technology, such as chainsaws and chipping machines, that result in swifter tree felling.⁹⁹ TNCs in both consumer and producer countries play a significant role in the trade. In 1991 the government of Honduras signed a 40 year agreement with the Chicago-based TNC Stone Container

Corporation which gave the latter the sole right to log, for 40 years, an 11,000 square mile area of tropical forest, including UNESCO-designated World Heritage Sites.¹⁰⁰ In Indonesia, one of the most powerful actors is Apkindo (Association of Plywood Makers), the world's largest exporter of plywood, whose Chairman, Mohamad Hasan, is one of the most influential individuals in the international tropical timber market.¹⁰¹

The practices of Japanese TNCs have become a source of concern for NGOs.¹⁰² In the case of Papua New Guinea, Japanese TNCs have stood accused by the Barnett Report¹⁰³ of participating in illegal practices. The Report documented widespread transfer pricing, a mechanism whereby TNCs can transfer profits from a tropical forest country to another country by declaring a sale price for timber purchased that is below the current market value.¹⁰⁴ The sum of money transferred in this way escapes tax in the tropical forest country. Hence although there is no impact on the gross (pre-tax) profits of the TNC, there is an impact on the net (after-tax) profits. If a TNC is to operate a transfer pricing policy it is first necessary for the parent company to establish a subsidiary in the country from which it purchases timber.¹⁰⁵ The Barnett Commission concluded that in the Papua New Guinean timber industry transfer pricing "was a major preoccupation of the great majority of companies being studied".¹⁰⁶ During 1986-7 the practice caused the Papua New Guinea economy a loss of "up to US\$ 27,500,000 in foreign currency earnings", an average of between US\$ 5-10 per cubic metre of timber.¹⁰⁷ Japanese TNCs created subsidiary companies in Papua New Guinea to assist in transfer pricing. To give just one such example, during the period 1986-7 the Stettin Bay Lumber Company made a hidden profit in excess of US\$3 million for its parent company, the Japanese TNC Nissho Iwai,¹⁰⁸ which at the time had an 83% stake in Stettin Bay.¹⁰⁹

The Barnett Commission also documented widespread corruption among the political élite of Papua New Guinea and

Japanese owned, or Japanese dominated, companies. The Inquiry reported other illegal practices, such as misdeclaration of species, whereby high-value species were declared as low-value species.¹¹⁰ The Commission's report is, perhaps, the most comprehensive account of illegal practices in the tropical timber industry to date, although NGOs have uncovered many other instances. TRAFFIC International¹¹¹ have revealed six types of illegal activity prevalent in the Asia-Pacific region: illegal logging; timber smuggling; transfer pricing; under-grading, under-measuring and under-valuing of timber; misclassification of species; and illegal processing of timber.¹¹² The statistics they gathered point to illegal activities "on a massive scale", so that

Losses in foreign revenue, uncollected forestry-related charges and foregone forest resources, have been measured in millions, and in some case, billions of dollars.¹¹³

In the Malaysian state of Sabah allegations of transfer pricing by various companies were made in 1993 by the Malaysian Primary Industries Minister.¹¹⁴ In the Philippines Germelino M Bautista has noted a large discrepancy between Filipino figures of timber exports to Japan and Japanese figures of timber imports from the Philippines, the difference being largely attributable to "unreported, illegally shipped log exports".¹¹⁵ Investigations by Friends of the Earth have also revealed illegal practices by companies involved in the export of timber from Ghana,¹¹⁶ as well as the import of illegally-felled Brazilian mahogany into the UK.¹¹⁷

2.4.4 Drug Cultivation

As well as the illegal activities of TNCs involved in the tropical timber trade, a further illegal trade that has ramifications on deforestation is the international illegal drugs trade. This is frequently linked with armed groups, usually terrorists, but sometimes members of national armed forces. In Peru, both the Peruvian armed forces and the

terrorist group *Sendero Luminoso* (Shining Path) have become deeply involved in the cocaine trade.¹¹⁸ *Narcotraficante* operations in the Upper Huallaga Valley of Peru have resulted in widespread deforestation, along with other environmental problems such as polluted waterways.¹¹⁹ By 1990, seven million hectares had been deforested in Peru due to coca bush cultivation which, according to the International Narcotics Control Board (INCB), "threatens to alter the whole ecological balance of vast areas of the country".¹²⁰ In 1991, Peruvian President Alberto Fujimori announced that 140,000 acres of rainforest were being destroyed a year to grow the coca plant.¹²¹ Cocaine is not the only drug that threatens South America's forests. A 1991 report by the commander of Colombia's police narcotics brigade noted that virgin cloud forest had been cut and burnt to clear land for opium poppy plantations.¹²² The INCB has also reported that Colombian poppy cultivation has expanded to virgin forests and that in Colombia "the area under illicit poppy cultivation has expanded to an estimated 18,000 hectares, thereby equalling the size of the area under illicit coca bush cultivation".¹²³ The INCB has also reported that the

expansion of coca bush cultivation to remote zones of the Amazon poses further problems not only for eradication programmes, but also for the ecological equilibrium of this vital area. Guerilla groups continue to provide protection to traffickers and cultivators in exchange for arms and money.¹²⁴

The drug problem also extends to other Latin American countries. In Guatemala, cannabis cultivators have cleared large areas of jungle in Peten province.¹²⁵ *The Economist* has reported that in Guatemala some military commanders have become corrupted and established a working relationship with drug traffickers.¹²⁶

As well as arguing that a relationship exists between debt and deforestation (Section 2.4.2 above), George also notes a relationship between the supply of cocaine and debt. SAPs do not just lead to pressure to sell natural resources such as timber for hard currency. They also lead to

impoverishment as old unprofitable industries are closed, such as the tin mines in Bolivia. The unemployed are then driven into the coca economy.¹²⁷ The relationship between drug cultivation and deforestation is thus a complex, deeply-embedded structural one that also involves other factors such as industrial development, SAPs and external debt.

2.4.5 Government Policies

It will have become clear that the similarities between the dependency school and ecologists is especially strong with respect to the consideration both give to the relationships between centre and periphery. In the case of deforestation, the ecologist pays particular attention to the way that these relationships help define governmental forests policy in the periphery. Two examples can be given.

Firstly, in an essay on Equatorial Africa, the ecologist Marcus Colchester focuses on the progression from slavery through to colonialism and the modern state which, he argues, has led rural communities to the verge of collapse. Continuity between the policies under colonialism and those after independence has been "assured by an élite of French-educated Africans".¹²⁸ Colchester notes the importance of patron-client networks which "enrich the indigenous élite and outside commercial interests",¹²⁹ and he proceeds to note that, with regard to logging operations in the Congo, "foreign companies, or joint operations dominated by foreign capital, produce the vast bulk of the timber".¹³⁰

The similarity of Colchester's arguments with those of the dependency school is clear. However, the policy prescriptions recommended by Colchester fundamentally diverge from a dependency theory position. Colchester's central concern is the relationship between the ecological balance and the land rights of local rural communities. Whereas the dependency theorists would recommend a delinking between centre and periphery in order to achieve

development, Colchester argues that, for the ecological balance of the region to be restored, it is necessary to commence a "long and slow process of rebuilding community institutions and controls".¹³¹

Secondly, Nicholas Hildyard argues that it is "incontestable" that the chief perpetrators of ecological destruction in the South "are Northern interests, acting in conjunction with Southern élites".¹³² But Hildyard would not envisage further empowerment of Southern élites. This would not answer the central questions of "who owns the land, who controls decision-making, who should manage the commons, and in whose interest".¹³³ Like other ecologists, Hildyard advocates the empowerment of local communities.

Industrial development policies in forest regions, agricultural policies on the fringe of the forests, indeed a country's entire national development policy, interact with global dynamics, such as the demand for tropical timber, to cause deforestation. Agricultural credit policies, fiscal incentives for capital investment and investment regulations often increase levels of deforestation by effectively subsidising conversion of forests to other land uses. As previously noted, national legislation on issues such as tax incentives helps determine the area of land cleared for cattle grazing in Brazil. A further example, noted by Myers, is Ecuador where the Land Colonization Laws consider virgin forest to be "unproductive"; landless farmers can lay claim to this land by deforesting it.¹³⁴

National development policies often lead to population movements. Roads act as migratory channels. The cases of the BR-364 and the Pan-American highway, both financed in part by international capital, have already been noted. A further such project, also partly-financed by outside agencies, is the Trans-Sumatra highway in Indonesia. Highway construction inevitably leads to further deforestation as a result of the construction of feeder roads, new settlements and small-scale agriculture. The construction of the Trans-Sumatra

Highway was accompanied by a much-criticised transmigration programme designed to relieve population pressure on Java by moving people to less-densely populated areas such as Sumatra, Kalimantan and West Papua. This programme has been criticised by NGOs such as *The Ecologist* and Survival International, both for its contribution to deforestation and for its role in the eviction of traditional forest peoples from their customary land.¹³⁵

The fact that many population movements in tropical forest countries are enforced, as opposed to voluntary, led Westoby to adopt the term shifted cultivators,¹³⁶ in distinction to shifting cultivators. The latter are those people, usually indigenous to the forests, engaged in traditional slash-and-burn, or shifting, agriculture. However, shifted cultivators are the landless poor who are displaced as the result of loss of land. While shifted cultivators are agents of deforestation, the causes are those factors that cause displacement. These include dam construction, large-scale industrial agriculture and transmigration programmes. Myers notes that "shifted cultivators now cause more destruction of forests than all the other agents of deforestation combined".¹³⁷

The degree to which the dynamics arising from export-led dynamics impact on forests is partially a function of the host government's policy responses. National policies may accentuate the environmental impact of global dynamics, or they may attenuate them. Infrastructure created to service industries, such as roads or oil pipelines, has its own environmental impact. The effects of these causes can be modified and regulated at the national level, but cannot be fully arrested at this level. Unless a government and all other actors in a national economy were to follow a purely isolationist line, with no international trade, and with no connections to international agencies such as the World Bank and the IMF, it is inevitable that structural factors will impact on the environment.

Finally in this section it is necessary to note the

acid rain phenomenon. Acidic depositions of sulphur dioxide and nitrogen oxides may cause forest (and also crop and building) destruction. Heavily industrialised areas have been particularly prone to this type of forest destruction, especially in Europe and North America.¹³⁸

2.4.6 Wars and the Role of the Military

The role of military power in periphery countries receives some consideration in dependency literature. Guevara saw the army in many Latin American countries as an instrument of "the comprador bourgeoisie",¹³⁹ and early dependency theorists viewed military governments as forces for the status quo, protecting the comprador classes and repressing reformist forces advocating social change. Given that the dependency school produced the bulk of their early writing in the 1960s, they also focus on the role of the US military in challenging revolutionary regimes, such as in Vietnam and the Dominican Republic.¹⁴⁰ Here there is a difference between the dependency school and ecologists, with the latter focusing on the role of the military and of war in environmental destruction. Note also that some ecologists eschew the notion of "environmental security" on the grounds that such a concept will lead to increasing global militarisation and to the regimentation of society.¹⁴¹

The case of deforestation and defoliation during the Vietnam war is well-established in the public domain.¹⁴² More recently, linkages have been alleged between the civil war in Myanmar (formerly Burma) and the timber trade between Myanmar and Thailand. Harbinson argues that the Myanmar regime sells timber to the Thais to finance its civil war against the Karen hill tribe,¹⁴³ while Hopkinson notes a possible link between the Mounng Tai Army, a group engaged against the Myanmar government, and the Thai military.¹⁴⁴ Both writers note the importance of drug cultivation in the region, a factor that places additional strain on the forests. There is also a linkage between the financing of

the Khmer Rouge and the illegal timber trade across the Thai/Cambodia border, with Khmer Rouge guerillas in western Cambodia having entered into partnership with foreign timber merchants.¹⁴⁵

Utting notes forest destruction in El Salvador as the result of war. He also observes the contradictory positions of the US government in Central America in the 1980s:

While USAID took a leading role in environmental protection initiatives in the region, the United States government also became involved in the internal affairs of certain countries by actively financing, arming and training parties in armed conflict.¹⁴⁶

In 1994 the civil war in Rwanda between the Hutu and Tutsi tribes led to a refugee exodus from that country to Tanzania and Zaire. In the latter country, 850,000 refugees in the Goma area sought firewood and shelter, leading a United Nations spokesperson to express fears for the area's forests and national parks.¹⁴⁷

Having established a correlation between war and environmental degradation, it is also possible to establish a reverse linkage. Weinberg argues that in Central America the destruction of forests, driven in part by cattle ranching to supply the North American beef market, contributed to landlessness and social unrest. This, in turn, helped fuel the growth of guerilla movements in the 1970s and 1980s, which led to increased government military expenditure. But the

militarization of Central America has only succeeded in worsening the very crisis to which it is a response - including the ecological roots of that crisis.¹⁴⁸

Asides from their involvements in wars, the role of the military in deforestation has also attracted attention in both Southeast Asia and South America. Schücking and Anderson note that the international timber industry has been condoned by military élites in Indonesia, Myanmar and the Philippines.¹⁴⁹ Hecht and Cockburn argue that the role of the military was of paramount importance in the opening of the Brazilian Amazon, which senior military officers viewed as a frontier to be developed.¹⁵⁰ It is worth noting

here that, in contrast to the structuralist analysis noted above, Hecht and Cockburn focus purely on domestic actors, primarily the military; they consider that "the role of international capital in producing deforestation in the Amazon has been relatively minor".¹⁵¹ However, Plumwood and Routley, while agreeing that the military and corporate interests have pushed for Amazonian development, also draw attention to international capital, especially in highway construction.¹⁵² Despite Brazil's transition to democracy, the military remain a powerful voice in Brazilian politics with respect to the Amazon.¹⁵³

2.4.7 Poverty

Poverty receives some consideration by the dependency school. They consider that poverty among the poorer underclasses is rooted in the structure of the global political economy and is perpetuated by centre élites and the comprador class. The latter pursue their own interests rather than those of the poorer classes. Indeed the poor become "dysfunctional for the system" when money is spent on their subsistence needs.¹⁵⁴

Only brief consideration can be given to what is a highly complex subject. Poverty is one of the most hotly-contested issues, not just for forests, but in development and environment policy-making in general. Ecologists reject any suggestion that the poor cause deforestation.¹⁵⁵ However, it is quite a different proposition to argue that the poor are agents of deforestation, and that the causes of poverty lie in deeper structural factors. Once again the cause-agency distinction is important.

One view is that the issue of poverty cannot be considered without reference to the high consumption levels of the North, for example of timber and beef, which, it is alleged, drives deforestation more than poverty in the South.¹⁵⁶ Other views focus on South-to-North financial transfers. Reports from the United Nations Fund for Population Activities (UNFPA) and the UNDP both suggest that

net South-to-North financial transfers and other global inequities contribute to poverty. The UNFPA's 1992 annual report called for a direct attack on the roots of poverty, including unfair trade systems and international debt.¹⁵⁷ The UNDP revealed in April 1992 that the richest fifth of the world's population receives 150 times more the income of the poorest fifth,¹⁵⁸ a state of affairs that South-to-North financial flows inevitably worsens. SAPs, which insist on cuts in government spending in order to reduce budget deficits, also divert funds that could be spent on the welfare needs of the poor.

Poverty in tropical forest countries contributes to deforestation due to, for example, increased demand for woodfuel and land for agricultural smallholdings. Clearly certain causes of poverty lie at the country-level, such as national development policies that displace populations or give low priority to rural areas. High levels of expenditure on the military or on prestige projects in the South exacerbate poverty by diverting funds from rural areas and welfare programmes. Poverty in the South therefore has its origins in both national policy and global dynamics. However, poverty is not just a function of global economic forces and of government development policies. It is also related to two other factors to which attention will now turn, namely population growth and land inequities.

2.4.8 Population Growth

Population growth does not receive attention by the dependency school, and neither is it considered a cause of deforestation by the majority of ecologists. However, the subject is dealt with here as some analysts consider expanding populations to be a cause of deforestation.

There are two poles to the population debate. At one pole are the neo-Malthusians who argue that population growth will lead to environmental and human catastrophe. They see population growth as the critical factor in environmental degradation. For example, the Ehrlichs see

forest clearing in the tropics as driven by agriculture to feed increasing populations and "to meet the needs of cities for firewood and lumber".¹⁵⁹ At the other extreme are the ecologists, who counter arguments on population growth by focusing instead on land inequities, a subject that will be considered in the next section.

Other analysts, such as Norman Myers and Paul Harrison,¹⁶⁰ take a position between the neo-Malthusians and the ecologists and argue that population growth is a cause of deforestation, but one that acts in conjunction with other factors. Myers notes that the populations of tropical-forest countries expanded by 15 to 36 per cent during the 1980s while deforestation expanded by 90 per cent, largely because the populations of shifted cultivators, displaced from traditional farmlands, "are often increasing at rates far above the rates of nation-wide increase".¹⁶¹ Harrison links the fate of marginal people, who "live on the edge of the economy" with marginal environments, which are the least likely to be conserved in a market economy.¹⁶² "Marginal people and marginal environments are chained together and become the agents of each other's destruction".¹⁶³

Population growth is partially a function of poverty: it is well documented that family size declines as family income increases. Although demographic shifts alone do not cause deforestation, they do serve to magnify and reinforce other deforesting forces, such as migration into forests, and the demand for timber. Demand for woodfuel is also a factor. Leach and Mearns estimate that woodfuel collection accounts for between 60% and 95% of total national energy use in sub-Saharan Africa.¹⁶⁴ For the countries of the South African Development Coordination Conference, woodfuel provides "four-fifths of the total energy consumption".¹⁶⁵

The International Planned Parenthood Federation (IPPF) also draw attention to populations growth in environmental degradation. Like Myers and Harrison they see population growth as an important, but not the single most important, factor. An edition of *Earthwatch*, an IPPF publication,

argued that there exists a linkage between population growth and deforestation in the Amazon. José Serra-Vega forwards the view that

the expansion of family planning services into the Amazon will help bring down population growth rates in a region that is being inexorably eaten away by people and their needs.¹⁶⁶

The 1989 *Harare Declaration on Family Planning for Life*, issued by a conference co-sponsored by the IPPF and the Deutsche Gesellschaft für Technische Zusammenarbeit, noted the role of population growth in tropical forests despoliation, and also drew attention to "inappropriate lifestyles in developed countries".¹⁶⁷ The latter part of this statement was a clear reference to high consumption patterns in the North.

All agents of deforestation are human, and it follows that the more human beings there are, the more agents there are. However, such agents often partake in deforestation on behalf of, or as the result of policies implemented by, wider economic interests. Such policies frequently result in landlessness for those with no economic or political power. It is to the subject of landlessness that we now turn.

2.4.9 Inequities in Land Tenure

Dependency theorists note the commercialisation and commodification of land as a capitalist factor of production. They see land reform as a way of implementing social equity. A focus on inequities in land tenure and the role of the landless poor is also central to the ecological project. The ecologist's argument with respect to deforestation is that inequities in land tenure result in rural poverty, which drives the landless poor into tropical forests in search of land for agriculture. Dorner and Thiesenhusen see land reform as essential, if deforestation is to be curbed in the Amazon,¹⁶⁸ a view shared by Lutzenberger who argues that colonists enter the forest as land elsewhere is concentrated in the hands of economic interests.¹⁶⁹ John Witte advances a similar argument for

Zaire.¹⁷⁰

The necessity for land reform is a common theme that emerges from a series of studies conducted by the World Rainforest Movement. An element of the dependency approach is also visible in their work. Colchester concludes that it is clear that "inequitable patterns of land use and ownership in the tropics have been exaggerated by the incorporation of the third world into the global market".¹⁷¹ Lohmann supports the point; expanding markets deprive poor farmers of power and rights over their land.¹⁷² Friends of the Earth also adopt an analysis that is similar to the dependency school; inequitable land distribution restricts the poor to the least fertile agricultural lands, "whilst traditional élites reap most of the benefits of their countries' natural resources".¹⁷³

Harrison, who it was noted above occupies a position between the neo-Malthusians and the ecologists, does not see population growth and land tenure as mutually exclusive issues: "...the two accounts are not alternatives. Both are needed for a complete view. Population growth and inequality work together in a destructive synergy".¹⁷⁴

The analysis presented here emphasises how land concentration strengthens local economic élites and marginalises the poor, and fits into a neo-dependency framework. The view that land reform is a pre-requisite to curbing deforestation is now gaining currency. This is due in large measure to NGO pressure. Indeed the World Rainforest Movement have published on this subject with the specific intention of bringing the issue of agrarian reform "back into the international debate",¹⁷⁵ an objective that Porter and Brown would see as issue redefinition (See Chapter 1).

2.4.10 Natural Phenomena

A final category is that of natural phenomena, namely disasters such as storms, hurricanes, drought and severe frost. Such factors lie beyond direct human control. However, it should be noted that the question arises to what extent such environmental disasters are, to some extent at least, human-made as the result of, for example, altered landscapes and climate change.¹⁷⁶

2.5 Concluding Remarks

There is general consensus that the forces of deforestation lie outside the forest. David Cleary cautions against a purely forest-management approach to tackle deforestation in Brazilian Amazonia,¹⁷⁷ a view which finds favour with Birgegård who, arguing that deforestation occurs due to the demand for new agricultural land, advocates a diversion of resources from the forestry sector to the agricultural sector.¹⁷⁸

The purpose of this chapter has been to note that, despite certain dissimilarities, there exist common strands between the early dependency school and ecologism. Whereas the central concern of the early dependency school is underdevelopment, that of the ecologist is the degradation of nature. But the two use similar analyses. Both consider that a major barrier to the type of world they wish to inhabit lies in the global political economy. Both offer a critique of the effects of transnational capital. Both focus on the importance of alliances between the élites of North and South and on the role of TNCs. The transfer pricing of the TNCs identified by the Barnett Inquiry can be seen as a mechanism that transferred surplus from the periphery to the centre, an interpretation that fits a classic dependency view. However, the concern of ecologists is that TNC activity drives deforestation. The significance of the flow of wealth from South to North and the role of IMF SAPs are also central concerns of the dependency school and ecologism. George focuses on the relationship between debt

and deforestation, but her arguments about South-to-North financial flows would find favour with the dependency school.

How have those in the dependency school responded to the environmental crisis? In this respect it is interesting to consider recent work of two early dependency theorists. Frank departed from some of his earlier assumptions in 1983 when he argued that evidence of the

oppression, and/or the marginalisation of the majority of the population from 'development' ...has now raised serious doubts about the very concept of development as a progressive, integral, and integrating process in most of the (Third) world.¹⁷⁹

With such a view Frank moves himself towards the ecological school. A similar shift has been made by Samir Amin. In 1992, Amin restated much of the familiar dependency school theories; he criticised the role of SAPs in perpetuating poverty and inequalities in income distribution. He restated the environmental concerns he first articulated in his 1977 essay (Section 2.3 above), but proceeded further and introduced some ecological ideas. He stated that the ideology of development, in other word industrialisation or modernisation, has been "eroded ...to the point where it is now finished".¹⁸⁰ He then re-states, but also redefines, the importance of delinking. Delinking should not mean the severance of all economic and trade ties. In stating this, Amin departs from the earlier Frank notion of complete separation of centre from periphery in order to achieve development. Amin talks of an alternative development, which he does not fully define, but which is based on "the objective need for social justice and the development of peoples".¹⁸¹ In contrast to SAPs, which seek to adjust a country's economic relations to external factors, Amin sees delinking as the submission of external relations to the logic of internal development. The delinking principle is "a relative one depending on the circumstances. It has no clear or universal recipe for implementation".¹⁸²

The arguments presented in this chapter have two ramifications for regime theory. Firstly, given the vast

array of potential causes of deforestation, views on the exact nature and effects of the forces behind deforestation vary considerably. Chapter 3 will argue that the complex and dense interactions between the various causal processes described in this chapter have, to date, prevented the emergence of an epistemic community, or of epistemic communities, that can determine the relationships between the causal processes and quantify their precise effects on the world's forests.

Secondly, the analyses presented here strengthen the argument, first suggested in Chapter 1, that effective forest conservation can only take place if all actors involved in forest use observe the primacy of forest conservation as a norm. Examples have been noted in this chapter of non-state actors agreeing to adhere to the norm of forest conservation. The first example concerns the sets of guidelines for oil TNCs operating in tropical forests. The comments of NGOs, noted above, with respect to oil exploration in Ecuador suggest that these actors have nominally recognised the importance of forest conservation as a norm, but not to the extent that it has fundamentally changed the nature of their operations. It is unlikely that guidelines, such as the E & P guidelines, will fully avert deforestation, although they may promote behaviour that serves to minimise forest degradation. However in order to play an active role in ensuring forest conservation, oil TNCs would have to put forest conservation over and above all other considerations. The second example of an actor noting the importance of forest conservation concerns the World Bank. The Forest Sector Policy Paper that stated the Bank's commitment not to log primary rainforests will not serve to achieve forest conservation while the deeper structural factors of deforestation, which exist outside the forest, remain unchecked. It would also be necessary for all actors with a stake in the forest, both state and non-state, whose activities and operations impact, directly or indirectly, on the forest to desist from any activities that

may harm the forest. In short, all such actors would need to make forest conservation their most important single concern.

This chapter has adopted a neo-dependency view to argue that the causes of deforestation lie in the structure of global economic relations. In doing so, the chapter has exposed a fundamental weakness of regime theory namely that, in emphasising state actors, the activities of transnational economic actors are ignored. In order to arrest the causes of deforestation it has been emphasised that a global forests conservation regime will need to secure norm-governed behaviour not just from state actors, as the regime theorist emphasises, but also from all actors whose activities may result in deforestation. Section 3.4. of the next chapter will elaborate the author's view of the forest conservation problematic. The arguments presented in this chapter will form the basis of what will be referred to as the causal dimension of this problematic.

Notes to Chapter 2

1. Dobson argues that ecologism should be seen as an ideology. See Andrew Dobson, Green Political Thought, (London: HarperCollinsAcademic, 1990).
2. Peter M Haas, "Obtaining International Environmental Protection through Epistemic Consensus", Millennium: Journal of International Studies, Volume 19, No. 3, Winter 1990, p. 351.
3. Peter M Haas, "Do regimes matter? Epistemic communities and Mediterranean pollution control", International Organization, Volume 43, No. 3, Summer 1989, p. 385.
4. Wolfgang Sachs (ed.), "Global Ecology and the Shadow of 'Development'", in Wolfgang Sachs (ed.), Global Ecology: A New Arena of Political Conflict, (London: Zed Books, 1993), p. 11.
5. It is possible to distinguish between environmentalism and ecologism as two poles of a continuum of thought, with the former not prepared to question the ideology of the neo-liberal economic system. See David Humphreys, "Hegemonic Ideology and the International Tropical Timber Organisation", in John Vogler and Mark Imber (eds.), Environment and International Relations: Theories and Processes, (London: Routledge, forthcoming).
6. Chris Brown, "Development and Dependency", in Margot Light and A J R Groom, (eds.), International Relations: A Handbook of Current Theory, (London: Frances Pinter, 1985), p. 62.
7. Johan Galtung, "A Structural Theory of Imperialism", in Michael Smith *et al*, (eds.), Perspectives on World Politics, (London: Croom Helm/Open University, 1981), pp. 301-312. This piece is abbreviated from an earlier publication in Journal of Peace Research, Volume 13, No. 2, 1971, pp. 81-94.
8. Susanne Bodenheimer, "Dependency and Imperialism: the Roots of Latin American Underdevelopment", in Smith *et al*, op.cit., p. 318. This piece is abbreviated from an earlier publication in Politics and Society, Volume 1, No. 3, 1971, pp. 327-57.
9. Immanuel Wallerstein, The capitalist world-economy, (Cambridge: Cambridge University Press, 1979), p. 21.
10. Immanuel Wallerstein, "The Rise and Future Demise of the World Capitalist System: Concepts for Comparative Analysis", in Smith *et al*, op.cit., p. 375. This piece is abbreviated from an earlier publication in Comparative Studies in Society and History, Volume 16, No. 4, 1974, pp. 387-415. See also, Terence K Hopkins, Immanuel Wallerstein *et al*, "Patterns of the Modern-World System", in Terence K Hopkins, Immanuel Wallerstein *et al*, World-Systems Analysis: Theory and Methodology, (Beverly Hills, CA: SAGE Publications, 1982), pp. 41-89.
11. Wallerstein (1979), op.cit., p. 100.

12. André Gunder Frank, "World System in Crisis", in William R Thompson (ed.), Contending Approaches to World System Analysis, (London: SAGE Publications, 1983), p. 40.
13. André Gunder Frank, "The Development of Underdevelopment", in Robert I Rhodes (ed.), Imperialism and Underdevelopment: a reader, (New York: Monthly Review Press, 1970), p. 7. This piece first appeared in Monthly Review, September 1966, pp. 17-30. It is also published in abbreviated forms in James D Cockcroft *et al*, Dependence and Underdevelopment: Latin America's Political Economy, (Garden City NY: Anchor Books, 1972), pp. 3-17, and in Smith *et al*, op.cit., pp. 291-300.
14. Frank in Rhodes (ed.), op.cit., p. 10.
15. Susan Strange, "*Cave hic dragones*: a critique of regime analysis", in Stephen D Krasner (ed.), International Regimes, (Ithaca NY: Cornell University Press, 1983) p. 354.
16. Susan Strange, "States, firms and diplomacy", International Affairs, Volume 68, No. 1, 1992, p. 1-15. See also, John Stopford and Susan Strange, Rival states, rival firms: competition for world market shares, (Cambridge: Cambridge University Press, 1991), and Susan Strange, "Big Business and the State", Millennium: Journal of International Studies, Volume 20, No. 2, Summer 1991, pp. 245-50.
17. See, for example, John H Dunning, "Governments and Multinational Enterprises: From Confrontation to Cooperation?", Millennium: Journal of International Studies, Volume 20, No. 2, Summer 1991, pp. 225-244.
18. Dale L Johnson, "Dependence and the International System", in Cockcroft *et al*, op.cit., p. 91.
19. Stephen Hymer, "The Multinational Corporation and the Law of Uneven Development", in Smith *et al*, op.cit., pp. 337-349. This piece is abbreviated from an earlier publication in J N Bhagwati (ed.), Economics and World Order, (London: Collier-Macmillan, 1972), pp. 113-40.
20. Johnson in Cockcroft *et al*, op.cit., pp. 73-102.
21. Wallerstein (1979), op.cit., p. 281.
22. Wallerstein (1979), op.cit., p. 80. For a further assessment of the tensions that exist between the objectives of states, and those of TNCs see Lorraine Eden, "Bringing the Firm Back In: Multinationals in International Political Economy", Millennium: Journal of International Studies, Volume 20, No. 2, Summer 1991, pp. 197-224.
23. Immanuel Wallerstein, The politics of the world-economy: The states, the movements, and the civilizations, (Cambridge: Cambridge University Press, 1984), p. 54.
24. Johnson in Cockcroft *et al*, op.cit., p. 75.

25. Ibid., p. 95.
26. André Gunder Frank, "Sociology of Development and Underdevelopment of Sociology", in Cockcroft *et al*, op.cit., p. 369.
27. André Gunder Frank, Capitalism and Underdevelopment in Latin America: Historical Studies of Chile and Brazil. (New York: Monthly Review Press, 1967), p. 311.
28. Frank (1967), op.cit., p. 171.
29. David Deutschmann (ed.), Che Guevara and the Cuban Revolution: Writings and Speeches of Ernesto Che Guevara, (Sydney: Pathfinder/Pacific and Asia, 1987), p. 329.
30. George Lavan (ed.), Che Guevara Speaks: Selected Speeches and Writings. (Imo State, Nigeria: Zim Pan African Publishers, 1967), p. 30.
31. Deutschmann (ed.), op.cit., p. 307.
32. James D Cockcroft, André Gunder Frank and Dale L Johnson, "Introduction", in Cockcroft *et al*, op.cit., p. xxix.
33. Samir Amin, Imperialism and Unequal Development, (Hassocks, Sussex: Harvester Press, 1977), pp. 137-143.
34. Brown, op.cit., pp. 61-2.
35. See, for example, the collection of essays in: Wolfgang Sachs (ed.), The Development Dictionary: A Guide to Knowledge as Power, (London: Zed Books, 1992); and Sachs (ed.) (1993), op.cit.
36. Michael Redclift, Development and the Environmental Crisis: Red or Green Alternatives?, (London: Routledge, 1984), p. 122. It should be noted that Redclift is not writing here explicitly on the dependency school, but on the approach of "political economy". However, he uses the term "political economy" to denote "an approach to development which is derived principally from Marx" (p. 5), a definition which encompasses the dependency school.
37. Redclift, Ibid., p. 122.
38. See, for example, Rolston's distinction between intrinsic value and instrumental value: Holmes Rolston III, "Environmental Ethics: Values in and Duties to the Natural World" in F Herbert Bormann and Stephen R Kellert (eds.), Ecology. Economics. Ethics: The Broken Circle. (New Haven: Yale University Press, 1991), pp. 91-2.
39. Frank in Rhodes (ed.), op.cit., p. 5.

40. Saurin argues that the causes of deforestation can be found in the structure of internationalised capitalist relations. His analysis differs from the present one in that he does not use a neo-dependency analysis. See Julian C J Saurin, "Some Initial Notes Towards a Critical Analysis of the International Political Economy of Deforestation: A Paper for Discussion and Comment", presented to the Global Environmental Change Group of the British International Studies Association, 7 June 1991. [Citation made with the kind permission of the author, [pers.comm.](#) (University of Sussex), 18 November 1993.]
41. For a general critique of the destructive effects of internationally-sponsored development assistance, including its effects on the environment and local communities, see Marcus Linear, Zapping the Third World: The Disaster of Development Aid, (London: Pluto Press, 1985).
42. Anthony L Hall, Developing Amazonia: Deforestation and social conflict in Brazil's Carajás programme, (Manchester: Manchester University Press, 1989), and Jackie Williams, "Carajás: the great whitewash", The Guardian, 6 December 1991, p. 30.
43. See, for example: David Price, Before the Bulldozer: The Nambiquara Indians and The World Bank, (Washington DC: Seven Locks Press, 1989); Alexander Shankland, "Brazil's BR-364 Highway: A Road to Nowhere?", The Ecologist, Volume 23, No. 4, July/August 1993, pp. 141-7; and Graham Hancock, Lords of Poverty, (London: Macmillan, 1989), pp. 131-3.
44. Andy Crawthorne, "Missing Links: The Darien Gap", New Internationalist, October 1993, p. 30.
45. See, for example, Barbara J Cummings, Dam the Rivers, Damn the People: Development and Resistance in Amazonian Brazil, (London: Earthscan, 1990).
46. The Pergau dam controversy of 1994 was contentious not only because of the deforestation that the construction of the dam caused in Malaysia, but also due to allegations of political corruption in the United Kingdom. See Tony German, "The hand that feeds itself", The Guardian, 11 February 1994, p. 14.
47. José Lutzenberger, "Brazil's Amazonian Alliance", The Ecologist, Volume 17, No. 4/5, July/November 1987, p. 191.
48. Kenneth Piddington, "The Role of the World Bank", in Andrew Hurrell and Benedict Kingsbury (eds.), The International Politics of the Environment: Actors, Interests and Institutions, (Oxford: Clarendon Press, 1992), esp. pp. 216-8.
49. World Wide Fund for Nature, The World Bank's New Forestry Policy Brief: A WWF Position, (Gland: Switzerland: WWF International, September 1990).
50. World Bank, The Forest Sector: A World Bank Policy Paper, (Washington DC: World Bank, 1991), p. 65. See also, Chapter 5, "Forest Activities" of World Bank, The World Bank and the Environment: A Progress Report, Fiscal 1991, (Washington

DC: World Bank, 1991), pp. 80-92.

51. Friends of the Earth, Special Briefing. The World Bank's 'Forestry and Environment' Project for Gabon: A Test Case for the World Bank's New Forest Policy. (London: Friends of the Earth, September 1992).

52. For two evaluations from Friends of the Earth of the effects on tropical forest countries of aid from Britain's Overseas Development Administration, see Teresa Hayter, Exploited Earth: Britain's Aid and the Environment. (London: Earthscan/Friends of the Earth, 1989), and Jonathan Porritt, How Green is Britain?: the government's environmental record. (London: Hutchinson Radius/Friends of the Earth, 1990), especially Chapter 12, "Overseas Aid and the Tropical Rainforests", pp. 188-203

53. See: Bruce Rich, "The Cuckoo in the Nest: Fifty Years of Political Meddling by the World Bank", The Ecologist, Volume 24, No. 1, January/February 1994, pp. 8-13; and Bruce Rich, Mortgaging the Earth: The World Bank. Environmental Impoverishment and the Crisis of Development. (London: Earthscan, 1994).

54. United Nations Centre on Transnational Corporations, Transnational Banks and the International Debt Crisis (Report ST/CTC/96). (New York: United Nations, 1991).

55. World Commission on Environment and Development, Our Common Future. (Oxford: Oxford University Press, 1987), p. 68.

56. Simon Rietbergen, "Africa", in Duncan Poore *et al*, No Timber Without Trees: Sustainability in the Tropical Forest. (London: Earthscan, 1989), p. 64.

57. There is room for considerable confusion over the figure of net South-to-North financial flows. According to Myers, in 1988 countries of the South paid "\$50 bn. more in debt repayments to their Northern creditors than they received in aid, public loans and private investments": Norman Myers, Deforestation Rates in Tropical Forests and their Climatic Implications. (London: Friends of the Earth, December 1989), p. 48. In 1989, the Deputy Executive Director of UNICEF stated that "taking into account loans, aid, repayments of interest and capital there is now a net transfer of at least \$20 bn. a year from developing countries to industrialised countries": Richard Jolly, "The Human Dimensions of International Debt", in Adrian Hewitt and Bowen Wells (eds.), Growing Out of Debt: All Parliamentary Group on Overseas Development. (London: Overseas Development Institute, 1989), p. 53. In the same volume, the European Commissioner for North-South Relations claimed that "the net transfer from Latin America to the industrialised countries" has reached the order of \$30 billion p.a., although it is now falling: Claude Cheysson, "Global Solutions to a Global Problem: The Role of the European Community" in Ibid., p. 69.

Interestingly countries from, or IGOs representing, the South, while frequently referring to net South-to-North financial transfers, usually resist citing a figure. The Tenth Meeting of the Non-Aligned Movement referred only to "crippling net negative transfers": see "Tenth Conference of Heads of State or Government of Non-Aligned Countries, Jakarta, 1 - 6 September 1992: Final Documents", p. 76. It also will be

seen in Chapter 6 that the phenomenon of net South-to-North transfers was persistently introduced by the South in the forest negotiations of the UNCED process, but that the national delegations which introduced the concept, usually those from the Group of 77, did not cite a figure.

The confusion and controversy on this subject accrues, in large measure, on problems of definition, such as what constitutes "North" and "South" and, more importantly, what types of resource flows should be included in the net figure? A figure taking into account only, for example, debt repayments from the South less aid donated to the South will tell a different story to a set of figures taking into account Northern public and private investment in Southern countries. With respect to the latter, the World Bank reports net North-to-South flows. "In 1992, aggregate net resource flows - that is, net flows on long-term debt, grants excluding technical assistance, and net flows on equity investments (foreign direct investments and portfolio equity investment) - to all developing countries ...[reached] an all-time high of US\$158 billion". "Aggregate net resource transfers (that is, net resource flows, less interest on debt and profits on equity investment) rose sharply too, reaching US\$80 billion in 1992". See, World Bank, World Debt Tables 1993-94: External Finance for Developing Countries, Volume I, Analysis and Summary Tables, (Washington DC: World Bank, 1994), p. 9. See also Tables 1.1 and 1.2 on pp. 10-11 of this publication.

58. Andrew Hurrell, "Brazil and the International Politics of Amazonian Deforestation", in Hurrell and Kingsbury (eds.), op.cit., p. 425.

59. Susanna Hecht and Alexander Cockburn, The Fate of the Forest: Developers, Destroyers and Defenders of the Amazon, (London: Penguin, 1989), p. 109.

60. Antonio Carlos Diegues, The Social Dynamics of Deforestation in the Brazilian Amazon: An Overview, United Nations Research Institute for Social Development, Discussion Paper 36, (Geneva: UNRISD, July 1992), pp. 8-9.

61. Susan George, A Fate Worse than Debt, (London: Penguin, 1988), p. 156.

62. Susan George, The Debt Boomerang: How Third World Debt Harms Us All, (London: Pluto Press, 1992), p. xix.

63. Patricia Adams, Odious Debts: Loose Lending, Corruption And the Third World's Environmental Legacy, (London: Earthscan, 1991), especially Chapter 5, "The Debt Crisis' Silver Lining", pp. 49-57.

64. The World Bank have taken an interest in this subject. See, Stein Hansen, Debt for Nature Swaps: Overview and Discussion of Key Issues, World Bank Policy Planning and Research Staff, Environment Department Working Paper No. 1, (Washington DC: World Bank, February 1988).

65. As noted in World Wide Fund for Nature, ITTO: Tropical Forest Conservation and the International Tropical Timber Organization, WWF Position Paper 1, (Gland, Switzerland: WWF International, June 1988), p. 6.

66. For example, Barbara J Bramble, "The Debt Crisis: The Opportunities", The Ecologist, Volume 17, No. 4/5, July/November 1987, pp. 192-9.
67. Rhona Mahony, "Debt-for-Nature Swaps: Who Really Benefits?", The Ecologist, Volume 22, No. 3, May/June 1992, pp. 97-103.
68. World Wide Fund for Nature, Tropical Forest Conservation. WWF Position Paper 7, (Gland, Switzerland: WWF International, September 1991), p. 11.
69. "Report of the Latin America and Caribbean NGO Preparatory Conference for Input into UNCED 92", 1st-3rd October 1991, São Paulo, Brazil, prepared by ADFG-Amigos da Terra (FoE Brazil) and REDES (FoE Uruguay), FoE Link, December 1991, Issue 46, p. 23.
70. Friends of the Earth, Tropical Rainforests & Third World Debt. Briefing Sheet, (London: Friends of the Earth, September 1991).
71. Fred Pearce, "France swaps debt for rights to tropical timber", New Scientist, 29 January 1994, p. 7.
72. Robin Broad *et al*, "Sustainable Development in the 1990s", in Chester Hartman and Pedro Vilanova (eds.), Paradigms Lost: The Post Cold War Era, (London: Pluto Press, 1992), p. 94.
73. Karen Hansen-Kuhn, "Sapping the Economy: Structural Adjustment in Costa Rica", The Ecologist, Volume 23, No. 5, September/October 1993, pp. 179-84.
74. Dominic Hogg, The SAP in the Forest: The Environmental and Social Impacts of Structural Adjustment Programmes in the Philippines, Ghana and Guyana, (London: Friends of the Earth, September 1993).
75. George (1992), op.cit., p. 3.
76. Hancock, op.cit., pp. 61-6
77. Gérald Berthoud, "Market", in Sachs (ed.) (1992), op.cit., p. 73.
78. Third World Resurgence, Issue No. 28, 1992: Susan George, "Debt as warfare: An overview of the debt crisis", pp. 14-19; IFDA Dossier, "An indictment of the IMF and the World Bank", pp. 21-3; Michel Chossudovsky, "Feeding on poverty: India under IMF rule", pp. 24-7; Obinna Anyadike, "Structural Adjustment: No light at the end of the tunnel", p. 28; Toyé Olori, "Nigeria: No gain from the pain", p. 29; Anon., "Ghana: An illusion of success", pp. 30-1; and Anon., "Chile: A 'success story' - but for whom", pp. 32-3.
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82. Hecht and Cockburn, op.cit., p. 151.
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85. Susanna Hecht, "Landlessness, Land Speculation and Pasture-led Deforestation in Brazil", in Marcus Colchester and Larry Lohmann (eds.), The Struggle for Land and the Fate of the Forests, (London: Zed Books, 1993), pp. 164-178. See also Hecht and Cockburn, op.cit., pp. 105-9.
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98. For an argument that deforestation in South-East Asia is caused by exploitation of natural resources, including timber, for Western markets see: Philip Hurst, Rainforest Politics: Ecological Destruction in South-East Asia, (London: Zed Books, 1990). The role of the timber trade in deforestation is also documented in the following: Harrison Ngau *et al*, "Malaysian Timber: Exploitation for Whom?", The Ecologist, Volume 17, No. 4/5, July/November 1987, pp. 175-79; Francois Nectoux, "The Timber Trade", The Ecologist, Volume 17, No. 4/5, July/November 1987, p. 185; and Korinna Horta, "The Last Big Rush for the Green Gold: The Plundering of Cameroon's Rainforests", The Ecologist, Volume 21, No. 3, May/June 1991, pp. 142-47.

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101. Anon., "Indonesia: Shades of green", The Economist, 18 April 1992, pp. 64-6; John Vidal, "High stakes in the rainforest: Mo 'Bob' Hasan controls much of South-east Asia's forestry", The Guardian, 19 October 1990, p. 29; Michael Ginnings, "Indonesia gets tough", Asian Timber, July/August 1990, pp. 38-40.

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103. The Report of the Commission of Inquiry into Aspects of the Timber Industry in Papua New Guinea, led by Judge Thomas Barnett, ran to 5,500 pages. Attempts were made to suppress the findings of the report, which was not published in its entirety. However a summary of the report has been published by the Asia Pacific Action Group (PO Box 693, Sandy Bay, Tasmania, Australia). See Asia Pacific Action Group, The Barnett Report: A Summary of the Report of the Commission of Inquiry into Aspects of the Timber Industry in Papua New Guinea, (Hobart, Tasmania: Asia Pacific Action Group, November 1990). This publication was edited by George Marshall and has been endorsed by Barnett as "in general terms, an accurate reflection" of the Commission's

findings (p. 8).

104. Stephen Hymer notes that transfer pricing by TNCs effectively transfers surplus from the periphery to the centre. See Hymer in Smith *et al*, op.cit., p. 343.

105. The London Rainforest Action Group (LRAG) has played a useful role in disseminating information on transfer pricing. Established by George Marshall, who edited the Asia Pacific Action Group's summary of the Barnett Report, the LRAg describes the phenomena of transfer pricing in London Rainforest Action Group, "Media Briefing Pack: The Role of Japanese Companies in World Rainforest Destruction (prepared for the European Day of Action to Protest the Role of Japanese Companies in Rainforest Destruction)", 22 October 1990.

106. Barnett Commission of Inquiry Final Report, vol. 1, p. 7, cited in Asia Pacific Action Group, op.cit., p. 15.

107. Asia Pacific Action Group, op.cit.

108. Ibid., p. 16.

109. As noted in George Marshall, "The Political Economy of Logging: The Barnett Inquiry into Corruption in the Papua New Guinea Timber Industry", The Ecologist, Volume 20, No. 5, September/October 1990, p. 174. Marshall's article summarises the principal findings of the Barnett Inquiry, and also reports other examples of Japanese TNCs full- or part-ownership of subsidiary companies in Papua New Guinea.

110. Asia Pacific Action Group, op.cit., p. 17, and Ibid., p. 176.

111. TRAFFIC stands for Trade Records Analysis of Fauna and Flora In Commerce. TRAFFIC International is an international NGO which is financially supported by, and is the headquarters of the wildlife trade monitoring programme of, WWF and IUCN. It has a close cooperative relationship with the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

112. Debra J Callister, Illegal Tropical Timber Trade: Asia-Pacific - A TRAFFIC Network Report. (Cambridge: TRAFFIC International, 1992), p. 6.

113. Ibid., p. 73.

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115. Germelino M Bautista, "The Forestry Crisis in the Philippines: Nature, Causes, and Issues", The Developing Economies, XXVIII-1, March 1990, p. 70.

116. Friends of the Earth, Plunder in Ghana's Rainforest for Illegal Profit: An exposé of corruption, fraud and other malpractices in the international timber trade, Volume 1, Main Findings, (London: Friends of the Earth, March 1992).

117. George Monbiot, Mahogany is Murder: Mahogany Extraction from Indian Reserves in Brazil. (London: Friends of the Earth, August 1992). See also Oliver Tickell, "Britain's mahogany suppliers guilty of illegal logging: A saw point in Brazil", The Guardian, 15 October 1993, p. 19.
118. John Simpson, In the Forests of the Night: Encounters in Peru with Terrorism, Drug-Running and Military Oppression. (London: Hutchinson, 1993).
119. Scott B MacDonald, Mountain High, White Avalanche: Cocaine and Power in the Andean States and Panama (The Washington Papers/137). (New York/Washington DC: Praeger/The Center for Strategic and International Studies, 1989), pp. 65-6.
120. International Narcotics Control Board (Vienna), Report of the International Narcotics Control Board for 1990. (New York: United Nations, 1990), para. 190, p. 36.
121. Noll Scott and Chris Taylor, "Peruvian president says cocaine blighting Amazon", The Guardian, 7 February 1991, p. 12.
122. This was noted in the annual report of General Rosso Serrano, commander of Colombia's Police Narcotics Brigade, as reported by Timothy Ross, "Colombian drug barons open new smuggling route", The Independent, 3 January 1992. See also Timothy Ross, "Why the drug barons are talking green", The Independent, 30 March 1992, p. 20.
123. International Narcotics Control Board (Vienna), Report of the International Narcotics Control Board for 1992. (New York, United Nations, 1992), para. 327, p. 45.
124. International Narcotics Control Board (1990), op.cit., para. 167, pp. 33-4.
125. Ibid., para. 197, p. 37.
126. Anon. (Our Special Correspondent in Guatemala), "Cutting down the Mayan world", The Economist, , 25 September 1993, p. 73.
127. George (1992), op.cit., pp. 34-62.
128. Marcus Colchester, "Slave and Enclave: Towards a Political Ecology of Equatorial Africa", The Ecologist. Volume 23, No. 5, September/October 1993, pp. 168.
129. Ibid., p. 166.
130. Ibid., p. 169.
131. Ibid., p. 172.
132. Nicholas Hildyard, "Green Dollars, Green Menace", The Ecologist. Volume 22, No. 3, May/June 1992, p. 82.

133. Ibid., p. 83.

134. Myers (1989), op.cit., p. 17.

135. See the edition of The Ecologist on "Indonesia's Transmigration Programme: A Special Report in collaboration with Survival International and Tapol", Volume 16, No. 2/3, 1986, especially: Marcus Colchester, "Banking on Disaster: International Support for Transmigration", pp. 61-70; Charles Secrett, "The Environmental Impact of Transmigration", pp. 77-88; and Marcus Colchester, "The Struggle for Land: Tribal Peoples in the Face of the Transmigration Programme", pp. 99-110.

136. Jack Westoby, Introduction to World Forestry: People and Their Trees, (Oxford: Basil Blackwell, 1989), cited in Myers (1989), op.cit. p. 7.

137. Myers, Ibid., p. 7, and Myers in Leggett (ed.), op.cit., p. 374.

138. See James J MacKenzie and Mohamed T El-Ashry (eds.), Air Pollution's Toll on Forests and Crops, (New Haven: Yale University Press, 1989), and Howard Bridgeman, Global Air Pollution: Problems for the 1990s, (London: Belhaven, 1990).

139. Lavan (ed.), op.cit., p. 56.

140. See, for example, James D Cockcroft, "Last Rites for the Reformist Model in Latin America", in Cockcroft *et al*, op.cit., pp. 115-149.

141. Matthias Finger, "The Military, the Nation State and the Environment", The Ecologist, Volume 21 No. 5, September/October 1991, pp. 220-225.

142. Vietnam lost 44% of its rainforests as the result of herbicide defoliation during the war: Val Plumwood and Richard Routley, "World Rainforest Destruction - The Social Factors", The Ecologist, Volume 12, No. 1, 1982, p. 11

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145. Victor Mallet, "Cambodia powerless to prevent plundering of its forests", Financial Times, 20 August 1992. On 28th April 1993, four British Members of Parliament placed a motion before the House of Commons calling for an increased United Nations presence in Cambodia and the prosecution of the Khmer Rouge leadership. The motion also called for "trade sanctions against Thailand to be considered if that country continues to encroach on Cambodian sovereignty and to facilitate trade in timber across the Thai/Cambodia border". See, House of Commons, Notice of Motions, No. 163, 28th April 1993, Motion 1881, p. 8026.

146. Peter Utting, Trees, people and power, (London: Earthscan, 1993), p. 167.

147. Anon., "Refugees' fight for survival threatens landscape", The Independent, 13 October 1994, p. 15.
148. Weinberg, op.cit. p. 41.
149. Heffa Schücking and Patrick Anderson, "Voices Unheard and Unheeded" in Vandana Shiva *et al*, Biodiversity: Social and Ecological Perspectives. (London: Zed Books, 1991), p. 20.
150. See Chapter Six, "The Generals' Blueprint", in Hecht and Cockburn, op.cit., pp. 104-141,
151. Ibid., p. 108.
152. Plumwood and Routley, op.cit., p. 11.
153. Jan Rocha, "Brazil's army calls for 'war' in Amazon", The Guardian, 30 May 1990.
154. James D Cockcroft, André Gunder Frank and Dale L Johnson, "Introduction" in Cockcroft *et al*, op.cit., p. xix.
155. See, for example, Vandana Shiva, Forestry Crisis and Forestry Myths: A Critical Review of "Tropical Forests: A Call for Action", (Penang: World Rainforest Movement, 1987).
156. This argument was presented several times by countries of the South during the UNCED process as Chapter 6 of this thesis will outline. NGOs have also drawn attention to the role of Northern consumption levels in the role of environmental degradation in, Friends of the Earth, Poverty, Population and the Planet, (London: Friends of the Earth, December 1992), p. 4.
157. UNFPA, The State of the World Population 1992, cited by Fred Pearce, "Greed is greatest threat to planet", New Scientist, 2 May 1992, p. 7.
158. UNDP figures cited by Victoria Brittain, "Third World cries out for a 21st century Keynes", The Guardian, 24 April 1992, p. 13.
159. Paul R Ehrlich and Anne H Ehrlich, The Population Explosion, (London: Hutchinson, 1990), p. 116.
160. Harrison refers not to the ecological school but to the "radical school". To all intents and purposes the views of the two are one and the same.
161. Myers in Leggett (ed.), op.cit., p. 390.
162. Harrison, op.cit., pp. 126-7.
163. Ibid., p. 127.

