The Ecological Political Economy of Global Environmental Cooperation:
A Case Study of the International Tropical Timber Organisation in
the Making of the Tropical Timber Trade Regime

by Fred P. Gale, M.A.

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfillment of
the requirements for the degree of

Doctor of Philosophy

Department of Political Science

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ENVIRONMENTAL COOPERATION: A CASE STUDY OF THE
INTERNATIONAL TROPICAL TIMBER ORGANIZATION IN THE MAKING OF THE
INTERNATIONAL TROPICAL TIMBER TRADE REGIME**

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in partial fulfilment of the requirements
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Abstract

In the 1980s, growing global concern over the health of tropical forest ecosystems prompted several international initiatives to be launched for their protection. In spite of the efforts of the Food and Agricultural Organization, the International Tropical Timber Organization, the Tropical Forestry Action Plan, and the United Nations Conference on Environment and Development, the destruction of tropical rainforests continues. This study investigates why the expressed concern of the international community has not translated into a practical and effective strategy that achieves a balance between tropical rainforest utilization and conservation.

An innovative approach is adopted that deploys the regime concept within a neo-Gramscian theoretical framework informed by the work of Robert Cox. The critical regime perspective is applied to the case of the International Tropical Timber Agreement, 1983, negotiated under the auspices of the United Nations Conference on Trade and Development's Integrated Programme for Commodities. The investigation reveals the struggles that have occurred among four global actors—producing-country governments, consuming-country governments, the tropical timber industry, and environmentalists—over the rights, rules, decision-making procedures and compliance mechanisms of the Tropical Timber Trade Regime (TTTR). The thesis argued is that the lack of progress in balancing tropical forest utilization and conservation results from the formation of a tacit alliance between producing- and consuming-country governments and the tropical timber industry to block the negotiation of the norms, procedures and compliance mechanisms required to instantiate a genuinely sustainable TTTR.

The case of the ITTA, 1983 supports the dissertation's thesis. In the debates and negotiations that took place over guidelines for sustainable forest management, certification and labelling, and the ITTO Mission to Sarawak, the expressed concerns of the ENGO coalition were consistently overruled by other global actors intent on preserving industry profits, government revenues, and economic growth and development. The dissertation concludes that further, intensive, theoretical and practical political action by the environmental movement is required to break this government-industry alliance. Environmentalists must continue to deconstruct and reconstruct the three key sets of ideas that make the alliance possible—"sustainable forest management", modern economic theory, and unqualified state sovereignty.

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The cooperation of a large number of organizations and individuals made this study possible. I would like to thank the Tri-Council Secretariat for granting me an Eco-Research Doctoral Fellowship and the International Development Research Centre (IDRC) for its Young Canadian Researcher Award. The former enabled the research to be carried out without pressing financial worries, while the latter permitted an extended field trip to Europe, Asia and North America to gather information and interview key informants.

I am also deeply indebted to Carleton's Department of Political Science for accepting me into its Ph.D. programme, providing financial assistance, and creating an academic environment that was theoretically rigorous, yet open to interdisciplinary studies of this nature. I am especially grateful to Dr. Michael Dolan, my supervisor, and Drs. Jane Jenson and Barbara Jenkins, my advisors, who forced me to continuously question my assumptions and arguments. The dissertation is much improved as a result of their thoughtful comments.

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Glossary of Acronyms

AFSE:	Annual Forecasting and Statistical Enquiry
CFCs:	Chlorofluorocarbons
CIFOR:	Centre for International Forestry Research
CITES:	Convention on International Trade in Endangered Species.
COFO:	The Committee on Forestry of the Food and Agriculture Organization of the United Nations.
CTR:	The Commodity Trade Regime
DTI:	The Department of Trade and Industry, United Kingdom.
ENGO:	Environmental Non-Governmental Organization.
EU:	European Union, formerly European Community.
FAO:	Food and Agriculture Organization of the United Nations
FML:	Forest Management License.
FoE:	Friends of the Earth
FSC:	Forest Stewardship Council
GATT:	General Agreement on Tariffs and Trade
GWG:	Guidelines Working Group
ICA:	International Commodity Agreement
ICO:	International Commodity Organization

IIED:	International Institute for Environment and Development
IMF:	International Monetary Fund
IPC:	Integrated Programme for Commodities
ITR:	International Trade Regime
ITTA	International Tropical Trade Agreement
ITTB:	International Tropical Timber Bureau
ITTC:	International Tropical Timber Council
ITTO:	International Tropical Trade Organization
IUCN:	International Union for the Conservation of Nature
LEEC:	London Environmental Economics Centre
LKS:	Lesser Known Species
MFN:	Most-Favoured Nation principle
MNS:	Market News Service
NGO:	Non-Governmental Organization.
ODA:	Overseas Development Administration, United Kingdom.
OFI:	Oxford Forestry Institute
OPEC:	Organization of Petroleum Exporting Countries.
PCF:	Permanent Committee on Reforestation and Forest Management
PCI:	Permanent Committee on Forest Industry

PCM:	Permanent Committee on Economic Information and Market Intelligence
Prepcoms:	Preparatory Committees
SAM:	Sahabat Alam Malaysia
SYFM:	Sustained-Yield Forest Management.
TFAP:	Tropical Forestry Action Plan
TTTR:	Tropical Timber Trade Regime.
UCBT:	Union pour le commerce des bois tropicaux dans la Communauté Economique Européenne.
UNCED:	United Nations Conference on Environment and Development
UNCTAD:	United Nations Conference for Trade and Development
UNDP:	United Nations Development Program
UNEP:	United Nations Environment Program
WB:	World Bank
WRM:	World Rainforest Movement
WWF:	World Wide Fund for Nature

CHAPTER ONE

INTRODUCTION AND OVERVIEW

The Tropical Rainforest Crisis

"Crisis" is an overworked term in the English language. It is used to describe everything from the smallest of domestic problems (the baby-sitter cancels at the last minute) to the largest, most dramatic of global events (Bosnia). The term implies that the events identified as crises require urgent and careful attention demonstrating an individual's or a nation's coping capacity. The substitute baby-sitter quickly engaged and the multinational peace-keeping force rapidly assembled and deployed both demonstrate a capacity to manage the situation and to cope.

Three conditions are necessary to provoke a crisis response. First, the event in question must be appropriately labelled. Not all events are crises and not all crises are immediately self-evident. Failure to distinguish a genuine crisis event from the myriad of activity that constitutes daily life means that the crisis response is never initiated. Later on, of course, it may be too late. In addition, an individual or society must be sufficiently touched by the crisis to mobilize the resources necessary to deal with it. Mobilizing peace-keeping forces to defend Bosnia has proved more difficult than for Kuwait, in part because vital U.S. interests are not at stake. Finally, the resources mobilized—human, physical, technological and financial—must be sufficient to manage the crisis.

In the postwar period, there was no general perception that tropical rainforest deforestation and degradation constituted a crisis. Then, during that 1980s, and largely at the instigation of environmentalists, governments, the tropical timber industry and professional foresters began to label rapid tropical deforestation a crisis of global proportions. Growing awareness of biodiversity loss, the important role played in carbon fixation, and decreases in the supply of valued hardwoods ensured that the looming crisis touched many people in Europe, Asia, Latin America and North America.

In that decade, growing awareness of a tropical rainforest crisis prompted governments to undertake a number of initiatives. In addition to regular meetings of the United Nations Food and Agricultural Organization's (FAO's) Committee on Forestry (COFO), the text of the International Tropical Timber Agreement (ITTA, 1983) was adopted in 1983 and ratified in 1985; the Tropical Timber Action Plan (TFAP) was launched in 1985 and expanded into a programme in 1987; and several Preparatory Committees (prepcoms) debated and negotiated a possible Global Forest Convention in the run up to the United Nations Conference on Environment and Development (UNCED) in 1992.

The above initiatives, and others at the national and regional level, appeared to indicate that once the global community recognised and appreciated the nature and extent of the tropical deforestation and degradation crisis, it mobilized to cope with it. But how adequate has the response been? Has an appropriate strategy been adopted? Have sufficient resources been mobilized? What

indications are there that tropical deforestation and degradation rates are stabilizing or declining? Is biodiversity being protected?

Unfortunately, only negative answers to these questions can be given and data currently available suggest that tropical rainforests continue to be degraded and deforested in the 1980s and 1990s. The widespread perception of a tropical deforestation crisis on the one hand and the failure of the global community to deal with it effectively on the other is the central focus of this dissertation. Specifically, the research question asks: why is tropical deforestation and rainforest degradation proceeding at a rapid pace in the 1990s in spite of the global community's efforts to slow it down and reverse it? A good answer to this question might help us provide solutions not only to the tropical deforestation crisis, but also to a looming crisis in temperate and boreal forests and perhaps to natural resource management crises in other sectors, most notably the global fisheries crisis. In this study, an answer is sought by first elaborating a general ecological political economic approach to international cooperation and then applying the approach to the specific instance of the ITTA, 1983.

A Critical Approach to International Regimes

The complexity of the tropical rainforest crisis requires a theoretical framework that permits its ecological, economic, political and legal dimensions to be investigated. The literature on the international regime approach as developed by John Ruggie and Oran Young offers one such approach. Young's efforts to apply the

approach to natural resource regimes is particularly relevant. The regime concept is currently deployed, however, almost exclusively in neorealist, neoliberal and institutionalist theoretical paradigms. As a result, the concept's deployment tends to legitimatise a government perspective in the debates, negotiations and bargaining that take place in international fora. To understand why government efforts to resolve the tropical deforestation crisis have been unsuccessful, we require that the concept be deployed within a critical theoretical framework, which stands back from existing political economic structures and questions their naturalness, inevitability and desirability.

A neo-Gramscian theoretical framework developed by Robert Cox, Stephen Gill and David Law such provides a critical, international political economic framework that is sensitive to the role that social forces, ideas and institutions play in structuring and restructuring local, regional and global practices. The deployment of the international regime concept within a neo-Gramscian theoretical framework enables us to engage in a critical examination of efforts to resolve the tropical deforestation and rainforest degradation crisis and to elaborate an understanding of how genuinely sustainable global governance might be possible.¹ While deployment of the regime concept within critical theory will strike some as mere eclecticism, it is defended here for its theoretical and practical utility

¹ The concept of "governance" is used here to distinguish it from the more hierarchical concept of "government". Structures of governance do not, therefore, presume the need for a centralized, hierarchical governing apparatus with the coercive means to force compliance.

in drawing attention to a shadowy but emergent realm of global rights, rules, decision-making procedures and compliance mechanisms that is as definitely not *nothing* as surely as it is *not* global government.

The Existence of Blocking Coalitions

The deployment of the international regime concept within a critical, neo-Gramscian theory of international organization provides the context for the development of some interesting hypotheses concerning the relationships among the national and global social forces that contest the construction of a tropical timber trade regime (TTTR). The dissertation's central thesis is that those who benefit from the current normative structure governing tropical rainforests have formed a blocking coalition to prevent the regime's necessary restructuring to ensure genuinely sustainable management of tropical rainforests and the long-term, continuous supply of tropical timber.

This thesis, advanced to explain the particular circumstances of tropical deforestation and rainforest degradation, is part of a more general thesis concerning the capacity of the international community to negotiate and implement truly sustainable international environmental agreements. In the past 15 years, only a few of the many international environmental agreements can be regarded as "successful". In most cases, genuinely sustainable international environmental agreements backed by tough, rigorously monitored and enforced sanctions have not been

negotiated. Could it be that the specific case of tropical rainforests is part of this more general phenomenon?

Evidence for the more general thesis comes from a surprising source. The negotiation of the Montreal Protocol to control ozone-depleting substances is frequently cited as the paradigmatic example of international environmental cooperation and the negotiation of an effective international environmental agreement. Yet Parson, in an extensive review of its negotiation, observes that:

The more serious reservation, though, is that the Protocol probably represents the right measures enacted too late....It is not likely that the 1987 Protocol could have been negotiated any faster than it was; its negotiation, ratification, implementation, and amendment all took place with remarkable speed....But the 1985 Convention, whose only innovations beyond the 1977 declaration were a dispute resolution process and the status of the EC, took eight years to negotiate. Roughly speaking, opponents of international controls blocked the authorization of a negotiating body for four years, then advocates and opponents of controls deadlocked for four years.²

Who were these opponents of controls, according to Parson? They were none other than CFC producers and users, which in 1980 "formed a new lobby group, the Alliance for Responsible CFC Policy, which waged a strong anti-regulatory campaign."³ Only in 1986, after DuPont announced that CFC substitutes could be available in five

² Edward A. Parson, "Protecting the Ozone Layer", in Peter M. Haas, Robert O. Keohane and Marc A. Levy, *Institutions for the Earth: Sources of Effective International Environmental Protection* (Cambridge, Massachusetts: MIT Press, 1993), p. 72.

³ *Ibid.*, p. 36.

years, did the board of the Alliance endorse the idea of CFC controls and the United States government finally begin to take the lead in the negotiations.⁴ In short, evidence exists in other issue areas that representatives of social forces with interests in maintaining the *status quo* have formed blocking coalitions to prevent the negotiation of effective international environmental agreements. The current study investigates this more general hypothesis by examining the specific case of the International Tropical Timber Agreement, 1983 (ITTA,1983).

ITTA, 1983

The ITTA, 1983—and the international commodity organization that was established as a result, the International Tropical Timber Organization (ITTO)—was one of the few "successes" of the United Nations Conference on Trade and Development's Integrated Programme for Commodities (UNCTAD/IPC). After tough negotiations between governments that produced and consumed tropical timber that lasted over six years, agreement was finally reached on the text of an Agreement at the Palais des Nations in Geneva, in March 1983. Although the ITTA,1983 was not the only initiative to be taken by the international community in the 1980s in the tropical forest issue area, the debates that took place at the ITTO were an integral and important component of international efforts to restructure the rights, rules, compliance mechanisms and decision-

⁴ *Ibid.*, p. 34-45.

making processes of global actors in relation to the trade in tropical timber products.

The international debate focused on defining the concept of "sustainable forest management", developing guidelines for best practice, and identifying criteria, indicators and norms to permit forest officials to measure the extent to which practices complied with guidelines. Another issue on the global agenda was the use of "incentives" to ensure compliance with "sustainable forest management" guidelines. A debate took place on the efficacy of proposals for bans, boycotts, tariffs, quotas, levies, tax-transfers, certification, labelling, project and programme financing to encourage better tropical forest management. A range of other matters was also debated, including the extent and seriousness of the tropical deforestation problem and the tropical timber trade's contribution to it; the need for better forestry and trade statistics to improve analyses of deforestation, degradation and the operation of the tropical timber market; the level of funding required to ensure the implementation of "sustainable forest management" and how such funds might be raised; and the desirability and content of a Global Forest Convention.

Although the ITTA,1983 was unique in that its mandate focused exclusively on the tropical timber trade, many of the above issues were debated at length at biannual meetings of the ITTO. The case of the ITTA/ITTO offers the possibility of examining in considerable detail, therefore, the struggles that took place among global actors representing different interests over the rights, rules

and compliance mechanisms of a tropical timber trade regime (TTTR). The study of the formal and informal bargaining among global coalitions that took place at the ITTO to elaborate the TTTR's normative structure—specifically guidelines and incentives for "sustainable forest management"—enables us to identify the existence of a blocking coalition that prevented the implementation of a genuinely sustainable international environmental agreement.

Research Approach and Methodology

The research approach adopted is the individual case study. There are advantages and disadvantages to such an approach. A major advantage is that it enables a thorough investigation of a specific instance of international cooperation. The approach is particularly useful when applying a new theoretical approach. Although there are many studies that deploy the regime concept, none has been carried out from within a critical, neo-Gramscian perspective. The case study approach helps to determine the utility of a novel approach in a concrete instance. If it proves useful in elucidating the bargaining among global actors over a specific regime's structure, then the approach might be extended to other issue areas. A major disadvantage is that we must be circumspect in generalising our findings based on a single case study.

A broad arrange of research tools has been used to examine the ecological political economy of regime formation. These have included primary and secondary literature reviews, key-informant interviews, and statistical analysis. The secondary

literature is vast, given the multidisciplinary nature of the current investigation. The secondary literature reviewed consisted of books and articles on tropical forestry (the functions of forests, the causes of deforestation, tropical biology and biodiversity, harvesting and silvicultural systems); the economic and political economic structure of the tropical timber trade (commercial species traded, timber products traded, industry structure, supply and demand, end markets); the regime literature (realism, neorealism, neoliberalism, institutional approaches); and critical International Relations' literature (Gramscian and neo-Gramscian IR theory, comparative literature on the state).

The primary literature consulted derives from many different sources. Much useful material came from ITTO publications, most especially detailed "Draft Reports" of the sixteen ITTO Council Sessions, which spanned the years 1983 to 1994. These reports provide a wealth of information about the debates that took place at the biannual Council Sessions, those who attended, the projects that were approved and the formal decisions that were taken. The Draft Reports include accounts not only of the Plenary Sessions, but also of the proceedings of each of the three Permanent Committees. A close reading of these reports enabled some tentative hypotheses to be formed about the structure and operation of the ITTO and the critical debates that had taken place within it over its first decade.

In addition to the Draft Reports, ITTO has commissioned many studies on various aspects of the tropical timber trade that include studies of sustainable forest management, of the potential of

Lesser Known Species (LKS), and of end markets for tropical timber products in Japan and Europe. The ITTO also produces an "Annual Review and Assessment of the World Tropical Timber Situation", which provides detailed statistics from members on forest status and tropical timber products traded.

Apart from the primary literature produced by the ITTO on the ITTO's proceedings, literature was obtained from a large number of other organizations participating directly in ITTO meetings and/or engaged directly themselves in debates on tropical rainforest and the timber trade. Literature was obtained from inter-governmental sources such as the United Nations Food and Agriculture Organization (FAO), the Centre for International Forestry Research (CIFOR), the International Union for the Conservation of Nature (IUCN), the European Union (EU) and the Forest Stewardship Council (FSC). Information was obtained directly and indirectly from the governments of Canada, Germany, Indonesia, Japan, Malaysia, the Netherlands and the United Kingdom.

Information was also obtained directly and indirectly from the many non-governmental organizations, both profit and non-profit, that attended ITTO meetings. These organizations included: Friends of the Earth—United Kingdom, Geoffrey Pleydell Market Development and Information Services, International Institute for Environment and Development, International Union for the Conservation of Nature—International, Japan Lumber Importers Association, Sahabat Alam Malaysia, The NGO Network for Forest Conservation in Indonesia (SKEPHI), Survival International, Union

pour le Commerce des Bois Tropicaux dans la CEE (UCBT), the World Rainforest Movement, WWF—International, WWF—United Kingdom and WWF—Malaysia. The documentary information provided by these and other organizations consisted for the most part of organizational reports reflecting on the events and outcome of ITTO Council Sessions. These reports provided important insights on the significance of events, the key actors involved and the concerns motivating them. The information gleaned from reports was essential in some instances to flesh out the occasionally bland and cryptic statements penned by international bureaucrats intent on avoiding giving offence to national governments.

It should also be noted that there is no necessary correlation between a particular document and its provenance. All WWF documents did not necessarily come from WWF, for example. The reason for this is simple. The members of each organization passed what they considered to be relevant documents to others both within and outside their own constituency. In most collections, therefore, documents from other organizations of greater or lesser relevance to the study in hand were obtained.

The primary and secondary literature was supplemented in turn by a series of guided interviews with key informants.⁵ The initial key informants list was prepared by reviewing the attendance

⁵ Before carrying out the interviews, a summary of the study and a detailed description of the research design were submitted to Carleton's Department of Political Science Ethics Committee for consideration and approval. The process followed the Social Science and Humanities Research Councils' Ethics Guidelines, and approval was received in February 1993.

of individuals representing intergovernmental, governmental and non-governmental organizations at ITTO Council Sessions. Individuals who had attended council meetings on a regular basis were especially sought out since they had not only participated in the major debates conducted at council sessions, but also were better informed about the past history, current debates and future prospects of the organization. The initial list altered in the course of the research. Some key informants were not available for interview, while some individuals suggested others whom they thought would be helpful.

Of a total of 56 interviewees, seven were from producing-country governments, eight from consuming-country governments, seven from the tropical timber industry, 21 from the ENGO community, and nine belonged to intergovernmental organizations. Four individuals, including the leader of the Sarawak Mission, fell into the category "other".⁶ Most of the key informants interviewed were from Europe, Asia and North America. Time and money did not permit the interview research to be extended to Africa and South America. It was possible, however, to remedy this lacuna to some extent by attending and interviewing delegates at the Seventeenth Council Session of the ITTO in Yokohama, Japan in November 1994.

The interviews focused on participants' understanding of the major debates that took place at the ITTO, the structure and operation of their delegation, their delegations' views on key issues, and the role played by them and their delegation in the negotiations.

⁶ For the names and offices occupied by the key informants, see Appendix.

Interviewees were prompted with open-ended questions and encouraged to respond. Follow-up questions enabled ambiguities to be resolved and new issues pursued. To obtain maximum cooperation, especially from national government officials, all interviewees were informed that their comments would not be personally attributable and would be referenced as coming from a pool of individuals. Although some individuals expressed a willingness to be quoted by name, this study makes no direct personal attribution of material gathered from any interview in order to provide the greatest possible protection to those wishing to remain anonymous.

A significant aspect of the current study is that the process of gathering materials—both the primary and secondary literature and the interviews—was a truly global endeavour. The author spent seven months travelling through Canada, Europe and Asia to meet with key informants and comb through libraries, resource centres and files pertaining to the ITTO. Collections consulted were: IIED's collection in London, England; WWF-U.K.'s collection in Godalming, Surrey, England; the World Rainforest Movement's collection in Chadlington, Oxford, England; IUCN's and WWF—International's collections in Gland, Switzerland; FAO's collection in Rome, Italy; WWF—Malaysia's collection in Kuala Lumpur, Malaysia; CIFOR's collection in Bogor, Indonesia; and the ITTO's collection in Yokohama, Japan. In some cases, organizations were kind enough to provide unrestricted access to all material

relating to their participation in the ITTO. In other instances, restricted access only was achieved.

The lack of access to official government documents and ITTO files constrained the conduct of the current research as occurs in most forms of political economic research on current events. Lack of access was not by any means fatal to the research endeavour for three reasons. First, the ITTO was heavily penetrated by civil society actors from the timber trade industry and the environmental movement, a number of whom served on national delegations. Their reports of the events, made shortly after they occurred, cast a great deal of light on the nature of the bargaining process. Second, ITTO official documents, although sometimes couched in the cryptic language of international bureaucratism, provided a detailed account of the key debates and decisions, many of which were simultaneously reported in the press. Finally, interviews with key informants, which were often frank and open as a result of the confidentiality condition, provided a means of cross-checking individual statements for accuracy and for exploring the process by which events had taken place in greater detail. While it would, of course, be fascinating to have access to key governmental files for the period in question, and while they would undoubtedly allow a considerable expansion of the points made here, it is unlikely that the information contained in those files would fundamentally alter the conclusions of the current study.

The majority of the statistical data used in the study has been compiled in tabular form to elucidate the current status of

tropical deforestation and rainforest degradation, the structure and operation of the tropical timber industry, and to examine the composition of delegations to the ITTO. To the three categories of untruthfulness—lies, damn lies, and statistics—I am tempted to add a fourth—damn statistics?—to capture the current state of forestry statistics in general and tropical rainforest statistics in particular. So many definitional and methodological problems are encountered that all statements regarding the extent and rate of tropical deforestation must be regarded as approximations.

Most of the statistical data is from secondary sources, occasionally updated to add the most current year. I have compiled the ITTO delegation attendance data myself, however, using draft reports of ITTO Council Sessions. In most cases, the determination of departmental affiliation was straightforward, but some educated guesses had to be made. I am confident that the reliability and validity of the analysis is high and that the same exercise carried out by another would produce a similar classification. The data, moreover, confirm the impression of key informants concerning delegate composition.

Structure of the Study

The study is structured as follows. In the next chapter, a critical review of the regime literature paves the way for its deployment within a critical, neo-Gramscian theoretical framework. One major requirement of the regime approach is a detailed understanding of the issue area under investigation. This detailed

understanding is provided in chapter three, which deals with the ecological, environmental, economic and cultural functions of tropical rainforests and the structure and operation of the tropical timber trade. In chapter four, the provisions of the ITTA-1983 and the operation of the ITTO forum between 1983 and 1994 are described in detail.

In chapter five, four global coalitions that represented producing- and consuming-country governments, the tropical timber industry and the environmental movement are identified. These global coalitions played a key role in negotiating the rights, rules, compliance mechanisms and decision-making procedures of the TTTR. To show how the particular normative structure of the ITTO was negotiated, chapters six and seven examine the bargaining that took place among the four global coalitions in three critical ITTO "non-project" activities—Guidelines for the Sustainable Management of Natural Tropical Forests, Incentives for Sustainable Forest Management, and the Sarawak Mission. These chapters reveal that a compromise was reached among three of the global coalitions on the TTTR's normative structure that excluded the environmental coalition. As a result, the environmental coalition abandoned the ITTO for other, more effective international fora. Chapter eight presents the study's conclusions and makes a number of recommendations to guide future academic research and environmental activism in this particular issue area.

CHAPTER TWO

TOWARDS A NEO-GRAMSCIAN THEORY OF INTERNATIONAL REGIMES

Introduction

In spite of close to twenty years of theoretical elaboration and empirical research, the international regime concept still lacks a critical edge. The concept, introduced into the international relations literature in the 1975 Special Edition of the Journal *International Organization*, was initially defined as “a set of mutual expectations, rules and regulations, plans, organizational energies and financial commitments, which have been accepted by a group of states.”¹ This definition contained many of the elements of Krasner’s widely accepted definition agreed to by a group of scholars seven years later. Krasner defined a regime as of international regimes as “principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given issue area.”²

In the two decades since 1975, theorists have shown considerable skill in employing the concept to examine the process of international cooperation in a wide range of issue areas. In almost all cases, however, the notion has been deployed within the confines of a “problem-solving”, international relations theoretical framework.³

¹ Ruggie, *International Responses to Technology*.

² See Stephan Krasner, ed., *International Regimes* (Ithaca: Cornell University Press, 1983), p. 1.

³ The distinction between “problem solving” and “critical” theory is made by Robert Cox and is discussed in more detail later in this chapter. See Robert Cox,

Critical theorists, in turn, have largely ignored the regime concept. In their development of an international political economy perspective, Classical Marxists, Gramscian Marxists, Leninists, crude and sophisticated *Dependendistas*, World Systems Theorists, Articulation-of-Modes-of-Production analysts and Regulation theorists have focused instead on understanding the broad and pervasive effects of the operation of world capitalism. The purpose of this chapter is to review and evaluate critically the international regime concept and to demonstrate how it might be deployed within a critical theory of international relations. The basic argument of the chapter is that the international regime concept has been too hastily dismissed by practitioners of critical international relations theory. The concept, stripped of its neorealist and neoliberal theoretical heritage and deployed within a critical theoretical framework, offers a new perspective on international cooperation, by revealing deficiencies in existing institutional structures for conflict mediation on environmental matters.

Three major objections might be made by critical theorists to the task proposed here. The first objection focuses attention on the regime concept's putative neorealist and neoliberal heritage. For many, this heritage provides *prima facie* evidence of the concept's inherent unsuitability for deployment within critical theory. The second objection (which is in fact a set of objections) is contained in Susan Strange's 1982 critique of the concept in her

Theory," in Robert O. Keohane, ed., *Neorealism and its Critics* (New York: Columbia University Press, 1986), pp. 204-254.

wonderfully titled article "*Cave! Hic Dragones*".⁴ Strange's article is regarded by many critical theorists as the definitive statement of why the international regime concept is fundamentally flawed. The final objection concerns the supposed unsuitability of the international regime concept for deployment within critical IR theory. It is argued that there are fundamental incompatibilities in the assumptions that underlie regime theory and critical theory that make its deployment within a critical theoretical framework nothing more than eclecticism.

Before we can deploy the regime concept within critical IR theory, therefore, each objection must be examined and refuted. This involves demonstrating that the concept is not essentially and irrevocably embedded within neorealism and neoliberalism; that Strange's objections are either no longer relevant and/or overstated; and that the concept can be employed within critical theory without doing violence to its basic assumptions. I intend to demonstrate that a neo-Gramscian approach to IR theory provides an appropriate critical theoretical framework within which to embed the international regime concept.⁵ The deployment of the international

⁴ Susan Strange, "Cave! Hic Dragones: A Critique of Regime Analysis," *International Organization* 36, 2 (Spring, 1982).

⁵ The Neo-Gramscian approach to international relations has been developed by Robert Cox, Stephen Gill and David Law. Cox has applied the approach to a study of the post-war period, in which the institutions developed under U.S. hegemony led to the establishment of a *Pax Americana*, a period of considerable stability between 1945 and 1970, which subsequently entered into crisis. Gill and Law have used the approach in their introductory text to international political economy. See Robert Cox, *Production, Power and World Order* (New York: Columbia University Press, 1987); and Stephen Gill and David

regime concept within a neo-Gramscian approach to international relations enables us to focus on the process of international institutionalization without any assumptions that such cooperation is either the result of the exercise of power by a single hegemon or the consensual outcome of interstate bargaining in the interests of the global community as a whole.

International Regime Theory

Accounts of international regime analysis link its emergence to theoretical and practical problems that developed within the realist and liberal traditions of IR theory in the 1970s.⁶ According to Kratochwil and Ruggie, by the early 1970s, liberals had been forced to reject their central theoretical notion that international governance was "coterminous with the activities of international organizations."⁷ In casting around for a concept to clarify the nature of international governance, liberals hit upon the concept of international regimes. The new concept enabled them to study not only the process and structure of international cooperation, but also the role played within it by international organizations.

Order (New York: Columbia University Press, 1987); and Stephen Gill and David Law, *The Global Political Economy: Perspective, Problems, and Policies* (Baltimore: The John Hopkins University Press, 1988).

⁶ See, for example, Friedrich Kratochwil and John Ruggie, "International Organization: A State of the Art on an Art of the State", *International Organization* 40, 4 (Autumn, 1986): pp. 753-775; and Tony Porter, "Inter-State and Private Regimes in Global Finance" (Ph.D. dissertation, Carleton University, Ottawa, 1992).

⁷ Kratochwil and Ruggie, *A State of the Art.*, p. 758.

Liberals had reluctantly reached the conclusion, based on an analysis of the post-war period, that international governance was something other than what international organizations did. Changes in the structure of the international system had placed great strain on the major post-war international organizations set up at Bretton Woods in 1944. If international governance was synonymous with what international organizations did, then the looming crisis in international organizations should have been reflected in a decline in international governance, and possibly a return to 1930s-style beggar-thy-neighbour international economic policies. Yet the anomaly was that even though international organizations were under immense pressure and performing badly, international cooperation was on the rise.

The major theoretical difficulty realists encountered in the post-war period derived from their notion of state power. Measured in terms of military might, the concept of state power proved too crude to account for bargaining outcomes in international relations. Particularly after the OPEC oil price hikes of 1974, realists broadened their concept of power to include economic resources. A broader concept of power and a greater willingness to investigate international political economic issues drew realists' attention to some of the limits of their crude "billiard-ball" image of the international system. While realists continued to focus on the conflict between states in an interstate system, they also required concepts to explain the existence of significant levels of international

cooperation. The international regime concept enabled realists to reconcile their billiard-ball image of the international system with the existence of relatively widespread levels of international cooperation.

This account of the emergence of the international regime concept, which views it as a conceptual response to theoretical and practical difficulties in the practice of liberalism and realism, is broadly acceptable. The concept, however, emerged at a time when both realism and liberalism were undergoing their "structural" turn, mainly under the influence of Kenneth Waltz.⁸ Structural realists and structural liberals (or neorealists and neoliberals) began to employ the regime concept to explore the nature of, and limits to, international governance.⁹ This led to the impression that the international regime concept was necessarily tied to a structuralist ontology and a positivist epistemology. Kratochwil and Ruggie have shown, however, that the concept was deployed in theories with widely differing ontological and epistemological assumptions, and

⁸ Kenneth Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979).

⁹ The terms "neorealism" and "neoliberalism" are used here to refer to the "new" realism and liberalism that emerged in the 1970s under the influence of Kenneth Waltz. Waltz "systematized" the study of international relations by arguing that state behaviour was conditioned by the structure of the international state system based on the principles of sovereignty and anarchy. Both neorealists and neoliberals accepted Waltz's account of the inter-state system. They disagreed, however, on the nature of inter-state power relations. For neorealists, power relations are relative, and one state's gain is another state's loss. For neoliberals, power relations can be a positive-sum game, and cooperation can lead to net increases in state power. See, for example, Robert Keohane and Joseph Nye, *Power and Interdependence: World Politics in Transition* (Boston: Little, Brown, 1977).

that the "practice of regime analysis is wracked by epistemological anomalies".¹⁰

A diversity of theoretical frameworks was present right at the inception of international regime analysis. A review of the Summer 1975 issue of *International Organization*,¹¹ in which the concept is formally introduced into the international relations literature, demonstrates this diversity. It is particularly remarkable that John Ruggie, Ernst Haas and Oran Young are among the contributors to this volume, and that these authors never subscribed to the neorealist and neoliberal tenets associated with the writings of Robert Gilpin, Stephen Krasner and Robert Keohane.

In its early development, therefore, the international regime concept was not nearly as closely associated with neorealism and neoliberalism as it later became. Indeed, in Ruggie's initial formulation, taken up and substantially expanded by Oran Young, we can identify a strong institutionalist tradition that adopts a fundamentally different ontology and epistemology of the international system.¹² The diversity of perspectives underlying the early development of the international regime concept casts doubt on the popular account that the concept is somehow necessarily embedded within neorealism and neoliberalism. On the contrary, the concept has been articulated within at least three competing research

¹⁰ Kratochwil and Ruggie, *A State of the Art*, p. 764.

¹¹ *International Organization*, "Special Issue: International Responses to Technology", 29, 3 (Summer, 1975).

¹² John Gerard Ruggie, "International Responses to Technology: Concepts and Trends", *International Organization* 29, 3 (Summer, 1975), pp. 557-583.

programmes that adopt different ontological, epistemological, methodological and axiological assumptions. This fact strengthens the case for considering the potential utility of the concept for deployment within a more critical theoretical approach.

Neorealists, in their elaboration of the Hegemonic Stability Hypothesis, were among the first to employ the international regime concept. Underlying neorealist versions of the hegemonic stability hypothesis is a structural view of the international system that takes the state as the primary ontological unit. States, trapped in an anarchical structure in which no formal power hierarchy exists, are constrained to practise self-help and to pay strict attention to relative power gains and losses. Cooperation between states is based on short-term alliances to maintain the balance of power. The hegemonic stability hypothesis states that longer periods of cooperation and order are the result of the exercise of hegemonic power, conceived in terms of a preponderance of military, economic and technological resources. Hegemons establish regimes that perpetuate their international dominance by providing global "public goods". Such public goods are of benefit to the international system as a whole, as well as to the hegemonic power.¹³

The hegemonic stability hypothesis provides a parsimonious account of the high levels of observed international

¹³ For a useful review of the hegemonic stability hypothesis, see Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984), pp. 31–46; and Robert Gilpin, *The Political Economy of International Relations* (Princeton, New Jersey: Princeton University Press, 1987), pp. 72–92.

cooperation in the post-war period. The hypothesis, in its strong form, states a direct causal relationship between U.S. hegemonic decline and international regime decay. According to hegemonic stability theorists, the U.S. used its marked preponderance of military, economic and technological power in the post-war period to construct a liberal international economic order composed of international regimes in several important issue areas. Liberal international monetary, trade and financial regimes were established under U.S. hegemony in the interests of the U.S. and the international system as a whole. According to these theorists, U.S. hegemony began to decline in the 1960s, as evidenced by falling rates of productivity growth, increasing internal and external deficits, recovery and expansion of the European and Japanese economies, and continued U.S.—U.S.S.R superpower rivalry. These writers assert that, in tandem with the perceived decline in U.S. hegemony, there has been a decay in the effectiveness of international regimes. Evidence for such regime decay is sought in the 1970s breakdown in the Bretton Woods monetary system and the rise throughout the 1970s in trade protectionism.¹⁴

¹⁴ The origin of the hegemonic stability hypothesis is usually attributed to Charles P. Kindleberger. However, the perspective has been elaborated by other authors operating in rather different theoretical perspectives. See Charles P. Kindleberger, *The World in Depression, 1929-1939* (Berkeley: University of California Press, 1973); Robert Gilpin, *The Political Economy of International Relations*, and Immanuel Wallerstein, *The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (New York: Academic Press, 1974).

Despite its early promise, however, further research has created doubts about the validity of the strong version of the hegemonic stability hypothesis. In a thorough review of the hypothesis' logical implications, Duncan Snidal concludes that "the theory of hegemonic stability is a special case, one whose general applicability needs to be carefully circumscribed" and that the hypothesis' implicit assumption that "collective action in the international system is impossible in the absence of a dominant state" is unfounded.¹⁵ Snidal used a game theoretic approach to demonstrate that cooperation in the production of international public goods could occur among a small number of self-interested states even in the absence of a hegemon. The hypothesis, moreover, only yields predictions in its strong form. Although the U.S. emerged with a preponderance of power capabilities after World War I, at a time when Great Britain was clearly in hegemonic decline, it did not seek to assume a leadership role in international affairs at that time. In order to understand why Britain tried to resume its role as hegemon during the inter-war period and why the United States declined to assume the role, we must examine domestic politics in both countries.¹⁶

¹⁵ Duncan Snidal, "The Limits of Hegemonic Stability Theory", *International Organization* 39, 4 (Autumn 1985), p. 612.

¹⁶ Keohane draws attention to this problem in his distinction between a "basic force model" and a "force activation model" of state behaviour. Basic force models attempt to relate state behaviour directly to objective power capabilities. Force activation models introduce the intervening variables of "decision-making", "leadership", "political will", etc. As Keohane observes, only basic force models generate predictions, and force activation models can always "save" a theory after the fact by thinking of reasons why an actor

Even more problematic for the practical application of the hegemonic stability hypothesis has been the debate about what constitutes a hegemonic power, and more importantly, how we know whether a hegemon is declining or not. In the 1970s, mainstream international relations theory in the United States assumed that the U.S. was in decline as a global power. However, as Susan Strange pointed out, the evidence for such an assumption is ambiguous, and a strong case can be made that the U.S. has not declined at all in terms of "structural power" and that "a far more plausible explanation for the erosion of so-called international regimes...lies within the American political system rather than in the role of the United States in the international system."¹⁷

Yet, even if we accept that there was at least a relative decline in U.S. hegemony in the 1970s and 1980s, it is not clear that there has been a secular trend to international anarchy and a decline in international cooperation. Indeed, many authors have suggested that precisely the opposite has occurred. Despite significant stresses and strains, therefore, the international financial, monetary and trade regimes have survived. The successful conclusion of the Uruguay Round of GATT negotiations and the establishment of a World Trade Organization stands in marked contrast to the pessimistic predictions of hegemonic stability theorists. Increased

would not have wanted to use all of its available potential power." See Keohane, *After Hegemony*, pp. 34-35.

¹⁷ Susan Strange, "The Persistent Myth of Lost Hegemony", *International Organization* 41, 4 (Autumn 1987), pp. 571-572.

appreciation of the need for international cooperation appears to be especially acute in the international environmental issue area, where there has been a proliferation of new international treaties covering ozone-layer depletion, depletion of fisheries, trade in toxic waste and endangered species.

Liberals were also quick to recognize the potential utility of the international regime concept and to deploy it within a neoliberal theoretical framework. Neoliberalism shares the same positivist epistemological and statist ontological assumptions as neorealism. However, unlike neorealists, neoliberals also recognise and attribute considerable importance to non-state actors, particularly international organizations, regional organizations and multinational corporations. The primary difference between neorealists and neoliberals lies in their respective assumptions about the nature of interstate power. In place of the neorealist emphasis on states as status maximizers, neoliberals view states as utility maximizers. States seek to optimize their utility function independently of other states, and a major element in each state's utility function is its overall level of economic development. As a result, neoliberals view the interstate system as less conflictual than do neorealists, since interstate power relations need not necessarily be a zero-sum game. Indeed, neoliberals argue that, particularly in the economic sphere, many circumstances exist in which interstate

cooperation is the only way for individual states to maximize their utility function.¹⁸

The neoliberal understanding of interstate power relations leads to a fundamentally different analysis of international regime formation. In neoliberal theory, regimes emerge from interstate negotiations. International regimes facilitate the process of interstate policy adjustment in an anarchic international system characterized by sensitivity and vulnerability interdependence. Cooperative arrangements in the form of international regimes often fail to occur, however, because the anarchic interstate system is not as conducive to interstate cooperation as it could be. As a result, states fail to exploit potential zones of agreement and to realize joint gains. Neoliberals draw substantially on the market failure and game theory literature to highlight these potentially sub-optimal outcomes.¹⁹

¹⁸ Neoliberals have been influenced by neo-institutionalists, and it is for this reason that neoliberal and neo-institutional authors are sometimes conflated as neoliberal institutionalists. See Joseph M. Grieco, "Anarchy and the Limits of Cooperation: A Realist Critique of the Newest Liberal Institutionalism", *International Organization* 42, 3 (Summer 1988), pp. 485-507. However, the theoretical model that underpins neoliberal explanations of international institutions derives from microeconomic models of the firm. It is the economism in the work of neoliberals that distinguishes them from institutionalists such as Ruggie and Young, whose models derive directly from the study of human behaviour and the disciplines of sociology and social psychology.

¹⁹ Robert Keohane, frequently depicted as a neorealist, is in fact a neoliberal. His writing in the 1980s has drawn extensively on the microeconomic literature on market failure and game theory to draw out the analogy of the state in the international system to the firm in the national market. Just as firms seek to maximize long-run profitability, so states attempt to maximize long-run welfare, and just as firms are constrained by the market to behave in certain ways, so states are constrained by the operation of the international state system. Finally, just as the market is a combination of cooperation and

Just as the hegemonic stability hypothesis constitutes the paradigmatic model for neorealist investigations of international regimes, so game theory, and particularly Prisoners' Dilemma, constitutes the paradigmatic model for neoliberal investigations. Prisoners' Dilemma models the essential elements of the international system from a neoliberal perspective, and is particularly useful in demonstrating how the potential for states to make joint gains through cooperation is thwarted by an anarchic international environment. The essence of Prisoners' Dilemma is a two-by-two pay-off matrix in which, even though each party stands to gain from cooperation, both parties in fact "defect" out of fear of receiving the "sucker's" payoff. Applying the model to the international system, neoliberals argue that the potential joint gains to be realized by states through cooperation are frequently less than actual gains, because of the fear of defection. International regimes facilitate interstate cooperation because they reduce states' fears of other states' defection by enhancing the transparency of interstate agreements, encouraging the development of good reputations, and monitoring compliance.

Accounts of the origin and development of the international regime concept often end here. This is surprising, given the neofunctionalist background of many early regime theorists

competition between firms, so the interstate system is marked by cooperation and competition between states. For more on game theory see Robert O. Keohane, *After Hegemony*, pp. 64–84; Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984); Glenn H. Snyder and Paul Diesing, *Conflict among Nations: Bargaining, Decision Making, and System Structure in International Crises* (Princeton: Princeton University Press, 1977).

(notably Keohane, Nye, Haas, Young, and Ruggie) and neofunctionalism's strong institutional orientation.²⁰ Within mainstream International Relations, therefore, a third, distinct theoretical framework, institutionalism, can be identified within which the regime concept has been deployed. The institutionalist category is more heterogeneous than its neorealist and neoliberal counterparts. As a group, however, institutionalists can be distinguished from neorealists and neoliberals on the basis of their different assumptions about the nature of the interstate system and the nature of power. Within the literature John Ruggie, Oran Young, Ernst Haas and Peter Haas have elaborated broadly institutionalist approaches to understanding the nature of the international system and the role of international regimes. Of the four, it was Ruggie who developed the most distinctively interpretive approach.²¹

It is important to point out that it was an institutionalist author who first formulated and developed the international regime concept.²² Ruggie's formulation situates the concept within a self-

²⁰ For a review of functionalist and neofunctionalist theory, see Michael Hodges, "Integration Theory", in Trevor Taylor (ed.), *Approaches and Theory in International Relations* (London: Longman, 1978): 237-256.

²¹ See, for example, Ernst Haas, *When Knowledge is Power: Three Models of Change in International Organizations* (Berkeley, Calif.: University of California Press, 1990); Peter M. Haas, "Knowledge, Power and International Policy Coordination", *International Organization* 46,1 (Winter, 1992), pp. 1-35; Ruggie, *International Responses to Technology*; and Oran Young, *International Cooperation: Building Regimes for Natural Resources and the Environment* (Ithaca and London: Cornell University Press, 1989).

²² Keohane credits Ruggie with the initial explication of the concept (Keohane, *After Hegemony*, p. 57). However, Porter credits Oran Young on the basis of an introduction in Young's 1989 text (Porter, *Inter-State and Private Regimes*, p. 20). Despite the confusion, it is noteworthy that both Ruggie and

consciously institutional theoretical framework. He notes, for example, that:

It is generally agreed that in the international arena 'objective rights and duties are non-existent, so that no one is entitled to anything, and nothing can be expected of anyone.' At the same time, however, the area of unpredictability of state behaviour is limited, complex relations are pursued within sets of mutual expectations, and jurisdictional competencies are allocated to a variety of actors other than states. In other words, international behaviour is institutionalized. Institutionalization, as sociologists have defined it, is said to coordinate and pattern behaviour, to set boundaries which channel behaviour in one direction as against all others which are theoretically and empirically possible.²³

The importance of Ruggie's work for this study lies in the fundamentally different epistemological and ontological assumptions made about the nature of the interstate system and the importance of interpretive methodologies of scientific inquiry. Ontologically, institutionalists such as Ruggie recognise the fundamental importance of social institutions in influencing human behaviour. International social institutions are conceptualised as occupying an ontological space intermediate between the structure of the overall interstate system and the independent states of which that system is composed. International institutions are envisaged as intermediate

Young write within the institutionalist tradition, thus supporting the claim that institutionalists originated the regime concept.

²³ Ruggie, *International Responses to Technology*, p. 559. The quotation in the passage is from Alan James's, "Law and Order in International Society", in A. James, ed., *The Bases of International Order* (New York: Oxford University Press, 1973), p. 65.

entities, modifying the effects of the interstate system and constraining, conditioning and channelling state actions in distinct ways. Ontological priority is given to these intermediate institutional entities, and the effects exerted by the structure of the interstate system (the focus of neorealists) and the behaviour of calculating, rationalistic, egoistic actors (the focus of neoliberalism) are played down.

Epistemologically, Ruggie prefers an interpretive approach, based on his analysis of international regimes as “intersubjective” entities. That is, the “existence” of an international regime is not an “objective” fact, but depends critically on the shared meaning that individuals attach to their own and others’ actions. Ruggie argues that we cannot properly investigate international regimes by regarding them as “objective” structures that exist independently of the states that constitute them. International regimes, like other social institutions, condition and constrain state practices because states adopt intersubjectively shared assumptions about which actions are and are not appropriate within any particular regime. If we want to “understand” and “explain” international regimes, therefore, we must inquire into how states create frameworks of intersubjective meaning, and abandon the notion, central to game theory, that states communicate with each other solely through their behaviour. An interpretive epistemology goes beyond an “objective” analysis of a state’s actions, and inquires

into the meaning that such action has for the state, and how its actions are interpreted by other states in the system.²⁴

Ruggie's focus on intersubjective meaning is part of a broader dispute in international relations over the nature and purpose of social science theory. For positivists, theory should be parsimonious, testable and lead to successful prediction. This is the goal of neorealists and neoliberals. In Ruggie's interpretative framework, on the other hand, the values of parsimony and prediction are subordinated to explanation. For Ruggie, any explanation of social phenomena must involve the interpretation of meaning. Kratochwil and Ruggie argue cogently, therefore, that the mainstream approach to international regimes is "wracked with epistemological anomalies" because a positivist epistemology contradicts the essentially intersubjective ontology of international regimes.²⁵

The important conclusion from the preceding discussion is that the international regime concept has been deployed *right*

²⁴ "To put the problem in its simplest terms: in the simulated world, actors cannot communicate *and* engage in behaviour; they are condemned to communicate *through* behaviour. In the real world, the situation of course differs fundamentally. Here, the very essence of international regimes is expressed in cases such as that of France in 1968, asking for "sympathy and understanding" from its trading partners, as France invoked emergency measures against imports after the May disturbances of that year—and getting both from GATT. . . even though *no* objective basis existed in fact or in GATT law for doing so. But a positivist epistemology simply cannot accommodate itself to so intersubjective an ontology. Hence, the case is treated in the literature as illustrating cynicism, complicity, and the erosion of respect for the GATT regime." Kratochwil and Ruggie, *A State of the Art*, p. 765 (emphasis in original).

²⁵ *Ibid.* p. 764.

from the start within a non-positivistic, interpretive theory of social action and social institutions. The popular perception that the concept derives exclusively from neorealist and neoliberal theories of the international system is therefore incorrect. In the 1980s, further evidence of the concept's plasticity and flexibility is provided by its deployment by James Keeley within a Foucauldian theoretical framework, and by Tony Porter within a theoretical framework heavily influenced by Giddens' theory of structuration.²⁶ In short, the regime concept has proved fruitful within a number of non-positivist, non-structuralist, perspectives.

The above discussion of neorealist, neoliberal, and institutionalist approaches characterizes the state of the field of international regime research as it developed in the 1970s and 1980s.²⁷ The concept has been employed flexibly within several

²⁶ See James F. Keeley, "Toward a Foucauldian Analysis of International Regimes", *International Organization* 44,1 (Winter, 1990); and Porter, *Inter-State and Private Regimes*.

²⁷ Two other analytic schemas have been used. Keohane divides the field into two broad classifications, "rationalistic" and "reflective" approaches. He groups neorealist and neoliberal frameworks together under the rationalistic approach, and institutionalist and interpretive frameworks under the "reflective" approach. Stephan Haggard and Beth Simmons, on the other hand, in their review of the practical application of the international regime concept, divide the field into four approaches: structuralism, which emphasises the hegemonic stability hypothesis; strategic and game-theoretic approaches, which emphasise the importance of formal models to construct parsimonious accounts of strategic interaction and cooperation; functionalism, which seeks to explain institutions in terms of their effects; and cognitive approaches, which focus on the processes of how knowledge, ideology and learning play a role in regime formation and transformation. See Robert O. Keohane, "International Institutions: Two Approaches", *International Studies Quarterly* 32, 4 (December 1988), pp. 379–396; and Stephan Haggard and Beth A. Simmons, "Theories of International Regimes", *International Organization* 41, 3 (Summer 1987), pp. 491–517.

theoretical perspectives and, as Porter has noted, is expressive of a meta-theoretical orientation towards taking institutionalized international behaviour seriously.²⁸ Beyond that, it does not bind us to any particular theoretical approach. By recognising that the regime concept has been articulated within several competing theoretical perspectives, we pave the way for its deployment within critical IR theory. Before proceeding to do this, however, it is important to counter the five criticisms levelled at the regime concept by Susan Strange in her article "*Cave! Hic Dragones.*"²⁹

Cave! Hic Dragones

Strange launches her critique of the regime concept on the basis of her own "structuralist" perspective of the operation of the international political economy. For Strange, the underlying structure of the international political economy is formed by the logic of state action on the one hand and the logic of market forces on the other. Her criticism of the regime concept arises from a perception that a focus on international institutions as "intervening variables" or "mediating" structures distorts theorists' understanding of the nature of the international political economy and of the way in which power is exercised by state and non-state actors. Strange is on strong ground when she cautions theorists against treating "the rules and arrangements agreed between governments" as "a prime

²⁸ Porter, *Inter-State and Private Regimes*, pp. 22–31.

²⁹ Strange, *Cave! Hic Dragones*.

determinant of what actually happens" and when she exhorts us to examine the "complex and interlocking network of bargains" that underlie such rules and arrangements.³⁰ On the other hand, I argue here that Strange goes too far in her dismissal of the regime concept. A critical examination of existing "rulebooks"—international regimes—is useful precisely because it helps elucidate the nature of the underlying bargains that have been negotiated among international actors. The regime concept is useful also because it identifies and names a terrain of contestation in the international sphere that is analogous to struggles at the national level between different social forces over the content of government legislation and policy. Once we accept, therefore, that the purpose of examining international regimes is precisely to reveal the underlying bargains upon which they have been constructed, Strange's five "dragons" or objections to the concept become less serious, individually and collectively, than first suggested.

The first of Strange's dragons is that the regime concept is "a fad, one of those shifts of fashion not too difficult to explain as a temporary reaction to events in the real world but in itself making little in the way of a long-term contribution to knowledge."³¹ This criticism has not stood the test of time. The regime concept, introduced in the 1970s, continues to be an important concept in the

³⁰ Susan Strange, *States and Markets*, p. 161.

³¹ Strange, *Cave! Hic Dragones*, p. 479.

IR literature of the 1990s.³² The concept's continuing vitality can be attributed to the fact that it enables theorists to examine, in a systematic way, in designated issue areas, the processes that foster and prevent the emergence of institutionalized international behaviour. The rapid process of international institutionalization in the post-war period has its origins in the massive structural changes taking place in the global political economy. New international institutions are being created to cope with the problems and opportunities presented by the emergence of a significantly modified post-war system of global production and consumption.

The second "dragon" identified by Strange is that the concept is "woolly" and lacks definitional clarity.³³ This criticism appeared to have force in the late 1970s and early 1980s. Theorists were intent on developing *the* definitive definition of international regimes, a process that reached its high point with the development of Krasner's 1983 consensus definition.³⁴ Notwithstanding the apparent agreement that surrounded Krasner's definition, authors operating in different research programmes continued to employ the term in different ways. Thus, much of Keohane's research treated

³² Throughout the 1980s, a steady stream of studies employed the regime concept to examine the process and effectiveness of international cooperation in discrete issue areas of international relations. Further evidence of the concept's vitality in the 1990s comes in the form of an edited volume of seven studies of international environmental regime effectiveness. See Peter M. Haas, Robert O. Keohane, and Marc A. Levy, eds., *Institutions for the Earth: Sources of Effective International Environmental Protection* (Cambridge, Mass.: MIT Press, 1993).

³³ Strange, *Cave! Hic Dragones*, pp. 484-485.

³⁴ Krasner, *International Regimes*, p. 1.

international agreements and international organizations such as the GATT as international regimes, while much of Young's work focused more centrally on institutionalized behaviour and practices for which neither international agreements nor international organizations were necessary preconditions. Ultimately, theorists have been forced to recognize that the regime concept becomes meaningful only when it is embedded within a larger theoretical framework. More generally, concepts do not have an "objective" meaning, independent from the theoretical frameworks within which they are embedded. The international regime concept is, as Kratochwil and Ruggie point out, "essentially contested". There is no Archimedean point from which to define international regimes as they really are, independent of a theorist's preferences, purposes and value biases.³⁵ Like other important political science concepts, such as power, the state, and the international system, the international regime concept remains "woolly" until it is embedded within a particular theoretical framework.

The third charge that Strange levels at the international regime concept is that it contains a built-in value bias that is "as dangerous as loaded dice."³⁶ She argues that the concept implies "an exaggerated measure of predictability and order in the system as it is" and that "what everyone wants is more and better regimes, that greater order and managed interdependence should be the collective

³⁵ Kratochwil and Ruggie, *A State of the Art*, pp. 763–764.

³⁶ Strange, *Cave! Hic Dragones*, p. 479.

goal.”³⁷ In focusing attention on order in the international system, Strange argues that the regime concept directs attention away from other legitimate moral values such as justice and freedom. The ultimate result of this value bias is that theorists employing the regime concept act as apologists for the existing international system, are blind to its faults and are incapable of analysing the underlying interests that benefit from the existing order.

Empirical reviews of international regime studies such as that carried out by Puchala and Hopkins, Keohane, and Young, confirm Strange's charge.³⁸ That is, there has been a strong tendency among regime theorists to employ the concept within problem-solving theory and to be insufficiently critical of the type of institutionalized order established. In short, and despite caveats to the contrary, most regime theorists have assumed that regimes are “good things” and that the more of them there are, the better. The question arises, however, as to whether this conservative value-bias is an inherent feature of the international regime concept *per se*, rather than a reflection of the values of the dominant theoretical frameworks that have employed the international regime concept to date.

Notwithstanding the empirical evidence, there are several reasons for doubting Strange's conclusion that the

³⁷ *Ibid.*

³⁸ See Donald J. Puchala and Raymond F. Hopkins, “International Regimes: Lessons from Inductive Analysis”, *International Organization* 36, 2 (Spring, 1982); Keohane, *International Institutions: Two Approaches*; and Young, *International Cooperation*, pp. 58–80.

deployment of the regime concept necessarily and irrevocably commits us to valuing order for order's sake. Thus, although the deployment of the regime concept presupposes that institutionalized behaviour is possible at the international level, it does not in itself require that such instances be either prevalent or effective. For hegemonic stability theorists, for example, operating within a realist theoretical framework, the existence and strength of an international regime is necessarily a historical phenomenon. Regimes wax and wane depending on whether a hegemonic power exists and on the hegemon's position in the hegemonic cycle. When a previously hegemonic power declines to the point at which it is no longer hegemonic and in the absence of an ascending hegemonic power capable of taking over and willing to do so, hegemonic stability theorists would argue that the international system would be characterized by complete anarchy and the absence of institutionalization. The deployment of the concept is therefore perfectly compatible, theoretically, with the conclusion that little institutionalized behaviour exists in fact.

There is, moreover, considerable debate among International Political Economy (IPE) theorists about the degree to which the international system is characterized by order and anarchy. Strange prefers Hedley Bull's conception of an anarchical society and observes that Bull "well describes the general state of the international system" in which "more order, regularity of behaviour, and general observance of custom and convention than the pure

realist expecting unremitting violence of the jungle might suppose."³⁹ Strange thus agrees that the international system can be generally characterized as containing at least some minimal forms of international institutionalized behaviour. However, she does not explore whether this institutionalized behaviour varies across issue areas or across time. Instead, and despite the fact that she goes to some trouble to argue for the existence of some level of institutionalized behaviour at the international level, she is at great pains to deny that such institutionalized behaviour is either significant or worth studying. Strange goes to such lengths because, in the trade issue area, for example, she is concerned that focusing on instances of institutionalized behaviour "gives the false impression that it is the trade 'regime'—the rules and arrangements agreed between governments—that is a prime determinant of what actually happens" and not the "bargaining power of the most powerful states".⁴⁰

We need only heed Strange's warning, however, providing we are satisfied that instances of internationally institutionalized behaviour are in fact trivial and unimportant, and that focusing on such instances necessarily requires ignoring the structure of interests upon which the institutionalized behaviour is based. With regard to the former, this study builds on insights from sociology, social psychology and political economy that suggest that,

³⁹ Strange, *Cave! Hic Dragones*, p. 486.

⁴⁰ Strange, *States and Markets*, p. 162.

far from being trivial, institutions matter. That social institutions matter at the national level is one basic reason political theorists, including progressive political economists, have spent so much time and effort comparing the institutional structures of different forms of state. Presumably if a state were a state were a state, little would be gained by examining its structure and the manner in which it mediates interests. By analogy, international organizations, and the institutional structures they give rise to, although far less powerful and less important than the state at the national level, may nonetheless have effects by virtue of the manner in which they mediate interests and legitimate and de-legitimate different courses of action. It is the contention of this dissertation that international institutions matter for this reason and are therefore worthy of investigation in their own right.

Strange's other point is also not necessarily true. Although many regime theorists have not subjected the normative structure of the regime to critical analysis, that is not to say that such analysis is analytically impossible. While it is possible that focusing on the rights and rules of a regime could lead a theorist to ignore the interests and ideas that are legitimated by that normative structure, such an outcome reflects the broader framework within which the theorist evaluates the regime's normative structure, and is not an inherent aspect of the concept itself. Just as a radical feminist, in examining the social institution of marriage, adopts a critical stance with regard to that social institution and observes clearly the

patriarchal ideas and interests that underlie it, so the critical deployment of the international regime concept should enable us not only to examine the normative structure of the international regime, but also to reveal the underlying interests and ideas that are served by that structure.

Even if we were to concede, however, that the deployment of the regime concept necessarily represents a theoretical commitment to "order", the consequences of such a commitment are by no means as severe as Strange suggests. Strange's assumes that there is something inherently conservative and anti-progressive in adopting "order" as part of one's social value set. Yet, the goal of most progressive politics has never been to replace the existing capitalist order with some form of socialist anarchy. The intention and the practice has been precisely the opposite. It has been to replace the unjust, regressive and inequitable capitalist order with a just, progressive and equitable socialist order. Likewise, Third World leaders have not sought to replace the Liberal International Order with an anarchic system, but have argued for the development of a New International Economic *Order*. A set of value-commitments that includes order is not, therefore, inherently conservative or anti-progressive.

Thus, although Strange is correct in observing that most students of international regimes, operating within realist and liberal theoretical frameworks, assume that what the world needs are more and better liberal international regimes, such views flow not from

the deployment of the concept itself, but from the theoretical framework and axiological assumptions that are buried within them. That this is the case can be seen when we examine the work of a few theorists who have deployed the concept in very different theoretical frameworks. Thus Keeley, for example, is able to employ the concept within a broadly Foucauldian theoretical framework, without adopting the value-assumptions that have dominated mainstream IR theorizing. Similarly, Porter in his study of private international financial regimes, using an approach informed by Giddens' structuration theory, is able to maintain substantial critical distance from the liberal assumption that regimes are necessarily good things and that the order being promoted is necessarily benign.⁴¹ In short, employing the international regime concept does not necessarily commit us to the view that the international system overall displays greater orderliness than anarchy; nor does it bind us to the set of liberal values that have dominated international regime analysis.

Strange's fourth dragon warns that the international regime concept provides too static a view of the structure of the post-war international system. According to Strange, regime theorists tend "to exaggerate the static quality of arrangements for managing the international system", which has the effect of "introducing some confidence in the future of anarchy, some order out of uncertainty."⁴² Thus, Strange concludes that "since the chain of cause and effect so

⁴¹ See Keeley, *Toward a Foucauldian Analysis* and Porter, *Inter-State and Private Regimes*.

⁴² Strange, *Cave! Hic Dragones*, pp. 488-490.

often originates in technology and markets, passing through national policy decisions to emerge as negotiating postures in multilateral discussions, it follows that attention to the result—an international arrangement of some sort—is apt to overlook most of the determining factors on which agreement may, in brief, rest."⁴³ Strange bolsters her claim that the international system was turbulent in the post-war period by observing that "hardly a year went by in the entire post-war period when some substantial change was not made (tacitly or explicitly) in the way the rules were applied and in the way the [monetary] system functioned" and that the "arrangements governing international trade have been just as changeable and rather less uniform" demonstrating that the "trade 'regime' was thus neither consistent nor continuous over time, either between partners or between sectors."⁴⁴

Strange's criticism of the regime concept here contains two components. The first, which we have met before, is that the concept focuses attention on outcomes—the rules or international arrangements—rather than on processes. The second is that the deployment of the concept encourages reification and the tendency to treat outcomes as concrete and fixed when they are, in fact, emergent and changeable. Strange's first criticism applies mainly to the 1970s when theorists developing the regime concept placed the emphasis on describing the normative structure of international

⁴³ *Ibid.*

⁴⁴ *Ibid.*

arrangements and paid less attention to the processes that underpinned such arrangements. By the mid-1980s, however, this critique was less valid, because neorealists, neoliberals and institutionalists began to examine more closely the processes that led to regime creation and the establishment of the international rules of the game. Neorealists, for example, building on the hegemonic stability hypotheses, have sought to understand the processes of regime creation and decline. The underlying processes that create regimes, and thus stability in the international system, are found in the distribution of power resources within the inter-state system, and on whether that system is characterized by the presence or absence of a hegemonic power capable and willing to undertake the provision of "public goods." Neoliberals, by contrast, have examined the underlying processes of regime formation by drawing on insights from game theory. Although neoliberals continue to focus on state power, they view the "orderly" nature of the post-war arrangements as the outcome of a more or less equitable process of interstate bargaining.

Strange's other criticism, that the deployment of the concept tends to treat emergent and changeable international arrangements as fixed and immutable, carries more weight. The comment is, however, not uniquely applicable to the regime concept. Many social science concepts suffer a similar fate, which is partly a function of the process of "naming" any aspect of social reality. One noteworthy example in political science of this tendency to reify

concepts is the concept of "class", which conjures up an image of a physical entity that has temporality and spaciality, and which is capable of action in its own interest. Although this image has encouraged some theorists to apply the concept mechanically and uncritically to different social formations in different historical periods, this does not invalidate the concept itself, which, despite its difficulties, retains considerable explanatory power. Similarly, utilization of the regime concept may create the erroneous impression that there is a static, unchangeable international arrangement to which states adhere, rather than a dynamic, changeable set of international arrangements that are adjustable within certain limits according to certain procedures and that are occasionally transgressed. The degree to which theorists will fall prey to this particular "static" dragon, however, will depend on the skill with which they deploy the concept. It is not an inherent feature of the deployment of the concept *per se*.

It is clear that if we are to take international institutions seriously, we must observe a measure of regularity and order in the international system. Strange's analysis of the post-war international trade and monetary arrangements suggests that no such order existed. Several comments appear worth making with respect to Strange's observations. First, a number of progressive theorists have observed the existence of order in the post-war period, although they have not employed the concept of "regime" to identify such order. Thus, Robert Cox and Gill and Law speak about the existence of

a *Pax Americana*, under which international institutions were established in the post-war period that "were designed to promote a liberal international economic order."⁴⁵ The perception of order and regularity in the post-war period does not, therefore, lie merely with those who directly deploy the international regime concept within theoretical frameworks that justify and legitimate such order. In addition, we may note that it was the express intention of those attending the Bretton Woods meetings that such an order be created. To create such an order, intensive negotiations were entered into, and those party to the negotiations fully believed that they were involved in a high stakes game that would have major ramifications on their individual states and the international political economy as a whole. The fact that they did not completely succeed in their goal invalidates neither the intention to establish a set of arrangements nor the partial success in doing so. Finally, and contrary to Strange's comments, the legal instruments that underpin international arrangements and international institutions—the international treaties—are not made and remade every day, month or year, but are usually renegotiated after a specified period, normally between five and seven years. Although parties to agreements can and do refuse to be bound by the rights and rules specified in these agreements, they do also, quite often, abide by such rights and rules, even when it would be in their short-term interests to break them. It is the fact that governments abide, for the most part, by the letter, if not by the

⁴⁵ Gill and Law, *The Global Political Economy*, p. 143;

spirit of international agreements, that creates the observed level of order and regularity that pervades the international system.

In conclusion, therefore, although Strange's static dragon reminds us of the dangers inherent in reifying concepts and treating emergent and changeable institutional arrangements as fixed and long-lasting, her warning is generally applicable to the deployment of social science concepts in general, rather than to the regime concept in particular. Furthermore, it is not true that regime theorists have ignored the dynamic aspects of regime change or have failed to theorize their underlying processes. Finally, although Strange observes very little order in the post-war period in the issue areas of international finance and trade, her observations are contradicted by many other observers from both the mainstream and progressive wings of IPE. Although many of these authors do not deploy the regime concept, their characterization of the international system is very different from that of the complete anarchy of realists and neorealists or the "anarchical society" of Hedley Bull.

Strange criticizes the international regime concept for being state-centric. Her charge is not the usual one generally levelled at IR theory, which refers to the absence of a theory of the state and the assumption that states act in the national interest. Rather, Strange argues that employing the international regime concept "accords to governments far too much of the right to define the agenda of academic study and directs the attention of scholars mainly to those issues that government officials find significant and

important.”⁴⁶ The danger is, according to Strange, that scholars will focus attention only on existing regimes and ignore critical issue areas, such as human rights, an area in which there is little effective international cooperation or agreement. Although it is important to understand the processes that lead states to cooperate in certain designated areas, it may be even more important to discover why no agreement has been reached in other areas. The international regime concept leads scholars to focus attention on some few successful instances of international cooperation, and to ignore the many more areas where no international cooperation and agreement has been possible.

Two observations can be made in relation to this state-centric dragon. First, in the past 50 years there has been a proliferation of international agreements and treaties in a vast number of different issue areas including human rights, the environment, the position of women in society, health, education, nuclear non-proliferation, population control, and many others. Thus, there may in fact be far fewer issue areas in which no international regimes exist than Strange implies. To the extent that this is the case, we need be less concerned that the deployment of the regime concept necessarily limits us to a narrow set of international economic issues to the exclusion of other important matters concerning political, security and social relations.

⁴⁶ Strange, *Cave! Hic Dragones*, p. 491.

Moreover, the deployment of the regime concept does not oblige us to assume, as Strange does, that the international agenda is merely set by state managers. It is notable that in the post-war period there has been rapid growth in the number of global civil society actors contesting the normative structure of international regimes in many different issue areas. These global civil society actors do not merely accept the established agenda laid down by state managers, they also work hard to have important issues included on the international agenda. International development NGOs, for example, have played an important role in contesting the normative structure of the relationship between the First and the Third World; and human rights organizations, particularly Amnesty International, have influenced state managers, against their will, to develop the normative content and compliance mechanisms of the currently weak and unenforced international human rights regime.

Strange's five dragons are not nearly so full of fire as we have been led to believe. The international regime concept has stood the test of time. The concept's "woolliness" is due mainly to its contested nature and its deployment in several different theoretical frameworks. The charges of value-bias, static-ness and state-centredness are overstated, and, to the degree that they do exist, are essentially a product of the theoretical frameworks within which the concept has been deployed, rather than an inherent aspect of the regime concept itself.

It can be concluded, therefore, that the international regime concept might have analytic utility within a critical IR theoretical framework. As we have seen, the concept has shown versatility and flexibility in being articulated with a wide range of mainstream theoretical frameworks. To demonstrate the concept's utility we need to show that it is analytically more useful than other concepts currently employed by critical theorists in analyzing aspects of the international political economy, and that there is nothing inherent in critical theory which prevents the concept's deployment.

Critical Theory and the International Regime Concept

In the words of Robert Cox, critical theory

stands apart from the prevailing order of the world and asks how that order came about. Critical theory, unlike problem-solving theory, does not take institutions and social power-relations for granted but calls them into question by concerning itself with their origins and how and whether they might be in the process of changing.⁴⁷

Despite this general unity of purpose, however, there is a wide range of theoretical frameworks within critical theory to choose from. Within the discipline of international relations we can identify Marxist, Dependency, World Systems, neo-Gramscian, Feminist and Post-Modern approaches. While each of these theoretical frameworks shares the general purpose of critical theory, substantial differences exist among them over the progressive or regressive role of

⁴⁷ Cox, *Social Forces, States and World Orders*, p. 208.

capitalism in development, the structure of the international system, the role of the state, and the importance of international institutions.