164. Gerald Leach and Robert Mearns, Beyond the Woodfuel Crisis: People, Land and Trees in Africa. (London: Earthscan, 1988), p. 1.
165. Barry Munslow *et al*, The Fuelwood Trap: A Study of the SADCC Region. (London: Earthscan, 1988), p. 5. There are nine countries in the Southern African Development Coordination Conference, namely Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe.
166. José Serra-Vega, "Andean settlers rush for Amazonia", Earthwatch, No. 39, Third Quarter, 1990, p. 9. Serra-Vega's view that population planning is necessary to arrest deforestation are shared by others associated with the IPPF. See, Don Hinrichsen, "People and forests: what future?", esp. p. 3, and Jacqueline Sawyer, "Tropical forests - multiple use, not multiple abuse", esp. p. 6, in the same edition of Earthwatch. See also the special edition on population and the environment of Populi: Journal of the United Nations Population Fund, Volume 18, No. 3, September 1991, esp. Don Hinrichsen, "The Need to Balance Population with Resources: Four Case Studies", pp. 27-38.
167. "Harare Declaration on Family Planning for Life", Harare, Zimbabwe, 6 October 1989. The conference was held from 1-7 October 1989 and was attended by representatives of African family planning associations, the World Population Foundation and the World Bank.
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171. Marcus Colchester, "Colonizing the Rainforests: the Agents and Causes of Deforestation", in Colchester and Lohmann (eds.), op.cit., pp. 11-12.
172. Larry Lohmann, "Against the Myths", in Colchester and Lohmann (eds.), Ibid., p. 16
173. Friends of the Earth (December 1992), op.cit., p. 9.
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175. Colchester, in Colchester and Lohmann (eds.), op.cit., p. 10.
176. The importance of this question is noted by Dhram Ghai, Conservation, Livelihood and Democracy: Social Dynamics of Environmental Changes in Africa. United Nations Research Institute for Social Development Discussion Paper 33. (Geneva: UNRISD, March 1992), p. 4, and by Vandana Shiva, "Resources", in Sachs

(ed.), op.cit., p. 212.

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181. Ibid., p. 35.

182. Ibid.

CHAPTER 3

AGENDA-FORMATION, EPISTEMIC

CONSENSUS AND PROBLEM FORMULATION

3.1 Introduction

This chapter will deal with the emergence of the issue of deforestation on the international agenda, and will consider the way in which the issue was defined. Deforestation can be defined as the conversion of forests to other land uses. We can differentiate between forest degradation and deforestation. A United Nations document defines *deforestation* as occurring when "a forest is cleared to give way to another use of the land". *Forest degradation* occurs "when the species diversity and the biomass are significantly reduced through, for instance, unsustainable forms of forest utilisation".¹ Norman Myers refers to deforestation as "the complete destruction of forest cover... [where] not a tree remains and the land is given over to non-forest purposes".² Tropical deforestation became a source of international concern in the late-1970s, before deforestation of temperate and boreal forests which only received high-level international attention in the late 1980s. Indeed the destruction of non-tropical forests has yet to assume the same prominence as tropical deforestation.

The central theoretical concept that will be explored in this chapter is Haas's theory of epistemic communities. It will be argued that Haas's theory requires modification; where Haas talks as if there is always a single epistemic community contributing to regime formation there may in fact be more than one. For example, in the case of the creation of the ozone regime, two separate and discrete epistemic communities existed. These communities dealt with, firstly, the causes and, secondly, the effects, of ozone layer depletion. The first epistemic community, composed

principally of atmospheric scientists and meteorologists, established the linkage between emissions of chlorofluorocarbons (CFCs) and ozone layer depletion. The second, composed of medical scientists, established a linkage between ozone layer depletion and effects such as increased incidences of skin cancer. It is the second linkage that catalysed the formation of the regime. If there were no ramifications for human health, policy-makers may not have been so concerned about the first linkage. However, epistemic consensus was necessary on both linkages. Similarly, Haas argues that an epistemic community helped in the formation of the Mediterranean Action Plan, which aims to reduce pollution in the Mediterranean sea. Again Haas has identified not one, but two, epistemic communities; the first established the causes of Mediterranean pollution, while the second identified its effects on the marine environment.

What are the ramifications of the above line of reasoning for forest destruction? In the case of both ozone depletion and Mediterranean pollution there exists simple, direct cause and effect relationships. However, in the case of deforestation this is not the case. As Chapter 2 explained, there are several interacting causes of deforestation, and in this chapter it will be seen that there are several effects that result from deforestation. Nonetheless, we can apply the above modification of epistemic community theory to deforestation. The probability of successful conclusion of a global forests conservation regime would be increased if two authoritative linkages, or sets of linkages, were established. The first would view deforestation as an outcome, and would seek to identify the causes of this. The second linkage would see deforestation as a causal factor, and would seek to identify its effects. This may result in either two epistemic communities or two sets of epistemic communities. There may exist one epistemic community seeking to establish all the causes of deforestation, or alternatively there may exist several

epistemic communities, each dealing with one, or more than one but not all, the causes of deforestation. Similarly, there may exist one epistemic community seeking to establish all the effects of deforestation, or alternatively there may exist more than one epistemic communities dealing with one, or more than one but not all, the effects of deforestation.

Section 3.2 will deal with deforestation as an effect, and will argue that there exists two distinct epistemic communities which governments have recognised, both of which focus on a different effect of deforestation. Section 3.3 will explain the reasons for the emergence of deforestation as an international issue. This section will also argue that there is no epistemic consensus on the causes of deforestation. Section 3.4 will then outline the author's formulation of the forest conservation problematic.

3.2 Epistemic Consensus and the Importance of Tropical Rainforests

This section will argue that broad epistemic consensus exists on the global importance of forests, in particular on tropical rainforests. It will be seen that the Haas notion of a cooperative arrangement embracing state power and epistemic communities has emerged with respect to two linkages, namely on the relationship between deforestation and global warming, and on the relationship between deforestation and the destruction of biological diversity (biodiversity).

Global warming occurs due to increased atmospheric concentrations of greenhouse gasses resulting in net increases in the global mean temperature. The atmospheric process by which greenhouse gasses contribute to temperature increases is known as radiative forcing. There are four principal greenhouse gasses, namely carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O) and CFCs. The effects of global warming are potentially calamitous. It has been predicted that severe global warming will result in, *inter alia*, changes in global patterns of agricultural

productivity, and in a melting of the Arctic and Antarctic ice caps leading to a net rise in sea levels which would threaten coastlines worldwide.

Epistemic consensus has emerged on the role of greenhouse gasses in global warming and, of particular relevance to this thesis, on the relationship between CO₂ levels in the atmosphere, deforestation and global warming. However, although epistemic consensus on this relationship has steadily accumulated, there remains a degree of scientific uncertainty on the phenomenon of global warming.³

A major research project which contributed to epistemic consensus on the linkage between deforestation and global warming was the twenty-ninth report of the Scientific Committee on Problems of the Environment (SCOPE) of the International Council of Scientific Unions (ICSU). SCOPE was established at the twelfth General Assembly of the ICSU convened in Paris in 1968, and it has a close working relationship with other organs within the ICSU family, most notably the International Union of Biological Sciences and the International Union of Geodesy and Geophysics.⁴ The report - SCOPE 29 - was published in 1986 and dealt mainly with the impact of global warming, but also noted the role played by deforestation in increased concentrations of atmospheric CO₂.⁵

In what ways may individuals from NGOs fit in to Haas's epistemic community concept? Haas emphasises that epistemic communities are a new form of cooperation. They are composed not of individuals from a single organisation, or even a single type of organisation. The membership of an epistemic community is drawn from, and cuts across, a large variety of organisations and institutions. Epistemic communities are not, stresses Haas, interest groups; unlike members of an interest group, members of an epistemic community would withdraw from a policy debate "[i]f confronted with anomalies that undermined their causal beliefs".⁶ However, Haas does acknowledge that NGOs can contribute to the findings of an epistemic community.⁷ One way that NGO

representatives may contribute to epistemic community formation is through participation in what Peter Willetts has termed international quasi autonomous non-governmental organisations (iquangos), that is fora in which both government delegations and NGO members participate.⁸ The reader will recall from Chapter 1 that IUCN and ICSU may be considered iquangos. NGOs may also employ trained scientists to undertake research, thus making a direct input to an epistemic community.

Individuals from, or employed as consultants by, NGOs have helped to establish the linkage between deforestation and global warming,⁹ and have noted that not only does deforestation contribute to global warming, but that global warming will, in turn, pose a renewed threat to nature conservation.¹⁰ In a report commissioned by Friends of the Earth, Myers estimates that "the share of global warming attributable to tropical deforestation could now be at least 18 to 19 percent".¹¹ (Myers' estimate includes both CO₂ and other greenhouse gasses, such as CH₄ and N₂O.) According to Porter and Brown, estimates of the CO₂ component of the burning of tropical forests in greenhouse gas emissions vary between 10 and 30%,¹² while the Worldwatch Institute notes a range of 20 to 30%.¹³

In addition, a vast number of other publications and conferences have added to the epistemic consensus, only some of which can be mentioned here. It has been estimated that 86% of global above ground carbon is stored in forests, with 73% of soil carbon contained in forest soils.¹⁴ Colin Clark used data obtained from "natural experiments", unlike most estimates which are based on climate modelling. He concluded that the effects of temperature increases from tropical deforestation on local and wider climatic systems will be "more widespread than has been expected hitherto",¹⁵ although his experiments did not allow him to draw conclusions on global climatic change. Michael Grubb notes the contribution to CO₂ emissions of forest burning for woodfuel.¹⁶

In addition, hybrid fora have contributed to consensus on this linkage. In 1991 the 10th World Forestry Congress dealt with numerous forest and forest-related issues, including the relationship of deforestation with climate change.¹⁷ But the forum that possibly made the greatest contribution to epistemic consensus on the linkage was the Intergovernmental Panel on Climate Change (IPCC).¹⁸ This published its first report in 1990, and noted that for the period 1980-1990,

Deforestation, biomass burning including fuelwood, and other changes in land-use practices release CO₂, CH₄ and N₂O into the atmosphere and together comprise about 18 percent (with an uncertainty range of 9-26 percent) of the enhanced radiative forcing.¹⁹

Furthermore, an IPCC Working Group report noted that the climatic impact of deforestation may not be solely limited to greenhouse gas emissions. Other potential effects include changes to the hydrological cycle and increases in the reflectivity of deforested land.²⁰ The IPCC presented its findings to the Second World Climate Conference (SWCC) which was held in Geneva from 29 October to 7 November 1990. Unlike the First World Climate Conference (1979), which was primarily a scientific forum, the SWCC was attended by both scientists and governmental delegations. NGOs also attended as observers.

At this juncture let us note again that the form of international cooperation which Haas identifies is driven in part by state power and in part by the findings of epistemic communities. One of the first stages in the evolution of such cooperation is the recognition by governmental leaders and national legislatures of the findings of an epistemic community and their acceptance of these findings as authoritative and as the basis for future policy. Four such examples can be cited. There are, of course, many more.

Firstly, the Dutch government, in a policy paper published in 1992, noted the role that tropical forests play in regulating micro, local and regional climates, and "in maintaining atmospheric balances throughout the world".²¹

Secondly, the report of the Enquete Commission on Climate Change of the German Bundestag also noted the role that forests play in climate regulation.²² Thirdly, the Environment Committee of the British House of Commons investigated the linkages between climate change and rainforest destruction during the course of which they invited experts, including NGO representatives, to give evidence.²³ The British government's reply to this report noted that there "appears to be broad agreement as to the contribution of rainforest destruction, through burning, to global CO₂ emissions".²⁴

However, the greatest single endorsement that governments gave to the findings of the epistemic community occurred at the SWCC. For example British Prime Minister Margaret Thatcher noted that "we must not waste time and energy disputing the IPCC's report ...The International Panel's work should be taken as our signpost",²⁵ a statement which is a clear recognition by a politician of epistemic consensus. Politicians from other countries also gave their support. The Conference Statement of the SWCC, endorsed by both scientists and politicians, endorsed *inter alia* epistemic consensus on the relationship between deforestation and global warming:

Emissions resulting from human activities are substantially increasing atmospheric concentrations of the greenhouse gasses. These increases will enhance the natural greenhouse effect, resulting on average in an additional warming of the Earth's surface. *The Conference agreed that this and other scientific conclusions set out by the IPCC reflect the international consensus of scientific understanding of climate change.*²⁶ [emphasis added]

It has been argued that, despite a degree of scientific uncertainty, epistemic consensus exists on the relationship between deforestation and global warming, and that state power, namely governments and national legislatures, has recognised the community's findings as authoritative. It will now be argued that a similar process has occurred with respect to the relationship between deforestation and biodiversity destruction.

It is now widely acknowledged among all actors that tropical forests serve as storehouses of biodiversity, and that destruction of these forests also destroys plants, fauna and insect species, most of which have yet to be catalogued. Many of the world's medicines have been developed from such species, and in destroying the forests and its biodiversity, possible future medicines, still to be discovered, are irretrievably lost. For example, the rosy periwinkle plant has helped in the production of two anti-cancer drugs.²⁷ The importance of biodiversity for medicine has led to at least one example of international cooperation between the government of a tropical forest country and a pharmaceutical TNC; in September 1991, the world's largest drugs company, Merck and Company (based in the USA), signed an agreement with the Costa Rican government. Under this agreement any profits Merck make from products developed from the biodiversity of Costa Rica's tropical forests will be shared with the Costa Rican government.²⁸

Unlike global warming, where a small degree of scientific uncertainty remains, primarily due to difficulties in determining the effects of complex ecological feedback loops, the relationship between deforestation and biodiversity is more straightforward. The relationship between the two issues is linear; the more that tropical deforestation takes place, the more biodiversity is destroyed. As in the case of climate change, research and publications by NGOs have contributed to this epistemic consensus.²⁹ UN organs such as the FAO³⁰ and the UNEP³¹ have recognised that deforestation contributes to biodiversity loss. Some international environmental NGOs, namely the WRI, IUCN, WWF-US and Conservation International have collaborated with the World Bank to produce research on biodiversity destruction.³² In addition, WRI and IUCN collaborated with UNEP, in consultation with FAO and UNESCO, in the preparation of the Global Biodiversity Strategy.³³ The 10th World Forestry Congress also noted the role that tropical forest conservation plays in the preservation of

species.³⁴ Individual governments have recognised the importance of tropical forests to biodiversity conservation.³⁵

A further indication that governments have recognised the findings of the deforestation-climate change and the deforestation-biodiversity epistemic communities is the wide support for the conventions on climate change and biodiversity, both of which were opened for signature at the UNCED in 1992.

However, there are other forest values and functions, on which a broad degree of epistemic consensus again exists, but which have yet to attract widespread international support from governments. For example, as well as global ecological effects, local variations in climate and other ecological effects may be observed. In Brazil, deforestation in the Northeast of the Amazon has increased vulnerability to droughts in surrounding areas.³⁶

Forests also fill other ecological functions, such as natural watershed management. Tropical forests are rich sources of timber, and they also serve as a supply of woodfuel for indigenous forest peoples and other local communities. In sub-Saharan Africa, 60-95% of total energy use is derived from woodfuel.³⁷ In addition, tropical forests provide a wide range of non-wood products.³⁸ These include rattan, leaf products, bamboo, honey, resins, tannins, fruits, mushrooms and nuts.³⁹ Furthermore, many of the local functions that the forests provide are not always appreciated until deforestation has occurred. Declining soil fertility and soil erosion are two local and regional effects of deforestation in the Amazon,⁴⁰ while deforested land is more prone to flooding after heavy rains.⁴¹

In short, the wide range of goods that forests provide makes deforestation an especially acute political issue. Firstly, the fact that forests serve so many functions results in conflicts between actors over the use to which the forests should be put. For example, harvesting for tropical timber may deprive local people of fuelwood, as

well as reducing the possibility of harvesting for non-wood forest products. Furthermore, forest destruction may provide a good. Forest clearing releases land for agriculture, either for the local landless poor or for large-scale industrial agriculture. There are therefore numerous potentialities for conflict over the goods that both the forest, and deforested land, provides.

Forest destruction as well as degrading local environments may also contribute to the degradation of a global common, namely the atmosphere. This is not to say that forests are a global common; there are cases both for and against such a proposition (Section 3.4.3 below). Irrespective, the fact remains that forests play a vital role in the regulation and servicing of such a common, namely the atmosphere. If forests are conserved, their servicing of the global climate will be maintained. Other actors also gain from forest conservation; indigenous peoples will retain their habitats, and companies harvesting non-wood products will be assured of the supply of their products. But other actors will lose. These include those TNCs which profit from the tropical timber trade, the national treasuries which accrue tax revenues from timber exports and the consumers who buy the products.

As this analysis demonstrates, there is a vast diversity of actors - at the local, national, regional and global levels - who have a stake in forest conservation, while other actors have a stake in forest destruction. It is at the interface between political economy and political ecology that the many substantive and sensitive political conflicts over tropical rainforests are to be found. However, although there exists epistemic communities on all the functions and values of forests, so far governments of the North have recognised epistemic consensus only on the global ramifications of forest loss, namely climate change and biodiversity loss. The issue reached the international agenda cast in the language of global crisis; other forest values, principally those of regional, national and local

importance, have so far been relatively ignored.

3.3 The Emergence of Forest Conservation as an International Political Issue

Agenda-formation is a subject to which International Relations scholars are paying increasing attention. We may distinguish between two broad views of agenda-formation. Firstly, there is agenda-formation as the process by which an issue reaches the international institutional agenda and becomes a concern of important actors. Secondly, agenda-formation may be seen as a continuum, with the placing of an issue on an institutional agenda as just one part of this process. According to the second view, agendas are shaped continuously, with institutions continually reevaluating and reappraising the issues on their agenda. As Chapter 1 noted, Porter and Brown observe that the way in which an issue is defined once it reaches the international agenda is an important factor in determining the way in which it will be handled by policy-makers.⁴²

Here the operative mode of the term 'agenda-formation' will refer to the first of these two views. We are concerned with the reasons for the emergence of forest conservation as a political issue on the international institutional agenda. As Oran Young notes, an issue must attain prominence on the international agenda if a regime is to be created, but that this is not in itself a sufficient condition.⁴³ We can differentiate between two broad types of explanation for agenda-formation, namely neo-Realist and pluralist. The neo-Realist approach emphasises state power; powerful states place issues on the international agenda if those issues are salient to them. A pluralist approach emphasises interaction and dialogue among a diversity of actors and explains agenda-formation by factors such as the spread of ideas, the role of communications and NGO lobbying.⁴⁴ The epistemic community approach fits both approaches; the spread of knowledge is emphasised, but so too is the recognition by governments and state bureaucracies of the validity and

legitimacy of this knowledge. So far it is clear that epistemic consensus has contributed both to the placing of the issue of forest conservation on the international agenda, and also the way in which the issue was defined. This section will consider other reasons for the emergence of the issue on the international agenda.

One pluralist explanation for the emergence of tropical deforestation as an international issue concerns the role of the media. The powerful images of rainforest destruction, particularly in Amazonia, contributed to growing concern about the issue. The media have disseminated photographic and video images of forest destruction, including the satellite imagery of the Amazon which shocked many actors in 1987. On 9 September 1987 the NOAA-9 satellite photographed, according to one estimate, 7,603 fires burning in the Brazilian Amazon.⁴⁵ The same satellite monitored 11,904 forest fires in a 7 day period in August 1992.⁴⁶ Estimates of the contribution of the 1987 Amazonian forest fires to global CO₂ emissions that year vary, but range between 4%⁴⁷ and 20%.⁴⁸ The contribution of the forest fires to global warming would be much higher, if CH₄ and N₂O emissions were also taken into account. Politically, the fires contributed to the visibility of the issue⁴⁹ of tropical deforestation among the general public, particularly in the developed North.

A second pluralist explanation concerns the role of local community organisations. For example, deforestation in the Amazon led to a mushrooming of grass-roots groups in Brazil in the 1980s.⁵⁰ This included the Rubber Tappers Association of Brazil, led by Chico Mendes until his murder on 22 December 1988.⁵¹ Mendes' murder fuelled a sense of outrage among the general public in several countries, a feeling which led to renewed lobbying by international NGOs, including those based in the developed countries, which formed alliances with the newly-emerging Brazilian NGOs. Grass-roots activity, such as the Chipko (tree-hugging) movement in India, and the protests against logging by

indigenous forest peoples in Sarawak have also received attention from both the international media and NGOs, factors which have helped keep the issue visible.

A third pluralist explanation centres on mass-action campaigns, such as petitioning and lobbying of policy-makers and international institutions. A significant example of this type of activity was a campaign launched in July 1987 by the European NGOs' network Ecoropa. Two years later, in September 1989, a petition of 3.3 million signatures calling for an emergency session of the UN General Assembly on tropical rainforest destruction was presented to the UN Secretary-General, Pérez de Cuéllar, in New York.⁵² Although the campaign was unsuccessful in its call for an emergency General Assembly session, it did contribute to the continuing visibility of the issue.

Bramble and Porter credit the emergence of the idea of a Global Forest Convention on the international agenda to NGO lobbying at the G7 Houston summit of 1990. Like the epistemic community view, Bramble and Porter's explanation links a pluralist explanation, namely transnational activity (in this case the effect of NGO lobbying), with a neo-Realist explanation, namely the economic power of the G7. They also credit American NGOs with lobbying the US government on the issue of deforestation throughout the 1980s.⁵³

A further factor that explains increasing concern among international policy-makers on the issue was evidence that deforestation was accelerating. Table 2 compares four separate surveys for the period 1980-93. The figures in columns 1 to 3 inclusive are extracted from Myers' 1989 survey. The figures in column 4 are extracted from FAO's *Forest Resources Assessment 1990 Project* which was finalised in 1993 when the Project's final report was presented to FAO's Committee on Forestry.⁵⁴ The Project's provisional findings were released in June 1992 to coincide with the UNCED in Rio de Janeiro.⁵⁵

The Project's final figures gave details of forest

TABLE 2 - TABULATION OF DEFORESTATION FIGURES FOR SELECTED TROPICAL FOREST COUNTRIES, 1980-93

	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
	Myers (1980)	FAO (1981)	Myers (1989)	FAO (1993)	Percentage increase or decrease of Myers(1989) from Myers(1980)	Percentage increase or decrease of FAO(1993) from FAO (1981)
	Annual area deforested km ² p.a.	Annual area deforested km ² p.a.	Annual area deforested km ² p.a.	Annual area deforested km ² p.a.		
Bolivia	750	870	1,500	10,097	100	1061
Brazil	14,500	14,800	50,000	34,434	245	133
Cameroon	1,200	800	2,000	1,272	67	59
Colombia	4,600	5,100	6,500	3,709	41	-27
Congo	200	220	700	656	250	198
Ecuador	2,200	1,650	3,000	2,696	36	63
Gabon	200	150	600	1,397	200	831
India	2,600	1,430	4,000	2,689	54	88
Indonesia	6,600	6,000	12,000	11,861	82	98
Ivory Coast	3,800	2,900	2,500	1,180	-34	-59
Kampuchea (Cambodia)	600	250	500	2,631	-17	952
Laos	800	1,000	1,000	1,567	25	57
Madagascar	2,000	1,500	2,000	2,167	0	44
Malaysia	2,900	2,550	4,800	3,838	65	51
Mexico	6,100	5,950	7,000	9,125	15	53
Myanmar (Burma)	1,800	1,000	8,000	4,923	344	392
Nigeria	3,100	2,850	4,000	2,618	29	-8
Papua New Guinea	700	220	3,500	No data	400	No data
Peru	2,900	2,700	3,500	5,679	21	110
Philippines	4,600	2,900	2,700	2,370	-41	-18
Thailand	3,400	2,450	6,000	2,742	76	12
Venezuela	1,100	1,250	1,500	8,282	36	563
Vietnam	1,800	650	3,500	1,590	94	145
Zaire	2,600	1,800	4,000	7,023	54	290

Notes

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Columns 1 to 3 are extracted from Norman Myers, Deforestation Rates in Tropical Forests and their Climatic Implications, (London: Friends of the Earth, December 1989), p. 34. The figures in Column 1 were originally produced in, Norman Myers, Conversion of Tropical Forests (report to the National Academy of Sciences), National Research Council, Washington DC, USA, 1980, with some updating produced in 1984 and 1985. The figures in Column 2 were originally produced in, Food and Agriculture Organization, Tropical Forest Resources, (Rome: FAO, 1981). The figures produced in Column 4 were compiled by FAO's Forest Resources Assessment 1990 Project, but were not included in the Project's Final Report. The Project's figures show the estimates of forest cover change for the period 1981-90 in millions of hectares. These have been converted into km² by the present author. The figures in Column 5 were originally printed in Myers (1989). The figures in Column 6 were calculated by the author.

loss by region and by forest species. Country breakdowns were compiled, but were not included in the final report for fear of offending the sensibilities of some tropical forest governments. However, the figures were leaked from within FAO to certain NGO representatives.⁵⁶ These figures provide a percentage rate of deforestation, as does Myers' 1989 assessment.

It is not possible to compare the figures of Myers with those of the FAO. Firstly, the surveys use different base years. Secondly, the methodologies for compiling the two sets of data differ. Myers' 1989 survey was compiled principally from desk surveys and from questionnaires circulated to tropical country forestry departments, while FAO's 1993 survey used high resolution satellite data and computer modelling.

It will be noted that a comparison of Columns 5 and 6 reveals some major discrepancies, particularly with the figures for Bolivia, Kampuchea and Venezuela. These discrepancies may be attributed to the different methodologies of the two surveys, the different base years, and possibly different estimations of the original size of forest cover.

Nonetheless the following can be discerned from Table 2. Firstly, FAO's 1993 figures indicate that rates of deforestation are more severe than their 1980 survey indicated. Secondly, and notwithstanding some of the discrepancies between Myers and the FAO, if one compares only FAO's two sets of figures, or only Myers', in both cases the overall trend is of accelerated deforestation across all continents with tropical forests.

The accumulation of this data had at least three important consequences. Firstly, the data led to more vigorous activity by actors to whom the issue was already salient, such as conservation NGOs. Secondly, and more importantly, such data altered the perceptions of actors to whom the issue had not previously been salient, but who now came to view the issue as one to which they should give

priority consideration in their policy-making. These actors include multi-lateral aid agencies, UN agencies and developed-world governments. Thirdly, the production of such data contributed to the formation of the deforestation-global warming and the deforestation-biodiversity epistemic communities.

A final factor which helps explain the emergence of deforestation as an international issue in the 1980s was the emergence at approximately the same time of other global environmental issues such as ozone destruction, marine pollution, and desertification. In addition, the occurrence of major environmental disasters, such as those at Bhopal (1984) and Chernobyl (1986), fundamentally changed perceptions of the global environment and engendered a general feeling among many actors of a pervasive global environmental crisis requiring an urgent and concerted international response.

It can be seen that both neo-Realist and pluralist theories explain the emergence of the issue of deforestation on the international agenda. Concerted pressure group and lobbying activity, along with the global dissemination of visual images, was an instrumental factor in drawing the problem to the attention of the general public and policy-makers. However, it was necessary for politicians from the powerful economic countries to recognise the size and significance of the problem before any large-scale global political discussion on the issue occurred.

The emergence of forest conservation as an international issue paralleled its emergence as an ethical issue. The ethical dimension can be traced to a series of international publications that appeared throughout the 1980s. The World Conservation Strategy of 1980⁵⁷ popularised the notion of sustainable development.⁵⁸ In 1987 the World Commission on Environment and Development (the Brundtland Commission) argued that development should only occur at a rate that can be sustained by the earth's regenerative

capacity and defined sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".⁵⁹ This concept does not apply solely to forests, but has had a strong impact on the forest debate, leading to the emergence of concepts such as "sustainable forest management" (see Section 5.5.3, Chapter 5). Embedded in the idea of sustainable development is the notion of intergenerational equity which holds that present generations have a duty to pass the planet onto future generations in the same state as they inherited it.

Attention will now turn to the absence of epistemic consensus with respect to the causes of deforestation. Let us compare the case of deforestation with those of ozone depletion and climate change. In the case of ozone depletion it is theoretically possible to quantify the relationship between the independent variable and the dependent variable; it is conceivable that if the scientific understanding of ozone depletion were to progress, a statement could be made to the effect that x million tonnes of CFC emissions will lead to the destruction of y million tonnes of ozone in the upper atmosphere. However, in the case of deforestation, and as we saw in Chapter 2, while most actors agree on the independent variables involved in deforestation, no consensus has emerged on the precise relationship between them. Rather than there existing clear causal relationships, there are several causal factors interacting in a dense causal pattern. Consequently authoritative quantification of their effects has yet to be achieved. For example, no transnational research group has claimed that \$ x million of external debt will result in the destruction of y thousand hectares of rainforest, (although, as Chapter 2 noted, several actors do argue that some degree of correlation exists between debt and deforestation). This is quite simply because so many other variables are involved in causing deforestation, and the nature of the interactions of these variables with debt is unclear. Similarly, no authoritative

transnational research group has claimed that an increase of x million in the populations of tropical forest countries will destroy y thousand hectares (although neo-Malthusians maintain that there is a correlation between the two variables).

It is emphasised that the existence of several independent variables is not in itself a problem. It is the failure to establish the interrelationships between these variables, and the subsequent quantification of their effects on the dependent variable, that has so far prevented the formation of epistemic consensus on the causes of deforestation. In the case of climate change there is a multitude of independent variables interacting in complex feedback loops. However, in this case it has been possible to construct models that established both the relationships between the various independent variables and to estimate their overall effect on the dependent variable, namely global warming (although, and as we have previously seen, some uncertainty remains on the epistemic community's findings).

So far this chapter has argued that epistemic consensus exists on some of the effects, but not the causes of deforestation. The remainder of this section will suggest some future research areas for epistemic consensus theorists.

The first suggestion is that an omission in the epistemic community literature to date is the failure to consider the role of communities that governments do not cooperate with. There is nothing wrong with an analysis that focuses solely on determining those factors that redefine state interests and lead to shifts in government policy-making, which is Haas's emphasis. If, however, the emphasis is on solution of environmental problems, then there is a need to consider and evaluate the findings of epistemic communities that have yet to gain leverage with government policy-making élites.

In order for an epistemic community to enter into a

cooperative arrangement with state power two things must happen. Firstly, the epistemic community must be able to gain access to government policy-making élites to present the findings of its research and, secondly, those findings must be accepted as authoritative by those élites. Haas notes that in order to achieve influence, epistemic communities must both obtain, and consolidate, bureaucratic influence within governments.⁶⁰ However Haas does not assert the necessary conditions for governments to recognise the findings of epistemic communities. There is a need to examine the ways in which epistemic communities can gain, and consolidate, their influence with governments. Future research in International Relations could usefully be directed towards investigating precisely under what conditions governments and other state actors recognise the findings of a previously ignored or marginalised epistemic community as authoritative.

The second suggestion is that future epistemic consensus research should become both more aware of, and more sensitive to, the local norms and rules that govern resource use, in other words of *local resource regimes*, as practised by local communities and indigenous peoples. Regime theory assumes that there can be universally-valid techniques and technical solutions to environmental problems (Section 1.4, Chapter 1). Haas makes this explicit when talking of epistemic communities promoting "*international environmental regimes* which are grounded on policies that offer coherent plans for the management of entire ecosystems" [emphasis added].⁶¹

The body of work produced by Haas focuses on environmental problems such as ocean pollution and ozone depletion where universal rules may well apply. But it certainly should not be an *a priori* assumption that universal solutions can be found to all environmental problems, nor that the knowledge of local communities is unworthy of the attentions of International Relations scholars. As Chapter 1 noted, there is an emerging body of

thought that rejects such notions, and argues instead for the efficacy of local customs and rules. Banuri and Marglin, for example, would disagree with Haas's views on the management of entire eco-systems; they dismiss the modern "axiom of unlimited human potential for control or mastery over nature",⁶² including the competence of scientific forestry which, they consider, claims for itself a "privileged status".⁶³

There is clearly no doubt that International Relations scholars should analyse the political significance of universal rules and solutions where they exist. But it is also the duty of social scientists, including International Relations scholars, to note that universalist solutions offered by existing institutions may not always suffice. Indeed, according to the neo-dependency theory on the causes of deforestation offered in Chapter 2, existing institutions may worsen the problem. To date, regime theory has ignored local rules and customs, and this should be seen as an ideological preference. Indeed, with his emphasis on "shared normative and principled beliefs", Haas allows for the existence of an ideological component in epistemic community theory, although he does not make this explicit. Furthermore, by stipulating that the forms of international cooperation epistemic communities give rise to are driven partly by state power and that they redefine state interests, Haas is *de facto* stating a preference for a state-centric international system where governments take the leading role in environmental problem-solving.

Yet if it is accepted that the knowledge indigenous peoples and local communities possess could prove crucial to the solution of certain environmental problems, such as deforestation, then it becomes necessary to shift the focus of our attention more to the local level. Epistemic consensus theorists could then concentrate on identifying and analysing universal rules and technical solutions only where they exist and where they demonstrably contribute to effective environmental regime creation, with effectiveness

defined as the maintenance of environmental quality (Chapter 1). At the same time, any illusions or pretensions that such rules and solutions always exist and that governments and existing international institutions are always the best-fitted for the job should be dispensed with. The present emphasis of contemporary epistemic consensus theory, indeed of most regime theorists, is very much on universalist, rationalist notions of validity. Such an emphasis heavily proscribes the type of knowledge that regime theory deals with, privileging the universal at the expense of the local.

We can now summate our findings on the role of epistemic communities. Firstly, epistemic communities may play a crucial role in agenda-formation and issue definition. Secondly, the Haas notion of an epistemic community has been refined: it has been argued that more than one epistemic community may be necessary if successful problem formulation and regime creation is to occur. Thirdly, two epistemic communities, recognised as authoritative by governments, were identified that had established linkages between deforestation on the one hand, and global warming and biodiversity destruction on the other hand. It was noted that NGO representatives played a role in the formation of epistemic consensus on these linkages. Fourthly it was argued that no epistemic consensus exists on the causes of deforestation. Fifthly, it was suggested that future research needs to be carried out on the conditions by which governments recognise an epistemic community as authoritative. Finally, attention was drawn to the importance of local knowledges which have not so far been considered by regime theorists, but which should be taken into account for certain types of environmental problem, including deforestation.

3.4 The Forest Conservation Problematic

By the mid-1980s deforestation, especially tropical deforestation, was firmly established as an international issue. The previous sections have demonstrated that the

concept of an epistemic community helps explain, in part, the emergence and definition of the issue. But with its emphasis on state power, the value of the epistemic community approach lies in explaining issue definition from the viewpoint of dominant élites. Hence the language in which the issue of deforestation has so far been cast has reflected these concerns. Deforestation emerged as a *global* issue because its *global* ramifications were perceived as worthy of concerted *global* action. This has had profound implications for the way in which the issue has been handled.

Furthermore, while the issue was considered worthy of international action by governments and other actors, there was no common agreement as to precisely what that action should be. With governments failing to recognise the authority of an epistemic community on the causes of deforestation, there was no coherent and accepted formulation of the problem. Yet problem formulation is an essential prerequisite to problem solution.

Chapter 1 noted that most regime theorists do not question the existing intergovernmental and economic systems; indeed they take these as the starting points of their analysis. It was posited that solving the problem of deforestation may call into question existing structures and institutions, and that this necessitates the adoption of a critical perspective by regime theorists. To Cox, one of the basic premises for a critical theory is "an awareness that action is never absolutely free but takes place within a framework for action which constitutes its problematic".⁶⁴ In order for this thesis to adopt a critical perspective, it is first necessary to formulate the problematic peculiar to deforestation. It is stressed that perceptions on any given problematic will, inevitably, vary according to the analyst.

This section will be devoted to outlining the author's views of the problems peculiar to deforestation, collectively referred to here as the forest conservation problematic, of which three dimensions will be identified.

The first of these, the causal dimension, hinges on the identification and arrest of those causes of deforestation that cross-cut the intergovernmental system and have their loci in the global political economy. The second dimension to the forest conservation problematic is institutional in nature. It is argued that the development of new polities, and of new political processes and structures, is necessary both to address fully the causes of deforestation and to incorporate the views and knowledges of local and indigenous peoples whose participation is essential to forest conservation initiatives. Finally, there is the normative dimension which results from the absence of a commonly-accepted notion of forest proprietorship.

3.4.1 The Causal Dimension

Deforestation, as a global phenomenon, cannot be solved if global dynamics are ignored. Some causes may be tackled within countries, by governments and local agencies. Intergovernmental cooperation may arrest other causes. However, the constraints of the intergovernmental political system mean that tackling structural economic causes is far more difficult. There remains an incongruence between the international economic system, composed of a diversity of actors, and the dominant international political system, composed of governments.

Chapter 1 of this work emphasised the need for a coordinated international response, with norm-governed behaviour being observed not only by state actors, as the regime theorist emphasises, but by all actors with a stake in forest-use in the global system. This argument was developed further in Chapter 2 where a neo-dependency theory of deforestation was outlined, and it was argued that an effective global forests conservation regime would have to tackle global causes. This chapter drew attention to examples where TNCs have espoused, or claimed to adhere to, the norm of forest conservationist.⁶⁵ However, it was argued that simply recognising the importance of forest conservation as a global norm is not in itself a sufficient

response. It was further argued that, in order for forest conservation to be attained, it would be necessary for all actors with a stake in forest use to make forest conservation their single most important concern.

3.4.2 The Institutional Dimension

Since forest conservation has become an international issue, there is what may be seen as a triangular tension of interests: global interests; national interests, and local-community interests. Furthermore a huge number of actors are drawn into forest conservation policy-making, on a vast range of issues, from a multitude of disciplines, and from every level of international society, from the United Nations down to the village level.

No effective global forests conservation regime can emerge without the willing and effective participation of people at the local level, such as indigenous people, villagers and local community groups. As Section 3.3 argued, such peoples may possess knowledges essential to effective conservation policies, and these knowledges should receive full and fair consideration by other actors. It is also the case that no such regime can emerge without the support of other actors whose policies impact upon, often with calamitous consequences, the world's forests. The support of actors at the national level is also needed. Politically there is an imperative for all actors to communicate and agree upon policies guided by the dominant norm of forest conservation.

Hence the second dimension of the forest conservation problematic is how to devise institutions and political structures and processes that will integrate the views of local peoples, at the lowest level of international society, with government departments, TNCs and with those actors at the highest level of international society, such as the FAO, UNDP and the ITTO. Such polities would be expected to serve two functions: firstly they would scrutinise the activities of those actors with a stake in the forest, ensuring they

adhered to conservationist norms; secondly they would serve to integrate the views and knowledges of actors from the local level.

3.4.3 The Normative Dimension

The fact that forest depletion is now an issue on the international agenda leads to questions such as who "owns", or has a legitimate stake in, the world's forests. Three competing claims can be identified. Firstly, many actors concerned about the global environmental ramifications of forest destruction have inclined towards, although often stopped short of, asserting that forests are a global common. This has been resisted by governments of the South, who assert a counter-claim: as we shall see in Chapter 6 on the UNCED forest negotiations, they consider forests to be a national resource to be used in line with national policy. Thirdly, many local peoples, especially indigenous peoples, acting with the help of international NGOs, such as the World Rainforest Movement, have asserted that the forests are local commons belonging to local peoples.

The existence of these three competing claims is referred to here as the normative dimension of the forest conservation problematic. This section will begin by discussing the tension that exists from the competing claims of forests as a global common and as a national resource.⁶⁶ Towards the end of the section attention will turn to claims that forests are a local common.

If actors in the wider international community were to undergo a behavioural transformation, and to adopt the norm of forest conservation, would they then have a stake in those forests? Do forests cease to be a national resource, and instead become a global common? At present the case for viewing forests as a national resource is a strong one. In the 1970s the concept of sovereignty came to be widely accepted as applying to the sovereignty of states over their natural resources. The 1972 United Nations Conference on the

Human Environment (UNCHE), held at Stockholm, married this right with the responsibility of states to avoid transboundary environmental damage in Stockholm Principle 21:

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and have the responsibility to ensure that activities within their jurisdiction do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.⁶⁷

The latter part of the Principle reaffirmed the notion of *sic utere tuo ut alienum non laedas* (that one must use one's property in such a way as not to injure the property of another)⁶⁸ which originates from the Trail Smelter Arbitration on transboundary air pollution between the USA and Canada.⁶⁹ Mark Imber notes that in 1972 the UN General Assembly adopted a self-denying resolution which stated that no subsequent General Assembly resolutions may affect Stockholm Principle 21.⁷⁰

The limitations and ambiguity of Stockholm Principle 21 was noted in the Preamble to the "Hague Recommendations on International Environmental Law" which were adopted by the participants at the International Environmental Law Conference convened by IUCN-Netherlands in August 1991.⁷¹ The Hague Recommendations noted that the principle of national sovereignty is often interpreted so as to neglect the interdependence of the global ecosystem, and argued that it should be broadened:

It should be acknowledged as a rule that the principle of sovereignty implies the duty of a state to protect the environment within its jurisdiction, the duty to prevent transboundary harm and the duty to preserve the global commons for present and future generations.⁷²

The term "global commons" is not defined in the Hague Recommendations and should be explored. What do we mean by the term "global common" (sometimes referred to as "common heritage" or "global heritage"). The report of the World Commission on Environment and Development considers there to be only three global commons: the oceans, outer space and

Antarctica.⁷³ Caldwell identifies these three plus the atmosphere as global commons.⁷⁴ John Vogler notes that some countries have claimed outer space, especially the geostationary satellite orbit, as a global common.⁷⁵ To Porter and Brown, the global commons include "natural systems and resources, such as the atmosphere and oceans, that belong to all living beings rather than to individual nations".⁷⁶

So far it would appear that forests cannot be considered a global common. Indeed governments of most tropical forest countries have proved unwilling to entertain such a notion. As UNCED Secretary-General Maurice Strong notes, the concept of sovereignty poses a problem in international environmental diplomacy:

national sovereignty has been an immutable, indeed sacred, principle of international relations... that will yield only slowly and reluctantly to the new imperatives of global environmental cooperation.⁷⁷

Sovereignty is a reality that those who wish to assert the international community's stake in the world's forests must overcome. With Stockholm Principle 21 widely accepted, most actors who wish to assert a stake by the international community in the world's forests choose not to dispute national sovereignty over forest resources, but instead they seek to redefine the nature of that sovereignty. This has been done in two ways.

The first challenge has been to redefine forests so that previously accepted notions of proprietorship are questioned. Romm notes that the globalisation of forest-uses has challenged the traditional territorial definition of forests "as territories that display certain forms of vegetation, use and jurisdiction".⁷⁸ Forests, in the eyes of some members of the international community, have been redefined in terms of the functions, including global functions, they provide, such as biodiversity, carbon sinks, wildlife and beauty, to yield a functional definition. To Romm, a functional definition of forests is defined by what "aggregations of trees do".⁷⁹ Those in the international

community who wish to establish a stake in the world's forest point out that many of these benefits accrue to all countries, and not just to those with forests. Those who reconceptualise forests to yield a functional definition thus assert, implicitly or explicitly, that the international community has a stake in the conservation of the world's forests.

A second challenge made to the nature of state sovereignty over forests is the moral argument that forests should be preserved for the common good of humanity. This view is questioned by McCleary who, using Brazilian Amazonia as a case study, and drawing upon Kant's Formula of Humanity,⁸⁰ argues that the international community has an obligation to help Brazil and Brazilians if the latter are to be expected to help the international community:

the claim asserted against Brazil to preserve the rainforest ...is not a genuine moral claim unless the international community acknowledges its duty derived from the Formula of Humanity.⁸¹

McCleary proceeds to argue that the international community would only have a justified stake in Brazilian Amazonia if it were to "institute just practices in international regimes governing activities of trade, development and debt-servicing".⁸²

McCleary's insights suggest that an interesting future research avenue in International Relations could be an investigation into possible linkages between global environmental conservation and normative theories of distributive justice. However, the main purpose of this discussion has been to illustrate that views on whether it is the state or the international community that has a legitimate stake in forests are sharply polarised, but not necessarily mutually exclusive. As Hurrell argues, tropical forests provide benefits for all humanity; they are "both a global 'commons' providing a collective good from which all benefit and the 'property' of an individual state".⁸³ The gap between the two claims may also be seen as the space between Romm's functional and territorial definitions:

international law favours a territorial definition of forests, whereas global environmental concerns adhere to a functional definition.

The discussion so far has dealt only with two competing claims. But a third aspect to the normative dimension exists, namely the assertion that forests are a local common. This view is one adhered to by ecologists and local community organisations. Forest destruction has sometimes been referred to as a tragedy of the commons. Developed by Garrett Hardin,⁸⁴ the rationale of the tragedy of the commons theory is that environmental degradation will ensue where land access is open, as individuals will maximise their short-term gains if they over-exploit the land. In other words, the collective result of individual exploitation of a common resource is the degradation of that resource. To Ostrom, Hardin's tragedy of the commons can be seen as a formalisation of the Prisoner's Dilemma theory (Chapter 1).⁸⁵

However, with respect to forests, the tragedy of the commons model has been the subject of criticism. George Monbiot and Paul Harrison have each elaborated their own version of the "real" tragedy of the commons. Both emphasise the importance of local ownership of land in avoiding degradation.

Monbiot argues that Hardin's thesis works only when there is no ownership of land, whereas traditional commons are closely regulated by local people: "In a true common, everyone watches everyone else, for anyone over-exploiting a resource is exploiting them".⁸⁶ To Monbiot, the tragedy of the commons is not their existence "but the tragedy of their disappearance".⁸⁷

Harrison arrives at a very similar conclusion. "Most pre-modern societies have arrangements to govern sharing of the common resources", forms of ownership which "are perfectly appropriate in situations of low population density".⁸⁸ To Harrison, an example of the real tragedy of the commons is when the state assumes ownership of the land

and local communities "have lost power to control the forest, or to benefit from its conservation".⁸⁹ The state has proved unable to take care of forest lands sustainably. Ghai notes a similar phenomenon; when the state in Africa assumed responsibility for the commons, traditional systems of care were undermined and the result was "uncontrolled and shortsighted exploitation of common property resources that further accelerated environmental degradation".⁹⁰

Indigenous forest peoples have become increasingly better organised as international pressure groups and, as we shall see later in this work, they have presented their claims, including those to land rights, to the TFAP, ITTO, and the UNCED process. An example of the increased cohesion of forest peoples occurred in February 1992 when the "Charter of the Indigenous-Tribal Peoples of the Tropical Forests" was issued from a forest peoples' conference hosted by the World Rainforest Movement in Penang. This brought together forest peoples from Africa, Asia and the Americas. In Article 7 of the Charter, forest peoples demand

Respect for our autonomous forms of self-government, as differentiated political systems at the community, regional and other levels. This includes our right to control all economic activities in our territories.⁹¹

The Resolutions from this conference stated that those responsible for forest destruction

are united and coordinated at the international policy-making level regarding both natural resources and the denial of the right to self-determination of our peoples.⁹²

Furthermore, two conventions of the International Labour Organisation (ILO) recognise the rights of indigenous and tribal peoples. Article 11 of ILO Convention No. 107 of 1957 stipulates that

the rights of ownership, collective or individual, of the members of the populations concerned over the lands which these populations traditionally occupy shall be recognised.⁹³

Article 7 of ILO Convention No. 169 of 1989 states that indigenous and tribal peoples

shall have the right to decide their own priorities for the process of development as it affects their

lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development.⁹⁴

These two conventions give indigenous peoples a right in international law, a right which is in clear and direct tension with Stockholm Principle 21. The claims by all indigenous peoples, not just those from the forest, are receiving increasing attention at the international level. For example, 1993 was designated the International Year of the World's Indigenous People by the UN General Assembly.⁹⁵

Effective forest conservation cannot be achieved while three competing claims to the world's forests exist simultaneously. To return to a point made in Chapter 1, the chances of the successful creation of a global forests conservation regime will be increased if actors can agree upon a common formula or metaphor, acceptable to both state and non-state actors, on the status of forests. Such a formula or a metaphor would successfully bridge and reconcile the three claims of global common, national resource and local common.

3.4.4 Summary of Section 3.4

This section has presented the author's formulation of the forest conservation problematic. It is asserted that a solution to the three dimensions of the problematic will increase the chances of creation of an effective global forests conservation regime. The three dimensions can be seen as interrelated.

First of all the causal and normative dimensions are interlinked. Many of the causes of deforestation are transnational in nature, and include international trade and external debt. McCleary, it was noted above, argues that if the international community wishes the Brazilian Amazon to be conserved, it must first implement just practices in trade and external debt. McCleary seems to suggest that, on moral grounds, the international community would have a legitimate stake in tropical forests if, and only if, some

of these transnational causes of deforestation⁹⁶ were to be addressed by the wider international community. To this extent two of the dimensions may be seen as interlinked: the normative dimension can be bridged if transnational causes are dealt with.

This linkage also applies in reverse. The causal dimension is unlikely to be addressed if forests remain, in accordance with Stockholm Principle 21, a resource to be exploited by a country in line with national development policy. International society will be unwilling to address issues such as debt relief unless forest countries make firm commitments and guarantees to conserve their forests. The causal dimension and the normative dimension can therefore be seen as twin problems that must be solved in tandem.

In turn the institutional and causal dimensions are also linked. A new type of institution, with oversight powers over non-state actors with a stake in the forest, would greatly assist in the task of dealing with the transnational causes of deforestation, as well as ensuring that local views were heard. Here the institutional and normative dimensions become linked: improved liaison between all actors, in a new type of institution, is unlikely to be successful unless actors from the international, national and local levels manage to reconcile their presently conflicting views on forest proprietorship.

In short, the three dimensions of the forest conservation problematic are interlinked questions requiring a common solution. It is now possible to add to the list of those research questions forwarded in Chapter 1

Research Questions: The Forest Conservation Problematic

- i. Have actors agreed upon a common strategy to arrest the transnational causes of deforestation?
- ii. Have new polities emerged which would better enable actors to tackle deforestation as well as to integrate the views of local communities?
- iii. To what extent have actors agreed or disagreed upon forest proprietorship? Note that this question also fits into the regime theory research question on a common formula or metaphor dealt with in Chapter 1.

3.5 Concluding Remarks

Chapter 1 outlined the theoretical framework that will guide this work with respect to regime theory. Some conclusions have already been established in this chapter with respect to epistemic consensus theory. We have also considered problem formulation, in particular the causes of deforestation (Chapter 2), and agenda-formation. The research questions presented above on the forest conservation problematic will direct the critical enquiry of this work. They will be applied, along with the research questions posited on regime theory, to the four case studies that will be presented in Chapters 4 to 7. The findings of this thesis will be presented in Chapter 8. Our attention will now turn to the first of the case studies, namely the Tropical Forestry Action Programme.

Notes to Chapter 3

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3. On the subject of uncertainty and global warming see, for example, the 1992 Club of Rome report: Donella H Meadows *et al*, Beyond the Limits: Global Collapse or a Sustainable Future, (London: Earthscan, 1992), pp. 93-4, and Jeremy Leggett, "Running down to Rio", New Scientist, 2 May 1992, pp. 38-42.
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7. Peter M Haas, "Epistemic Communities and the Dynamics of International Environmental Co-Operation", in Volker Rittberger (ed.), Regime Theory and International Relations, Oxford: Clarendon Press, 1993), p. 188.
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9. See, for example: Peter Bunyard, "World Climate and Tropical Forest Destruction", The Ecologist, Volume 15, No. 3, 1985, pp. 125-36; Peter Bunyard, "The Significance of the Amazon Basin for Global Climatic Equilibrium", The Ecologist, Volume 17, No. 4/5, July/November 1987, pp. 139-141; Adam Markham, Tropical Forest Conservation and Climate Change, (Gland, Switzerland: WWF International, October 1990); World Wide Fund for Nature, Climate Change. WWF Position Paper 5, (Gland, Switzerland: WWF International, October 1990); World Resources Institute (in collaboration with UNEP and UNDP), World Resources 1992-3, (Oxford: Oxford University Press, 1992), pp. 118-9 and p. 125.
10. Chris Rose and Phil Hurst, Can Nature Survive Global Warming?. A WWF International Discussion Paper, (Gland, Switzerland: WWF International, February 1992).
11. Myers, op.cit. p. 44. Myers also contributed to the Greenpeace report on global warming. See Norman Myers, "Tropical Forests" in Jeremy Leggett (ed.), Global

Warming: The Greenpeace Report, (Oxford: Oxford University press, 1990), pp. 373-399.

12. Gareth Porter and Janet Welsh Brown, Global Environmental Politics, (Boulder, Colorado: Westview Press, 1991), p. 97.

13. Lester R Brown (ed.), State of the World 1991: A Worldwatch Institute Report on Progress Towards a Sustainable Society, (London: Earthscan 1991), p. 80.

14. Dr J S Maini made this observation at a conference on climate change in Ottawa. See Kenneth Bush, Working Paper 23. Climate Change, Global Security, and International Governance: A Summary of Proceedings of a Conference on Climate Change and Global Security, Ottawa, 11-12 April, 1990, (Canadian Institute for International Peace and Security, June 1990), p. 42.

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16. Michael Grubb, The Greenhouse Effect: Negotiating Targets, (London: Royal Institute of International Affairs, 1989), p. 43.

17. See, in particular, Eberhard F Bruenig, "Forests and Climate: New Dimensions and Perspectives" in 10th World Forestry Congress, Paris, 1991: Proceedings, (Nancy: Ministère de l'Agriculture et de la Forêt, 1992), Volume 2, pp. 9-15.

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28. Christopher Joyce, "Prospectors for tropical medicines", New Scientist, 19 October 1991, pp. 36-40.
29. NGOs have published widely on the relationship between deforestation and the loss of biodiversity. See, for example: Brown *et al*, op.cit., pp. 80-1; Friends of the Earth, Life After Logging? The role of tropical timber extraction in species extinction. (London: Friends of the Earth, April 1991); International Council for Bird Preservation, Putting Biodiversity on the Map, Priority Areas for Global Conservation. (Cambridge: International Council for Bird Preservation, 1992); T C Whitmore and J A Sayer (eds.), Tropical Deforestation and Species Extinction (IUCN Forest Conservation Programme), (London: Chapman and Hall/IUCN, 1992); World Resources Institute (in collaboration with UNEP and UNDP), op.cit., pp. 128-131; World Wide Fund for Nature, The Importance of Biological Diversity. (Gland, Switzerland: WWF International, undated); World Wide Fund for Nature, The Wild Supermarket: The Importance of Biological Diversity to Food Security. (Gland, Switzerland: WWF International, 1986); World Wide Fund for Nature, Conservation of Tropical Forests and Biodiversity: the Role of the United Kingdom. (Godalming: WWF-UK, January 1991).
30. See, for example, FAO document FAO/ENDEV/(b)(iii), "The role of forests as habitats of biological diversity", by the Forestry Department of FAO in cooperation with the International Union of Forestry Research Organizations (IUFRO).
31. United Nations Environment Programme, Environment Brief No. 3, The Disappearing Forests. (Nairobi: UNEP, 1992).
32. Jeffrey A McNeely *et al*, Conserving the World's Biological Diversity. (Gland, Switzerland and Washington DC: IUCN/WRI/Conservation International/WWF-US/World Bank, 1990).
33. World Resources Institute, IUCN and UNEP in consultation with FAO and UNESCO, Global Biodiversity Strategy: Guidelines for Action to Save, Study and Use Earth's Biotic Wealth Sustainably and Equitably. (Washington DC: WRI/IUCN/UNEP,

1992).