In general, critical theorists focus on the interests that underlie the capitalist system of production and frequently treat national and international institutions rather cursorily. This tendency manifests itself in crude Marxist accounts of the role of the state in national social formations as an instrument of oppression in the hands of the dominant classes. Similarly, at the international level, critical theorists have tended to regard international organizations such as the World Bank and the International Monetary Fund as mere instruments of global capital deployed to oppress the Third World in the interest of continued and enhanced accumulation. This structural tendency has been particularly prevalent under the various versions of dependency theory that became fashionable in the 1970s.

Starting in the 1970s, however, a more nuanced approach to the state also became popular among neo-Marxists and post-Marxists who sought to create space for agency within a modified structural account of the state. Such approaches regarded the state as an arena of struggle between classes (or other social forces such as the New Social Movements) over the formulation and implementation of government legislation.⁴⁸ Applying a neo-Marxist

⁴⁸ For overviews of the neo-marxist debate on the state, see M. Carnoy, *The State and Political Theory* (Princeton: Princeton University Press, 1984); Bob Jessop, *State Theory: Putting the Capitalist State in its Place* (Pennsylvania: Pennsylvania State University Press, 1990); Rianne Mahon, "From 'Bringing' to 'Putting': The State in the Late Twentieth-Century Social Theory", *Canadian*

analysis to the international institutional level opens up the possibility that international organizations are arenas of struggle between global actors over the normative structures that govern (or should govern) specific issue areas. The concept of an international regime is vital from this perspective, because it focuses attention on the object of contestation at the international level, which is analogous in some respects, to the arrangements that state managers seek to bring about at the national level through legislation. Before the concept can be deployed, however, it is important to demonstrate its compatibility with at least one major approach to IR theorizing and to integrate it into that theoretical framework. In this section, therefore, I examine the neo-Gramscian approach to International Relations as developed by Robert Cox, Stephen Gill and David Law.⁴⁹

Antonio Gramsci, an Italian Marxist and political activist, is credited with the development of a culturally and institutionally sensitive interpretation of Marxist theory. Central to Gramsci's theory was a distinction on the way power was wielded by powerful social forces within a social formation. In some societies, the dominant classes ruled almost exclusively through coercion. In such societies, a

Journal of Sociology 16, 2 (1991), pp. 119-144; and Daiva Stasiulis, "Capitalism, Democracy and the Canadian State", in Dennis Forcese and Stephen Richer, ed., *Social Issues: Sociological Views of Canada: Second Edition* (Scarborough, Ontario: Prentice-Hall Canada, 1988), pp. 223-261.

⁴⁹ The discussion is based on the following works. Robert Cox, "Gramsci, Hegemony and International Relations: An Essay in Method", *Millennium: Journal of International Studies* 12, 2 (1983), pp. 162-175; Cox, *Social Forces, States and World Orders*; Cox, *Production, Power, and World Order*; Gill and Law, *The Global Political Economy* and Stephen Gill and David Law, "Global Hegemony and the Structural Power of Capital", *International Studies Quarterly* 33 (1989), pp. 475-499.

"war of movement" leading to the physical overthrow of the oppressive forces could be an appropriate strategy, since the roots of social power did not penetrate deeply into all levels of social life. In other societies, however, the dominant classes legitimated their social power through state and non-state institutions and made concessions to encourage subordinate groups to buy into and support the existing social structure. In such social formations, Gramsci argued, the dominant classes had established their "hegemony" over subordinate classes. A "war of movement" was, in such instances, unlikely to succeed because the roots of the social power of the dominant classes went very deep. In order to achieve socialism, therefore, a progressive political party (the modern prince), had to conduct a "war of position", which involved contesting existing institutional structures and constructing alternatives to weaken the control of the dominant classes and to mobilize the subordinate classes and make them aware of their oppression.⁵⁰

Several of Gramsci's key notions—hegemony, historic bloc, "war of position", "war of movement"—have been taken up by Robert Cox and Steven Gill and David Law, and applied to the international level to provide an account of the constituent elements of world order. In Cox's formulation, there are three components to the structure of any world order: material capabilities, ideas and institutions. Material capabilities are the "productive and destructive

⁵⁰ For an excellent overview of the debt that neo-Gramscians owe to Gramsci, see Robert Cox, "Gramsci, Hegemony and International Relations: An Essay in Method", *Millennium: Journal of International Studies* 12, 2 (1983), 162-175.

potentials" within a world order that "exist as technological and organizational capabilities, and in their accumulated forms as natural resources which technology can transform, stocks of equipment (for example, industries and armaments), and the wealth which can command these."⁵¹ This definition does not specify the loci of such material capabilities. Unlike mainstream IR theorists, there is no theoretical presumption that their loci lie exclusively within the boundaries of individual states, "on-call" by state elites for use when required. The loci of material capabilities cannot be specified because it the question is ultimately historical. Neo-Gramscian theorists are aware of the "modernity" of the state and the interstate system. They know that past orders have not been constructed on the basis of the modern institution of the state. In feudal times, for example, the locus of European power was divided between the Catholic Church and the Holy Roman Emperor.⁵²

The neo-Gramscian approach to world order also gives considerable importance to the dominant *ideas* of an epoch. Cox distinguishes between two types of ideas: *intersubjective meanings* and *collective images*. The first kind consists of "those shared notions of the nature of social relations which tend to perpetuate habits and expectations of behaviour."⁵³ These ideas are constitutive of the

⁵¹ Cox, *Social Forces, States and World Orders*, p. 218.

⁵² As Cox notes: "A sense of the historicity of concepts suggests that the critical relationships may not be the same in successive historical periods, even within the post-Westphalian era for which the term 'state systems' has particular meaning." Cox, *Social Forces, States and World Orders*, p. 222.

⁵³ *Ibid.* p. 218.

historical structures that confront individuals in their contemporary lives as "natural" and "self-evident". As Cox notes, "examples of intersubjective meanings in contemporary world politics are the notions that people are organized and commanded by states which have authority over defined territories; that states relate to one another through diplomatic agents."⁵⁴ This understanding of ideas is entirely consistent with Cox's notion of historical structures which confront individuals in their daily lives as enduring, objective entities, but which are nonetheless historically determined, intersubjective and mutable. The historical structures of the feudal manor and the fief that confronted serfs and lords in medieval times differ significantly from our modern historical structures of the nation-state and the interstate system.

The second set of ideas identified by Cox is the "collective images of social order held by different groups of people."⁵⁵ Unlike intersubjective ideas, which are generally widely shared and relatively uncontested within a world order, groups with different collective images clash over the legitimacy of existing power relations, the definition of what constitutes the public good, and the meaning of social justice. As Cox notes, "the clash of rival collective images provides evidence of the potential for alternative paths of development and raises questions as to the possible material and institutional basis for the emergence of an alternative structure."⁵⁶

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.* p. 219.

The final component of a world order structure is its institutions. Cox notes that:

Institutionalization is a means of stabilizing and perpetuating a particular order. Institutions reflect the power relations prevailing at the point of origin and tend, at least initially, to encourage collective images consistent with these power relations. Eventually, institutions take on their own life; they can become a battleground of opposing tendencies, or rival institutions may reflect different tendencies. Institutions are particular amalgams of ideas and material power which in turn influence the development of ideas and material capabilities.⁵⁷

The analysis of any world order must take into account the above three components. When material capabilities, ideas and institutions combine in a particular configuration, or fit, we speak of a hegemonic world order. According to Cox, a hegemonic world order can be distinguished from a non-hegemonic world order when the power relations on which it rests recede into the background. Cox has depicted the period from 1945 to 1965 as a hegemonic world order, which he refers to as *Pax Americana*. Material capabilities, the forces of production and destruction, were unequivocally centred within states in the immediate post-war period, and the U.S. emerged from the war as the dominant centre of such capabilities. Such material dominance did not, in itself, however, make the U.S. hegemonic. The dominant, intersubjective ideas of the period were that the state was the pre-eminent institution in world affairs and that interstate

⁵⁷ *Ibid.*

relations were governed by *raison d'État*. The U.S. projected its power outward (rather than inward, as it had done in the inter-war period) under the influence of a set of powerful collective images broadly consistent with liberal internationalism. Among the most important of these collective images were that the economy functioned according to natural laws; that broad-based political parties contesting national elections were superior governmental forms; that economic development was a linear, natural and unproblematic process; and that Western ways were generally best and should be imitated by all other states. While the intersubjective ideas of statehood and the logic of *raison d'État* were accepted throughout the post-war interstate system, the collective images were contested, both theoretically by scholars in all countries, and practically, by the Soviet Union in the military sphere and by Europe, Japan and the Third World in the economic sphere.

Despite its preponderance of military capabilities and its collective image of liberal internationalism, the role of U.S.-dominated international institutions in the construction of *Pax Americana* was crucial. These international institutions and their presiding organizations (the United Nations Security Council, the IMF, the World Bank and the GATT being the most critical) legitimized *Pax Americana* and consolidated U.S. hegemony by minimizing the resort to force. International institutions played a crucial role in the consolidation of U.S. hegemony, similar to the role played by national institutions in the construction of bourgeois hegemony. Institutions,

whether national or international, facilitated hegemonic projects because they mediated and legitimized existing power relations. Through judicious negotiation and the making of concessions, powerful sectional interests could be presented as the general interest of all under a universal policy.

It follows from the above analysis that the neo-Gramscian approach to international relations places considerable importance on the autonomous influence of ideas and institutions in the development of world orders. Furthermore, ideas and institutions are not to be derived from material capabilities, and

no one-way determinism need be assumed among these three: the relationships can be assumed to be reciprocal. The question of which way the lines of force run is always a historical question to be answered by a study of the particular case.⁵⁸

Unlike some other critical IR approaches, therefore, which treat international institutions as derivative of the capitalist mode of production and which function in the interest of capital, the neo-Gramscian approach gives considerable weight to the possibility of autonomous institutional effects. As the earlier quotation from Cox makes clear, institutions may reflect the power relations at their point of origin, but can take on a life of their own and become battlegrounds for competing collective images of world order. These comments demonstrate that the neo-Gramscian approach takes

⁵⁸ *Ibid.* p. 218.

international institutions seriously, treats them as part of a dialectical triad, and endows them with the potential to influence independently international behaviour.

My contention is that there is also a homology between Cox's conceptualization of international institutions and the international regime concept outlined earlier. Cox himself draws attention to this in the following comment.

Institutionalized hegemony, as used in this essay, corresponds to what Keohane calls a 'strong international regime'. His theory can be restated in our terms as: dominance by a powerful state is most conducive to the development of hegemony. In this present text, the term 'hegemony' is reserved for a consensual order and 'dominance' refers only to a preponderance of material power.⁵⁹

Cox recognizes the possibility of translating the terminology of international regimes into equivalent terms within his theory of historical structures. However, while many mainstream regime theorists have argued that the formation of strong international regimes, particularly in the trade and monetary issue areas, is the product of a hegemonic state's preponderance of economic and military capabilities, Cox argues that "institutionalized hegemony" is one of the preconditions for the achievement of a hegemonic world order. To put it another way, for neo-Gramscian theorists, the construction of strong international regimes is a precondition for the

⁵⁹ *Ibid.*, fn 16, p. 251.

development of hegemony in a Gramscian sense. Concomitantly, the failure to establish strong international regimes is synonymous with the failure to establish a hegemonic world order.

We can gain a clearer understanding of the importance of hegemonic institutions by examining Cox's account of the role of the IMF and the World Bank in the construction of *Pax Americana*. In the aftermath of the Second World War, the U.S. emerged as the dominant power, locked into a bipolar global power struggle with the Soviet Union. Yet, according to Cox, the U.S.

rarely needed to intervene directly in support of specific national economic interests; by maintaining the rules of an international economic order according to the revised liberalism of Bretton Woods, the strength of U.S. corporations engaged in the pursuit of profits was sufficient to ensure continuing national power. The *Pax Americana* produced a greater number of formal international institutions than the earlier hegemony.⁶⁰

In the above account, the U.S. was instrumental in constructing a hegemonic world order on the basis of its unsurpassed military and economic capabilities. This hegemonic world order was founded on the collective images embodied in international political and economic liberalism, and promoted and legitimated through the establishment of a set of post-war international institutions. More specifically, according to Cox, the World Bank and the International Monetary Fund "incorporated mechanisms to supervise the

⁶⁰ *Ibid.* p. 224.

application of the system's norms and to make financial assistance effectively conditional upon reasonable evidence of intent to live up to the norms".⁶¹

Cox's translation of the international regime concept as "institutionalized hegemony" offers us a provocative insight into the possibility of deploying the regime concept within critical IR theory. Reconceptualizing international regimes as instances of "institutionalized hegemony" enables us to analyze more clearly the emerging social institutions of the world political economy. The similarities continue in Cox's account of the post-hegemonic period, where he notes that the

practice of policy harmonization became such a powerful habit that when the basic norms of international economic behaviour no longer seemed valid, as became the case during the 1970s, procedures for mutual adjustment of national economic policies were, if anything, reinforced.⁶²

This analysis is consistent with neo-Gramscian theory's emphasis on the potential autonomy of the institutional. In effect, Cox is arguing that certain institutionalized patterns of behaviour became entrenched in the post-hegemonic world order and that these institutionalized behaviour patterns facilitated the process of mutual policy adjustment. This view recapitulates Keohane's argument in *After Hegemony*, albeit in a rather different form, in

⁶¹ *Ibid.* pp. 230-231.

⁶² *Ibid.*

which international regimes are seen as being "in demand" in situations of interdependence and uncertainty.

Neo-Gramscian IR theory has been developed primarily for the purpose of examining large-scale macro-structures. Cox, as already noted, has argued that world orders are particular configurations of ideas, institutions and material capabilities. Two basic world order configurations have been identified: hegemonic world orders such as *Pax Britannica* and *Pax Americana* and non-hegemonic world orders such as the inter-war period. Dominant states achieve hegemony not only by possessing a preponderance of military and economic power, but also by the legitimizing effects of a dominant ideology and the construction of international institutionalization. As a result of this focus on the creation of macro-level world-order structures, neo-Gramscian theorists have paid less attention to meso-level structures. Yet it is precisely at the meso-level of analysis that the international regime concept proves most useful. That is, the regime concept comes into its own when we move from a consideration of how world-order structures are created and maintained to a detailed, meso-level analysis of its many emergent sub-structures.

A second advantage in deploying the international regime concept within neo-Gramscian IR theory is that it corrects a tendency among neo-Gramscian theorists to treat international organizations as functional to global capitalism. This tendency is reflected in the work of critical IR theorists, which focuses on those institutions most

intimately associated with the promotion and development of capitalism such as the World Bank, the International Monetary Fund, the Trilateral Commission, and the General Agreement on Tariffs and Trade (GATT). Yet international institutions are, according to Cox, capable of taking on a life of their own and becoming "a battleground of opposing tendencies" and ultimately themselves being "amalgams of ideas and material power which in turn influence the development of ideas and material capabilities."⁶³ The deployment of the international regime concept can assist here because there are no *a priori* presumptions about whether the observed institutionalized behaviour (the rights, rules and compliance mechanisms of the regime) have developed spontaneously, emerged from negotiations among equals, or been imposed as a result of hegemonic pressure.

The deployment of the international regime concept is useful also because it draws attention to an important conceptual distinction between international treaties, international organizations and internationally institutionalized behaviour. These concepts tend to become conflated within a neo-Gramscian approach, yet upon reflection, it is clear that an international treaty that sets out the framework within which international cooperation is to occur is not the same as an international organization which is a forum for debate and negotiation between parties over all aspects of an agreement's implementation. Furthermore, neither the original treaty nor the ensuing international organization can be equated with the existence

⁶³ *Ibid.*

of internationally institutionalized behaviour. The latter may be a desired outcome of the former, but whether the desired outcome occurs is an empirical question. It cannot be presumed to have followed from the signing of a treaty or the establishment of an organization.

Finally, and more pragmatically, the growing popularity of the international regime concept in international legal, government and business circles suggests that there may be important strategic and tactical advantages in the deployment of the concept within a critical theoretical framework. The deployment of the international regime concept within a critical theory of international relations enables us to speak the same language as mainstream IR literature, but with the purpose of revealing the class-based, inequitable, and environmentally destructive nature of current international institutionalization projects. In short, we can get a much better fix on the self-conscious project of a transnational managerial class if we critically employ the international regime concept. In doing so, we buy into neither the positivism nor the statism that dominate mainstream IR theory any more than we buy into government policy when we deploy the concept of the "state", for example, in an analysis of national social formations.

The preceding arguments have brought us to the point where we can now deploy the international regime concept within a Gramscian-informed IR theoretical framework. This deployment corrects several deficiencies identified in the mainstream approaches

discussed earlier in this chapter. First, the neo-Gramscian approach to international regimes corrects the state-centrism of mainstream approaches to international regime formation. The critical approach replaces the traditional assumption of neorealists, neoliberals and institutionalists that governments unproblematically represent their states' national interests. The neo-Gramscian approach as developed by Robert Cox focuses our attention on the complex, unequal struggle that occurs under capitalism between competing social forces at the domestic level over the composition of the state's historic bloc and on how a government's capacity for autonomous action is constrained by the configuration of social forces that constitute its historic bloc.

In addition, the neo-Gramscian theoretical framework focuses on the importance of non-state actors at the national and international level. In mainstream theory, the "politics" of international regimes is generally taken to be interstate politics. However, such an analysis is restrictive: there is, quite simply, far more going on within international fora. While governments are the formal "decision-takers", they do not take their decisions in a vacuum, free from the pressures of domestic and international public opinion, the private lobbies of powerful national and global class interests, and the efforts of coalitions of international non-governmental organizations. A neo-Gramscian approach forces us to widen our focus beyond the diplomats who are formally engaged in negotiations to include the struggles taking place among competing

social forces over the principles, norms, rules and procedures of the international regime.

Third, the neo-Gramscian approach draws attention to the ideological dimension of international regimes. International regimes are not usually the consensual expression of the interests of the international community as a whole. The construction of international regimes favours certain interests, particularly those of international and national capital, over the interests of workers, environmentalists, women, and other dominated groups. International regimes that promote unfettered free trade, investment and monetary stability are neither class-neutral nor environmentally benign. Thus a critical approach will enable us to recognize how difficult it may be to create effective international regimes that successfully institutionalize environmental norms and principles, if their implementation will have important and negative repercussions for powerful international and national commercial interests.

Finally, the neo-Gramscian approach corrects the mainstream account of regime transformation by adding the important dimension of political-economic struggle at the domestic and international level. Without necessarily denying the importance of systemic effects in the form of a declining hegemonic power, or of interstate effects as a result of a significant alteration in the balance of states' material capabilities, the neo-Gramscian approach focuses on the way in which regimes are maintained and transformed as a

result of the changing balance of social forces within, between and above states. Social forces forged out of the structure of production contest the operation of international regimes at the national and international level.

Conclusion

This chapter has reviewed mainstream and neo-Gramscian theories of international institutionalization and has investigated whether the international regimes concept can be deployed within a neo-Gramscian theory of international relations. The chapter concludes that such deployment is possible. Nonetheless, the concept's deployment also modifies neo-Gramscian theory, enabling it to better focus on meso-level structures and to distinguish between treaties, organizations, and institutionalized behaviour. Employing the regime concept enables the critical analyst to examine the process of regime formation as the outcome of struggles between global actors over an emergent regime's rights, rules, compliance mechanisms and decision-making procedures. In subsequent chapters, this critical regime approach is applied to the tropical timber trade issue area. Before proceeding further, however, a detailed presentation of that issue area is required, which constitutes the subject of the next chapter.

CHAPTER THREE

DEFORESTATION, DEGRADATION AND THE INTERNATIONAL TROPICAL TIMBER INDUSTRY

Introduction

The critical approach to regime analysis developed in the previous chapter directs us to examine specific issue areas in an analysis of the process of regime formation. The purpose of this chapter, therefore, is to introduce the technical literature on tropical forests and to examine the structure and operation of the tropical timber trade. The chapter is divided into two broad sections. In the first section, I set out the ecological, economic and social importance of tropical forests, the statistical data on tropical deforestation and rainforest degradation rates and the various logging and silvicultural systems developed to manage tropical rainforests. The technical background is vitally important in making sense of the debates that have taken place within the International Tropical Timber Organization over the rights, rules and compliance mechanisms of the global tropical timber trade regime. In the second section, I examine the structure and operation of the international tropical timber trade and the social forces it engenders. This analysis provides the basis for the later examination of the politics of regime formation as the struggle among global coalitions representing fundamentally different configurations of interests, ideas and modes of organization.

The Functions of Forests

A review of the environmental, biological, ecological and sociological literature on tropical forestry suggests that tropical forests (and forests more generally) carry out four distinct and important functions.¹ First, tropical forests carry out a range of vital environmental functions, particularly related to maintenance of water and carbon cycles, and protection of soils.² In relation to the water cycle, Grainger cites evidence that suggests that approximately 20 per cent of rainfall in the tropics never reaches the ground, but is

¹ This section has drawn in particular on the following literature: Bradley C. Bennett, "Plants and People of the Amazonian Rainforests," *BioScience* 42, 8 (September 1992), pp. 599-607; David J. Brooks and Gordon E. Grant, "New Approaches to Forest Management", parts 1 and 2, *Journal of Forestry* 90, 1 & 2 (January and February 1992); Darna L. Dufour, "Use of Tropical Rainforests by Native Amazonians", *BioScience* 40, 9 (October 1990), pp. 652-659; Anna Maria Gillis, "The New Forestry: An Ecosystem Approach to Land Management", *BioScience* 40,8 (September, 1990), pp. 558-562; Alan Grainger, *Controlling Tropical Deforestation* (London: Earthscan Publications, 1993); Susanna Hecht and Alexander Cockburn, *The Fate of the Forest: Developers, Destroyers and Defenders of the Amazon* (London: Penguin Books, 1990); Herb Hammond, *Seeing the Forest Among the Trees: The Case for Wholistic Forest Use* (Vancouver: Polestar Books, 1991); M. Patricia Marchak, *Logging the Globe* (Montreal & Kingston: McGill-Queens University Press, 1995); Chris Maser, *The Redesigned Forest* (Toronto: Stoddart Publishing, 1990); Robert M. May, "How Many Species Inhabit the Earth?" *Scientific American* 267, 4 (October 1992), pp. 42-48; Kenton Miller and Laura Tangle, *Trees of Life: Saving Tropical Forests and their Biological Wealth* (Washington: World Resources Institute, 1991); Theodore Panayotou and Peter S. Ashton, *Not by Timber Alone: Economics and Ecology for Sustaining Tropical Forests* (Washington: Island Press, 1992); Richard B. Primack and Pamela Hall, "Biodiversity and Forest Change in Malaysian Borneo", *BioScience* 42, 11 (December 1992), pp. 829-837; Kilaparti Ramakrishna and George M. Woodwell, eds., *World Forests for the Future: Their Use and Conservation* (New Haven and London: Yale University Press, 1993); T. C. Whitmore, *Tropical Rain Forests of the Far East* (Oxford: Clarendon Press, 1984); and World Rainforest Movement and Sahabat Alam Malaysia, *The Battle for Sarawak's Forests* (Penang, Malaysia: WRM and SAM, 1989).

² The terms "environmental function" and "ecological function" are used here to distinguish the abiotic from the biotic aspects of an ecosystem's functioning.

captured in the tree canopy and later evaporates back into the atmosphere. Of the remaining 80 per cent, some flows down the trunks of trees, but the majority falls on the forest floor much reduced momentum as a result of the buffering effect of the forest canopy. The considerable amount of forest litter (dead leaves and decaying organic matter on the forest floor) also protects the underlying soil from splash erosion, while the dense tropical forest root system takes up as much as 50 per cent of the incident rainwater, returning it to the atmosphere by the process of transpiration. Of the remaining 30 per cent of incident rainfall, only four per cent flows overland, while the remaining 26 per cent flows underground and joins the water table.³

The tropical forests' role in water cycling simultaneously protects the underlying soil against erosion and the leaching of soil nutrients, most of which occurs as a result of the impact of rainwater. Because forest cover and transpiration significantly reduce the amount of incident rainwater reaching the forest floor, soil erosion from water run-off is significantly reduced. The forest root system helps bind the soil together to further reduce the physical transportation of soil by water into streams. In addition, the decrease in the volume of water washing through the soil reduces the degree of leaching of soil nutrients from the soil, while the dense forest

³ Grainger is basing his description on the work of J. B. Kenworthy, "Water and Nutrient Cycling in a Tropical Rain Forest," in J. R. Flenley, ed., *The Water Relations of Malaysian Forests*, Miscellaneous Series II, Department of Geography, University of Hull, 1970; see Grainger, *Controlling Tropical Deforestation*, pp. 158-163.

vegetation operates as an effective net, recycling nutrients within the forest ecosystem.⁴

Tropical forests contribute to the prevention of global warming. The scientific model that underlies the debate on global warming remains controversial, because although it predicts climate change, such predictions have not yet been confirmed by "hard" statistical data. The difficulty is that by the time the necessary data become available, the process of global warming may be too far advanced to be halted. The scientific model that underlies global warming is fairly straightforward, however. Every day, sunlight heats the earth's surface, with a part of the infrared radiation absorbed and a part reflected back into the atmosphere. The composition of the earth's atmosphere, which consists of nitrogen (79%), oxygen (20%), a small percentage of carbon dioxide (0.03%) and several other inert gases, significantly affects the degree to which the sun's infrared radiation is dispersed outward into space or is trapped and reflected back to earth. Changes in the composition of the earth's atmosphere, particularly changes in the amount of carbon dioxide, significantly increase the heat-trapping ability of the atmosphere, and may lead to a substantial rise in the mean temperature of the earth, with significant climatic effects.

Forests in general, and tropical forests in particular, play an important role also through the process of carbon fixation. The destruction of tropical forests has two major consequences on atmospheric levels of carbon dioxide. First, a considerable amount of

⁴ *Ibid.*, pp. 155-158.

tropical deforestation takes place by burning off forests to prepare the ground for planting. In the process of burning trees, large quantities of carbon dioxide are released, as carbon is the main element in cellulose, which constitutes the major molecule that composes wood fibre. Second, the smaller area of tropical forest that remains absorbs less atmospheric carbon. The net result of these two processes is to raise the concentration of carbon dioxide in the atmosphere and to contribute, together with the continued burning of fossil fuels, to the process of global warming.⁵

The environmental functions performed by tropical forests are complemented by their ecological functions, the most important of which is their role in the maintenance of plant and animal biodiversity. The concept of global biodiversity refers, at its most basic, to the number of species that currently exist on earth, which until recently was estimated to be 3 million. Research carried out in the rainforests of Panama in the 1970s and 1980s, however, has led to a radical reassessment of the number of species inhabiting the earth, now estimated to be between 30 and 100 million, of which only approximately 1.8 million have been identified and classified by biological taxonomists.⁶ Tropical rainforests are important for the maintenance of biodiversity because they contain approximately half

⁵ For further discussion of the contribution of tropical forests to global warming and the greenhouse effect, see Daniel Chiras, *Environmental Science*, pp. 334-337; Alan Grainger, *Controlling Tropical Deforestation*, pp. 163-173; and Richard A. Houghton, "The Role of the World's Forests in Global Warming," in K. Ramakrishna and G. Woodwell, *World Forest for the Future*, pp. 21-58.

⁶ Robert M. May, *How Many Species Inhabit the Earth?*, p. 42.

of all the earth's species. One recent estimate is that as much as 17 per cent of biodiversity of tropical forests may be lost by 2020 at current levels of deforestation.⁷

The loss of biodiversity and the simplification of ecosystems is not merely of academic concern. From a utilitarian perspective, the disappearance of species that have never been studied constitutes a tremendous squandering of potential benefits from the discovery of new medicinal compounds and the development of high-yield, disease-resistant hybrids of rice, cassava, wheat, and other staples. In addition, given the limited understanding scientists have of the complex structure of tropical ecosystems, the effects of a high level of species extinction on the tropical forests themselves are unknown.

In addition to their environmental and ecological functions, tropical forest ecosystems also perform vital economic functions. The study of the economic functions of forests has long dominated the disciplines of forestry and economics, and a considerable amount of attention has been paid to the stream of economic benefits that forests provide at the local, national and global level. These disciplines have focused almost exclusively on the economic benefits to be realized from the logging and sale of timber and from the conversion of forested land to permanent agriculture. However, forests provide a much larger range of economic benefits than merely timber and agricultural land. Forests also provide important economic benefits by the harvesting of rattan, nuts,

⁷ Miller and Tangley, *Trees of Life*, pp. 16-25.

berries, bamboo, and wild game. Many of these so-called minor forest products do not enter the exchange economy, and therefore are not included in a state's Gross Domestic Product (GDP) estimates. These products are often, however, of considerable importance to indigenous peoples living in the forests.

Bennett, in an ethnobotanical study of the plants and people of the Amazonian rainforests, notes that indigenous groups use a wide range of the different species. In a survey of the Quijos Quichua, Bennett reports that of the 242 different tree species in a one-acre plot used by the group, approximately 220 were used for construction, 70 for medicines, and 80 each for fuel and for food.⁸ Similarly, Dufour in a study of agricultural practices notes that "Amerindians collect a wide range of plants and plant products as food and for use in housing, tool manufacture, craft production, and medicine."⁹ The point is that as the tropical forests are converted to permanent agricultural use or degraded by logging, their capacity to meet the needs of indigenous peoples is extinguished or curtailed. The local subsistence economy is impoverished in order to provide economic value to the national and international economy.

Despite the vital role that tropical forests play within subsistence economies, from the perspective of "modern" private- and public-sector investors, forests are valued for their standing timber and for their potential as agricultural land. Proponents of national development and the forest industry frequently point out

⁸ Bennett, *Plants and People of the Amazonian Rainforests*, pp. 599-607.

⁹ Dufour, *Use of Tropical Rainforests*, pp. 652-659.

that the conversion of forested land to other purposes (cultivation, urban and industrial development) is not wrong *per se*, providing the opportunity cost of deforestation and forest degradation is offset by the benefits accruing from alternative use. Until recently, such opportunity costs were calculated without any consideration of the subsistence benefits yielded by tropical forests or of the environmental and ecological costs incurred in their destruction. When these additional benefits and costs are included, the opportunity costs of forest conversion are significantly increased, and frequently the net benefit-to-cost ratio is less than unity.¹⁰

Finally, beyond their environmental, ecological and economic functions, forests are valued also for their socio-cultural and spiritual importance to forest and non-forest dwellers. For many non-forest dwellers, a walk in the woods or a vacation to a national park is both an escape from urbanization and an attempt to recapture elements of a lost spirituality and a sense of the wonder of, and a oneness with, nature. For forest dwellers, forest ecosystems constitute the central element of their cultural existence in a far more profound way. Without a fully functioning forest ecosystem, the lifestyle of forest dwellers is doomed. Their dependence on the forest for food, shelter, medicine and spiritual and cultural integrity is clearly jeopardized if wild game grow scarce, critical species become

¹⁰ E. Barbier, J. Burgess, J. Bishop, B. Aylward and C. Bann, *The Economic Linkages between the International Trade in Tropical Timber and the Sustainable Management of Tropical Forests: Main Report to the International Tropical Timber Organisation* (London: London Environmental Economics Centre and International Institute for Environment and Development, March 1993), pp. 45-48.

extinct, and the forest area diminishes. Forest destruction becomes a form of cultural genocide in these circumstances.¹¹

Forest Management Systems

A central concept in forestry is that of sustained-yield, the goal of which "has been to maximize sustainable timber yield, that is to attempt to generate as constant and predictable a flow of timber in as high a volume as the potentialities of site and forest will allow."¹² The focus of sustained-yield forest management (SYFM) is, therefore, almost exclusively on timber production. To achieve high volumes of fibre production, several different forest management systems have been developed by foresters. These systems are classified by different authors in different ways. One such classification divides approaches to forest management into two basic types. Monocyclic systems are designed "to produce a fairly uniform crop of trees through intensive harvesting and/or extensive silvicultural treatment"; polycyclic systems, on the other hand, "aim for a less uniform, mixed-age stand of timber trees through selective felling, occasionally enhanced by limited silvicultural treatment."¹³

In monocyclic systems, for example, clearcutting of forests is an important forest management tool because it creates the conditions for the regrowth of a new forest of similar species and

¹¹ Ailton Krenak, Coordinator of the Indian Program for Radio Sao Paulo and member of the Krenak tribe of Brazil, makes many of these points in his interview with Susanna Hecht and Alexander Cockburn. See Hecht and Cockburn, *The Fate of the Forest*, Appendix A, pp. 241-245.

¹² Panayotou and Ashton, *Not by Timber Alone*, p. 44.

¹³ *Ibid.*

age. In polycyclic systems, on the other hand, selective logging is the preferred forest management tool because the aim is to maintain an uneven, albeit productive, timber stand. Selective logging systems are the most widely used to harvest tropical timber, and different systems have been developed by foresters operating in different countries. The Indonesian polycyclic system of selective forest management requires, for example, that

the minimum diameter is 50 cm, at least 25 trees of over 35 cm diameter at breast height (dbh) must be left in the forest, and the second harvest is 35 years after the first. In the Philippines the minimum diameter is 70 cm dbh, 70 per cent of trees between 15 and 65 cm dbh and 40 per cent of trees between 65 and 75 dbh must be retained, and the harvest cycle is 30-40 years. In Malaysia, the minimum diameter and harvest cycle are 50 cm dbh and 30 years respectively in Peninsular Malaysia, and 48 cm and 25 years in Sarawak.¹⁴

In theory, the choice of using a monocyclic or polycyclic system reflects differences in forest types and management objectives; in practice, however, there appears to be a certain arbitrariness in the various systems, reflecting an overall lack of knowledge about whether sustained-yield forest management systems of any type work. Thus, Grainger observes that:

The overall sustainability of selective logging depends on the sustainability of logging systems and how they are implemented in practice. Our knowledge of regeneration processes in tropical rain forests is so uncertain that

¹⁴ Grainger, *Controlling Tropical Deforestation*, p. 83.

there must be some doubt about present systems....Ultimately, second harvest yields depend on whether enough trees of sufficient size remain in good condition after the first logging....The only way to be sure is to monitor yields under experimental and actual concession conditions but this will take time.¹⁵

As a result of a great deal of criticism concerning both the theory and practice of SYFM, many authors in the 1980s began to abandon the approach in favour of "sustainable forest management" (SFM). SFM is, however, a highly contested concept that appears, at one end of the spectrum, to be SYFM under a different label, and, at the other end, to imply some reduction in timber production in the interests of protecting forests' non-timber values. The definition of the concept of "sustainable forest management" is discussed in detail in Chapter six, as it constituted a central element in the debate within the ITTO over the content of the Organization's Guidelines for the Sustainable Management of Natural Tropical Forests.

Tropical Deforestation and Degradation: The Statistical Record

The state of national and international tropical forestry statistics is appalling. Grainger, for example, compares six estimates of global tropical forest cover and rate of deforestation that were made in the 1970s and 1980s (Table 1). Prior to 1980, the consensus was that the total area of tropical moist forest was approximately 950 million hectares. This initial consensus was shattered with the

¹⁵ *Ibid.*, pp. 87-88.