34. 10th World Forestry Congress, Paris, 1991, Proceedings, op.cit. See the following papers: Gene Namkoong, "Conservation and Protection of Ecosystems and Genetic Resources", Volume 2, pp. 483-490; Erich Cardich, "Proteccion y Manejo de Ecosistemas", Volume 2, pp. 507-514; Reynaldo Estrada and Antonio Perera, "El Sistema Nacional de Areas Protegidas de Cuba y la Proteccion de los Recursos Geneticos de la Flora y la Fauna", Volume 2, pp. 515-520; J B Lal, "Conservation and Sustainable Management of Forest Ecosystems as Genetic Resources", Volume 2, pp. 521-529; Robert C Szaro and Hal Salwasser, "The Management Context for Conserving Biological Diversity", Volume 2, pp. 530-535.

35. Two examples among many are, Michael Flint, Biological Diversity and Developing Countries: Issues and Options, (London: Overseas Development Administration, June 1991), and Government of the Netherlands, op.cit..

36. M L Parry, A R Magalhães and N H Ninh, Earthwatch Global Environment Monitoring System: The Potential Socio-Economic Effects of Climate Change - a summary of three regional assessments, (Nairobi: UNEP, 1991), p. 12.

37. Gerald Leach and Robin Mearns, Beyond the Woodfuel Crisis: People, Land and Trees in Africa, (London: Earthscan, 1988), p. 1.

38. The subject of non-wood forest products was the common theme of an international conference sponsored by Friends of the Earth and held at the Royal Geographical Society, London, 17-18 May 1990. See Simon Counsell and Tim Rice (eds.), The Rainforest Harvest: Sustainable Strategies for Saving the Tropical Forests?, (London: Friends of the Earth, February 1992). See also the special issue of the FAO journal Unasylva on non-wood forest products, No. 165, Volume 42, 1991/2.

39. The subject of non-wood forest products, including food, was debated at the Ninth Session of the FAO Committee on Forestry: see FAO document COFO-88/4, "Forest Harvesting: the Link Between the Resource and the Users", para. 16, p. 4. The Eleventh Session of the FAO Committee on Forestry also debated the role of forests in contributing to nutrition and food security: see FAO Document COFO-93/REP, "Report of the Eleventh Session of the Committee on Forestry, Rome, Italy, 8-12 March 1993", paras. 56-67, pp. 8-9.

40. Nigel J H Smith *et al*, "Environmental impacts of resource exploitation in the Amazon", Global Environmental Change, Volume 1, No. 4, September 1991, pp. 313-320.

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42. Porter and Brown, op.cit., p. 69.

43. Oran R Young, "Science and social institutions: lessons for international resource regimes" in Steinar Andresen and Willy Østreng (eds.), International Resource Management: the role of science and politics, (London: Belhaven Press, 1989), p. 11.
44. For one of the first descriptions of the lobbying techniques of an environmental NGO in International Relations literature see Tom Burke, "Friends of the Earth and the Conservation of Resources", in Peter Willetts (ed.), Pressure Groups in the Global System: The Transnational Relations of Issue-Orientated Non-Governmental Organizations, (London: Frances Pinter, 1982), pp. 105-124.
45. Revkin reports that 7,603 Amazonian forest fires were photographed in one day by the NOAA-9 satellite in 1987: Andrew Revkin, The Burning Season: The Murder of Chico Mendes and the Fight for the Amazon Rain Forest, (London: Collins, 1990), p. 231. George claims that in 1987 satellite photographs detected 6,000 forest fires, many of them close to the World Bank financed BR 364 highway: Susan George, The Debt Boomerang: How Third World Debt Harms Us All, (London: Pluto Press, 1992), p. 17. Myers notes that analysis of the satellite imagery may have erred on the high side, but nonetheless concludes that some 50,000 km² of forest was burnt in 1987: Myers in Leggett (ed.), op.cit., p. 376-77.
46. Jan Rocha, "Smoke alarm in the Amazon", The Guardian, 4 September 1992, p. 25.
47. Hurrell argues that "the overall Brazilian contribution [of net greenhouse gas emissions] is perhaps nearer 4-5 per cent". See Andrew Hurrell, "Brazil and the International Politics of Amazonian deforestation", in Andrew Hurrell and Benedict Kingsbury (eds.), The International Politics of the Environment: Actors, Interests, and Institutions, (Oxford: Clarendon Press, 1992), p. 400.
48. Calypso Log, June 1989, p. 7, cited in Paul Ehrlich and Anne Ehrlich, The Population Explosion, (London: Hutchinson, 1990), p. 112.
49. Litfin argues that "Visibility may be crucial in order for an environmental disaster to inspire international regime-building". See Karen Litfin, "Ecoregimes: Playing Tug of War with the Nation-State", in Ronnie D Lipschutz and Ken Conca, The State and Social Power in Global Environmental Politics, (New York: Colombia University Press, 1993), p. 102.
50. Adrian Cowell, The Decade of Destruction, (Sevenoaks: Hodder and Stoughton/Channel 4, 1990), pp. 14-15. This book accompanied a television documentary of the same name which has been noted as factor in promoting the issue of rain forest destruction by Bramble and Porter: see Barbara J Bramble and Gareth Porter, "NGOs and the Making of US Policy" in Hurrell and Kingsbury (eds.), op.cit., p. 352.
51. On this subject see 'Chico' Mendes, Fight for the Forest, (London: Latin America Bureau, 1989).

52. Aubrey Meyer, "The campaign continues", Geographical Magazine, February 1990, p. 14. See also Development Forum, Volume XVII, No. 6, November-December 1989, p. 1. On the same day that the petition was handed to the UN Secretary-General in New York, the World Rainforest Movement released a briefing document which included a declaration adopted by representatives from several local forest groups in Penang in April 1989. Entitled "An Emergency Call to Action for The Forests and Their Peoples", the declaration and the rest of the WRM's New York briefing document is reproduced in, World Rainforest Movement, Rainforest Destruction: Causes, Effects and False Solutions, (Penang: World Rainforest Movement, 1990).
53. Bramble and Porter, in Hurrell and Kingsbury (eds.), op.cit., pp. 313-325.
54. The "Summary of the Final Report of the Forests Resources Assessment 1990 for the Tropical World" were presented to the Eleventh Session of the Committee on Forestry, Rome 8-12 March 1993.
55. "The Forest Resources of the Tropical Zone by Main Ecological Regions", by Forest Resources Assessment 1990 Project, FAO, Rome, Italy, June 1992.
56. Tony Juniper, Senior Rainforest Campaigner, Friends of the Earth - England, pers.comm., (interview, London, 20 September 1993). The author gratefully acknowledges Tony Juniper's assistance in providing these figures and other FAO material.
57. International Union for the Conservation of Nature and Natural Resources/UNEP/WWF, World Conservation Strategy: Living Resource Conservation for Sustainable Development, (Gland: Switzerland: IUCN/UNEP/WWF, 1980). An updated version of the World Conservation Strategy was published in 1991: International Union for the Conservation of Nature and Natural Resources/UNEP/WWF, Caring for the Earth: A Strategy for Sustainable Living, (Gland, Switzerland: IUCN/UNEP/WWF, 1991).
58. It would be wrong to say that this report *introduced* the concept of sustainable development. The former Executive Director of UNEP wrote in 1979 of the importance of "eco-development" and "the constraints of a sustainable environmental resource base". See Mustafa K Tolba, "Foreword" in, Barbara Ward, Progress for a Small Planet, (Middlesex: Penguin Books, 1979), p. ix. It is very likely that earlier references to concepts similar in content to "eco-development" exist. Certainly the argument that the present generation has a responsibility to future generations is not a new one. See for example Richard I Sikora and Brian Barry (eds.), Obligations to Future Generations, (Philadelphia: Temple University Press, 1978), and Brian Barry, "Justice and Reciprocity" in Eugene Kamenka and Alice Ehr-Soon Tay (eds.), Justice, (London: Edward Arnold, 1979), pp. 50-78.
59. World Commission on Environment and Development, Our Common Future, (Oxford: Oxford University Press, 1987, p. 43.
60. Haas, in Rittberger (ed.), op.cit., pp. 199-200.

61. Ibid., p. 180.

62. Tariq Banuri and Frédérique Apffel Marglin, "A systems-of-knowledge analysis of deforestation, participation and management" in, Tariq Banuri and Frédérique Apffel Marglin, Who will Save the Forests?: Knowledge, Power and Environmental Destruction. (London: Zed Books, 1993), p. 21.

63. Ibid., p. 3.

64. Robert W Cox, "Social Forces, States and World Orders: Beyond International Relations Theory", Millennium: Journal of International Studies, Volume 12, No. 2, 1983, p. 135.

65. Note however that some NGOs continue to call for greater public accountability for TNC activities. See Greenpeace, "Hold TNCs accountable!", Third World Resurgence, Issue No. 20, April 1992, pp. 24-5. (This issue is devoted to TNCs, as is Issue 40, December 1993 of Third World Resurgence.) Also on this subject see the special issue of New Internationalist, August 1993, especially "Andre Carothers, "Multinationals Turning Green: The green machine", pp. 14-16.

66. The present author has written earlier on the subject of a "national resource-global heritage divide". See David Humphreys, "The Forests Debate of the UNCED Process", Paradigms: The Kent Journal of International Relations, Volume 7, No. 1, Summer 1993, pp. 43-54. However, the discussion in this article ignores the claims by local communities that forests are a local common. This thesis aims to repair that omission.

67. Principle 21 of the Stockholm Declaration of the United Nations Conference on the Human Environment, 1972.

68. Makumi Mwagiru, "The Legal Milieu of the Environment: An Overview", Paradigms: The Kent Journal of International Relations, Volume 7, No. 1, Summer 1993, p. 5.

69. For a discussion of the Trail Smelter Arbitration see Ingrid Detter de Lupis, "The Human Environment: Stockholm and its Follow Up", in Paul Taylor and AJR Groom (eds.), Global Issues in the United Nations' Framework. (London: Macmillan, 1989), p. 221.

70. Namely resolution 2996 (XXVII), 15 December 1972. See Mark Imber, "UNEP's Catalytic and Coordinating Mandate: The Labours of Hercules and Sisyphus", Paper presented to the Annual Conference of the British International Studies Association, University of Warwick, 16-18 December 1991, endnote 6, p. 25.

71. The International Environmental Law Conference debated a background document prepared from a consultation involving more than 250 experts: Ankie Wijgerde, Netherlands Committee for IUCN, pers.comm. (letter), 15 June 1992.

72. "The Hague Recommendations on International Environmental Law", Peace Palace, The Hague, 16 August 1991, Preamble.

73. World Commission on Environment and Development, op.cit., Chapter 11, "Managing the Commons", pp. 261-89.
74. Lynton Keith Caldwell, International Environmental Policy: Emergence and Dimensions (Second Edition), (Durham: Duke University Press, 1990), Chapter 8, "International Commons: Atmosphere, Outer Space, Oceans, Antarctica", pp. 257-302.
75. John Vogler, "Regimes and the Global Commons: Space, Atmosphere and Oceans", in Anthony G McGrew, Paul G Lewis *et al*, Global Politics, (Cambridge: Polity Press, 1992, p. 120.
76. Porter and Brown, op.cit., p. 92.
77. Maurice F Strong, "ECO '92: Critical Challenges and Global Solutions", Journal of International Affairs, Volume 44, No. 2, Winter 1991, pp. 297-8.
78. J Romm, "Exploring Institutional Options for Global Forest Management" in David Howlett and Caroline Sargent (eds.), Technical Workshop to Explore Options for Global Forestry Management. Bangkok. 1991. Proceedings (prepared and edited by the International Institute for Environment and Development), p. 187.
79. Ibid.
80. "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only", Immanuel Kant, Foundations of the Metaphysics of Morals, translated by Lewis White Beck (Indianapolis: Bobbs-Merrill Library of Liberal Arts, 1959), p. 47 cited in: Rachel M. McCleary, "The International Community's Claim to Rights in Brazilian Amazonia", Political Studies, XXXIX, 1991, p. 701.
81. McCleary, Ibid.
82. Ibid., p. 706.
83. Hurrell, in Hurrell and Kingsbury (eds.), op.cit., p. 402.
84. Garrett Hardin, "The Tragedy of the Commons", Science, 1968, cited by Hecht and Cockburn who provide a brief discussion on its applicability to Brazilian Amazonia: Susanna Hecht and Alexander Cockburn, The Fate of the Forest: Developers, Destroyers and Defenders of the Amazon, (London: Penguin, 1989), pp. 104-5.
85. Elinor Ostrom, Governing the Commons: The Evolution of Institutions for Collective Action, (Cambridge: Cambridge University Press, 1990), pp. 3-5.
86. George Monbiot, "The real tragedy of the commons", The Guardian, 6 August 1993, p. 19.
87. Ibid.

88. Paul Harrison, The Third Revolution: Population, Environment and a Sustainable World, (London: Penguin, 1992), p. 264.
89. Ibid., p. 265.
90. Dharam Ghai, Conservation, Livelihood and Democracy: Social Dynamics of Environmental Change in Africa, United Nations Research Institute for Social Development, Discussion Paper 33, (Geneva: UNRISD, March 1992), p. 11.
91. "Charter of the Indigenous-Tribal Peoples of the Tropical Forests: Statement of the International Alliance of the Indigenous-Tribal Peoples of the Tropical Forests", Penang, Malaysia, 15 February 1992, p. 2.
92. Ibid., p. 11.
93. Article 11 of ILO Convention No. 107, cited by Roger Plant, Land Rights for Indigenous and Tribal Peoples in Developing Countries: A Survey of Law and Policy Issues, Current Activities, and Proposals for an Inter-Agency Programme of Action (Working Paper, Rural Employment Policy Research Programme), (Geneva: International Labour Office, November 1991), p. 58.
94. Article 7 of ILO Convention No. 169, cited in UN document E/CN.4/Sub.2/1992/31/Add.1, para. 30, p. 6. This document consisted of five background papers presented to the United Nations Technical Conference on Practical Experience in the Realization of Sustainable and Environmentally Sound Self-Development of Indigenous Peoples held in Santiago, Chile, from 18 to 22 May 1992. This conference was requested by the UN Commission on Human Rights in its resolution number 1990/62 of 7 March 1990, and was subsequently endorsed by the UN Economic and Social Council in its decision number 1990/238 of 25 May 1990. The report, conclusions and recommendations of this conference are contained in UN document E/CN.4/Sub.2/1992/31 which recommends that the UN Secretary "give the widest possible distribution to the report", including distribution to the UNCED (para. 30, p. 19). Recommendation 25 is to the effect "That States, which have not yet done so, ratify ILO Convention No. 169" (p. 18).
95. UN General Assembly Resolution 47/75, "International Year of the World's Indigenous People, 1993", 14 December 1992, adopted without a vote.
96. Note that McCleary does not explicitly refer to international trade and external debt as transnational causes of deforestation.

CHAPTER 4

THE TROPICAL FORESTRY ACTION PROGRAMME

4.1 Introduction

Two possible areas of confusion may arise from the use of the acronym TFAP. First there is the question of what the acronym denotes. Until September 1990 the acronym TFAP stood for the Tropical Forestry Action Plan. After this date the Tropical Forestry Action Plan was formally renamed the Tropical Forestry Action Programme, although many actors now refer to it as the Tropical Forests Action Programme.

Secondly, and on a conceptual level, there are five different applications of the acronym. Much of the literature published by UN organs, NGOs and other actors does not distinguish between what are essentially different concepts. Firstly, there is the TFAP as a global strategy, namely to save the tropical rainforests. Secondly, there is the TFAP as an institution located primarily, but not entirely, within the Food and Agricultural Organization (FAO) of the UN. Thirdly, there is the TFAP as a document, the *Tropical Forestry Action Plan*. (In fact there have been two such publications, in 1985 and 1987.) Fourthly, the acronym is frequently used to denote a developing process at the international level among a wide range of actors in the international system. Finally, there is the TFAP as a national process, which is referred to in the policy literature as either National TFAPs or National Forestry Action Plans/Programmes (NFAPs).

In this work, the operative mode of the term TFAP, used in isolation and without qualification, will denote the TFAP as an international institution situated within the FAO. Where the two editions of the *Tropical Forestry Action*

Plan are referred to these will be italicised. National Forestry Action Plans/Programmes will be referred to as NFAPs. Where the acronym is employed to denote a global strategy or a developing international process this will be emphasised in the text.

The origins of the TFAP as an international process, and the history of this process up to 1990, will be considered in Section 4.2. The institutional structure of the TFAP at the international level will then be explained in Section 4.3, while Section 4.4 will outline the national level processes that lead to the formulation of NFAPs.

4.2 History of the TFAP, 1987-1990

There are two roots to the TFAP, both as a developing process and as an international institution. The first originates within the FAO and the second within the Washington-based NGO, the World Resources Institute (WRI). This section will describe the creation and early history of the TFAP, which involved a combination of both formal and informal processes.

First the origins relating to the FAO will be considered. The FAO was created in 1945 as a United Nations specialised agency. FAO's Forestry Department was created shortly thereafter, and since then FAO has been recognised as having the lead role in international forest affairs within the UN system. In 1982 an Experts' Meeting on Tropical Forestry, convened by UNEP, UNESCO and FAO, suggested that FAO's Committee on Forest Development in the Tropics (CFDT)¹ "take a more active coordinating role" in tropical forestry affairs.² In 1983 the statutes of the CFDT were amended to give it responsibility for reviewing international cooperation on the conservation and development of tropical forests.³ Also in 1983, the Sixth Session of the CFDT "recognised the need for identifying and describing areas of high priority" for international tropical forests conservation.⁴ Accordingly, the CFDT

recommended that FAO establish ad hoc groups to elaborate proposals for action programmes at the regional or global level.⁵ The recommendation was made after a UNEP delegate stated to the CFDT that UNEP's Governing Council, noting that the CFDT is a centre of international tropical forestry collaboration, "expected the elaboration of an integrated programme of activities and not the expression of mere intentions",⁶ a statement which suggests that the UNEP felt it necessary to exercise its catalytic mandate in order to propel the FAO into action.⁷

FAO subsequently established five ad hoc groups. In March 1985 a FAO expert meeting reviewed the findings of these groups and recommended their proposals become five action programmes.⁸ These were subsequently endorsed by the Seventh Session of the CFDT in June 1985.⁹ The action programmes have since formed the conceptual backbone for NFAPs formulated under the TFAP umbrella. They are:

1. Forestry in Land Use: this programme is "at the interface between forestry and agriculture and aims at conserving the resource base for agriculture, at integrating forestry into agricultural systems and, in general, at a more rational use of land".
2. Forest-based Industrial Development: this programme aims at "promoting appropriate forest-based industries by intensifying resource management, promoting appropriate raw material harvesting ...and developing the marketing of forest industry products".
3. Fuelwood and Energy: this programme "aims at restoring fuelwood supplies in the countries affected by shortages through global assistance and support for national fuelwood and wood energy programmes...".
4. Conservation of Tropical Forest Ecosystems: this programme aims "at conserving, managing and utilizing tropical plants and wild animal genetic resources through the development of national networks of protected areas...".

5. Action Programme on Institutions: this programme "aims at removing the institutional constraints impeding the conservation and wise use of tropical forests by strengthening public forest administrations and related government agencies...".¹⁰

The CFDT "recommended that the five action programme proposals be presented on its behalf to the 9th World Forestry Congress" (Mexico, 1-10 July 1985)^{11,12} where endorsement was subsequently given.¹³ The FAO subsequently published the first version of *Tropical Forestry Action Plan*, in October 1985.¹⁴ In February 1986, the International Conference on Trees and Forests, hosted by the government of France, "recommended the adoption of TFAP as a common platform for the strengthening and harmonization of international cooperation in tropical forestry".¹⁵ In April 1986 the Eighth Session of FAO's Committee on Forestry (COFO) endorsed the TFAP.¹⁶

The second root of the TFAP originated from within the WRI. In May 1984 WRI held a conference on tropical forests, and in December 1984 it convened an International Task Force to devise a programme for reversing tropical rainforest destruction.¹⁷ According to Robert Winterbottom, FAO refused an invitation to take part in the WRI Task Force.¹⁸ He also suggests that the FAO initiative was proceeding slowly at the time the WRI convened its Task Force, and that the latter catalysed action by the former.¹⁹ The Task Force's report, *Tropical Forests: A Call for Action*,²⁰ was published in the same month as the FAO's report, namely October 1985. The WRI did not see the Task Force as competing with FAO's initiative, as WRI President James Gustav Speth makes clear when stating that the WRI report "contributes to the continuing efforts of the [FAO]".²¹ Indeed the WRI initiative adopted FAO's five action programmes as its framework.²² Thus there was a conceptual linkage between what were then two separate, but complementary, initiatives.

In 1987 the WRI and FAO initiatives formally merged. In

June of that year, the FAO, World Bank, WRI and the UNDP published a new document, also entitled *Tropical Forestry Action Plan*,²³ based on the earlier FAO and WRI publications.²⁴ However, at 32 pages, it was much briefer than either of these documents. The five action programmes were endorsed as the framework for national level action in the 1987 document which was presented to the Bellagio Strategy Meeting on Tropical Forests (1-2 July 1987). This was the first international meeting on tropical forestry that brought together the four co-founders of the TFAP (FAO, UNDP, World Bank and WRI).²⁵

One important change from the original FAO document, and one that can be attributed to the influence of the WRI, was the emphasis on NGOs:

Local communities must be involved in managing and utilising the forests, and be convinced that this is in their interests. In this respect, non-governmental organisations (NGOs), working at the grass roots level, have an important role to play.²⁶

The WRI played a significant role in obtaining NGO participation at Bellagio, and since then have persistently promoted local NGO participation in NFAPs.²⁷ A group of NGOs made a joint statement to the meeting which concluded that

NGOs are prepared, and express their strong desire, to participate fully in the Tropical Forestry Action Plan... We demand equal responsibility and participation in all stages of implementation...²⁸

In September 1988 a second meeting in Bellagio, referred to as "Bellagio II", considered forestry research needs in developing countries.²⁹

By now the TFAP process was consolidated. The FAO and WRI initiatives were formally merged and TFAP, as a process, was developing into a broad-based coalition between UN agencies, governments, international NGOs and local NGOs.

4.3 The TFAP as an International Institution, 1987-1990

Prior to the merging of the two processes some important developments occurred. In November 1985, just one

month after the publication of the WRI and FAO documents, the government of the Netherlands undertook an initiative on behalf of the donor community. Forestry advisers from 32 donor agencies, including both governmental aid agencies and international NGOs, attended a meeting at The Hague. The meeting endorsed the TFAP document as "the framework to guide future multilateral and bilateral development cooperation activities in tropical forestry".³⁰ Furthermore, the Hague meeting led to two further initiatives that have played an important role in shaping the future of the TFAP process at national and international levels.

Firstly, the meeting proposed that the *Tropical Forestry Action Plan* be translated into National TFAPs "in harmony with national priorities and development plans".³¹ Secondly, the meeting led to the birth of the TFAP Forestry Advisers Group (FAG). The Hague meeting became, in effect, the first FAG meeting. The FAG has since met at six monthly intervals to discuss donor responses and strategies. Representatives from developed country government departments, such as the British ODA, USAID, CIDA and FINNIDA, and from NGOs such as the WRI, WWF and IIED were among those attending the early FAG meetings. The FAG did not finalise agreement on a role and mandate for itself until its ninth meeting in Washington DC in 1989. Describing itself as "an informal assemblage of forestry advisers", the FAG defined its role as follows:

The Group promotes increased international support to the implementation of the TFAP process within the framework of the decisions of the Committee on Forest Development in the Tropics (CFDT) and the Committee on Forestry (COFO). The Group may raise important issues for the attention of these two bodies and may report to them on its activities.³²

The FAG has no formal institutional relationship with TFAP organs within the FAO. Nonetheless, it has a widely recognised functional role, and its input to the TFAP process is respected within FAO. The Deutsche Gesellschaft für Technische Zusammenarbeit sees the FAG as "a valuable clearing house between the donors".³³

Although the it has no executive authority, and despite its informal status, the FAG has become an indispensable part of the TFAP process at both international and national levels. Initially intended to serve purely as a donors' forum, the FAG has adopted the procedure of inviting representatives from other interested actors. For example, among the participants at its thirteenth meeting were representatives from the FAO Forestry Department, NFAP Coordinators and representatives from the World Bank, UNESCO and UNDP.³⁴ The FAG has become more than a donors' forum, although coordination of donor support remains its principle role. It has a small Steering Group which devotes itself to considering broader policy issues on the FAG's role and tropical forestry issues in general, whereas full FAG meetings deal with more detailed donor-related issues.

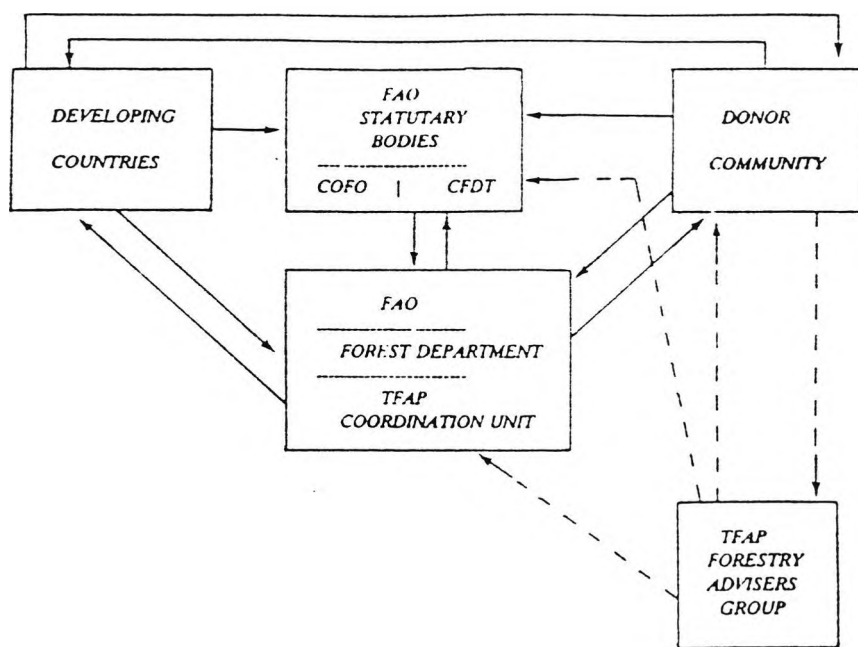
Since its inception, FAO has been the lead international agency for TFAP. Statutory authority³⁵ for the TFAP is located within the FAO which has two committees responsible for forestry: the CFDT and the COFO. These committees are intergovernmental bodies which between them oversee the work of FAO's Forestry Department. COFO, which reports to the FAO Council, has oversight functions with respect to the TFAP. As its name suggests, only tropical forest countries are represented in the CFDT; it has a membership of up to 60 member states and associate member states. The CFDT reports to the Director-General, and through him to the FAO Council. TFAP is a permanent CFDT agenda item.

The TFAP Coordination Unit, which includes the TFAP Secretariat, is located within the FAO's Forestry Department. Formed in 1986, the Unit is headed by the TFAP Coordinator. It acts "as a focal point within FAO for TFAP-related activities".³⁶ The Head of the Unit is responsible to the Assistant Director-General of FAO's Forestry Department.³⁷ Its principal function is to "respond to country requests for external support within the framework of TFAP" and it is the "main institutional link between

national and international TFAP efforts".³⁸ A seat is reserved for the TFAP Coordination Unit at all FAG meetings.

In 1986 the FAO created a TFAP Steering Committee. This body has been superseded by a Multidisciplinary Support Group which, like the Steering Committee it replaced, is comprised solely of FAO officials. It consists of the FAO Deputy Director-General and the Assistant Director-Generals from the Forestry, Agriculture, Fisheries, Economic and Social Policy and Development Departments. The TFAP Coordinator also attends Multidisciplinary Support Group meetings.³⁹ As the CFDT meets only every two years, key policy decisions in the interim are taken by the Multidisciplinary Support Group, with day-to-day operations the responsibility of the Coordination Unit. The FAG fills an informal but crucial role in this process. Figure 1 below is an organisation chart of the TFAP at international level.

FIGURE 1 - THE TFAP AS AN INTERNATIONAL INSTITUTION



Source: Herman Savenije, BOS-Document 11, Tropical Forestry Action Plan: Recent Developments and Netherlands Involvement, (Wageningen, Netherlands: Ministry of Agriculture, Nature Conservation and Fisheries, 1990), p. 14.

4.4 The Formulation and Evolution of a NFAP

Neither of the two editions of *Tropical Forestry Action Plan* can be seen as a global plan. As a strategy, the TFAP is best viewed as an aggregation of national plans that are conceptually linked (through the five action programmes) and institutionally linked (through the TFAP Coordination Unit and the FAG). In line with the recommendation of the 1985 Hague donors' meeting, the five action programmes are translated into National Forestry Action Plans. With the exception of two changes (which will be outlined in Section 4.6 below) the basic procedure for a NFAP exercise has remained essentially unchanged since the TFAP's inception. In 1989 FAO issued a set of guidelines for the formulation of NFAPs.⁴⁰ Given that forest types and socio-economic conditions vary widely between, and sometimes within, countries, the guidelines did not fill the role of firm rules or decision-making procedures, but they did provide a conceptual framework within which such rules and procedures could be enunciated.

A NFAP begins with a request for assistance from the host government to the FAO.⁴¹ There are two stages to acceptance: firstly the FAO must agree (in practice no such request has been refused);⁴² secondly there must be donor support. If donors are prepared to fund NFAP projects in the host country the FAG will, in liaison with the FAO, agree on a lead donor agency (the Core Support Agency, or CSA). The CSA is the lead executive, but not necessarily the lead *funding*, agency (the Core Support Funding Agency, or CSF). The CSA will appoint an international team leader to work with the National Coordinator who is appointed by the lead agency at national level, the National Lead Institution (NLI). A NFAP Office will be established under the jurisdiction of the National Coordinator. Table 3 details the governments departments or ministries assigned the role of NFAP National Lead Institution by tropical forest governments as at March 1991.

TABLE 3 - NATIONAL LEAD INSTITUTION FOR NFAPs AS AT MARCH 1991

NATIONAL LEAD INSTITUTION	LATIN AMERICA	ASIA	AFRICA	TOTAL
National Planning Agency	1	-	-	1
Department/Ministry of Forestry	14	7	6	27
President's Office	2	-	-	2
Ministry of Agriculture	3	2	4	9
Ministry of Environment	1	2	3	6
Ministry of Natural Resources	3	-	-	3
Ministry of Primary Industries	-	1	-	1
Ministry of Rural Development	-	1	5	6
No Information	1	4	16	21
TOTAL	25	17	34	76

Source: FAO document FO:TFAP/92/2, Annex 3, p. 15

The host government may also establish a NFAP Steering Committee (sometimes known as Coordination Committees), consisting of government, private sector and local-peoples' NGOs. The intended function of a national Steering Committee is to contribute during the NFAP planning process when decisions are needed requiring a broad-based consensus.⁴³ Table 4 details information concerning NFAP Steering Committees.

The next stage is the convening of a seminar or workshop (the first of at least three such meetings) known as Round Table 1. Ideally, Round Table 1 should bring together all interested national actors - government ministries, private companies and NGOs - to define the procedures for compilation of the NFAP.⁴⁴ Next donor-sponsored consultants will carry out field missions with a view to identifying suitable projects for sponsoring, and

TABLE 4 · STEERING COMMITTEES IN NFAP HOST COUNTRIES AS AT MARCH 1991

	LATIN AMERICA	ASIA	AFRICA	TOTAL
Steering Committee				
Steering Committee formed	17	11	13	41
Steering Committee not formed	3	-	6	9
No information	5	6	15	26
TOTAL	25	17	34	76
NGO involvement				
NGOs involved	15	11	12	38
NGOs not involved	3	-	8	11
No information	7	6	14	27
TOTAL	25	17	34	76
Industry involvement				
Industry involved	16	10	11	37
Industry not involved	1	-	6	7
No information	8	7	17	32
TOTAL	25	17	34	76
People's involvement				
People involved	14	9	10	33
People not involved	3	-	5	8
No information	8	8	19	35
TOTAL	25	17	34	76

Source: FAO document FO:TFAP/92/2, Annex 2, p. 14.

prepare a Draft Mission Report for submission to the government and participating agencies for comments.⁴⁵

Ideally, the findings of all parties to date will be incorporated into the TFAP Mission Report which will form the basis for the NFAP. Round Table 2 is then convened to debate and amend, if necessary, the NFAP. Usually this stage

develops into a series of interim meetings.⁴⁶ The finished NFAP document is then circulated to donors. The NFAP will provide details of intended projects and outline a long-term forest management strategy.

Round Table 3 is the international round table at which donor agencies are expected to identify proposed NFAP projects that they are prepared to fund.⁴⁷ By now the NFAP process will have been in progress for about 18 months.⁴⁸ From Round Table 3 there should emerge a commitment on funding from the CSA and from other donors (Supporting Agencies or SAs). Table 5 details the roles (as CSAs, CSFs or SAs) which bilateral and multilateral donors have filled in NFAP exercises as at March 1992. Some points worthy of comment that emerge from a study of Table 5 are now outlined.

Firstly it can be seen that, of the co-founders of the TFAP, FAO is the major CSA for NFAP exercises, while UNDP is the major CSF. These actors have also played additional important roles, with FAO the largest, and UNDP the second-largest, SA. The World Bank is the second-largest CSA, with involvement in nine NFAPs, while it has also been involved (as CSF or SA) with six others. The table indicates that the WRI has been a SA for one project. This figure is disputed by the WRI who claim that they have been involved with NFAP exercises in Guatemala, Ecuador, Central America, Burkino Faso and, in cooperation with IIED, in Zaire and Cameroon.⁴⁹ Note that in addition to WRI, other international NGOs have acted as SAs, namely IIED, IUCN and WWF. These actors have participated in the FAG, as have the regional development banks. Of the latter category, the Asian Development Bank has become an important CSA in Asia, while the African Development Bank and the Inter-American Development Bank have played a lesser role as SAs.⁵⁰ Note also the role of other actors within the United Nations system.

TABLE 5 - BILATERAL AND MULTILATERAL DONOR PARTICIPATION IN NFAPs AS AT MARCH 1992

AGENCY/COUNTRY	CSA	CSF	SA	TOTAL
Co-sponsors				
FAO	23	-	31	54
World Bank	9	1	5	15
UNDP	3	18	11	32
International Development Banks				
Asian Development Bank	5	-	-	5
African Development Bank	-	-	1	1
Inter-American Development Bank	-	-	2	2
Other Intergovernmental Organizations				
EC	-	1	2	3
ITTO	-	-	1	1
UNFPA	-	-	2	2
UNEP	-	-	1	1
UNSO	-	-	1	1
World Food Programme	-	-	3	3
Donor Countries				
Australia	-	-	2	2
Austria	-	-	1	1
Belgium	-	1	1	2
Canada	4	-	3	7
Denmark	-	-	2	2
Finland	3	3	4	10
France	4	-	-	4
Germany	1	-	9	10
Italy	-	-	4	4
Japan	-	1	1	2
Netherlands	2	2	8	12
New Zealand	-	-	2	2
Sweden	1	-	2	3
Switzerland	-	-	3	3
United Kingdom	1	1	2	4
United States	2	-	3	5
USSR	-	-	1	1
International NGOs				
IIED	-	-	1	1
IUCN	-	-	2	2
WRI	-	-	1	1
WWF	-	-	1	1
TOTAL	58	28	113	199

Source: FAO document FO:TFAP/92/2, Annex 1, p. 13.

Notes: These figures are extracted from a FAO source. The WRI dispute the figure given that they have acted as a SA for only one NFAP. They claim to have been involved in at least six NFAPs by March 1992.

UNSO stands for United Nations Sudano-Sahelian Office. Based in New York, the UNSO is a UN programme dealing specifically with the problems of the Sudano-Sahelian region. It was established in the mid-1970s.

The next stage of the NFAP is where the linkages between the NFAP (the national processes) and the TFAP (the international process) are most evident. There will be contact with the TFAP Coordination Unit to review progress in NFAP implementation.⁵¹ Monitoring of NFAP implementation may also occur in the FAG. For example, at the 13th FAG meeting (Rome, December 1991) seven NFAP Round Table exercises were considered, namely those from Cameroon, Congo, Myanmar (Burma), Vietnam, Laos, Ecuador and the Caribbean.⁵² Of these, representatives from all but Congo and Laos attended.⁵³

4.5 The 1990 Legitimacy Crisis

By 1990 it could be argued that TFAP was a successful international mechanism. Firstly, a high rate of participation among tropical forest countries had been achieved. Seventy-nine tropical forest countries had started, or had expressed an interest in, a NFAP by June 1990. This compares with twenty-two producer countries which were members of the International Tropical Timber Organization (ITTO) at this stage.⁵⁴ Secondly, through the FAG, developed-world governments and NGO donors had given support. The early support by the donor community at the 1985 Hague meeting was an important step in the international acceptance of the TFAP. Thirdly other donors, such as regional development banks and various UN organs, had established relations with the TFAP. The TFAP, as a strategy and an institution had, it would seem, attained a position of widely-accepted legitimacy and authoritative status among key actors.

But by 1990 the TFAP was attracting criticism. Deforestation in tropical forest countries had not been curbed (see Table 2, Chapter 3). WWF had called for a "fundamental revision" of the TFAP in August 1989.⁵⁵ Subsequently the FAO initiated an Independent Review. In March 1990 a NGO "retreat" on the subject of TFAP reform,

hosted by WWF-US in Washington,⁵⁶ concluded that the "original conception of TFAP was flawed by an internal contradiction: it recognised many causes of deforestation, but offered only forestry solutions...".⁵⁷ Then in 1990 the TFAP's legitimacy was severely undermined with the publication of three reviews.

The World Rainforest Movement published the first review in March 1990. The Independent Review was published in May 1990, and the WRI also published a review in June. The FAO-initiated Independent Review team was composed of a group of three people: Ola Ullsten, a former Prime Minister of Sweden, Dr Salleh Mohammed Nor, and Dr. Montague Yudelman. The composition of the team attracted NGO criticism that the team was far from independent. George Marshall, then of *The Ecologist*, UK, noted that two of the team had previous close involvement with the TFAP.⁵⁸ Dr. Nor was a member of the WRI Task Force,⁵⁹ while Dr. Yudelman was formerly employed by the World Bank.⁶⁰ Marshall's criticism therefore has a certain validity.

The authors of the three reviews used different data and documents to conduct their research. The WRI review provides a lengthy bibliography of sources that cover both the international and national levels of the TFAP. The Independent Review team relied heavily on desk studies of a questionnaire circulated to actors in host and donor countries. The WRM review team obtained the documentation from nine NFAPs and drew conclusions from these.

Nonetheless, despite their different methodologies, many of the conclusions of the three reviews are similar. Five commonalities linked the three reviews. Firstly was the acknowledgement that the TFAP, and the NFAPs it spawned, had not contributed to slowing rates of deforestation. The WRI report noted that,

Key opportunities for slowing net deforestation by launching policy and institutional reforms, reallocating resources and mobilizing the private sector and NGOs are being neglected.⁶¹

The Independent Review states that "the rate of

deforestation appears to have accelerated in spite of the TFAP".⁶² Where the Independent Review uses the words "in spite of", the WRM would say "because of": their critique accuses the TFAP of "facilitating substantially increased financing of unsustainable projects".⁶³ The WRM were not alone in claiming that NFAPs over-concentrated on industrial forestry and plantations; such allegations have been made elsewhere by other NGO activists.⁶⁴

A second area of agreement among the three reviews is that the TFAP had been unable to reconcile country level interests with international interests successfully. The Independent Review observes "a need to find a consensus approach that bridges the differences between national and international views".⁶⁵ But where the Independent Review noted only the importance of national interests, the WRI also emphasised local interests; both the FAO and WRI documents of 1985, "apparently assumed that there would be few conflicts between local and national interests."⁶⁶ A separate WRI report argues that the original TFAP document may "contribute to cultural destruction"⁶⁷ due to an attitude which

...in varying degrees penetrates all [N]FAPs analyzed - that indigenous peoples are "backward" less productive members of society, and as such are obstacles to "progress" as defined by national economic goals and international market forces.⁶⁸

The WRM shared this concern. They criticised the 1985 TFAP document as "having been elaborated with almost no consultation with NGOs or community-based organisations" so that insufficient attention was paid to the needs and rights of forest dwellers.⁶⁹ The WRM's critique called for a moratorium on funding for the TFAP until it is restructured to yield "a democratic development process in which local people have a decisive voice in the formulation of policy...".⁷⁰ The WRM outlined three alternative "priority areas". First, funding agencies should direct their resources "to promote the effective demarcation and protection of the lands of the people who rely on the

forests".⁷¹ Secondly, funding for forest colonisation projects should be terminated, and instead a programme of land reform and changes in land tenure laws should be initiated. Thirdly, the WRM, arguing that external debt contributes to pressure on tropical forests, called for debt relief to Third World countries.⁷²

The third feature that united the three reviews was that, by concentrating solely on the forest sector, NFAPs had ignored the causes of deforestation which lie outside the forest. The Independent Review team effectively implied this by noting that there are preconditions necessary for successful forest development,⁷³ while the WRI and WRM reports stated this directly.⁷⁴ The latter considered that the nine NFAPs examined in their review were "narrowly focused on the forestry sector".⁷⁵ They doubted whether the co-founders of the TFAP are "capable of implementing a sufficiently innovative plan to resolve the root causes of tropical deforestation".⁷⁶ The WRM critique concluded that deforestation is likely to increase under the TFAP.

The WRI review agrees with the WRM that funding has concentrated too much on the forestry sector. NFAPs have "a focus too narrow to adequately assess the root causes of deforestation, much less to affect them significantly".⁷⁷ Although the three reviews agreed that the causes of deforestation lay outside the forest, beyond this there was little consensus between them on this subject. In the language of the regime theorist, there was no evidence in the three reviews of a widely accepted epistemic consensus on the causes of deforestation.

The fourth area in which the reviews found common ground was that the TFAP, at the international level, required major institutional reforms. The WRI argued that "a broadly representative international steering committee is urgently needed to provide overall guidance to the TFAP's implementation".⁷⁸ The proposal for an international steering committee was one of the most important to emerge from the three reviews; it led to major efforts both within

and outside the FAO for the establishment of a Consultative Forum (or Consultative Group).⁷⁹ WRI further urged the development of a new management structure for TFAP outside the FAO Forestry Department,⁸⁰ although the review did not explicitly advocate that the TFAP be located entirely outside the FAO. This was similar to an Independent Review recommendation which urged that the FAO Forestry Department "should be freed from direct responsibility... so that the TFAP becomes a distinct administrative unit under the FAO umbrella".⁸¹ The WRM review urged that the TFAP be "restructured so that it can meet its stated goals of checking deforestation and promoting genuinely multi-disciplinary and cross-sectoral planning".⁸² Disillusioned with the FAO's handling of the TFAP, the WRM recommended in a letter circulated to TFAP funding agencies later in 1990 that an essential first step in the reform process "must be to remove the TFAP from FAO's overall control".⁸³

The fifth area in which the three reviews found common agreement was on NFAP procedures. In particular there was concern that international agencies and tropical forest governments had a disproportionate say in the implementation of NFAPs. The Independent Review team concluded that the present procedure in NFAPs was donor-driven and project-orientated. They recommended that new NFAP procedures should be "country-driven" and "process orientated"⁸⁴ (although these terms are not defined). They criticised the NFAP process as being based conceptually on the practices of development banks.⁸⁵ The WRI review effectively endorsed the view that NFAPs have been "donor-driven" when noting that development banks have preferred to fund industrial projects, with the priority for bilateral aid agencies being land-use and institution-building projects.⁸⁶ Hence, within a given country, a preponderance of one type of donor resulted in an unbalanced NFAP. These observations relate to the supply-side of aid flows. The Independent Review also note a demand side when stating that some tropical forest country governments "have been drawn in by the lure of

aid".⁸⁷ The WRM also note the supply and demand side to aid flows. Firstly, "governments will push forward their favoured projects", and secondly "donors will pick out projects that suit them rather than which benefit local peoples".⁸⁸ The end result has been NFAPs that are driven by the interests of governments and donors, rather than norm-governed behaviour focused on an imperative to conserve tropical forests.

Numerous instances have been documented by the NGO community of allegations that donors' interests have prevailed over local communities' interests in the implementation of NFAPs. Two are reported here. On 31 July 1990 a Thai NGO, the Project for Ecological Recovery, wrote to the Ambassador of Finland in Bangkok (FINNIDA, the Finnish government's international development agency, was the CSA of the Thai NFAP) urging a funding moratorium. The letter stated that the NFAP was "creating conflicts between local people and those who promote commercial tree plantations".⁸⁹ The Thai NFAP also provides an interesting model of NGO cooperation, with NGOs from the CSA country forming a cooperative alliance with NGOs from the NFAP host country.⁹⁰

The second example concerns the Indonesian NFAP. This is considered here in some detail as it provides an interesting example of how local, national and international NGOs have coordinated their efforts to oppose a NFAP. On 16 November 1990 a statement was issued by 18 international NGOs urging donors to suspend funding for the Indonesian NFAP, which was "clearly orientated towards the timber industry",⁹¹ until full NGO participation was secured at Round Table 3. According to the Indonesian NGO network SKEPHI (Indonesian NGO's Network for Forest Conservation), NGOs had encountered various barriers to effective participation at the Round Table 2.⁹² Noting these problems, the WRI launched a strategy to improve NGO coordination at Round Table 3. A central objective of this strategy was "to strengthen the NGO position through a combined and

systematic research effort utilizing the strengths of both grassroots ...and international NGOs".⁹³ The WRI advocated that a principle for cooperation between Northern and Indonesian NGOs should be that Indonesian NGOs "take the lead in defining the scope, strategy and presentation of NGO participation" at the Round Table.⁹⁴ Non-Indonesian NGOs would assist them in their efforts. This emphasis on North-South NGO cooperation is reflected in the International NGO Forum on Indonesia (INGI).⁹⁵ The INGI has two steering committees: the Indonesian Steering Committee is composed solely of local and national level Indonesian NGOs; the Non-Indonesian Steering Committee is composed of other NGOs concerned about forestry and other environmental, economic and developmental issues in Indonesia. The INGI pressured the World Bank (an SA for the Indonesian NFAP) on the subject of NGO participation at Round Tables.⁹⁶ The Indonesian NFAP illustrates both the vast amount of campaigning on NFAPs taking place among national level and international NGOs, as well as the interesting point that the latter are prepared to defer to the former.

Allegations that local people NGOs have been excluded from, or found difficulties participating in, Round Tables have been quite common. In the Cameroonian NFAP local NGOs were excluded entirely from Round Table 2,⁹⁷ although a small number of principally international NGOs were invited to participate in Round Table 3.⁹⁸ The Cameroonian NFAP was heavily criticised because it led to increased logging of virgin rainforest, and the building of a road from the Atlantic coast to the Cameroonian interior to facilitate timber exports.⁹⁹ Similar accusations have arisen regarding the Zaire NFAP.¹⁰⁰

Pressure on the TFAP and its funding agencies continued to grow after the publication of the three reviews. On 2 May 1990 the Chairman of the United States Senate Committee on Foreign Relations sent an open letter to the President of the World Bank repeating two of the allegations in the WRM review: firstly, there was "mounting evidence that the

implementation of the TFAP on the national level ... may in fact cause rates of deforestation to increase"; secondly, the letter urged the World Bank to suspend funding for "forestry projects through TFAP pending completion of a thorough review of the TFAP process".¹⁰¹

Two months later the TFAP crisis was recognised by the Group of Seven Industrialised Countries.¹⁰² The G7, meeting at Houston in July 1990, stated that

The Tropical Forestry Action Plan must be reformed and strengthened, placing more emphasis on forest conservation and protection of biological diversity.¹⁰³

Problems accumulated for the TFAP and the FAO when two prominent international NGOs announced that they would no longer sponsor NFAPs or make any other financial contribution to the TFAP. WWF, which announced its withdrawal on 3 October 1990,¹⁰⁴ is an actor that has long managed to tread the fine line between working with mainstream actors, such as multilateral agencies, governments and industry, while simultaneously commanding respect from more radical NGOs; WWF have a reputation as an "insider" accepted by "outsiders". WWF ceased funding TFAP activities because, in the words of one spokesman, "We had to respond to our affiliates in the Third World who fear that, in its present form, the plan may do more harm than good".¹⁰⁵ The withdrawal of the second international NGO was even more damaging for the TFAP. In April 1991 one of the TFAP's co-founders, the WRI, announced it would cease making any further financial contributions.

By this time NGOs and green parties in several countries had publicly called for either a cessation to, or reform of, the TFAP.¹⁰⁶ Prior to the publication of the three reviews, and following the fall of the Berlin Wall, the first meeting of West and East European Green Parties (16-17 December 1989, Brussels) had passed a resolution opposing the TFAP, and supporting the campaign for an emergency session of the UN General Assembly on tropical deforestation (see Chapter 3).¹⁰⁷ NGO pressure was maintained in September 1990 with a joint letter to the

President of the World Bank signed by 19 NGO representatives.¹⁰⁸

Environmentalists - both Green Parties and NGOs - thus played a significant role in advocating TFAP reform, although the role of major actors such as the G7 and the US Senate Committee on Foreign Relations was also important. In short, a major broad-based coalition advocating either abandonment or, at a minimum, reform of the TFAP had emerged, a coalition which FAO found impossible to ignore.

4.6 The Restructuring Process of the TFAP

Since 1990 FAO has strived to retrieve its previously leading role in international forestry. This section will trace the efforts by FAO and other actors to restructure the TFAP at both the international and national levels. Consideration will be given to the role played by the FAG and by NGOs. It will be seen that the period since 1990 has been fraught with further complications and controversy.

The first meeting of a FAO statutory body after the publication of the three reviews was the 10th Session of the COFO in September 1990. The member delegates endorsed a recommendation by the Independent Review that new guidelines be drafted for NFAP implementation,¹⁰⁹ and "strongly supported" a further Independent Review recommendation that Country Capacity Projects be introduced.¹¹⁰ This recommendation is premised on the assumption that certain institutional and human resource conditions are necessary for effective forest conservation and "sustaining progress in the [N]FAP exercises".¹¹¹ The COFO also approved a minor semantic change, namely that the name of the TFAP should be changed from Tropical Forestry Action Plan to Tropical Forestry Action Programme.¹¹²

In 1991 FAO initiated the TFAP restructuring process. This has taken far longer than originally anticipated, and at the time of writing (December 1994) the process is only now nearing completion. Table 6 below details the key events and meetings that contributed to the restructuring process.

TABLE 6 - CHRONOLOGY OF KEY EVENTS AND MEETINGS DURING THE TFAP RESTRUCTURING PROCESS¹

DATE	PLACE	DETAILS
1989		
August	Gland, Switzerland	WWF calls for a "fundamental revision" of the TFAP
16-17 December	Brussels	Meeting of West and East European Green Parties
1990		
2 March	Washington DC	NGO retreat on the TFAP (hosted by WWF-US)
6-8 March	Oxford	Third meeting of the FAG Steering Committee
March	Penang/Dorest, UK	Publication of the World Rainforest Movement review
May	Kuala Lumpur	Publication of the Independent Review
2 May	Washington DC	US Senate Committee on Foreign Relations calls for a funding moratorium
June	Washington DC	Publication of the World Resources Institute review
11-16 June	Rome	10th Session of the Forestry Advisers Group
11 July	Houston	G7 call for the TFAP to be reformed and strengthened
24-28 September	Rome	Tenth Session of FAO's Committee on Forestry
3 October	Gland, Switzerland	WWF announce they will cease funding TFAP activities
9-14 December	Helsinki	11th Session of the Forestry Advisers Group
1991		
6-8 March	Geneva	Expert Meeting to Discuss Revamping the TFAP
15-16 April	New York	Meeting of four co-founders; FAO, World Bank, UNDP and WRI WRI announce they will cease funding TFAP activities
27-31 May	Ottawa	12th Session of the Forestry Advisers Group
10-21 June	Rome	Ninety-ninth Session of the FAO Council ²
13-14 September	Paris	Contact Group meeting on TFAP restructuring
17-26 September	Paris	Tenth World Forestry Congress
5-8 November	Rome	Hundredth Session of the FAO Council ²
25 November	Washington	WRI renew their call for an independent Consultative Group
2-6 December	Rome	13th Session of the Forestry Advisers Group
9 December	Rome	First Session of the <i>Ad Hoc</i> Group on the TFAP
10-13 December	Rome	Tenth Session of FAO's Committee on Forest Development in the Tropics
1992		
4 May	Rome	First Session of the Forestry Forum for Developing Countries (FFDC)
5 May	Rome	Second Session of the <i>Ad Hoc</i> Group on the TFAP
18-22 May	Dublin	14th Session of the Forestry Advisers Group
15-17 July	Rome	Meeting of the Sub-Group of the <i>Ad Hoc</i> Group on the TFAP
3 September	Rome	Second Session of the Forestry Forum for Developing Countries (FFDC)
4 September	Rome	Third Session of the <i>Ad Hoc</i> Group on the TFAP
9-20 November	Rome	Hundred and Second Session of the FAO Council ²
29 Nov - 4 Dec	Costa Rica	15th Session of the Forestry Advisers Group
1993		
8-12 March	Rome	Eleventh Session of FAO's Committee on Forestry (COFO)
25-28 May	New York	16th Session of the Forestry Advisers Group
14-25 June	Rome	Hundred and Third Session of the FAO Council ²
1994		
June	Rome	Hundred and Fifth Session of the FAO Council ²
5-7 December	Rome	First meeting of the TFAP Consultative Group (provisional date and venue)

Notes

1. The chronology is not exhaustive. Numerous meetings have taken place on the TFAP, and the intention of this table is to itemise the main ones.
2. Only those FAO Council Sessions at which TFAP was an agenda item have been listed.

The first stage of the restructuring process was an ad hoc meeting of experts convened in Geneva (6-8 March 1991) by the four co-founders. The goals and objectives of the TFAP were reconsidered in line with a recommendation from the WRI review to this effect.¹¹³ Individuals who attended the Geneva meeting did so in a personal capacity, and not as representatives of any group or country. Seven members from six NGOs attended, namely the World Rainforest Movement (Dr. Marcus Colchester), Friends of the Earth-US, the Environment Liaison Centre International (Kenya, ELCI), the Indonesian Environmental Forum (WALHI), IUCN and the Amazonian indigenous-peoples' group, COICA. The meeting reached a broad agreement on the revised goal of a restructured TFAP, namely

to curb tropical forest loss by promoting the sustainable use of tropical forest resources to meet local and national needs through fostering international and national partnerships to manage, protect and restore forest resources and lands in tropical countries for the benefits of present and future generations throughout the world.¹¹⁴

The meeting further agreed that in pursuit of this goal the objectives of the TFAP would be to strengthen national governmental capacity and to develop and implement strategies to "address the root causes of tropical deforestation".¹¹⁵ Six functions for a Consultative Group, to be established in line with a recommendation from the WRI review, were agreed upon, namely

to provide broad strategic advice, establish priorities for action, review adherence to [the] TFAP goal and objectives, undertake periodic progress and impact reviews, promote dissemination of information on TFAP, and help identify funding needs and sources.¹¹⁶

UNDP indicated they were prepared to host the Consultative Group's secretariat. The Geneva meeting also reached an agreement that the Group would be an independent (not an intergovernmental) body and "would accomplish its objectives through consensus and not be subject to ratification by other bodies".¹¹⁷

The Geneva meeting raised hopes among many NGO

campaigners that the Consultative Group would be an innovative polity ensuring genuine participatory decision-making procedures involving local communities and indigenous peoples. Marcus Colchester of the World Rainforest Movement collaborated with Friends of the Earth-US to conceive, and lobby for, a vision of how such a Consultative Group may be expected to function. They urged the establishment of a Consultative Group completely independent from the influence of the TFAP co-founders and with the capacity to review the functioning of NFAPs and to ensure that they adhered to genuinely democratic modes of action. It was envisaged that the reform process would be a two-tier one affecting both the international and national levels of the TFAP: firstly, there would be an international Consultative Group, serviced by an independent secretariat; secondly, at NFAP level, there would be a separate consultative group for each country. Comprised of affected local peoples' and indigenous peoples' groups, the national consultative group would be integral to the NFAP process. The international group would have some oversight over NFAPs, and would also be tasked with ensuring transparency and accountability at the international level of the TFAP.¹¹⁸ It will be seen in the pages that follow that the type of Consultative Group finally decided upon falls far short of this vision, indeed it does not meet even the recommendations of the Geneva meeting.

One month after the Geneva meeting the four co-founders met in New York at the UNDP offices (15-16 April 1991). Here the WRI announced that they would cease sponsoring further TFAP activities¹¹⁹ while continuing to contribute to the restructuring dialogue. The four co-founders agreed that a Consultative Group should be kept as small as possible so as not to be "unwieldy", yet it "must include adequate representation from all parties concerned with the future of tropical forests".¹²⁰ It was agreed that NGOs would be included within the Group's membership.¹²¹ The meeting issued a schedule for TFAP reform; the first meeting of the

Consultative Group should take place in the fall of 1991.¹²² This schedule was not met.

The New York meeting finalised the report of the Geneva meeting which subsequently formed the basis of the report presented to the Ninety-ninth Session of the FAO Council (June 1991).¹²³ The Council advocated setting up a Contact Group to consider further the issue of a Consultative Group.¹²⁴ This met in Paris prior to the Tenth World Forestry Congress (17-26 September 1991).¹²⁵ Known as the Paris Consultation, the meeting was attended by representatives from six tropical forest countries, six donor countries, six NGOs, the TFAP co-sponsors, various invited IGO representatives and the Chairman of the FAG.¹²⁶ There were five agenda items,¹²⁷ only one of which was considered, namely a revision of the Geneva text on the functions of the Consultative Group.¹²⁸ The deliberations were slowed by protests from the Malaysian delegation that a Consultative Group should respect the sovereignty of states over their natural resources.¹²⁹ The issue of sovereignty became an important one for the remainder of the Consultative Group debate. It became clear after the Paris Consultation meeting that, by invoking sovereignty, tropical forest government delegates within FAO had seized control of the restructuring debate from the NGOs. Although these delegates accepted that NGOs should have a role to play in a Consultative Group, their influence would be heavily proscribed.

On 25 November 1991 WRI issued a statement repeating their call for a Consultative Group to be established "composed of representatives from all of the major TFAP actors [and] responsible to no single entity".¹³⁰ The statement concludes by saying that if such a Group was not established

and full revamping does not occur, the TFAP should be terminated without delay so that something new and more hopeful can be created at the international level in its stead.¹³¹

With the Paris Consultation having considered only one

agenda item, the 100th Session of the FAO Council (Rome, 5-8 December 1991) established an Ad Hoc Group on the TFAP.¹³² An intergovernmental group, this subsequently met in Rome on three occasions between December 1991 and September 1992. The Group was open to all countries hosting NFAPs or donor countries funding NFAPs. Representatives from interested UN agencies were permitted to attend as observers. NGOs "who had demonstrated their commitment to the TFAP, including those who had participated in both the Geneva and Paris meetings"¹³³ were also invited as observers.¹³⁴

The first meeting of the Ad Hoc Group reached no conclusions on institutional reform and passed the initiative back to the FAO Forestry Department requesting that a paper be prepared setting out the possible options for a consultative mechanism.¹³⁵ The Chairman of the FAG was in attendance at this meeting. Throughout this period the FAG took an active interest in TFAP institutional reform. At its third Steering Committee meeting (Oxford, 6-8 March 1990) the FAG noted an "urgent need to identify improved international institutional arrangements for implementing the TFAP".¹³⁶ At its 13th full meeting in Rome (December 1991) the FAG stated that it supported the formation of a Consultative Group "which could act as a strategic advisory group on tropical forest issues related to the TFAP".¹³⁷ One week later the inconclusive first meeting of the Ad Hoc Group took place. The following day the Tenth Session of the CFDT convened where the FAG Chairman emphasised the concerns of the FAG over the length of time the institutional reform process was taking.¹³⁸

What were the reasons for this delay? During the restructuring process various sources of disagreement among government delegates to FAO came to the fore concerning the composition and structure of the proposed Consultative Group. A study of the available documents reveals three contentious issues: the role, if any, of NGOs; the relationship of a Consultative Group with FAO; and the number of members the Group should have. Debate over these

three issues was protracted during the nine months the Ad Hoc Group was in existence. This was partially because deliberations slowed as delegates awaited the outcome of the United Nations Conference on Environment and Development (June 1992), and partially because of the contentiousness of the issues themselves.

An important factor influencing the debate was the formation by the Group of 77 (G77) of the Forests Forum for Developing Countries (FFDC). The FFDC's inaugural meeting took place in May 1992 the day before the second meeting of the Ad Hoc Group. This meeting advocated that existing FAO structures be used for the Consultative Group and that FAO should maintain a leading role in TFAP.¹³⁹ FAO have agreed that the FFDC will be represented on the Consultative Group in a similar capacity to the FAG,¹⁴⁰ making it the second semi-formal international group to establish relations with the TFAP. The FFDC may be seen as a TFAP caucus group for developing countries. Certainly its creation by the G77, a caucus that took a strong line on the forest negotiations in the UNCED process (see Chapter 6), would support such a view.

Following the request made at the first Ad Hoc Group meeting FAO presented the second meeting with five possible options for a consultative mechanism:

- Option I Committee on Forestry
- Option II Committee on Forest Development in the Tropics
- Option III Forestry Advisers Group
- Option IV Forest Forum for Developing Countries
- Option V A new consultative mechanism.

Central to the debate on the five options was the relationship of the proposed Group with FAO organs. Senior officials within FAO were aware that the 1990 legitimacy crisis posed a threat to the Organization's leading role in both the TFAP and in tropical forestry *per se*.¹⁴¹ However, the decision-making powers rested with member delegates. Options I and II would have resulted in the establishment of a Consultative Group firmly within FAO, and would have

broken the agreement reached at the Geneva meeting that the Group be independent. Options III, IV and V would have resulted in the creation of a Group outside FAO's formal structure. Option V, namely a new mechanism, was preferred by the industrialised countries while, as noted above, the tropical forest countries supported the assumption of a Consultative Group's functions by an established FAO body (Options I and II).¹⁴²

The second meeting of the Ad Hoc Group did not choose between the five options, but did decide that subsequent discussion should be focused on Options I and V. A Sub-Group was established, which subsequently met in Rome (15-17 July 1992) tasked with arriving at a compromise formula for a consultative mechanism. By this time the UNCED had met in Rio de Janeiro. The negotiation of the non-legally binding statement on forest principles produced by the conference will receive a full consideration in Chapter 6; here it is sufficient to note that this made no mention of the TFAP, although TFAP was accorded a mention in Chapter 11 of the UN's programme of action for the environment, Agenda 21.¹⁴³

Delegates from twenty countries were invited to the Sub-Group meeting.¹⁴⁴ No observers were invited. The proposed compromise solution was of a group "within the institutional structure of FAO, linked in a looser way with COFO but still reporting directly to FAO's governing bodies".¹⁴⁵ It was recommended that "broad rights of participation" be accorded to IGOs and NGOs, but that "final decisions (and voting rights) ...would remain with Member Governments".¹⁴⁶ The new body should be open to all FAO governments "which express their desire to become members".¹⁴⁷

The participatory status of NGOs was a contentious point throughout this debate. Official FAO documents reveal that delegates from tropical forest countries expressed reservations on the proposed involvement of NGOs alongside government representatives.¹⁴⁸ The role of NGOs cannot be considered in isolation from the question of national

sovereignty. The first meeting of the Ad Hoc Group underlined that the Group "should not be a body for supervising the activities of sovereign states and bringing pressure to bear on any party".¹⁴⁹ Subsequently the Sub-Group emphasised that any consultative mechanism "should be based on the concept of national sovereignty and should thus allow for the final decisions to be taken by governments alone".¹⁵⁰ The views of NGOs should be heard "but they should not be placed on a parity with those of Member Nations".¹⁵¹ Malaysia, Indonesia and Brazil led the opposition of the tropical countries to the establishment of a Consultative Group outside the FAO.¹⁵²

At the Ad Hoc's Group third and final meeting in September 1992 the FAG Chairman stated that the compromise proposal

did not respect the fundamental principles of the Consultative [Group] agreed upon at the Geneva meeting. Especially the two most important features of independence and informality would be lost if it is situated within FAO or any other international organisation.¹⁵³

Despite this intervention, the Ad Hoc Group endorsed the recommendations of the Sub-Group (although certain minor textual modifications were made).¹⁵⁴ FAO's Programme Committee subsequently agreed with the proposal and forwarded it to the 102nd Session of the FAO Council (9-20 November 1992).¹⁵⁵

The Ad Hoc Group had reached a consensus on the role of NGOs and on the relationship of a Consultative Group with the FAO. But the third source of disagreement, the number of members, remained unsettled. In November 1992 the Director-General presented his views on this subject to the 102nd Session of the FAO Council. He expressed reservations on the Group being open to all FAO member states; this would be "large, cumbersome and costly". He estimated that the annual cost of servicing such a Group's meetings would be of the order of US\$ 2,128,000, and was of the view that "the allocation of scarce resources of the magnitude estimated

can hardly be justified".¹⁵⁶ The number of participants would be in excess of the FAO Council "which calls into question the basic concept that an advisory body should be smaller than the entity receiving its advice".¹⁵⁷ He proposed, for the consideration of the Council, a membership size of 30. The Council subsequently decided that the Independent Chairman of the Council should prepare a detailed proposal on membership, taking into consideration the Director-General's comments, and that the 11th Session of the COFO would review this proposal.¹⁵⁸

The 11th Session of the COFO (8-12 March 1993), recalling that the decision on the Group was the responsibility of the FAO Council, declined to make a recommendation and decided "to open a period of reflection". The Independent Chairman suggested that this should not go beyond the next FAO Council session.¹⁵⁹

At the 103rd Session of the FAO Council, the Independent Chairman presented his proposals which had been formulated after the 102nd Council session following discussions with the FAO Secretariat and representatives of the OECD group¹⁶⁰ and the G77. He considered that the establishment of a new Group within FAO was "not only the most desirable solution but also in fact the only possible one".¹⁶¹ He recommended a membership size of 36 with five categories; category 1 would be the Executive Heads of the FAO, World Bank, UNDP, UNEP and ITTO; category 2 would be 14 developing countries; category 3 would be seven developed countries; category 4 would be one representative each from the WRI, FFDC and FAG; while category 5 would be seven NGO representatives.¹⁶²

Of the seven NGOs it was recommended that two NGOs represent the forest industry (one each from the developed and developing countries) and five NGOs would represent environment and development interests (1 international NGO, 1 NGO from a developed country, and 3 from developing countries). In this way, the type of NGO that could participate was heavily proscribed. No proviso was made for

local community groups or indigenous peoples. Furthermore, although it was suggested that NGOs select their own representatives, an added proviso that angered many NGO campaigners was that; "It is understood that this procedure would require the consent of the member country in the case of national NGOS".¹⁶³

As a result of the compromise solution the Consultative Group will be an FAO body and will be established under Article VI.5 of the FAO Constitution which, *inter alia*, empowers the Director-General of FAO to

...convene general, regional, technical or other conferences, or working parties or consultations of Member Nations and Associate Members, laying down their terms of reference and reporting procedures.¹⁶⁴

The World Bank and the UNDP indicated in May 1992 that they were unable to contribute to the running costs of a Group operated entirely under the auspices of another UN organ.¹⁶⁵ Funding for the Consultative Group presented a problem to FAO. The 103rd session of the FAO Council in June 1993 agreed to establish the Consultative Group,¹⁶⁶ but by December 1993 donors had yet to agree to commit the necessary funds. The government of the Netherlands "expressed its willingness to finance the participation of NGOs, but this would not cover the other costs involved".¹⁶⁷ By the time the 105th session of the FAO Council had convened in Rome in June 1994 the requested donor support had yet to materialise. Following a proposal from the Director-General, the Council agreed to finance the Group's first meeting from FAO's Regular Programme; this will be convened for 5-7 December 1994 in Rome and the agenda will include debate "on the evolving requirements of an international framework for the preparation and implementation of NFAPs in the context of the post-UNCED process".¹⁶⁸ By April 1994 procedural details for the selection of NGOs had yet to be fully-finalised but "should follow a bottom-up regional process".¹⁶⁹

Throughout the period 1991-3 the FAG became increasingly concerned at the direction and slow pace of the

restructuring process. Initially the FAG were prepared to offer their support to a Consultative Group. In September 1991, with the process one year old, the FAG Chairman stated that the FAG would "act in an advisory capacity to the proposed Consultative Group and other interested partners".¹⁷⁰ In December that year, as noted above, the FAG Chairman voiced concern to the CFDT on the slow pace of reform. One year later, in December 1992, the minutes of the FAG's 15th meeting state that the FAG still supported the original Geneva conception of a Consultative Group, but as discussions within the Ad Hoc Group had moved away from the original ideas, the FAG "decided to draw back from further involvement".¹⁷¹ Then in May 1993 the Chairman of the FAG sent a letter to the 103rd Session of the FAO Council stating that

The vast majority of the members of the Forestry Advisers Group, taking into consideration the fruitless efforts over three years to establish a consultative [group] agreeable to all parties, strongly recommends that Council not pursue this matter any further [emphasis in original].¹⁷²

Among the reasons cited for this course of action were that NGOs would not participate unless accepted as equal members, and the proposed Group would be the third FAO forestry body "and will in our view not have added value over COFO or CFDT".¹⁷³ By now it will be clear that the FAO did not heed the FAG's opinions regarding this matter.

Furthermore, the FAG have indicated support for a post-UNCED international initiative, namely a proposal to establish a World Commission on Forests and Sustainable Development. Shortly after the UNCED a meeting, sponsored by the Swedish Agency for Research Cooperation with Developing Countries (SAREC) and the Woods Hole Research Centre, was convened in Rome in July 1992 to discuss the UNCED outputs relating to forestry. At the meeting - chaired by, Ola Ullsten, one of the TFAP Independent Review authors - the idea for a World Commission on Forests and Sustainable Development was suggested, and an Organising Committee established.¹⁷⁴ The first formal meeting of this Committee

was held in Ottawa, 23-24 November 1992. In February 1993 the idea was endorsed at the Global Forests Conference held in Bandung. Further discussions by the Organising Committee took place in May 1993 in New Delhi.¹⁷⁵ At present the idea of a World Commission is still in the organisational stage. If convened it will be similar to the World Commission on Sustainable Development which reported in 1987. The UN Secretary-General would be invited to appoint the Chairman and Vice Chairman of the Commission which, it is envisaged, would consist of approximately 20-25 "independent eminent individuals".¹⁷⁶

This initiative is referred to in the letter sent to the FAO Council by the FAG Chairman. The final comments of this letter are scathing, coming from a Group that was specifically established to support the TFAP; the FAO's proposal for a Consultative Group "has been overtaken" by the World Commission on Forests and Sustainable Development proposal, it "is 'too little and too late' and should not be allowed to distract from efforts being made towards more fruitful undertakings".¹⁷⁷

The TFAP restructuring period led to a shift in the FAG's work. It no longer focuses exclusively on TFAP affairs. At its sixteenth meeting in New York (May 1993), the FAG redefined its mandate. Now called simply the Forestry Advisers Group (and no longer the TFAP Forestry Advisers Group), the redefined role of the FAG is

To support the formulation and implementation processes of national forest programmes and international support frameworks, and their interactions.¹⁷⁸

When this is compared to the original role of the FAG given in Section 4.3 above it is clear that the FAG has taken steps to distance itself from the TFAP.¹⁷⁹ The FAG is now an advisory group for all national forestry programmes (and not solely NFAPs) and other international initiatives. Hence at its sixteenth meeting, the FAG decided to offer its services to the UN Commission on Sustainable Development (created after the UNCED conference) and the Global Environmental Facility.¹⁸⁰ The FAG continues to debate and coordinate

donor responses for NFAPs, but in the future this will no longer be its sole task.

The debate on the Consultative Group was just one part, although an extremely important one, of the restructuring process. There have been other developments. In line with a recommendation of the Independent Review, new Operational Principles have been published by the FAO. These were discussed on three occasions in the FAG prior to publication.¹⁸¹ The Principles emphasise that a NFAP should not be regarded as a project package but as an integrated process. NFAPs should not be purely forestry exercises; linkages between the forestry sector and other social and economic sectors should receive full consideration.¹⁸² It is too early to say whether the new Principles will succeed in these objectives. FAO is currently organising a series of training workshops to discuss the "TFAP approach and the applicative development of the Operational Principles for the implementation of ...country plans".¹⁸³

In addition, four further major changes have occurred; one at the international level, one at the regional level, and two at the national level.

At the international level, two further actors have become TFAP co-sponsors, namely UNEP and the ITTO,¹⁸⁴ bringing the number of co-sponsors to five. Like the World Bank and the UNDP, the ITTO and the UNEP will not contribute to the running costs of the Consultative Group. However, they will have a seat on the Group.¹⁸⁵

There is now a greater emphasis on regional and sub-regional cooperation.¹⁸⁶ As at June 1993, a total of six sub-regional exercises, designed to enhance forestry conservation across borders, had been established within the TFAP framework.¹⁸⁷ Within the TFAP Coordination Unit it is recognised that coordination should gradually shift from being based at Rome to the regions. This recognition has paralleled a movement towards regional cooperation by NFAP Coordinators. For example, in March 1992 the first meeting of the Latin American and Caribbean Regional Group of

National TFAP Coordinators took place in Santa Cruz, Bolivia. A second meeting was held in September 1992 in Port of Spain. In August 1991 regional documentation centres were established, with the intention of fostering TFAP-related regional cooperation, in the FAO regional offices in Santiago, Bangkok and Accra.¹⁸⁸

Two significant changes have taken place at the national level. The first is a change to the NFAP process. Some actors considered that a fundamental weakness in the NFAP process was follow-up review and implementation. In September 1990 the WWF called for an extension of the Round Table process. Noting a need for "ongoing review" of NFAPs, WWF recommended that Round Tables 4 be established to continue coordination among donors and NFAP secretariats.¹⁸⁹ In June 1991 the FAG also noted the problems of implementation, further observing that donor participation was limited to Round Tables 3.¹⁹⁰ The FAO has since introduced Round Tables 4, the objective of which is to review progress in NFAP implementation.¹⁹¹ Like the Round Tables 2, the Round Tables 4 will be a series of meetings.¹⁹²

The second major change at national level is the introduction, in line with an Independent Review recommendation, of Country Capacity Projects. UNDP will take the lead for the TFAP on national capacity building. UNDP has launched a programme, Capacity 21, to complement the objectives of the UNCED's Agenda 21. A report for the FAG notes that

under [the Capacity 21] programme, and initially to assist with delivery of TFAP, UNDP has proposed a more systematic and consistent approach to the support and management of national forestry programmes. The Country Capacity for National Forest Programmes (CCNFP) ...is widely supported by developing countries, and consistent with the Agenda 21 objective of strengthening national capacities.¹⁹³

The intention is that CCNFPs will improve institutional and human resource support for NFAPs. They will be formulated at country level by governments with the aim of implementing

participatory planning, multi-disciplinary approaches and the establishment of National Steering Committees of all "key stakeholder groups".¹⁹⁴ According to the German government, which has contributed DM 10 million to the UNDP for Capacity 21 projects, approximately 20% of the resources used in these projects are to be used for institutional and other support for NFAPs.¹⁹⁵ An objective of Capacity 21 projects is to integrate environmental considerations into all UNDP activities.¹⁹⁶ At the time of writing the extent to which CCNFPs can contribute to successful NFAP implementation remains to be judged.

The restructuring of the TFAP, like the creation of the TFAP, was a process involving a mixture of formal and informal meetings. The process has seen some of the original tenets of the 1985 and 1987 publications of *Tropical Forestry Action Plan* questioned. The implicit assumption that concentration on the forestry sector alone will solve the problem of deforestation has been discarded, hence the emphasis on Country Capacity Projects. Secondly, there is less of an emphasis on international planning; the TFAP, both as an institution and a process, has become more decentralised, with a notable shift to the regional level.

This section has shown how three core issues caused controversy in the Consultative Group debate. At the time of writing, and after nearly three years of debate, there is an agreement that the Consultative Group will be a small group of 36 members, and that it will be an orthodox intergovernmental forum within FAO. FAO have been criticised for the lengthy time of this debate, and in particular for the decision to establish the Consultative Group within the FAO bureaucracy. But is such criticism warranted?

It is important to distinguish here between the FAO Forestry Department and FAO statutory bodies. The latter are composed of government delegates, and it is here that the real levers of power within FAO are to be found. It was in these organs, and also in the Ad Hoc Group, that the opposition to an independent Group was led by the FFDC

delegates due to their reservations about NGO participation. It was the consensual decision-making procedures of these statutory bodies that stifled the reform process with respect to the Consultative Group, not the staff of the FAO Forestry Department which launched, indeed supported, the restructuring process.

The initial restructuring process of the TFAP, initiated in 1990, is now almost complete, although it does not meet the recommendations of the FAO-initiated Independent Review. On a broader level, according to the TFAP Coordinator,

no formal end can be set to an iterative process such as the revamped TFAP: conceptual, operational and procedural aspects need permanent review; and the same applies to national plans: strategies, policies, programmes, projects and legislation are subject to periodical review.¹⁹⁷

This comment indicates that the FAO Forestry Department is seeking to ensure a continuing dynamism to TFAP activities, something that was lacking prior to 1990 and which precipitated the legitimacy crisis.

The TFAP remains controversial, and it remains an open question as to whether it will recapture donor support. But it remains popular among tropical forest countries. By June 1993, 91 countries had initiated NFAPs, and there were six sub-regional exercise.¹⁹⁸ An indication of how important some governments view the TFAP was seen at Round Table 3 of the Nicaraguan NFAP where the opening ceremony was chaired by President Violeta Chamorro.¹⁹⁹ The presence of a head of state at a NFAP Round Table provides an indication of the value some tropical forest countries continue to attach to the TFAP. While donor support has ebbed, the TFAP remains a popular mechanism among developing country governments.

Notes to Chapter 4

1. The FAO Committee on Forest Development in the Tropics first met in October 1967 and has met at approximately two year intervals since.
2. FAO document FO:TFAP/92/2, "Second Meeting of the Ad Hoc Group on the Tropical Forests Action Programme, Secretariat Note, March 1992", para. 3, p. 1.
3. Ibid.
4. FAO document FO:FDT/83/Rep., "Committee on Forest Development in the Tropics, Report of the Sixth Session, Rome, 18-21 October 1983", para. 22, p. 4.
5. Ibid., page v.
6. Ibid., para. 7, p. 1.
7. For a description of UNEP's catalytic mandate in international environmental affairs see Mark Imber, "Too many cooks? The post-Rio reform of the United Nations", International Affairs, Volume 69, No. 1, January 1993, pp. 55-70.
8. The meeting, held from 20-22 March 1985 was an informal meeting of experts. See: FAO document FO:FDT/85/3, "Draft Proposals for Action Programmes in Tropical Forestry, April 1985".
9. FAO document FO:FDT/85/Rep., "Committee on Forest Development in the Tropics, Report of the Seventh Session, Rome, 10-12 June 1985", para. 8, p. 2.
10. The original five action programmes were first elaborated in the following FAO documents: FO:FDT/AP/1, "Action Programme on Forestry in Land Use"; FO:FDT/AP/2, "Action Programme on Forest-based Industrial Development"; FO:FDT/AP/3, "Action Programme on Fuelwood and Energy"; FO:FDT/AP/4, "Action Programme on Conservation of Tropical Forest Ecosystems"; and FO:FDT/AP/5, "Action Programme on Institutions". The summaries of the action programmes produced here are extracted from: FAO, World Bank, WRI and UNDP, The Tropical Forestry Action Plan, (Rome: FAO, June 1987), p. 8.
11. FAO document FO:FDT/85/Rep., op.cit., para. 18, p. 3 and Recommendation B5 addressed to FAO, p. vi.
12. The Ninth World Forestry Congress was co-sponsored by the FAO and the government of Mexico. Since the Third World Forestry Congress held in 1948 (three years after FAO was established) it has become a tradition for the Congress to be organised by a host country with FAO acting as a co-sponsor and collaborator: HWO Röbbel, Assistant to the Assistant Director-General, Forestry Department, FAO, pers.comm. (letter), 9 July 1992.
13. "Report on the Meeting of Forestry Advisers on Harmonizing International Forestry Development Cooperation, 20 - 22 November 1985, The Hague,

Netherlands", p. ii, and Herman Savenije, BOS-DOCUMENT 11: Tropical Forestry Action Plan - Recent Developments and Netherlands Involvement, (Wageningen, The Netherlands: Ministry of Agriculture, Nature Conservation and Fisheries, January, 1990), p. 6.

14. The Committee on Forest Development in the Tropics of the FAO of the UN, Tropical Forestry Action Plan, (Rome: FAO, October 1985). A total of 158 pages, the document describes in detail the five action programmes and how it is envisaged they can be best applied to tropical forest countries and regions.

15. FAO document FO:TFAP/92/2, op.cit., para. 7, p. 1.

16. FAO document COFO-86/REP, "Report of the Eighth Session of the Committee on Forestry, Rome, 21-25 April 1986", paras. 60-1, p. 9. The FAO Committee on Forestry first met in 1972 and has met at approximately two year intervals since, convening in the years when the CFDT does not meet.

17. FAO document FO:TFAP/92/2, op.cit., para. 31, p. 1.

18. Robert Winterbottom, Taking Stock: The Tropical Forestry Action Plan After Five Years, (Washington DC: World Resources Institute, June 1990), p. 3.

19. Ibid.

20. World Resources Institute, World Bank and United Nations Development Programme, Tropical Forests: A Call for Action, (Washington DC: World Resources Institute, October 1985). The report is a three volume publication.

21. James Gustav Speth, "Foreword", Ibid., page v of Part 1.

22. Ibid.

23. FAO, World Bank, WRI and UNDP, op.cit.

24. Winterbottom, op.cit., p. 43.

25. Note that much of the TFAP literature and documentation refers to the FAO, World Bank, UNDP and WRI as the four international "co-sponsors" of the TFAP. However, the WRI have gone on record as saying that "WRI never agreed to be listed as a 'co-sponsor' of TFAP, though it certainly was a 'co-founder'". See FAO document FO:TFAP/92/2(a), "Second Meeting of the Ad Hoc Group on the Tropical Forests Action Programme: Comments of the co-sponsors, April 1992", p. 2.

26. FAO, World Bank, WRI and UNDP, op.cit., p. 3.

27. See: Peter T Hazelwood, Expanding the Role of Non-Governmental Organizations in National Forestry Programs, (Washington DC: World Resources Institute, 1987); Owen J Lynch, Whither the People?: Demographic, Tenurial and Agricultural Aspects of the Tropical Forestry Action Plan, (Washington DC: World Resources Institute, September 1990); Cheryl Cort, Voices From the Margin: Non-Governmental

Organization in the Tropical Forestry Action Plan. (Washington DC: World Resources Institute, January 1991).

28. "A Statement by Non-Governmental Organizations to the Bellagio Strategy Meeting on Tropical Forests", July 1987, p.3. The signatories were: NGO Network for Forest Conservation in Indonesia (SKEPHI); African Network for Integrated Development, Senegal (RADI); Fundacion Natura, Ecuador; Association of Women's Clubs, Zimbabwe.

29. The Bellagio II Task Force was called for by the earlier Bellagio I meeting of July 1987, was convened in February 1988, and reported at the September 1988 meeting. It "reviewed forestry research needs in all developing countries". The Task Force's findings are contained in "A Global Research Strategy for Tropical Forestry: Report of an International Task Force on Forestry Research", (Sponsored by the Rockefeller Foundation, UNDP, World Bank, and FAO, September 1988).

30. Recommendation number 1 of The Hague meeting, cited by Winterbottom, op.cit., p. 42 and Savenije, op.cit., p. 7.

31. Recommendation number 3 of The Hague meeting, cited by Winterbottom, Ibid.

32. Tapani Oksanen *et al*, "A Study on Coordination in Sustainable Forestry Development, Prepared for the Forestry Advisers' Group", June 1993, Appendix 7.5, "Present Role and Mandate of TFAP Forestry Advisers' Group", pp. 70-1

33. Antonio Carillo *et al*, Project for the Implementation of the German Contribution to the Tropical Forestry Action Plan (TFAP): Critical Assessment of the Current Status of the TFAP. PN 88.2283.5-03.100, (Eschborn, Germany: Deutsche Gesellschaft für Technische Zusammenarbeit [GTZ] GmbH, October 1990), p.69.

34. "Summary Report of the Thirteenth Meeting of the TFAP Forestry Advisers on Harmonizing International Forestry Development Cooperation, 2-6 December 1991, Rome", Annex 2, "List of Participants".

35. "Statutory authority" refers to the authority of the FAO constitution as contained in: FAO, Basic Texts of the Food and Agriculture Organization of the United Nations, Volumes I and II - 1980 edition, (Rome: FAO, 1980).

36. Savenije, op.cit., p. 15.

37. Ola Ullsten *et al*, Tropical Forestry Action Plan: Report of the Independent Review, (Kuala Lumpur: FAO, May 1990), p. 19.

38. FAO document FO:TFAP/92/2. op.cit., para. 14, p. 3.

39. The account of the former Steering Committee and the Multidisciplinary Group, has been trawled from three sources: Savenije, op.cit., p. 15; FAO document FO:TFAP/92/2, op.cit., para 15, p. 3; and Carlos Marx Ribeiro Carneiro, TFAP Coordinating Unit, pers.comm. (interview), 28 September 1992.

40. FAO, Guidelines for Implementation of the TFAP at Country Level, (Rome: FAO, 1989). In 1991 these guidelines were superseded by a new document: FAO, Tropical Forestry Action Programme: Operational Principles, (Rome: FAO, November 1991).

41. A review of the available TFAP literature does not yield a single in-depth descriptive account of the NFAP process. The brief account of the NFAP process that follows has been trawled and amalgamated from five sources: FAO (1989), Ibid.; FAO document FO:TFAP/92/2, op.cit.; Winterbottom, op.cit.; Savenije, op.cit.; and Marcus Colchester and Larry Lohmann, The Tropical Forestry Action Plan: What Progress, (Penang, Malaysia/Sturminster Newton, Dorset: World Rainforest Movement/The Ecologist, 1990). The descriptions of the NFAP process use the FAO documents as the basic frame of reference, while the descriptions by Winterbottom, Savenije, and Colchester and Lohmann have provided some of the finer descriptive detail.

42. The FAO agrees to NFAPs in its capacity as the lead international agency for the TFAP.

43. FAO document FO:TFAP/92/2, op.cit., para. 24, p. 4.

44. Savenije, op.cit., p. 18.

45. Winterbottom, op.cit., p. 7.

46. Savenije, op.cit., p. 18.

47. Colchester and Lohmann, op.cit., p. 9.

48. Winterbottom, op.cit., p. 8.

49. WRI comments in FAO document FO: TFAP/92/2(a), op.cit., p. 2.

50. Further information on the role of the regional development banks in forestry can be obtained from the banks' publications departments. See, for example, Asian Development Bank, Sector Paper on Forestry (Revised), (Manila: Asian Development Bank, July 1989); Stephen E McGaughey and Hans M Gregersen (eds.), Forest-Based Development in Latin America, (Washington DC: Inter-American Development Bank, 1983); and Stephen E McGaughey and Hans M Gregersen, Investment Policies and Financing Mechanisms for Sustainable Forestry Development, (Washington DC: Inter-American Development Bank, 1988).

51. According to Savenije, op.cit., p. 15, and Winterbottom, op.cit., p. 7.

52. Prior to 1990 the Caribbean Community (CARICOM) Plan was the only regional one under the TFAP umbrella, although it was formulated in a similar way to a NFAP. The countries involved are Antigua and Barbuda, Barbados, Dominica, Grenada, Montserrat, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago.

53. "Summary Report on the Thirteenth Meeting of the FAG", op.cit.

54. As of September 1990 a total of 65 countries were at various stages of planning or implementing an NFAP. In addition, a further 14 had made requests to the FAO to initiate a NFAP exercise. See FAO document COFO-90/11, "Progress in the Implementation of the Tropical Forestry Action Plan, June 1990", p. 6, (Annex 1, "Status of National Forestry Action Plan Exercises"). Twenty-two countries were producer members of the International Tropical Timber Organisation by November 1990. See ITTO document ITTC(IX)/D.1, "Draft Report of the International Tropical Timber Council at its Ninth Session, Yokohama, Japan, 16-23 November 1990", p. 71. The principal reason why the TFAP has a larger membership than the ITTO is that the producer caucus in the latter consists of countries who produce timber from tropical hardwoods only, whereas the TFAP is open to non-tropical countries and is best seen as a Plan for the forests in all developing countries. For example, the TFAP membership includes non-tropical countries such as Nepal and Argentina.

55. This followed a meeting of the WWF Tropical Forest Subcommittee (a group composed principally of WWF national Forest Conservation Officers) at the offices of WWF International in Gland, Switzerland. WWF internal memorandum from Chris Elliott to Tropical Forest Subcommittee Members, 24 July 1990.

56. The minutes from this meeting show that "approximately 30 NGOs were represented", including the Audobon Society, Bank Information Center, Environmental Defense Fund, Friends of the Earth-US, Greenpeace, Sierra Club, World Rainforest Movement and the World Resources Institute.

57. "Minutes from the Non Governmental Organization Retreat on the Tropical Forestry Action Plan hosted by the World Wildlife Fund, 2 March 1990", para. II, p. 1.

58. George Marshall, Tropical Forestry Action Plan: Campaign Dossier, (Sturminster Newton, Dorset: The Ecologist/World Rainforest Movement, October 1990), p. 26.

59. Nor's name appears in the list of WRI Task Force members. See World Resources Institute, World Bank, UNDP, op.cit., Part 1, inside front cover. This is noted by Marshall, Ibid.

60. Ullsten *et al*, op.cit., p. 1, and Marshall, Ibid.

61. Winterbottom, op.cit., p. 24.

62. Ullsten *et al*, op.cit., p. 12.

63. Colchester and Lohmann, op.cit., p. 83.

64. For example: Aubrey Meyer, "Save the Forests, Save the Planet: The Campaign Continues", Geographical Magazine, February 1990, pp. 14-5; Maria Elena Hurtado, "Root versus branch", Panascopes, No. 22, January 1991, pp. 3-4; and Sierra Club leaflet, "Protect Tropical Forests: Stop the Tropical Forestry Action Plan", Sierra Club, 730 Polk Street, San Francisco, CA 94109, June 1990.

65. Ullsten *et al*, op.cit., p. 13.
66. Winterbottom, op.cit., p. 5.
67. Elizabeth A. Halpin, Indigenous Peoples and the Tropical Forestry Action Plan, (Washington DC: World Resources Institute, June 1990), p. 33.
68. Ibid.
69. Colchester and Lohmann, op.cit., p. 1.
70. Ibid., p. 86. Note that prior to the publication of the WRM review, other actors had advocated a funding moratorium, including Friends of the Earth-USA: "FOE-USA Position: Tropical Forestry Action Plan" (unpublished), February 20, 1990. This paper was circulated at the NGO retreat on TFAP hosted by WWF-US, Washington DC, 2 March 1990.
71. Colchester and Lohmann, final chapter of second edition of The Tropical Forestry Action Plan: What Progress?, draft issued by World Rainforest Movement/The Ecologist, July 1990, p. 5.
72. Ibid.
73. Ullsten *et al*, op.cit., p. 31.
74. Winterbottom, op.cit., p. 21 & p. 24; and Colchester and Lohmann, op.cit., p. 1 & p. 83.
75. Colchester and Lohmann, Ibid., p. 2.
76. Ibid., p. 87.
77. Winterbottom, op.cit., p. 21.
78. Ibid., p. 29.
79. FAO documents and other sources originally refer to a "Consultative Forum". During the subsequent meetings and debates on this issue from 1990-94 a minor change in nomenclature occurred, with actors referring instead to a "Consultative Group". To avoid confusion, in this work reference is made throughout to the "Consultative Group".
80. Ibid.
81. Ullsten *et al*, op.cit., p. 39.
82. Colchester and Lohmann, op.cit. p. 3.
83. Letter from Martin Khor Kok Peng, WRM International Secretariat, Penang, to Dr Caroline Sargent, International Institute of Environment and Development, London, 4

September 1990.

84. Ullsten *et al*, op.cit., p. 28.

85. Ibid., p. 50.

86. Winterbottom, op.cit., p. 15

87. Ullsten *et al*, op.cit., p. 39.

88. Colchester and Lohmann, op.cit., p. 84.

89. Open letter from Witoon Permpongsacharoen, Director, Project for Ecological Recovery, Bangkok, Thailand to The Ambassador of Finland, Bangkok, dated 31 July 1990. The letter referred specifically to the National Forestry Master Plan in Thailand which adheres to the framework of the Thai NFAP. NGO opposition to the NFAP was widely reported in the local press: Anon., "Finland asked to put forestry plan on hold", Bangkok Post, 1 August 1990; Anon., "Govt. forestry plan under attack", The Nation, 1 August 1990; Thana Poopat, "NGOs pull out of forestry project", The Nation, 2 August 1990.

90. Marcus Colchester, "Any hope for the Tropical Forests Action Programme?", World Rainforest Movement paper, 10 March 1991. This model of cooperation is best suited where the CSA is a government agency. It is less feasible in the case of multilateral donors.

91. "Joint NGO Statement on the Indonesia TFAP Process", dated 16 November 1990, p. 2, signed by 18 NGOs. All the NGOs were from the North. This statement was circulated by the Environmental Defense Fund, Washington DC, in a letter dated 16 November 1990 to all NGOs involved in the Indonesian NFAP campaign.

92. Invitations were received just three days before the Round Table 2 meeting. Some documents were unavailable and available documents were only in English. This point was noted by a representative of the Indonesian NGO network SKEPHI at a workshop convened by the International Institute for Environment and Development and the UK Tropical Forest Forum in London, 3 December 1990. SKEPHI's concerns are noted on pp. 2-3 of the meeting's minutes.

93. Memorandum, from Chip Barber, WRI to "Participants in the NGO effort to prepare for the Indonesian TFAP Roundtable III", dated 23 September 1990, p. 1. Note that SKEPHI, like WALHI (Indonesian Environmental Forum), is a NGO network, and not an NGO.

94. Ibid., p. 2.

95. This organisation is based in The Hague, Netherlands. Note that it was not created specifically to deal with the Indonesian NFAP, but deals with general Indonesian aid, development and environmental issues.

96. On 15 May 1991, the chairmen of both steering committees signed a letter to the Vice President of the Asian Region of the World Bank demanding, *inter alia*, the convening of "a working group which would fundamentally revise the NFAP and make efforts to expose the NFAP to the Indonesian public".

97. Environmental Defense Fund memorandum "Tropical Forestry Action Plan for the Cameroon", dated 20 February 1990, p. 5. This was circulated at the NGO retreat on the TFAP at WWF-US, Washington DC, 2 March 1990.

98. World Resources Institute, Status Report on NGO Participation in Country-Level TFAP Activities, No. 3, April 1990, p. 2. The first edition of this publication was first produced in November 1988. The reports detail NGO participation in the various stages of a NFAP.

99. Colchester and Lohmann, op.cit., p. 42-9; Korinna Horta, "The Last Big Rush for the Green Gold: The Plundering of Cameroon's Rainforests", The Ecologist, Volume 21, No. 3, May/June 1991, p. 145; Patricia Adams, Odious Debts: Loose Lending, Corruption and the Third World's Environmental Legacy. (London: Earthscan, 1991), p. 55.

100. John Witte, "Deforestation in Zaire: Logging and Landlessness", in Marcus Colchester and Larry Lohmann (eds.), The Struggle for Land and the Fate of the Forests. (London: Zed Books, 1993), pp. 190-1.

101. Letter from the Chairman of the United States Senate Committee on Foreign Relations to The Honourable Barber Conable, President of the International Bank for Reconstruction and Development, 2 May 1990.

102. NGOs lobbied the G7 at the Houston meeting on the issue of forests conservation. See Section 6.2 of Chapter 6, endnote 19.

103. "The Houston Declaration of the Group of Seven Industrialised Countries, July 1990", Article 66.

104. WWF-UK press release, "WWF Declares UN Tropical Forestry Plan a Failure, 3 October 1990". One month earlier WWF published a critique of the TFAP: Robert Busbacher *et al*, Reforming the Tropical Forestry Action Plan, (Gland, Switzerland: WWF International, September 1990).

105. Clive Wick of WWF-UK, cited in Hurtado, op.cit.

106. According to the Sierra Club leaflet, op.cit., NGOs which had publicly opposed the TFAP by June 1990 included Cultural Survival (USA), Environmental Defense Fund (USA), Rainforest Action Network (USA), ABEN-REDES (Nicaragua), Amazonia por la Vida (Ecuador), Indonesian NGOs Network for Forest Conservation (SKEPHI), Japan Tropical Forest Action Network (JATAN), Project for Ecological Recovery (Thailand), Third World (Uruguay), Uniao das Nacoes Indigenas (Brazil), Working Group on Rainforest and Species Conservation (West Germany) and Friends of the Earth (USA). Note that Friends of the Earth (England and Wales) prepared a

separate critique of the TFAP which, *inter alia*, echoed the WRM's calls for the removal of the TFAP from FAO and for a funding moratorium: Friends of the Earth, Special Briefing: The Tropical Forestry Action Plan. (London: Friends of the Earth, November 1990).

107. Sara Parkin, "Rooting for the rainforests: West and East European Greens Unite", Econews: Newspaper of the Green Party, February/March 1990, No. 49, p. 1. It seems safe to assume that this resolution was primarily the work of West European Green Parties. There is no evidence of East European environmentalists campaigning for tropical forest conservation or against the TFAP prior to the fall of the Berlin Wall. The suppression of civil society in many of these countries gave such groups a very limited political space in which to operate. Nonetheless, in the late 1980s there did emerge groups concerned at environmental degradation in their own country. Note in particular the role of Ecoglasnost in Bulgaria, the Ark Green Movement in East Germany, the protests against the environmental effects of industrialisation in Romania by the Romanian Democratic Action and the Hungarian street protests against the planned construction of a dam on the River Danube. See: Craig ZumBrunnen, "The Environmental Challenges in Eastern Europe", Millennium: Journal of International Studies, Volume 19, No. 3, Winter 1990, pp. 389-412; Gwyn Prins (ed.), Spring in Winter: The 1989 Revolutions, (Manchester: Manchester University Press, 1990); and Nigel Hawkes *et al*, Tearing Down the Curtain. (London: Hodder and Stoughton, 1990).

108. Letter to the President of the World Bank from Friends of the Earth-USA (signed by representatives from 19 NGOs from the North and South) dated 6 September 1990. This letter recommended structural changes to the TFAP process, and urged the World Bank to suspend TFAP funding. The WRM had previously written to the President of the World Bank making recommendations on the subject of TFAP restructuring (many of which agreed with the 6 September letter) signed by 20 NGOs from both North and South: letter to the President of the World Bank from the World Rainforest Movement, Oxford, dated 14 August 1990.

109. FAO document (not numbered), "Committee on Forestry, Tenth Session, Rome, 24-28 September 1990: Report", para. 87, p. 10. The Independent Review's recommendations on new guidelines are contained in Ullsten *et al*, op.cit., pp. 31-2.

110. "Committee on Forestry, Tenth Session: Report", Ibid., para. 87, p. 10.

111. Ullsten *et al*, op.cit., p. 31.

112. "Committee on Forestry, Tenth Session: Report", op.cit., para. 84, p. 9. In fact many actors, including some individuals within the FAO, now refer to the Tropical Forests Action Programme.

113. Winterbottom, op.cit., p. 27. The criticism that the TFAP had "no formal objectives, except in the very broadest sense" was also made by the IIED in a report distributed at the Tenth Session of the Committee of Forestry which considered the Independent Review; Caroline Sargent, Defining the Issues: Some thoughts and recommendations on recent critical comments on TFAP, (London: IIED, 1990). The

author of this report has attended the FAG representing the IIED.

114. FAO document CL 99/22, "Outcome of Meeting of Ad Hoc Group of Experts on TFAP", Appendix B, para. 2, p. B1. This document was on the table at the Ninety-ninth Session of the FAO Council, Rome, 10-21 June 1991.

115. Ibid., Appendix B, para. 3.

116. Ibid., para. 19, p. 4.

117. Ibid., Appendix A, para. 3 (e), p. 2. This quote also appears in a memorandum prepared for internal discussions within the World Bank: "Recommendations for Revamping the Tropical Forestry Action Plan", p. 3, circulated on 29 May 1991.

118. The author is grateful to Dr Marcus Colchester for explaining this vision to him: Marcus Colchester, Coordinator, World Rainforest Movement, pers.comm. (telephone conversation, London-Oxford), 22 September 1994.

119. "Options for institutional arrangements for a revamped TFAP", para. 7, p. 2. This anonymous paper was drafted by a participant at the meeting of the TFAP co-founders at UNDP, New York, 15-16 April 1991.

120. Ibid., para. 8, p. 2.

121. Ibid.

122. Ibid., para. 23, pp. 7-8.

123. FAO document FO:TFAP/92/2, op.cit., para. 31, p. 5.

124. Ibid., para. 32, p. 5.

125. The Tenth World Forestry Congress was co-sponsored by the government of France and the FAO. See endnote 12 above.

126. FAO document FO:TFAP/91/2, "First Meeting of the Ad Hoc Group on the Tropical Forests Action Programme: Institutional Arrangements for the TFAP, Secretariat Note", November 1991, para. 26, p. 4. FAO document CL 100/2 "Developments regarding the TFAP", October 1991, Appendix A, pp. A6-A7, lists the six NGOs as WRI, COICA, Environment Liaison Centre International, Friends of the Earth (USA and UK), IUCN and the WRM.

127. Namely "functions of the proposed new mechanism, composition and selection of members, establishment and organization, national-level arrangements, and technical support". This agenda is reproduced from Appendix A of FAO document CL 100/2, Ibid., p. A1.

128. For the wording of the functions agreed at Paris, see FAO document FO:TFAP/91/2, op.cit., Annex 1 "Definition of Consultative Forum functions agreed at Paris Consultation, 13-14 September 1991", p. 6.

129. According to Marcus Colchester, the Malaysian delegation was the sole one insisting that the Consultative Group respect national sovereignty at the Paris Consultation. Consequently the revised definition of the Group's functions contained a proviso to this effect: FAO document FO:TFAP/91/2, Ibid. This insistence effectively ensured that the Consultative Group would not, in line with the Geneva recommendations, be a fully independent polity, one that could promote genuine local peoples' and indigenous peoples' participation: Colchester, pers.comm., op.cit.

130. "World Resources Institute Statement on the Future of the Tropical Forestry Action Plan, November 25, 1991", p. 2.

131. Ibid.

132. As noted in FAO document FO:TFAP/91/Rep., "Report of the First Session of the Ad Hoc Group on the Tropical Forests Action Programme, 9 December 1991", para. 1, p. 1.

133. Ibid., para. 21, p. 3.

134. No NGOs attended the first session. One NGO, namely IUCN, attended the second session, while four (IUCN, IIED, WRI and FoE) attended the third session.

135. FAO document FO:FDT/91/Rep., "Committee on Forest Development in the Tropics, Tenth Session, Rome, 10-13 December 1991", para. 12, p. 3.

136. Anon., "TFAP Institutional Options", undated, para. 1, p. 1. This document was obtained from IIED and is a report of the Third FAG Steering Committee meeting, evidently written by an individual member who attended the group.

137. "Summary Report of the Thirteenth Meeting of the FAG", op.cit., Annex 6, "Statement of the Tropical Forestry Programme Advisers Group, Rome, December 1991", section 2.

138. FAO document FO:FDT/91/Rep., op.cit., para 13, p. 3. In accordance with a resolution passed at its Ninth Session, the Tenth Session of the CFDT had invited the Chairman of the FAG to attend and present his views on the TFAP.

139. As noted by Carlos Marx R Carneiro, "Information Paper of the TFAP Coordinating Unit", Meeting of the TFAP National Coordinators in the Caribbean, Port of Spain, 13-16 September 1992, p. 8.

140. Jean Clément, TFAP Coordinator, pers.comm. (letter), 20 December 1993.

141. In a FAO internal memorandum, the Assistant Director General of the Forestry Department noted that "the gauntlet had been thrown down for FAO" which must "face the challenge of providing technical advice to the [Consultative Group] promptly and without bias": FAO internal document, report on the "Tropical Forestry Action Plan meeting, UNDP Headquarters, New York, 15-16 April 1991", memo by C H Murray, ADG Forestry Department, dated 23 April 1991.

142. As noted in FAO document FO:TFAP/92/Rep., "Report of the Second Session of the Ad Hoc Group on the Tropical Forests Action Programme, 5 May 1992", para. 14, p. 2. (Note that two FAO documents were given the same number, namely FO:TFAP/92/Rep.; these were the reports of the two meetings of the Ad Hoc Group held in 1992, namely in May and September.) It is not clear why the FAO suggested the FFDC as a possible Consultative Forum when the countries that comprised this group were opposed to the FFDC assuming such a role.

143. Chapter 11, "Combatting Deforestation", of *Agenda 21* is divided into four programme areas: (A) sustaining the multiple roles and functions of forests; (B) enhancing the protection, sustainable management and conservation of forests; (C) promoting efficient utilization and assessment to recover the full valuation of the goods and services provided by forests; (D) establishing and/or strengthening capacities for the planning, assessment and systematic observations of forests. The second objective of programme area B notes that "country-driven national forestry action programmes and/or plans under the Tropical Forestry Action Programme are currently being implemented in more than 80 countries, with the support of the international community": United Nations, Earth Summit Agenda 21: The United Nations' Programme of Action from Rio, (New York: United Nations Department of Public Information, April 1993), section 11.12, para. (b), pp. 90-1.

144. Namely thirteen tropical forest country delegates and seven donor delegates. However delegates from six countries (five tropical forest countries and one donor country) were unable to attend.

145. FAO Document FO:TFAP/92/Rep., "Report of the Third Session of the Ad Hoc Group on the Tropical Forests Action Programme, 4 September 1992", para. 15, p. 17. (Note once again that two FAO documents were given the number FO:TFAP/92/Rep. namely the reports of the two meetings of the Ad Hoc Group in May 1992 and September 1992.)

146. Ibid., p. 18

147. Ibid.

148. FAO document FO:TFAP/91/2, op.cit., para 28, p. 5.

149. FAO document FO:TFAP/91/Rep., op.cit. para. 13, p. 2.

150. FAO document FO:TFAP/92/Rep. (Third Session), op.cit., para. 14, p. 17.

151. Ibid.

152. Bundesministerium für Ernährung, Landwirtschaft und Forsten, Schutz und Bewirtschaftung der Tropenwälder: Tropenwäldbericht der Bundesregierung, 3 Bericht (Bericht-Nr. B 245/93), (Bonn, March 1993), p. 42. (This document, the Third German Government Report on Tropical Forests, was obtained for the author by Susanne Staab BA MA. The translation was by Beate Münstermann BA MA, 31 January 1994.) Note that Brazil, Malaysia and Indonesia participated in the Ad Hoc

Group, while Brazil and Malaysia (but not Indonesia) participated in the Sub-Group of the Ad Hoc Group.

153. As reported in "Summary Report on the Fifteenth Meeting of the TFAP Forestry Advisers' Group on Harmonizing International Forestry Development Cooperation, 30 November - 4 December 1992, San José, Costa Rica", section 3, p. 4.

154. FAO document FO:TFAP/92/Rep. (Third Session), op.cit., pp. 2-3

155. FAO internal memorandum, dated 24 September 1992.

156. FAO document CL 102/21, "Establishment of a Consultative Group on the Tropical Forests Action Programme, November 1992", paras. 8, 9 and 19, pp. 3 and 5.

157. Ibid., para. 8, p. 3.

158. FAO document CL 102/REP, Report of the Council of FAO, Hundred and Second Session, Rome, 9-20 November 1992", para. 141, pp. 24-5.

159. FAO document (not numbered), "Committee on Forestry, Eleventh Session, Rome, 8-12 March 1993: Report", paras. 36-37, pp. 5-6.

160. References appear in some FAO documents to "the OECD group". There is no evidence that the OECD is institutionally involved in the TFAP, and the acronym appears to be employed as a shorthand for delegates from the developed world.

161. FAO document CL 103/19, "Consultative Group on the Tropical Forests Action Programme: Proposals of the Independent Chairman of the FAO Council, May 1993", para. 9, p. 2.

162. Ibid., pp. 4-5.

163. Ibid., paras. 26-33, pp. 5-6.

164. FAO, Basic Texts, op.cit., Article VI.5, p. 9.

165. The representatives of the ITTO and UNEP also repeated this point at the Hundred and Second Session of the FAO Council. See, FAO Document CL 102/REP, op.cit., para. 139, p. 24.