Table 1
Several Estimates of Tropical Moist Forest Area and
Annual Rate of Deforestation, 1979-90
(million hectares)

<u>Source</u>	<u>Date</u>	<u>Area</u>	<u>Annually Deforested</u>
Persson	1974	979	11-15
Sommer	1976	935	7.2-20
Myers	1980	972	6.1
FAO ^a	1981	1201	7.3
Grainger	1983	1081	14.2
Myers	1989	800	16.8
FAO	1990	1282	12.2

^a Date is for all tropical closed forests (moist and dry)

Source: Alan Grainger, *Controlling Tropical Deforestation* (London: Earthscan, 1993), Tables 1.3 and 5.2.

publication of a major survey of the tropical forestry resource undertaken by the Food and Agricultural Organization of the United Nations (FAO) in 1980.¹⁶ The FAO report disputed previous estimates claiming that the total area for moist and dry tropical forests was 1,201 million hectares. Grainger, using FAO's data, calculated that the area under tropical moist forests was 1,089 million hectares, an increase of approximately 15 per cent over the previous the 1970 figures.

In the 1980s, the debate on the size of the global tropical moist forest estate continued. In 1989, Myers published new data stating that the total global tropical forest estate was only 800 million hectares. Myers's estimate, although consistent with his earlier work, contrasted sharply with preliminary figures from a new FAO tropical forestry survey, which gave a figure of 1,282 million hectares for the base year of 1990. The figures presented by Myers and FAO are startlingly different, with a discrepancy of 482 million hectares. The discrepancy can be accounted for by noting that each author adopted a different methodology based on a different model of the process of tropical deforestation and degradation, a different taxonomy of tropical forests, and different criteria regarding the acceptability of national data. The political motivations that underlie research have also had an impact on estimates of the extent of the remaining tropical forest ecosystems. Although data from the FAO is used in this study because it is the most recent and the most

¹⁶ J. P. Lanly, *Tropical Forestry Resources*, FAO Forestry Paper No. 30 (Rome: FAO, 1982).

"authoritative", FAO's approach tends to overestimate the extent of the remaining tropical forest estate, thereby underestimating the rate of tropical deforestation and degradation.

In 1993, FAO released the results of a six-year study of the state of the world's tropical forests in a report entitled *Forest Resources Assessment 1990: Tropical Countries*.¹⁷ The report is the most recent, authoritative study to date, and given the extremely poor quality of tropical forestry statistical data, constitutes a useful contribution to on-going efforts to assess the extent of the global tropical forest estate. The FAO study contains a number of flaws, however, in terms of the model of deforestation adopted and in the quality and timeliness of the raw data. Before presenting and analysing FAO's results, therefore, several caveats are in order. First, FAO relied on national forestry statistics for its raw data. Early in the report, it is forced to note that "there is considerable variation among regions with respect to completeness and quality of the information, with Asia faring better than tropical America and the latter better than tropical Africa" and that "the above findings establish that forest resource assessments are among the most neglected aspects of forest resource management, conservation and development in the tropics."¹⁸ While technical difficulties account for some of the observed measurement error in country estimates of the extent of their national tropical forest estate, political factors also are at work.

¹⁷ Food and Agriculture Organization of the United Nations, *Forest Resources Assessment 1990: Tropical Countries*, FAO Forestry Paper 112 (Rome: FAO, 1993).

¹⁸ *Ibid.*, pp. 5-6

Kummer, in a review of the post-war forestry statistics in the Philippines, presents data that graphically illustrate the differences that exist between official government forestry statistics and those of independent investigators (Table 2).

We can appreciate Kummer's difficulty in using the official Philippines Government statistics, given that in every instance, theirs are substantially higher than independent assessments. Furthermore, there is a marked drop in the official estimate of tropical forest cover between 1980 and 1986, which corresponds to the period in which the extremely corrupt regime under President Ferdinand Marcos was overthrown and a more accountable and open administration came to power under President Aquino. The shift in political power coincides with a massive revision in the official Philippines Government estimate of tropical forest cover from just over 44 per cent of total land area in 1980 to just over 30 per cent in 1987. In other words, between 1980 and 1987, the Philippines authorities "discovered" that 4.174 million hectares they had thought to be forested was, in fact, deforested. Errors of this magnitude cannot easily be explained away and little doubt exists that the Philippines Government forestry data were manipulated for political purposes.¹⁹

The Philippines case is not unique. The tendency of governments to manipulate statistics to create a favourable

¹⁹ Kummer also cites a number of examples of the mysterious disappearance of forestry data. In one instance, an entire six-year study of the forestry estate of Mindanao (1954 to 1961) appears to have vanished without trace. See David M. Kummer, *Deforestation in the Postwar Philippines* (Chicago and London: University of Chicago Press, 1993), p. 42.

Table 2

Philippines Government Statistics on National Forest Cover Versus
Independent Statistical Estimates, 1969-1987
(percentage of total land area)

<u>Year</u>	<u>Study Conducted by</u>	<u>Independent Estimate</u>	<u>Philippines Government</u>
1969	P-GFI	34.9	53.6
1973	Lachowski	38.0	46.3
1974	Bruce	29.8	45.6
1976	Bonita & Revilla	30.0	44.2
1980	P-GFI	27.1	41.5
1987	SSC	23.7	30.6*
1987	P-GFI	22.2	30.6*

*1986

Source: David Kummer, *Deforestation in the Postwar Philippines*
(Chicago and London: University of Chicago Press, 1993), Table 12, p.
59.

impression is universal, and the political imperative to do so grows as the discursive importance of the statistical data increases. During the 1980s, tropical forestry statistical data became an extremely sensitive topic, and a bias was created in countries with a large tropical forestry estate towards statistical manipulation. This process will almost certainly continue until a more independent and objective analysis of forest cover becomes available and improvements are made in the institutional structure and technical capacity of statistical offices in tropical countries. In the meantime, the dependence of FAO on national data constitutes a major drawback in its efforts to achieve an accurate inventory of the global tropical forest estate.²⁰

A second problem with FAO data concerns their timeliness. FAO acknowledges that "the data is about ten years old, on average, which could be a potential source of bias in the assessment of change".²¹ In fact, of the 644 forest cover observations that compose the FAO data base, almost 70 per cent (455 of the total) are taken from forestry inventories carried out prior to 1981. Not

²⁰ A critical review of the performance of the ITTO notes that "the Organization's ability to act as a focal point for collation and dissemination of information has been very unsatisfactory...The situation has become so serious that at the last Council meeting in May 1992 the Council was unable to approve its Annual Market Review because of the evident unreliability of much of the data. Not only were there scores of inconsistencies between, for example, reported export and import data, but the Review contained also extravagant and patently untrue claims about the extent of sustainable forest management." Friends of the Earth, International Union for the Conservation of Nature—Netherlands, and World Rainforest Movement, *The International Tropical Timber Agreement: Conserving the Rainforests or Chainsaw Charter?* (London: Friends of the Earth, 17 September 1992), pp. 15-16.

²¹ FAO, *Forest Resources Assessment*, 1990, p. 5.

only are pre-1981 data suspect in terms of quality, but old data capture neither the dynamic nature of deforestation nor the changes in the rate of deforestation that may have taken place in the 1980s. A third difficulty arises as a result of the lack of timeliness of FAO data, involving the mathematical formula used by FAO to adjust the data to the base year 1990. As already noted, FAO obtained national forestry statistics from different years, many of which are pre-1981. These data were projected forward to the base year 1990 to make it consistent. In order carry out this projection, FAO developed a mathematical growth function that "predicts" the 1990 level of forestry cover from data provided from studies carried out in the 1960s, 1970s, and 1980s. Clearly, the success of the FAO "deforestation model" depends not only on the accuracy of the raw data, but also on the validity of the causal assumptions that the model makes about the deforestation process.²²

FAO's deforestation model assumes that the process of deforestation is similar to a biological growth process. That is, "deforestation is observed to increase relatively slowly at initial stages, much faster at intermediate stages, and to slow down at final stages."²³ In building its deforestation model, FAO has assumed that time, population density and population growth, initial level of forest

²² FAO uses a biological growth model, expressed in the form of a differential equation of $dY/dP = b_1 * Y^{b_2} - b_3 * Y$, in which Y is the percentage of non-forested area in a subnational unit computed as: $Y = 100 * (\text{Total area-forest cover area}) / \text{Total area}$; $P = \ln(1 + \text{Population density})$ with population density expressed in persons per square kilometer (ln is the natural logarithm); dY/dP is the derivative of Y with respect to P, and b_1 , b_2 and b_3 are the model parameters. *Ibid.*, p.11.

²³ *Ibid.*, p. 11.

cover, and ecological zone are critical variables. The problem with FAO's deforestation model is that it does not capture any increase in deforestation that occurs as a result of road construction, the launching of "economic development" projects, and changes in national and international trade, exchange rate, investment, agriculture and forestry policies. In each instance, there is a large body of literature on both "market failure" and "policy failure" that suggests that all of these factors can be important in accounting for interstate differences in levels of deforestation and degradation.²⁴

Finally, a fourth weakness in FAO's data relates to an important distinction the study makes between deforestation and degradation. In the FAO study, deforestation is defined as a "change of land use with depletion of tree crown cover to less than 10 per cent" and forest degradation as "changes within the forest class (from closed to open forest) which negatively affect the stand or site and, in particular, lower the production capacity."²⁵ By this definition, a given area can be classified as forested land even though it may contain only 11 per cent crown cover and be so seriously degraded that it fails to perform the environmental, ecological, economic and socio-cultural functions of a forest described above. The degree of tropical forest degradation is not captured in FAO's deforestation

²⁴ An extensive literature on policy failure in the tropical forestry issue area exists as a result of work done by the World Resources Institute under the leadership of Robert Repetto. IIED also has focused its attention also on the existence of market failure and the problem of environmental and ecological externalities. See Robert Repetto and Malcolm Gillis (eds.), *Public Policies and the Misuse of Forest Resources* (New York and London: Cambridge University Press, 1988); and Barbier et al., *Economic Linkages*.

²⁵ FAO, *Forest Resources Assessment*, 1990, p. 10.

statistics, and it must be borne in mind, therefore, that a sizeable percentage of the remaining "forested land" is in fact severely degraded.

These four difficulties with FAO's study of tropical deforestation serve as a reminder that the actual state of the earth's tropical forestry estate is almost certainly far worse than stated in the FAO report. All of the four deficiencies in FAO's approach to inventorying the earth's tropical forest cover work in the same direction: they are biased towards producing the highest possible estimate of the extent of tropical forest cover and to minimizing the consequent rate of deforestation. In short, FAO's results may safely be regarded as presenting the rosiest possible picture of the state of the earth's tropical forests.

The above caveats made, we can now review the results of FAO's study of the state of the world's forests for the base line year 1990. Table 3 presents aggregate data on the extent of tropical forest cover for 1990, as well as an estimate of the average annual rate of deforestation for 1981-1990. The data reveal that in 1990 tropical forests covered approximately 1,756 million hectares of the earth. The average area deforested annually was 15.4 million hectares, which represented an annualized rate of approximately 0.8 per cent of the total global tropical forest estate. Of the total 1,756 million hectares, lowland forest formations constituted just over 1,543 million hectares made up mainly of rain forest or moist deciduous forest types. Grouping the latter two categories under the general rubric of "tropical rainforest", tropical rainforests therefore

Estimates of Forest Cover and Deforestation by Main Ecological Zone

<u>Ecological Zone</u>	<u>Land Area</u>	<u>Forest Area</u>	<u>Forest Area</u>	<u>Defor- ested Annually</u>	<u>Defor- ested Annually</u>
	(million ha)	(million ha)	(% land area)	(million ha)	(% forest area)
Forest Zone	4186.4	1748.2	4.2	15.3	0.88
Lowland rain forest	3485.6	1543.9	4.4	12.8	0.83
	947.2	718.3	7.6	4.6	0.64
moist decid- uous	1289.2	587.3	4.6	6.1	0.90
dry and very dry	1249.2	238.3	1.9	2.1	0.74
Upland	700.9	204.3	2.9	2.5	1.22
Non- Forest Zone	591.9	8.1	1	0.1	1.23
Total Tropics	4778.3	1756.3	3.7	15.4	0.88

Source: K. D. Singh, "The 1990 Tropical Forest Resources Assessment", *Unasylva* 174, 44 (1993), p. 17.

constituted approximately 74 per cent of the total tropical forest estate, with an annual average deforestation rate of 0.82 per cent per annum.²⁶

The aggregated data disguise some interesting regional differences in the pattern of deforestation, however. In order to reveal such regional variations, Table 4 provides data for Africa, Asia and the Pacific, and Latin America and the Caribbean. Although the Asia and Pacific region has the smallest annually deforested area (3.9 million ha), the rate of deforestation is far higher (1.2%) than it is in the African (0.7%) and in the Latin America and the Caribbean regions (0.8%). Deforestation rates are particularly high in both continental and insular Southeast Asia (1.5% and 1.2% respectively).

Tropical forests are not evenly distributed throughout the 90 tropical countries from which FAO has obtained data, however, but are instead concentrated in only a small number of geopolitical locations. Table 5 reveals that just 17 of the 90 tropical countries surveyed by FAO contain three-fifths of all tropical forests and account for two-thirds of tropical rainforests. The 17 countries are spread evenly across the three major continents (six each in Africa

²⁶ The key distinguishing feature between these two forest types is the level of rainfall that occurs in each. Tropical rain forests experience more than 2,500 millimeters of rain per annum compared to between 1,000 and 2,000 mms annually in moist deciduous forests. While all tropical ecosystems have their own unique features, flora and fauna, from the perspective of preserving the earth's biodiversity, it is lowland rain forests and moist deciduous forests that are the particularly critical ecosystems. For the purposes of subsequent discussion, therefore, these two types of tropical forests (Rain Forest and Moist Deciduous Forest) will be referred to simply as "tropical rainforest". For further information on FAO's system of tropical forest classification, see FAO, *The Challenge of Sustainable Forest Management: What Future for the World's Forests?* (Rome, Italy: FAO, 1993), pp. 24-25.

Table 4
Estimates of Forest Cover and Deforestation by Geographical Region

<u>Geographic Region</u>	<u>Number of Countries</u>	<u>Land Area (million ha)</u>	<u>Forest Cover 1980 (million ha)</u>	<u>Forest Cover 1990 (million ha)</u>	<u>Annual Deforestation 1981-90 (million ha)</u>	<u>Annual Deforestation 1981-90 (%)</u>
Africa	40	2236.1	568.6	527.6	4.1	0.7
Asia & Pacific	17	892.1	349.6	310.6	3.9	1.2
Latin America & the Caribbean	33	1650.1	922.2	918.1	7.4	0.8
Total	90	4778.3	1910.4	1756.3	15.4	0.8

Source: FAO, *Forest Resources Assessment, 1990: Tropical Countries* (Rome: FAO, 1993), Table 4, p. 25.

and Latin America and five in Asia) and there are three tropical rainforest "giants": Brazil, Zaire and Indonesia. Table 6 presents data for each of the 17 selected countries on the average number of hectares of tropical rainforest deforested annually and on the average annual rate of deforestation. The figures in Table 6 reveal that some states are undergoing much more rapid rates of deforestation than are others. The average deforestation rate for the selected countries is 0.71 per cent, or 7.1 per cent for the decade (a figure that is somewhat lower than the 0.81 per cent rate for all 90 tropical countries). A deforestation rate of 0.71 per cent per annum translates into a total of 6.164 million hectares deforested between 1981 and 1990. Zambia, Malaysia, Myanmar, Indonesia, Venezuela and Bolivia stand out in particular as countries in which the deforestation rate is more than 1 per cent, with the rate in Malaysia a startlingly high 2.26 per cent, or more than three times the sample average. While high rates of tropical deforestation in certain countries do not "prove" that these countries are unsustainably exploiting their tropical rainforests, they constitute a good indicator of risk. They also direct our attention to what Myers has referred to in military language as "rainforest fronts": regions that are the "principal loci of deforestation" that require a "silver bullet" strategy to "highlight those areas where safeguarding measures are most urgently needed, and where there will be the biggest payoff from

Tropical Rainforests in 17 Selected Countries
(million hectares)

<u>Country</u>	<u>Total Forest Area</u>	<u>Tropical Rain Forest</u>	<u>Moist Decid- uous Forest</u>	<u>Total Rainforest</u>
Africa				
Zaire	113,275	60,437	45,209	105,646
C.A.R.	30,562	719	28,255	28,974
Zambia	32,301	0	21,676	21,676
Congo	19,865	7,667	12,198	19,865
Gabon	18,235	1,155	17,080	18,235
Cameroon	20,350	8,021	9,892	17,913
Asia				
Indonesia	109,549	93,950	3,366	97,316
Papua N. G.	36,000	29,323	705	30,028
Myanmar	28,856	12,094	10,427	22,521
Malaysia	17,583	16,339	0	16,339
India	51,729	8,246	7,042	15,288
Lat. America				
Brazil	561,107	291,598	197,082	488,680
Peru	67,906	40,358	12,299	52,657
Colombia	54,064	47,455	4,101	51,556
Bolivia	49,317	0	35,582	35,582
Venezuela	45,691	19,602	15,465	35,067
Guyana	18,416	13,337	3,167	16,504
Total	1,042,152	566,986	295,961	862,947
World Total	1,756,299	718,297	587,281	1,305,578
% of Total	59	79	50	66

Source: FAO, *Forest Resources Assessment, 1990: Tropical Countries* (Rome: FAO, 1993), Annex 1.

Table 6

Annual Tropical Deforestation, 1981-1990

Country	Total Rainforest (million ha)	Annually Deforest'd (^{'000} ha) Rain Forest	Annually Deforest'd (^{'000} ha) Moist Deciduous	Annually Deforest'd (^{'000} ha) Total Rainforest	Deforest- ation Rate (per cent)
Africa					
Zaire	105,646	361	301	662	0.63
C.A.R.	28,255	5	119	124	0.44
Zambia	21,676	0	255	255	1.18
Congo	19,865	13	20	33	0.17
Gabon	18,235	7	109	116	0.64
Camer'n	17,913	37	67	104	0.58
Asia					
Indon'ia	97,316	1,026	38	1,064	1.09
PNG	30,028	91	2	93	0.31
Myan'r	22,521	162	170	332	1.47
Malaysia	16,339	369	0	369	2.26
India	15,288	50	38	88	0.58
Latin America					
Brazil	488,680	1,013	1,706	2,719	0.56
Peru	52,657	114	38	152	0.29
Colomb'a	51,556	223	95	318	0.62
Bolivia	35,582	0	441	441	1.24
Venez'la	35,067	147	337	484	1.38
Guyana	16,504	0	3	3	0.02
Total	868,947	3,232	2,932	6,164	0.71
World					
Total	1,305,578	4,545	6,085	10,630	0.81
Total as % of World					
Total	66	71	48	58	

Source: FAO, *Forest Resources Assessment, 1990: Tropical Countries* (Rome: FAO, 1993), Annex 1.

timely intervention."²⁷

The above review of the statistical data indicates that tropical deforestation is taking place in all 90 states surveyed by the FAO. A simple linear projection of the current rate of tropical deforestation of 0.8 per cent leads to the prediction that tropical rainforests will be eliminated by the year 2,112. However, given the vast differences in regional and national rates of deforestation, tropical rainforests will disappear sooner in some regions than in others. In the Southeast Asian region, for example, tropical rainforests would be eliminated by 2,069, with the rainforests of Malaysia disappearing by 2,034. Of course, simple linear projections are bound to be erroneous for a wide range of reasons: nevertheless, they do focus attention on the need for action now to halt tropical deforestation before the processes of biodiversity loss, global warming and cultural destruction become irreversible. Indeed, as alarming as the above figures are, they significantly understate the severity of the situation for two reasons. First, as already noted, FAO has adopted an extremely conservative approach to estimating the extent and rate of tropical deforestation. Almost certainly both the actual level of forest cover and the rate of deforestation are higher than FAO estimates. Second, the data considered up to now has focused exclusively on deforestation and has not considered tropical forest degradation, particularly that which is a result of logging primary forests for the domestic and international tropical timber

²⁷ Norman Myers, "Tropical Forests: The Main Deforestation Fronts", *Environmental Conservation* 20, 1 (Spring 1993), p. 10.

trade. Thus, to the above figures on tropical deforestation must be added the figures on tropical forestry degradation.

The measurement of forest degradation is technically far more difficult because it requires the construction of several categories of land use. This requirement is in contrast to the very simplified dichotomous category—either forested or unforested land—used in estimates of tropical deforestation. Yet, as the section on forest functions made clear, the continued degradation of tropical forests has very important implications for the global environment, ecology, and economy, as well as imperiling the survival of indigenous forest peoples. One of the most commendable aspects of FAO's 1990 study was its effort to provide data on the conversion of primary tropical forests to other land uses. In the FAO report, four categories of land change are cross-tabulated with four major ecological zones (wet lowland, moist lowland, dry lowland and moist montane). The data for Africa, Asia and Latin America (Brazil) are presented below in Figure 1.

Figure 1 reveals two critical aspects of the tropical forest degradation problem. First, focusing on Zone-2, the moist lowlands zone, where the majority of tropical rainforests are located, there is a startling difference in the way in which forest degradation takes place in the three regions. In Africa, the process of forest degradation from continuous forest cover to the other four categories is evenly divided. Of the continuous forested land that existed in the moist lowland ecological zone in 1980, approximately 11 per cent was converted to other land-use categories during the decade 1981-90.

Figure 1

Forest Cover Changes by Main Ecological Zone: 1981-90

Source: FAO, *Forest Resources Assessment 1990, Tropical Countries* (Rome: FAO, 1993), Figure 15, p. 41.

No single land-use category predominates over any other, however, and each of the four categories of alternative land use account for approximately the same proportion of overall land use change.

Data for Africa presented in Figure 1 contrast with data from the other two regions. In Brazil, approximately 17 per cent of continuous forested land in the moist ecological zone was converted to other uses during the period, of which by far the largest has occurred in the category "deforested to non-wooded land". This change in land use in Brazil undoubtedly reflects the emphasis that the Brazilian state places on opening up the Amazon rainforests to cattle ranching, the building of roads and the promotion of other infrastructural development projects. Similarly, the small amount of degraded land in Brazil is a reflection of the relatively small extent to which logging is taking place there. In Asia, on the other hand, the amount of continuous forested land that has been degraded equals the amount of land in the "deforested to non-wooded" category, while the overall level of land-use conversion is significantly higher than in either Africa or Brazil, at approximately 24 per cent of total 1980 continuously forested land. The high proportion of land conversion in the "degraded" category is a reflection of the impact of logging and shifting agriculture in the region. A second observation to be made about the more sophisticated data on land-use conversion is that deforestation accounts for only approximately 20 per cent of total land-use change in Africa, 40 per cent in Asia, and 75 per cent in Brazil. Thus, in Africa and Asia, the process of conversion of continuous forested land to other land-use categories is dominated

by the creation of degraded and fragmented forested lands, and conversion to other wooded lands.

Figure 1 reveals that processes other than tropical deforestation are important in understanding regional variation in land-use conversion. One important factor in accounting for the large difference in the degraded category between Asia and Brazil lies in the logging of Asia's primary tropical rainforests to meet domestic and international timber demand. The FAO report on the tropical timber estate also includes data on the extent and rate of logging of primary broadleaved forests and Table 7 presents this data for all tropical countries. The data corroborate the argument that the volume of tropical timber logged is increasing. FAO data indicate that the annual average total hectareage of primary and secondary forests logged increased over the post-war period, from approximately 2.387 million hectares in the 1961-65 period to 4.871 million in the 1986-90 period with the vast majority of logging occurring in primary forests. More than 70 per cent of logging in Africa and over 80 per cent in Asia and Latin America is now taking place in primary forests, which are forests that have not been previously exploited for timber production.

Once again, aggregate data disguise the extent to which specific tropical forest ecosystems are endangered. FAO estimates that the total area of primary forest logged annually in Asia in the 1981-1990 period was 17.895 million. This represents approximately 6 per cent of total broadleaved forest cover at the start of the decade, and more than 7 per cent of the total hectareage

Table 7

Estimated Area of Broadleaved Forest Harvested Annually
All Tropical Countries, 1961-90

<u>Period</u>	<u>Average Harvest Intensity</u>	<u>Area of Forest Annually Harvested (^{'000} ha) Primary Forest</u>	<u>Area of Forest Annually Harvested (^{'000} ha) Secondary Forest</u>
1961-65	17	2152	226
1966-70	20	2516	348
1971-75	20	3422	505
1976-80	19	4356	717
1981-85	18	4648	859
1986-90	19	4871	1020

Source: FAO, *Forest Resources Assessment 1990, Tropical Countries*
(Rome: FAO, 1993), Table 19, p. 52.

of closed broadleaved forests.²⁸ While these figures may not appear too alarming taken globally, in many regions, where logging is particularly intense, they spell the complete elimination of primary closed broadleaved tropical rainforests within the next 50 years.

The Southeast Asian region is again particularly vulnerable, with the Malaysian forest heading the list of endangered tropical ecosystems. Table 8 provides data for the 17 selected countries which contain the largest proportion of tropical rainforests. In the case of Malaysia, for example, the area logged annually for the 1981-90 period is estimated by FAO at 455 thousand hectares, 385 thousand of which occur in primary forests. Thus over an entire decade, the total logged area of primary forest is estimated at just under four million hectares, or 21 per cent of Malaysia's total forest cover. Most commentators predict that this region will be completely logged over by the early years of the 21st century. As a result, Malaysian logging companies are investing in other tropical countries, such as Papua New Guinea, Guyana and Belize.²⁹

The picture that emerges from this review of the state of the world's tropical forests is not encouraging. In short, vital, unique

²⁸ There are a number of different ways of classifying forest types. Broadleaved (hardwood) forests are distinguished from needle-leaved (coniferous, softwood) forests based on an analysis of the dominant species of trees present. "Closed" forests are distinguished from "open" forests on the basis of the density of the forest stand. Tropical Rainforests, covering both Rain Forest and Moist Deciduous Forests can also be classified as closed, broadleaved forest types. For technical definitions, see FAO, *An Interim Report on the State of Forest Resources in the Developing Countries* (Rome, Italy: FAO, 1988).

²⁹ See Marcus Colchester, "The New Sultans: Asian Loggers Move in on Guyana's Forests", *The Ecologist* 24, 2 (March/April, 1994), pp. 45-52.

Table 8

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Estimated Area of Broadleaved Forests Harvested Annually (1981-90), Selected Countries

Country	Total Forest Area (million ha)	Total Broad-Leaved (million ha)	Broad-Leaved as Percent of Total (per cent)	Closed Broad-Leaved Newly Logged ('000 ha)	Closed Broad-Leaved Previously Logged ('000 ha)	Annually Logged 1981-90 ('000 ha)	Annually Logged 1981-90 (per cent)
Africa							
Zaire	113,275	103,533	91	24	1	26	0.03
C.A.R.	30,562	7,824	26	3	0	3	0.04
Zambia	32,301	3,295	10	2	3	5	0.15
Congo	19,865	19,572	99	70	9	78	0.40
Gabon	18,235	18,162	100	117	9	126	0.69
Cameroon	20,350	7,428	37	297	36	333	4.48
Asia							
Indonesia	109,549	86,393	79	1,054	169	1223	1.42
Papua NG	36,000	31,808	88	53	4	57	0.18
Myanmar	28,856	28,741	100	178	20	198	0.69
Malaysia	17,583	17,583	100	385	70	455	2.59
India	51,729	28,747	56	8	35	42	0.15
Lat.America							
Brazil	561,107	387,121	69	1,842	140	1982	0.51
Peru	67,906	66,282	98	76	14	89	0.13
Colombia	54,064	49,793	92	101	7	108	0.22
Bolivia	49,317	40,785	83	9	3	12	0.03
Venezuela	45,690	40,573	89	21	33	54	0.13
Guyana	18,416	18,195	99	8	1	9	0.05
Total	1,274,805	955,835	75	4,248	554	4800	0.50

Source: FAO, *Forest Resources Assessment 1990: Tropical Countries* (Rome: FAO, 1993), Annex 1.

and fragile tropical forest ecosystems are under siege. Tropical rainforests are threatened by both agricultural expansion and commercial logging, and are shrinking in extent and declining in quality. Tropical rainforests are declining at a precipitous rate in Asia, particularly insular Southeast Asia, which has one of the highest rates of tropical deforestation and degradation. Considerable responsibility for this state of affairs in Asia rests in the hands of the tropical timber industry, both domestic and international, which exploits the rich tropical rainforests of Asia for its valuable commercial timber. The remainder of this section thus focuses on the structure and functioning of the national and international tropical timber industry in Southeast Asia and on the precise relationship between logging, encroachment and deforestation.

The International Tropical Timber Industry

Two broad categories of timber, softwoods and hardwoods, are traded in the world market. Softwoods come from coniferous (needle-leaved) trees and are an important export mainly of the developed, temperate countries. Canada, for example, is a major exporter of softwood lumber to the United States, Japan and Europe. Tropical developing countries, however, export very little softwood because the vast majority of trees in tropical forests are broadleaved hardwoods. Furthermore, despite the extraordinary variety of species of tropical hardwoods, only a handful are highly valued commercially. Thus, for example, although Primack and Hall document the existence of 742 species of trees, mainly of the

Dipterocarp family, in a 2.4 hectare area of forest on the island of Borneo, Grainger lists only eight common commercial species for all of Asia.³⁰ This vast gap between number of species and commercial demand has prompted the tropical timber industry to carry out research and development of lesser-known-species (LKS) to improve prospects for their commercial exploitation.³¹

Tropical hardwood exports can take three basic forms, which correspond to the degree of processing involved. Tropical hardwoods can be exported as raw logs, which involves no processing beyond the harvesting and stripping of the log, which is then exported "in the round". Alternatively, raw logs can be converted into sawnwood at saw mills and exported at higher value added. A third, more sophisticated level of processing consists of converting raw logs into wood panels (plywood and veneer), both of which are in high demand by the construction industry. In the process of converting raw logs to sawnwood and plywood, a certain percentage of the original wood fibre is lost. To adjust for such losses in the comparison of wood volumes, therefore, conversion factors are used. Grainger, for example, applies a conversion factor of 1.71 to sawnwood volumes and 1.82 to plywood volumes, in order to present

³⁰ Primack and Hall, *Biodiversity and Forest Change*, Table 3. 2, p. 72.

³¹ This is an area in which the ITTO has been extremely active, and in which it has funded many research projects. See in particular, ITTO Document PPR 21/91 (F), "Conservation Concerns Relating to the Diversification of Species Extracted for Timber: Volume 1", prepared for ITTO by International Institute for Environment and Development, London, March 1991.

aggregate figures for the three products in cubic metres, roundwood equivalent.³²

The trade in tropical hardwoods is certainly not new, and we can trace the shipment of exotic woods from North Africa and Asia back to ancient times.³³ However, classical trade was sporadic, limited in volume, and unorganized. Although the rate of exploitation increased in the fifteenth and sixteenth centuries following European expansion, trade volumes remained modest right up until the end of World War Two. Laarman, for example, presents data that suggest that the average annual volume exported prior to World War Two was fewer than 5 million cubic meters in roundwood equivalent.³⁴ It was only in the post-war period that the trade in tropical timber became better organized and export volumes rose dramatically. The data on estimated volume of tropical timber exports are extremely poor, and subject to extraordinary levels of inaccuracy. Despite their limitations, however, the figures reveal an extraordinary growth in the post-war tropical timber trade, as shown in Table 9.

To gain a clearer picture of the regional and national variation in participation in the tropical timber trade, Table 10 presents data on the major exporting countries in roundwood

³² Grainger, *Controlling Tropical Deforestation*, 1993, Table 3.3, footnotes 1 and 2, p. 74.

³³ See, for example, John Perlin, *A Forest Journey: The Role of Wood in the Development of Civilization* (Cambridge, Mass.: Harvard University Press, 1991).

³⁴ See Jan G. Laarman, "Export of Tropical Hardwoods in the Twentieth Century" in John F. Richards and Richard P. Tucker (eds.), *World Deforestation in the Twentieth Century* (Durham and London: Duke University Press, 1988), pp. 147-163.

Table 9

Trends in Annual Hardwood Exports 1950-1990
('000s cubic metres roundwood equivalent)

Product Description	Year <u>1950</u>	Year <u>1960</u>	Year <u>1970</u>	Year <u>1980</u>	Year <u>1990*</u>
Logs	2445	10670	36720	38475	25516
Sawn- Wood	1792	3744	6722	13857	13297
Plywood/ Veneer	127	1345	5390	8894	20562
Total	4364	15759	48832	61226	59375

* 1990 data from: *ITTO, Annual Review and Assessment of the World Tropical Timber Situation, 1992* (Yokohama, Japan: ITTO, 1993), Tables.

Source: Alan Grainger, *Controlling Tropical Deforestation* (London: Earthscan, 1993), p. 78;

Table 10

Annual Tropical Hardwood Exports 1992, Selected Countries
(million cubic metres roundwood equivalent)

<u>Country</u>	<u>Logs</u>	<u>Sawn- Wood</u>	<u>Plywood/ Veneer</u>	<u>Total</u>	Total as % of World <u>Total</u>
Africa					
Camer'n	0.960	0.342	0.042	1.344	2.3
Ivory C.	0.248	0.471	0.197	0.916	1.6
Gabon	1.044	0.116	0.129	1.289	2.2
Liberia	0.616	0.039	0.009	0.664	1.1
Asia					
Indo'sia	0.000	1.439	15.727	17.166	29.5
Malaysia	16.800	9.063	4.013	29.876	51.3
P.N.G.	1.624	0.009	0.000	1.633	2.8
Lat Amer.					
Brazil	0.000	0.564	0.874	1.438	2.5
Bolivia	0.000	0.205	0.011	0.216	0.4
Total	21.292	12.248	21.002	54.542	93.6
World					
Total	21.971	13.940	22.350	58.261	
Total as % of World	97	88	94	94	

Source: ITTO, *Annual Review and Assessment of the World Tropical Timber Situation, 1992* (Yokohama, Japan: ITTO, 1993), Appendix 1.

equivalents. This table clearly reveals the extraordinary degree to which the industry is currently concentrated in East and Southeast Asian regions, and the marginal importance played by Latin America and North America. Table 10 illustrates the massive geographical concentration of the international tropical timber trade in only two countries, Indonesia and Malaysia, which together export more than 80 per cent of all tropical timber traded. This degree of export concentration is matched on the import side, as revealed in Table 11. Here we observe that a single country, Japan, accounts for almost 40 per cent of all tropical timber imports, while just four countries in East Asia account for almost three-quarters of all tropical timber imports. In contrast, the countries that compose the European Union (EU) import just over a quarter of all tropical timber imports, with North America importing a relatively marginal 5 per cent.