166. Jean Clément, Coordinator, Tropical Forests Action Programme, pers.comm. (fax), 15 April 1994.

167. Jean Clément, Coordinator, Tropical Forests Action Programme, pers.comm. (letter), 20 December 1993.

168. TFAPulse, No. 25, July 1994, p. 5. (TFAPulse is produced by the TFAP Coordinating Unit, FAO, Rome).

169. Jean Clément, Coordinator, Tropical Forests Action Programme, pers.comm. (fax), 15 April 1994.
170. Ralph Roberts, "TFAP, An Evolving Process: Role of the TFAP Forestry Advisers' Group", in 10th World Forestry Congress, Paris, 1991: Proceedings. (Nancy: Ministère de l'Agriculture et de la Forêt, 1992), volume 8, p. 327
171. "Summary Report on the Fifteenth Meeting of the FAG", op.cit., section 3, p. 5.
172. "Summary Report on the Sixteenth Meeting of the Forestry Advisers' Group on Harmonizing International Forestry Development Cooperation, 25-28 May 1993, UNDP, New York", Annex 3, "Letter from Ralph W Roberts, Chairperson, Forestry Advisers Group to Members of the FAO Council, dated 27 May 1993".
173. Ibid.
174. The Organising Committee's membership totals 21 people and includes: Ola Ullsten (Former Prime Minister of Sweden and one of the authors of the TFAP Independent Review); Bernardo Zentilli (Senior Programme Advisor on Forests of the UNCED Secretariat); Ashkok Khosla (Chairman, Global Forum International Facilitating Committee, UNCED); Jim MacNeill (Secretary General, World Commission on Environment and Development); Shridath Ramphal (former Secretary General, Commonwealth); and Maurice Strong (Secretary General, UNCED).
175. This information is trawled from the following four documents: "Summary Report of the Sixteenth Meeting of the FAG", op.cit., Annex 10, "The Organizing Committee for the Establishment of an Independent World Commission on Forests and Sustainable Development: A Proposal, April 1993"; Tapani Oksanen *et al.*, op.cit., p. 15; FAO document (not numbered) "Committee on Forestry, Eleventh Session: Report", op.cit., para 48, p. 7; and "UK Tropical Forest Forum: Fifth Meeting, 22 March 1993, Institution of Civil Engineers, London, Minutes", comments by Ian Symons, p. 12; and Organizing Committee for the establishment of an independent World Commission on Forests and Sustainable Development, "World Commission on Forests and Sustainable Development: Possible Mandate, Key Issues, Strategy and Work Plan", June 1993.
176. "The Organizing Committee ...: A Proposal, April 1993", Ibid., p. 3.
177. "Letter from Ralph W Roberts to the FAO Council", op.cit.
178. "Summary Report on the Sixteenth Meeting of the FAG", op.cit., "Appendix 8, The New York Proclamation: Purpose, Objectives and Activities of the Forestry Advisers' Group, 28 May 1993".
179. Indeed the original role and mandate of the FAG mentions the TFAP seven times, while the redefined mandate mentions the TFAP not once (although the need for cooperation with "NFAP coordinator groupings" receives one mention).
180. "Summary Report on the Sixteenth Meeting of the FAG", op.cit., p. 11.

181. Carlos Marx Ribeiro Carneiro, FAO TFAP Coordinating Unit, pers.comm., (interview), 28 September 1992,
182. FAO (November 1991), Ibid.
183. TFAPulse, No. 24, March 1994, p. 3. From 28 March to 2 April 1994 a Training Workshop on the TFAP Operational Principles for South Asia was held at Khao Kho, Thailand attended by governmental and NGO representatives from nine countries, namely Cambodia, China, India, Indonesia, Laos, Myanmar, Philippines, Thailand and Vietnam. From 6 to 11 June 1994 a Training Workshop on the TFAP Operational Principles for the South Pacific Islands was held at Suva, Fiji.
184. ITTO and UNEP had expressed an interest in becoming co-sponsors by June 1991: FAO document CL 99/22, op.cit., para. 3, p. 1.
185. Jean Clément, Coordinator, Tropical Forests Action Programme, pers.comm., (letter) 20 December 1993. Following informal discussions between the G77 and the OECD countries at FAO prior to the Hundred and Second Session of the FAO Council, an agreement was reached among these two caucuses that the ITTO and UNEP should participate in the Consultative Group: FAO document CL 102/REP, op.cit., para 140, p. 24.
186. The Eleventh Session of the Committee on Forestry called for "an enhanced role for regional forestry commissions and regional offices as part of a permanent and effective mechanism for regional and inter-regional coordination". See, Committee on Forestry, Eleventh Session: Report, op.cit., para. 52, p. 7.
187. These are: (i) the CARICOM countries (see Section 4.4 of this chapter), (ii) Central America (Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama), (iii) Treaty for Amazonian Cooperation (a.k.a. Amazonian Pact: Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Surinam, Venezuela), (iv) Inter-governmental Committee for Drought Control in the Sahel (CILSS: Burkino Faso, Cape Verde, Chad, Gambia, Guinea Bissau, Mali, Niger and Senegal), (v) Inter-governmental Authority on Drought and Development in Eastern Africa (IGADD: Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda), (vi) Southern African Development Coordination Conference (SADCC: Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe). This information is obtained from TFAP Update, Number 29, June 1993. (TFAP Update is published by the TFAP Coordinating Unit, FAO, Rome).
188. Carneiro, op.cit., p. 3 and p. 17.
189. World Wide Fund for Nature (September 1990), op.cit., p. 5.
190. "Summary Report on the Twelfth Meeting of the TFAP Forestry Advisers on Harmonizing International Forestry Development Cooperation, 10-14 June 1991, Hull, Canada", section 12 "TFAP Implementation, What happens after the Round Table III? Financing the Projects", pp. 13-14.

191. Carneiro, op.cit., p. 1.
192. Carlos Marx Ribeiro Carneiro, FAO-TFAP Coordinating Unit, pers.comm., (interview), Rome, 28 September 1992.
193. Tapani Oksanen *et al*, op.cit., p. 11.
194. Ibid.
195. Bundesministerium für Ernährung, Landwirtschaft und Forsten, op.cit., p. 43.
196. Comments by Luis Gomez-Echeverry to the FAG; "Summary Report on the Sixteenth Meeting of the FAG", op.cit., p. 15.
197. Jean Clément, Coordinator, Tropical Forests Action Programme, pers.comm., (letter), 20 December 1993.
198. TFAP Update, Number 29, June 1993, p. 25.
199. TFAPulse, Number 18, December 1992, p. 1.

CHAPTER 5

THE INTERNATIONAL TROPICAL TIMBER ORGANIZATION

5.1 Introduction

This chapter will examine the work of the International Tropical Timber Organization (ITTO).¹ ITTO-related activity is only a part, namely the formal, multilateral, institutionalised part, of a complex system of interactions that occur in the international tropical timber economy.² This chapter will not attempt to deal with the full range of these activities, much of which involves non-governmental actors, although due consideration will be given to such activities when they are identified as having affected the work of the ITTO.

This chapter is the second of the four case studies of this thesis. Conclusions with respect to regime theory will be presented in Chapter 8. At this stage we will be confined to an analysis of the history of the ITTO. It will be seen that three themes recur. The first is the role of NGOs in the ITTO; it will be demonstrated that NGOs have had a notable impact on the Organization's work. Secondly, it will be shown that confusion over the concept of "sustainability" has been a persistent source of disagreement among actors throughout the ITTO's history. Thirdly, and as a corollary of the second theme, it will be shown that there has been disagreement among actors over the relative weight to be given to the production and the conservation components of the ITTO's work.

This chapter will first consider the background to and contents of the International Tropical Timber Agreement, 1983, which gave birth to the ITTO. The institutional structures of the ITTO, its financing, the role of NGOs and timber traders, the project and policy work of the ITTO and

its relations with other international institutions will also receive consideration. In January 1994 a successor agreement, the International Tropical Timber Agreement, 1994, had been negotiated. The negotiations leading to this Agreement will be considered in Chapter 7.

5.2 The International Tropical Timber Agreement, 1983

The International Tropical Timber Agreement, 1983 emerged from a protracted series of preparatory meetings and negotiations held under the auspices of the United Nations Conference for Trade and Development (UNCTAD). Resolution 93(IV) of the fourth session of the UNCTAD, held in Nairobi in 1976, which agreed upon an Integrated Programme for Commodities (IPC), requested UNCTAD's Secretary-General to organise negotiating conferences for individual commodity agreements.³ Pursuant to UNCTAD resolution 93(IV), a resolution calling for an international tropical timber agreement was tabled by Japan in 1977.⁴ The first preparatory meeting opened in Geneva in May 1977 where it was agreed that a tropical timber agreement would aim to "improve and sustain the real income of individual tropical timber producing countries through increased export earnings".⁵

Disagreement on finance helps explain the lengthy time the preparatory process took. The fifth preparatory meeting was not convened until July 1980. This meeting focused *inter alia* on the possibility of establishing a global fund, based on a one percent levy on internationally-traded tropical logs. However, this proposal did not attract general support.⁶ The meeting recommended that two Intergovernmental Groups of Experts be convened, one on research and development and the other on the improvement of market intelligence on tropical timber. These groups subsequently met between the fifth and sixth preparatory meetings. Their

reports⁷ were considered by the sixth preparatory meeting (June 1982, Geneva), along with reports prepared by the FAO and UNCTAD Secretariats on reforestation and forest management⁸ and on further and increased processing of tropical timber in developing countries.⁹ The meeting agreed that the texts on these four elements represented "the final preparatory phase of the IPC discussions with a view to an international tropical timber agreement".¹⁰

Prior to the United Nations Conference on Tropical Timber, 1983 a Meeting on Tropical Timber, held at intergovernmental level to consider remaining institutional and other questions, was convened in Geneva in November 1982 where a significant intervention was made by the IUCN. The IUCN observer emphasised "the symbiotic relationship between conservation and development", stressing that "in the long run neither could be achieved in isolation".¹¹ The importance of sustainable tropical timber production was also emphasised.¹²

As a result of this intervention, supported by other NGOs notably IIED,¹³ the Meeting agreed that ITTC activities should give due regard to ecological and other considerations for the effective conservation and development of tropical timber resources.¹⁴

The Meeting also concluded that the Conference should establish an International Tropical Timber Organization (ITTO), the highest authority of which would be the International Tropical Timber Council (ITTC), and further establish committees to assist in the implementation of the four elements agreed upon at the sixth preparatory meeting.¹⁵

Hence by the time the UN Conference on Tropical Timber opened in Geneva in March 1983 agreement had already been reached on some of the important features of an agreement. However the Conference was unable to conclude its work as producer and consumer countries had different visions of the precise contents of an international tropical timber agreement, with the producers emphasising production of tropical timber, while the consumers were concentrating on

trade-related questions.¹⁶ A second part of the Conference was scheduled for November 1983 where agreement was finally reached on the text for the International Tropical Timber Agreement, 1983 (hereafter referred to as the ITTA 1983), a copy of which is appended to this thesis as Appendix A.

A total of seventy countries (36 producer countries and 34 consumer countries)¹⁷ took part in the Conference. The ITTA 1983 was opened for signature on 2 January 1984. However ratification proceeded slowly, and the Governing Council of UNEP felt it necessary to exercise its catalytic mandate by calling upon governments to become parties to the Agreement.¹⁸ This was the second time in 1983 that UNEP took such a course of action with respect to tropical forest issues; as Section 4.2 of Chapter 4 outlined, the UNEP also exercised its catalytic mandate in October of the same year with respect to the FAO initiative that led to the creation of the Tropical Forestry Action Plan in 1985.¹⁹

Among the objectives of the ITTO, as stipulated in Article 1 of the ITTA 1983 are: to provide a framework for cooperation and consultation; to promote research and development; to improve market intelligence; to encourage increased and further processing of timber; industrial tropical timber reforestation; and marketing and distribution of tropical timber exports.²⁰ However the two objectives that have attracted the most attention within the ITTO are Article 1(b), which aims to "promote the expansion and diversification of international trade in tropical timber",²¹ and Article 1(h) which states that the ITTA 1983 aims to encourage

the development of national policies aimed at sustainable utilisation and conservation of tropical forests and their genetic resources, and at maintaining the ecological balance in the regions concerned.²²

The Agreement was the first commodity agreement to include a conservation component.²³ The IUCN intervention noted above therefore represents an example of a NGO significantly altering the course of an intergovernmental negotiating process.

The Agreement entered into force on 1 April 1985. Article 37 of the ITTA 1983 stipulated that if the Agreement had not entered into force by 1 October 1984, it could enter into force on 1 April 1985 if ten or more governments holding at least 50% of the votes for producer countries shown in the Agreement, and fourteen or more governments holding at least 65% of the votes for consumer countries shown in the Agreement, had acceded to the Agreement by 31 March 1985.²⁴ In March 1985 a meeting of NGOs hosted by the IIED in London called for governments which had not done so to ratify the Agreement.²⁵ On 2 April 1985 it was announced that twelve producer countries holding 58.8% of the producer votes, and fifteen consumer countries holding exactly 65% of the consumer votes, had deposited articles of ratification by the 31 March deadline.²⁶ By the end of the ITTC's first session eighteen producer countries and twenty-three consumer countries had ratified the Agreement.²⁷ By 31 March 1994 the membership of the ITTO numbered fifty, namely twenty-three producers and twenty-seven consumers.²⁸

A five day preparatory committee meeting had convened in Geneva (2-6 July 1984) before the Agreement entered into effect; this considered what the rules of procedure for the International Tropical Timber Council would be if the Agreement were to enter into force.²⁹ By the time the Agreement entered into legal effect preparations and negotiations had taken eight years. The first session of the International Tropical Timber Council opened in Geneva in June 1985 where it became clear that there would be a further delay before the ITTO became fully operational, with members unable to agree on the choice of the Executive Director or the site for the headquarters. Eight countries made bids to host the headquarters, with the cities offered being Amsterdam, Athens, Brussels, Jakarta, London, Paris, Rio de Janeiro and Yokohama.³⁰

The first session eventually met in three separate parts (June 1985, October 1985 and July 1986). The decisions on the choice of headquarters led to a prolonged debate,

with some members opposed to the headquarters being located in Asia instead of the West.³¹ At the third part of the first session a secret ballot³² decided that the ITTO would be based in Yokohama.³³ A major contributory factor in the choice of Yokohama was the generous subsidies offered by the Japanese government towards the running of the ITTO.³⁴ A Malaysian, Dr. Freezailah bin Che Yeom, then Deputy Director-General of the Malaysian Forestry Department, was chosen as the Executive Director. NGO campaigner Marcus Colchester reports there was a deal whereby the Japanese supported Freezailah's nomination in exchange for producer support from Southeast Asia for Yokohama's nomination to host the headquarters.³⁵

Certainly the ITTO's complicated voting system played a part in the choices for the headquarters site and of Executive Director. One thousand votes are allocated each to producer and consumer countries. Consumer countries' votes are determined by their share of tropical timber imports. Producer countries' votes are determined principally by their share of tropical timber exports with some consideration also given to forest area. Hence, as Colchester argues, the *"net result is that the more a country destroys tropical forests, the more votes it gets"* [emphasis in original].³⁶ Japan has the most votes of any tropical timber importer, with the EC second. (The EC countries are required to vote as a bloc.) Malaysia, Brazil and Indonesia are the biggest tropical timber exporters.³⁷ The number of votes each country receives is recalculated annually based on the latest trade data. However, with the exception of the choices of headquarters and the choice of Executive Director, no vote has been taken at an ITTC session. The ITTA 1983 emphasises that, "The Council shall endeavour to take all decisions and to make all recommendations by consensus".³⁸ However, although votes are not taken, awareness of the differences between the member countries can influence how a consensus develops.

The ITTA 1983 was drafted so as to deal only with

internationally-traded tropical timber, and four major areas of activity fell outside its mandate. Firstly, many "producers" import some tropical timber from other countries, and some producer countries have ceased to export tropical timber. For example Thailand introduced a complete logging ban in 1989 as the result of severe deforestation³⁹ while remaining a tropical timber "producer" in the ITTO. The ITTO has virtually ignored producer-producer trade, and concentrated primarily on producer-consumer trade. Secondly, the ITTO ignores domestic consumption of tropical timber. Paul Harrison notes that the majority of Third World timber production meets the timber requirements of the Third World and that if present trends continue "the Third World will become a net importer of timber during the 1990s".⁴⁰ Thirdly, the ITTA 1983 had no provisions to deal with the illegal tropical timber trade (although, as Chapter 7 will show, this omission was rectified in the ITTA 1994). Fourthly, and most obviously, the ITTA 1983 dealt only with tropical, and not boreal or temperate, timber.

5.3 The Institutional Structure of the ITTO

5.3.1 Formal Institutional Elements

The ITTO is composed of six elements: an Executive Director, a Secretariat, a Council and three Permanent Committees. The position of the Executive Director is essentially an administrative one, with full decision-making powers resting with the ITTC. However, and as will be seen in Section 5.5.2, the ITTC has since 1991 granted the Executive Director powers with respect to project expenditure.

The ITTC meets in full session once every six months. The November meeting takes place in Yokohama, with the May meeting hosted by a producer country rotating between Africa, Asia and Latin America. The three permanent

committees fulfil the functions of three of the four elements agreed upon at the sixth preparatory meeting. These are the Permanent Committee for Reforestation and Forest Management, the Permanent Committee for Forest Industry and the Permanent Committee for Economic Information and Market Intelligence. The fourth element, namely research and development, is a common function of all committees.⁴¹ The Committees held their first sessions alongside the ITTC's 3rd Session and have since met, along with the ITTC, at six monthly intervals. Chairmanship of the ITTC and the three Committees alternates between producer and consumer countries.⁴²

5.3.2 The Role of Environmental NGOs and Timber Traders

Article 15 of the ITTA 1983 allows observer status to be granted to NGOs at both ITTC and Permanent Committee sessions. In practice any NGO expressing an interest in the ITTO's work that arrives at the start of a Council session will, upon presentation of its credentials, be permitted to register for that session.⁴³ It is perhaps the most open arrangement offered by any IGO for NGO access. Some heads of individual delegations have also appointed NGO representatives to serve as conservation advisers on their national delegations. Examples include the UK, Denmark and Malaysia (WWF), Netherlands (IUCN), and the USA (National Wildlife Federation). National delegations may also appoint representation from the timber trade. The case of the UK is illustrative.

Up to and including 1989 the lead agency for the British delegation was the Department of Trade and Industry (DTI), and the British delegation consisted of DTI delegates and timber trade advisers, with occasional representation from the Overseas Development Administration (ODA). Since then two important changes to the composition of the British delegation have occurred. Firstly Francis Sullivan of the

WWF, who had previously attended ITTC sessions as a NGO observer, was appointed to the British delegation as a conservation adviser at the ITTC's 8th session in Bali. Secondly, at the ITTC's 9th session, the lead British agency for the ITTO switched from the DTI to the ODA.⁴⁴ These two changes represented a recognition by the British government that tropical timber was essentially a conservation and development issue, and not purely a trade issue. From the 9th session until the 12th a typical British delegation to ITTO was composed of three ODA delegates, one timber trade adviser and one forest conservation officer from WWF.⁴⁵ At the 13th session, WWF withdrew their forest conservation advisers from all national delegations (see Chapter 7).

In addition to those NGOs that have secured representation on national delegations, there are other NGOs which are not prepared to serve, or have been unable to gain a place, on national delegations. Examples include Friends of the Earth (FoE), Survival International and the Japan Tropical Forest Action Network. Individual NGO representatives who serve on national delegations act as a useful two-way conduit of information, conveying opinions from the wider NGO community to individual national delegations, and *vice versa*.

Only occasionally do NGOs make individual statements to the ITTC, although they are always permitted to make joint statements. Hence, as Barbara Bramble and Gareth Porter note, the "ITTO is an institution for which a North-South NGO alliance is crucial".⁴⁶ NGO unity has generally been preserved at the ITTO, with joint positions agreed upon behind-the-scenes, and statements made to the ITTC by a pre-arranged spokesperson acceptable to all NGOs.

5.4 The Financing of the ITTO

The ITTA 1983 provides for two accounts, the Administrative Account and the Special Account. The former funds the Secretariat and costs incurred in holding ITTC sessions. Contributions by members to the Administrative Account are in proportion to the number of votes held for each financial year.⁴⁷ There are two sub-accounts to the Special Account, namely the Pre-Project Sub-Account, and the Project Sub-Account.⁴⁸ The role of the ITTO on project work will be considered in Section 5.5.2 below. There are three possible sources of funding for the Special Account, namely regional and international financial institutions, voluntary contributions and the Second Account of the Common Fund for Commodities.^{49, 50} The ITTC's 11th session noted that the Second Account of the Common Fund for Commodities had been opened for use in 1991.⁵¹ By March 1993 the Common Fund had received five ITTO project proposals which were considered by the Fund's technical advisory body, the Consultative Committee. None of these were recommended to the Executive Board of the Fund for approval,⁵² and by March 1994 no ITTO projects had been financed by the Common Fund. Most projects have been paid for by voluntary contributions by consumer governments, with the Japanese government being the largest single donor.⁵³ When governments donate money to the Special Account they usually stipulate projects on which it should be spent ("earmarked funds"), although governments have also given money without specifying a particular project or project type ("unearmarked funds").

5.5 The History of the ITTO

5.5.1 Introduction

After the ITTC's first session the ITTO broke its orbit around the UNCTAD and became a fully autonomous IGO. It was only at the ITTC's 2nd session, with the decisions for the Executive Director and headquarters made, that members could fully concentrate on the operational aspects of the ITTO.

Hence the real work of the ITTO began in 1987, ten years after the preparatory process began, and two years after the ITTA 1983 came into effect. A chronology of the events in the negotiation of the ITTA 1983, and of the regular ITTC and Permanent Committee sessions held during the lifespan of this Agreement, is shown in Table 7 below. (For a chronology of the meetings and events appertaining to the negotiation of the ITTA 1994 see Table 11, Chapter 7.)

5.5.2 The Project Work of the ITTO

An important feature of the ITTO is its emphasis on project work to achieve the objectives of the ITTA 1983. The main work of the three Permanent Committees is vetting and approval of pre-projects and projects. A pre-project is the preparatory phase of a project and is essentially concerned with background research and information collation. Not all projects go through a pre-project phase; this occurs only if exploratory research or preparatory activity is required. Proposals may only be submitted by ITTO members or the Secretariat. The ITTC may reject proposals, return them for amendments to be made by the Permanent Committees, or accept them. In principle, inappropriate or poorly-designed projects should not pass through the Permanent Committees. Examples of projects, to name just a few, include the building of data bases on the tropical timber trade, research on incentives, reforestation projects and projects to improve the further processing capacity of producer countries.

TABLE 7 - CHRONOLOGY: MAY 1977 - MARCH 1994: THE INTERNATIONAL TROPICAL TIMBER AGREEMENT, 1983 AND ITTC/PERMANENT COMMITTEE SESSIONS HELD DURING THE LIFESPAN OF THIS AGREEMENT

DATE	PLACE	MEETING
May 1977 - July 1980	Geneva	First five ITTA Preparatory Committee meetings
16-20 November 1981	Geneva	Meeting of Intergovernmental Group of Experts on Research and Development for Tropical Timber
23-27 November 1981	Geneva	Meeting of Intergovernmental Group of Experts on Improvement of Market Intelligence on Tropical Timber
1-11 June 1982	Geneva	Sixth Preparatory Meeting on Tropical Timber
29 Nov - 3 Dec 1982	Geneva	UNCTAD Meeting on Tropical Timber
14-31 March 1983	Geneva	UN Conference on Tropical Timber (Part I)
7-18 November 1983	Geneva	UN Conference on Tropical Timber (Part 2) ¹
2-6 July 1984	Geneva	Preparatory Committee Meeting for the 1st Session of the ITTC
1 April 1985		Entry into force of the International Tropical Timber Agreement, 1983
17-28 June 1985	Geneva	1st Session of the ITTC (Part I)
25-29 November 1985	Geneva	1st Session of the ITTC (Part II)
28 July - 1 August 1986	Geneva	1st Session of the ITTC (Part III) ²
January 1987	Yokohama	Establishment of ITTO Secretariat
23-27 March 1987	Yokohama	2nd Session of the ITTC
16-20 November 1987	Yokohama	3rd Session of the ITTC, 1st Sessions of the Permanent Committees
22 June - 1 July 1988	Rio de Janeiro	4th Session of the ITTC, 2nd Sessions of the Permanent Committees
9-16 November 1988	Yokohama	5th Session of the ITTC, 3rd Sessions of the Permanent Committees
16-24 May 1989	Abidjan	6th Session of the ITTC, ³ 4th Sessions of the Permanent Committees
30 October - 7 November 1989	Yokohama	7th Session of the ITTC, 5th Sessions of the Permanent Committees
16-23 May 1990	Bali	8th Session of the ITTC, 6th Sessions of the Permanent Committees
16-23 November 1990	Yokohama	9th Session of the ITTC, 7th Sessions of the Permanent Committees
29 May - 6 June 1991	Quito	10th Session of the ITTC, ⁴ 8th Sessions of the Permanent Committees
28 November - 4 December 1991	Yokohama	11th Session of the ITTC, 9th Sessions of the Permanent Committees
6-14 May 1992	Yaounde, Cameroon	12th Session of the ITTC, 10th Sessions of the Permanent Committees
16-24 November 1992	Yokohama	13th Session of the ITTC, 11th Sessions of the Permanent Committees
11-19 May 1993	Kuala Lumpur	14th Session of the ITTC, 12th Sessions of the Permanent Committees
10-17 November 1993	Yokohama	15th Session of the ITTC, 13th Sessions of the Permanent Committees
31 March 1994		Expiry of the International Tropical Timber Agreement, 1983

Notes to Table 7

1. Conclusion of the negotiations for the International Tropical Timber Agreement, 1983.
2. Decision on Headquarters site and election of Executive Director.
3. First Extension of the ITTA 1983 for the period 1 April 1990 - 31 March 1992.
4. Second and Final Extension of the ITTA 1983 for the period 1 April 1992 - 31 March 1994.

Pre-project and project proposals must fall within the remit of one of the three Permanent Committees. As Table 8 below details, two-thirds of ITTO project expenditure has centred on the work of the Permanent Committee on Reforestation and Forest Management. By 31 December 1992

TABLE 8 - PROJECT WORK OF THE INTERNATIONAL TROPICAL TIMBER ORGANIZATION AS AT 31 DECEMBER 1992

PERMANENT COMMITTEE	APPROVED PROJECTS	TOTAL BUDGET US \$ m.	ITTO BUDGET US \$ m.
REFORESTATION AND FOREST MANAGEMENT	96	99.9	71.2
FOREST INDUSTRY	60	39.5	25.7
ECONOMIC INFORMATION MARKET INTELLIGENCE	23	10.4	9.6
TOTAL	179*	149.8	106.5

* Of these 179 projects, 28 were completed, 64 were operational, 30 were pending contracts, 33 were pending finance and 24 had been set aside under the ITTO's sunset provision.

Source: UN document TD/TIMBER.2/3, "Background, status and operation of the International Tropical Timber Agreement, 1983, and recent developments of relevance to the negotiation of a successor agreement", 26 February 1993, paras. 46-47, pp. 9-10.

the ITTO had also undertaken 55 approved pre-project studies, the total budget of which was \$US 5.5 million. Of these, 28 were completed, fifteen operational, eleven awaiting contracts or finance and one suspended.⁵⁴

At the ITTC's 5th session in 1988 NGOs called for the designation of a Secretariat staff member as a NGO liaison officer to facilitate Secretariat-NGO communications on projects and policies.⁵⁵ The Secretariat did not act upon this proposal. Nonetheless, NGOs have continued to offer their assessments on pre-projects and projects at ITTC sessions.⁵⁶

In 1987 the ITTC initiated the drafting of a Project Cycle, namely the rules of procedure to be adhered to by members in the drafting and submission of pre-projects and projects, and the procedures to be followed by the

Permanent Committees and the Council in approval of the same.⁵⁷ One year later, and after several amendments, a Project Cycle was approved by a joint session of the three Permanent Committees.⁵⁸

Since then, and following pressure from the governments of the UK and the Netherlands for a more efficient project approval process,⁵⁹ the ITTC has passed several decisions to expedite the Project Cycle. In 1990 the ITTC established an Expert Panel for Technical Appraisal of Project Proposals.⁶⁰ Composed of twelve representatives, with equal representation from producer and consumer countries, the Panel first met in February 1991 in Kuala Lumpur, and now meets regularly between ITTC sessions. It assists the Secretariat with project screening to ensure that only well-designed projects meeting the stated objectives of the ITTA 1983 are forwarded to the Permanent Committees. In 1991 the ITTC passed a "sunset provision": approved pre-projects or projects that have not received funding within 20 months will lose their approved status; those that have received funding, but for which implementation has not begun, will lose their approved status after 26 months.⁶¹ Also in 1991, the ITTC granted the Executive Director the power to approve pre-projects and projects up to the value of US\$ 50,000;⁶² this was increased to US\$ 75,000 in 1992.⁶³

FoE allege that "political considerations apparently override environmental, social, technical [and] financial ...considerations" in the project approval process.⁶⁴ Two projects which attracted particular NGO criticism at the ITTC's 11th session in 1991 were those for multipurpose tree planting and forest nursery development in Egypt.⁶⁵ The Expert Panel recommended that technical changes be made to the two Egyptian proposals before concluding with identical comments for both proposals;

The Panel was divided in its view on the relevance of the Proposal for ITTO support, and therefore felt that the decision on relevance should be taken by the Committee itself.⁶⁶

FoE reported that pressure was exerted on the Expert Panel

by the Secretariat not to reject the proposals, despite the fact that they did not meet the objectives of the ITTO as specified in Article 1 of the ITTA 1983.⁶⁷ The Chairman of the Permanent Committee on Reforestation and Forest Management subsequently concluded for one of the projects

that while he considered that the project did not contribute directly to major ITTO objectives like Target 2000, *there was no justification in either the ITTA or past project approval practices of ITTO to preclude approval and funding of the project.* [emphasis added]⁶⁸

The two projects were subsequently approved by the ITTC⁶⁹ leading FoE to suggest that approval was given to avoid possible withdrawal by the Egyptian government from the ITTO.⁷⁰ Representatives of WWF also opposed the two Egyptian projects for reasons similar to those of FoE.⁷¹ FoE have documented other examples of interference in the project approval process. For example, when the ITTC meets in a producer country it has become commonplace for the host country to table several project proposals, "approval of some of which at least is deemed to be recompense for the expenses incurred in hosting meetings".⁷² Despite these criticisms there is general agreement that the Expert Panel has rationalised and improved the efficiency of the project screening process.

5.5.3 The Poore Report on Sustainable Forest Management

In 1988 an ITTO-commissioned study by the IIED presented its findings to the ITTC's 5th session on the sustainability of forestry management practices worldwide.⁷³ The study team, led by Duncan Poore, concluded that,

The extent of tropical moist forest which is being deliberately managed at an operational scale for the sustainable production of timber is, on a world scale, negligible.⁷⁴

The Poore report found that less than 1% of the global tropical timber trade (namely from Queensland, Australia) came from what the investigation team considered to be sustainable sources.

There were two main ramifications of the Poore report's

findings. Firstly, and as Section 5.5.4 below will detail, the report led to initiatives from both the ITTO membership and the NGO community with the intention of promoting sustainable forest management.

Secondly the Poore report contributed to a long-running debate on precisely what constitutes sustainable forest management. The question as to whether sustainable forest management is possible in tropical forests is one which has frequently occupied NGOs, including those who lobby the ITTO. Colchester has distinguished between two types of NGOs; those who believe that sustainable logging of tropical forests is possible, and those who do not. In the former category he includes IIED, IUCN and FoE.⁷⁵ However, even within NGOs the debate may continue. For example, a representative of Sahabat Alam Malaysia, the Malaysian branch of FoE, has argued that there is "no management solution" to deforestation caused by logging.⁷⁶

At the heart of the debate is the question of what criteria are to be included in any definition or measurement of sustainable forest management. Article 1(h) of the ITTA 1983 emphasises the maintenance of the ecological balance in forest regions, and the Poore report also emphasised genetic resource conservation and respect for the rights of indigenous peoples as elements of an "ideal policy" for forest conservation.⁷⁷

Sustainable forest management is just one "sustainable" concept that has been floated at the ITTO. "Sustainable timber production" is another. Poore et al note that representatives from some countries have interpreted this concept to mean "continuity of [timber] supply from the natural forest, implying that when one source is exhausted, another will be found".⁷⁸ Not surprisingly, this is an interpretation with which Poore and environmental NGOs disagree. Poore declines to provide a firm definition of sustainable forest management or sustainable timber production noting that criteria will vary according to, for example, market and silvicultural conditions. He does

however note that

If production of timber is to be genuinely sustainable, the single most important condition to be met is that nothing should be done that will *irreversibly reduce the potential of the forest to produce marketable timber* - that is there should be no irreversible loss of soil, soil fertility or genetic potential in the marketable species. [emphasis in original]⁷⁹

Peter Utting notes that others interpret "sustainable forest management" to mean that "the volume of timber extracted in a period of years should not exceed the volume of new growth".⁸⁰ In 1991, following the report of an ITTO Expert Panel which considered possible methods for defining general criteria for, and measurement of, sustainable tropical forest management,⁸¹ an ITTC decision adopted an approved ITTO definition of sustainable tropical forest management:

Sustainable forest management is the process of managing permanent forest land to achieve one or more clearly specified objectives of management with regard to the production of a continuous flow of desired forest products and services without undue reduction of its inherent values and future productivity and without undue undesirable effects on the physical and social environment.⁸²

Confusion on this subject was compounded in 1992 when the FAO promulgated a further definition of how sustainable development applies to forests (and other resources coming under the FAO's domain):

Sustainable development is the management and conservation of the natural resource base and the orientation of technological and institutional change in such a manner as to ensure the attainment and continued satisfaction of human needs for the present and future generations. Such sustainable development (in the agriculture, forestry and fisheries sectors) conserves land, water, plant and animal genetic resources, is environmentally non-degrading, technically appropriate, economically viable and socially acceptable.⁸³

In many ways the concept of sustainable forest management is similar to that of sustainable development. Firstly it is a concept that attempts to synthesise developmental and conservationist objectives, in this case Articles 1(b) and 1(h) of the ITTA 1983. Secondly, although it has attracted popular (though not universal) approval, those actors that

subscribe to the concept of sustainable forest management are unable to agree upon a clear unambiguous definition for it, still less agree upon precise criteria by which it can be gauged. It can be seen that in the two definitions provided above, there is a wide degree of latitude within which actors' interpretations may vary. In the ITTO's definition terms such as "clearly specified objectives" and "undue desirable effects" are not defined. Similarly, in the FAO's definition, value judgements such as "economically viable" and "socially acceptable" are left unclear. (One may ask "viable" in what way and "acceptable" to whom?) In short there is a wide margin for interpretation in both definitions. It is within these margins that contention between actors frequently arises, with disagreement arising as to what criteria are to be included, and how they are to be measured. As will be seen below, actors have disagreed, both inside and outside the ITTO, on the subject of sustainable forest management.

5.5.4 The ITTO's Target 2000 and the WWF's 1995 Target

The findings of the Poore report catalysed action in the NGO community. In August 1989 WWF adopted a target date of 1995 by which time, it was intended, the entire tropical timber trade should come from sustainable sources.⁸⁴ The WWF target has since been extended to non-tropical timbers. At the ITTC's 7th session in November 1989 the WWF called for the ITTO to adopt a target date.⁸⁵ WWF's intention had been that the ITTO would meet their own 1995 target.

The ITTO membership resisted pressure to match WWF's date, but at the ITTC's 8th session in Bali in 1990 they took steps to establish the target date of the year 2000. The origins of this date, known as Target 2000, can be traced to a "Draft Action Plan and Work Program" prepared by the Permanent Committee on Forest Industry in May 1990 which noted that the target date of 2000 had received the support of both producers and consumers.⁸⁶ This document, along with drafts produced by the other two Committees, formed the

basis of the ITTO Action Plan which endorsed "a target date, namely the year 2000, within which time all tropical timber exports should come from sustainably managed forests".⁸⁷ The Action Plan was presented to the 9th ITTC session at Yokohama, November 1990, where WWF continued to exert pressure for the ITTO to adopt their 1995 date.⁸⁸ The ITTC formally endorsed Target 2000 at its 10th session in Quito when an ITTC decision invited members to provide a paper on their proposed progress towards the Target to the 11th session.⁸⁹ Target 2000 has attracted controversy with contention centring on whether the Target should refer to the trade in tropical timber or the sustainable management of all tropical forests.⁹⁰

Meanwhile the WWF have continued to work towards sustainable forest management by 1995. For example in the UK, WWF have formed a close functional relationship with the Timber Trade Federation on this issue. A second prong to WWF's UK policy is the "1995 Group", consisting of those companies which have publicly endorsed the WWF's target date.⁹¹ To date only one government has formally endorsed the WWF target date. In a policy paper adopted by the Dutch parliament in 1991, the Dutch government committed itself to ensuring that from 1995, or earlier if possible, "only timber from countries or regions with a forestry policy and forest management system geared to protection and sustainable production will be used".⁹² The Dutch timber industry supported the 1995 campaign and after two years of negotiation a framework agreement was signed between Dutch government ministries, trade unions, the Netherlands Timber Trade Association, WWF and IUCN.⁹³ In February 1994 this consensus was broken when the WWF and IUCN withdrew from the agreement in protest at Dutch government attempts to include as "sustainable" timber from conversion forests (that is forests that are in the process of being converted to an alternative form of land use such as agriculture).⁹⁴ Once again, the confusion that arises between different actors with different definitions and conceptions of sustainable

forest management proved divisive.

5.5.5 The ITTO as a Normative Organization

The ITTO has produced three sets of guidelines which have been adopted at ITTC sessions. The first set, namely the *ITTO Guidelines for the Sustainable Management of Natural Tropical Forests*, was adopted in Bali in 1990 where the ITTC commended them as "an international reference standard to Members".⁹⁵ The guidelines contain 41 principles for the sustainable management of natural tropical forests, with 36 recommended possible actions as to how these principles may be realised. The ITTO's Executive Director has recommended that they be "shaped into more specific guidelines which are compatible with regional and national forestry practices".⁹⁶

In June 1991 the ITTC approved a second set of guidelines,⁹⁷ the *ITTO Guidelines for the Establishment and Sustainable Management of Planted Tropical Forests*,⁹⁸ containing 66 principles and 75 recommended possible actions. The *ITTO Guidelines for the Conservation of Biodiversity in Tropical Production Forests*,⁹⁹ consisting of 14 principles and 20 recommended possible actions were approved by the ITTC in November 1992.¹⁰⁰

The mechanics of the drafting processes for these guidelines are worthy of brief consideration. In each case an expert panel or working group was established composed of representatives from producer and consumer countries, UN specialised agencies, NGOs, the timber trade and the ITTO Secretariat. For example, thirteen individuals sat on the expert panel for the natural tropical forests guidelines, while eleven sat on the panel for the planted tropical forests guidelines.

In every case a draft document had been prepared in advance of the expert panels' first meetings. In two of these cases NGOs were involved. In the case of the natural tropical forests guidelines the UK ODA assisted the ITTO Secretariat in the preparation of a paper.¹⁰¹ The proposal

that the ITTO produce guidelines for planted tropical forests was made by the German delegation at the ITTC's ninth session. The Germans also offered to finance the initial draft,¹⁰² a gesture which gave them a substantial say in the content of the resulting guidelines. The initial draft was produced by the Research Institute for Forestry and Forest Products in Hamburg.¹⁰³ Finally, the IUCN was instrumental in the preparation of the biodiversity guidelines. The report of the ITTO working group tasked with preparing these guidelines "was based in large part" on the outputs of a workshop held alongside the 18th General Assembly of the IUCN held in Perth, Australia (November-December 1990).¹⁰⁴

The above paragraph illustrates the influence that NGOs - be they the traditional environmental NGO or other types of non-governmental actors - can have in formulating international standards. Two further points are worthy of comment regarding the ITTO guidelines.

Firstly, the natural tropical forests guidelines reflected inconsistencies between conservationist and developmental objectives. For example, "possible action 33" notes that environmental impact studies should "assess compatibility of logging practices with *declared secondary objectives* such as conservation and protection, and with the overall principle of sustainability" (emphasis added).¹⁰⁵ Here the expansion of the tropical timber trade [Article 1(b) of the ITTA 1983] clearly has a higher priority than conservation [Article 1(h)].

Secondly, despite NGO pressure,¹⁰⁶ and despite the fact that the ITTC decisions adopting the three sets of guidelines "invited" members to take them into account when deciding national policy, not one country to date has used the ITTO guidelines as the basis for producing national guidelines. The NGO community have also monitored national reporting in other areas of the ITTO's activities. As noted above, the ITTC's 10th session invited members to report at the 11th session on proposed country measures to be taken to

realise Target 2000. At the 11th session, only seven of ITTO's members (forty-seven at the time) submitted a report of any form. As the United States General Accounting Office has noted, information submitted by ITTO members is not used to assess compliance with the Agreement, although it is "useful for assessing the world tropical timber economy".¹⁰⁷ The poor level of national reporting has been a sustained criticism by NGOs, who have continually criticised member governments for failing to follow through on ITTC decisions, for failing to review progress on projects, and for not demonstrating greater commitment to Target 2000 and to the ITTO's objectives and guidelines.¹⁰⁸

5.5.6 The ITTO and Indigenous Forest Peoples

Indigenous peoples' groups are becoming increasingly well organised, both at the ITTO and other fora, where they have forward their claims that forest dwellers should be granted title to their customary and ancestral lands. Environmental NGOs have forged a close working relationship with indigenous peoples' groups, and the former have lobbied the ITTC on behalf of the latter. For example, at the ITTC's 10th session the joint presentation of environmental NGOs urged that "all ITTO projects be developed with full participation of all affected forest peoples...".¹⁰⁹ However the principle that indigenous peoples and other local communities should be accorded full rights of participation in the design and implementation of projects is one that has yet to secure the agreement of all ITTO members, with producer delegations concerned that such a principle could lead to an erosion of sovereignty.

Indigenous forest peoples' groups have also used their statements to the ITTC to challenge narrow definitions of sustainability. For example, the ITTC's 10th session at Quito was addressed by a spokesman for the Coordinating Body for the Indigenous Peoples' Organisations of the Amazon Basin (COICA)¹¹⁰ who stated that "we insist that one cannot speak of sustainability without sustaining the livelihoods

of those who live in the forests".¹¹¹ Similar points have been made by other NGOs. An interesting case concerns the ITTO Mission to Sarawak.

In 1989 the ITTO initiated, at the request of the Malaysian government, an expert mission under the leadership of the Earl of Cranbrook to investigate the sustainability of forest management in the region. This is the only occasion that the ITTO has conducted an investigation into the forest management practices of one of its members. The report of the Mission was presented to the ITTC in 1990. The Mission concluded that Sarawak's forests would disappear by 2001 if current logging rates continued and called for a 30% reduction in the timber harvest,¹¹² a figure criticised by WWF as too low.¹¹³

The Mission's report also brought into renewed focus the debate on sustainable forest management. FoE and the World Rainforest Movement criticised the Mission for adopting a narrow technical interpretation of its terms of reference, investigating only the extraction of timber and "thereby marginalizing not only human considerations but also alternative forms of forest use".¹¹⁴ The Malaysian government's response to NGO concerns on indigenous peoples' land rights was that any claims to ancestral land by indigenous peoples must be dealt with under Malaysian law, and not by the ITTO. Furthermore, the Malaysian government has asserted that its invitation for the ITTO to establish the Mission "was in no way diminishing the exercise of its sovereignty and independence of action".¹¹⁵

At the ITTC's 11th session, environmental NGOs drafted a resolution which, if accepted, would have affirmed a commitment from the ITTO to respect the rights and secure the livelihoods of forest-dwelling peoples and would have instructed the ITTO Secretariat to commission an independent study of the impact of timber extraction on the lives and economies of forest-dwelling peoples.¹¹⁶ The draft was discussed informally outside Council, where the EC voiced support, but was not adopted due to producer opposition.¹¹⁷

Despite the lobbying of environmental NGOs and indigenous peoples no ITTC decision has recognised the land rights of forest peoples. FoE and the World Rainforest Movement have reported that despite the emergence of evidence that ITTO projects have caused social problems, and although the ITTO's natural tropical forests guidelines recommend that indigenous peoples be consulted and customary rights respected,¹¹⁸ that ITTO projects still infringe upon the customary lands of indigenous forest peoples who are included in neither decision-making nor project management.¹¹⁹ On the rare occasions when ITTO projects have provided for consultation with indigenous peoples, such as the Chimanes project in Bolivia,¹²⁰ this has only been possible after NGO pressure and prior approval of the host government. Producer governments have been prepared to recognise only the importance, but not the claimed rights to land, of these groups. However, the NGOs have provided an effective critique of the policies of governments in this area.

The rights to timber (as asserted by the timber traders and producer countries) and the rights to land (as asserted by the alliance between indigenous peoples' groups and environmental NGOs) has therefore been one of the most acute points of conflict within the ITTO, with the former adopting a narrow economistic definition of sustainable forest management, and the latter arguing that sustainability cannot ignore broader social concerns.

5.5.7 The Incentives and Labelling Debates

Perhaps the debates which best highlight the gulf between the environmental NGOs and the performance of the ITTO are those on labelling and incentives. These two debates became entangled with each other and by 31 March 1994 the ITTC had made no firm decision or commitment with respect to either issue.

The labelling issue was first debated at the 5th session of the Permanent Committee on Economic Information

and Market Intelligence at Yokohama in 1989 when a pre-project proposal, *Labelling Systems for the Promotion of Sustainably-Produced Tropical Timber*, was tabled by the British delegation.¹²¹ Prepared by FoE with some input from the Oxford Forestry Institute (OFI), the proposal met with opposition from Indonesia and Malaysia.¹²² The Committee's judgement was that the pre-project "was a veiled attempt to install ...an incentive to encourage the current campaign of boycott against the import of tropical timber products...".¹²³ This passage strongly implies that the proposal threatened the interests of the producer countries and the timber trade.

The DTI, then the lead agency for the UK delegation, subsequently redrafted the proposal later in the session without consulting FoE. In the new version, *Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests*,¹²⁴ all references to labelling had been excised. At this stage FoE withdrew their support.¹²⁵

The revised proposal was not forwarded to the ITTC and instead became the subject of further research. The ODA, by now the lead British agency, engaged the UK Timber Research and Development Association (TRADA) which together with the OFI drafted a pre-project proposal on possible financial and non-financial incentives for sustainable forest management. Financial incentives include funding of forest management services by, *inter alia*, tax transfers, debt-for-nature swaps and grants, while non-financial incentives include security of land tenure, certification schemes for good forest management practice and the development of non-timber forest products. The OFI/TRADA report¹²⁶ was debated at the ITTC's 10th session in Quito in 1991 at a specially convened round table.¹²⁷ The Chairman of the round table considered there was a "need to define an acceptable compromise between the environmental value of the forest and the economic value of trade in tropical timber".¹²⁸ Again the tension between the developmental and conservation components of the ITTA

1983 is evident, a tension reflected in the subsequent ITTC decision. This invited members "to enhance their ability to attain the Year 2000 Target by *investigating liberalized trade in tropical timber*" [emphasis added],¹²⁹ a wording that implicitly accepts that conservation can be achieved without trade restrictions.

Prior to the Quito round table the British ODA also initiated a study on the economic linkages between the tropical timber trade and sustainable forest management. The London Environmental Economics Centre (LEEC) were employed as consultants for this study which became an ITTO project. The LEEC report, *The Economic Linkages Between the International Trade in Tropical Timber and the Sustainable Management of Tropical Forests*,¹³⁰ considered how environmental and social costs could be internalised into the price mechanism and was debated at the ITTC's 13th session in November 1992. The findings of this report with respect to labelling will be considered below.

A further development at the ITTC's 13th session was the discussion on the Austrian parliament's vote for legislation that all tropical timbers imports should be labelled.¹³¹ At this session an Austrian delegate asserted that the legislation was not discriminatory, was not motivated by protectionism, and was not a restriction to trade.¹³² The measure was applauded by environmental NGOs at the ITTO¹³³ but met with opposition from producer countries, especially Malaysia and Indonesia. At the GATT Council meeting of November 1992 the ASEAN contracting parties, namely Indonesia, Malaysia, Philippines, Singapore and Thailand, "expressed serious concern" about the Austrian action, claiming it was discriminatory as it did not apply to temperate timbers.¹³⁴ Austrian industrialists, concerned about the possibility of a trade war, exerted pressure on the Austrian parliament following which the law was amended, but only after Green MPs staged a 30 hour filibuster.¹³⁵

Disillusionment within the WWF on the ITTO's performance on labelling was signalled as early as 1988 when

a WWF position paper stated that if "the ITTO fails to actively promote tropical forest conservation ...then conservation organisations will have to seek other mechanisms to achieve this".¹³⁶ Three years later this was a threat the WWF carried into effect. The failure of the ITTO to deal effectively with the labelling issue led to a shift in WWF policy on labelling. From advocating government-backed labelling schemes, which can be considered to be GATT illegal (see Section 5.6.2 below), WWF moved their support to promoting a global, private-sector scheme which, as the actors concerned are not party to the GATT, cannot be GATT illegal.

This scheme originated from a meeting hosted by WWF in Washington DC in March 1991. Attended by a diverse range of conservation NGOs, timber importers and wood users, the participants explored the idea of independent, voluntary-sector, tropical and non-tropical timber labelling. The rationale behind the meeting was that there was a need for a single widely-respected non-governmental body to issue certificates for sustainably-grown timber. WWF's intention is that this new body will replace the growing number of unauthorised labelling schemes. The meeting noted that the ITTO guidelines deal principally with the technical aspects of sustainability.¹³⁷ This was felt to be inadequate, and it was subsequently agreed that four main criteria of sustainable forest management should be adopted: technical and administrative; legal and political; social and economic; and environmental and ecological.¹³⁸

After a series of meetings and workshops, agreement was reached to found a Forests Stewardship Council (FSC). (The reader will recall that the FSC was briefly introduced in Chapter 1.) In October 1993 the Founding Assembly of the FSC was held in Toronto, Canada. The meeting elected a Board of Directors composed of four environmental representatives, two social representatives and two representatives of those with an economic interest in the timber trade, with equal representation between North and South.¹³⁹ The Toronto

meeting reached consensus on an innovative institutional format for the FSC. It was agreed that a General Assembly of members, constituting the supreme authority of the FSC, would be divided into two chambers. The first chamber, comprised of social, environmental and indigenous peoples' NGOs, will hold 75% of voting rights. The second chamber, composed of individuals and private companies with an economic interest in the timber trade, will hold 25% of voting rights.¹⁴⁰

The principal focus of the FSC is on activity at the forest-concession level¹⁴¹ as opposed to the intergovernmental level. The rationale behind the FSC is that intergovernmental activity (including that of the ITTO) has failed to ensure or guarantee sustainable forest management, and that cooperation with those firms granted forest-concessions is more likely to ensure sustainability. FSC membership is voluntary. The FSC will authorise national certifying authorities to issue certificates when forest management practices of individual forest-concession holders meet the FSC's four-fold set of criteria of sustainability.¹⁴²

The FSC brings together an unlikely coalition of conservation NGOs and timber traders. These two groups have previously assembled together in the ITTO where they have frequently disagreed. It remains to be seen how well they will cooperate in the FSC. However there have already been splits among the NGO community on the institutional format of the FSC, with Greenpeace and FoE withdrawing from the process at Toronto, while agreeing to remain as observers, in protest at the Founding Assembly's decision to give those with an economic interest representation on FSC organs.¹⁴³

The FSC initiative and the LEEC report rekindled the labelling debate within the ITTO. The LEEC report presented to the ITTC's 13th session recommended that "ITTO should encourage the establishment of a *country certification scheme*" [emphasis in original].¹⁴⁴ It was precisely such a scheme that FoE had promoted in 1989. However, since then

many members of the NGO community had moved their support from country schemes to arguing that only a voluntary non-governmental approach, such as the FSC, can be credible.¹⁴⁵

In May 1993 Chris Elliott of WWF International, a leading figure in the launch of the FSC, attended the ITTC's 14th session in Kuala Lumpur representing the FSC. Labelling was discussed for two days at a session of the Permanent Committee on Market Information and Market Intelligence. The consumer delegations favoured labelling only for tropical timber, while the producers were only prepared to consider a scheme that applied to all timbers.¹⁴⁶ The NGOs agreed with the producers' view that a labelling system should cover all timbers, and supported a finding of the LEEC report that labelling was the most effective trade-related incentive for sustainable forest management, while disagreeing with the LEEC's conclusions that labelling be done at the country level. Consistent with their general support for the FSC, the NGOs argued for a global scheme with certification at the forest-concession level. The Permanent Committee made no recommendations to the ITTC on this issue other than to suggest that "the subject be raised again at the [fifteenth] meeting of Council...".¹⁴⁷ The 15th session was the last to be held before the expiry of the ITTA 1983. Once again the ITTC made no substantive decision on the twin issues of incentives and labelling. Instead, and once again, the ITTC decided more research was necessary, with an ITTC decision establishing a working party and approving the hiring of a consultancy to investigate further the possibility of certification.¹⁴⁸

Four years and eight sessions after the FoE proposal on labelling the ITTC has yet to pass a substantive decision on labelling or incentives. What started as a highly specific NGO proposal on labelling has resulted in protracted, and as yet unresolved, discussion. In 1992 a NGO representative commented that "ITTO has failed to deal adequately with the whole question of incentives, monitoring, tracing, certification and labelling".¹⁴⁹ The labelling and

incentives debates illustrates how the ITTO's consensual decision-making procedures have stifled original initiatives. Any initiative which does not attract the unanimous support of all member countries is unlikely to be passed in an ITTC decision. In effect, every member (or at least every member with a large number of votes) holds the power of veto. In the labelling and incentives debates this resulted in the blocking of any substantive decision on any form of market intervention. Bramble and Porter have commented that "the objective of ITTO is to promote the timber trade and no decision-maker in it has a primary interest in conservation".¹⁵⁰ This may be rather cynical, and perhaps exaggerated, but certainly it is the case that to date conservation has not been allowed to threaten free trade within the ITTO.

The ITTO's incentives and labelling debates illustrates the importance of NGO activity in agenda-setting in an international institution, with NGO research and lobbying the principal reason why these issues were raised and debated. WWF and FoE both played important, though different, roles in the labelling debate. While neither the OFI nor the LEEC are "traditional" NGOs, both clearly belong in the non-governmental sector, and research by both these actors played a major role in steering the course of the incentives debate. While decisions by the ITTC on these issues proved elusive during the period that the ITTA 1983 was in effect, the issues will continue to be discussed at the ITTO throughout the existence of the ITTA 1994.

5.6 The International Relations of the ITTO

5.6.1 Introduction

The role of the FSC clearly overlaps to a degree with that of the ITTO. Indeed, there are several international institutions whose mandate may overlap with that of the ITTO. This section will analyse the relations of the ITTO with respect to three such institutions, namely the General

Agreement on Tariffs and Trade (GATT), the Tropical Forestry Action Programme (TFAP) and the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES).

5.6.2 The ITTO and the GATT

First it is necessary to clarify precisely what is meant by the General Agreement on Tariffs and Trade (GATT). Firstly there is the GATT as a legal agreement, the General Agreement on Tariffs and Trade, 1947 and subsequent amendments. Secondly, there is the recently-negotiated General Agreement on Tariffs and Trade, 1994. This has yet to enter into legal effect, but when it does so it will consist of: the GATT 1947; all legal instruments that have entered into force under the GATT 1947 before the date of entry into force of the World Trade Organization Agreement, 1994; the instruments concluded during the Uruguay Round; and the Marrakesh Protocol to the GATT 1994.¹⁵¹ Thirdly, there is the GATT as an institution, embracing the GATT Secretariat, the GATT Council, GATT standing committees and GATT panels convened to settle trade disputes. Finally when negotiations, or "rounds", have been conducted on trade and trade-related issues, the GATT may be seen as an intergovernmental negotiating process. The objective of this section is to evaluate the relationship between the GATT 1947 and the ITTA 1983. (In the paragraphs that follow, where the term GATT is used in isolation, this refers to the GATT 1947 prior to the finalisation of the Uruguay Round.)

The conservation objectives of the ITTA 1983 were in direct tension with the GATT in three ways. The first concerns extraterritoriality, in this case where one GATT contracting party attempts to conserve natural resources outside its territorial domain. Possibly the most important environmental case to go before a GATT panel, and one with ramifications for the tropical timber trade, was the dolphin-tuna case of September 1991 between the USA and Mexico. Prior to this the USA had banned imports of tuna

fish caught by Mexican fishermen using nets that ensnared dolphins. The Mexicans made a complaint, and a GATT panel subsequently ruled that GATT Article XX(g) on the conservation of exhaustible natural resources could not be invoked by one GATT contracting party to ensure the protection of the environment or of natural resources beyond its territorial boundaries.¹⁵² As WWF note, "This may be logical in the context of a free trade agreement, but does not further the objective of ensuring that any trade liberalisation resulting from the agreement is sustainable".¹⁵³

The second tension between the ITTA 1983 and the GATT concerned GATT clauses prohibiting discrimination between like products on the basis of their manufacture.¹⁵⁴ Various analysts have concluded that unilateral bans on imports of tropical timber from unsustainable sources would contravene the GATT.¹⁵⁵ The GATT clause prohibiting discrimination between like products on the basis of their manufacture effectively gives unsustainably-produced timber the same status as sustainably-produced timber in the international market. GATT signatories would be prohibited from using tariffs or quotas to favour timber from sustainable sources.¹⁵⁶

The third instance where GATT and ITTA clauses were in tension centres on Article 1(e) of the ITTA 1983 on the further processing of timber. This is designed to encourage producers to add value to timber prior to export, thus increasing their export earnings by exporting processed planks and plywood as opposed to unprocessed logs. In 1990 the WWF reported that the EC disputed a ban on the export of raw tropical logs by Indonesia on the basis that it infringed GATT Article XI,¹⁵⁷ which aims at the general elimination of quantitative restrictions. The Indonesians claimed the measure was a conservationist one. The argument of the EC was that the Indonesian ban was not a genuine conservationist one as it was not applied, as stipulated by GATT Article XX(g) on the conservation of exhaustible

natural resources, "in conjunction with restrictions on domestic production or consumption".^{158, 159} It can be argued that, irrespective of whether or not domestic levels of timber production and consumption are reduced, a ban on log exports is a conservation measure inasmuch as it allows a country's export earnings to be maintained for a lesser volume of timber. (This is the high-value/low-volume concept to which many conservationists refer.) Despite its disapproval, the EC did not request the establishment of a GATT panel with respect to Indonesia's measures on logs, and neither did it raise a formal complaint on the matter at a GATT Council meeting.¹⁶⁰ However if such a complaint had been made and upheld by a GATT panel, Indonesia may have been obliged to recommence the export of raw logs, a factor which would have increased the rate of deforestation of Indonesian forests if Indonesia's export earnings were to be maintained.¹⁶¹

The Indonesia-EC case is the second example where ITTO members have cited the GATT. In the Austrian case (Section 5.5.7 above) reference to the GATT by the ASEAN governments was a factor in the reversal of Austrian policy. This was not the case with the Indonesian-EC case, which one legal expert attributes to developed member states being "more willing to provide ...lesser developed countries with some leeway in fulfilling their GATT obligations than they would be willing to provide each other".¹⁶²

The WWF have recommended that the ITTO Secretariat seek a waiver from the GATT for any trade measures deemed necessary to contribute to the conservation and the sustainability of tropical forests,¹⁶³ a position since reiterated both by TRAFFIC International¹⁶⁴ and in an updated version of the WWF/IUCN/UNEP's *World Conservation Strategy* published in 1991.¹⁶⁵ To date, the Secretariat has not done this.¹⁶⁶ With none of the possible contradictions between the ITTA 1983 and the GATT having been tested in a GATT panel, and with the ITTO having no dispute settlement procedures of its own, the tension between the GATT and the

ITTA 1983 was never resolved.

This section has evaluated the tensions between the GATT and the ITTA 1983 that arose during the history of the ITTO prior to 31 March 1994. At the time of writing (December 1994) a period of transition is occurring in the multilateral trading system, with a World Trade Organization (WTO) in the process of creation. Furthermore, the ITTA 1994 has yet to enter into force. Note however that all of the clauses that gave rise to controversy in the ITTA 1983 remain, albeit in a somewhat modified guise, in the ITTA 1994. Furthermore, the GATT 1994 provides no clarification of those areas of dispute between the GATT 1947 and the ITTA 1983. In short, the tensions identified in this section remain. Future researchers will wish to consider how these issues are dealt with in the future by the WTO, the ITTO and other actors.

However one point worthy of note is that although the GATT 1994, and the other instruments agreed upon in the Uruguay Round, make no explicit provisions for environmental protection, the environment is an issue to which the WTO will give consideration when it is established. The first meeting of the WTO General Council will establish a Committee on Trade and the Environment.¹⁶⁷ Presumably one of the first tasks of this committee will be to deal with the contradictions between the GATT 1994 and those instruments with a conservation mandate, such as the ITTA 1994.

5.6.3 The ITTO and the Tropical Forestry Action Programme

An aspect of the international relations of the ITTO that has attracted attention from several actors is the relationship between the ITTO and the TFAP. There are four ways of considering the nature of the ITTO-TFAP relationship: the degree of cooperation on projects; the formal institutional linkages at the international level; the linkages between the Forestry Advisors Group (FAG) and the ITTO; and the role NGOs and other actors have played in providing linkages between the two initiatives.

As Section 4.2 outlined, the second action programme of the 1985 and 1987 publications of the *Tropical Forestry Action Plan*, which forms the conceptual framework for National Forestry Action Plans (NFAPs), is that of forest-based industrial development, while the fourth action programme focuses on conservation of tropical forest ecosystems.¹⁶⁸ These two action programmes correspond very closely to Articles 1(b) and 1(h) respectively of the ITTA 1983. Yet during the period of validity of the ITTA 1983 the horizontal linkages between these two institutions was particularly weak, despite the fact that their mandates overlapped. It is noteworthy that the ITTO has only acted a Supporting Agency for one NFAP (Table 5, Chapter 4), despite the fact that 60 ITTO projects have been in the field of forest industry and 96 ITTO projects have been in the field of reforestation and forest management (see Table 8 above).

The one NFAP in which the ITTO has been involved was that of Papua New Guinea where the ITTO funded two projects. At the ITTC's 10th session in Quito in 1991 the delegate for Papua New Guinea emphasised "the difficulties experienced by host countries in adhering to different guidelines for different donors".¹⁶⁹ The 8th session of the Permanent Committee on Forest Industry, which approved one of the projects, gave some consideration to NFAP activities in Papua New Guinea as the result of which the project design was amended "to avoid duplication and enhance coordination" with other NFAP projects in the country.¹⁷⁰ However, there was no prior consideration to the relationships between the ITTO project and the NFAP. In short, horizontal linkages between ITTO projects and NFAPs have been non-existent in all cases except for Papua New Guinea, where the linkages were weak.

There are certain formal linkages between the ITTO and the TFAP at the international level. Members of the ITTO Secretariat, sometimes the Executive Director, have often, although not always, attended sessions of the FAO's Committee on Forestry and its Committee on Forest

Development in the Tropics. A member of the FAO's Forestry Department has attended all ITTC sessions as an observer, and representatives from the other TFAP co-founders, namely the World Bank, United Nations Development Programme and the World Resources Institute have frequently, although not always, attended ITTO sessions.

The relationship between the ITTO and the FAG was not a strong one throughout the lifespan of the ITTA 1983, although this is an issue to which the FAG is now paying increasing attention. The FAG Chairman has occasionally attended the ITTC as a non-governmental observer,¹⁷¹ and there have been instances of NFAP National Coordinators attending ITTC sessions.¹⁷² However, representation from the FAG and NFAP Offices at ITTC sessions has very much been the exception rather than the rule. In 1988 an NGO statement to the Council noted that NGOs were "somewhat disturbed at the lack of joint activities" between the FAG and the ITTO and called for "an effective functional partnership between the ITTO and other institutions".¹⁷³

A fourth way of gauging the strength of the ITTO-TFAP relationship is by identifying NGOs and other actors which have relations with both institutions. In an interdependent world with multiple channels of communication¹⁷⁴ NGOs can play a role in promoting closer cooperation between institutions, even when formal horizontal linkages are poor or non-existent. The weak ITTO-TFAP linkages has attracted unfavourable criticism and comment. In November 1990 the WWF called for the replacement of the TFAP with an appropriate mechanism "with better linkages to the ITTO".¹⁷⁵ In September 1992 a German-Japanese Expert Meeting on Tropical Forests agreed that the TFAP and ITTO should be used as "complementary instruments".¹⁷⁶ In December 1992 the government of the Netherlands stated that it favoured the establishment of "national long-term forest management plans" by producer countries within the ITTO which "may help in the establishment" of NFAPs.¹⁷⁷

NGOs which have had close working relationships with

both the ITTO and the TFAP include IUCN, WWF, WRI, FoE and IIED. The IIED, through its participation in the FAG, has taken a particularly significant interest in the ITTO-TFAP relationship. At the 15th meeting of the FAG in Costa Rica in 1992 Caroline Sargent of the IIED noted that although the ITTO's Target 2000, strictly interpreted, referred only to the international trade in tropical timber, a broader interpretation saw the Target as very close to the new goal and objectives of the TFAP (see Section 4.6).¹⁷⁸ Yet the majority of ITTO projects are formulated without reference to NFAPs. Since then the IIED has conducted a study on the ITTO-TFAP relationship which argues that work within the ITTO

must be nested within national forest planning and management mechanisms; whilst TFAP would benefit from the establishment of mutually determined guidelines and agreed standards as introduced by the ITTO.¹⁷⁹

The study concludes that "the objectives of each initiative would benefit from closer cooperation".¹⁸⁰

However, some NGO assessments are less optimistic. A WWF commissioned study argued that the TFAP, with a general forestry mandate, has become focused on industrial wood production, while the ITTO, a commodity agreement, has a conservationist objective. Brian Johnson argues that there is no complementarity between the two initiatives and that,

The level of effort and funding that goes into development of industrial forestry via TFAP renders nugatory ITTO's ...experiments in sustainable forest management.¹⁸¹

The ITTO-TFAP relationship will change during the lifespan of the ITTA 1994. As Section 4.6 noted, the ITTO will be a co-sponsor of the revamped TFAP, and it will be interesting to see how this changes the association between the two institutions. Future researchers on this subject may wish to consider the number of NFAPs for which the ITTO acts as a Supporting Agency (in other words the number of ITTO projects coming under the auspices of separate NFAPs), the number of NFAPs that adopt ITTO guidelines, and other indications of increased cooperation at the international,

regional, national and local levels. The ITTO-TFAP relationship is also no doubt one which the World Commission on Forests and Sustainable Development will consider if it is convened (see Section 4.6, Chapter 4).

5.6.4 The ITTO and CITES

At the ITTC's third session in 1987 the WWF called for member nations of the ITTO to identify endangered tropical tree species.¹⁸² For the next five years the ITTO passed no decision on endangered species. The recalcitrance of the ITTO in refusing to become involved in this area resulted in many NGOs, including WWF, shifting their focus and pressing for the CITES to list endangered species of tropical trees.¹⁸³

At the eighth meeting of the parties to CITES in Kyoto, Japan in March 1992 commercially-traded tropical tree species were listed as requiring protection for the first time since the inception of the ITTO. One species was placed on Appendix I listing, which bans international trade, while three were placed on Appendix II listing, which requires the monitoring of international trade.¹⁸⁴ This meeting saw delegations divided as to whether the ITTO or CITES should have the authority for restricting the trade in endangered tropical tree species. A proposal by the Netherlands to list two further species was resisted by Malaysia, which argued the ITTO was the responsible IGO for such measures.¹⁸⁵

As a result of these disagreements the subject of CITES was discussed at the ITTC session held after the Kyoto meeting where a decision was passed designed to improve ITTO-CITES cooperation. While recognising that ITTO and CITES "are separate institutional entities with distinct mandates and separate membership" the decision also recognised that "the roles of the two entities are potentially complementary in some areas related to internationally traded tropical timber".¹⁸⁶ The first draft of the decision was presented by a delegate from the Netherlands.¹⁸⁷ A representative of TRAFFIC Oceania lobbied

during the drafting stages for the ITTO to undertake ongoing activities on tropical tree species conservation, as the result of which a paragraph was added to the decision inviting ITTO members to "improve the information base regarding the conservation status of internationally traded tropical timber species".¹⁸⁸ However the decision was loosely-worded, and made no concrete provisions to improve the ITTO-CITES relationship following producer reluctance.

The following year an ITTO workshop took place in Cambridge UK to discuss the possibility of establishing a global database on the trade in endangered species under the auspices of the ITTO and in cooperation with the World Conservation Monitoring Centre.¹⁸⁹ The governments of the UK and the Netherlands offered to finance the project. Scientific experts from Brazil, Indonesia, Malaysia and Ghana were among the delegates. The meeting decided against a global database, but did call for research on the development of national databases "under the ownership of the country concerned", separate from the ITTO Secretariat, with "no access to databases ...permitted to any other party".¹⁹⁰ Producer delegates therefore again thwarted a global initiative on forest conservation. Indeed there has been general reluctance by ITTO producers to pass any decision which could be viewed as a trade restriction, be it incentives, labelling or limiting the trade in endangered species.

5.6.5. Summary of Section 5.6

This section has argued that the relations of the ITTO with other international institutions with similar or overlapping mandates is poorly-defined and unclear. Despite their similar mandates, ITTO cooperation with the TFAP has been very weak. The ITTO did not take any steps to deal with tensions between the ITTA 1983 and the GATT. There has been confusion and disagreement among the ITTO membership on the role, if any, of CITES with respect to endangered tropical tree species.

5.7 Concluding Remarks

In considering the history of the ITTO three recurrent themes have emerged. The first concerns the role of NGOs. The role played by NGOs dates back to the IUCN intervention during the negotiations for the ITTA 1983 which led to this Agreement containing a strong conservation element. Since then NGO influence can be discerned throughout the history of the ITTO, including assisting in the drafting of ITTO guidelines and decisions, initiation of the incentives and labelling debates, and providing critiques of projects and policies.

Secondly it has been demonstrated that throughout the history of the ITTO there has been confusion over the concepts of sustainability and sustainable forest management. There is general agreement among governments and other actors that forest management should be sustainable, but there is uncertainty as to precisely what constitutes sustainability. While there is consensus that biodiversity conservation should be a criterion of sustainable forest management, this is not the case with respect to social criteria. Interpretations and definitions of sustainability and sustainable forest management continue to vary, and despite the attention these concepts have attracted they have not emerged as a firm core anchoring concept around which actors' expectations have converged either within or outside the ITTO.

Thirdly there has been conflict between governmental and non-governmental actors on the weight to be attached to the production and conservation components of the ITTO's work. This, it will be recalled from Chapter 4, has also been a factor in the work of the TFAP.

Notes to Chapter 5

1. The official documentation for the ITTO uses the American spelling of "organization" as opposed to the English "organisation". Hence the American usage has been adopted throughout this thesis.
2. As Robert Cox notes, according to a world systems structuralist view, "formal multilateralism, that is what goes on through international organizations, is only the institutionally visible part of a more complex total system of relationships linking First and Third worlds"; Robert W Cox, "Multilateralism and world order", Review of International Studies, Volume 18, No. 2, April 1992, p. 175.
3. UNCTAD resolution 93(IV) was passed on 30 May 1976. For the text of the resolution, see United Nations, Proceedings of the United Nations Conference on Trade and Development, Fourth Session, Nairobi, 5-31 May 1976, Volume I, Report and Annexes, (New York: United Nations, 1977), pp. 6-9.
4. Marcus Colchester, "The International Tropical Timber Organization: Kill or Cure for the Rainforests?", The Ecologist, Volume 20, No. 5, September/October 1990, p. 166.
5. UN document TD/TIMBER.2/3, "Background, status and operation of the International Tropical Timber Agreement, 1983, and recent developments of relevance to the negotiation of a successor agreement", 26 February 1993, para., 4, p. 1.
6. Terence Hpay, The International Tropical Timber Agreement: Its prospects for tropical timber trade, development and forest management (IUCN/IIED Tropical Forest Policy Paper No. 3), (London: IIED-Earthscan, 1986), p. 8.
7. UN document TD/B/IPC/TIMBER/33, "Report of the Intergovernmental Group of Experts on Research and Development for Tropical Timber, Geneva, 16 to 20 December 1981", and UN document TD/B/IPC/TIMBER/34 "Report of the Intergovernmental Group of Experts on Improvement of Market Intelligence on Tropical Timber, Geneva, 23 to 27 November 1981".
8. UN document TD/B/IPC/TIMBER/36, "Reforestation and forest management of tropical timber within the Integrated Programme for Commodities: Report by the Secretariats of UNCTAD and FAO", 2 April 1982.
9. UN document TD/B/IPC/TIMBER/37, "Prospects for the expansion of timber processing activities in developing countries: Report by the Secretariats of FAO and UNCTAD", 5 April 1982.
10. UN document TD/B/IPC/TIMBER/39, "Report of the Sixth Preparatory Meeting on Tropical Timber, Geneva, 1 to 11 June 1982", para. 73, p. 17.
11. UN document TD/TIMBER/3, "Report of the Meeting on Tropical Timber, 29 November to 3 December 1982", para. 27, p. 7.

12. Ibid., para. 28, p. 8.
13. Colchester, Ibid.
14. UN document TD/TIMBER/3, op.cit., Annex, "Agreed conclusions adopted by the Meeting on Tropical Timber", para. 12(b), p. 4.
15. Ibid., paras. 1 and 5, pp. 1-2.
16. Comment by Tatsuro Kunugi (Japan, Chairman of the Conference) in UNCTAD Bulletin, No. 192, April 1983, p. 19.
17. Note that many UN and ITTO sources state that 69 countries took part in the conference. Belgium and Luxembourg, which have a joint customs union, send a joint delegation to the ITTO. Some sources treat the two countries as one. They are treated as two countries in this thesis.
18. UNEP Governing Council decision 12/12, section III. See United Nations Environment Programme, Annual Report of the Executive Director, 1984, (Nairobi: UNEP, May 1985), para. 164, p. 65, and note 49, p. 81.
19. Prior to the exercise of its catalytic mandate with respect to the TFAP and the ratification of the ITTA 1983 the Governing Council of UNEP had made other decisions with respect to forest politics. Seven important decisions, made between 1973 and 1982, are detailed in UN document TD/TIMBER/4/Add.1, "International activities in the field of tropical forestry, Addendum", 17 March 1983, para. 37, pp. 2-3.
20. UN document TD/TIMBER/11/Rev.1, "International Tropical Timber Agreement, 1983", Articles 1(a), 1(c), 1(d), 1(e), 1(f) and 1(g).
21. Ibid., Article 1(b), p. 8.
22. Ibid., Article 1(h), p. 8.
23. Urusla Wasserman, "UNCTAD: international tropical agreement", Journal of World Trade, 18, p. 89 (1984), cited by Brian Chase, "Tropical forests and trade policy: the legality of unilateral attempts to promote sustainable development under the GATT", Third World Quarterly, Volume 14, No. 4, 1993, p. 757, and note 103, p. 771.
24. UN document TD/TIMBER/11/Rev.1, op.cit., Article 37, para 2, p. 17.
25. Hpay, op.cit., p. 11.
26. The producing countries which had acceded to the Agreement by 31 March 1985, and their votes according to Annex A of the ITTA 1983 were: Indonesia (139), Brazil (130), Malaysia (126) Philippines (43), Peru (25), Gabon (21), Ivory Coast (Côte d'Ivoire, 21), Congo (20), Ghana (20), Liberia (20), Ecuador (14) and Honduras (9), a total of twelve countries with 588 votes.
The consuming countries which had acceded to the Agreement by 31 March 1985,

and their votes according to Annex B of the ITTA 1983 were, Japan (330), France (56), West Germany (44), Italy (41), United Kingdom (41), Netherlands (35), Belgium/Luxembourg (21), Greece (14), Denmark (13), Ireland (12), Egypt (11), Norway (11), Sweden (11) and Finland (10), a total of fifteen countries with 650 votes. (This information is reproduced from UNCTAD Bulletin, No. 211, April 1985, p. 11).

27. Eighteen of the thirty-six tropical timber producing countries that took part in the negotiation of the ITTA 1983 had deposited articles of ratification by the end of the first session of the ITTC. These were Bolivia, Brazil, Cameroon, Congo, Ecuador, Gabon, Ghana, Honduras, India, Indonesia, Ivory Coast (Côte d'Ivoire), Liberia, Malaysia, Papua New Guinea, Peru, Philippines, Thailand, and Trinidad and Tobago.

The remaining eighteen tropical timber producing countries, that had not deposited articles of ratification by the end of the first session of the ITTC, were Burma (Myanmar), Central African Republic, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Madagascar, Mexico, Nigeria, Panama, Sudan, Suriname, Tanzania, Venezuela, Vietnam and Zaire.

Twenty-two of the thirty-four tropical timber consuming countries that took part in the negotiation of the ITTA 1983, had deposited articles of ratification by the end of the first session of the ITTC. These were Austria, Canada, Egypt, Finland, Japan, Norway, South Korea, Spain, Sweden, Switzerland, USSR and the USA, plus the ten members of the European Community, namely Belgium, Denmark, France, West Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, and the United Kingdom. Furthermore, one country, namely China, had deposited articles of ratification for the ITTA 1983 without taking part in the negotiations, bringing the total number of consuming countries to twenty-three.

The remaining twelve tropical timber consuming countries, that had not deposited articles of ratification by the end of the first session of the ITTC, were Argentina, Australia, Bulgaria, Chile, Iraq, Israel, Jordan, Malta, New Zealand, Romania, Turkey, and Yugoslavia.

The information contained in this endnote has been compiled by comparing annexes A and B of UN document TD/TIMBER/Rev.1, op.cit., with ITTO document ITTC(I)/L.10, "Distribution of votes approved by the Council at its thirtieth meeting on 28 July 1986", 29 July 1986.

28. In other words nine new members had deposited articles of ratification after the first session of the ITTC and before the expiry of the ITTA 1983. Of these five were producers and four were consumers. Of the five producers, three of the new members had taken part in the negotiation of the ITTA 1983, namely Colombia, Panama and Zaire. The other two, namely Guyana and Togo, had played no part in the negotiations. Of the four consumers, two of the new members had taken part in the negotiation of the ITTA 1983, namely Australia and New Zealand. The other two, namely Nepal and Portugal, had taken no part in the negotiations. Portugal joined the ITTO after acceding to EC membership. Note also that after the dissolution of the USSR on 31 December 1991 that the Russian Federation assumed the obligations of the Soviet Union in the ITTO. The Russian Federation is the only former Soviet republic to be a member of the ITTO.

29. The five day preparatory meeting was established by a resolution adopted by the UN Conference on Tropical Timber. See UN document TD/TIMBER/10, "Establishment of a Preparatory Committee for the International Tropical Timber Council", 21 November 1983. The meeting recommended for the ITTC's adoption the provisional rules of procedure submitted by the UNCTAD Secretariat. Consideration was also given to the ITTO's draft financial rules, some sections of which were recommended for adoption, while others were recommended for revision. The meeting was unable to reach agreement on the choice of Executive Director or of the site for the headquarters: see ITTO document ITTC (I)/5, "Report of the Preparatory Committee for the International Tropical Timber Council...", 7 August 1984, pp. 3-5.

30. Hpay, op.cit., p. 1.

31. Ibid.

32. ITTO document ITTC(I)/L.4, "Location of the Headquarters of the Organization, Appointment of the Executive Director, Arrangements for a secret ballot on items 10 and 11 approved by the Council at its 11th meeting", 26 June 1985.

33. The third session of the ITTC subsequently approved the draft text of a headquarters agreement contained in ITTO document ITTC(III)/8/Rev.1. See ITTO document ITTC(III)/12, "Decision 1(III), The Headquarters Agreement", 20 November 1987. The headquarters agreement was signed on 27 February 1988. See ITTO document (not numbered), "Headquarters Agreement between the Government of Japan and the International Tropical Timber Organization".

34. Hpay, op.cit., p. 3.

35. Colchester, op.cit., p. 167.

36. Ibid.

37. Note that the voting allocation has to be recalculated when new members join the ITTO. Note also that the vote allocation shown in Annexes A and B of the ITTA 1983 never applied to the ITTO as not all countries listed in these Annexes deposited articles of ratification for the Agreement. For the distribution of votes as recalculated at the end of the first session of the ITTC see ITTO document ITTC(I)/L.10, op.cit. A comparison of the countries with the most votes in the ITTA 1983 and the ITTA 1994 reveals the following: (i) Japan has consistently remained the consuming country with the most votes, with the EC bloc second; (ii) at the time of the conclusion of the ITTA 1983 the ranking, by votes, for producing countries was first Indonesia, followed by Brazil, then Malaysia. However, by the time the ITTA 1994 had been concluded the order had changed to Indonesia, Malaysia, with Brazil third.

38. UN document TD/TIMBER/11/Rev.1, op.cit., Article 12, p. 11.

39. As noted by Philip Hurst, Rainforest Politics: Ecological Destruction in South-East Asia. (London: Zed Books, 1990), p. 210.

40. Paul Harrison, The Third Revolution: Population, Environment and a Sustainable World. (London: Penguin, 1992). p. 97, and note 27, p. 342. Harrison refers to: FAO, Forest Products Yearbook 1988. (Rome: FAO, 1990).
41. UN document TD/TIMBER/11/Rev.1, op.cit., Article 25.4, p. 15.
42. Caroline Thomas, The Environment in International Relations. (London: Royal Institute of International Affairs, 1992), p. 270.
43. Lachlan Hunter of the ITTO Secretariat, pers.comm., interview with Dr. Peter Willetts (City University, London), Yokohama, 23 March 1992.
44. The exact date when responsibility within Whitehall passed from the DTI to the ODA was 1 October 1990: House of Commons Environment Committee, Session 1990-1, Third Report, Climatological and Environmental Effects of Rainforest Destruction, HC 24. Ordered by the House of Commons to be printed 11 March 1991, (London: HMSO, 1991), para. 106, p. xxxii.
45. Often there was a sixth member of the delegation. During the ninth session a DTI representative was a member of the delegation, while at the tenth session in Quito a member of the British Embassy to Ecuador formed part of the delegation. During the 11th and 12th sessions a forestry specialist was also a member of the British delegation.
46. Barbara J Bramble and Gareth Porter, "Non-Governmental Organizations and the Making of US International Environmental Policy", in Andrew Hurrell and Benedict Kingsbury (eds.), The International Politics of the Environment: Actors, Interests, and Institutions. (Oxford: Clarendon Press, 1992), p. 349.
47. UN document TD/TIMBER/11/Rev.1, op.cit., Article 19.4, p. 12.
48. Ibid., Article 20.1, p. 13.
49. Ibid., Article 20.2, p. 13.
50. The idea of a Common Fund for Commodities was incorporated into the Integrated Programme for Commodities adopted at UNCTAD IV in Nairobi in 1976. The negotiations establishing the Fund were concluded in 1980: see UN document TD/IPC/CF/CONF/25, "Agreement Establishing the Common Fund for Commodities", June 1980. The Agreement entered into force in 1988. The First Account of the Common Fund for Commodities deals with the financing of buffer stocks. The Second Account, which became operational in 1991 and is designed to fund projects in developing countries, aims to increase further processing of, and market opportunities for, commodities so that producing countries may retain more of the end use value of their commodities. It is not a separate operational agency, but funds projects through designated International Commodity Bodies (ICBs). By March 1993 the Common Fund had established relations with a total of 21 ICBs, namely the ITTO and twenty others: Intergovernmental Group on Bananas (FAO); Intergovernmental Group on Citrus Fruits (FAO); International Cocoa Organization; International Coffee Organization; International Cotton Advisory Committee; International Sub-Committee on Fish Trade

(FAO); Intergovernmental Group on Hard Fibres (FAO); Intergovernmental Group on Hides and Skins (FAO); International Jute Organization; International Lead and Zinc Study Group; Intergovernmental Group on Meat (FAO); Intergovernmental Group on Oil, Oilseeds and Fats (FAO); International Natural Rubber Organization; International Olive Oil Council; Intergovernmental Group on Rice (FAO); International Rubber Study Group; International Sugar Organization; Intergovernmental Group on Tea (FAO); UNCTAD Committee on Tungsten; and the International Wheat Council. This information was provided by Henrik Skouenborg, Chief Operations Officer of the Common Fund for Commodities, pers.comm. (letter), 24 March 1993.

51. Details of the institutional relationship between the ITTO and the UNCTAD Common Fund for Commodities are given in ITTO document ITTC(XI)/4, "Relations with the Common Fund for Commodities: Report by the Secretariat", 30 October 1991.

52. Henrik Skouenborg, Chief Operations Officer of the Common Fund for Commodities, pers.comm. (letter), 24 March 1993.

53. Friends of the Earth and World Rainforest Movement, The International Tropical Timber Agreement: Conserving the Forests or Chainsaw Charter?, A critical review of the first five years of the International Tropical Timber Organization. (London: Friends of the Earth, November 1992), p. 11.

54. UN document TD/TIMBER.2/3, op.cit., para. 48, p. 10. (This source does not provide a breakdown concerning the Permanent Committees responsible for these pre-projects.)

55. "NGO Statement to the ITTO Council, November 16, 1988", section III, para. C, p. 3.

56. Brian Johnson, Expansion or Eclipse for ITTO?: A Look at the First Five Years of the International Tropical Timber Organization and its Potential. A WWF Discussion Paper. (Gland, Switzerland: WWF International, May 1991), p. 9.

57. ITTO document ITTC(III)/15, "Decision 4(III), Paper regarding Projects Appraisal and Selection", 20 November 1987.

58. As noted in ITTO document ITTC(V)/D.1, "Draft Report of the International Tropical Timber Council, Fifth Session, Yokohama, 14-16 December 1988", para. 20, p. 5. See also ITTO document ITTC(V)/4/Rev.5, "International Tropical Timber Organization, Project Cycle".

59. The role of the UK and the Netherlands in pressing for reform of the Project Cycle is noted in evidence given by the Minister of Overseas Development to the Chairman of the House of Commons Environment Committee. See, House of Commons Environment Committee, Session 1990-1, op.cit., Appendix 14, "Supplementary Note by the Overseas Development Administration" (signed Lynda Chalker, 2 January 1991), p. 195.

60. The Expert Panel for Technical Appraisal of Project Proposals was originally of an interim nature: ITTO document ITTC(IX)/20, "Decision 6(IX), Establishment of Expert Panel for Technical Appraisal of Project Proposals and Review of Project Cycle", 23 November 1990. The ITTC subsequently decided to continue the Expert Panel on a permanent basis: ITTO document ITTC(X)/15, "Decision 2(X), Continuation of the Expert Panel for Technical Appraisal of Project Proposals and Adjustment of Project Cycle", 6 June 1991.
61. ITTO document ITTC(X)/15, Ibid., Annex 2, "Adjustments to the Project Cycle", para. 2, p. 4.
62. Ibid., para. 1, p. 4.
63. ITTO document ITTC(XII)/16, "Decision 5(XII), Further Improvements of the Project Cycle", 14 May 1992, Annex, para. 1, p. 2.
64. Friends of the Earth and World Rainforest Movement, op.cit., p. 19.
65. ITTO Draft Project Document, Serial Number PD 170/91(F), "Modernization and Development of Egyptian Forest Nurseries", and ITTO Draft Project Document, Serial Number PD 184/91(F), "Multipurpose Tree Planting in Egypt". Both project proposals were submitted by the government of Egypt. Although Egypt is a tropical timber consumer it was eligible for funding for ITTO projects that met the objectives of the ITTA 1983.
66. ITTO document ITTC(XI)/11, "Report of the Panel of Experts for Technical Appraisal of Project Proposals: Report of Second Meeting, 14-19 October 1991, Yokohama, Japan", Appendix III, project proposal number 7, PD 170/91(F), and project proposal number 20, PD 184/91(F). The second meeting of the Panel met in Yokohama prior to the eleventh session of the ITTC and the ninth session of the Permanent Committees.
67. Friends of the Earth and World Rainforest Movement, op.cit., p. 19.
68. ITTO document PCF(IX)/18, "Draft Report to the International Tropical Timber Council; Ninth Session of the Permanent Committee on Reforestation and Forest Management", cited in Ibid., p. 21.
69. ITTO document ITTC(XI)/15, "Decision 1(XI), Projects, Pre-Projects and Activities", 4 December 1991, pp. 1-2.
70. Friends of the Earth and World Rainforest Movement, op.cit., p. 21,
71. Francis Sullivan of WWF-UK, pers.comm. (interview, Godalming), 13 March 1992, and WWF International internal document, "Report on the 11th Session of the International Tropical Council, Yokohama, Japan, 28 November - 4 December 1991", pp. 5-6.
72. Friends of the Earth and World Rainforest Movement, op.cit., p. 22.

73. ITTO pre-project report PPR 11/88 (F), "Natural Forest Management for Sustainable Timber Production", report prepared by the International Institute for Environment and Development, London, October 1988, (five volumes), published in abbreviated and commercial form as, Duncan Poore *et al*, No Timber Without Trees: Sustainability in the Tropical Forest, (London: Earthscan, 1989).
74. Poore *et al*, Ibid., p. xiv.
75. Colchester, op.cit., p. 167.
76. Chee Yoke Ling of Sahabat Alam Malaysia, cited by Fred Pearce, Green Warriors: The People and the Politics Behind the Environmental Revolution, (London: Bodley Head, 1991), p. 189.
77. Poore *et al*, op.cit., p. 20.
78. Ibid., p. 6.
79. Ibid., p. 5. Poore also provides a similar definition to a seminar held alongside the fifth ITTC session. See, Duncan Poore, "ITTO Seminar on Sustainable Utilization and Conservation of Tropical Forest, Yokohama, 12 November 1988: Sustainable Management", p. 2.
80. Peter Utting, Trees, people and power, (London: Earthscan, 1993), p. 116.
81. ITTO document ITTC(XI)/6, "Report of the Expert Panel on possible methods of defining general criteria for and measurement of sustainable tropical forest management", 3 October 1991.
82. ITTO document ITTC(XI)/20 "Decision 6(XI), Sustainable Forest Management I", 4 December 1991, Annex, p. 2. The annex to this decision is reproduced as an ITTO publication: International Tropical Timber Organization, ITTO Policy Development Series No. 3: Criteria for the Measurement of Sustainable Tropical Forest Management, (Yokohama: ITTO, 1992), p. 2.
83. FAO document FO:FDT/91/5, "Committee on Forest Development in the Tropics, Tenth Session, Sustainable Management of Tropical Forests, Secretariat Note," October 1991, para. 15, p. 3.
84. Christopher Elliott, Sustainable Tropical Forest Management by 1995, (Godalming: WWF-UK, November 1990), p. 1.
85. Chris Elliott, ITTO in the 1990s - Urgency or Complacency?. A WWF Discussion Paper, (Gland, Switzerland: WWF International, January 1991), p. 3. (This paper was originally circulated at the 7th session of the ITTC, 30 October - 7 November 1989, Yokohama.)
86. WWF International internal document, "Eighth ITTC Session and Sixth Permanent Committees Session, Bali, May 1990", p. 5.

87. International Tropical Timber Organization, ITTO Action Plan: Criteria and Priority Areas for Programme Development and Project Work, (Yokohama: ITTO, November 1990), p. 7.
88. WWF press release, "WWF proposal targets 1995 for sustainable tropical forestry", 19 November 1990.
89. ITTO document ITTC(X)/16, "Decision 3(X), Sustainable Tropical Forest Management and Trade in Tropical Timber Products", 6 June 1991, para 1.b, p. 1.
90. The ITTO Action Plan and ITTC decision 3(X) both stipulate that Target 2000 refers only to the trade in tropical timber coming from sustainable managed forests. However, some NGOs consider that the Target should refer to all tropical forests, irrespective of whether or not they contribute to the international tropical timber trade.
91. See Francis Sullivan, "Are forests a renewable and permanent source of supply?", Journal of the Institute of Wood Science, Volume 12, No. 5, 1992, pp. 263-5, and Elliott (November 1990), op.cit.
92. Government of the Netherlands, The Dutch Government's Policy Paper on Tropical Rainforests, (The Hague, December 1992), p. 43.
93. Klaas Kuperus, "Dutch Debate: Call for Clarity", Timber Trades Journal (Supplement, "Timber and the Environment"), 29 January 1994, pp. 14-15.
94. Francis Sullivan of WWF-UK, pers.comm., (interview, Godalming), 15 March 1994.
95. ITTO document ITTC (VIII)/15/Rev.1, "Decision 4(VIII)", 23 May 1990, p. 1.
96. Foreword by B C Y Freezailah, Executive Director of ITTO in, International Tropical Timber Organization, ITTO Technical Series 5: Guidelines for the Sustainable Management of Natural Tropical Forests, (Yokohama: ITTO, December 1990).
97. ITTO document ITTC(X)/18, "Decision 5(X), ITTO Guidelines for the Sustainable Management of Planted Tropical Forests", 6 June 1991.
98. Subsequently published as, International Tropical Timber Organization, ITTO Policy Development Series 4: ITTO Guidelines for the Establishment and Sustainable Management of Planted Tropical Forests, (Yokohama: ITTO, 1993).
99. ITTO document ITTC(XI)/7/Rev.3, "ITTO Guidelines for the Conservation of Biological Diversity in Tropical Production Forests".
100. ITTO document ITTC(XIII)/11. "Decision 4(XIII), Biological Diversity in Tropical Production Forests", 21 November 1992.
101. Freezailah in International Tropical Timber Organization (December 1990), op.cit.

102. ITTO document ITTC(IX)/D.1, "Draft Report of the International Tropical Timber Council at its Ninth Session, Yokohama, Japan, 16-23 November 1990", 8 February 1991, para. 34, p. 9.
103. ITTO document ITTC(X)/20, "Draft Report of the International Tropical Timber Council at its Tenth Session, Quito, Ecuador, 29 May - 6 June 1991", 15 August 1991, para. 61, p. 12.
104. ITTO document ITTC(XI)/7 Rev.2, "Third draft proposal for ITTO guidelines on the conservation of biological diversity in tropical production forests", para. 1, pp. 3-4.
105. International Tropical Timber Organization (December 1990), op.cit., p. 9.
106. Chris Elliott and Francis Sullivan, Incentives and Sustainability - Where is ITTO Going?: WWF International Position Paper, (Gland: Switzerland: WWF International, November 1991), p. 1
107. United States General Accounting Office, Report to Congressional Requesters: International Environment. International Agreements Are Not Well Monitored, GAO/RCED-92-43, (Washington DC: United States General Accounting Office, January 1992), p. 23.
108. See, for example: Friends of the Earth and World Rainforest Movement, op.cit., p. 12; Elliott and Sullivan, op.cit., p. 1; and Debra Callister, Renegotiation of the International Tropical Timber Agreement - Issues Paper. A Joint TRAFFIC/WWF paper, (Cambridge/Gland, Switzerland: TRAFFIC/WWF International, October 1992), p. 7.
109. "Presentation of the international environmental NGOs to the 10th session of the ITTC."
110. The COICA, based in Lima, Peru, brings together 300 different Amazonian peoples united in 80 local federations and centralised in 5 national bodies namely: National Indigenous Organisation of Colombia (ONIC); Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENIAE-CONAIE); Union of Indigenous Nations of Brazil (UNI); Indigenous Confederation of Western Bolivia (CIDOB); and the Interethnic Association for the Development of Peruvian Amazonian (AIDSEP). This information is obtained from, "Position of the indigenous organisations represented by COICA at the tenth session of the International Tropical Council", Quito, June 4, 1991, printed in ECO. ITTO 10th Session, Quito, 29 May - 6 June 1991, Number 5, p. 1. (ECO is a newspaper produced by NGO observers at ITTC sessions and certain other intergovernmental meetings.)
111. Ibid., p. 3.
112. ITTO Mission, "The Promotion of Sustainable Forest Management, A Case Study in Sarawak, Malaysia", April 1990, copy held by the Royal Geographical Society library, London. Also issued as ITTO document ITTC(VIII)/7, 7 May 1990.

113. A 60 % reduction in the cut would have been more appropriate according to Chris Elliott of WWF International, cited in Fred Pearce, "Sarawak study disappoints rainforest campaigners", New Scientist, 2 June 1990, p. 25.
114. Colchester, op.cit., p. 171. See also Friends of the Earth and World Rainforest Movement, op.cit., p. 39.
115. "Statement by the Chief Minister of Sarawak, Malaysia, Rt. Hon. Datuk Patinggi Tan Sri Haji Abdul Mahmud at the Opening Ceremony of the 13th Session of the International Tropical Timber Council, Yokohama, 16-21 November 1992", p. 1.
116. Survival International internal document, "Report on the XIth meeting of the ITTC, Yokohama, 28 November - 4 December 1991". (A copy of the NGO draft resolution is appended to this document.)
117. Ibid., p. 4, and WWF International internal document, "Report on the 11th Session of the International Tropical Timber Council, Yokohama, 28 November - 4 December 1991", p. 2.
118. ITTO (December 1990), op.cit., principles 35 and 36, possible action 34, pp. 9-10.
119. Friends of the Earth and World Rainforest Movement, op.cit., p. 37.
120. ITTO project PD 34/88, Chimanés, Bolivia. The Memorandum of Understanding for this project established an Interim Steering Committee which included two indigenous peoples representatives. The Memorandum also instructed the Project Manager to "offer technical assistance to and consultation with the indigenous groups, to help them decide on their land use and forest resource plans". See ITTO document PCF(VIII)/20, "Draft Report to the International Tropical Timber Council, Eighth Session of the Permanent Committee on Reforestation and Forest Management", 6 June 1991, Appendix III, "Memorandum of Understanding, Project: PD 34/88, Chimanés, Bolivia" pp. 37-8.
121. ITTO document PCM, PCF, PCI(V)/1, "Pre-Project Proposal, Labelling Systems for the Promotion of Sustainably-Produced Tropical Timber", 15 August 1989.
122. Colchester, op.cit., p. 169. Chris Park reports that Malaysia vetoed the plan, considering it to be "a trade barrier to protect the industrialised countries' own timber trade"; Chris C Park, Tropical Rainforests, (London: Routledge, 1992), p. 147.
123. ITTO document PCM(V)/D.1, "Report to the International Tropical Timber Council, Fifth Session of the Permanent Committee on Economic Information and Market Intelligence", 3 November 1989, p. 6.
124. ITTO document PCM, PCF, PCI(V)/1/Rev.2, "Pre-Project Proposal, Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests", 6 November 1989.

125. The author is grateful to Simon Counsell of Friends of the Earth for explaining this process to him, pers.comm., (interview), London, 16 February 1993.

126. ITTO document PCM,PCF,PCI(V)/1/Rev.3, "Pre-Project Report on Incentives in Producers and Consumer Countries to Promote Sustainable Development of Tropical Forests", Report prepared by the Oxford Forestry Institute in Association with the Timber Research and Development Association, Oxford, February 1991.

127. The convening of special round tables and expert panels to debate specific issues has become commonplace at ITTC sessions, and the standard membership composition of such groups is six representatives each from both producer and consumer countries, with NGO and timber trade observers, along with IGO observers (such as FAO), permitted to attend. The Quito round table followed this format. Delegates from France, Japan, Netherlands, Sweden, the USA and the UK were the six consumer country representatives. Only five producer countries were represented, namely Brazil, Bolivia, Ghana, Papua New Guinea and the Philippines. (The representative from Zaire was unable to attend.) Two IGOs (FAO and the African Timber Organization), 3 NGOs and 3 timber trade associations were represented as observers.

128. ITTO document ITTC(X)/12, "Interim Report of the Expert Panel, Round Table on 'The Agenda for Trade in Tropical Timber from Sustainably Managed Forests by the Year 2000', Report by the Chairman of the Expert Panel", 3 June 1991, para. 8, p. 5.

129. ITTO document ITTC(X)/16, "Decision 3(X), Sustainable Tropical Forest Management..." op.cit., 6 June 1991, p. 1.

130. London Environmental Economics Centre, "Draft Final Report: ITTO Activity PCM(IX)/4, The Economic Linkages between the International Trade in Tropical Timber and the Sustainable Management of Tropical Forests, Main Report, October 16, 1992".

131. Anon., "Trade in Tropical Timber: For the Chop", The Economist, 30 January 1993, p. 72.

132. "International Tropical Timber Council, XIII Session, 16-21 November 1992, Yokohama, Statement by Austria", p. 1.

133. WWF International press release, "Timber labelling scheme seems inevitable", 20 November 1992.

134. Anon., "ASEAN criticizes Austrian labelling on tropical timber", GATT Focus, No. 95, November-December 1992, p. 4. Other GATT contracting parties shared some of the ASEAN concerns, namely Argentina, Australia, Bolivia, Brazil, Canada, Chile, Colombia, Côte d'Ivoire, Hong Kong, India, Japan, South Korea, Mexico, Pakistan and Peru.

135. For fuller accounts of the events in Austria that resulted in this amendment to Austrian law see, Ian Traynor, "Another part of the forest", The Guardian, 16 April

1993, p. 19, and Chase, op.cit., pp. 760-63.

136. World Wide Fund for Nature, ITTO: Tropical Forest Conservation and the International Tropical Timber Organization, Position Paper 1, (Gland, Switzerland: WWF International, June 1988), p. 10.

137. Jean-Paul Jeanrenaud of WWF-UK, pers.comm. (interview, Godalming) 6 February 1992.

138. T J Synott, "Forest Stewardship Standards, Draft, Summary", 10 December 1991 (unpublished).

139. The Toronto meeting elected the following Board of Directors:

North, Environmental	Bruce Cabarle (World Resources Institute, USA),
South, Environmental	Juan Carlos Carrasco Rueda (Grupo de Trabalho Amazonica, Brazil),
North, Environmental	Chris Elliott (WWF International, Switzerland),
South, Environmental	Martha Nuñez (Fundacion Natura, Ecuador),
North, Economic	Robert Hrubes (LSA Associates, USA),
South, Economic	Amantino Ramos de Freitas (Brazilian Silvicultural Society),
North, Social	Dominique Irvine (Cultural Survival, USA),
South, Social	Antonio Segundo Jacanamijoy (COICA, Colombia).

Note in particular the position of Chris Elliott, who now combines his position as Senior Forests Conservation Officer of WWF International with a place on the FSC Board of Directors. Elliott was one of the most influential movers in the creation of the FSC. This information is reproduced from Jean-Paul Jeanrenaud and Francis Sullivan, Timber Certification and the Forest Stewardship Council: A WWF Perspective, (Godalming: WWF-UK, January 1994), p. 4.

140. "Notes on the Forest Stewardship Council Founding Assembly, Toronto, Canada, 1-3 October 1993", by Chris Elliott, 11.10.93, and "The Forest Stewardship Council, fact sheet, January 1994".

141. Several timber-producing firms may bid for a forest concession from the owners of a given area of forest. The successful firm or consortium of firms is then granted a concession to log that area of forest.

142. Chris Elliott of WWF International and the Board of Directors of the Forest Stewardship Council, pers.comm., (interview, Gland, Switzerland), 25 September 1992.

143. Jeanrenaud and Sullivan, op.cit., and Peter Knight, "Timber watchdog ready to bark", Financial Times, 6 October 1993, p. 18.

144. London Environmental Economics Centre, op.cit., p. v. See also: Brian Johnson, "Crisis in Yokohama", Timber Trades Journal, 28 November 1992, pp. 6-7; and Alistair Sarre, "What is Timber Certification?", Tropical Forest Update, Volume 3,

No. 4, August 1993, pp. 2-3. (Tropical Forest Update, which was called Tropical Forest Management Update for its first two volumes, is a newsletter from the International Tropical Timber Organization to promote the conservation and sustainable management of tropical forest resources).

145. World Wide Fund for Nature, Truth or Trickery?: Timber Labelling Past and Future. (Godalming: WWF-UK, March 1994), esp. pp. 12-13, Debra Callister, "Who Certifies the Certifiers?", ECO, ITTO 14th Session, Kuala Lumpur, Number 1, 11-19 May 1993, p. 1. See also, Syed Abu Bakar and Pang Hin Yue, "Scheme must cover all types of wood", New Straits Times (Malaysia), 14 May 1993, p. 3; Shirene Shan, "Itta: Bodies urge elimination of double standards", Business Times (Malaysia), 17 May 1993; Sharifah Fatimah, "NGOs against group acting as certification body", New Straits Times (Malaysia), 20 May 1993, p. 6.

146. WWF International internal document, "Report on the 14th session of the International Tropical Timber Council, 12th session of the Permanent Committees, Kuala Lumpur, Malaysia, 11-19 May, 1993", p. 3.

147. ITTO document PCM(XII)/10 Rev.1, Appendix B "Summary of Market Discussions to consider 'Policy Issues and Options Concerning Linkages between the Tropical Timber Trade and Sustainable Forest Management'", p. 12.

148. ITTO document ITTC(XV)/13, "Decision 6(XV), Consultancy and Working Party on Certification of all Timber and Timber Products", 17 November 1993.

149. Anon., "LEEC or just a load of old vegetables?", ECO, ITTO 13th Session, Yokohama, 20 November 1992, Number 3, 20 November 1992, p. 2.

150. Bramble and Porter, in Hurrell and Kingsbury (eds), op.cit., p. 345.

151. "General Agreement on Tariffs and Trade, 1994", Article 1, in GATT, "The Uruguay Round, Trade Negotiations Committee: Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations", Marrakesh, 15 April 1994, Annex 1A, p. 23.

152. GATT document DS21/R, "United States - Restrictions on Imports of Tuna: Report of the Panel", 3 September 1991. Article XX(g) allows for exemptions from the GATT for measures "relating to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption": see GATT, The Text of the General Agreement on Tariffs and Trade, (Geneva: GATT, July 1986), p. 38.

153. Charles Arden-Clarke, The General Agreement on Tariffs and Trade, Environmental Protection and Sustainable Development: A WWF International Discussion Paper. (Gland, Switzerland: WWF International, November 1991) p. 17.

154. GATT (1986), op.cit.: Article II, pp. 3-5; Article III, pp. 6-7; Article XI, pp. 17-18.

155. David Baldock and Jonathan Hewett, European Community Policy and Tropical Forests. WWF Discussion Paper, (Gland, Switzerland: WWF International, October 1991), p. 8, and Chase, op.cit., esp. pp. 764-6.
156. Charles Arden-Clarke, Conservation and Sustainable Management of Tropical Forests: the role of ITTO and GATT. WWF Discussion Paper, (Gland, Switzerland: WWF International, November 1990), pp. 1 & 8.
157. See: GATT (1986), op.cit., Article XI, "General Elimination of Quantitative Restrictions", pp. 17-18.
158. Ibid., Article XX(g), p. 38.
159. For two accounts of the Indonesian/EC case see: Arden-Clarke (November 1990), op.cit., p. 6; and Anon., "ITTO objectives fall foul of GATT regulations", ECO, ITTO 9th Session, Yokohama, Number 2, 16-23 November 1990, pp. 6-7.
160. Luis V Ople, Information Officer, GATT, pers.comm. (letter), 29 June 1992.
161. Arden-Clarke (November 1990), op.cit., p. 6.
162. Chase, op.cit., p. 764.
163. Arden-Clarke (November 1990), op.cit., pp. 1 and 11.
164. Debra J Callister, Illegal Tropical Timber Trade: Asia-Pacific, A TRAFFIC Network Report, (Cambridge: TRAFFIC International, 1992), p. 76.
165. IUCN/UNEP/WWF, Caring for the Earth: A Strategy for Sustainable Living, (Gland, Switzerland: IUCN/UNEP/WWF, 1991), p. 135.
166. Luis V Ople, Information Officer, GATT, pers.comm. (letter), 16 November 1993.
167. GATT press release, "News of the Uruguay Round of Multilateral Trade Negotiations, Marrakesh 94, Trade and Environment", April 1994, p. 1.
168. See: The Committee on Forest Development in the Tropics of the FAO of the UN, Tropical Forestry Action Plan, (Rome: FAO, October 1985) and Food and Agriculture Organization, World Bank, World Resources Institute and United Nations Development Programme, The Tropical Forestry Action Plan, (Rome: FAO, June 1987).
169. ITTO document ITTC(X)/20, "Draft Report of the International Tropical Timber Council at its Tenth Session, Quito, Ecuador, 29 May - 6 June 1991", para. 38, p. 8.
170. ITTO document PCI(VIII)/11 Rev.1, "Report to the International Tropical Timber Council, Eighth Session of the Permanent Committee on Forest Industry", para. 8, p. 3.

171. For example at the second session of the ITTC. See ITTO document ITTC(II)/Misc.4, "Provisional List of Participants: Second Session of the International Tropical Timber Council", p. 10.

172. For example, the NFAP National Coordinator for Panama attended the 14th session of the ITTC in Kuala Lumpur, May 1993. See ITTO document ITTC(XIV)/Info.2, "Provisional List of Participants, Fourteenth Session of the International Tropical Timber Council", p. 10.

173. "NGO Statement to the ITTO Council, November 16, 1988", section III, para. F, p. 4.

174. Here reference is being made to the Keohane and Nye concept of complex interdependence. See Robert O Keohane and Joseph S Nye, Power and Interdependence, (Boston: Little Brown, 1977), pp. 24-26

175. Elliott (November 1990), op.cit., p. 4.

176. "Conclusions of the German-Japanese Expert Meeting on Tropical Forests, September 16th and 17th, 1992", p. 3. The meeting was set up by the German Federal Chancellor and the Japanese Prime Minister. Its conclusions are contained in Anlage (Annex) 13 of Bundesministerium für Ernährung, Landwirtschaft und Forsten, Schutz und Bewirtschaftung der Tropenwälder: Tropenwäldbericht der Bundesregierung. 3 Bericht. (Bericht-Nr. B 245/93), (Bonn: March 1993).

177. Government of the Netherlands, op.cit., p. 62.

178. "Summary Report on the Fifteenth Meeting of the TFAP Forestry Advisers Group on Harmonizing International Forestry Development Cooperation, 30 November - 4 December 1992, San José, Costa Rica", section 9, p. 8.

179. Caroline Sargent and Elaine Morrison, "Towards effective cooperation between ITTO's Target 2000 activities and TFAP", Executive Summary, Draft study, first draft, London, IIED, 1993.