Although Tables 10 and 11 are useful in depicting the current situation, they fail to indicate the degree to which the industry is changing both in terms of geographical location and product composition. In the immediate post-war period, for example, the Philippines dominated the international tropical timber industry, which grew steadily in that country until the late 1960s, when it peaked. Since then, volumes of timber exported have declined sharply, as is evident from Table 12. This decline did not occur as a result of any change in government policy as numerous reviews of the Philippines tropical timber estate make clear. The decline is attributable instead to the fact that almost all of the accessible, primary forests have been logged, confronting the Philippines logging

Table 11

Annual Tropical Hardwood Imports, Selected Countries, 1992
('000 cubic metres roundwood equivalent)

Country	Logs	Sawn- Wood	Plywood/ Venecr	Total	Per Cent World Total
Asia & Pacific	19419	4689	12718	36826	73
China	1776	274	2968	5018	10
Japan	10232	1920	6798	18950	27
Korea	3450	1283	1176	5909	12
Taiwan	3961	1212	1776	6949	14
Europe	3102	4323	3200	10625	21
France	770	530	419	1719	3
Germ'ny	300	581	541	1422	3
Italy	650	581	400	1631	3
Neth'lds	117	858	546	1521	3
Spain	520	428	20	968	2
U.K.	19	718	892	1629	3
North America	5	351	2195	2551	5
Canada	1	26	86	113	0
U.S.A.	4	325	2109	2438	5

Source: ITTO, *Annual Review and Assessment of the World Tropical Timber Situation, 1992* (Yokohama, Japan: ITTO, 1993), pp. 70-72.

Table 12

Actual Production of Timber in the Philippines, 1958-90
(thousand cubic metres)

Year	Production	Year	Production
FY 1958-59	5,452	FY 1971-72	8,416
FY 1959-60	6,315	FY 1972-73	10,446
FY 1960-61	6,596	FY 1973-74	10,190
FY 1961-62	6,772	FY 1974-75	7,332
FY 1962-63	7,668	FY 1975-76	8,546
FY 1963-64	6,536	CY 1977	7,874
FY 1964-65	6,175	CY 1978	7,169
FY 1965-66	8,047	CY 1979	6,578
FY 1966-67	7,843	CY 1980	6,352
FY 1967-68	11,114	CY 1981	4,514
FY 1968-69	11,584	CY 1982	5,400
FY 1969-70	11,005	CY 1983	4,468
FY 1970-71	10,680	CY 1984	3,849
		*CY 1990	4,473

* The 1991 figure is from FAO, *Forestry for Today for Tomorrow 1961...2000* (Rome: FAO, 1993).

Source: E.L. Boado, "Incentive Policies and Forest Use in the Philippines", in Robert Repetto and Malcolm Gillis, *Public Policies and the Misuse of Forest Resources* (New York: Cambridge University Press, 1988), p. 168.

industry with the choice of either re-entering already logged forests where the volume of timber per hectare is significantly less than in equipment to access logs in more remote and hilly regions.³⁵

As logging waned in the Philippines, however, so it waxed in Malaysia and Indonesia in the 1970s. Grainger notes that the Philippines "was the leading Asian log exporter until the mid-1960s, when its place was taken by Malaysia" which "had to be content with a joint leadership role after Indonesia expanded its export in the 1970s."³⁶ In the 1990s, there is evidence that the industry is once again on the move, with increasing Asian investment in Papua New Guinea, Vietnam, Cambodia and Guyana.³⁷ In brief, the industry has tended to be geographically mobile, and to be subject to a boom-and-bust cycle, which is dependent on the size of the tropical forest resource and the rapidity of its harvest. As a country's primary forests become logged out, larger companies seek new stands elsewhere, rather than attempt to sustainably manage existing forest stands.

In addition to changes in the geographic locus of the industry, changes have also taken place in the product composition in the past decade. Table 9 shows that the volume of logs exported in the round has been declining, with the volume of sawnwood

³⁵ For excellent reviews of the tropical timber industry in the Philippines, see Ernestina Boado, "Incentive Policies and Forest Use in the Philippines", in Repetto and Gillis (eds.), *Public Policies and the Misuse of Forest Resources*; and Kummer, *Deforestation in the Postwar Philippines*, 1993.

³⁶ Grainger, *Controlling Tropical Deforestation*, pp. 79-80.

³⁷ See Colchester, *The New Sultans*; and Herb Thompson, "The Forestry-Logging-Timber Industry in Papua New Guinea." *Capitalism Nature Socialism* 3, 3 (September, 1992), pp. 49-69.

remaining steady, and plywood and veneer exports increasing rapidly. The change in the product mix is a direct result of increased processing capacity in the tropical timber producing countries, particularly in Indonesia, which accounted for more than 75 per cent of total plywood exports in 1990. Malaysia, on the other hand, has continued to export raw logs, and accounts for almost 80 per cent of all log exports by volume.

Two other aspects of changes in the international tropical timber trade that emerge from Table 11 deserve comment. The first concerns the increasing proportion of timber exports going to other countries than Japan. The rapid industrialization of China, Korea, Taiwan and Singapore has placed an increasing demand on the regional timber supply, much of which is being met by imports of tropical timber from Southeast Asia. Particularly worrying is the combination of rapid Chinese industrialization in the context of an already severely degraded Chinese forestry base. Despite the fact that China took exceptional measures in the 1970s to expand its forest base, its current timber reserves of 10.26 billion cubic meters provide an average of only 10 cubic meters per capita, which is about 15 per cent of the global average. China will almost certainly be unable to meet its growing timber requirement from its domestic supply and will need to rely increasingly on timber imports to feed its construction and industrialization boom. While a large portion of the import requirement will be satisfied from temperate countries such as Canada (and will place increasing pressure on Canadian forests as a result), a portion of the increased demand will certainly

be met from Southeast Asian states. To date, a lack of foreign exchange has restricted China's capacity to purchase timber imports. However, as this constraint is relaxed with the increasing success of China's export-oriented industrialization strategy, China will import increasing volumes of temperate and tropical timber. Thus, even if Japan curbs its appetite for tropical timber imports in the medium term, increased Chinese imports will almost certainly compensate for any decline in demand.³⁸

Industry Structure in Producing Countries

The preceding analysis of the tropical timber industry provides an abstract, aggregated overview of timber flows that gives little indication of the identity of the key actors and how they interrelate to each other and to other social forces. The purpose of this section is to outline the corporate structure of the tropical timber industry in producing and consuming countries, to examine relations between corporate actors within the tropical timber trade chain, and to provide a preliminary analysis of the social forces that emerge domestically and globally to support and to contest this industrial structure.

A central feature of the export trade is the concession system. In most producing countries, formal ownership of tropical forests is vested in the state. Under the concession system,

³⁸ For a discussion of China's forestry resources and policy development, see Li Jinchang, Kong Fanwen, He Naihui, and Lester Ross, "Price and Policy: The Keys to Revamping China's Forestry Resources", in Repetto and Gillis (eds.), *Public Policies*, pp. 205-245.

government officials, acting on behalf of the state, lease the right to cut timber to private individuals called "concessionaires". Such individuals are granted concessions under license agreements that set out the terms and conditions under which timber extraction may take place. Licenses normally specify the size and geographical boundaries of the concession, the species and diameter limits of the trees to be cut, the location and standards for road construction, the cutting and silvicultural systems to be used, and the royalties and taxes to be paid. By means of these Forest Management Licenses (FMLs), state managers divest themselves of direct responsibility for forest management and devolve these responsibilities to private individuals and corporations.³⁹

Concessionaires are usually, although not invariably, well-connected members of the state's political and economic elite. This should not be surprising, since the power to grant and withhold FMLs provides state elites with excellent mechanisms to reward friends and co-opt potential enemies. Examples of the close relations that exist between state elites and concessionaires have been well documented in Southeast Asia. Broad, for example, details how Indonesia's forest concession system developed in part from General

³⁹ Despite the fact that the concession system is central to the practice of forestry in many countries (industrialized and developing), it frequently receives only passing comment from forest and economic analysts. For some notable exceptions to this general trend, however, see Robin Broad, "The Political Economy of Natural Resources: Case Studies of the Indonesian and Philippines Forest Sectors", *The Journal of Developing Areas* 29, 3 (April 1995), pp. 317-339; Philip Hurst, *Rainforest Politics: Ecological Destruction in South-East Asia* (London: Zed Books, 1989); Marchak, *Logging the Globe*; and François Nectoux and Yoichi Kuroda, *Timber from the South Seas: An Analysis of Japan's Tropical Timber Trade and its Environmental Impact* (Gland, Switzerland: WWF—International, April 1989);

Suharto's desire to reward loyalty in the aftermath of the 1967 coup. Suharto "carved forest concessions out of the country's periphery" and granted them to top military officers "through a closed, noncompetitive system."⁴⁰ Likewise, Mohd. Idris, President of Sahabat Alam Malaysia (SAM—Friends of the Earth, Malaysia) documented the struggle in Sarawak, Malaysia in 1987 between Chief Minister Datuk Patinggi Abdul Taib Mahmud and former-Chief Minister Tun Abdul Rahman Yakub.⁴¹ On April 9, 1987, Mahmud froze timber concessions belonging to relatives and associates of Tun Rahman, prompting the Tun to release a list of the concession holdings of Mahmud's family members and associates. Mahmud then retaliated by releasing his own list of concessions of Tun Rahman's family and associates. In summing up this public spat between Sarawak's government and opposition leaders, Idris concludes that "the majority of the forested area of Sarawak must be given to politicians and their supporters."⁴²

As a result of this tendency for concessions to be awarded on the basis of political considerations, concessionaires frequently have no background in forest management or the timber trade. Consequently, concession holders form partnerships with other fractions of domestic and global capital to exploit the timber

⁴⁰ Broad, *The Political Economy of Natural Resources*, p. 323.

⁴¹ Sarawak is a state in the Malaysian Federation, situated in East Malaysia on the island of Borneo. In the 1980s, the Sarawak Government was at the centre of the tropical timber trade controversy over its treatment of indigenous peoples land claims and its policy of continuing to export large quantities of unprocessed logs.

⁴² World Rainforest Movement and Sahabat Alam Malaysia, *The Battle for Sarawak's Forests*, pp. 53-54.

resource. Joint ventures are a notable feature of an industry that requires considerable up-front, lumpy investments for equipment to construct roads, cut logs, transport timber and process it into lumber and plywood. The concession holder is a silent partner often in such joint ventures, contributing little beyond the FML as equity. The other partners contribute the physical and financial capital to work the concession area and profits from the operation are divided in some agreed proportion between the partners.⁴³

Although FMLs are concentrated in the hands of a few, highly-influential individuals, the actual logging of tropical forests is carried out by a large number of companies (large and small, domestic and foreign). Logging companies operate under a commercial imperative that is dominated by the need to make payments to a large number of groups including banks (to cover the cost of servicing loans); sub-contractors (to cover the costs of road-building); to labour (to cover wages); government (to cover taxes and royalties); and concessionaires (to fulfil the conditions of the joint-venture contract). Although some payments can be delayed until after the logs are sold, companies are under significant financial pressure to cut, skid and transport the timber from forest to final destination as quickly as possible. The sooner and quicker that logs start to roll, the easier it becomes to meet outstanding bills and to realize profits from the operation. Given these financial pressures, logging companies have a clear incentive to minimize operating costs.

⁴³ See, for example, Marchak's discussion of the Indonesian tropical timber industry, in Marchak, *Logging the Globe*, pp. 237-267.

Several cost-cutting measures are available, which often take the form of bending the rules on road-construction, logging, and workers health and safety standards. Loggers also have an incentive to bend or break rules that are not being rigorously enforced either to cut costs (by high-grading, in which only the best wood is taken first) or increase returns (by cutting non-designated species, by cutting under-sized trees and trees on adjacent lands, and by avoiding and evading stumpage and royalty charges by under-reporting volumes or mis-reporting species shipped).

Until the early 1980s, logging companies shipped the majority of timber in the form of raw logs to Asian countries (such as Japan, Singapore, Taiwan, Korea and Hong Kong), where they were processed into lumber and plywood for sale in local and foreign markets. Even today, a significant proportion of timber is imported by these countries and a sizeable portion of Sarawak's timber continues to be exported "in the round" directly to Japan. The log export trade is dominated by large, multinational companies, of which the best known are the Japanese holding companies, the *Sogo Shoshas*.⁴⁴ These mammoth trading companies, with numerous interlocking subsidiaries, have been extensively involved in the Southeast Asian timber trade throughout the post-war period. However, as they are also equally extensively involved in the import

⁴⁴ For detailed discussions of the role of the Sogo Shosha in the timber industry, see Nectoux and Kuroda, *Timber from the South Seas*, pp. 61-67; and John V. Ward Associates, Inc., *The Japanese Market for Tropical Timber: A n Assessment for the International Tropical Timber Organization* (Washington, D.C.: John V. Ward Associates, Inc., September 1990), pp. IV-11 to IV-19.

side of the trade, the details of their involvement will be examined in the next section.

In recent years, logging companies have been directing an increasing portion of their output to domestic sawmills and plywood mills established under various government development programmes. The main concern of mill owners is to obtain a steady supply of good quality logs of merchantable species to ensure high production levels of commodities that meet the demands of wholesalers, retailers and final consumers in their domestic market. The capital required to establish a sawmill is modest in comparison to the sums necessary to set up a plywood mill. As a result, the sawmill sector contains a large number of small operators, while the plywood mill sector is much more concentrated.

Both sawnwood and plywood manufacturers produce for domestic and foreign markets. Significant barriers confront manufacturers seeking to penetrate foreign markets, however. These barriers consist of tariffs, quotas, quality standards, and phytosanitary regulations imposed by importing governments. Even when tariff and non-tariff barriers are minimal, other factors such as freight, shipping, insurance, storage and marketing costs create barriers to trade. Two strategies have been used to overcome barriers to trade. The more common strategy has been for domestic manufacturers to sell lumber and plywood directly to Japanese and European traders. Such a strategy enables the domestic manufacturer to concentrate on producing goods and to avoid the additional costs involved in insuring, shipping, marketing and distributing products

in another country. On the other hand, companies that are able to overcome obstacles to direct marketing in foreign countries can earn a price premium for their efforts. The desire to profit from such opportunities and to break down barriers to trade has led Indonesia to establish its own overseas trading arm (NIPPINDO) for plywood distribution in Japan. NIPPINDO is the sole distributor of Indonesian plywood imports into Japan and has become a major supplier of "konpane" plywood to the Japanese market.

Industry Structure in Consuming Countries

In the tropical timber industry in importing countries, on the other hand, a central role is played by the timber importer who links demand for tropical hardwoods in Japan, Europe and North America with supplies in Asia, Africa and Latin America. Importers may retail raw logs, sawnwood or plywood panels directly to commercial outlets. Alternatively, imported logs are shipped to sawmills and plywood mills for further processing and conversion to higher, value-added timber products such as doors, window frames and panels. Tropical timber imports are used mainly in the construction, furniture and packaging industries, with a much smaller volume being utilized in the production of craft goods, including musical instruments. By comparing the import markets in the United Kingdom and Japan, we can gain a concrete understanding of the operation of the tropical timber import market and at the same time observe some of the subtle national differences that exist.

In the U.K., in contradistinction to the rest of Europe and Japan, a central role in the import trade is still reserved for the timber agent.⁴⁵ The timber agent acts as a go-between between suppliers of tropical timber in Asia, Africa and Latin America and manufacturers and retailers in the U.K. The timber agent takes orders from U.K. retailers and manufacturers and searches out tropical timber of the quantity, species and quality demanded. Until recently, the timber agent imported most of the U.K.'s tropical timber. In the 1980s, however, a number of larger manufacturers began to import tropical timber directly from their own overseas sources, thus diminishing the role of the timber agent.

Upon arrival at a British port, tropical timber either moves directly to market through an extensive retail sector or is further processed by lumber and plywood mill owners and furniture manufacturers into higher value-added products. Unlike many other European countries, notably France and Italy, U.K. timber agents and manufacturers import very little tropical timber in the form of raw logs. The bulk of British tropical timber purchases are lumber, plywood and veneers, with imports of joinery products, especially pre-fabricated doors for the housing industry, being a particularly important sector. A considerable proportion of the imported lumber is used in the joinery industry for windows, floors and other quality end uses, while plywood is further processed into furniture and used

⁴⁵ Oxford Forestry Institute, *Pre-Project Report on Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests* (Oxford: Oxford Forestry Institute, February 1991), p. 39.

in decorative panelling and in the do-it-yourself construction industry.

A major feature of the Japanese import market, on the other hand, is the dominant role, as noted above, played by the Sogo Shoshas. According to Nectoux and Kuroda, the 15 largest trading houses, which included such well-known names as Mitsubishi, Sumitomo, Marubeni, Mitsui, and C.J. Itoh, imported 64 per cent of all South Sea logs into Japan in 1987.⁴⁶ The large size of these corporations and their global reach within and outside Japan enables them to integrate vertically all aspects of the tropical timber trade. Sogo Shoshas have been intimately associated with the tropical timber trade and have held concession licenses directly, formed joint-ventures with concessionaires and other Southeast East Asian companies, and dominate the entire export and import industry through a complex network of credit relationships.

A great deal of tropical timber imported into Japan is routed through the shipping and insurance subsidiaries of a Soga Shosha and enters Japan on specially designed freighters built to carry large loads of logs in the most efficient manner. One notable difference between the U.K. and Japanese markets is the large volume of raw logs imported into Japan for further manufacturing into sawnwood and plywood. A high proportion of this tropical timber is used in the manufacture of plywood panels for forming concrete in Japan's construction industry. "Konpane", as such plywood

⁴⁶ Nectoux and Kuroda, *Timber from the South Seas*, p. 65. The major South Sea exporters of logs were Malaysia (Sarawak and Sabah), the Philippines, Indonesia, and Papua New Guinea.

is called, is used to construct the moulds into which concrete is poured. When the concrete sets, the moulds are knocked off and discarded. The use of high-grade hardwoods for such purposes distresses many European manufacturers, who generally reserve such wood for higher-value end uses in the fine furniture and joinery sectors.

The Sogo Shosha's extensive credit network is fully operative within Japan also and permeates all stages in the manufacturing, wholesale and retail chain. Although sawmill and plywood mills are independently owned and operated for the most part, most are tightly linked to one or more of the large trading companies which supply the raw lumber and purchase the manufactured output. In commenting on this network of credit connections, Ward Associates notes:

It is not unusual for trading companies to sell on 180 day notes payable terms. Indeed, even longer-term notes are available. In fact the entire imported lumber distribution channel is a financing chain. The trading firms, with their extended terms, form the first link using the extended terms described. Primary wholesalers and distribution sawmillers then sell to secondary wholesalers on a 30% cash, 60-120 day notes payable on the balance, basis. These wholesalers then typically sell to retailers on a partial cash, balance 30-60 day notes, terms. And retailers give 60-120 day terms to contractors and other end users."⁴⁷

⁴⁷ Ward Associates, *The Japanese Market for Tropical Timber*, p. IV-14.

These comments are equally applicable to the plywood trade and confirm the general perception that the trade is dominated by a complex network of credit relations both outside and inside Japan.

Three important features of the tropical timber industry emerge from the above analysis of its industrial structure. First, the structure and operation of the industry is fundamentally shaped by the concession system. This system is the dominant form of land tenure preferred by governing elites in timber exporting countries because it promotes rapid "development", freeing up the capital locked up in timber for re-deployment in other economic sectors. The introduction of the concession system, however, conditions the political-economic structure of exporting countries' "historic blocs", creating centres of power dependent on the continued throughput of high-volumes of timber for payment of creditors and earning of profits, revenues, foreign exchange and employment.

A second important feature of the industry is that it operates under competitive pressures, with each link in the timber extraction chain seeking to minimize costs and maximize profits. Purchase price becomes proprietary information, because the timber agents' profit margin is dependent on buying low and selling high. If wholesalers and retailers learn the suppliers' selling price, profit margins for timber agents would be squeezed. Traders become coy and secretive when it comes to discussing suppliers and price, therefore, because to do so reduces their own potential profits.⁴⁸

⁴⁸Another way to look at this question is in terms of sunk costs. One timber importer noted in this regard: "We spend a great deal of time, effort and money on locating and developing suppliers. We need to be very sure that

Finally, the industry is dominated by extensive internal and external credit networks that bind companies together into a mutually dependent, exploitative relationship. Large pools of credit available from the Sogo Shoshas, for example, have enabled many smaller, lower-capitalized companies to purchase the heavy machinery necessary to undertake intensive logging operations in more difficult terrain. Widespread credit networks in Japan have maintained and increased demand by enabling wholesalers and retailers to stock goods for up to half a year without having to pay for them in advance.

Old and New Social Forces and the Global Tropical Timber Trade

The structure of production establishes the basic economic context for the emergence of social forces within a social formation. Production structures advantage and disadvantage different social groups by creating and constraining opportunities to produce and consume goods and services and to enjoy the myriad aspects of social life. Although the structure of production creates a stage for the emergence of social forces, economic structures do not alone determine whether actors representing such social forces will appear or how they will behave. The number, strength and behaviour of actors that emerge to contest any particular regime

information does not reach our competitors or is not used to our disadvantage." Richard Burbidge, "The Pressures on the Timber Sector in Great Britain", in John-Pierre Kiekens, ed., *Promoting A Trade in Sustainably Produced Timber: Proceedings of a Seminar held in Brussels on March 18 & 19, 1993* (Brussels: Environmental Strategies Europe, 1993), p. 15.

depends on the ideas and institutional context within which they operate and on political leadership. As we shall see, not all social forces have been directly represented in the negotiations over the normative structure of the tropical timber trade regime.

The structure of production of the tropical timber trade is an example of global extractive capitalism. The structure is global because a significant proportion of the demand for, and processing of, tropical timber takes place far from the forest in which it was harvested and in the dense web of joint ventures, subsidiaries, partnerships and credit relations that unite concessionaires, loggers, timber agents, shippers, insurers, sawmillers, plywood millers, wholesalers and retailers in the ceaseless process of buying and selling tropical wood products. The structure is extractive in that tropical forests have been viewed as tree mines containing green "gold" ready for exploitation. The operation of the concession system, uncertainty of tenure, high capital investment requirements, a short-term time horizon, the network of interdependent credit relations and the urgency of meeting today's demand for wood products create the conditions for short-term exploitation whatever the longer-term costs. The system is also capitalist. The social fabric is structured into owners of capital (concessionaires, logging company owners, mill owners, shipping company owners, retail company owners) and non-owners of capital (workers, indigenous peoples, ecologists). Owners of capital operate in a competitive system, the purpose of which is to generate profits, a portion of which is reinvested in the pursuit of further accumulation. This system of global extractive capitalism

creates the conditions for the emergence of at least four social forces: tropical timber traders, workers, environmentalists and indigenous peoples. Each social force is briefly described below.

An essential feature of the tropical timber industry is the presence of owners of the means of production—those who control the necessary natural, human, manufactured and financial capital—to orchestrate the cutting, skidding, transporting, shipping, processing, wholesaling and retailing of tropical timber in domestic and foreign markets. The pursuit of profit motivates industrialists at all stages in the timber production chain. Profitability is enhanced by expanding sales' volumes, raising productivity and cutting costs. Owners of capital (most particularly those with substantial sunk costs such as plywood mill owners), require a constant, high-volume, low-cost throughput of logs to ensure that the mill operates at or near full capacity. From the perspective of a mill owner anything that threatens the continuous supply of low-cost logs constitutes a menace that could decrease mill production and put the owner out of business. Members of the tropical timber industry perceive threats to their survival emanating from government taxation and regulation, environmental campaigns, and indigenous peoples' land claims. Industry representatives have a general interest in opposing measures that threaten their direct interest by slowing down the throughput of logs through the system. The tropical timber trade has been well-represented at the biannual meetings of the ITTO forum, and its interests, ideas and organization structure are presented in detail in chapter five.

Labour is another major social force engendered by the rise of capitalist production relations and the broadening and deepening of wage-markets. In the developed, temperate countries, labour unions have been a powerful, if not necessarily ecologically progressive, force in the structuring of national and provincial forest policy. In Canada, for example, the International Woodworkers of America (IWA) exercises significant clout over national forestry policy, an influence that is magnified particularly in British Columbia, where the bulk of the Union's membership is based.⁴⁹ Despite their formidable power and potential influence, however, consuming-country labour unions have not participated in the negotiations at the ITTO over the normative structure of the TTTR. Two reasons appear to explain this lack of participation. First, most union activity is conducted at the local and national level, and there is a strong tendency to direct lobbying efforts to influencing national government policy. The participation of union members at non-union international fora has not been encouraged. Second, the impact of changes in the tropical timber trade on the broader labour movement in consuming countries has been insignificant compared to the impact of neoliberal national government policies being put in place in the 1980s and 1990s. Members have been preoccupied with fighting wage freezes, plant closures, layoffs, and strikebreakers and little energy has been available to more esoteric, international matters.

⁴⁹ Marchak, *Logging the Globe*, pp. 93-94.

In tropical timber producing countries, on the other hand, the influence exerted by labour unions over national and international forest policies has been insignificant. This lack of influence can be attributed mainly to the structure of social relations among labour, capital and the state in most tropical timber producing countries. In much of Southeast Asia, as Lambert and Caspersz note, Articles 87 and 98 of the ILO Convention advocating the rights of freedom of association and collective bargaining are denied either in law or in practice.⁵⁰ In Indonesia, for example, the attitude of the government to labour relations is represented in the Pancasila Labour Relations policy, in which "workers and employers are supposed to forge ahead as one big family."⁵¹ Although the freedom to organize is mentioned in the constitution, independent unions are not recognised by the New Order Government, which deals exclusively with the All Indonesian Workers Union (SPSI). According to the Economist, the vast majority (85 per cent) of union sections within individual companies have leaders that have been chosen by management instead of workers, and "out of 11,000 industries with labour unions, only 8,000 have collective agreements" and "70% of the agreements are not implemented."⁵²

The policy of deliberate labour repression followed by many Southeast Asian governments makes it extraordinarily difficult for workers to unite in defence of their interests at the local and

⁵⁰ Rod Lambert and Donella Caspersz, "International Labour Standards: Challenging Globalization Ideology?" *The Pacific Review* 8, 4 (1995), p. 573.

⁵¹ *Economist*, "Focus Indonesia 1992", 2 April 1992, p. 50.

⁵² *Ibid.*, p. 52.

national level. Other difficulties compound the problem of organization in the forestry sector, however. Much of the labour required in forestry work is seasonal, with loggers being hired on short-term contracts and paid on a piece-work basis. In addition, much of the work takes place in isolated areas, exacerbated by a poor communications' infrastructure, low levels of education among workers, and a lack of resources. It is not surprising, therefore, that producing-country labour unions have not been represented at the ITTO. Even if they had been, however, they would have represented only officially-recognised unions, and would not have taken an independent stance from the governments that created them. Although there are signs that independent unionism is on the rise in Southeast Asia, it is unclear at present whether this trend presages a more fundamental change in the structure of social relations between labour, capital and the state.

In addition to labour, indigenous peoples groups are another vital social force affected by the structure and operation of the tropical timber industry. The basis of the tropical timber trade lies, as previously seen, in a particular form of land tenure where the state first claims ownership of the majority of forested land and then grants the timber rights to this land to concessionaires, in return for payments in the form of license fees, stumpage and taxes. The concession system of tenure, however, conflicts with other, customary forms of tenure used by indigenous peoples inhabiting forested areas from the earliest periods of recorded history. Conflicts, therefore, are inevitable when indigenous customary, usufructory

rights to land are superseded by the modern, legalistic rights of concession holders. In some cases, direct conflict is avoided because concession holders compensate indigenous group members for their losses by making payments to a headman, by employing members of the tribe on logging gangs, and by constructing health-care units, schools and other local facilities.

Frequently, however, such compensatory payments are not made because of either logging company arrogance or resistance from village headmen. Conflict erupts because logging companies route roads through sacred tribal lands, cause damage to local fisheries habitat, scare off and hunt wild game and, by poor logging practices, destroy the forests. When such problems become serious enough, they can lead to significant levels of local resistance by indigenous groups, taking the form of blockades placed on roads to prevent logging-company access to lands held under native, customary title.

Indigenous groups have been able to organize locally because of the cohesive nature of their communities, the perception of a common, external threat, and the strength of their traditional beliefs and ties to the land. In specific instances, this capacity has enabled local indigenous groups to resist successfully the incursions of loggers and to press for and receive compensation for damage done on lands held under native title. While local victories have been important, it has proved more difficult for indigenous peoples to construct national and international structures of representation and to push for full legal recognition of native land claims and for an end

to destructive, unsustainable logging. Obstacles to the formation of such international coalitions are linguistic, educational, cultural, geographical, technical, financial and political. Notwithstanding such obstacles, however, between 1985 and 1995, indigenous groups began to form international organizations and to lobby for their collective interests. At the Tenth Session of the ITTC, in Quito, Ecuador, for example, the Coordination of Indigenous Organizations of the Amazon Basin (COICA) addressed ITTO delegates and called for the immediate halt of an ITTO sponsored project and requested that Amazonian projects currently under consideration not be approved, pending their redesign "through a democratic dialogue between the governments, the ITTO and indigenous people."⁵³

Environmentalists constituted a fourth social force deeply concerned about the fate of tropical rainforests. There were many strands that, linked together, encouraged the environmental movement to identify the tropical timber trade as a key issue in the struggle to protect vital natural ecosystems. One strand was a growing body of literature on the species' richness of tropical forests, which emerged as a result of research by tropical biologists, entomologists and naturalists. Another was growing evidence that these valuable ecosystems were quickly disappearing under assault from a myriad of causes linked to population growth, national "development", and logging. In seeking to protect the tropical forests from destruction, environmentalists focused on the need for rural

⁵³ "Position of the Indigenous Organizations Represented by COICA at the Tenth Session of the International Tropical Timber Council." *ECO* 5, Quito, Ecuador, 29 May-6 June 1991: 1.

development that genuinely improved the welfare of local populations and on reducing the extent, rate and destructiveness of logging.

In advancing the campaign against destructive practice in the timber trade, the environmental movement had some important advantages denied the labour and indigenous peoples' movements. First, environmentalists were already well-organized at the global level in the West, with a number of organizations capable of orchestrating global campaigns on specific issues. Second, the movement was relatively well-funded, with a broad-based constituency that had grown out of the anti-pollution and anti-nuclear campaigns of the 1960s and 1970s. Third, the movement had developed a diverse and sophisticated leadership that was able to plan strategic campaigns at the global level that made strategic use of the media to embarrass well-known companies and governments at the same time as it educated the public on the specific environmental topic in question. As a result of these advantages, the environmental movement became the major oppositional social force to the timber industry in the struggle over the TTTR's normative structure. During the period of this study, the indigenous peoples' movement, although growing stronger, tended to be subsumed within the environmental movement.

Conclusions

This chapter has shown that although tropical forests fulfil four equally important functions, they have been exploited

almost exclusively for the economic value of their timber and the agricultural potential of the underlying soil. This valuation of the earth's tropical forest estate has led to its rapid reduction in quantity and quality, as revealed in FAO statistical data on deforestation and forest degradation. Although it is not possible to measure with any precision the exact contribution made by the tropical timber industry to tropical deforestation, estimates of between 20 and 30 per cent seem appropriate when we take into consideration the dynamic relationship between logging and shifting agriculture on the one hand and the impact of forest degradation on the other. In countries such as the Philippines, Indonesia, Malaysia and Papua New Guinea, where logging has been intensive and widespread, the past and current operation of the industry contributes significantly to the decline in the quantity and quality of the region's tropical rainforests. The chapter thus focused attention on the operation and structure of the tropical timber industry and noted that the industry is concentrated in a small number of countries. In these countries, the industry is controlled by a small number of politically well-connected elites operating within an extensive national and international commercial network.

In brief, although other factors are at work, and the tropical timber trade is not solely responsible for the declining quantity and quality of the earth's tropical timber estate, the trade's current structure and mode of operation are significant contributory factors. Furthermore, the social forces engendered by the growth, development and operation of the international tropical timber

industry entrench a powerful coalition of concessionaires, loggers, shippers, retailers, distributors and marketers (the tropical timber industry) with a vested interest in the maintenance of industrial growth within national political economies. The tropical timber trade is opposed by an environmental movement that heretofore has subsumed the emergent movement for indigenous peoples' rights. Labour, a fourth potential social force, has remained dormant and has not been actively represented at the global level. Thus, the remainder of the dissertation examines the struggle over the normative structure of the TTTR that has taken place within the ITTO between the tropical timber trade and environmentalists, as mediated by representatives of members states.

CHAPTER FOUR

THE ITTA, 1983 AND THE POST-WAR TROPICAL TIMBER TRADE REGIME

Introduction

In this chapter, I derive the formal structure of the Tropical Timber Trade Regime (TTTR) from an analysis of the provisions of the International Tropical Timber Agreement-1983 (ITTA, 1983) and the operation of the International Tropical Timber Organization (ITTO) between 1983 and 1994. The rights, rules, decision-making procedures and compliance mechanisms of the TTTR that governed the tropical timber trade after 1983 are compared and contrasted with those of the post-war international trade regime (ITR) under the provisions of the General Agreement on Tariffs and Trade (GATT). The argument of this chapter is that, despite some modifications, the normative structure of the TTTR that emerged in the post-1983 period continues to promote the process of unsustainable accumulation in the tropical timber trade issue area. As a result, and despite much rhetoric to the contrary, the practices of those engaged in the tropical timber trade have been reformed only at the margin, rendering elusive the goal of genuine sustainable forest management.

This chapter focuses on outcomes, not processes. The purpose of the chapter is two-fold. The chapter's immediate goal is to introduce the reader to the formal structure of the ITTA, 1983 and the operation of the International Tropical Timber Organization

(ITTO) that it established. More importantly, however, the chapter aims to compare and contrast the rights, rules, decision-making procedures and compliance mechanisms of the post-war ITR that governed the tropical timber issue area between 1947 and 1983 with those of the emerging TTTR that have governed the tropical timber trade since 1983.

The Post-War International Trade Regime (ITR)

Oran Young's characterization of international regimes as consisting of three essential components provides a useful point of departure for setting out the ITR's and the TTTR's formal structure. The three components are rights and rules, procedures, and compliance mechanisms.¹ According to Young, at the core of every international regime "is a cluster of rights and rules", which "structure the opportunities available to actors" while "their exact content is a matter of intense interest to these actors."² Young defines a right as "anything to which an actor (individual or otherwise) is entitled by virtue of occupying a recognized role", while rules are "well-defined guides to action or standards setting forth actions that members are expected to perform."³ We should notice that a normative order lies beneath this specification of a regime's rights and rules. Thus, by setting out the rights and rules of a regime,

¹ Oran Young, *International Cooperation: Building Regimes for National Resources and the Environment* (Ithaca, NY: Cornell University Press, 1989), pp. 11-23.

² *Ibid.*, p. 15.

³ *Ibid.*, p. 15.

we are also presenting a particular normative order that specifies not only the content of the order, but also who might be legitimately regarded as having rights to participate in and benefit from that order. The rights and rules of a *laissez-faire* trade regime, for example, will differ substantively from the rights and rules of a trade regime based on the principles of economic nationalism.

In addition to specifying the rights and rules of a regime, we must also specify its procedural and compliance components. Procedural components are "recognized practices for handling situations requiring social or collective choice...when it is necessary or desirable to aggregate the (nonidentical) preferences of two or more individual actors into a group choice."⁴ Young lists a large number of procedural mechanisms, which range from first come, first served to the use of "markets, voting systems, bargaining, administrative decision making, adjudication, unilateral action backed by coercion, and organized violence."⁵ Finally, regimes also can be characterized by their compliance mechanisms, designed to ensure that the rules are followed and that members' rights are not infringed upon. Young defines these compliance mechanisms as "any set of institutions publicly authorized to promote compliance with the substantive provisions of a regime or with the outcomes generated by its social-choice mechanisms."⁶ Young notes that a regime's compliance mechanisms are normally rather weak, although

⁴ *Ibid.*, p. 18.

⁵ *Ibid.*, p. 19.

⁶ *Ibid.*, p. 20.

the opprobrium shown by regime members for those who break the rules or violate other members' rights should not be discounted.

The Normative Structure of the International Trade Regime (ITR)

The general structure of the ITR that governed the tropical trade issue area between 1947 and 1983 can be derived in part from an analysis of the provisions of the General Agreement on Tariffs and Trade (GATT), which constituted the basic document that set out the provisions to govern trade practices in the post-war period. The major purpose of the GATT was to safeguard the right of producers to the freer trade of goods and services. This right to freer trade was outlined in the Agreement's Preamble, which stated that the objectives of "ensuring full employment and a large and steadily growing volume of real income and effective demand" could best be met "by entering into reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international commerce."⁷

The rules negotiated under the GATT provided a framework for the protection of the freer-trade rights of interested parties. Two basic rules governed the post-war international trade regime. The Most-Favoured Nation (MFN) rule stated that "any advantage, favour, privilege or immunity granted by any contracting party to any product originating in or destined for any other country

⁷ *The General Agreement on Tariffs and Trade (GATT)*, Geneva-30 October 1947, Preamble.

shall be accorded immediately and unconditionally to the like product originating in or destined for the territories of all other contracting parties."⁸ The aim of the MFN clause, as Tussie notes, is "to outlaw preferential arrangements, and, as a corollary, to prevent the struggle to obtain and secure such arrangements."⁹ When state representatives negotiated a tariff reduction with officials of one state, similar reductions applied to other GATT members. The tariff rates of the most-favoured nation thus set the benchmark for other GATT parties. Under the rules of "national treatment", on the other hand, the GATT bound parties neither to levy internal taxes nor apply laws that would have the effect of protecting domestic production at the expense of imports. In particular, Article III, paragraph 2, noted that "the products of the territory of any contracting party imported into the territory of any other contracting party shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products."¹⁰

The major decision-making procedures provided for by the GATT related to the negotiation of tariff reductions and the resolution of trade disputes. Multilateral bargaining was the procedure of choice for bringing about reductions in tariff and non-tariff barriers. The procedure involved simultaneous trade talks or 'rounds' among all GATT members over a wide range of issues and

⁸ *Ibid.*, Article 1.

⁹ Diana Tussie, *The Less Developed Countries and the World Trading System: A Challenge to the GATT* (New York: St. Martin's Press, 1987), p. 13.

¹⁰ GATT, Article III, paragraph 2.

products aimed at agreeing a schedule of reductions in tariff barriers. In addition to procedures for tariff reductions, the GATT Agreement provided procedures for the resolution of disputes. These dispute resolution procedures were weak on paper and required, for example, that "contracting parties shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as may be made by another contracting party with respect to any matter affecting the operation of this Agreement."¹¹ Despite the weakness of the procedures, they did at least make provision for discussion and consultation prior to the adoption of trade policies that might offend other parties. In practice, the procedures proved moderately effective in resolving trade disputes between parties.

The compliance mechanisms of the GATT consisted of a combination of social opprobrium and self-help. Although any government was entitled to seek a ruling from the GATT on the legality of others' trade practices, a GATT ruling in its favour was not followed by the use of multilateral trade sanctions. Instead, the offending government could choose to obey the GATT ruling and abandon the offending practice, or it could choose to ignore the GATT ruling altogether. If it chose the latter route, then the original state that sought the ruling had little recourse beyond trade retaliation which was sanctioned under the GATT in such cases. Such a disaggregated compliance mechanism ultimately granted governments of more powerful economies greater bargaining

¹¹ GATT, Article XXII, paragraph 2.

leverage over trade negotiations, since they could always resort to unilateral action in the knowledge that the damage done to other economies would be far greater than that done to their own.

Although the actual practices of governments in the post-war period deviated from the normative principles of freer trade provided for under the GATT, the period was nonetheless characterized by a remarkable openness to trade and by a massive growth in global exports. Although most governments, at various times, 'defected' from the norms of the commodity trade regime and imposed both tariff and non-tariff barriers on traded products, the norms were generally respected and substantial efforts were made to reduce tariff barriers and export volumes.

In addition, the dispute resolution procedures outlined above in the GATT were expanded through practice to include the use of GATT trade panels. Trade disputes were referred to an expert group for a decision on whether a particular trade action was in compliance with GATT provisions. A ruling of a GATT panel carried considerable moral authority, and governments frequently felt themselves obliged to drop the offending legislation, even if their ultimate intent was to achieve the same trade-restrictive goal by other means. The compliance mechanisms of the ITR, on the other hand, remained very weak in practice and no substantive developments occurred in the post-war period to strengthen these.

The rights and rules of the GATT were characteristic of a particular normative order in which the aim was "to establish as open and liberal a system as possible" in order to permit "trade to

increase global efficiency."¹² While unfettered free trade was undoubtedly the preference of many negotiators to the GATT, "a pragmatic compromise" was reached "by which domestic interests were offered some protection from the international market, but foreign suppliers would be allowed to compete for a share of the domestic market."¹³ The right, rules, decision-making procedures and compliance mechanisms of the ITR did not, however, govern all sectors equally. Agricultural trade, for example, was exempted from many of the most important GATT provisions. The possibility that exceptions could be made in discrete sectors also existed. The GATT recognised the legitimacy of International Commodity Agreements (ICAs) and these could be negotiated, on an exceptional basis, through the Interim Coordinating Committee for International Commodity Agreements (ICCICA).¹⁴

In the post-war period, however, very few ICAs were, in fact, negotiated. As a result, the tropical timber issue area was governed by the provision of the ITR for most of the post-war period. This meant that tropical timber was treated in a similar fashion to most other traded products. Governments focused exclusively on its commodity aspects, with producing-country governments seeking higher prices and increased access to developed-country markets, while consuming countries sought to

¹² Tussie, *The Less Developed Countries*, p.15.

¹³ *Ibid.*, p. 15.

¹⁴ ICCICA was set up under the auspices of the United Nation's Economic and Social Council (ECOSOC) as a result of ECOSOC's endorsement of Chapter VI of the Havana Charter (the commodity's chapter).

hold prices down and maintain their own tropical timber processing industries by levying differential tariff on unprocessed and processed imports. It was only when the United Nations Conference on Trade and Development (UNCTAD) launched its Integrated Programme for Commodities (IPC) in 1976, therefore, that the tropical timber issue area began, for the first time, to be considered as a candidate for exceptional treatment outside the normative structure of the ITR.

The Negotiation, Provisions and Implementation of the ITTA, 1983

The ITTA, 1983 is an international commodity agreement, which emerged from UNCTAD's IPC initiative. The purpose of the IPC was to overcome the perceived failure of ICCICA by creating a general coordinating framework for the negotiation of commodity agreements. Eighteen commodities, ten of which were identified as "core" commodities, were put forward as possible candidates for the negotiation of ICAs. The core commodities were identified as coffee, copper, rubber, tea, tin, sugar, cotton, cocoa, jute and hard fibres. These ten were considered amenable to price stabilization by the establishment and operation of a buffer stock. The remaining eight commodities, including tropical timber, were regarded as unsuitable for buffer stock operations either because they were perishable commodities (bananas, for example) or because they were too heterogeneous in quality to enable an effective buffer stock to be established.

The distinction between "core" and "non-core" commodities created two categories of commodity agreement. A "typical" ICA contained provisions to stabilize price fluctuations, usually via the establishment of a buffer stock, although these could be accompanied by the use of export quotas. The purpose of a buffer stock was to even out price fluctuations that arose from short-term imbalances in supply and demand. In the case of supply shortages or demand increases, the buffer stock manager released supplies of the commodity onto the market in order to dampen down price increases. Conversely, the buffer stock manager replenished the buffer stock if there was an over-supply or a drop in demand of the commodity. The politics of a typical ICA, therefore, revolved around the management of the buffer stock, which included the setting of floor and ceiling prices, the determination of longer-term price trends, the use of export quotas and so forth. The politics of an atypical ICA, on the other hand, was bound to be very different, since the absence of a buffer stock meant that delegates' time could be spent discussing other issues.

The IPC process in tropical timber was launched at UNCTAD IV in 1976 by Resolution 93 (IV). Section IV, paragraph 4 of the Resolution directs the UNCTAD Secretariat to organize preparatory meetings on each of the 18 commodities identified above and to prepare background documentation to stimulate debate and discussion. The purpose of the Preparatory Meetings was to determine whether a basis existed for the negotiation of an ICA in the designated commodity, and if so, what the content and scope of

such an agreement might be. In the case of tropical timber, six preparatory meetings were held between May 1977 and June 1982. By the Sixth Preparatory Meeting, agreement had been reached on the scope and content of a possible agreement. At the Meeting on Tropical Timber (29 November to 3 December 1982) and the Conference on Tropical Timber (14 to 31 March, 1983) delegates resolved the institutional and organizational questions and agreed to the text of the ITTA, 1983.

Members of the UNCTAD Secretariat played an important role, particularly on behalf of the developing countries, in promoting the need for, and in suggesting the possible content of, an international agreement on tropical timber. In making the case for an ICA in tropical timber, Secretariat staff took into account the previous difficulties experienced between 1966 and 1976 in reaching agreement on a text to establish an International Tropical Timber Bureau (ITTB) under the auspices of the International Trade Centre-UNCTAD/GATT. The effort to establish the ITTB was an attempt to bring major Third World producers of tropical timber together to

foster co-operation among member countries in order to develop markets for tropical timber, to increase the number of species traded internationally, to encourage the exports of processed timber products, product development, the harmonization of commercial practices, and the provision of market intelligence and information services with respect to the trade in tropical timber.¹⁵

¹⁵ TD/B/IPC/Timber/2, "Consideration of International Measures on Tropical Timber: Report Prepared by the Secretariats of UNCTAD and FAO", 16 May 1977, p. 25.

According to one observer, the major reason for the failure of producing-country governments to ratify the ITTB related to the mechanism to assess financial contributions to the Bureau's budget. African delegates wanted a country's financial contribution to be based on market share but Asian delegates refused because they would have to pay the lion's share.¹⁶

As far as the content of the proposed ITTA was concerned, one of the early controversies centred on whether to establish direct price stabilization mechanisms. A preliminary position paper from Third World representatives argued that "price indicators for stabilization purposes should include a limited number of log varieties, grades and specifications based on trade data and information in order to establish price relatives...." Furthermore, although the adjustment of supply via export quotas was considered more practicable than the operation of a buffer stock, because "stocks of logs of many species deteriorate fast and chemical treatment of them for stocking is neither easy nor inexpensive", nevertheless "certain amounts of pipeline stocks might be unavoidable in view of the time lag in enforcing the policy cuts in accessible areas and the limited flexibility provided in the licences and contracts within the period of a year."¹⁷

¹⁶ Interview with intergovernmental representative, 14 July 1994.

¹⁷ TD/B/IPC/Timber/5, "Report of the Secondary Preparatory Meeting on Tropical Timber", 1 November, 1977, Annex 1, pp. 2-3.

The debate on whether an agreement should attempt to regulate prices directly via the establishment of floor and ceiling prices, the provision of a buffer stock, and the use of export quotas continued into the Fifth Preparatory Meeting. By then, however, much of the steam had gone out of the debate due to opposition by First World delegates and growing awareness in the UNCTAD Secretariat and among producing country delegates of the technical difficulties of implementing direct price stabilization measures. A joint report by UNCTAD and FAO, for example, on the degree and causes of market instability in the tropical timber trade and in possible stabilization mechanisms concluded that, notwithstanding substantial instability in prices in tropical timber export markets between 1973 and 1975, the general price trend for tropical timber was upward and that export earnings "have not been of great national significance for the balance of payments, employment or government revenue."¹⁸

These economic considerations were compounded by the technical difficulties identified in the establishment of a buffer stock for tropical timber. As was pointed out at the time, the commodity is extremely heterogeneous, consisting of at least three different basic types of products (logs, sawnwood, and plywood), each of which can be differentiated by species and quality. In addition, some deterioration in product quality could be expected as a result of

¹⁸ TD/B/IPC/Timber/21, "Consideration of Matters Remitted by the Third Preparatory Meeting on Tropical Timber: Instability in Tropical Timber Markets", Report by the UNCTAD Secretariat prepared in consultation with the FAO Secretariat, 25 July 1978, pp. 24-25.

storage, which, given the bulkiness of the commodity, could be expected to be costly. The result of these considerations was that direct price stabilization, by the use of administrative pricing, export quotas or buffer stock operations, was abandoned as a goal of the agreement. Greater transparency in the tropical timber market was felt to be a better way to stabilize prices and bring about a balance between supply into balance.¹⁹

The other major question relating to content was whether to include a reference in the agreement to the environment and, if so, whether it should be included in a preamble, where it would have minimal legal consequences, or in the text of the agreement itself. It is important to note that at the outset of negotiations, tropical timber was treated almost exclusively as a commodity, although concern was expressed about a possible future decline in supply because of deforestation and tropical rainforest deterioration. This concern is clearly expressed in a document tabled in May 1977 prepared by the Secretariats of UNCTAD and FAO that notes:

The world forest monitoring system...is likely to confirm...that the global tropical forest resource is dwindling fast, in area and quality....The result is that this important source of foreign-exchange earnings is slowly, but inexorably, being throttled. This is a fundamental problem of tropical timber.²⁰

¹⁹ For a full consideration of the issues and proposed solutions, see TD/B/IPC/Timber/34, "Report of the Intergovernmental Group of Experts on Improvement of Market Intelligence on Tropical Timber", 26 January 1982.

²⁰ TD/B/IPC/Timber/2, *Op. Cit.*, p. 27.

The above quotation is interesting because it makes no reference to any other forest functions beyond the supply of tropical timber for export to earn foreign exchange. However, in the early 1980s, the world forestry situation was changing fast as new information became available on the high rate of deforestation taking place on the one hand and the importance of tropical rainforests to global biodiversity and carbon sequestration on the other. By 1982, it had become important to consider the tropical timber supply situation in a broader context. Thus, a later report observed that:

Natural forests as the primary source of tropical timber are the focus of wide international interest and cause serious preoccupations. Whether seen from the commodity or resource development angle, or from any other standpoint related, for example, to global survival or to the well-being of communities living in or near these forests, any remedial action must naturally be pursued at the very root where the problems arise....²¹

The growing awareness of the environmental aspects of tropical deforestation led the Japanese delegation to include a reference to the environmental and ecological importance of forests in the Preamble to their draft articles of an International Tropical Timber Agreement, submitted in late 1981. However, while paragraph two of the draft Preamble recognizes "the importance of proper and effective conservation and development of tropical

²¹ TD/B/IPC/Timber/36, "Consideration of the Possible Elements of an International Agreement on Tropical Timber: Reforestation and Forest Management of Tropical Timber within the Integrated Programme for Commodities", Report by the Secretariats of UNCTAD and FAO, 2 April 1982, p. 24.

timber forest with a view to ensuring its optimum utilization while maintaining the ecological balance of the biosphere",²² this recognition is not carried over in the text of the draft Agreement, and no environmental or conservation objective was included. The decision to include an environmental objective was taken very late in the negotiation process, following the involvement of the International Union for the Conservation of Nature (IUCN) as an observer at both the December 1982 Meeting on Tropical Timber and the March 1983 Conference on Tropical Timber.

The participation of the IUCN in the final stages of the negotiations had an important impact. The "Report of the Meeting on Tropical Timber", for example, noted that IUCN "had scrutinized the draft articles presented by the Government of Japan...and had taken the liberty of proposing several alterations to it. Those proposals did not represent the final elements of an IUCN viewpoint but rather were aimed at pointing the way for further drafting proposals which the Union would be pleased to elaborate at the drafting stage."²³ Representatives of IUCN were well placed to exert influence because they were based in Geneva, Switzerland where the negotiating conferences were taking place, and had a large number of government and NGO contacts.

²² TD/B/IPC/Timber/AC.2/Misc.4, "Draft Articles of an International Agreement on Tropical Timber", submitted by the Government of Japan, 23 November, 1981: Preamble.

²³ TB/Timber/3, "Report of the Meeting on Tropical Timber", 1 February 1983, pp. 7-8.

Likewise, the role of the UNCTAD Secretariat cannot be overlooked. Terence Hpay, for example, was a member of the UNCTAD Secretariat, sympathetic to environmental considerations, and had good contacts in IUCN, WWF-International and IIED. In a letter circulated to these and other groups written shortly after the adoption of the draft text, he noted that "tropical timber will now have a world organization of its own to look into its problems, including those which touch upon environmental matters associated with tropical forest utilization and conservation, and to help find their solutions which, as you know, may not be always technical."²⁴ In short, therefore, the decision to include an environmental objective within the ITTA, 1983 was the product of an increasing level of general environmental awareness, the realization of the environmental importance of tropical rainforests in particular, and the influence of environmental organizations such as IUCN in conjunction with sympathetic governmental and intergovernmental officials.

The decision not to include direct price stabilization in the ITTA, 1983 marked the Agreement as an "atypical" ICA in the eyes of its negotiators and future delegates. On the other hand, the decision to include an environmental objective marked the Agreement as "environmental" for the NGO community. These two decisions had important consequences for the future operation of the Agreement. However, before turning to an analysis of the

²⁴ Letter from Terence Hpay, Consultant to the United Nations, to Charles de Haes, Director-General, World Wildlife Fund, dated 15 December 1983.

Organization's operation, the actual provisions of the Agreement must be examined in greater detail.

The Provisions of the ITTA, 1983

The ITTA, 1983 is a relatively short document, consisting of 47 Articles divided into a Preamble, eleven chapters and three annexes. A key feature of the 1983 Agreement concerns the definition of the types of timber and timber products covered. Chapter II, Article 2, paragraph 1 defines tropical timber as:

Non-coniferous tropical wood for industrial uses, which grows or is produced in the countries situated between the Tropic of Cancer and the Tropic of Capricorn. The term covers logs, sawnwood, veneer sheets and plywood. Plywood which includes some measure of conifers of tropical origin shall also be covered by this definition.²⁵

The general intent of Article 2 is to specify as precisely as possible which products are and are not covered by the Agreement. Although the definition covers the vast majority of tropical timber products traded, the definition excludes both coniferous tropical timber (which are softwoods) and the industries dependent on coniferous timber, mainly the pulp and paper industry. The Article excludes more highly processed timber products too, such as furniture, musical instruments, and craft products.

²⁵ All quotations are taken from the ITTA, 1983 are from TD/Timber/11/Rev. 1, *International Tropical Timber Agreement, 1983* (New York: United Nations, 1984).

More generally, the Agreement focuses attention on tropical timber and excludes consideration of temperate and boreal timbers from other geographic regions. The exclusion of temperate and boreal timbers was justified on the grounds that they do not substitute for tropical timber in most end uses. Tropical timber can be treated separately it was argued, because any changes in policies and practices affecting the tropical timber market will have few consequences for the boreal and temperate timber trade and vice versa.

The objectives of the 1983 Agreement are specified in Chapter I, Article 1, paragraphs (a) to (h). The first seven objectives encourage cooperation on all aspects of the tropical timber economy. The aim is to "provide an effective framework for cooperation" (objective a), "promote the expansion and diversification of international trade in tropical timber" (objective b), "promote and support research and development" (objective c), "improve market intelligence" (objective d), "encourage increased and further processing" (objective e), "encourage...industrial tropical timber reforestation and forest management activities" (objective f), and "improve marketing and distribution" (objective g). The final objective was more controversial and captured the attention of environmentalists. Objective (h) specifies that the ITTA, 1983 should:

encourage the development of national policies aimed at sustainable utilization and conservation of tropical forests and their genetic resources, and at maintaining the ecological balance in the regions concerned.

There are two notable aspects of objective (h). First, the emphasis is on the development of national rather than international policies, in recognition of the "sovereignty of producing members over their natural resources."²⁶ A second notable feature is its language. The clause was drafted after the publication of IUCN's World Conservation Strategy in 1980, but well before the Brundtland Report made popular the concept of "sustainable development" in 1987. The clause, however, struggles to articulate a similar concept in seeking to balance "sustainable utilization with conservation."

It has been argued that ITTO's objectives are contradictory in mandating the promotion of both sustainable use and conservation of tropical forests.²⁷ However, if they are, the contradiction does not exist at a theoretical level, for there is no essential incompatibility between use and conservation of a renewable resource. The debate is not over whether tropical timber should be utilized or conserved: it is over who should utilize it, how much should be utilized and conserved, what harvesting systems should be used, what silvicultural techniques should be applied and who should benefit.

The ITTA, 1983 provides for two categories of members. Producing members are defined as "any country with tropical forest resources and/or a net exporter of tropical timber" and consuming

²⁶ TD/Timber/11/Rev. 1, "International Tropical Timber Agreement, 1983", United Nations, New York, 1984, Article 1.

²⁷ Marcus Colchester, *The International Tropical Timber Organization: Kill or Cure for the Rainforests?* (Penang: World Rainforest Movement, 1990).

members are defined as "any country which becomes a party to this Agreement and which the Council, with the consent of that country, declares to be a consuming member." The rationale for this membership structure is that producers and consumers have distinct and incompatible interests as a result of their position in the production and consumption chain. Producing-country governments, for example, seek to sell tropical timber at as high a price as the market will bear, while consuming countries are interested in purchasing timber at the lowest price available.

The criteria that separate producers from consumers are not strictly applied in the context of the ITTA. A tacit understanding exists that the category of "producers" refers to developing countries and that of "consumers" to developed countries. Thus, although Australia could belong to the producer category because of its small, but significant tropical rainforest estate, it is nonetheless deemed to be a consumer. On the other hand, although Thailand is listed as a producer, its tropical timber resource is in serious jeopardy and the country is now a net timber importer.

Definitions and categories of membership are related in important ways to voting arrangements. Prior to the adoption of the text of the ITTA, 1983, the most common form of voting arrangement used in ICAs was based on market share. The formula for the allocation of votes was substantially modified by ITTA negotiators to take into account regional variations among producing countries in the size of their tropical rainforest estates and their share of the tropical timber market. Such a complicated voting

structure was required in particular to encourage countries with large forest estates and a negligible export trade such as Brazil to participate. A voting arrangement based exclusively on the share of the export market would have been unacceptable to Brazilian delegates as they would have received only a handful of votes under such an arrangement.

The voting arrangements finally accepted are detailed in Chapter IV, Article 10, paragraphs (1) to (8) of the Agreement. They provide for a three-tier arrangement. A grand total of 2,000 votes is divided equally, with 1,000 votes each for producers and for consumers. Each group then divides its 1,000 votes according to different criteria. For producing countries, the system of allocating votes is as follows. First, 400 of the 1,000 votes are equally distributed among three continental regions (Africa, Asia-Pacific and Latin America), with each region distributing its votes equally among members. The more countries in a region, therefore, the fewer votes each country receives under this provision. Of the remaining 600 votes, 300 "shall be distributed among the producing members in accordance with their shares of the total tropical forest resources of all producing members." This provision ensures that countries with vast tracts of tropical forests, such as Brazil, Indonesia and Zaire, receive a proportionate share of the total votes. The remaining 300 votes are allocated among producers "in proportion to the average of the values of their respective members' net exports of tropical timber during the most recent three-year period for which definitive

figures are available." The effect of this clause is to benefit those countries engaged in trade in tropical timber.

The voting structure is somewhat more beneficial to the Asian region, due to its smaller number of states and more developed tropical timber industry. However, notwithstanding this, Brazil with its enormous Amazonian forests garnered 13 per cent of the total producer vote, which put it on a par with Indonesia (13.9 per cent) and Malaysia (12.6 per cent).²⁸ It should be noted that the African region chose to adopt an alternative voting structure. African delegates agreed that all votes accruing to the African region would be divided equally among its members. The effect of this system is to make all African states equal in terms of voting power, despite vast differences in size of rainforest estate and level of exports. Zaire, for example, with more than 60 million hectares of tropical rainforest, still receives only 28 votes.

In comparison to the relatively complex procedures for allocating votes among producing countries, the procedure for consuming countries is far simpler. Article 10, paragraph 5, states that consumer members' votes shall be distributed according to the following procedure:

²⁸ These figures are taken from Annex A of the ITTA, 1983 and were calculated in the early part of that year. Over the years, the figures have changed with the addition of new members and changes in forest area and timber exported. In 1994, for example, Brazil obtained 14.1% of the total producer vote, Indonesia 17.2%, and Malaysia 14.1%. These later figures are taken from ITTC (XVI)/12, "Draft Report of the International Tropical Timber Council at its Sixteenth Session, Cartagena de Indias, Columbia, 16-23 May 1994", p. 50.

Each consuming member shall have 10 initial votes; the remaining votes shall be distributed among the consuming members in proportion to the average volume of their respective net imports of tropical timber during the three-year period commencing four calendar years prior to the distribution of votes.

This procedure clearly benefits the largest importers of tropical timber and thus substantially favours Japan over all other states. The asymmetry in the allocation of the trade share of producers by *value*, and consumers by *volume*, further benefits the Japanese. Unlike North American and European importers, Japanese importers continue to import tropical timber logs, a larger-volume, lower-cost product, rather than sawnwood, veneer and plywood. The effect of these provisions enabled Japan to obtain 33 per cent of all consumer votes, larger than the combined total for the entire European Community (28 per cent). In contrast, North America (Canada and the United States) held only 9.5 per cent of the total consumer vote.²⁹

The basic organizational structure set out in the ITTA,1983 is similar in most respects to other ICAs. Chapters IV, VII and IX of the Agreement provide for the establishment of an International Tropical Timber Organization (ITTO) governed by the International Tropical Timber Council (ITTC) and administered by a

²⁹ The figures are taken from Annex B of the ITTA,1983. As with producers, there have been changes over the years in the distribution of consumer votes. In 1994, for example, Japan held 34.9% of consumer votes, the European Union 32%, Korea 9.5%, and North America 6.7%. These later figures are taken from ITTC (XVI)/12, "Draft Report of the International Tropical Timber Council at its Sixteenth Session," Cartagena de Indias, Columbia, 16-23 May 1994, p. 51.

Secretariat. The ITTC, as the "highest authority" of the ITTO, is obliged to hold at least one regular session a year. The Chair and Vice-Chair of the Council serve for one year and are elected by the members annually, one from the producers' group and the other from the consumers' group. Each office also rotates annually between groups, a procedure designed to ensure equity between producers and consumers in the conduct of the business of the organization.

The ITTC, as the Organization's decision-making body, is authorized to "exercise all such powers and perform or arrange for the performance of all such functions as are necessary to carry out the provisions of this Agreement". Council determines the annual administrative budget, the staff complement of the Secretariat and the business of the organization. The Agreement specifically charges the Council with the responsibility to "examine all project proposals..., together with the recommendation submitted by the relevant committee", "arrange to have any necessary studies undertaken of the trends and of short- and long-term problems of the world tropical timber market", "publish an annual report on its activities", and "annually review and assess the world tropical timber situation".

One interesting institutional innovation of the Agreement is the establishment of three permanent committees, the Permanent Committee on Economic Information and Market Intelligence (PCM), the Permanent Committee on Reforestation and Forest Management (PCF) and the Permanent Committee on Forest Industry (PCI). Hpay, writing in 1986, notes that the permanent committees "are logistically innovative in that they are composed of the same

member countries" which "enables the sessions of the Permanent Committees to be organized to take place consecutively, immediately one after the other, culminating with a Council session" and which "facilitates interaction and coordination between Committees, thereby increasing their effectiveness." The Permanent Committees also are "politically innovative" because "the members of the Permanent Committees are members of the Organization's Council" which "could have the advantage of facilitating and expediting decision-making at the level of the Council particularly in regard to the recommendations submitted by the Permanent Committees."³⁰

The operational activities of the Permanent Committees are specified in some detail in the Agreement. Chapter VII, Article 23 specifies that "all project proposals shall be submitted to the organization by members and shall be examined by the relevant committee" and sets out the broad criteria by which project submissions should be judged. The functions of the Permanent Committees are set out in Article 25. The PCM, for example, is assigned six functions, which include reviewing and analyzing statistical data on the international timber trade, recommending studies on the tropical timber market and providing technical assistance to producing members to improve statistical services. The PCF, on the other hand, is assigned the tasks of regularly reviewing and encouraging technical assistance support for reforestation and forest management at national and international levels and to

³⁰ Terence Hpay, "The International Tropical Timber Agreement: Its Prospects for Tropical Timber Trade, Development and Forest Management", Gland, Switzerland, IUCN, 1986, p. 4. Mimeo.

"review regularly future needs of international trade in industrial tropical timber and, on this basis, identify and consider appropriate possible schemes and measures in the field of reforestation and forest management." Finally, the PCI has four functions to perform, the first of which is the most important. It consists of the promotion of cooperation between producers and consumers for the purpose of the development of producing-country processing activities via the transfer of technology, training, standardization of nomenclature, encouragement of investment and joint ventures and marketing.

Although the ITTO was established via a United Nations process (UNCTAD-IPC), the organization is independent and financed by its members. Chapter VI, Articles 18 to 22 sets out the Organization's financial arrangements. Two accounts are established: an administrative account and a special account. The administrative account covers the operating expenses of the organization, specifically staff salaries, travel and office expenses. The amount payable by each member to the administrative account is "in proportion which the number of votes at the time the administrative budget for that financial year is approved bears to the total votes of all the members." In short, the more votes a country has, the higher its contribution to the administrative budget. Given the large differences in voting strength among both producer and consumer members, a heavy financial burden falls on a relatively small number of countries. In 1989, for example, just over 50 per cent of the annual budget of \$2.815 million was borne by six states: Brazil,

Indonesia, Malaysia, Japan, U.S.A. and Korea.³¹ The Special Account contains two sub-accounts: a pre-project sub-account that funds project identification and formulation proposals and a project sub-account that funds projects. Project funding was expected to be forthcoming from the Second Account of the Common Fund for Commodities,³² from "regional and international financial institutions" and from voluntary donations.

The above review of the provisions of the ITTA, 1983 sets out the basic framework of the Tropical Timber Trade Regime. The negotiated Agreement was based on a large number of assumptions, however. Such assumptions included that tropical rainforests were of value mainly for their timber and the agricultural land underneath, that sustained-yield forest management constituted an appropriate forest management system, that economic development of the resource was both desirable and inevitable, that state sovereignty over natural resources was paramount, that inter-governmental organizations were the most effective mechanism for promoting international cooperation, and that project funding would

³¹ ITTC (VII)/D.1, "Draft Report of the International Tropical Timber Council, Seventh Session, Yokohama, 30 October-7 November 1989", 22 December 1989, p. 96.

³² The Common Fund For Commodities was another outcome of the UNCTAD IPC process as a financing mechanism for ICA's. Although the Fund was agreed to in principle in 1977, and a modest budget of \$750 million approved in 1980, it took a further six years for the Fund to receive the required ninety signatures for ratification. Even then, the Fund was unable to commence disbursements due to insufficient pledges. The Common Fund for Commodities now operates out of Amsterdam, the Netherlands and ITTO has been designated as an International Commodity Body under its provisions. To date, however, the ITTO has been unsuccessful in obtaining funding from the CFC for its projects. See A. LeRoy Bennett, *International Organisations: Principles and Issues* (Englewood Cliffs, New Jersey: Prentice Hall, 1991), p. 291.

be forthcoming from multilateral and bilateral sources. The implementation of the Agreement severely tested these assumptions and added several novel features to the emerging regime's normative and procedural structure.

The Operation of the ITTO: 1983 to 1994

Although the text of an international agreement sets out the basic legal framework of an international regime, these provisions require constant re-interpretation in light of changing national and international circumstances. We cannot derive the structure of a regime by focusing exclusively on its formal provisions. In this section, therefore, a selective history of the ITTA, 1983's first eleven years is presented covering the period April 1983 to March 1994. Three different phases in the historical development of the ITTO are identified: the establishment phase from April 1983 until November 1987; the implementation phase from November 1987 to May 1992; and the re-negotiation phase from November 1992 to March 1994.

Establishing the ITTO: April 1983 to November 1987

A long time lag occurred between the adoption of the text of the ITTA, 1983 at the Conference on Tropical Timber on 18 November 1983, and the Agreement's actual coming into force on April 1, 1985. The delay was caused by decreased interest in the establishment of an ICA in tropical timber by Latin American governments, some of whom would have to make hefty financial

contributions without a guarantee that project funding would be forthcoming. Table 1 presents the date of accession for the initial members of the Agreement as of 1 August, 1986.

From Table 1, it is clear that most producing countries were persuaded to sign the Agreement in March, 1985. Two reasons can be given for this burst of enthusiasm. First, the procedures for entry into force of the ITTA, 1983 provided for a three-stage process. The earliest date for entry into force was 1 October 1984 provided that "12 governments of producing countries holding at least 55 per cent of the total votes...and 16 governments of consuming countries holding at least 70 per cent of the total votes" had signed the Agreement. This deadline was not met by any of the producing country governments, although Japan, Norway, U.K., and Denmark had all signed by that date. A contingency clause provided for the Agreement to enter into force at any time in the six month period after 1 October 1984 (prior to 1 April 1985), providing "10 governments of producing countries holding at least 50 per cent of the total votes...and 14 governments of consuming countries holding at least 65 per cent of the total votes" had signed. Had the Agreement not been ratified prior to 1 April 1985, a further provision enabled the Secretary-General of the United Nations to invite the signatory governments to a meeting to discuss "whether to put the Agreement into force provisionally or definitively among

Table 13
 Dates of Accession to ITTA, 1983,
 Selected Producing Countries¹

Region	Country	Date of Accession
Asia & Pacific	Indonesia	9 October 1984
	Malaysia	14 December 1984
	Philippines	31 March 1985
	Thailand	9 October 1985
	Papua New Guinea	17 October 1985
Latin America	Brazil	31 March 1985
	Ecuador	31 March 1985
	Peru	31 March 1985
Africa	Gabon	19 March 1985
	Cote d'Ivoire	27 March 1985
	Ghana	29 March 1985

Source: ITTC (I), "Report of the International Tropical Timber Council on its First Session", Yokohama, Japan: ITTO, 2 December 1986, p. 17, Annex III.

¹ Data are from ITTC (I), "Report of the International Tropical Timber Council on its First Session", 2 December 1986, p. 17, Annex III.

themselves in whole or in part."³³

By early March 1985, the Agreement was in danger of not being ratified under the second stage of the provisions for entry into force as only two consuming-country governments representing 265 votes and seven consuming-country governments representing 428 votes had ratified it. Another eight producing-country signatories representing at least 245 votes and a further seven consuming-country governments representing at least 223 votes were required if the Agreement was to enter into force on April 1. Most observers believed that if the Agreement were to enter into force, then governments would have to ratify the Agreement by the March 31 deadline. Despite the existence of a third stage in the ratification process, it was generally felt that consuming countries would be reluctant to put into operation an Agreement that was so weakly supported by producers.