180. Ibid.

181. Johnson (May 1991), op.cit., p. 6.

182. Dennis Thompson, "Tropical Timber pact faces timber conservation call", Financial Times, 17 November 1987.

183. Francis Sullivan of WWF-UK, pers.comm. (interview, Godalming), 13 March 1992.

184. At the meeting of the parties to CITES in Kyoto, March 1992, one species was placed on Appendix I listing, namely Brazilian Rosewood (*Dalbergia nigra*) while three were placed on Appendix II, namely *Pericopsis elata* (*Afrormosia*), *Swietenia mahagoni* (Central American Mahogany) and *Guaiacum officinale* (*Lignum Vitae*): WWF Press Release, "CITES branches into tropical timber", 11 March 1992. Prior to the Kyoto

meeting thirteen non-commercial tropical tree species were CITES-listed, namely four on Appendix I (*Abies guatemalensis*, *Oreomunea pterocarpa*, *Podocarpus parlatores* and *Quercus coepensus*), with nine species listed on Appendix II (*Araucaria araucana*, *Batocarpus costaricensis*, *Caryocar costaricensis*, *Cynometra hermitocophylla*, *Guaiacum sanctum*, *Platymiscium pleiostachyum*, *Swietenia humilis*, *Tachigali versicolor* and *Vantanea barbourii*): C Chatfield, Endangered Species Branch, Department of the Environment, pers.comm. (letter), 26 February 1992.

185. Robert Thomson, "Politics holds sway over ecology at wildlife talks", Financial Times, 12 March 1992, p. 4.

186. ITTO document ITTC(XII)/17, "Decision 6(XII), Actions to Improve Cooperation between the ITTO and CITES", 14 May 1992.

187. WWF International internal document, "Report on the 12th Session of the International Tropical Timber Council, Yaounde, Cameroon, 6-14 May 1992", p. 6.

188. ITTO document ITTC(XII)/17, "Decision 6(XII)...". op.cit. and Debbie Callister of TRAFFIC Oceania, internal document, "Report of the Twelfth Session of the International Tropical Timber Council and Tenth Sessions of the Permanent Committees, Yaounde, Cameroon, 6-14 May 1992", p. 3.

189. Based in Cambridge, the World Conservation Monitoring Centre is a joint venture by the IUCN, UNEP and the WWF. The Centre monitors biodiversity conservation and loss worldwide.

190. Conclusions of the workshop are cited in, Fred Pearce, "Tropical countries veto rainforest protection scheme", New Scientist, 3 April 1993, p. 11. Excerpts from this article are reproduced in TRAFFIC Bulletin, Volume 14, No. 1, 1993, p. 32.

CHAPTER 6

THE FOREST NEGOTIATIONS OF THE UNCED PROCESS¹

6.1 Introduction

The principal focus of this chapter is the negotiation of a non-legally binding global forests instrument (GFI) within the preparatory process of the United Nations Conference on Environment and Development (UNCED). A GFI is defined as an international agreement between governments on the issue of forests conservation. The chapter examines why, despite the efforts of the countries of the developed North and of the UN's Food and Agriculture Organization (FAO), no legally binding global forests convention (GFC) was opened for signature at the UNCED. The forest negotiations of the UNCED process can be seen as an unsuccessful attempt to create the framework for a global forests conservation regime.

Section 6.2 describes nine separate proposals for a GFI, including some for a GFC. The role of the FAO is considered in Section 6.3. Sections 6.4 to 6.12 pursues three separate explanations for the disagreements that arose in the UNCED forests debate. Section 6.13 analyses the role of NGOs.

6.2 Proposals for a Global Forestry Instrument

The year 1990 was an eventful one for international forestry politics. As well as seeing the publication of three reviews of the TFAP and publication of the ITTO's *Guidelines for the Sustainable Management of Natural Tropical Forests*, the year also witnessed several proposals for a GFI following United Nations General Assembly

Resolution 44/228 passed on 22 December 1989. This resolution announced the decision to convene the UNCED in Rio in June 1992² and noted several environmental issues of major concern including, "Protection and management of land resources by, *inter alia*, combatting deforestation, desertification and drought".³

Resolution 44/228 set in motion a train of proposals for a GFI; nine proposals were made from eight sources. These will now be considered with attention being paid to the type of instrument proposed, the forum or institution that was recommended to take the lead in negotiations, and the issues it was recommended a GFI should embrace.

The first proposal for a GFI came from the Intergovernmental Panel on Climate Change (IPCC)⁴ workshop on Agriculture, Forestry and Other Human Activities (AFOS). In 1988 the IPCC had established three working groups: Working Group I assessed scientific information on climate change; Working Group II assessed the potential impacts of climate change; and the remit of Working Group III, the Responses Strategies Working Group (RSWG), was to formulate policy recommendations.⁵ The IPCC-AFOS workshop was one of four sub-groups established by Working Group III to consider options for limiting greenhouse gas emissions. At its January 1990 meeting in São Paulo it recommended that the IPCC support a "forestry protocol" to be developed in the context of a climate convention.⁶ The statement (the São Paulo Declaration) recommended that such a protocol address energy supply and use⁷ and asserted that

Forests cannot be considered in isolation, and solutions must be based on an integrated approach which links forestry to other policies, such as those concerned with poverty and landlessness... Deforestation will be stopped only when the natural forest is economically more valuable than alternative uses for the same land.⁸

The São Paulo Declaration effectively broadened the forests component of the global warming debate, moving it from purely climatic considerations and introducing socio-economic and anthropological criteria. It was incorporated

into the RSWG Policy Makers' Summary, on which consensus was reached at the RSWG's Third Plenary Session in Geneva, 9 June 1990.⁹

The second recommendation for a GFI, and the first to specifically recommend a GFC, was made in May 1990 by the TFAP Independent Review team of three consultants hired by the FAO. The Review considered that the FAO could host the negotiations for an International Convention on Forests, and suggested that the proposal be put before the 10th Session of FAO's Committee on Forestry (COFO) in September 1990.¹⁰ The Review dealt fleetingly with the issues a GFC should cover, and merely noted the need for a comprehensive convention dealing with forest management, conservation and development.¹¹ The Review forecast that the TFAP "could become the main instrument for implementing the convention in tropical countries".¹²

The third recommendation for a GFI was made by the World Resources Institute (WRI) review of the TFAP which, like the Independent Review, recommended a GFC. The TFAP, it noted, "will never be a sufficient response to the urgent need to arrest deforestation"¹³ and

An international convention and protocols should be negotiated on a range of TFAP-related and parallel actions that are needed to address global deforestation issues, in order to achieve net afforestation within a decade.¹⁴

The WRI recommended that a GFC should encompass biodiversity preservation, the rights of forest dwellers, the role of population growth and the importance of land reform.¹⁵

The fourth recommendation was made in June 1990 at the European Council summit held in Dublin. The Council's "Environmental Imperative Declaration" stated that the European Community would promote "the early adoption of a Climate Convention and associated protocols, including one on tropical forest protection".¹⁶ This is the only proposal to call for a tropical (as opposed to a global) forestry instrument. The Declaration made no recommendation on the issues it foresaw such a protocol addressing.

Fifthly, the G7 Declaration at Houston in July 1990

stated that G7 leaders "are ready to begin negotiations, in the appropriate fora, as expeditiously as possible on a global forest convention or agreement".¹⁷ It is noteworthy that the G7's emphasis on a GFC differs substantially from the European Council's proposal for a tropical forests protocol to a climate change convention, despite the overlapping membership between these two intergovernmental bodies. Two factors help explain this. Firstly, according to a US government press release at Houston, President Bush played an important role in the G7's proposal for a convention.¹⁸ Secondly, international NGOs lobbied strongly on the forests issue at the summit, and played a significant role in placing the idea of a GFC on the G7's agenda.¹⁹

The sixth proposal for a GFI, a European Parliament resolution, called for a worldwide forests convention. The draft motion for this resolution was contained in a report (the "Muntingh Report")²⁰ of the Committee on the Environment, Public Health and Consumer Protection.²¹ After amendment the motion was passed by the European Parliament as a resolution on 25 October 1990; this urged the Commission of the European Communities "[t]o give priority to advocating and working internationally for the preparation and implementation of a Worldwide Convention on the Protection of Forests".²²

The resolution differed markedly from the European Council's proposal and signifies a shift within EC circles from a position supporting a tropical forests protocol towards the G7 proposal for a GFC. The resolution noted that the central features of such a convention would be "the conservation and re-creation of biological diversity combined with reforestation...".²³

The seventh source produced two proposals for a GFI, namely the Second World Climate Conference (SWCC) convened in Geneva, October 1990.²⁴ The Conference reviewed the findings of the IPCC and other bodies. Three statements were issued at the end of the conference, namely the Conference Statement, issued by the final scientific and technical

plenary, the Statement of Non-Governmental Organisations and the Ministerial Declaration. The two former recommended a GFI.

Twelve Task Groups had been formed prior to the SWCC, each of which reported their findings to the conference. These findings formed a major input to the Conference Statement.²⁵ Task Group 8, "Forests", noted an urgent need for a comprehensive global forests agreement.²⁶ This was incorporated into the Conference Statement which recommended an international forests instrument linked with climate change and biodiversity conventions.²⁷ Task Group 8 considered that a major threat to forests was an increasing global population which placed grazing land and fuelwood under pressure.²⁸ It was suggested that developed countries make available additional funding to international organisations with forestry programmes. However, these points were not included in the Conference Statement.

The second SWCC declaration, the NGO Statement, endorsed by the 57 NGOs present at the Conference, noted a need for "a comprehensive global forestry agreement dealing with the conservation and sustainable management of boreal, temperate and tropical forests on a fair and equitable basis".²⁹ The Statement did not specify the forum for negotiations, the type of instrument nor the issues it should address, although it did note the importance of forests with respect to climate change and biodiversity conservation.³⁰

It is worth noting that the third SWCC statement, the Ministerial Declaration, failed to recommend a GFI³¹ despite the fact that the ministers demonstrated a large degree of consensus on other issues, especially the need for a framework convention on climate change. This provides an early indication that a global political consensus for a GFI was lacking and suggests that the ministers at the SWCC were in disagreement on the policy responses required to combat deforestation.

Finally, the ninth proposal for a GFI came from the

18th Session of the International Union for the Conservation of Nature and Natural Resources (IUCN), held at Perth, Australia (28 November - 5 December 1990). For two days of the 18th Session the IUCN General Assembly divided into 12 workshops. Workshop 10 on "The Environmental Implications of Global Change"³² forwarded a draft resolution to the General Assembly, which urged state members of IUCN to negotiate a protocol on forests protection to a framework convention on climate change.³³ The resolution was adopted by a majority vote. However the US and Canadian governmental delegations voted against the proposal as they supported a separate international convention on forests.³⁴

These nine proposals are summarised in Table 9 below.

TABLE 9 - NINE PROPOSALS FOR A GLOBAL FORESTRY INSTRUMENT

DATE (1990)	PLACE	SOURCE	PROPOSED INSTRUMENT
11 January	São Paulo, Brazil	Agriculture, Forestry and Other Human Activities (AFOS) workshop of Working Group III of the Intergovernmental Panel on Climate Change	Forestry protocol to a climate change convention
May	Kuala Lumpur	Independent Review of the Tropical Forestry Action Plan	International convention on forests
June	Washington DC	World Resources Institute review of the Tropical Forestry Action Plan	International convention on forests and protocols on parallel actions
26 June	Dublin	European Council	Tropical forests protocol to a climate change convention
11 July	Houston	Group of Seven Industrialised Countries	Global forests convention or agreement
25 October	Strasbourg	European Parliament	Worldwide convention on the protection of forests
7 November	Geneva	Conference Statement of the Second World Climate Conference	International forests instrument linked with climate change and biodiversity conventions
7 November	Geneva	NGO Statement of the Second World Climate Conference	Comprehensive global forestry agreement
5 December	Perth, Australia	18th Session of the General Assembly of the International Union for the Conservation of Nature and Natural Resources	Forests protection protocol to a framework convention on climate change

It is clear that only governments from the developed North were demanding a GFC, which could have provided the framework for a global forests conservation regime.³⁵ The support of major tropical forest countries would have been necessary for any regime but, significantly, no country from the South had made or supported a proposal for a GFC or other type of GFI. The only two intergovernmental groups to have called for a GFC were the European Parliament and the G7. They were backed in this by the WRI and the Independent Review of the TFAP. No single clear conceptualisation of a GFI had emerged from the nine proposals. This reinforces the observation made above that there was no global political consensus for a GFI.

Furthermore, there was no discernable consensus on the forum to host any negotiations. A focus on the UNCED, which had catalysed the flow of proposals for a GFI, was one possibility. However in August 1990, when the First Session of the Preparatory Committee for the UNCED convened in Nairobi, the delegates' statements made on forests reflected the uncertain state of affairs described above. A forum convened by the FAO was also an alternative. FAO possessed the expertise. However its position was uncertain as a result of the TFAP legitimacy crisis. FAO's role in the GFC debate will now be considered.

6.3 The Draft Global Forests Convention of the FAO

It was noted above that the Independent Review of the TFAP recommended a GFC, suggested that the FAO could host the negotiations, and recommended that their proposal be put before the 10th Session of the COFO. At the First Session of the Preparatory Committee of the UNCED process FAO offered to provide the forum for the negotiation of a GFI.³⁶ The following month, in September 1990, the 10th Session of the COFO debated the subject of a GFC.³⁷ FAO considered that a GFC was necessary to realise the objectives of the biodiversity and climate change conventions then under negotiation.³⁸

This meeting resulted in ambiguity regarding the role of the FAO in the negotiations for any future GFI. The meeting report does not accord with the accounts of some observers. To Jeff Sayer of IUCN, the COFO gave the FAO "a clear signal that it did not want them to proceed too far with the convention negotiations".³⁹ To Stanley Johnson, at the time an observer for the EC, opposition to a GFC was expressed by the Malaysian delegate, Ms Ting Wen Lian.⁴⁰ Chris Elliott of WWF International also noted reservations by delegates, with both Malaysia and Colombia making strong statements against continued FAO involvement with respect to a GFC.⁴¹

There must be a suspicion that the meeting report did not faithfully reflect the entire proceedings. The report states that the COFO "supported the concept of an international instrument on the conservation and development of forests"⁴² and that "FAO would naturally play a leading role in the preparation of proposals for the envisaged instrument".⁴³

Although the FAO had no mandate, either from the COFO or from within the UNCED process, to take the lead role in the negotiations for a GFC or another type of GFI, it responded by drafting a document entitled "Possible Main Elements of an Instrument (Convention, Agreement, Protocol, Charter, etc.) for the Conservation and Development of the World's Forests", hereafter referred to as the FAO draft and attached to this thesis as Appendix B. Despite the title, possible options or variations of draft clauses were not explored, nor were variations in interpretation. There are indications that the draft was intended to form the basis of a GFC. The first two sections of the draft, "Preamble" and "Definitions", are the standard beginning of a legal instrument and, more significantly, the draft refers to itself as a "Forest Convention".⁴⁴ We will return briefly to the contents of the FAO draft in Section 7.8 of Chapter 7.

The "Preamble" outlined three basic principles to be recognised by governments. Firstly, the sovereignty of

states over their forest resources is affirmed.⁴⁵ The second basic principle is affirmation of the "stewardship of those resources in such a manner as to ensure the attainment and continued satisfaction of human needs for present and future generations".⁴⁶ Finally there is the notion of burden-sharing, namely "an equitable sharing by the international community of the burden of forest conservation and development...".⁴⁷ Burden-sharing is to be achieved *inter alia* by increasing international resource flows from the developed to the developing world⁴⁸ and by trade policies that encourage forest conservation, including the use of timber prices as a policy mechanism.⁴⁹

The linkage of the three basic principles of sovereignty, stewardship and burden-sharing can be seen as complementary ideas in a global bargain: countries with tropical forests would undertake to act as global stewards of their forests on behalf of international society, which in turn undertakes to share the burden of conservation.⁵⁰ The relevance of these three articles will become clear as the story of the UNCED forests negotiations unfolds.

The obligations of the Parties are outlined in Section V of the FAO draft where three clauses reproduce language from the ITTO's *Guidelines for the Sustainable Management of Natural Tropical Forests*.⁵¹ As noted in Chapter 5, these guidelines consist of 41 principles by which sustainable tropical forest management may be achieved, and 36 "possible actions" by which these principles may be realised.

Part of Article V.2 of the FAO draft, "Formulation of National Forest Policy", is identical to Possible Action 2 of the ITTO Guidelines:

A national forest policy, forming an integral part of the national land use policy, assuring a balanced use of forests, should be formulated by means of a process seeking the consensus of all the actors involved: government, local population and the private sector.⁵²

Two other articles in the FAO draft reproduce language from the ITTO Guidelines.⁵³ The wisdom of this must be questioned. It suggests that the principal reason for a GFC

negotiated under the auspices of the FAO would be tropical forests and, given that the ITTO is a commodity organisation, the tropical timber trade. The use of ITTO text called into question the underlying motives of the FAO, an error compounded by the fact that many tropical timber producing countries, whose support would be needed for a GFC, have not signed or ratified the ITTA.

The FAO undertook the draft at a time when it was under severe criticism for its handling of the TFAP. In fairness to the FAO, it should be noted that one of the implied criticisms of the Independent Review was a lack of leadership within FAO, and the draft convention can be seen as an attempt to reclaim that leadership.

However, any attempt by the FAO to reclaim leadership among the international community at this time was not enhanced by uncritical support in the draft for the TFAP. Two reference to the TFAP occur in the section on international cooperation: firstly, Parties should cooperate "in particular through existing arrangements such as the Tropical Forestry Action Programme";⁵⁴ secondly, increased international resource flows should be channelled through existing mechanisms with "special attention" being given to the TFAP.⁵⁵

Hopes within the FAO that the Organization could take a lead role in a GFI steadily evaporated. At the SWCC, the Director-General of the FAO announced that he had launched the technical preparations for the drafting of an international legal instrument on forests,⁵⁶ but no support was forthcoming to the FAO at this conference. The final nail in the coffin of the FAO draft came at the Second Session of the Preparatory Committee of the UNCED (Geneva, March-April 1991) where the UNCED preparatory process assumed for itself the lead role in the negotiation of any GFI.⁵⁷

To summarise, the rejection of the FAO draft was due to dwindling support for the FAO as a result of criticism of the TFAP, the failure of the FAO to recapture that support,

the circulation of the FAO draft prior to the release of proposals to reform the TFAP, the use of clauses from the ITTO Guidelines and the eclipse of the FAO by the UNCED process.

However, FAO's involvement in the GFI debate continued. FAO Forestry Department officials formed a close working relationship with the UNCED Secretariat throughout the preparatory stages, and the FAO

contributed to the bulk of the interim and final reports on forestry submitted by the UNCED Secretariat respectively at the second (March 1991) and third (August 1991) sessions of the PrepCom.⁵⁸

This cooperation proved significant; it will be seen in Sections 6.8 and 6.9 below that the three basic principles forming the cornerstone of the FAO's draft GFC impacted on the UNCED process at the Third Preparatory Committee meeting.

6.4 UNCED: An Introduction

For the purposes of this study the UNCED process will be considered to have lasted from 22 December 1989 (when UNGA Resolution 44/228 announced that the United Nations Conference on Environment and Development would be convened in Rio) to 14 June 1992 (when the conference itself closed). In between there were four Preparatory Committee meetings (PrepComs), each of which was divided into three Working Groups. Working Group I dealt with Protection of the Atmosphere and Land Resources (including forests). Working Group II covered oceans, seas and coastal areas, while Working Group III handled legal and institutional matters.

Joint caucus group positions dominated intergovernmental negotiations. For the North, the EC, the Nordic countries and the CAN group (Canada, Australia and New Zealand) were the important caucus groups. The USA's position was, to a large degree, harmonised with the EC's through the G7, as was Japan's. For the South the most important caucus was the Group of 77 (G77) developing countries. From PrepCom 3 until Rio the G77 established

joint UNCED negotiating positions with China.

Six distinct outputs emerged from Rio. The first output, Agenda 21, is intended to be a blue-print for action by governments, NGOs, aid agencies and other actors on environmental and developmental issues up to the year 2000. Negotiations on Agenda 21 took place in all three Working Groups. Chapter 11, "Forests",⁵⁹ was negotiated in WGI.

Secondly, there was the Rio Declaration on Environment and Development,⁶⁰ originally intended to be the "Earth Charter". Outlining the rights and obligations of governments in relation to the environment, and complementing the specific actions established in Agenda 21, the "Earth Charter" was downgraded to a Declaration during the preparatory process following disagreements between North and South.

The third output was institutional, namely the subsequent establishment in February 1993 of the Commission on Sustainable Development (CSD) as a functional commission of the UN's Economic and Social Council (ECOSOC). The CSD will have a monitoring role, and part of its mandate will be peer review of individual countries. The CSD held its first organisational session in New York from 24 to 26 February 1993. The Commission's first substantive session was held from 14 to 25 June 1993 in New York.⁶¹

The two most significant outputs were the Climate Change Convention and the Biodiversity Convention. These were negotiated on separate tracks from the main negotiations, the former under the auspices of the International Negotiating Committee on Climate Change,⁶² and the latter under the auspices of the United Nations Environment Programme (UNEP). Both were thus delinked from the mainstream UNCED preparatory process.⁶³

The sixth output was the "Non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests", hereafter referred to as the Statement of Forest Principles.

It will be argued in Section 6.13 that NGO activity played a role, albeit a small one, in shaping the final text of the Statement of Forest Principles. However, the principal dynamics in the debate occurred at the intergovernmental level where there were three separate, but interacting, types of political processes. The first was the formal negotiations that took place within Working Group I (WGI) of the PrepComs. The second, and the most difficult to document accurately, was informal discussions among delegates at the PrepComs. The third type of political process was intergovernmental activity outside the PrepComs.

In particular statements made at two sub-groupings from the South were of relevance. The first of these is the Summit Level Group of Developing Countries, also known as the Group of 15 (G15).⁶⁴ Attended by heads of state or government, the G15 held two meetings prior to Rio, at Kuala Lumpur (June 1990) and Caracas (November 1991). The second sub-grouping consisted of China and various G77 countries. This group held two ministerial-level meetings. The first, held in Beijing (June 1991) was attended by 41 countries, while 55 attended the second meeting in Kuala Lumpur (April 1992). It will be seen that the Beijing Declaration contributed substantially to the formulation of joint G77-China negotiating positions for UNCED, both on forests and on other issues.

The UNCED forests debate was marked by extensive and widespread disagreement. As Section 6.2 outlined, disagreement on the forests issue first emerged before the UNCED preparatory process began; it lasted until the end of the Rio conference. This chapter will analyse the UNCED forests debate to determine the nature and origins of this disagreement. Attention will centre on three areas of explanation that recurred throughout the debate. All three have a North-South dimension. To a large degree they feed into each other and should not be viewed in isolation.

The first area of explanation centres on the normative dimension of the forests conservation problematic. It will

be recalled from Chapter 3 that there are three competing proprietary claims to forests, namely global common, national resource and local common. All three were visible during the forests debate, but only the two former were a concern of government delegates. Assertions that forests are a local common were made only in the NGO community. According to this explanation, governments from North and South adhered to different views on forest proprietorship as the result of different priorities. The priorities of the North were environmental issues of a global dimension, such as global warming and forests, mainly tropical forests. The South's primary concerns were local issues, both environmental and developmental. Proceeding from different priorities and different views on forest proprietorship, North and South pursued different policy prescriptions. The North inclined towards, but stopped short of, asserting that forests are a global common and advocated a GFC, while the South, proclaiming unfettered sovereignty over its forests, argued that a GFC was unnecessary.

The second area of explanation is that, with no epistemic consensus on the factors causing deforestation, disagreement between North and South was principally the result of differing views on causes. Hence the different policy prescriptions of North and South should be primarily seen as the result of different problem formulations.

The third area of explanation concerns what regime theorists refer to as interest-based explanations. The focus here is on institutional bargaining among actors seeking to maximise individual gains. According to such a perspective, the forest debate must be seen as reflecting a calculus of interests and bargaining issue-linkages between North and South. This view sees the South using forest conservation as a bargaining chip.

Sections 6.5 to 6.12 will provide evidence for these three areas of explanation and will consider which is the single strongest factor. The role of NGOs will be dealt with in Section 6.13.

6.5 PrepCom 1, Nairobi, 6 - 31 August 1990

Forest discussions in PrepCom 1 mirrored the lack of consensus prevalent in international society at the time. Essentially, PrepCom 1 saw actors reiterating positions stated prior to the PrepCom, as they awaited the outcome of the Second World Climate Conference (29 October - 7 November 1990). As noted above, the FAO offered to provide the forum for the negotiation of a GFI. The EC, reflecting the position of the EC Council at Dublin, were at this stage committed to a protocol within a Climate Change Convention.⁶⁵ The Canadian delegation, noting the G7 proposal for a GFC at Houston, believed "that work towards a global forest convention should begin as soon as possible".⁶⁶ No consensus emerged on whether a GFI was necessary and the initiative was passed to the UNCED Secretariat with Decision 1/14 of the PrepCom requesting the Secretary-General (which in reality meant the UNCED Secretariat) to prepare "a comprehensive report" on the roles and functions of forests.⁶⁷

6.6 First Meeting of the UNCED Working Party on Forests

In between PrepComs 1 and 2, and as a follow-up to Decision 1/14, the UNCED Secretariat assembled an expert group, referred to here as the UNCED Working Party on Forests, in Geneva (17-18 December 1990).⁶⁸ The Working Party contributed to the drafting of a 31 page report by the UNCED Secretariat detailing the roles, functions and values of forests.⁶⁹ The Working Party was not an intergovernmental forum, and was composed solely of UNCED Secretariat officials and invited experts.^{70,71}

6.7 PrepCom 2, Geneva, 18 March - 5 April 1991

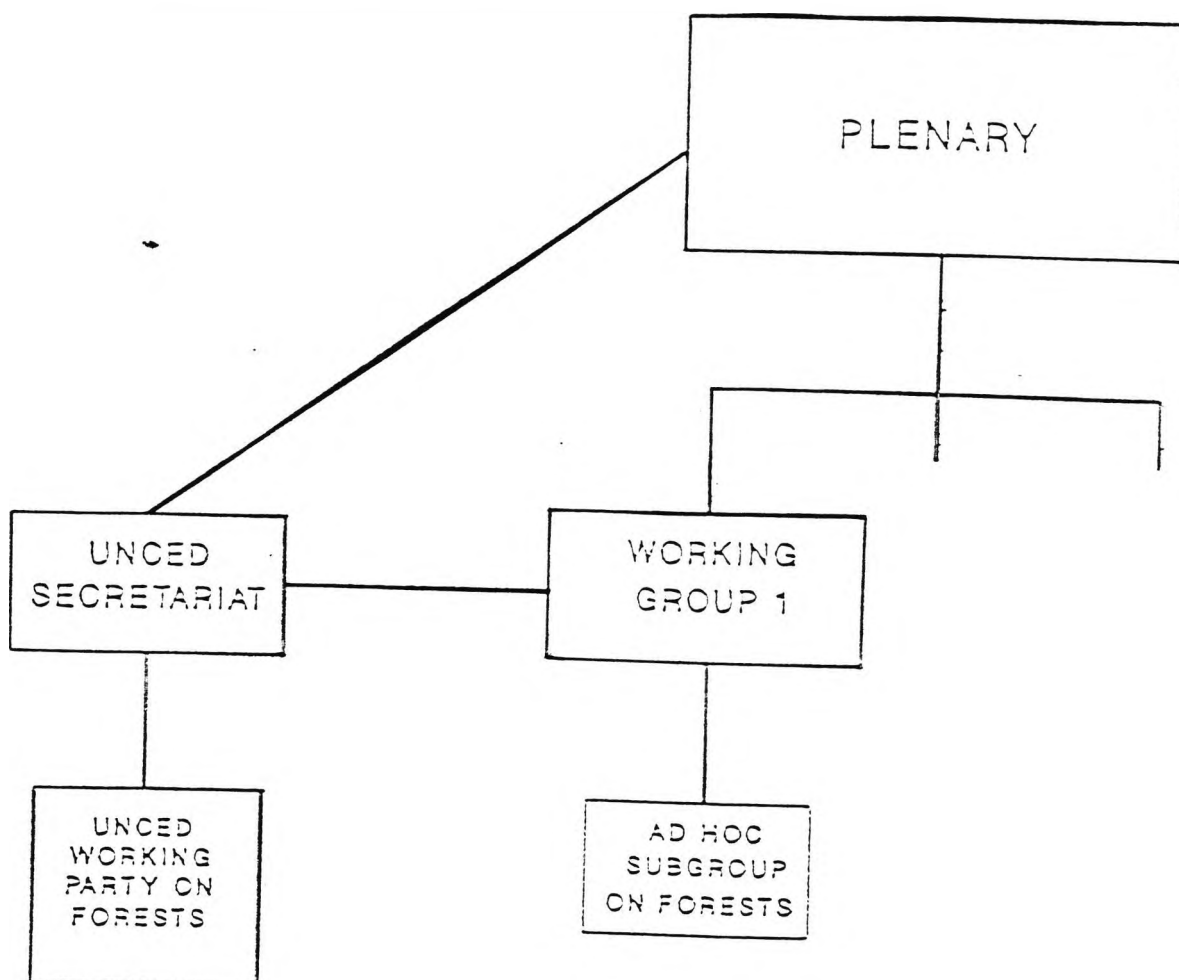
At PrepCom 2 the EC altered strategy to advocate a general declaration at Rio, which would include guidance on the text of a future GFC, followed by the negotiation of a GFC after the Rio conference.⁷²

In an effort to ensure that the forest debate in PrepCom 2 avoided the stalemate of PrepCom 1, and at the suggestion of Malaysia,⁷³ an Ad Hoc Subgroup on Forests⁷⁴ was established by WGI on 22 March 1991 under the chairmanship of Mr M S Kismadi (Indonesia). Its terms of reference were "to consider further the various issues raised in discussions" and "to submit agreed proposals and recommendations to Working Group I".⁷⁵ Figure 2 below charts the organisation of forest groups in the UNCED forests debate.

At the Subgroup's second meeting (25 March 1991) an intervention was made by the head of the Malaysian delegation, Ting Wen Lian, who presented a list of 16 points of concern that included the relationships between deforestation and poverty, demographic pressures and debt. Ting also asserted the need for transfer of environmentally sound technologies and additional financial resources as compensation for opportunity cost foregone.^{76,77} Other developing country delegations present backed the Malaysian position.⁷⁸ Meanwhile the US delegation stated that it favoured a convention.⁷⁹

A further indication that disagreement existed on forests occurred on 26 March 1991 when the Ad Hoc Subgroup produced a document entitled "Draft Synoptic List".⁸⁰ The document had been drawn up partially on the basis of a statement from a smaller grouping within the Ad Hoc Subgroup.⁸¹ However the informal nature of this process means that there is no hard knowledge on the exact composition of this group, the manner in which the statement was composed, or its contents. The document offers no concise suggestions and no firm proposals. Ten options for a GFI,⁸² many of them mutually exclusive, are listed, a factor that clearly indicates a lack of consensus. Although the Draft Synoptic List fulfilled the mandate of the Ad Hoc Subgroup to "consider further the various issues" it singularly failed "to submit agreed proposals and recommendations". This state of affairs arose despite an

FIGURE 2 - ORGANISATION CHART: FOREST GROUPS IN THE UNCED PROCESS



Notes

1. The Ad Hoc Subgroup on Forests was established during PrepCom 2 as an intergovernmental forum reporting to Working Group I. During PrepComs 3 and 4, and at the UNCED in Rio, it was known as the Contact Group on Forests. At the Rio conference various sub-Contact Groups were established reporting to this Group.
2. The UNCED Working Party on Forests was convened three times between PrepComs. It was composed of UNCED Secretariat officials and invited experts. It met three times between PrepComs, namely 17-18 December 1990, 16-17 April 1991 and 13-14 September 1991 (prior to the Tenth World Forestry Congress).

intervention in WGI from the Brazilian delegate that the Subgroup should formulate concrete proposals and not negotiate a GFI by proxy by passing responsibility to the

Secretariat.⁸³

The political balance in the forest debate at the end of PrepCom 2 is summed-up in Decision 2/13. One day before the PrepCom closed a draft decision was submitted to WGI by the WGI Chairman on the basis of informal consultations.⁸⁴ The Chairman's draft was orally amended resulting in the rewording of paragraph 5 as follows:

...Working Group I will at its third session be in a position to examine all steps towards and options (including at a minimum, taking into account the special situation and needs of developing countries, a non-legally binding authoritative statement of principles) for a global consensus on the management, conservation and development of all types of forests...⁸⁵

The Secretary-General of the Conference was requested to analyse and address the items outlined in the Draft Synoptic List.⁸⁶ Finally, the decision affirmed that "the UNCED process is the most appropriate forum for conclusive decisions pertaining to global consensus on forests",⁸⁷ thus firmly precluding any further possibility of the forests negotiations being passed outside the UNCED process to another organ such as the FAO.

Decision 2/13 clearly indicated that the tide had turned away from a GFC towards a non-legally binding GFI. It reflected a position of compromise between those who wanted a convention, and those who did not. Regarding the contents of such a GFI, the initiative lay once again in the hands of the Secretariat. At this stage, the fears of the Brazilian delegation that the PrepCom was effectively empowering the UNCED Secretariat with the drafting of a GFI seemed highly justified.

6.8 Second Meeting of the UNCED Working Party on Forests

The UNCED Secretariat responded to Decision 2/13 by convening the second meeting of the Working Party on Forests at Geneva, 16-17 April 1991. From this meeting there emerged UN document A/CONF.151/PC/65 "Guiding Principles for a Consensus on Forests" presented to PrepCom 3 (hereafter referred to as PC/65).⁸⁸ It will be recalled that the FAO

Council had undertaken to provide the UNCED Secretariat with assistance on the forest issue. PC/65 draws heavily on principles from the FAO draft GFC. The FAO's three basic principles of sovereignty, stewardship and burden-sharing receive prominence in PC/65 which replicates language used in the FAO draft. In the quotes from PC/65 that follow, verbatim wording in the FAO draft are italicised. The PC/65 principle "Affirm Stewardship" states that a global consensus on forests

...could assert the need for *stewardship of forest resources and forest lands in such a manner as to ensure the attainment and continued satisfaction of human needs for present and future generations.*⁸⁹

The PC/65 principle which equates with the FAO draft's principle on burden-sharing is "Recognise common responsibility". A global consensus on forests

...could provide for an *equitable sharing by the international community of the burden of forest conservation and development.*⁹⁰

PC/65 demonstrates that the UNCED Working Party on Forests, and subsequently the UNCED Secretariat, had adopted, completely intact, the formula adopted by the FAO in an attempt to create a global bargain. PC/65 was on the table at PrepCom 3 where the introduction of the notion of "stewardship" to the debate was to lead to disagreement.

6.9 PrepCom 3, Geneva, 12 August - 4 September 1991

The Ad Hoc Subgroup on Forests was reconvened and renamed the Contact Group on Forests under the Chairmanship of Charles Liburd of Guyana. Several key documents were introduced to PrepCom 3. As well as PC/65, a draft Statement of Forest Principles submitted by the G77 (hereafter referred to as the G77 draft proposal) was introduced.⁹¹ The title of the G77 draft proposal repeated the text used in paragraph 5 of Decision 2/13, and may be seen as an attempt by the G77 to ensure that any joint declaration on forests at Rio would meet the minimum, and no more than the minimum, required by this decision. Other documents introduced at

PrepCom 3 included draft proposals from the USA and Canada and the Beijing Ministerial Declaration on Environment and Development of June 1991.

Developments up to and including PrepCom 3 will now be considered to determine if they lend weight to the three areas of explanation outlined above. Turning to the first area, there are strong indications that disagreement on the forests issue was rooted in different views on forest proprietorship. The emergence of the G77-China alliance in Beijing is of significance as China has a history of strong assertions of national sovereignty over a wide range of issues, a factor certain to have influenced her G77 allies. Indeed the Beijing Declaration asserted that "environmental considerations should not be used as an excuse for interference in the internal affairs of the developing countries".⁹²

The Canadian and USA proposals bear some similarities to the FAO draft and PC/65. The first principle of the USA proposal was that of "stewardship" which stated that countries have "a responsibility to engage in cooperative stewardship to improve global environmental quality for mutual benefit".⁹³ The Canadian proposal emphasised the importance of "Responsibility"; states should recognise that the conservation and sustainable development of forests worldwide is "a common concern of the community of nations which entails corresponding responsibilities".⁹⁴

By now there was suspicion in the South that the FAO was being manipulated by the North in pushing for a GFC. At the Technical Workshop to Explore Options for Global Forestry Management in Bangkok (convened between PrepComs 2 and 3, hereafter referred to as the Bangkok Workshop) of April 1991⁹⁵ Malaysian delegate Ting Wen Lian⁹⁶ stated that her delegation was perplexed as to why FAO was "being utilised to promote the hasty agenda of some countries to formulate a forest convention".⁹⁷

To many countries of the South, the notion of "stewardship" outlined in PC/65 and in the USA proposal was

unacceptable. At PrepCom 3 Malaysia argued that "stewardship" was embodied in the principle "reaffirm sovereignty".⁹⁸ Edward Kufuor of Ghana, speaking on behalf of the G77,⁹⁹ claimed that the industrialised world was attempting to take control of the resources of the developing countries, while leaving these nations as "nominal stewards". Kufuor also accused the North of attempting to assert forests as a global common:

We cannot accept the application of such concepts as 'global commons' or the 'common heritage of mankind' with regard to the territorial domain of developing countries.¹⁰⁰

Malaysia also objected to what it considered the use of "nebulous terminologies" such as global commons to be an "'assumption of supranational rights' by the North".¹⁰¹

The G77 draft proposal was consistent with these positions. Principle 21 of the Stockholm Declaration was reaffirmed,¹⁰² but there was no mention of the contentious principles of stewardship and common responsibility. Developments up to PrepCom 3 therefore provide evidence that different views between North and South on the proprietorial status of forests explain the UNCED forests logjam.

Attention will now turn to the second area of explanation, namely that the logjam was the result of differing views on the causes of deforestation. The Malaysian linkage between forests, poverty, demographic pressures and debt made at PrepCom 2 is indicative of this category of explanation. Furthermore, a passage in the Beijing Declaration provides views from the South on the causes of deforestation: "the developed countries bear the main responsibility for the degradation of the global environment" due to over-exploitation of natural resources through unsustainable patterns of production and consumption.¹⁰³ This assertion was frequently reiterated by delegates from Southern governments throughout the remainder of the forests debate.

At PrepCom 3 the Canadian draft proposal did not address causes, while the USA's proposal mentioned only the

need to seek action to address air pollution and fuelwood demand.¹⁰⁴ Whereas delegations from the North were comparatively reticent on the forces behind deforestation, PrepCom 3 again saw delegations from the South offering strong views on the subject. For example, the Indian delegation asserted a relationship between

the external indebtedness of developing countries and the phenomenon of net transfer of resources from developing countries to developed countries and hence their ability to manage, conserve and protect their forest resources.¹⁰⁵

This passage raises the question as to whether the Indian delegation regarded debt as a driving force of deforestation or a factor that prevented conservation. Irrespective, the Indians clearly regarded debt to be a factor resulting in forest loss.

Meanwhile Malaysia established linkages between first: indebtedness and the net transfer of resources from South to North; secondly, the cost of combatting deforestation; and third, the need for new and additional resources.¹⁰⁶ Malaysia had also raised these issues at the Ad Hoc Subgroup during PrepCom 2 and at the Bangkok Workshop.¹⁰⁷ The G77 draft proposal also contained a clause to the effect that debt and South-to-North financial transfers reduced the capacity of developing countries to manage, conserve and develop their resources.¹⁰⁸ Unsustainable patterns of consumption and production, "particularly in industrialised countries", and poverty¹⁰⁹ were other causes mentioned.

The G77 spokesman also attempted to redefine the notion of "common responsibility" contained in PC/65:

... history tells us that the developed countries must bear greater responsibility for the deforestation that has occurred both in their own countries and in the developing countries. We should therefore be talking of common but differentiated responsibility, not simply of common responsibilities.¹¹⁰

In short, the delegations from the South sought to establish a relationship between deforestation and the global economic system.

The third area of explanation is that the South was

using forests to bargain with the North for other stakes. This view cannot easily be separated from the second explanation on causes. Many governments from the South, arguing that the causes of deforestation have their loci in global economic relations, felt justified in making bargaining issue-linkages between forest conservation and issues such as external debt relief.

At the Bangkok Workshop Malaysian government representative Ting drew attention to the decision taken at PrepCom 2 that UNCED was the most appropriate forum for a global consensus on forests,¹¹¹ a statement that strongly implies that this decision was taken following pressure from the South. One possible reason for this could have been to ensure that the debate on forests, rather than being passed outside the UNCED process as happened with the Climate Change Convention and Biodiversity Convention negotiations, would be contained in the same forum, and therefore dealt with by the same teams of delegates, as those issues linked by the South to forests. Many of the issues introduced by the South into the UNCED forests debate, such as debt relief and technology transfer from North to South, had previously been advanced in the 1970s in the claims for a New International Economic Order (NIEO).¹¹² The South now reiterated these claims using forests as a bargaining chip in an attempt to reach a trade-off.

Hence the Malaysian intervention in PrepCom 2, as well as being seen as lending weight to the view that disagreements on causes was at the heart of the forests logjam, can also be seen as an attempt to introduce forests as a bargaining chip. Certainly one NGO observer at PrepCom 2 viewed the Malaysian intervention in this way.¹¹³

Transfer of financial resources and technology were the two issues most frequently linked by the South to forests.¹¹⁴ The Beijing Declaration (without specifically mentioning forests) considered that the key to the success of UNCED depended on whether progress was made on these two issues.¹¹⁵ This declaration also endorsed a proposal from

China for a Green Fund, "managed on the basis of equitable representation from developed and developing countries",¹¹⁶ to deal with local environmental and developmental problems in developing countries, in particular forest preservation, tree planting, increasing the supply of fresh water resources and preventing soil degradation.¹¹⁷ It was envisaged that "the developed countries and the relevant international agencies will provide most of the funds" for the Green Fund.¹¹⁸ The proposal ran counter to the preferred financial mechanism of the North, namely the Global Environmental Facility (GEF).¹¹⁹

In Prepcom 3 the need for new and additional resources was asserted in the Malaysian,¹²⁰ Ghanaian (on behalf of the G77)¹²¹ and Indian¹²² statements, and the two former also made a claim for access to environmentally sound technology on preferential terms. The G77 draft proposal also included claims for financial and technological transfers.¹²³

A further development on financial resources should be noted. A point made by Malaysia in PrepCom 2, and repeated at the Bangkok Workshop, namely that the financial resource transfers from North to South would be "compensation for opportunity cost foregone",¹²⁴ had now been taken up by the G77 as a whole. India used this language in her statement.¹²⁵ The G77 draft proposal included an article using very similar wording to the Malaysian and Indian statements¹²⁶ which suggests that the governments of these two countries were taking the lead for the G77 in the forests debate.

The increasing cohesion of the positions of the G77 and China was further demonstrated in PrepCom 3 with a joint proposal on financial resources which echoed the claim that transfers from the developed countries would be "compensatory in nature".¹²⁷ This proposal introduced a new notion, namely that of "partnership in additionality"

...to be understood as a commitment to provide new and additional financial resources to developing countries, for meeting, *inter alia*, the commitments under Agenda 21, and other sustainable development concerns.¹²⁸

The notion of "partnership in additionality" can be seen as complementary to that of "common but differentiated responsibility". The introduction of the concept of "opportunity cost foregone" indicated that the forests issue had become entangled with bargaining issue-linkages, and provided a further indication that a united South was using forests to bargain for higher stakes.

Meanwhile, the USA was advocating the GEF "as the source of funding for environmental improvements in the world's forests",¹²⁹ a position also backed by Australia, the Netherlands (on behalf of the EC) and Japan.¹³⁰ The North also advocated that GEF funding should be dependent on project approval by the donors and on conditionalities such as "good governance" in the recipient country. The South considered the idea of conditionalities to be an interference in the sovereign affairs of independent states. Overall, PrepCom 3 resulted in a solidification of negotiating positions on forests and on other issues. The negotiating positions between North and South that had emerged by the end of PrepCom 3 are shown in Table 10 below.

Towards the end of PrepCom 3 the UNCED Secretariat used PC/65 and the G77 draft proposal, plus comments made on them in the earlier stages of PrepCom 3, as the basis to produce a draft Statement of Forest Principles for subsequent negotiations.¹³¹ The first version¹³² was then discussed in the Contact Group. At the end of PrepCom 3 the Contact Group Chairman submitted the amended draft to WGI from where it was submitted to the PrepCom Plenary.¹³³

Reflecting the numerical superiority of the G77, the G77 draft proposal was used as the overall guiding framework by the UNCED Secretariat, and consequently the draft overwhelmingly reflected G77 concerns. Some, but not all, proposals from PC/65 were grafted on to the G77 draft proposal, but significantly there was no mention of "stewardship" or "common responsibility". The main thrust of PC/65, that of overcoming the dual claims to forests of national resource and global common, had been discarded.

TABLE 10 - THE UNCED FORESTS DEBATE AND RELATED ISSUES: NORTH AND SOUTH NEGOTIATING POSITIONS

NORTH	SOUTH
PRIMARY EMPHASIS	
Global environmental problems such as ozone depletion, global warming, biodiversity, tropical rainforests.	Environmental and developmental problems of local and regional concern, such as poverty clean drinking water, land degradation, soil loss and desertification. Deforestation as a local, not a global, problem.
POSITION ON SOVEREIGNTY	
Acknowledgement of Principle 21 of the Stockholm Declaration. (Occasional invocation of forests as a global common.) Linkage of sovereignty with the concepts of "stewardship" and "common responsibility".	Strict assertion of unfettered national sovereignty. Forests as a sovereign national resource to be exploited in line with national policy. Rejection of the notion of "stewardship". Emphasis not of "common responsibility", but of "common but differentiated responsibility".
CAUSES	
Low emphasis on the workings of the global economic system as a driving force of environmental degradation.	High emphasis on the workings of the global economic system as a driving force of environmental degradation, especially, external indebtedness, net financial transfers from South to North, declining terms of trade and high consumption patterns in the North.
PREFERRED FOREST INSTRUMENT	
"Stewardship" and "common responsibility" require a legally binding Global Forests Convention.	No need for a Global Forests Convention or any legal forest instrument. The non-legally binding Statement of Forest Principles accepted as a compromise.
FINANCIAL TRANSFERS	
A recognition that new funding should be made available, in line with the notion of "common responsibility".	Calls for "new and additional funding" as "compensation for opportunity cost foregone". Funding for local problems, and not just for problems perceived as urgent by the North. Introduction of the concept of "partnership in additionality"
FINANCIAL TRANSFER MECHANISM	
Funding to be made available through existing mechanisms, most notably the Global Environmental Facility (GEF) administered by the World Bank, UNDP and UNEP. An emphasis on conditionality: good governance and approved projects.	Funding for local environmental problems to be channelled through the Green Fund (to be funded primarily by the North). The GEF to be restructured on more equitable lines. Rejection of conditionality on the grounds that it constitutes an interference in national sovereignty.
TECHNOLOGY TRANSFER	
Technology transfer to be encouraged through existing commercial mechanisms.	Technology transfer at concessional rates or on a grant basis. Subsidies for the transfer of the intellectual property rights of environmentally clean technologies. The cost of such transfers to be borne by the Green Fund.
SUMMARY	
Solve global environmental problems with minimal changes to existing international structures.	Tackle the underlying causes of underdevelopment and environmental degradation, both locally and globally. The burden of adjustment to lie with the North.

The draft contained square brackets around clauses that remained the subject of wider North-South divisions, including several clauses inserted from the G77 draft on debt, net South-to-North financial flows, compensation for opportunity cost foregone and transfer of technology and financial resources. By analyzing those articles without brackets, it is possible to discern those areas where North and South had reached agreement, but these were invariably on uncontroversial areas which both North and South could agree upon without yielding anything of substance.¹³⁴ Whereas PrepCom 2 had finished with WGI in a political *cul-de-sac* on forests, PrepCom 3 ended with the G77 firmly in the ascendancy.

This led to a tactical switch by the North, which attempted to insert language on the negotiation of a GFC after UNCED into the Statement of Forest Principles. The EC issued a statement that any declaration on forests opened for signature at Rio should contain "procedures, including a timetable for the negotiation of a Convention on Forests".¹³⁵ The G77 would resist these efforts in Prepcom 4 and at Rio.

6.10 Salient developments between PrepComs 3 and 4

The months between PrepComs 3 and 4 saw a flurry of international environmental diplomatic activity, with two significant conferences held in the South. These were the Second Regional African Ministerial Conference on Environment and Development (Abidjan, 11-14 November 1991) and the Second Summit Level Meeting of the G15 (Caracas, 27-29 November 1991).

Given the South's position thus far on sovereignty, the Abidjan and Caracas meetings witnessed surprising references to forests as a heritage of mankind. The African Common Position on Environment and Development, adopted at Abidjan, notes that,

We regret to note that poverty, debt and stringent conditions related to international trade makes it difficult to conserve these forests, this biodiversity

and this common heritage of mankind.¹³⁶

The second reference was made by the Venezuelan President, Carlos Andres Perez, at the second meeting of the G15. Perez, referring to technology transfer, stated that

Inordinate responsibility cannot be placed on efforts to preserve the environment, whilst the South has limited access to, or is excluded from, technologies we need to back our national development efforts and fight poverty... If the tropical forests are the heritage of mankind, science and technology should be also.¹³⁷

This is the first known occasion that a head of state from the South had referred, albeit obliquely, to forests as a heritage of mankind. The G15 Joint Communique did not echo Perez's statement on forests, but did state that "it must be recognised that cumulative scientific and technological knowledge and innovation is a heritage of all mankind".¹³⁸

The real significance of the Abidjan and Caracas statements is that the linking of forest sovereignty to other issues provides the first (and, so far as is known, the only) indications that elements of the South were using forest sovereignty (and not merely forest conservation) as a bargaining counter for higher stakes. The distinction is important. The position taken by the G77 was that sovereignty could on no account be compromised. However, developments at Abidjan and Caracas suggest that some countries of the South were, despite the negotiating positions of the G77 at PrepComs 1 to 3, prepared to give up some measure of control over their forests in exchange for a *quid pro quo* from the North.

6.11 PrepCom 4, New York, 2 March - 3 April 1992

The unexpected references made to forests as a common heritage of mankind in Abidjan and Caracas may have suggested that latitude existed for meaningful negotiation on the forests issue. However, this did not prove to be the case. The Statement of Forest Principles had arrived at New York with 116 sets of square brackets. The delegations worked through the text, rewording clauses to arrive at compromise language acceptable to both North and South. By

the end of PrepCom 4 the reworked text was submitted by the Contact Group Chairman, through WGI, to the Plenary¹³⁹ from where the final text was forwarded (Decision 4/7) to the UNCED in Rio with 73 sets of square brackets remaining. The final PrepCom 4 draft contained no proviso for the negotiation of a future GFC. Attempts by the North to insert such a clause were blocked by Malaysia in the G77.¹⁴⁰

There was no evidence at New York to support the view that the forests logjam was rooted in different views on forest proprietorship. This is hardly surprising given that PrepCom 3 had settled this issue in favour of the G77. Neither were there any indications that the forest logjam was centred on different views on causes. However, there were several indications to support the view that forests were being used by the South to lever concessions from the North.

As well as the Contact Group on Forests, other contact groups were established to expedite the Agenda 21 negotiations on, *inter alia*, financial resources and technology transfer. So divided was the PrepCom on the financial resources issue that the Contact Group on Financial Resources split into two groups: one, chaired by Australia, debated the GEF; the second, chaired by Sri Lanka considered possible new financial instruments, including the Green Fund.¹⁴¹ At the end of PrepCom 4, paragraphs that were fully or near-fully bracketed in the Statement of Forest Principles, included those on financial resources, technology transfer, external indebtedness and opportunity cost foregone.¹⁴² In short, PrepCom 4 demonstrated that the forest debate remained complicated by wider issue-linkages.

Further evidence to support this view occurred at the Second Ministerial Meeting of Developing Countries on Environment and Development held in Kuala Lumpur after PrepCom 4. The Malaysian Prime Minister, Dr Mahathir Mohamad, pleaded for South unity in his opening speech: "The voice of the individual developing countries will be drowned. It will be different if they speak together with

one strong voice in Rio".¹⁴³ Revealingly he enquired "What use is there of an Earth Charter if there is no real advance on the critical issues of finance and technology?"¹⁴⁴ and he directly linked forests to finance when stating that "If it is in the interests of the rich that we do not cut down our trees then they must compensate us for the loss of income".¹⁴⁵

The Kuala Lumpur Declaration, signed by 55 ministers, reaffirmed the position presented by the G77 and China at PrepCom 4 on financial resources.¹⁴⁶ Three references are made in the Declaration to new and additional financial resources/funding¹⁴⁷ and the need for "the transfer of technology on preferential and concessional terms" was also repeated.¹⁴⁸

State sovereignty was reaffirmed in the passages on the Climate Change Convention¹⁴⁹ and the Biodiversity Convention.¹⁵⁰ It was asserted that forests are a "part of the national patrimony".¹⁵¹ Overall, however, the Kuala Lumpur meeting was used as a final opportunity to reemphasise and reiterate the bargaining positions of the G77/China alliance in the final period before Rio.

6.12 The UNCED, Rio de Janeiro, 3-14 June 1992

The Conference itself was divided into two main bodies. The Plenary was the forum for country statements while political negotiations took place in the Main Committee. Reporting to the Main Committee were eight contact groups dealing with issues where substantial negotiations were still required. They were Atmosphere, Biodiversity, Institutions, Legal Instruments, Finance, Technology Transfer, Freshwater Resources and Forests.^{152, 153} The Forests Contact Group established sub-Contact Groups to deal with individual paragraphs, while the Contact Group dealt with less contentious areas.¹⁵⁴

Despite the fact that negotiations were usually in closed session, the forest debate was not delinked from other issues at Rio. Forests remained a strong bargaining

chip for the South as US chief negotiator Curtis Bohlen noted: "...some countries are reluctant to take concrete steps to preserve their forests. They are trying to get the money before agreeing to do anything".¹⁵⁵

Consequently negotiations at Rio on financial resources also proceeded slowly. The Agenda 21 drafts that were forwarded to Rio from PrepCom 4 had large areas of bracketed text in Chapter 33, "Financial Resources and Mechanisms" and there were also over 100 paragraphs on which negotiation was required in the "Means of Implementation" section of each chapter.¹⁵⁶ Negotiations also proceeded slowly in the Contact Group on Technology Transfer.¹⁵⁷

Agreement on the Statement of Forest Principles was only reached after Klaus Töpfer, the German Minister for the Environment, assumed responsibility for ministerial level negotiations. A package produced by Töpfer was finally accepted at 3 a.m., 12 June. Negotiations on financial resources lasted until 7 p.m., 13 June with the result that a meeting of the Plenary had to be postponed.¹⁵⁸

The slow pace of negotiation on forests, finance and technology transfer suggests that informal behind the scenes manoeuvring took place by negotiators in an effort to reach a "trade-off" position. This would add weight to our third area of explanation. Although no hard evidence has emerged to support this contention, such developments would be consistent with negotiating positions established earlier in the PrepComs.