This was the context within which the environmental NGO community, particularly members of the International Institute for Environment and Development (IIED) and IUCN, became involved. IUCN representatives had attended the final stages of the ITTA negotiations and were partly responsible for the inclusion of the environmental objective (objective h). IIED, on the other hand, was carrying out "multi-sectorial reviews of forest land within tropical forest countries" as part of its 1984 Tropical Forest Programme and specifically targeted the ITTA as an important agreement that might

³³ These procedures are outlined in Chapter XI, Article 37, of the ITTA, 1983.

further the process of ensuring the practice of "sustainable forest management" in forested Third World states.³⁴

In the early months of 1985, both IUCN and IIED staff shared a concern to save the Agreement. IIED, with financial support from an assortment of other organizations including IUCN, WWF—UK, WWF—International and the Dutch Timber Trade Association, organized a high-level Seminar in London from 8 to 10 March 1985. The purpose of the Seminar was to motivate interested national, intergovernmental, environmental and industry representatives to apply pressure on their respective governments to ratify the Agreement. The Seminar resulted in a concerted lobbying campaign by such groups. The success of this lobbying effort appears to have amazed those involved. Poore, for example, notes that "to the great surprise of all, the necessary outstanding signatures...came in within the next fortnight and the Agreement came into effect."³⁵

With the Agreement ratified in March 1985, the first Session of the ITTC finally took place. It was held in Geneva in three parts from 17 to 28 June 1985, 25 to 29 November 1985 and 28 July to 1 August 1986. During this year-long meeting, two items dominated the Agenda: the choice of venue for the ITTO's Secretariat and the election of its first Executive Director. Despite being analytically separate issues, the two questions were inextricably linked politically. It was tacitly accepted among delegates that if the

³⁴ Duncan Poore, "The Involvement of IIED in the International Tropical Timber Agreement", 3 February 1991.

³⁵ Poore, *The Involvement of IIED*.

Secretariat were located in a consuming member's country, than the position of Executive Director would go to one of the producing country members and vice versa. The linkage between the two issues was further complicated by the large number of venues offered from different geographical regions.

When the first part of the First Council Session commenced, delegates quickly adopted its Rules of Procedure with the exception of Article 32 on the languages of the organization.³⁶ The first substantive Agenda items concerned the location of the Organization's headquarters and the election of the Executive Director. Governments had offered eight possible sites: Brussels, Rio de Janeiro, Paris, Athens, Djakarta, Yokohama and Amsterdam. Despite the early withdrawal of the candidatures of Athens, Brussels and London, no final decision could be reached at this first meeting. An inconclusive vote was held on 26 June 1986, followed by the withdrawal of Paris' candidature, but the four subsequent ballots held between 26 and 27 June failed to resolve the deadlock. Similarly, no agreement was reached in appointing the Organization's first Executive Director. Only two candidates were under consideration at this time: Dr. Freczailah bin Che Cheom of Malaysia, and Mr. G. Anguilé of Gabon. Although it was agreed that the decision

³⁶ The question of the official languages of the ITTO was not resolved until the Eighth Council Session. The debate was whether the Organization should add Chinese and Russian to the three official languages of English, French and Spanish. The compromise eventually reached provided for five official languages but "due to financial constraints the language services will, for the time being, be limited to English, French and Spanish". See ITTC (VIII)/D.1, "Draft Report of the International Tropical Timber Council: Eighth Session, Denpasar, Bali, Indonesia, 16 to 23 May, 1990", Yokohama, Japan, ITTO, p. 23.

on the Executive Director should be made by special vote, no vote was held on this question at the first meeting because of deadlock over the organization's location.

Similar difficulties occurred during the brief, second part of the First Session, during which no fewer than six ballots were held on the appointment of the Executive Director without result. The second part of the First Session also failed to resolve the question of headquarter location. Two further inconclusive ballots were held, following which the Brazilian delegation withdrew the candidature of Rio de Janeiro. Subsequently a further six ballots occurred on the candidatures of Amsterdam, Djakarta and Yokohama with no final result.

Once again, environmental NGOs took the lead in breaking the deadlock. WWF—International, IUCN and Friends of the Earth—UK lobbied consuming-country delegates. The result of these efforts was that the candidature of Amsterdam was withdrawn prior to the start of the third part of the First Session. In the subsequent ballot between Djakarta and Yokohama, Djakarta received 441 producer votes and no consumer votes, while Yokohama received 524 producer votes and 633 consumer votes and was declared the headquarters location. In the final vote for Executive Director, and with the addition between the second and third part of the first session of a new candidate, M. Clément of France, Dr. Freezailah bin

Che Cheom was elected with 763 votes from 11 producer members and 649 votes from 11 consuming members.³⁷

With the deadlock broken, the Council was finally able to turn its attention at the next two Sessions to organizational and administrative matters. At the Second Council Session, held in Yokohama from 23 to 27 March 1987, discussions took place to agree on a budget for the administrative account, determine the Organization's staff complement, finalize the Headquarters Agreement between ITTO and the Government of Japan, and develop a programme of work.

One of the first items on the Agenda at the Second Council Session was the determination of the Organization's Administrative budget, and thus, by implication, its staff complement. Both producing- and consuming-country governments had a shared interest in keeping costs to a minimum. Consuming-country governments, especially from the United States, Canada and the United Kingdom, wanted to keep costs down mainly for ideological reasons. Reagan, Mulroney and Thatcher were united in their criticisms of many United Nations Specialized Agencies. Producing-country governments, on the other hand, wanted to keep overall costs down because of high government budget deficits, high levels of external debt and declining foreign exchange earnings. In addition, delegates appear to have deliberately sought a smaller Secretariat to

³⁷ The results of the vote are contained in ITTC (I)/15, "Report of the International Tropical Timber Council on its First Session", Yokohama, Japan, ITTO, 2 December 1986, p. 7. M. Clément received 38 votes from one producing member and 351 votes from 11 consuming members, and M. Anguilé received 173 votes from 5 producing members and none from consuming members.

avoid the kind of domination that occurred in other intergovernmental organizations.

At its Second and Third Sessions, therefore, the ITTC approved extremely modest budgets. For 1988, for example, the total administrative budget came in at US\$2.178 million, of which over 60 per cent consisted of salaries and benefits for staff. This modest budget reflected the First and Second Council Session decision's to agree a staff complement, in addition to the Executive Director, of six Executive Staff and five general service staff. The Secretariat has not expanded much in subsequent years, either. As of March 1994, for example, the total official staff complement consisted of 16, although there are several additional staff members funded by the Japanese Government covering translation and transportation services.³⁸

Another important issue of the Second and Third Sessions of Council was the conclusion of the Headquarters Agreement between the ITTO and the Government of Japan. The Headquarters Agreement set out the terms and conditions under which Japan was prepared to host the ITTO Secretariat and its staff. An *Ad Hoc* Headquarters Committee was formed on 1 August 1986 to review the draft Agreement, one of the chief concerns being the offer of the Japanese Government "which was unprecedented in its generosity".³⁹ The *Ad Hoc* Committee wished to see the Japanese Government's offer reflected in the Headquarters Agreement itself,

³⁸ ITTC (XVI)/12, "Draft Report of the International Tropical Timber Council at its Sixteenth Session, Cartagena de Indias, Colombia, 16-23 May 1994", Yokohama, Japan, ITTO, 9 August 1994, p. 45.

³⁹ *Ibid.*

thus providing assurances of its continuation. The Government of Japan preferred to have it reflected in a separate letter to the Executive Director, on the other hand, giving itself more flexibility in the future.

The final major item on the agenda in these early sessions of the ITTC related to the development and agreement on a Work Programme for the Organization. Dr. Freezailah, the newly appointed Executive Director, took the initiative in this regard and in addition to getting three pre-projects under way, also presented to Council a draft work plan that consisted of fourteen projects: four in the area of market intelligence, six in the area of reforestation and forest management, and four in the area of forest industry. The work plan was approved in most of its key aspects, thus establishing a strong project focus for the Organization. The focus on projects appears to have been the preferred approach of the new Executive Director, who noted in his address to Council that "starting the operations of a new organization, in the parlance of international organizations, is to initiate projects and to have these projects implemented towards the overall objectives of the organization."⁴⁰

By the end of the Third Session, most of the basic administrative tasks related to the establishment of an international organization were under way or had been completed. The Secretariat's location had been determined, the headquarters

⁴⁰ Dr. Freezailah, "Statement of the Executive Director at the Second Session of the International Tropical Timber Council, 23 March, Yokohama, Japan", in ITTC (II)/D.1, "Draft Report of the International Tropical Timber Council on its Second Session", Yokohama, Japan, ITTO, 1 May 1987, p. 28, Annex III.

agreement signed, the staff appointed, the budget approved, and the work programme outlined. Despite the early teething problems, there was cautious optimism among all parties, especially in the new era following the Brundtland Report, that the organization was poised to accomplish great things in the area of tropical forest conservation, management and timber trade development.

Getting Down to Business: May 1988 to May 1992

By the Twelfth Session of Council (6 and 14 May, 1992) held in Yaoundé, Cameroon, delegates could point proudly to a long list of accomplishments in ITTO's short but active life. The list included adoption of the ITTO Action Plan, approval of numerous projects, development of an improved project cycle, publication of guidelines and criteria for the sustainable management of natural tropical forests, completion of an ITTO Mission to Sarawak, adoption of Target 2000, establishment of an economic information and market intelligence system, the holding of annual Market Discussions, and consideration of incentives to achieve sustainable forest management.⁴¹

⁴¹ Dr. Freezailah, in his address to the Twelfth Council Session in Yaoundé, cites a similar list of accomplishments. According to the Draft Report of the Council Session, "The Executive Director noted that he was able to respond to the question of whether ITTO deserved to receive further funds with some pride by citing not only Sarawak's commitment to the recommendations of the ITTO mission, but also to other evidence of ITTO's achievement through its projects in Brazil, Indonesia, Bolivia, Cameroon, Papua New Guinea, and Malaysia. Furthermore, the launching and subsequent development of ITTO's Target 2000 in 1990 had gained momentum and substance with the Organization's work on defining criteria for and measurement of sustainable tropical forest management, and on examining the question of incentives to promote it. The issues are complex, and have been addressed through workshops, expert panel meetings, and commissioned studies. ITTC (XII)/19,

Yet despite these achievements, doubts remained about the effectiveness of the organization in meeting its objectives, most particularly its environmental objectives. ENGOs were strident in their criticism of the ITTO and WWF warned that "the activities of the ITTO, including projects, have been insignificant compared to the scale of the problem."⁴² Although there were as yet few signs in May 1992 of the difficulties experienced later in negotiating a successor Agreement to the ITTA, 1983, the partial nature of ITTO's "success" in each of the nine areas identified indicated deep flaws in ITTO's decision-making processes. A detailed examination of the nature of ITTO's decision-making process will be undertaken in the chapters six and seven, which examine the negotiation of sustainable forest management guidelines, the debate over incentives, and the Sarawak Mission. In this section, therefore, a critical review of the other activities that occupied ITTO delegates' attention between 1988 and 1992 is provided.

At early sessions of the ITTO, delegates relied on interpretations of the ITTA, 1983 to direct them in the determination of ITTO's priorities for project and non-project activities and in the selection of project and pre-project proposals to be funded. It became apparent rather quickly, however, that neither the ITTO, 1983 nor the understaffed and overworked Secretariat was

"Draft Report of the International Tropical Timber Council at its Twelfth Session, Yaoundé, Cameroon, 6-14 May, 1992", Yokohama, Japan, ITTO, 21 September 1992.

⁴² WWF-International, *WWF Position Paper on Tropical Forest Conservation: Position Paper 7* (Gland, Switzerland: WWF-International, September 1991), p. 13.

capable of providing the necessary guidance in the radically altered international forestry and environmental context of the late 1980s. Early in the proceedings, consuming-country delegates indicated that they were dissatisfied with the balance between project and non-project activities, the quality of the project proposals, and the operation of the Organization's project cycle. In a major statement on behalf of the European Community, Enzo Barratini noted:

It is important that the Council and its Committees should not restrict itself to the function of a body with the sole purpose of considering projects. It should also evolve as a forum for dialogue between producers, consumers and other interested parties on all aspect of the tropical timber trade....⁴³

Producing-country delegates were dissatisfied also, at least in private, with the quality of many project proposals and the operation of ITTO's project cycle. They were also publicly unhappy about the paucity of pledges for project funding to the Second Account.⁴⁴

Dissatisfaction was particularly acute among delegates participating in the Permanent Committee on Reforestation and Forest Management (PCF). The large number of the project proposals being considered at the PCF created immense difficulties in striking a

⁴³ ITTC (III)/18, "Report of the International Tropical Timber Council on its Third Session", Yokohama, Japan, ITTO, 2 July, 1988, p. 89, Annex IX.

⁴⁴ A delegate from one producing government observed that "The Commodities Department called me in Bali in 1989 and asked me to go through the projects being submitted to ITTO and to comment on them. I couldn't believe what I was reading, and there was no way you could implement these projects with these documents....I was horrified therefore at the project proposals submitted, and I told them to forget it, but there were so many external factors." Interview with producing-country official, 11 November 1994.

balance between project and non-project work, with additional problems encountered in deciding which of the many project proposals submitted should be funded. Members of the PCF were interested also in integrating the results of four important pre-projects carried out in 1987 and 1988 as background preparation for the development of a work plan and establishment of better criteria for project selection and approval.⁴⁵ At the Fifth Council Session, therefore, the PCF requested the Secretariat, in conjunction with a Panel of Experts, "to review the findings of the four pre-projects" and "based on this review, to identify appropriate action programmes and priorities for the promotion of the sustainable management of tropical forest resources for the Permanent Committee and hence for ITTO."⁴⁶ The result of this process was the presentation at the Sixth Council Session of a draft Action Plan for the PCF and a recommendation, approved by Council, that draft Action Plans be prepared under a similar process for the PCM and the PCI. All three Action Plans were then reviewed and integrated into a comprehensive ITTO Action Plan that was eventually approved at the Ninth Session of the ITTC in Yokohama in November 1990.

The goal of the Action Plan was to define "the role of the International Tropical Timber Organization (ITTO)" given a context in

⁴⁵ Two of the four studies were subsequently published as books. Duncan Poore et al., *No Timber Without Trees* (London: Earthscan, 1989); and Theodore Panayotou and Peter S. Ashton, *Not by Timber Alone: Economics and Ecology for Sustaining Tropical Forest* (Washington: Island Press, 1992).

⁴⁶ ITTC (V)/D.1, "Draft Report of the International Tropical Timber Council Fifth Session, Yokohama, 14-16 November 1988", Yokohama, Japan, ITTO, 16 November 1988, p. 57.

which "economy and ecology are becoming ever more interwoven—locally, nationally, regionally and globally."⁴⁷ ITTO's role was defined as "a unique forum for cooperation and consultation between Member Governments and Non-Governmental Organization, Industry and Trade."⁴⁸ Three features of this forum were its "combined objective of utilization and conservation", its "equal partnership between producing and consuming countries", and "its promoting and facilitating inputs of NGOs, Industry and Trade."⁴⁹ The Action Plan identified two functional areas in which the ITTO could play an important role: as a forum for market information, particularly the achievement of "improved information on production, consumption, export, import, prices, processed products and end-uses" of the tropical timber market; and as a forum for the development of common policy elements, particularly the drawing up of "standard guidelines of practices for the development of sustainable forest management systems and stimulation of the establishment of national permanent forest areas".⁵⁰

The Action Plan evidences a preoccupation with defining and justifying the role of the ITTO, a preoccupation that requires explanation. The major reason was a genuine confusion among delegates about the division of labour among intergovernmental organizations charged with responsibility for tropical rainforest and

⁴⁷ *ITTO Action Plan: Criteria and Priority Areas for Programme Development and Project Work*, International Tropical Timber Council, Ninth Session, Yokohama 16-23 November 1990, p. 1.

⁴⁸ *Ibid.*, p. 1.

⁴⁹ *Ibid.*, p. 1.

⁵⁰ *Ibid.*, pp. 1-2.

timber matters. Historically, FAO had been the appropriate multilateral body for the consideration of matters pertaining to tropical, temperate and boreal forests. During the 1970s, however, a large number of other multilateral organizations had become involved in the forestry sector. The World Bank, for example, published a Forest Sector Policy Paper in 1978, which "outlined a change of action in its forestry programmes with special reference to the role of forests in rural development and environmental protection" and "committed itself to increase the total volume of loans to this sector, establishing the target of US\$500 million for the 1979-1983 period."⁵¹ Similarly, the United Nations Development Programme (UNDP) was engaged in funding a large number of technical assistance programmes in the forestry sector. The United Nations Environment Programme (UNEP) had commissioned a project with the IUCN that led to the development of the 1980 World Conservation Strategy and was continuing its role "of catalyzing environmental action and its coordination within the United Nations system"⁵², while the United Nations Educational, Scientific and Cultural Organization (UNESCO) was implementing its Man and the Biosphere (MAB) project, the main focus of which was "the ecological

⁵¹TD/Timber/4, "Preparation of an International Tropical Timber Agreement: International Activities in the Field of Tropical Forestry", a report prepared by the FAO Secretariat in collaboration with the UNCTAD Secretariat, 18 February 1983, pp. 16-17.

⁵² TD/Timber/4/Add. 1, "Preparation of an International Tropical Timber Agreement: International Activities in the Field of Tropical Forestry", Report Prepared by the FAO Secretariat in Collaboration with the UNCTAD Secretariat, 18 February 1983, p. 1

effects of increasing human activities on tropical and sub-tropical forest ecosystems."⁵³

Furthermore, in 1985, the FAO, UNDP, the World Bank and the World Resource Institute (WRI) established the Tropical Forestry Action Plan (TFAP), which was "conceived as a response to an emergency" and "focused attention of the international community on the scale at which forest destruction was believed to be taking place" and "prescribed urgent remedial action in the hope that some governments would be stimulated to face up to the problem, more assistance would become available for forestry development and some of the developing countries would be persuaded to take remedial action within their own frontiers."⁵⁴

In response to these on-going and new multilateral initiatives, there appeared to be a need to define more clearly than the ITTA negotiating conference had done the particular "comparative advantage" enjoyed by the ITTO. The Action Plan aimed at providing such clarity by re-orienting the ITTO away from its emerging role as a project funding organization and toward becoming a forum for global discussion of tropical forest and timber trade policy.

⁵³ TD/Timber/4, "Preparation of an International Tropical Timber Agreement: International Activities in the Field of Tropical Forestry", a report prepared by the FAO Secretariat in collaboration with the UNCTAD Secretariat, 18 February 1983, pp. 11-12.

⁵⁴ Ambassador Ola Ullsten, Dr. Salleh Mohd. Nor and Dr. Mantague Yudelman, "Tropical Forestry Action Plan: Report of the Independent Review", Kuala Lumpur, Malaysia, May 1990, pp. 1-2.

The Action Plan created greater space within the ITTO for delegates to consider and discuss non-project activities. Ultimately, however, it was unsuccessful in moving the organization away from its project focus. For many producing-country governments, the central role of the ITTO was to fund projects and the major purpose in attending Council Sessions was to have projects considered and approved. Producing-country governments were prepared to tolerate the development of some normative, non-project activities providing these did not have immediate, practical consequences and so long as the activities did not interfere with the project approval process.

Continuous dissatisfaction about the quality of projects submitted by member governments for funding was expressed by ITTO delegates during the 1987-1992 period. As early as the Third Council Session, for example, delegates approved Decision 4(III) requesting the Executive Director "to prepare, for consideration at its Fourth Session, a discussion paper drawing on the experience of project appraisal and selection at the Third Council Session" and "propose what the project cycle should be, i.e., role of ITTO from pre-project inception to project approval, monitoring, evaluation and dissemination of the information."⁵⁵ The Secretariat subsequently drafted, and the Council approved, the ITTO's Project Cycle. Three different types of proposals (ideas, pre-projects and projects) could be submitted to the Secretariat for assessment, amendment and circulation to member governments. At Council Sessions, each of the

⁵⁵ ITTC (III)/18, "Report of the International Tropical Timber Organization on its Third Session, Yokohama, 16-20 November, 1987", Yokohama, Japan, ITTO, 2 July 1988, Decision 4(III), p. 15.

three Permanent Committees technically appraised proposals in their area and issued one of six possible recommendations to Council, ranging from outright approval to rejection.

The implementation of the above procedures, however, failed to improve the quality of the Organization's pre-project and project proposals. Many badly formulated projects continued to be approved by the Permanent Committees, while the technical appraisal of project submissions was seriously deficient. One Consumer Country delegate had this to say about the ITTO's Project Cycle:

I remember...there was a project from Egypt which I didn't like at all, but the whole project approval process is a political process. Consumer countries may speak, but if you are looking for real mechanisms and want to maintain links with the producing countries, then you cannot afford to take a position that will jeopardize those contacts. You are compromised by your desire to keep those channels open. No consumer countries wanted to support this project, but no one wanted to say they were against it....So I had to let the project go forward, and it was approved and later even funded.⁵⁶

Between 1988 and 1992, delegates continued their efforts within the Permanent Committees and at Council meetings to improve and reform the ITTO project cycle. Two major initiatives were launched. The first was the establishment of an Expert Panel to assist the Secretariat in the technical appraisal of project submissions. The second initiative was the development of an ITTO

⁵⁶ Interview with consuming-country official, 4 July 1994.

Project Cycle Manual for use by member governments when submitting projects. These efforts to improve the ITTO project cycle appear to have been largely successful. The establishment of the Expert Panel contributed to a "de-politicization" of the project approval process by removing the task of determining a project's technical merits from the Permanent Committees. While these developments are good for ITTO's rather tarnished reputation, they may not ultimately be good for the Organization. It has been argued that projects are the "currency" of the ITTO, with consuming-country governments providing project financing to producing-country governments in exchange for improvements in national forestry practices.⁵⁷ This basic bargain might collapse if it becomes significantly more difficult to obtain a project's approval. At a recent Council Session, only five projects were approved, and only one authorized for immediate implementation. Not only did very few producing governments submit proposals, but of those that did, a number made no effort to respond to the technical concerns of the Expert Panel and the projects could not, under the new Project Cycle procedures, be considered.⁵⁸

Mystery and intrigue constituted the backdrop to another of ITTO's initiatives during this period, the adoption of ITTO's Target 2000 at the Eighth Session of Council in Denpasar, Bali, Indonesia in May 1990. Target 2000 constituted a commitment by the producing

⁵⁷ Caroline Sargeant and Elaine Morrison, "Towards Effective Cooperation Between ITTO's Target 2000 Activities and TFAP", London, International Institute for Environment and Development, undated draft. Mimeo.

⁵⁸ Seventeenth Session of the International Tropical Timber Council.

members of the ITTO to the sustainable management of tropical rainforests by the year 2000. The key passage that gave birth to the Target is contained in the Action Plan of the Permanent Committee on Forest Industry (PCI):

Recognizing efforts of producing countries to sustainably manage and utilize their tropical forests and in order to contribute to the achievement of sustainable development in all producing countries, the objective is that total exports of tropical timber products should come from sustainably managed resources by the Year 2000. This target date should be reviewed in 1995 in light of progress on the implementation of the Action Plan and Work Program. Therefore, the long term development of appropriate forest based industries in producing countries is the central focus of the strategy.⁵⁹

The adoption of Target 2000 at the Bali Council meeting was followed by more substantive discussions at the Tenth Council Session in Quito, Ecuador and by the adoption of the lengthy Decision 3 (X), which sets out in greater detail the terms and conditions and reporting procedures for the Target. Perhaps the greatest significance of Decision 3(X) is that it clarifies the link between producing-country government progress on sustainable forest management and consuming-country government progress on providing project finance, reducing tropical timber trade barriers, and transferring technology.⁶⁰

⁵⁹ ITTC(VIII)/D. 1, "Draft Report of the International Tropical Timber Council: Eighth Session, Denpasar, Bali, Indonesia 16-23 May 1990", Yokohama, Japan, ITTO, 6 July 1990, p. 203.

⁶⁰ Article 2 (f) of Decision 3(X), for example, commits the ITTC to "undertake assessments of the resources required by producer countries to attain the

There is little doubt, however, whatever the actual mechanisms, that Target 2000 was the outcome of the deliberate manipulation of the ITTO Committee Process, as the following comments make clear.

It [Target 2000] was dreamt up in Bali at four in the morning. Mr. _____ was looking for a mechanism to exploit the Agreement to extract money from consumers. The whole business was complicated by the Sarawak Mission....In 1989, the timber traders were coming under a lot of pressure from the Greenies and at the PCI there was a fiery discussion and Mr. _____ advanced the notion of Target 2000 which was then included in the PCI report....The producer delegates did not believe what was happening and the Council decision was made.⁶¹

It [Target 2000] was deliberately slipped in by consumer country delegates in the Permanent Committee and became Council policy when the paper was adopted. It never would have been agreed to if it had been presented up front in a formal session. If, at the outset, it had been identified as one of the main items on the Agenda, it never would have gone anywhere.⁶²

From these and other accounts, it appears that Target 2000 emerged in the following way. Prior to the Eight Council Session at Denpasar, Bali, a draft Action Plan for the PCI was drawn up by a

sustainable management of tropical forests by the Year 2000 Target." Other Articles refer to the necessity of "investigating liberalized trade in tropical timber within the framework of the multilateral trading system" and of facilitating "the flow of technology that will improve the management of forests, the utilization of tropical timber and the value of timber products." See ITTC (X)/20, "Draft Report of the International Tropical Timber Council at its Tenth Session, Quito, Ecuador, 29 May-6 June 1991", Yokohama, Japan, ITTO, 15 August, 1991, pp. 68-70.

⁶¹ Interview with consuming-country official, 24 November 1994.

⁶² Interview with consuming-country official, 4 July, 1994.

Panel of Experts. The draft did not yet include any mention of a target date for the implementation of sustainable trade in tropical timber. At the Bali session, however, a small group of individuals representing a few, mainly producing-country, governments in conjunction with some members of the ITTO Secretariat, included Target 2000 in a new draft of the Action Plan at a meeting of the PCI. Debate on Target 2000 remained solely within the PCI, the least active and well-attended of the three Permanent Committees. There was no general debate among producing- and consuming-country delegates, therefore, about the merits and disadvantages of adopting the target in advance of the Council's *pro forma* approval at a plenary session of the PCI's Action Plan. At that point, Target 2000 was heralded as a major breakthrough for the ITTO and a sign of the tropical timber trade's commitment to sustainable forest management.

Target 2000 was divisive and accentuated delegates' perception of a North-South divide in the ITTO. Producing-country delegates were hostile to the Target because of the sly manner by which it was introduced and because it committed their governments to a far more rapid timetable for the implementation of "sustainable forest management" than they desired. Consuming-country delegates, although keen to use Target 2000 as a lever to promote action by producing-country governments, were unwilling to provide major new and additional financial resources to the ITTO to fund the transition. Consuming-country governments were not anxious, in particular, to encourage Third World industrial "development" in the

timber sector, involving both technology transfer and the lowering of tariff and non-tariff barriers. A stand-off on Target 2000 developed, therefore, that prefigured the later impasse over global environmental issues at UNCED.

The provisions of the ITTA, 1983 mandated the ITTO to improve the timeliness, quality, quantity and availability of economic information and market intelligence on the tropical timber trade. Market intelligence consists of shorter-term data on fluctuations in daily, weekly, and monthly price trends and changes in stocks of use to buyers and sellers in their trading transactions. The most critical feature of market intelligence is its timeliness: the information must be available to buyers and sellers immediately, in time to affect their purchasing behaviour. Economic information, on the other hand, consists of longer-term data of use to government planners, researchers, and market analysts interested in examining changes in industry structure and on projecting future trends.

Obtaining accurate and timely market intelligence was identified by the UNCTAD and FAO Secretariats early in the negotiations of the ITTA, 1983 as a major problem of the tropical timber trade. The difficulties are caused by the heterogeneity of the tropical timber products traded and the underdeveloped statistical collection services in producing countries. Price and stock data are also jealously guarded trade secrets, because traders' profits depend on buying cheaply and selling dearly. Right through the supply chain for tropical timber, therefore, from concessionaire to final user, there is a lack of market transparency. Several other aspects of the timber

market exacerbate this lack of transparency, including the existence of regional markets (Japanese purchases comes mainly from Southeast Asia, European from Africa, and North American from Latin America), the trading and pricing practices of multinational corporations, the large sums of money to be made from buying cheap and selling dear, and the existence of bribery and corruption at many points along the timber chain.

On the other hand, a considerable amount of economic information was already available in the early 1980s that was relevant to the tropical forest sector. Of particular use to producing country traders was economic information on the structure of, and changes in demand for, tropical timber in consuming-country markets as a result of changes in fashion, alterations in tariff and non-tariff barriers and the development of temperate timber and non-timber substitutes. Economic information of interest to consuming-country governments and the importing trade concerned the extent and rate of deforestation and degradation, the size of the permanent forest estate, the level of the annual allowable cut, the existence and size of export-quotas for tropical timber logs and changes in processing capacity.

The initial rationale for improving economic information and market intelligence was that it constituted the most effective means for bringing about "a greater stability between supply and demand in the international tropical timber trade."⁶³ Improved

⁶³ TD/B/IPC/Timber 34, "Report of the Intergovernmental Group of Experts on Improvement of Market Intelligence on Tropical Timber", Geneva, UNCTAD, 26 January 1982, p. 2.

market intelligence on prices, stock levels and trading volumes coupled with longer-term economic information on market trends would enable producers to anticipate demand downturns leading them to reduce the level of cut and thus supply to the market. Conversely, consumers would be better able to anticipate supply short-falls, search out alternative sources from other tropical timber producing countries and substitute temperate timber and non-timber products. The net result would be a smoothing out of price fluctuations as a result of a better balance between supply and demand.

Throughout the period under consideration, substantial efforts were made to implement the economic information and market intelligence provisions of the ITTA, 1983. Four strategies were adopted: a market news service was established; tropical timber trade statistics were collected, compiled and published in ITTO's Annual Review and Assessment of the World Tropical Timber Situation; studies of individual markets for tropical timber were commissioned; and annual Market Discussions took place and annual Market Statements issued.

The establishment of the Market News Service (MNS) was an early initiative of the ITTO in the area of economic information and market intelligence. The MNS is a monthly publication of about six pages, which provides data on the current selling prices of different species and grades of tropical logs, sawnwood, veneer and plywood. As of 1 June 1993, 240 subscribers were receiving the MNS, the vast majority of which came either from the trade (41 per

cent) and government (31 per cent).⁶⁴ In addition to providing data on current prices via the MNS, the ITTO established its own unit for the collection, compilation, analysis and publication of tropical timber statistics. The unit developed an Annual Forecasting and Statistical Enquiry (AFSE), which is mailed to designated correspondents in member countries. Data collected by the AFSE are analyzed by the ITTO statistical unit and screened for inconsistencies, prior to compilation for inclusion in the Annual Review and Assessment of the World Tropical Timber Situation (Annual Review). The Annual Review publishes data on various aspects of the tropical timber trade, such as the production, trade and consumption of tropical timber products by ITTO member countries; the direction of trade in logs, sawnwood, and plywood; the value of trade in tropical timber products; and the major species traded.

Additional economic information has been generated from ITTO-funded pre-project and project studies carried out by research institutes in different markets and sectors. Studies have been carried out, for example, on each of the major tropical timber markets in Japan, Europe, North America and China.⁶⁵ These in-depth studies carried out by different consultants have provided information on the structure of consumer-country markets, the major intermediate and end-uses for tropical timber, and the ways in

⁶⁴ PPR 28/93, "Pre-Project Report: Assessment of the Market News Service (MNS) for Tropical Timbers-PPD 7/93 (M)", prepared by T. Erfurth and I. Tomaselli, Yokohama, Japan, ITTO, August 1993, p. 9.

⁶⁵ ITTC (XVI)/Info. 4, "ITTO Publications List", Yokohama, Japan, ITTO, April 25, 1994.

which the market structure is changing in response to changes in taste, price, substitutes and government regulation.

The final major component of ITTO's effort in the field of economic information and market intelligence is the holding of the annual Market Discussions prior to the issuing of an annual Market Statement. The Market Discussions have covered a number of topics, including a focus on changes taking place in different regions (Asia/Pacific, Europe, North America, Latin America), the potential of Lesser-Known Species (LKS), and the potential of certification and labelling schemes to promote "sustainable forest management". Closely linked to the annual Market Discussions is the drafting of ITTO's Market Statement, which summarizes the present situation and future prospects for the world tropical timber market.

Despite these efforts by the ITTO to gather, analyse and compile tropical timber statistics, there is consensus that the quality and quantity of the data are still in need of significant improvement. In the introduction to the 1993-1994 draft Annual Review, for example, it is noted that "the number of countries responding to the Enquiry dropped sharply in 1993, with 14 of 25 producers and 19 of 27 consumers providing at least partial responses in time for inclusion in the Review". Furthermore, "several of the responses that were received contained significant and obvious errors in one or more categories" and therefore, "despite the best efforts of the Secretariat to ensure data consistency and accuracy, it should be noted that considerable discrepancies exist between available data

sources in many categories, for both producing and consuming countries."⁶⁶

A more basic question concerning the ITTO's entire effort in the area of economic information and market intelligence, however, concerns its relevance in evaluating the degree to which "sustainable forest management" is being achieved in the tropics. While it is interesting to read that "the nominal value of export of primary timber products from ITTO producer member countries rose by 2.6 per cent in 1991 to \$7.51 billion" and that the "production of tropical saw and veneer logs in ITTO producing countries totalled almost 122.5 million m³ in 1991, an 11 per cent decrease from revised 1990 levels", such information does not help us to determine whether the tropical timber trade is moving toward or away from the goal of sustainability.⁶⁷ In short, not only are the extensive efforts of the ITTO to improve the statistical base for tropical timber policy deficient in terms of quantity and quality, but the data collected are not linked in any systematic way to the central question of the sustainability of the tropical forest resource base.

This review of the operation of the ITTO between May 1988 and May 1992 provides an indication of the breadth and depth of the activities undertaken by delegates attending biannual Council Sessions. In addition to attempting to move forward in the above

⁶⁶ ITTC (XVII)/3, "Elements for the Annual Review and Assessment of the World Tropical Timber Situation, 1993-1994", Yokohama, Japan, ITTO, 28 October 1994, p. 2.

⁶⁷ ITTC (XIV)/14, "Draft Report of the International Tropical Timber Council at its Fourteenth Session, Kuala Lumpur, Malaysia 11-19 May, 1993", Yokohama, Japan, ITTO, 18 August 1993, p. 71.

areas, ITTO delegates approved a large number of project proposals, negotiated international Guidelines for the Sustainable Management of Natural Tropical Forests, debated incentives for "sustainable forest management", and undertook a Mission to Sarawak under the leadership of the Earl of Cranbrook. The latter three activities are the subjects of Chapters six and seven.

Taken together and despite a number of modest achievements, the overall impact of the ITTO on the practices of the tropical timber trade has been marginal. Although the project cycle improved substantially during the period, curtailing the number of poorly formulated, politicized projects that received approval and funding, the focus on project activities remained to the detriment of more policy-oriented, non-project activities. The formulation of the Action Plan, although a useful process, neither had a lasting impact and nor brought about an improved balance between project and non-project activities. The efforts to improve economic information and market intelligence were comprehensive and extensive but the quality, quantity and timeliness of the statistical information remain poor. In addition, no substantive efforts have been made to relate the statistical data to the requirements of sustainable forest management exacerbating the gap between sophisticated economic indicators and impoverished sustainability indicators. Target 2000 was negotiated slyly, proved divisive and encouraged delegates' perceptions of a North-South rift. Producing-country governments increasingly came to resent the ITTA, 1983 Agreement's exclusive focus on tropical timber, which appeared to impose significant costs

on the tropical timber industry that were not being imposed on temperate and boreal timber producers. This resentment was exacerbated by the modest contribution consuming-country governments made to the Special Account and their general reluctance to pay any of the implementation costs of "sustainable forest management".