The G77 led by India and Malaysia¹⁵⁹ resisted accepting the Statement of Forest Principles until it contained no mention of a future GFC. Meanwhile, Klaus Töpfer and his British counterpart Michael Howard, the British Secretary for the Environment, strived to ensure that the door was not completely closed on a future GFC.¹⁶⁰ The following compromise language was adopted in the Statement of Forest Principles:

In committing themselves to the prompt implementation of these principles, countries also decide to keep them under assessment for their adequacy with regard to

further international cooperation on forest issues.¹⁶¹

The finalised text of the Statement of Forest Principles is appended to this thesis as Appendix C. It can be seen that the main thrust of the text is on policy responses at the national level, with sovereignty asserted at the start of the Statement.¹⁶² The global ecological role of forests is noted.¹⁶³ The G77 had some success in inserting clauses on causes of deforestation originating in the global economic system. External indebtedness, net transfers of resources from South to North,¹⁶⁴ trade, industrial and transportation policies leading to deforestation¹⁶⁵ and air pollution¹⁶⁶ are identified as causes, while unsustainable patterns of production and consumption are implied as causes.¹⁶⁷ However, the finalised text does not specify policy prescriptions or frameworks for cooperation.

Many substantive clauses that appeared in brackets in earlier drafts from the PrepComs were weakened with caveats or discarded during the final rounds of negotiations. Overall, the Statement of Forest Principles represents a mean position of the lowest common denominator between North and South, and compares unfavourably with other published principles, such as those of the ITTO. The final text makes no mention of how the document is intended to relate to mechanisms such as the TFAP or ITTO and no indication is given of the intended relationship with forest-related agreements such as the Biodiversity and Climate Change Conventions. Despite the complex issue-linkages that surrounded the negotiation of the Statement of Forest Principles, it gives the impression of having been formulated in a political vacuum. However the document does represent a first global consensus on forests.

In seeking to explain the logjam that arose in the UNCED forests debate this chapter has pursued three lines of enquiry. The first was that the differences between North and South were centred on forest proprietorship. The South proclaimed unfettered national sovereignty over its forests.

The North recognised the sovereignty of states over forests, while at the same time inclining towards a position of forests as a global common. The North attempted to strike a global bargain by linking sovereignty with stewardship and common responsibility (burden-sharing). This was rejected by the South.

The second line of enquiry was that differences over the causes of deforestation varied, hence the prescriptions for a cure differed. The South emphasised global economic causes, which the North tended to ignore or downplay.

The third line of enquiry was that both North and South pursued positions of perceived interest. Developments during the UNCED process saw the North trying to extract commitments from the South on forest conservation. The South meanwhile attempted to extract concessions from the North, especially on financial and technology transfers, using the forests issue as a bargaining counter.

Evidence has been provided that supports all three lines of enquiry. However, the third line of enquiry emerges as the strongest single factor. Differing views on forest proprietorship and on causes have lesser explanatory power. The UNCED process saw progressively less debate on the causal factors of deforestation as events unfolded. Those statements that were made on causes were usually made by the South, frequently while making a bargaining claim with North. In the final analysis the bargain was not struck. The South did not gain the concessions it wanted from the North, and the North did not extract any binding commitments from the South on tropical forest conservation.

The report of the UNCED was submitted to the 47th session of the UN General Assembly. This endorsed *inter alia* the Statement of Forest Principles.¹⁶⁸ Attention will now turn to the role of NGOs in the UNCED forests debate.

6.13 NGO Activity

The scale and scope of NGO activity during the UNCED process was unprecedented. Although UN General Assembly Resolution 44/228 provided only for the participation in the PrepComs of relevant NGOs in consultative status with the ECOSOC,¹⁶⁹ UNCED Decision 1/1¹⁷⁰ allowed any NGO to apply for accreditation to the UNCED PrepComs. After presentation of credentials, usually a formality, accreditation was usually granted. Decision 1/1 was endorsed by the General Assembly at its 45th Session.¹⁷¹ At its 46th Session, the General Assembly agreed that all NGOs accredited by the end of PrepCom 4 should be invited to participate as observers at the Rio conference.¹⁷²

NGO activity took the form of lobbying of governments, IGOs, UN organs and UNCED PrepComs, the publication of position papers, and inter-NGO networking at both the national and international levels. In Geneva, the Centre for Our Common Future established an International Facilitating Committee (IFC) to assist "new" NGOs (that is NGOs that had not previously lobbied at an intergovernmental negotiating process) in defining their roles within the UNCED process. In cooperation with the Brazilian NGO Forum, the IFC organised the '92 Global Forum as a parallel NGO event to the UNCED in Rio.¹⁷³

The remainder of this section will outline some of the NGO activity taking place during the UNCED forests debate of 1990-92. NGO activity on forests, as with other issues, took the form of multiple formal, semi-formal and informal channels of communication. There is no single channel by which NGOs can influence either policy-makers or each other, and the result is a dynamic and dense interconnecting network, with the national and international levels inextricably intertwined. This section will evaluate the impact of NGO activity on the UNCED forests debate.

NGOs exhibit a higher level of openness and transparency than the policy-making élites they seek to influence, with the result that to a large degree it is

possible to disentangle NGO activity. However, assessing the impact of NGOs is a more difficult and, inevitably, a subjective task. Below, brief attention will be paid to NGO activity in the USA, in the UK, within WWF and in the newly-emerging NGOs and NGO networks in the South.

In the USA, a World Forest Agreement Working Group was established by the Environmental and Energy Study Institute (EESI) in September 1990. This group included both NGO representatives and US Senators and Congressmen.¹⁷⁴ Following the G7 proposal for a GFC at Houston, the group worked on the assumption that, although its precise format was unknown, negotiations for a GFI would take place. According to Gareth Porter, who established the group, its purpose "was not to try to reach consensus but to clarify positions and, in the process, stimulate NGO and Congressional staff positions on the issue".¹⁷⁵ This group met on several occasions between September 1990 and October 1991, and established subgroups to address different aspects of a legally binding GFI.¹⁷⁶ However, with PrepCom 2 deciding against a legal GFI the subgroups were discontinued.

At the same time another US NGO process, the Global Forest Working Group, initiated by Francis Spivvy-Weber of the Audobon Society, was taking place. At that stage the Audobon Society was one of six members of a NGO network, with the Environmental Defense Fund, Friends of the Earth-US, the National Wildlife Federation, the Natural Resources Defense Council and the Sierra Club being the others. The network, Consortium for Action to Protect the Earth '92 (CAPE '92), had made an intervention at WGI of PrepCom 1 demanding a guarantee of land rights for indigenous and other local peoples.¹⁷⁷ The Audobon Society initiative drew heavily, but not exclusively, from individuals in the CAPE '92 network.¹⁷⁸

In October 1990 the World Forest Agreement Working Group, without Senators and Congressmen and now consisting solely of NGOs, joined forces with the Global Forest Working

Group to become the US Task Force on Global Forests.¹⁷⁹ This group sought to influence US government policy in the UNCED forests debate, lobby at the PrepComs and network with other NGOs.

Meanwhile in the UK, the secretariat of UNEP-UK, based at the IIED, gathered NGO views on all aspects of the UNCED process and summarised them into a single report. In so doing, it was stressed that "UNEP-UK is not an exclusive route for NGO views to government".¹⁸⁰ It should also be emphasised that the UNEP-UK report was not intended to be "a consensus document",¹⁸¹ either on forests or other issues, and the document did report different, occasionally conflicting, views. Much UNEP-UK NGO activity took the form of seminars, consultations and conferences, convened and organised by a diverse range of NGOs and other organisations.

The largest conference, with 145 groups represented, including academia and industry, was the UK NGO Conference, "Our Agenda for UNCED", held in October 1991 at the Royal Geographical Society, London.¹⁸² This meeting divided into 11 working groups. Working Group 6 on "Agriculture, Environment and Development" formed a Forests Subgroup which was chaired by a representative of the UK Tropical Forest Forum (TFF). The TFF is an independent forum open to British-based governmental, public and private organisations, including NGOs, industry and academia, with an interest in tropical forest conservation.¹⁸³ The TFF had the previous day held a meeting at which the subject of a GFI was debated.¹⁸⁴ A report of this meeting was made to the Forests Subgroup of Working Group 6 which expressed the opinion that the UK government should press at Rio for a legally binding GFC.¹⁸⁵ These findings were incorporated into UNEP-UK's final report.¹⁸⁶

Many NGOs based in the North favoured a legally binding GFC, provided that it contained certain features. The case of WWF is interesting. In the two years prior to Rio, WWF held several meetings of its Forests Working Group, composed

of WWF Forest Conservation Officers working at the national level and chaired by the Senior Forest Conservation Officer of WWF International, to consider the subject of a GFI. The group met at various venues¹⁸⁷ to formulate WWF positions and the strategy and tactics by which such positions should be pursued. Throughout the UNCED process, WWF advocated a GFC if it contained recognition of the interests of forest-dwelling peoples, a centralised monitoring system for forests worldwide, and an international programme for tracing and authenticating sustainably-produced timber.¹⁸⁸ Friends of the Earth also offered qualified support for a legally binding instrument which addressed *inter alia* social equity considerations, community access to benefits from forest conservation, the role of TNCs and the root causes of deforestation.¹⁸⁹

Meanwhile, NGOs in the developing South were also active in the forests debate. Some Southern NGOs offered strong arguments against a GFC, most notably the Indian ecological NGO, the Centre for Science and Environment (CSE). Anil Agarwal and Sunita Narain of the CSE opposed both a GFC and the role of UN agencies in forest conservation, which they claim would set in a place "a supercentralised system of global decision-making and governance"¹⁹⁰ and disempower local people. The CSE pursued this line of argument up to and including Rio.

Disagreement therefore existed between NGOs from the developed North and the developing South on the forests debate. Indeed, several indications of a North-South NGO split, on a wide spectrum of issues, appeared during the UNCED process. The African branch of the Southern Networks for Development (SONED) alleged that Northern NGOs had been "coopted" by Northern governments and TNCs.¹⁹¹ Other Southern NGOs charged that Northern NGOs had both a different agenda from their Southern counterparts and a disproportionate influence on environmental policy-making in Southern countries as a result of their ability to pressure international agencies such as the World Bank.¹⁹² Ian

Rowlands considers that North-South tensions among governments were "paralleled" in the NGO community, despite the latter's "best efforts to present a united front".¹⁹³

Towards the end of the UNCED process the divisions between NGOs in the forests debate sharpened, with two separate initiatives emerging. The first was at PrepCom 4, where some members of the NGO community introduced and circulated their own draft Statement of Forest Principles. Their text arose from a process chaired by Bill Mankin of the Sierra Club and a member of the US Task Force on Global Forests.¹⁹⁴ Endorsed by 39 NGOs (split approximately half each between NGOs from North and South), the NGO draft was a reworking of the Statement of Forest Principles according to four key concepts: effective forest protection and expansion; indigenous peoples to be accorded full control and legal authority over their traditional territories; participation by all relevant groups in decision-making; and the adherence to basic ecological and sustainable management practices.¹⁹⁵

At Rio, a group of 25 NGOs, led by Anil Agarwal of the CSE, circulated a statement opposing the future negotiation of a GFC.¹⁹⁶ The Mankin and Agarwal initiatives had different objectives. The former aimed to insert clauses on environmental sustainability and guarantees for forest dwelling peoples into the Statement of Forest Principles. However the latter was solely concerned with the post-UNCED agenda, and attempted to use NGO influence to block any proviso for a GFC after Rio. It is noticeable that with one exception (namely the Environment Liaison Center International, Kenya), NGOs that put their name to the Agarwal initiative did not support the Mankin initiative, and *vice versa*. However although NGO disagreements on forests did emerge at Rio, and although a certain North-South dimension to this debate is discernable, it is not the case that disagreement was strictly polarised along North-South lines. The Mankin initiative did succeed in achieving a broad consensus between NGOs from North and South.

Attention will now turn to the influence of NGOs. It will be argued that in the forests debate, NGOs cannot be credited with achieving any fundamental successes, although there were certainly some minor ones. Gareth Porter, who initiated the EESI World Forests Agreement Working Group and was a member of the US Task Force on Global Forests, does not consider that US NGOs "changed any broad US policy, but they did modify it at least marginally".¹⁹⁷ The same may be said of developments during the UNCED PrepComs.

There are signs that the NGO community achieved their greatest successes early on in the forests debate. As noted in Section 6.9 above, at PrepCom 3 the G77 introduced a draft proposal¹⁹⁸ which was subsequently used by the UNCED Secretariat, along with other documents and comments, to produce a draft for subsequent negotiations by delegates.¹⁹⁹ Many of the clauses in the first UNCED Secretariat draft were not contained in the G77 draft proposal. It is noteworthy that these include clauses on the importance of forests for ecological, cultural and spiritual human needs, the participation of local communities and indigenous peoples and the importance of secure land tenure for sustainable forest management. All of these clauses survived the remaining negotiations and appear in the final Statement of Forest Principles.²⁰⁰

Due to the frequently informal and invisible nature of the interactions between NGO representatives and government delegates, assessing the impact of NGO activity is not an easy task. Nonetheless, it is argued here that the inclusion of these clauses can be attributed to NGO pressure on governments from the North and their UNCED delegates.

Such an assertion should be justified. It is made on the following grounds. Firstly, given that these clauses did not appear in the G77 draft proposal, it is reasonable to assume that they were inserted in to the first UNCED Secretariat draft by Northern delegates. Secondly, the clauses are not ones that Northern delegates, acting purely in their perceived national interests, would be expected to

insert. However, it is known that the issues contained in such clauses are sources of concern for NGOs.²⁰¹ Furthermore, it is also known that NGOs lobbied both Northern governments and the UNCED PrepComs on these concerns, with some NGOs making statements to the PrepComs on the issues of local community participation, land reform and indigenous people's rights.²⁰² Hence the conclusion here is that NGO pressure, either directly or indirectly via Northern governments, in the early stages of the PrepComs did yield some results.

NGOs continued to advance their concerns on the rights of local communities and indigenous peoples during the remainder of the UNCED process.²⁰³ However, the NGO community was unable to achieve any significant successes in the forests debate after PrepCom 3. By PrepCom 4 the forest debate was mired in North-South disagreements, and there was no political space for the introduction of fresh views from the NGO community. One of the figures involved with the Mankin draft concedes that the NGO community was unsuccessful at this late stage in inserting any of their recommendations into the UNCED Statement of Forest Principles.²⁰⁴ Nor does it appear that the Agarwal initiative influenced Southern governments which had made clear their opposition to language on a future GFC in the Statement of Forest Principles before the circulation of the Agarwal paper. This is not to say that the Agarwal initiative did not register with Southern government delegates at Rio, but it is to say that there is no evidence of a causal relationship between the initiative and the position taken by those delegates.

This section has argued that some of the clauses in the final UNCED Statement of Forest Principles are the result of NGO pressure. The NGOs achieved this success as a result of their activities up to and including PrepCom 3. After PrepCom 3, NGO successes are extremely difficult to detect. In conclusion it appears that if NGOs are to exercise influence in a process such as the UNCED forests debate,

this is most likely to be achieved at an early stage in the negotiating process. NGO influence will be, *ceteris paribus*, progressively more difficult as negotiations proceed.

Notes to Chapter 6

1. Parts of this chapter first appeared in a paper presented to the Environmental Studies Panel of the Inaugural Pan-European Conference on International Studies, Heidelberg, 16-20 September 1992. Parts of this paper have subsequently been published as: David Humphreys, "The Forests Debate of the UNCED Process", Paradigms: The Kent Journal of International Relations, Volume 7, No. 1, Summer 1993, pp. 43-54, and David Humphreys, "The UNCED Process and Global Forest Conservation", in Frank R Pfetsch (ed.), International Relations and Pan-Europe: Theoretical Approaches and Empirical Findings, (Münster: LIT Verlag, 1993), pp. 589-608.
2. The genesis of the United Nations Conference on Environment and Development can be traced to a recommendation of the World Commission on Environment and Development (WCED) that, "Within an appropriate period after the presentation of this report to the General Assembly, an international conference could be convened to review progress made, and to promote follow-up arrangements...": World Commission on Environment and Development, Our Common Future, (Oxford: Oxford University Press, 1987, p. 23. United Nations General Assembly resolution 42/187 of 11 December 1987 welcomed the report of the WCED. The following year United Nations General Assembly resolution 43/196 of 20 December 1988 believed it "highly desirable that a United Nations conference on environment and development be convened no later than 1992". The following year, following an offer from the government of Brazil, United Nations General Assembly resolution 44/228 of 22 December 1989 announced that the UNCED would be convened in 1992 in Rio de Janeiro.
3. United Nations, General Assembly, Official Records, Supplement No.49(A/44/49), Resolutions and Decisions Adopted by the General Assembly during its Forty-Fourth Session, (New York: United Nations, 1990), para 12 (d) of UNGA Resolution 44/228, p. 153.
4. The IPCC was created in 1988 and is cosponsored by the United Nations Environmental Programme and the World Meteorological Organization.
5. World Meteorological Organization/United Nations Environment Programme, Climate Change - Intergovernmental Panel on Climate Change. The IPCC Response Strategies, 1990, "Note to the Reader", no page number.
6. The São Paulo Declaration of the IPCC-AFOS, 9-11 January 1990. See Ibid., p. 83.
7. Ibid.
8. Ibid., p. 84.
9. See Ibid., "Note to the Reader" (no page number), for details of this meeting.
10. The Independent Review noted that "Article XIV of the FAO Constitution could, we understand, provide a legal basis for the proposed International Convention on Forests": see Ola Ullsten *et al*, Tropical Forestry Action Plan: Report of the Independent Review, (Kuala Lumpur: FAO, May 1990), p. 48. The proposal by the

Independent Review attracted widespread interest. See, for example, Anon. (Reuters), "FAO proposes convention to save remaining forests", The Philippine Lumberman, July-August 1990, p. 24.

11. Ibid., p. 47.

12. Ibid., p. 48

13. Robert Winterbottom, Taking Stock: The Tropical Forestry Action Plan After Five Years. (Washington DC: World Resources Institute, June 1990), p. 30.

14. Ibid.

15. Ibid., p. 31.

16. EC document SN 60/90, "Presidency Conclusions, European Council, Dublin, 25 and 26 June 1990", Annex II, "The Environmental Imperative Declaration by the European Council", p. 8.

17. "The Houston Declaration of the Group of Seven Industrialised Countries, July 1990", Article 67. It will be recalled from Chapter 4 that the Article 66 of this declaration called for reform of the TFAP

18. Fact Sheet, The White House, Office of the Press Secretary (Houston, Texas), "Proposed Global Forests Convention", July 11, 1990.

19. Barbara J Bramble and Gareth Porter, "Non-Governmental Organizations and the Making of US International Environmental Policy", in Andrew Hurrell and Benedict Kingsbury (eds.), The International Politics of the Environment: Actors, Interests, and Institutions. (Oxford: Clarendon Press, 1992), p. 313.

20. Hemmo Muntingh MEP was the rapporteur for the Committee on this topic.

21. EC document A 3-181/90, "Report drawn up on behalf of the Committee on the Environment, Public Health and Consumer protection on measures to protect the ecology of the tropical forests" (also known as the Muntingh Report), 5 July 1990, pp. 5-9.

22. EC document C 295, Official Journal of the European Communities, Volume 33, 26 November 1990, "Resolution on measures to protect the ecology of tropical forests", 25 October 1990, para. 8, p. 196.

23. Ibid.

24. The Second World Climate Conference was sponsored by: three UN specialised agencies namely the World Meteorological Organisation (WMO), the United Nations Educational, Scientific and Cultural Organisation (UNESCO) including the Intergovernmental Oceanographic Commission of UNESCO, and the FAO; one UN programme namely the United Nations Environment Programme (UNEP); and the International Council of Scientific Unions (ICSU). The WMO was the lead agency.

25. J Jäger and H L Ferguson (eds.), Climate Change: Science, Impacts and Policy. Proceedings of the Second World Climate Conference, (Cambridge: Cambridge University Press, 1991), "Foreword", p. xii.
26. "Task Group 8: Forests", in Ibid., p.470.
27. "Conference Statement", in Ibid., p. 502.
28. "Task Group 8: Forests", in Ibid., p. 470.
29. "Statement of Environmental Non-Governmental Organisations", in Ibid., p. 550. Most of the NGOs were from the developed North, but notable exceptions include the Forum of Brazilian NGOs to the UNCED-92 and the Kenya Energy and Environmental Organization.
30. Ibid.
31. With respect to forests, the Ministerial Declaration confined itself to noting that "the protection and management of ...forest eco-systems must be well-coordinated and preferably compatible with other possible types of action related to the reduction of emission of greenhouse gases". See "Ministerial Declaration", in Ibid., p. 538.
32. See: IUCN, Proceedings: 18th Session of the General Assembly of IUCN - The World Conservation Union, Perth, Australia, 28 November - 5 December 1990, (Gland, Switzerland: IUCN, 1991), pp. 77-9 for details of the activities of Workshop 10.
33. IUCN, Resolutions and Recommendations: 18th Session of the General Assembly of IUCN - The World Conservation Union, Perth, Australia, 28 November - 5 December 1990, (Gland, Switzerland: IUCN, 1991), Resolution 18.30, "Legal Instrument for the Conservation of Forests", para. 2, p. 26. This resolution also advocated a further protocol to reduce emissions of those greenhouse gases not controlled by the Montreal Protocol (1987) to the Vienna Convention for the Protection of the Ozone Layer (1985).
34. Ibid., p. 27
35. A convention is not equatable with a regime. Here it is worth noting the distinction made by Keohane between an agreement, namely "explicit rules agreed by more than one state" and a regime which arises when states recognise an agreement as having continuing validity. See, Robert O Keohane, "The Analysis of International Regimes: Towards a European-American Research Programme", in Volker Rittberger (ed.), Regime Theory and International Relations, (Oxford: Clarendon Press, 1993), p. 28.
36. Koy Thomson, United Nations Conference on Environment and Development (UNCED): A User's Guide, No. 1, (London: IIED, March 1991), p. 7.
37. It will be recalled from Chapter 4 that the Tenth Session of the COFO also debated the restructuring of the TFAP.

38. See: FAO Document COFO-90/3(a), "Item 4 of the Provisional Agenda, Proposal for an International Convention on Conservation and Development of Forests", September 1990, paras. 14-22, pp. 3-4.

39. Jeff Sayer, "International initiatives for forest conservation", IUCN Forest Conservation Newsletter, Number 10, June 1991, p.1.

40. Stanley Johnson, "Rio's forest fiasco", Geographical Magazine, September 1992, pp. 26-27.

41. Chris Elliott, WWF International, pers.comm. (telephone conversation), 20 July 1992.

42. FAO document (unnumbered), "Report: Committee on Forestry, Tenth Session, Rome, 24-28 September 1990", para 20. p. 3.

43. Ibid., para 29, p. 4.

44. FAO, "Possible Main Elements of an Instrument (Convention, Agreement, Protocol, Charter, etc.) for the Conservation and Development of the World's Forests", draft, Rome, 18.10.90, (unpublished), Section V, "Main Obligations of the Parties", Article V.8, p. 12.

45. Ibid., Section I, "Preamble", Article I.2.a., p. 3.

46. Ibid., Article I.2.b., p. 3.

47. Ibid., Article I.2.c., p. 3.

48. Ibid., Section VI, "International Cooperation", Article VI.2, p. 19.

49. Ibid., Article VI.3, pp. 20-21.

50. The three principles previously appeared in a document circulated at the Tenth Session of the COFO. See FAO document COFO-90/3(a), op.cit., para. 34, p. 7. However, the significance of the FAO draft is that it linked these concepts, making them the cornerstone of a proposed global bargain around which forest conservation could be based.

51. International Tropical Timber Organization, ITTO Technical Series 5: ITTO Guidelines for the Sustainable Management of Natural Tropical Forests. (Yokohama: ITTO, December 1990). The draft guidelines were endorsed at the 8th Session of the International Tropical Timber Council in Bali, May 1990.

52. FAO draft, op.cit., Article V.2 (Formulation of National Forest Policy), p. 7, and Ibid., Possible Action 2 (Forest Policy), p. 2.

53. Article V.3 (National Forest Policy) of the FAO draft is a near-complete reproduction of Principle 10 (National Forest Service) of the ITTO Guidelines, and parts of the FAO's Article V.4 (Monitoring of Forest Resources: National Forest

Inventory) repeat Principle 4 (National Forest Inventory) of the ITTO Guidelines.

54. FAO draft, op.cit., Article VI.1.b., p. 18.

55. Ibid., Article VI.2.a, p. 19.

56. "Statement by Dr E Saouma, Director-General FAO" at the Second World Climate Conference, 6 November 1990 in Jäger and Ferguson (eds), op.cit., p. 532. See also, Edouard Saouma, "S.W.C.C.: An International Convention on Forest Conservation and Development", GENEVA NEWS and International Report, November 1990, pp. 23-4.

57. UN document A/CONF.151/PC/WG.1/L.18/Rev.1, "Revised decision submitted by the Chairman on the basis of informal consultations: Combatting deforestation", para 8, p. 4.

58. HWO Röbbel, Assistant to the Assistant Director-General, Forestry Department of FAO, pers.comm. (letter), 9 July 1992. For further details of FAO contributions to the UNCED preparations, see the reports to the FAO Council during the period 1990-2, for example: FAO document CL/99/18 "International Instrument on the Conservation and Development of Forests - FAO's Contribution to the Preparation of the United Nations Conference on Environment and Development (UNCED) in Forestry", May 1991; FAO document CL 100/7, "Progress Report on FAO's Contribution to the Preparations for the UNCED", October 1991; FAO document CL 102/6, "FAO Activities Related to Sustainable Development and Environment", August 1992, esp. pp. 16-17. In addition, FAO regional bodies considered the question of forestry issues in the UNCED process. For two examples see: FAO document FO:LAFC/91/3, "Latin American Forestry Commission, Seventeenth Session: An International Instrument for the Conservation and Development of the World's Forests", November 1990; and FAO document FO:AFWC/92/4, "African Forestry and Wildlife Commission, Ninth Session: Forestry Issues at the United Nations Conference on Environment and Development", May 1992.

59. See United Nations, Earth Summit Agenda 21: The United Nations' Programme of Action from Rio, (New York: United Nations Department of Public Information, April 1993), pp. 88-97.

60. UN document A/CONF.151/5, "Rio Declaration on Environment and Development".

61. In 1993 the Commission on Sustainable Development decided on a three year programme of work covering the years 1994-6. Forests is one of a cluster of issues to be considered at the 1995 session. See UN document E/1993/25/Add.1, "Report of the Commission on Sustainable Development on its First Session", 30 June 1993, p. 8.

62. The Intergovernmental Negotiating Committee on Climate Change was established by UN General Assembly Resolution 45/212, "Protection of global climate for present and future generations of mankind", adopted without a vote, 21 December 1990.

63. Thirty ratifications were required for the Biodiversity Convention to come into effect. Following the 30th ratification by Mongolia, the Convention came into effect on 29 December 1993. The Climate Change Convention required fifty ratifications, and came into effect on 21 March 1994. See Keesings Record of World Events, Volume 39, No. 12, December 1993, p. 39795.

64. The decision to establish the G15 was announced at the conclusion of the Ninth Non-Aligned Summit Meeting, Belgrade, September 1989. The original 15 members were Algeria, Argentina, Brazil, Egypt, India, Indonesia, Jamaica, Malaysia, Mexico, Nigeria, Peru, Senegal, Venezuela, Yugoslavia and Zimbabwe. See: Group of 15, The Summit Level Group of Developing Countries: Group of 15. (Geneva: Technical Support Facility of the Group of 15, 1992). At the Third Summit Meeting in Dakar, Senegal in November 1992 Chile was admitted as a G15 member, increasing the membership to 16. See: Group of 15, The Summit Level Group of Developing Countries: Group of 15, Issue No. 3. (Geneva: Technical Support Facility of the Group of 15, 1992), p. 1.

65. Thomson, op.cit.

66. "Canadian Statement on Deforestation and a Proposal for a Global Forest Convention" to Working Group I, Nairobi, 16 August 1990, (Corrected Version).

67. UNCED Decision 1/14. This decision is referred to in UN document A/CONF.151/PC/27, "Conservation and Development of Forests: Progress Report by the Secretary-General of the Conference", 5 February 1991, pp.1-2.

68. See endnote 74, Note on Nomenclature, below.

69. UN document A/CONF.151/PC/27, op.cit.

70. Membership included: representation from UN organs, namely the FAO, UNDP, UNESCO and the World Bank; one other intergovernmental organisation, namely the ITTO; two NGOs, namely IUCN and WRI; forestry experts from Japan, USA, UK (Oxford Forestry Institute), Canada, Finland, Brazil, Nigeria, Malaysia; and UNCED Secretariat officials, including the Senior Programme Advisor (Forestry). Stanley Johnson, member of the UNCED Working Party on Forests, pers.comm. (interview, Oxford), 24 July 1992, and Bernardo Zentilli, Senior Programme Advisor (Forestry), UNCED Secretariat, pers.comm. (interview, Geneva), 24 September 1992.

71. The Working Party on Forests was only one such group established during the UNCED process. In addition, at least five other Working Parties were established on oceans, freshwater, biodiversity, toxic chemicals and poverty (as noted in FAO document CL 100/7, op.cit., paras. 14 & 16, p. 4). The convening of small expert groups by UN specialised agencies, departments and conference secretariats is becoming increasingly commonplace in international environmental diplomacy. The working groups established under the auspices of the IPCC and at the Second World Climate Conference have already been noted. Further examples exist. UNEP established an Ad Hoc Working Group of Experts on Biological Diversity and an Ad Hoc Group of Legal and Technical Experts to deal with aspects associated with the

Biodiversity Convention. The meetings of these Groups are referred to in a document circulated prior to a satellite meeting of UN agencies in Geneva during UNCED PrepCom 2: "Suggestions for Increasing Agency Coordination to Support Convention Negotiations: Note prepared by the Secretary-General, UNCED, for Discussion at Meeting of Heads of UN Agencies on 21 March 1991, at 3.00 p.m.", dated 19 March 1991, pp. 1-2.

72. European Community, "Commission Staff Paper on the Drafting of an International Instrument for the Protection of Forests, For the second meeting of the UNCED PrepCom, (Geneva 18 March - 4 April 1991)", p. 4.

73. Stanley Johnson, pers.comm., (interview, Oxford) 24 July 1992.

74. Note on Nomenclature: The literature and documentation on the UNCED forests debate is not consistent in the nomenclature of groups established by the UNCED Secretariat and Working Group I. Note that there were two groups only. (a) The expert group referred to in this paper as the UNCED Working Party on Forests is referred to elsewhere as the Ad-Hoc Working Group on Forests, the Ad Hoc Group on Forests, the UNCED Inter-Agency Working Group on Forests and the UNCED Ad Hoc Working Panel on Forests. This group met three times only: 17-18 December 1990 (Geneva); 16-17 April 1991 (Geneva); and just before the 10th World Forestry Congress, 13-14 September 1991 (Paris). (b) The group established by Working Group I during PrepCom 2 was originally referred to as the Ad Hoc Subgroup on Forests. Confusingly, when the group was re-established in PrepComs 3 and 4, and at the UNCED in Rio, it was called the Contact Group on Forests.

75. Terms of Reference, Ad Hoc Subgroup on Forests as approved by Working Group 1 on Friday, 22 March [1991], 5 p.m. Also printed in: United Nations, General Assembly Official Records: Forty-Sixth Session, Supplement No.48(A/46/48), Report of the Preparatory Committee for the United Nations Conference on Environment and Development, Volume 1, (New York: United Nations, 1991), p. 55.

76. "E Mail briefing note on PrepCom II of UNCED", igc:lgoree, en.unced.gener, 5.08 am, Mar 26, 1991, signed, "Kimo". ("Kimo" is the pseudonym of Langston James Goree VI, a journalist who works within the NGO community at major UN conferences. He has played a leading role in the production of NGO newspapers at these events, and is now the Managing Director of the Earth Negotiations Bulletin. See endnote 141 below.)

77. The concept of "opportunity cost foregone" appeared in FAO documents prior to PrepCom 2. See FAO document COFO-90/3(a), op.cit., para. 34, p. 7, and FAO draft, op.cit., Article I.2.b, p. 3 and Article VI.2, p. 19. The concept had presumably been introduced to the FAO by governments of the South; in the UNCED forests debate the concept was frequently raised in discussions by the G77.

78. Maria Elena Hurtado, "Malaysia turns the tables on the North", Crosscurrents, PrepCom 2, No. 3, March 28 - April 3, 1991, p. 6. (Crosscurrents was an independent NGO newspaper produced during the UNCED PrepComs.)

79. "U.S. Statement on Forests" to PrepCom 2, Geneva, March 25, 1991.

80. UN document A/CONF.151/PC/WG.I/Misc.3, "Ad Hoc Subgroup, Forests, Draft Synoptic List: Compiled by the Secretariat on the Basis of Informal Consultations", 26 March 1991.

81. "E Mail briefing note on PrepCom II of UNCED", op.cit.

82. UN document A/CONF.151/PC/WG.I/Misc.3, op.cit., p. 4. These proposals included a free standing instrument, existing mechanisms such as ITTO, an International Forests Charter, a GFC, and protocols under a Climate Change and/or a Biodiversity Convention.

83. "E Mail briefing note on PrepCom II of UNCED, op.cit.

84. UN document A/CONF.151/PC/WG.I/L.18.

85. UN document A/CONF.151/PC/WG.I/L.18/Rev.1, "Revised decision submitted by the Chairman on the basis of informal consultations", para. 5, p. 3.

86. Ibid., para. 4, p. 2.

87. Ibid., para. 8, p. 4.

88. The origins of PC/65 illustrate the semi-formal and informal processes that occurred during the UNCED process. The second meeting of the UNCED Working Party on Forests produced a document entitled "Draft List of Guiding Principles for the Global Consensus on Forests". Endorsed "Not for Quotation", this document cannot be cited here. However, when PC/65 is compared with the UNCED Working Party document it is clear that the latter formed the basis of the former; the documents contain very similar wording. Furthermore, individual members of the Working Party informally circulated the document to solicit suggested improvements to the text. One such example can be documented. The original document was discussed at a meeting of the Forest Instrument Working Group of the UK Tropical Forest Forum (see Section 6.13 and endnote 183) attended by six individuals closely involved with international forests conservation policy in the UK, including Stanley Johnson, a member of the UNCED Working Party. Eleven recommended changes to the text were made at this meeting: "UK Tropical Forest Forum, Forest Instrument Working Group meeting, 20 May 1991, Minutes". These were faxed to the UNCED Secretariat by Johnson: Stanley Johnson, pers.comm. (interview, Oxford), 24 July 1992. Ten of these eleven recommended changes were incorporated by the UNCED Secretariat into PC/65.

89. UN document A/CONF.151/PC/65, "Guiding Principles for a Consensus on Forests", principle 3, p. 3. See also FAO draft, op.cit., Article I.2.b, p. 3.

90. UN document A/CONF.151/PC/65, Ibid., principle 4, p. 3. See also FAO draft, Ibid., Article I.2.c, p. 3.

91. UN document A/CONF.151/PC/WG.I/L.22, "A non-legally binding authoritative statement of principles for a global consensus on the management, conservation and development of all types of forest", Proposal submitted by Ghana (on behalf of the Group of 77), 16 August 1991.
92. UN document A/CONF.151/PC/85, "Beijing Ministerial Declaration on Environment and Development (adopted on 19 June 1991)", 13 August 1991, para. 6, p. 3.
93. UN document A/CONF.151/PC/WG.I/L.20, "Proposal on Forest Principles submitted by the United States of America", 14 August 1991, p. 2.
94. UN document A/CONF.151/PC/WG.I/L.24, "Proposal submitted by Canada: Guiding principles towards a global consensus for the conservation and sustainable development of all types of forests worldwide", 21 August 1991, p. 3.
95. The Technical Workshop to Explore Options for Global Forestry Management was held in Bangkok from 24-30 April 1991 following an offer made by Thailand at the Second World Climate Conference. Representatives from 24 countries and 6 UN departments or agencies attended. The Workshop was a hybrid forum; it was not an intergovernmental forum, nor was it a strictly a technical one. Representatives varied from Ambassadors, Ministers, civil servants and forestry managers to NGOs and independent consultants.
96. Ting was the head of the Malaysian delegation to UNCED WGI and Malaysian representative to FAO. She also represented Malaysia in the Bangkok Workshop. Hence in the period before the UNCED Malaysia argued a consistent position on the forests issue in all fora.
97. "Intervention Notes: H.E. Ting Wen Lian", in David Howlett and Caroline Sargent (eds.), Technical Workshop to Explore Options for Global Forestry Management, Bangkok, 1991, Proceedings, p. 246.
98. PrepCom 3, Malaysia, "Intervention Note on Agenda Item 3(a), Land Resources: Deforestation", p. 3.
99. Ghana held the Chairmanship of the G77 during PrepComs 2 and 3 and spoke, and introduced proposals, on behalf of the G77 during these PrepComs. By PrepCom 4, the G77 Chairmanship had moved to Pakistan, which then assumed the role of G77 spokesman.
100. Edward Kufuor quoted by: Pratap Chatterjee, "G77 rejects 'Stewardship'", Crosscurrents, PrepCom 3, No. 8, August 28-29, 1991, p. 4.
101. Daniel Nelson, "Malaysia 'worried about development' in UNCED", Crosscurrents, PrepCom 3, No. 5, August 21-22, 1991, p. 1.
102. UN document A/CONF.151/PC/WG.I/L.22, op.cit., Principle 1, p. 2.
103. UN document A/CONF.151/PC/85, op.cit., para. 7, p. 8.

104. UN document A/CONF.151/PC/WG.I/L.20, op.cit., p. 3.
105. PrepCom 3, Statement made by India, "Forestry", (undated), p. 4.
106. Prepcom 3, Malaysia, "Intervention Note...", op.cit., Section (ii), Financial Cooperation, pp. 6-7.
107. "E mail briefing note on PrepCom II of UNCED", op.cit., and "Intervention Notes: HE Ting Wen Lian" in Howlett and Sargent (eds.), op.cit., pp. 248-9.
108. UN document A/CONF.151/PC/WG.I/L.22, op.cit., principle 10, p. 2.
109. Ibid., principle 8.
110. "Statement by the Representatives of Ghana on behalf of the Group of 77 in Working Group I on item 3(a): Land Resources: Deforestation, Geneva, 15 August, 1991", p. 2.
111. "Intervention Notes: HE Ting Wen Lian" in Howlett and Sargent (eds.), op.cit., p. 246.
112. On the New International Economic Order see: Lors Anell and Birgitta Nygren, The Developing Countries and the World Economic Order, (New York: St. Martin's Press, 1980); Gamani Corea, Need for Change: Towards the New International Economic Order, (Oxford: Pergamon Press, 1980); Roger D Hansen, Beyond the North-South Stalemate, (New York: McGraw-Hill, 1979); Davidson Nicol *et al* (eds.), Regionalism and the New International Economic Order, (Oxford: Pergamon Press, 1981); Robert K Olson, U.S. Foreign Policy and the New International Economic Order: Negotiating Global Problems, 1974-1981 (Boulder CO: Westview Press, 1981); Karl P Sauvant, Changing Priorities on the International Agenda: The New International Economic Order, (Oxford: Pergamon Press, 1981).
113. Anon. (leading article), "A stirring in the forest", Crosscurrents, PrepCom 2, No. 3, March 28 - April 3, 1991, p. 2.
114. UNCED Secretary-General Maurice Strong notes the centrality of the issues of financial resource transfer and technology transfer in the UNCED process in: Maurice F Strong, "ECO '92: Critical Challenges and Global Solutions", Journal of International Affairs, Volume 44, No. 2, Winter 1991, p. 291.
115. UN document A/CONF.151/PC/85, op.cit., para. 21, p. 6.
116. Ibid., para 23, p. 7. See also UN document A/CONF.151/PC/86, "Proposal submitted by the Delegation of the People's Republic of China, The Green Fund", 15 August 1991, for full details of the proposal submitted at PrepCom 3.
117. As noted in UN document A/CONF.151/PC/86, Ibid., para. 10, p. 3.
118. Ibid., para 12, p. 4.

119. The Global Environmental Facility (GEF) was established in November 1990 and is jointly administered by the World Bank, UNDP and UNEP. Chairmanship of the GEF resides with the Director of the World Bank's Environment Department. The GEF was established to deal with four main global environmental problems: global warming; pollution of international waterways; destruction of biological diversity; and ozone depletion. During the UNCED process, the North advocated the GEF as the mechanism for multilateral cooperation in addressing global environmental concerns.
120. PrepCom 3, Malaysia, "Intervention Note...", op.cit., p. 4.
121. "Statement by the Representative of Ghana...", op.cit., p. 2.
122. PrepCom 3, Statement made by India, op.cit., p. 4.
123. UN document A/CONF.151/PC/WG.I/L.22, op.cit., principles 12 and 13, p. 3.
124. See section 6.7 above.
125. PrepCom 3, Statement made by India, op.cit., p. 3.
126. UN document A/CONF.151/PC/WG.I/L.22, op.cit., Principle 11, p. 3.
127. UN document A/CONF.151/PC/L.41, "China and Ghana (on behalf of the Group of 77): draft decision, Financial resources", para. (e), p. 2.
128. Ibid., para (f).
129. UN document A/CONF.151/PC/WG.I/L.20, op.cit., para. 26, p. 9
130. Jennifer White, "US pushes green conditionality", Crosscurrents, PrepCom 3, No. 9, August 30-31, 1991, p. 8.
131. This process is noted in: UN document A/CONF.151/PC/WG.I/CRP.14/Rev.2, "A non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests", 13 December 1991, p. 1.
132. UN document A/CONF.151/PC/WG.I/CRP.14, "A non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests".
133. UN document A/CONF.151/PC/WG.I/CRP.14.Rev.1, "A non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests", 3 September 1991.
134. These clauses included: the guiding objective of the principles was to "achieve the management, conservation and sustainable development of forests" [Ibid., Preamble para. (d), p. 1], and "All aspects of environmental protection and social and economic development as they relate to forest lands should be integrated and comprehensive" [Ibid., Principle 3(b), p. 3].

135. "Statement by the Representatives of the Netherlands on behalf of the European Community and its member states, Working Group I, Agenda Item 3a: Conservation and Development of Forests, (Geneva, 14 August 1991)". Among the EC governments, Germany was one of the strongest advocates for a GFC, and in a statement at PrepCom 3 argued that "A convention should be ready for signature within a period of two years after UNCED '92": "Statement by the German Delegation: 3rd Session of the UNCED PrepCom, Geneva, 12 August - 4 September 1991, WG I, Agenda item 3 (a)", para. 7.

136. UN document A/CONF.151/PC/120, Annex I, "African Common Position on Environment and Development", adopted at the Second Regional African Ministerial Preparatory Conference for the UNCED, Abidjan, 11-14 November 1991, para. 20, p. 10.

137. "Address given by the President of Venezuela. Mr Carlos Andres Perez, at the opening ceremony of the Group of 15 summit meeting", Caracas, 27-29 November 1991, p. 4. (The author is grateful to Dr. Peter Willetts for obtaining, and drawing his attention to, this document.)

138. "Joint Communique, Second Meeting of the Summit Level Group for South-South Consultation and Cooperation (Group of 15)", Caracas, 27-29 November 1991, para. 35 "Role of technology", p. 8.

139. UN document A/CONF.151/PC/WG.I/L.46, "Text submitted by the Vice-Chairman of the Working Group, Mr Charles A. Liburd (Guyana)...", 1 April 1992.

140. John Mukela, "Forests: In search of principles", Development Forum, Volume 20, No. 3, May-June 1992, p. 11.

141. Earth Summit Bulletin, 31 March 1992, Volume 1, No. 22, pp. 1-2. The Earth Summit Bulletin was an NGO newspaper produced at UNCED PrepCom 4 and at the UNCED in Rio by Langston James Goree VI. Since Rio, Goree now produces the Earth Negotiations Bulletin at various selected UN conferences. (See endnote 76 above.) On the subject of financial resources note also that the draft decision submitted by China and the G77 at PrepCom 3 on financial resources was reissued in a revised form: UN document A/CONF.151/PC/L.41/Rev.1, "China and Pakistan (on behalf of the Group of 77): revised draft decision: Financial resources and mechanisms", 10 March 1992.

142. UN document A/CONF.151/6, "Non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests", 21 April 1991, principles 7 (b), 9(a), 10, 11 and 12, pp. 5-7.

143. Press Notice 1/92, High Commissioner for Malaysia, London, "Speech by the Prime Minister of Malaysia, Dato' Seri Dr Mahathir Mohamad at the official opening of the Second Ministerial Conference of Developing Countries on Environment and Development, Kuala Lumpur on Monday 27 April 1992", para. 9.

144. Ibid., para. 7.
145. Ibid., para. 11.
146. Press Notice 2/92, High Commissioner for Malaysia, London, "The Kuala Lumpur Declaration on Environment and Development issued at the end of the Second Ministerial Conference of Developing Countries on Environment and Development on 29 April 1992", para. 11.
147. Ibid., paras. 4, 10 and 12.
148. Ibid., para. 14.
149. Ibid., para. 24.
150. Ibid., para. 25.
151. Ibid., para. 15.
152. This account of the UNCED organisation draws heavily from the Earth Summit Bulletin, Volume 2, No. 13, 16 June 1992, p. 1.
153. The Contact Group Chairmen were referred to as "Issue Coordinators" at Rio.
154. Earth Summit Bulletin, Volume 2, No. 13, 16 June 1992, p. 9.
155. US chief negotiator Curtis Bohlen cited by: John Vidal and Paul Brown, "Deadlock in talks about aid cash", The Guardian, 10 June 1992, p. 8.
156. Earth Summit Bulletin, Volume 2, No. 13, 16 June 1992, pp. 5-7.
157. Ibid., p. 7-9.
158. Ibid., p. 9.
159. Christina Lamb considered the Indian delegation to have been the most vociferous in refusing to agree to a future GFC, in "Forests set fire to world passions", Financial Times, 15 June 1992, p. 5. John Vidal considers that both India and Malaysia led the resistance in the South, in "Good intentions doomed by gulf between rich and poor", The Guardian, 15 June 1992, p. 6. Nicholas Schoon also notes the hard line taken by India and Malaysia, in "Plan of action agreed but who pays", The Independent, 15 June 1992, p. 10.
160. Stanley Johnson, "Introduction: Did We Really Save the Earth at Rio?" from Stanley Johnson (ed.), The Earth Summit: the United Nations Conference on Environment and Development, (London: Graham and Trotman, 1993), p. 6.
161. UN document A/CONF.151/6/Rev.1, "A non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests" (final version), Preamble (d), p. 1.

162. Ibid., principle 1(a), p. 2. This principle is a verbatim reproduction of principle 21 of the Stockholm Conference on the Human Environment (see Chapter 3).

163. Ibid., principle 4, p. 3.

164. Ibid., principle 9(a), p. 5.

165. Ibid., principle 3(e), p. 7.

166. Ibid., principle 15, p. 7.

167. Ibid., principle 7(a), p. 4.

168. UN General Assembly resolution 47/190, "Report of the United Nations Conference on Environment and Development", adopted without a vote, 22 December 1992, para. 2.

169. United Nations, Supplement No.49(A/44/49), op.cit., para. 12, p. 155.

170. In other words, the first decision of the first PrepCom. See United Nations, General Assembly Official Records: Forty-Fifth Session, Supplement No. 46 (A/45/46), Report of the Preparatory Committee for the United Nations Conference on Environment and Development. (United Nations: New York, 1991): paras. 52-57, p. 12, detail the debate in PrepCom 1 that led to Decision 1/1; pp. 22-3 show the text of Decision 1/1.

171. The UN General Assembly authorised the UNCED Preparatory Committee "to continue to apply, for the purpose of the preparatory process, the provisional arrangements agreed upon in [Decision 1/1] concerning the participation of non-governmental organizations...": UN General Assembly Resolution 45/211, "United Nations Conference on Environment and Development", adopted without a vote, 21 December 1990, para. 13.

172. UN General Assembly Resolution 46/168, "United Nations Conference on Environment and Development", adopted without a vote, 19 December 1991, para. 9(f).

173. As noted in UN document A.CONF.151/PC/41, "Report of the Secretary-General of the Conference", 16 July 1991, para 2.9, p. 9.

174. The minutes reveal that attendance at EESI World Forest Agreement Working Group meetings varied between 16 and 31. All meetings were held in Washington DC. Among those attending from Capitol Hill were representatives of the Senate Agriculture Committee, the Senate Committee on Environment and Public Works, the House of Representatives Foreign Affairs Committee and the House of Representatives Subcommittee on National Parks and Public Lands. NGO representatives included the Sierra Club, the World Resources Institute, IUCN-US and WWF. In addition, the World Bank was represented. Copies of the minutes of these meetings were kindly sent to the author by Gareth Porter of the EESI.

175. Gareth Porter, Environmental and Energy Study Institute, pers.comm. (letter), 17 August 1992.

176. The minutes of the EESI World Forest Agreement Working Group meeting of 14 November 1990 reveal that six subgroups were formed: International Trade and Resource Flows; Climate Change; National Social and Economic Policies; Protection and Sustainable Management; Indigenous Forest People; Monitoring and Accounting.

177. CAPE '92, "Intervention to Working Group I, 15 August 1991", Liz Barratt-Brown, Natural Resources Defense Council.

178. Actor linkage between the EESI and the Audobon Society initiatives was provided by the World Resources Institute IUCN-US and the Sierra Club, all of which sent representatives to the EESI's World Forest Agreement Working Group and were also represented at the Audobon Society's Global Forest Working Group.

179. Porter, pers.comm., op.cit.

180. Koy Thomson (ed.), The UK NGO Agenda for the Earth Summit. UNEP-UK National Committee 1992 "Earth Summit" Report. Executive Summary: 28th February 1992, (London: United Nations Environment Programme UK National Committee, 1992), p. 1.

181. Ibid.

182. For details of this meeting see Anon., "NGOs warm up to UNCED", Geographical Magazine, October 1991, p. 2.

183. "Tropical Forest Forum Mandate", in UK Tropical Forest Forum News, Issue 1, August 1991, p. 2. Note that the UK TFF formed a Forest Instrument Working Group for the duration of the UNCED forests debate. See endnote 88 above.

184. "UK Tropical Forest Forum, Minutes of the Second Meeting, 8 October 1991, Church House, Westminster, London".

185. "Record of discussions held in UNEP-UK Workshop 6, Subgroup Forests", p. 1.

186. Thomson (ed.), op.cit., pp. 28-29.

187. For example, the meeting of 2-4 September 1991 took place in Rome. Note that the Forests Working Group is just one such WWF body. There also exists a Pollution Working Group, a Biodiversity Working Group, and a Programme Committee. Joint meetings of these groups occasionally take place.

188. "WWF Statement, Need for a Global Forests Convention" (undated, prepared for lobbying at PrepCom 2); World Wide Fund for Nature, Action for UNCED. (Gland, Switzerland: WWF International, July 1991), p. 3 (prepared for lobbying at PrepCom 3).

189. Friends of the Earth, Special Briefing: UNCED, Brazil 1992, and the Conservation of the World's Forests. (London: Friends of the Earth, May 1991), pp. 3-4.
190. Anil Agarwal and Sunita Narain, "Superforestry from Washington and Rome", Economic Times (India), 14 July 1992.
191. Jennifer White, "North 'controls the UNCED agenda'", Crosscurrents, PrepCom 3, No. 1, August 12-13 1991, p. 1.
192. Fred Pearce, "No Southern comfort at Rio?", New Scientist, 16 May 1992, p. 40.
193. Ian H Rowlands, "The International Politics of Environment and Development: The Post-UNCED Agenda", Millennium: Journal of International Studies, Volume 21, No. 2, Summer 1992, p. 217.
194. Gareth Porter of the Environmental and Energy Study Institute, Washington, pers.comm. (letter), 17 August 1992.
195. "NGO Recommendations for Textual Amendments to Forest-Related Documents: Forest Principles (CRP.14/Rev.2) and Agenda 21 (PC/100/ADD.16), PrepCom IV, 16 March 1992". An amended version of this document was circulated to government delegates at Rio.
196. "The forest convention is ecologically unsound, anti-poor and politically dangerous...", signed by 25 NGOs, Rio de Janeiro, 9 June 1992. This document is reproduced in, Anil Agarwal and Sunita Narain, "Forests of Global Contention", Down to Earth, 15 July 1992, pp. 22-3.
197. Porter, pers.comm., op.cit.
198. UN document A/CONF.151/PC/WG.I/L.22, op.cit.
199. UN document A/CONF.151/PC/WG.I/CRP.14, op.cit.
200. See UN document A/CONF.151/6/Rev.1, op.cit., paras. 2 (b), 2 (d), 5 (a) and 12 (d).
201. It has already been noted that WWF and Friends of the Earth campaigned during the UNCED process for the rights of local communities and indigenous peoples to be recognised in a GFI. For other NGO views see, Khor Kok Peng, "Stopping Forest Destruction: What a Forest Convention Should Look Like", Third World Resurgence, No. 2, p. 2; "Towards an Ecologically Sound and Socially Just International Convention on Forests and Forest Peoples: Statement by representatives of environment NGOs and indigenous peoples at a meeting of Hassocks, United Kingdom, 29-31 July 1990, in Ibid. pp. 3-4. The Hassocks meeting arose from an initiative by the Gaia Foundation, London, the aim of which was "to set a networking process in motion whereby there will be a regular flow of information between Forest People, NGOs in the North and South, and officials in government and institutions working in forests issues": Gaia Foundation memorandum, "Project for Developing an International

Statement and Strategies for Protecting Forests and Forest Peoples: Project Proposal", p. 4.

202. Published statements include: World Rainforest Movement, "NGO version of an effective forest statement" (statement circulated at PrepCom 3), Third World Resurgence, Nos. 14/15, October-November 1991, pp. 52-3; Coordinating Body for the Indigenous Peoples' Organisations of the Amazon Basin, "Indigenous peoples speak up on UNCED, forests & their rights" (statement made to PrepCom 3), in Ibid., pp. 53-4. An unpublished statement made to PrepCom 2 was Martin Khor Kok Peng, "Resolving the Forest Crisis: North-South Dimensions and UNCED's role", Geneva, March 1991. Two unpublished statements made to PrepCom 3 were: Mutang Urud, "Statement to the Third Preparatory Committee meeting of UNCED on the issue of forests" (Urud is a member of a Sarawak forest tribe); and Friends of the Earth International, "Saving the Tropical Rainforests: Is UNCED to be a wasted last chance?".

203. A statement was made to PrepCom 4 by representatives from indigenous peoples, nomadic pastoralists, peasants and environmental organisations, signed by 22 individuals. This is published in Marcus Colchester and Larry Lohmann (eds.), The Struggle for Land and the Fate of the Forests, (London: Zed Books, 1993), pp. 333-6.

204. Tony Juniper, Senior Rainforest Campaigner, Friends of the Earth, pers.comm. (interview, London), 12 August 1992.