This harsh assessment of the ITTO is shared by and large by the producing-country governments and by environmentalists, although consuming-country governments remain more optimistic. Two delegates, one from a producing country and the other from a consuming country, provide the following evaluations of the ITTO:

The ITTO has not given us very much benefit. The only value to us is as a strategic buffer against the NGO action and pressure. Otherwise it has not been very useful.⁶⁸

It was a missed opportunity. In the run-up to UNCED...the negotiations should have been informed by a negotiated concerted view from the ITTO of what needed to be done internationally....It was a missed opportunity because the ITTO wasted far too much time on projects and didn't really get to grips with international policy decisions.⁶⁹

The Uncertain Years: 1992-1994

Although not all of the work initiated between 1987 and 1992 was completed during that period, the attention of ITTO delegates was re-directed after the 1992 UNCED Summit toward

⁶⁸ Interview with producing-country official, 30 August, 1994.

⁶⁹ Interview with consuming-country official, 17 June, 1994.

negotiating a successor agreement to the ITTA, 1983. The original Agreement came into effect on 1 April 1985 for an initial period of five years. It was subsequently extended twice for two years each, and expired on 31 March 1994. The renegotiation of the Agreement is important not only because a new text of the ITTA-1994 was adopted, but also because "the debate over the new Agreement was almost an evaluation of the first Agreement."⁷⁰

Five topics—scope, Target 2000, financial resources, trade discrimination and organizational functioning—came to dominate the re-negotiations. The most fundamental and controversial of the five issues was the debate about the new Agreement's scope. The environmental movement, for a variety of reasons, strongly favoured a broadening of the scope to include all timbers, tropical, temperate and boreal. It had become clear, for example, during the latter part of the 1980s that temperate and boreal forests were not being managed sustainably. Ecological concern combined with equity demanded that all states should encourage the practice of "sustainable forest management". In addition, evidence was emerging that the tropical timber market was not a segmented and independent market and that for many end-uses, temperate and boreal timbers were good substitutes. Finally, an all-timbers agreement would enable ENGOs to apply direct pressure on consuming-country governments to improve temperate and boreal forest management.

⁷⁰ Interview with producer-country official, 9 November, 1994.

Producing-country governments adopted an all-timbers stance partly as a negotiating ploy to win concessions from consuming-country governments. Producing-country governments were also determined to ensure that any compliance mechanisms adopted would apply to all traded timber so that tropical timber would not be singled out and targeted for protectionism. As one producing-country delegate noted, governments "will only discuss certification and labelling providing three conditions are met: that the discussions must deal with all timbers; that an agreed set of guidelines, criteria and indicators must be established for temperate timber and we must have official input...and that the Year 2000 benchmark must be adhered to."⁷¹

Consuming-country governments, on the other hand, were totally against an expansion in the scope of the new Agreement to include temperate and boreal timbers. The Canadian Government argued, for example, that "organizations [should] concentrate on doing what they can do, and what they can do best", that "the tropical timber market is very different from the market for temperate and boreal timber", that "the markets for tropical hardwoods and temperate softwoods are quite separate with only limited substitution between the two" and that "enlarged membership and focus in an expanded ITTA would mean a very different ordering of priorities" as "trade in tropical timber accounts

⁷¹ Interview with producing-country official, 30 August 1994.

for only 10% of the total trade in timber."⁷² Behind this and similar statements may have been the unacceptability of having an organization based in Japan and headed by a Malaysian responsible for the temperate and boreal forests of Canada, the United States, the Soviet Union and Europe.

The impasse that developed over the broadening the scope of the new Agreement was resolved only at the final negotiating conference in January 1994, when producing-country governments capitulated and agreed to renew the Agreement under the narrow scope of tropical timber. In order to achieve this compromise, however, consuming-country governments had to make three concessions. First, they promised to reconsider the issue of scope in four years time, prior to the new Agreement's first extension. Second, new language was inserted in the Preamble and the objectives that referred to the global timber economy as well as to the tropical timber sector.⁷³ Finally, a new fund was established, the Bali Partnership Fund, specifically to fund progress on the implementation of "sustainable forest management".⁷⁴

⁷² Brian Baker, Department of External Affairs and International Trade Canada, "Canadian Intervention on "Scope" Issue", First ITTA Renegotiation Conference, April 15, 1993.

⁷³ Objective (a) of the new Agreement is now, therefore, "to provide an effective framework for consultation, international cooperation and policy development among all members with regard to all relevant aspects of the world timber economy." See TD/Timber.2/L.9, "Draft International Tropical Timber Agreement, 1994", United Nations Conference for the Negotiation of a Successor Agreement to the International Tropical Timber Agreement, 1983, Fourth Part, Geneva, 25 January 1994.

⁷⁴ *Ibid.*

A second issue that prevented quick adoption of the text of a successor agreement was consuming-country government and ENGO insistence that a reference to Target 2000 be included. Producing-country governments refused to include Target 2000, however, unless the scope of the Agreement was expanded. A two-fold compromise was eventually worked out in which consuming-country governments formally bound themselves to implement "sustainable forest management" by the year 2000 and producing-country governments committed themselves to "sustainable forest management" by "objective Year 2000".⁷⁵

The change in the language from "Target 2000" to "objective Year 2000" was viewed by environmentalists as a substantial weakening of the commitment to an early attainment of "sustainable forest management".⁷⁶ The compromise over Target 2000 was linked in the negotiations to the development of new financial mechanisms to assist producing countries to cover the additional costs of implementing "sustainable forest management". As a result, the new Agreement includes a third financial mechanism, the Bali Partnership Fund. The purpose of the Bali Partnership Fund is "to enhance the capacity of members to implement a strategy for achieving exports of tropical timber and timber products from

⁷⁵ *Ibid.*

⁷⁶ See, for example, William Mankin, "Statement by William E. Mankin of the Global Forest Policy Project on behalf of the Friends of the Earth-U.S., National Wildlife Federation, Sierra Club, and World Wide Fund for Nature to the Fourth Part of the Conference for the Negotiation of a Successor Agreement to the ITTA of 1983", Geneva, January 18, 1993. For a more positive interpretation, see Debbie Davenport, "Excerpts from the Final Report on the Outcome of the ITTA Renegotiations", Atlanta, Georgia, The Carter Centre, 14 March 1994. Mimeo.

sustainably managed sources by the year 2000." The likelihood that such funds will be made available on a scale to meet the costs is doubtful, however, given consuming-country governments current preoccupation with large budget deficits and high government debt, and their desire to privatize international development aid. The history of the minimal contributions to the ITTO's Special Account for project funding also suggests that consuming-country governments will remain reluctant to utilize the ITTO as a major mechanism for international development assistance to the forestry sector.

The draft text of the new Agreement includes a direct reference to the unacceptability of trade discrimination. Objective (b) of the new Agreement explicitly provides that the ITTO should become "a forum for consultation to promote non-discriminatory timber trade practices". Although this article traditionally refers to tariff barriers and the imposition of quotas under the GATT, it can now be extended under the Uruguay Round and the establishment of the World Trade Organization to all activities that might hinder the timber trade, including subsidies, licensing arrangements, and the use of national certification and labelling schemes.

The final issue requiring negotiation was settled with the establishment of a Permanent Committee on Finance and Administration. Consuming-country governments were seriously dissatisfied with the operation of the old Agreement over many aspects of the organization's financial management, including the preparation of budgets, the selection of consultants, and the disbursement and management of project funds by producing-

country executing agencies. These concerns were serious enough for the negotiators to authorize the Executive Director under a new Article 25, paragraph 4 of the new Agreement to "suspend disbursement of the organization's funds to a pre-project or project if they are being used contrary to the project document or in cases of fraud, waste, neglect or mismanagement."

In conclusion, therefore, the negotiation of the new ITTA, 1994 reveals considerable discontent among participants about the operationalization of the ITTA, 1983 through the ITTO. The text of the ITTA, 1994 has recently been ratified, but it is still too early to tell whether the new Agreement has led to any fundamental changes in the operation of the ITTO. Given the difficulties in negotiating and ratifying the ITTO, 1994, the substantially changed global forestry policy environment in the 1990s, the departure of the ENGOs from the ITTO, and the growing movement for a global forestry convention, it is clear that the way forward for the ITTO in the late 1990s is fraught with difficulty.

The Structure of the Tropical Timber Trade Regime (TTTR)

From the above review of the formal provisions and operation of the ITTA, 1983, we can now derive the structure of the Tropical Timber Trade Regime that governed the practices of the tropical timber trade in the past decade. The provisions of the ITTA, 1983 and their implementation through the ITTO, did not challenge the post-war ITR's normative structure in any fundamental way. The two major rights instantiated under the ITR (freer trade and state

sovereignty) were upheld under the TTTR. Evidence in support of this contention can be found in both the articles of the ITTA, 1983 and the ITTO's activities. The ITTA, 1983 makes no provision for the establishment of a buffer stock, for example, partly because a direct attempt to stabilize prices was deemed to be impractical and partly because of resistance by consuming-country governments to the use of regulatory mechanisms that interfered with the operation of the free market. In practice, therefore, market stability has been sought through the elaboration of a market intelligence system, particularly via the Market News Service. Such a practice is entirely consistent with the dictates of neo-classical economic theory, which assumes the existence of perfect information in competitive markets. The sovereign right of states to control over their natural resources, on the other hand, is clearly stated in Article 1 of the Agreement. This right has been re-stated periodically throughout the life of the ITTA, 1983 by the Council in many of its major resolutions, such as those concerning the ITTO Guidelines, Decision 3 (X), and the Mission to Sarawak.

The rules of the TTTR are also consistent with those of the broader post-war trade regime, and the provisions and practices of the GATT (the "most-favoured nation" and "national treatment" principles) continue to govern the trade in tropical timber. To these two trade rules, however, the ITTA, 1983 added a third. The new rule emerged from the existence of, and the bargaining that occurred over, the environmental objective (h), that obliged ITTO members to balance the utilization of tropical forests with their conservation. The

result of these negotiations was the elaboration of a rule that states that countries engaged in the tropical timber trade should ensure that their forests are managed in accordance with the concept of "sustainable forest management". Although the concept of "sustainable forest management" lacks clarity and remains contested, the ITTO Guidelines, Target 2000 and the Sarawak Mission reflect an attempt to determine its content, date of application and feasibility.

Although the normative structure (rights and rules) of the ITR underwent only minor changes as a result of the adoption and implementation of the ITTA, 1983, there has been a decisive change in the regime's procedural component. Prior to 1985, the procedures governing the tropical timber trade were those of the GATT and focused exclusively on reducing trade barriers and resolving trade disputes. The establishment of the TTTR created a forum where a greater range of trade and non-trade issues could be considered. As a result, major debates took place between 1987 and 1994 at ITTO meetings on the management standards to be applied to tropical rainforests (Guidelines), on the timetable when such management standards might be implemented (Target 2000), on the resources necessary for implementing sustainable forest management (Target 2000, financial contributions to the Second Account), on proposals to ban unsustainably produced tropical timber (the Netherlands and Austrian proposals), and on the need for incentives to encourage sustainable forest management (certification and labelling).

Some differences in the two regime's compliance mechanisms can also be observed. Under the post-war trade regime, the major compliance mechanisms in the tropical timber issue area were reputation and self-help. To these, the provisions and implementation of the ITTA, 1983 added another in the form of an incentive. The opportunity to receive project funding was a major inducement for producing-country governments to sign the ITTA, 1983. The tacit bargain that emerged consisted of consuming-country governments offering project funding in exchange for producing-country agreement on the adoption of "sustainable forest management" norms and practices. In addition, the establishment of the ITTO enhanced the importance of reputation by creating an additional forum in which states could be called to account for their actions with respect to tropical rainforests. Although consuming-countries used this forum sparingly to criticize the forest practices of their producing-country colleagues, the forum offered environmental NGOs a golden opportunity to draw attention to poor forestry practices in developing countries and the failure of developed countries to match their expressed concern with project financing.

Summary and Conclusions

This chapter has examined the formal provisions and operation of the ITTA, 1983 and the ITTO. The new Agreement established an international commodity organization to govern the tropical timber trade issue area. The ITTO was an "atypical" ICO, however, because the Agreement did not provide for the

establishment and operation of a buffer stock. As a result, the "normal" politics of an ICO was absent. In addition, unlike other ICOs, the ITTO was tasked not only with price stabilization and industrial development objectives (via improved economic information, market intelligence and project financing), but also with an environmental objective to balance the exploitation of tropical rainforests for their timber values with their protection to safeguard non-timber values.

The new Agreement and its operationalization modified the post-war International Trade Regime in several respects. Although the basic normative structure of the ITR continued to apply to the tropical timber trade issue area, the ITTA, 1983 and its implementation added one new rule to its normative structure (that states engaged in trade should manage their forests according to the principles of "sustainable forest management"), a new set of decision-making procedures (inter-state debate with the participation of industry, ENGOs and intergovernmental organizations at the ITTO forum), and one additional compliance mechanism (project financing).

The Tropical Timber Trade Regime that emerged in the post-1983 period instantiated a set of practices that slightly modified the post-war rights and rules, decision-making procedures and compliance mechanisms in the tropical timber trade issue area. ITTO's guidelines for sustainable forest management of natural and planted forests and for biodiversity, Target 2000, economic information and market intelligence systems, the ITTO Action Plan, and the implementation of numerous projects made a positive, albeit

modest, contribution to the development of a genuinely sustainable trade in tropical timber. On the other hand, numerous missed opportunities occurred in the past decade, when the organization could have adopted tougher rights and rules, decision-making procedures and compliance mechanisms and instantiated a much stronger and more effective TTTR. In order to explain why this stronger, more effective regime was not put in place, we need to examine the struggle that took place among the global actors that contested the TTTR's normative and procedural structure. In the next chapter, therefore, the four global coalitions that debated the TTTR's normative structure are analysed and described, prior to examining in detail, in Chapters six and seven, the global politics of international regime formation.

CHAPTER FIVE

GLOBAL COALITIONS CONTESTING THE TROPICAL TIMBER TRADE REGIME¹

Introduction

It was argued in the previous chapter that the ITTO was a locus for the marginal modification of the post-war international trade regime in the tropical timber trade issue area. The normative structure of the TTTR (its rights and rules), which emerged from the negotiations at biannual meetings of the ITTC, privileged the production of timber for local and global markets over the maintenance and enhancement of the health and integrity of tropical forest ecosystems. The previous chapter focused on outcomes, however. To understand why the TTTR represented only a marginally modified departure from the ITR, we need to focus on processes and to examine the bargaining that took place within the ITTO, particularly at biannual sessions of the International Tropical Timber Council. This chapter describes and analyses the interests, ideas and modes of organization of the actors that contested the normative structure of the TTTR between 1985 and 1994. These

¹ In this dissertation, the verb "to contest" contains both a positive and a negative connotation. Each global coalition sought to protect its interests by influencing the development of the rights, rules, decision-making procedures and compliance mechanisms of the TTTR. Each global coalition's proposals, therefore, were designed to "constitute" the TTTR in a particular way. At the same time, however, each coalition disputed other coalition's proposals when these latter proposals negatively affected the former's interests. It is this process of proposal, critique and counter-proposal that I seek to capture by employing the verb "to contest"

actors were the concrete, historical agents that emerged in a particular conjuncture to struggle for and against global extractive capitalism. Then, in Chapters six and seven, the bargaining that took place among global actors in three discrete ITTO non-project activities—Guidelines, Incentives and the Sarawak Mission—is analysed to explain why the rights and rules, decision-making procedures and compliance mechanisms that governed the tropical timber trade issue area in the post-war period were modified only at the margin following the establishment of the ITTO in 1983.

Global Coalitions and the Tropical Timber Trade

Two of the actors—a coalition representing the tropical timber industry and one representing environmentalists and indigenous peoples—directly mediated their respective interests. While both global coalitions participated directly in ITTO Council meetings as observers, they also sought to influence outcomes by working through domestic and regional levels of government.² This effort to influence governments was vital because it was governments representing states that, as the voting members of the ITTO Council, were empowered to make decisions. Governments participating at the ITTO forum also consolidated themselves into two broad groups: one representing the interests of producing-

² NGOs making a first request for observer status at ITTO meetings had to provide background information on their organization to the Secretariat. NGOs previously granted observer status merely had to re-apply in advance of each Council Session. There does not appear to have any occasion on which observer status was refused to any applicant. The term "NGO" covered both for-profit and not-for-profit organizations.

country governments and the other, consuming-country governments.

Four groups of actors, therefore, representing the interests of producing- and consuming-country governments, the tropical timber industry and the environment contested the normative structure of the TTTR. Each group was an amalgam of many individual organizations, each in turn with its own organizational structure, history and mandate. At the global level, therefore, the actors contesting the TTTR's normative structure were "coalitions" and as such, did not have well-defined and exclusive boundaries. They were constituted more like "clouds", the component elements of which were clustered together around shared interests, ideas and organizational structures. Although the members of each global coalition were usually able to reach agreement on the overall stance to be adopted with respect to a specific issue, "outliers" could always be found. Just as the existence of outliers in statistics does not disprove the existence of a trend line, however, so neither does the existence of organizational outliers constitute evidence of the non-existence of an interest coalition.

According to the ITTA, 1983, only states can become formal, voting members of the ITTO and state membership is given effect when governments select and send national delegations to attend ITTO Council sessions. National delegations vary in size, composition and seniority, but only members of national delegations have rights to debate and negotiate the Organization's business. The

members of national delegations to the ITTO were usually career bureaucrats drawn from a variety of government departments of their respective states. The broad objective of each national delegation was to defend and promote its government's "national interest". In the particular context of the ITTO, this encouraged the formation of two transnational governmental coalitions grounded in a perceived harmony of interests and ideas.³

The two governmental coalitions divided along North-South lines. The producing-country coalition was guided by delegates from Malaysia, Indonesia and Brazil. The consuming-country coalition was guided by officials from the United States, the United Kingdom, the Netherlands and Japan. Both coalitions consolidated themselves over the years as a result of increased contact among members, greater awareness of members' shared interests, the construction and elaboration of a shared ecological, economic and political framework in the tropical rainforest and timber issue area, a shared history of solidarity among members and the institutionalization of formal structures within the ITTO for intra- and inter-coalition interest mediation.

The Producing-Country Coalition

Producing-country governments are often heavily dependent on the tropical timber trade to generate significant

³ In this study, the term "national interest" appears in quotation marks to signal the contested nature of such an interest. While in some cases, a truly genuine national interest may be at stake, in many cases, the term is invoked to disguise what are, in fact, regional or sectoral interests.

amounts of government revenue, foreign exchange and rural employment. This is particularly true of the two major producers of tropical timber, Malaysia and Indonesia. In Malaysia, for example, the forest sector contributed approximately seven per cent of the country's total Gross Domestic Product (GDP) and more than 13 per cent of its export earnings in the early 1990s.⁴ In Indonesia, on the other hand, the forest industry contributed approximately one per cent to GDP, but more than 16 per cent of its foreign exchange earnings, with approximately 2.5 million jobs dependent on the industry.⁵ Such economic dependence occurs at the national level but can be found in an even more extreme form at the sub-national level. Thus, a report from the Government of Sarawak notes:

Green gold—that's what Sarawak's forests are all about. And forestry and the forest industry combine to play a significant part in Sarawak's socio-economic development....The forest ranks a close second only to the petroleum industry, accounting for 34.8 per cent or M3.8 billion of Sarawak's total export value of M\$10.9 billion compared to 33 per cent for the petroleum sector. That's not all. A third or M\$700 million of the state government's revenue in 1992 came from the forest sector which provided jobs directly for some 80,000 people a year.⁶

⁴ Ministry of Primary Industries, *Forestry in Malaysia* (Kuala Lumpur: Ministry of Primary Industries, Malaysia, undated (circa 1992), p. 3.

⁵ Ministry of Forestry, *Tropical Forests of Indonesia: A Country Paper* (Jakarta: Ministry of Forests, Republic of Indonesia, 1993), pp. 23-30.

⁶ Forest Department Sarawak, *Forestry in Sarawak, Malaysia* (Kuching, Sarawak: Forest Department Sarawak, Malaysia, undated but circa 1993), p. 5. There appears to be a mistake in the percentage given for the petroleum industry here, which presumably should be greater than 33 per cent if forestry is to rank a close second.

Interviews with producing-country officials confirmed that they were aware of this level of economic dependence. One producing-country delegate remarked: "Our approach is mainly to protect the commodity aspects of timber....Forestry is critical to our industrialization."⁷ Another commented that "timber is very important to the...economy, especially in terms of foreign exchange earnings."⁸

The economic dependence on the timber trade has its counterpart in a political dependence between producing-country politicians and timber industry representatives. Allegations of close connections between political elites and the timber trade have been made about Malaysian state governments, as well as about the Governments of the Philippines, Thailand, Indonesia and Papua New Guinea.⁹ Producing-country officials were well aware of their state's political dependence on the timber industry. One producing-country official noted, for example:

⁷ Interview with producing-country official, 30 August 1994.

⁸ Interview with producing-country official, 2 September 1994.

⁹ For further details of the direct role played by political elites from these states, see Fred Pearce, "Hit and Run in Sarawak", *New Scientist*, 12 May 1990; Doug Tsuruoka, "Cutting Down to Size", *Far Eastern Economic Review*, 4 July 1991, pp. 43-46; K.P. Tan, Ruth Wong, Rathi Ramanathan, Salmah Mydin, Chan Tien Hin and Mark Kong, "The Timber Controversy, Part Four: Concessions Given to Wrong People the Main Problem?", *The Star (Malaysia)*, September 12, 1991, pp. 8-9; David Kummer, *Deforestation in the Postwar Philippines* (Chicago and London: University of Chicago Press, 1992), pp. 70-75; Paisai Sricharatchanya, "Too Little, Too Late: Thai Government Finally Decides to Preserve Forests", *Far Eastern Economic Review*, 12 January 1989, p. 38; Richard Robison, *Indonesia: The Rise of Capitalism* (North Sydney, Australia: Asian Studies Association of Australia with Allen & Unwin, 1986), pp. 346-358; Herb Thompson, "The Forestry-Logging-Timber Industry in Papua New Guinea", *Capital Nature Socialism* 3, 3 (September 1992), pp. 49-75.

At the state level, they [forestry officials] do get a certain amount of pressure from state politicians because forests are often a major source of revenue and there may be no alternative sources.¹⁰

Another remarked:

I have a friend in the forestry department in one of the states here and the Chief Minister told him that all awards for logging concessions were the Chief Minister's responsibility and so the foresters are left out of the picture.¹¹

Yet another, when asked what he could tell me about the concession system, observed:

They are owned by people with money who want to make money as quickly as possible....You will note there is a big discrepancy between the usage of logs by the sawmills and plywood mills and the official production figures. And sometimes these people have guns behind them with the military standing by.¹²

The frequently intimate connection between timber trade interests and government politicians provides dramatic confirmation of the constraints confronting those bureaucrats interested in implementing genuine sustainable forest management policies. Direct ties between state and industry elites, however, are not a necessary condition for the emergence of a pro-industry interpretation of the state's "national interest". Even in instances where greater relative

¹⁰ Interview with producing-country official, 24 August 1994.

¹¹ Interview with producing-country official, 2 September 1994.

¹² Interview with producing-country official, 21 October 1994

autonomy is enjoyed, the hegemonic ideas that guide policy-makers lead them to develop policies that privilege accumulation over conservation.¹³

Economic and political considerations shaped the composition of producing-country delegations to the ITTO, and delegate composition in turn influenced the ideological framework adopted for the interpretation of the "national interest". Table 14 provides data on the lead delegates who attended biannual ITTO Council Sessions. The data reveal that responsibility rested primarily with the ministries of forestry, foreign affairs and primary industries. Officials from these three ministries took the lead role in preparing for ITTO meetings, in establishing the producing-country coalition's strategic position on key agenda items, and in negotiating such agenda items among producing-country members and between producing- and consuming-country members. Officials from these three ministries, aware of the economic and political dependence of their states on the tropical timber industry, were primarily responsible for reaching an interpretation of producing-country governments' "national interests". Three basic ideas—sustained-yield

¹³ An interesting example of this bias can be found in the Philippines after the overthrow of the Marcos administration. Although bureaucrats from the Department of Environment and Natural Resources were finally free of the direct influence of "crony capitalism" to develop a Master Plan to halt the decline in the Philippines forest cover, and although the Plan was a major step toward creating a basis for genuine sustainable forest management in the Philippines, the Plan also tended to privilege the production of fibre over other forest values. It was vigorously resisted by the Philippines timber industry, which challenged it within and outside the courts. For further details about the Plan, see Jill Blockhus, *Sustainable Development in the Philippines: A Strategy Towards Sustainable Forest Resource Management* (Bergen, Oslo: University of Oslo, Center for Applied Research, 1990).

forest management, economic "development", and national sovereignty—influenced their interpretation.

The basic ideas that governed the producing-country coalitions' approach to forest ecology are contained in the theory and practice of sustained-yield forest management (SYFM) outlined in Chapter three. This approach to forest management emphasised the forests' role in the production of fibre. The following comments from producing-country officials reveal the timber-focused approach adopted. When asked, for example, for their views on the significance of the debate between sustained-yield and sustainable forest management, producing-country officials offered the following responses:

Yes, the debate has taken place, but one has to be practical. We are all guilty of talking about sustainable forest management, but this is not as simple as sustained-yield management. If people can move to sustained yield in a true sense while taking cognizance of environmental questions, then that is a great improvement. Sustained-yield has been practiced for a long time.¹⁴

So long as you exploit forests within their capacity, you can keep them going naturally and you don't need to practice silviculture....The best thing to do is log a forest. Liberation thinning is a waste of time....¹⁵

¹⁴ Interview with producing-country official, 22 August 1994.

¹⁵ Interview with producing-country official, 24 August 1994.

My understanding of the debate is that when they talk of sustainable-forest management, they really mean sustained-yield forest management....¹⁶

The practical result of the adoption of a traditional SYFM approach to forest management, which has constituted the basic approach to forest management in North America for most of this century, is that little attention is paid to forests' ecological, environmental and cultural values, with their economic value viewed exclusively in terms of timber production.

The adoption of a SYFM regime was supported by the economic ideas that dominated the producing-country coalition, which focused on the need for national economic "development". Evidence that the goal of national development dominated producing-country thinking can be found in many government documents. In the Sixth Malaysia Plan 1991-1995, for example, national economic development constituted the strategy for the achievement of the overriding goal of national unity.

The main thrust of the Sixth Plan is to sustain the growth momentum and manage it successfully so as to achieve a more balanced development of the economy....The strategy for balanced development will, therefore, encompass policies to diversify the industrial base, enhance human resource development, promote technological upgrading and reduce structural imbalances among sectors and regions in the country.¹⁷

¹⁶ Interview with producing-country official, 2 September 1994.

¹⁷ *Sixth Malaysia Plan 1991-1995* (Kuala Lumpur: National Printing Department, 1991), p. 4.

Herman Haeruman, Assistant State Minister of Indonesia's National Development Planning Board (BAPENAS), in a speech on "Policies to Enhance Community Participation in Forestry Development" set out the goal of development as:

The creation of an autonomous and reliable economy...through the improvement of equity in community prosperity; sufficient high economic growth; national stability, characterized by strong and progressive industry; reliable farming practices; healthy and strong progressive businesses with stable distribution systems.¹⁸

Evidence that producing-country officials attending the ITTO were under the sway of economic development ideas is evident from ITTO official records. Thus, at the Fourth Council Session, the ITTO record states that Dr. Robert De Abreu Sobre, Foreign Minister of Brazil

set out at length and in some detail the implications for national development of the forestry policies of Brazil and at striking a judicious balance between national utilization of forest resources and their conservation...such policies must obey the imperatives of national development priorities, in particular the pressing problem of poverty which calls for urgent solutions and international action.¹⁹

¹⁸ Herman Haeruman, "Policies to Enhance Community Participation in Forestry Development", Main Papers from the Seminar on the Development of Social Forestry and Sustainable Forest Management, August 29-September 2 1994, Faculty of Forestry, Gadjah Mada University, Yogyakarta, Indonesia.

¹⁹ ITTC (IV)/D.1, "Draft Report of the International Tropical Timber Council Fourth Session, Rio de Janeiro, 29 June-1 July 1989", Yokohama, Japan, ITTO, 2 July 1988, pp. 1-2.

The official record of the Ninth Council Session reported the views of the Spokesperson for the Producing Country Coalition:

The adequate protection and utilization of natural tropical forests were, however, not just technical questions...but were also an integral part of general development policies and needs of the producing countries. The discussion of sustainability of the international tropical timber trade and of the survival of the tropical forests must be based on the conduct of sound international trade practices between producing and consuming countries. One of the main objectives of the International Tropical Timber Organization was to promote further processing in tropical timber producing countries, that is the production of value added products, in order to phase out the trade of raw logs....The ITTO should give more attention to this part of the agenda.²⁰

Indeed, one of the main objectives of the ITTO was to promote economic development in the forest sector by encouraging technology transfer and value-added production. The Permanent Committee on Forest Industry (PCI) was the major forum within the ITTO within which such discussions took place. The producing-country coalition was very unhappy with the performance of the PCI, which was the least active of the ITTO's three permanent committees. One reason for their unhappiness was the reluctance of consuming-country governments to support projects in developing

²⁰ ITTC (VIII)/D. 1, "Draft Report of the International Tropical Timber Council Eighth Session, Denpasar, Bali, Indonesia 16-23 May 1990", Yokohama, Japan, ITTO, 6 July 1990, pp. 20-21.

countries that competed directly with their own domestic, import-dependent tropical timber industry.

In addition to SYFM and economic development, producing-country governments were deeply influenced by the modern concept of sovereignty. In the context of the debate over tropical rainforests, producing-country governments invoked the principle of state sovereignty on numerous occasions. Not only is the principle a feature of the ITTA, 1983 (Article 1, Objectives, para. 1) but it occurs, with increasing frequency, in most major resolutions passed by the ITTO during the period. Examples can be found in paragraph 3 of Decision 3(IX), which "respects the sovereignty of all ITTO Member Countries"; paragraph 1 of Decision 2(XII), which reiterates "the sovereign rights of all Members over the management and development of their natural resources"; paragraph 2 of Decision 3(XIII), which recalls "Decision 2(XII) reiterating the sovereign rights of all Members over the management of their natural resources"; and paragraph 5 of Decision 3(XIV), which reiterates "the sovereignty of Members over their natural resources".²¹

The sovereignty principle was a central issue in the decision by the Malaysian Government to invite the ITTO to send an

²¹ See, respectively, ITTC (IX)/D.1, "Draft Report of the International Tropical Timber Council at its Ninth Session, Yokohama, Japan, 16-23 November 1990", Yokohama, Japan, ITTO, 8 February 1991, p. 104; ITTC (XII)/19, "Draft Report of the International Tropical Timber Council at its Twelfth Session, Yaounde, Cameroon, 6-14 May 1992", Yokohama, Japan, ITTO, 21 September 1992, p. 45; ITTC (XIII)/17, "Draft Report of the International Tropical Timber Council at its Thirteenth Session, Yokohama, Japan, 16-21 & 24 November 1992", Yokohama, Japan, ITTO, 20 April 1993, p. 51; and ITTC (XIV)/14, "Draft Report of the International Tropical Timber Council at its Fourteenth Session, Kuala Lumpur, Malaysia 11-19 May 1993", Yokohama, Japan, ITTO, 18 August 1993, p. 49.

independent mission to investigate and report on forest management practices in Sarawak. In the contentious debate that followed over whether to accept Malaysia's invitation, both Asian and South American delegates invoked the principle of state sovereignty. The Brazilian Government, for example, argued against all attempts to use the Sarawak Mission as a precedent for future, unrequested ITTO missions to other states. The draft report of the meeting notes that "the Government of Brazil believed that it was a matter within the sovereign discretion of any Member State to request or welcome a mission to examine or evaluate forest resources." The Peruvian Government backed the Brazilian position and noted that although "Peru...recognized the sovereign right of any State to take its own decisions" it was also clear that "the ITTA...made no provision for sending missions, if not so requested, to Member States."²² Ironically, Malaysia used exactly the same argument to support its invitation. The report notes that "the Government of Malaysia, in exercise of its sovereign will, had decided to respond to the concern expressed in several quarters over the forestry situation in Sarawak."²³

In summary, therefore, producing-country officials from forestry, industry and foreign affairs departments were under the sway of the three dominant ideas of SYFM, national economic "development", and the inviolability of state sovereignty. These three

²² ITTC (VI)/D.1, "Draft Report of the International Tropical Timber Organization at its Sixth Session", Yokohama, Japan, ITTO, 24 May 1989, pp. 19-20; and ITTC (VI)/D.1, "Draft Report of the International Tropical Timber Organization at its Sixth Session", Yokohama, Japan, ITTO, 24 May 1989, p. 19.

²³ *Ibid.*, p. 19.

ideas helped to construct a "developmentalist" interpretation of their "national interest" even as it shaped their experience of "reality". The developmentalist interpretation helped to cement producing-country governments together into a coalition to defend their interests in the face of challenges from consuming-country governments and environmental NGOs.

The producing-country coalition represented its interests in the ITTO by electing a producing-country spokesperson. The Spokesperson consulted with producing-country governments (both during and between ITTO meetings), worked to achieve common negotiating positions within the producing-country caucus, and represented these positions at Plenary Meetings and in negotiations with consuming-country governments. Two countries, Brazil and Malaysia, monopolized the position of Spokesperson. The position offered some advantages in terms of influencing the ITTO Agenda, as the following comment makes clear.

Malaysia is spokesperson now for the producers' group, which it took over from Brazil. This gives us some opportunities to shape negotiations. Producer countries need a strong leader.²⁴

This review of the producing-country coalition has examined the interests and ideas of developing-country governments that participated at ITTO Council Sessions between 1987 and 1994. Producing-country governments were dependent, politically and

²⁴ Interview with producing-country official, 22 August 1994.

economically, on the continuation of the tropical timber trade. These economic and political interests helped determine the composition of national delegations to the ITTO, which both reflected and refracted an interpretation of the "national interest" grounded in a developmentalist "paradigm". This developmentalist interpretation privileged the utilization of tropical rainforests by sovereign states in the pursuit of national economic development and, in so doing, helped cement producing-country governments together in a cohesive global coalition.

The Consuming-Country Coalition

Throughout the history of the ITTA, 1983, the producing-country coalition has defended its perceived interests against a coalition of consuming-country governments guided by the United States, the United Kingdom, the Netherlands and Japan. Although the degree of economic and political dependence on the timber trade varies across consumer countries, in all cases it is of a lower order of magnitude than that confronting the producing-country coalition. This statement applies even to Japan, the largest of the tropical timber importing countries by volume. In 1989, for example, Japan's total demand for timber from all sources was estimated to be 114 million cubic metres (Mcum), approximately 30 million of which was produced domestically. Of the remaining 84 Mcum, approximately 20 per cent, or 17 Mcum came from tropical rainforests, with the remainder imported from Canada, Russia and

the United States.²⁵ In value terms, Japan imported tropical timber products worth approximately US\$2 billion in 1987. This sum, although large, constituted only 20 per cent of the total value of all timber imports (\$10 billion) and less than two per cent of the value of Japan's total imports for the year.²⁶

In the context of a sophisticated, trillion dollar industrial economy, the Japanese government is clearly not "dependent" on the tropical timber trade in the same sense as many producing-country governments. Not only is the industry relatively less important in terms of its size, but the Japanese government has a range of options to counteract supply shortfalls and price rises. The Japanese government can implement policies to increase domestic timber production, diversify the sources of its tropical timber imports, substitute temperate and boreal timbers, and switch to non-wood alternatives. Indeed, in response to price rises and supply shortfalls in the 1990s, Japan adopted many of these strategies to meet its demand for timber.

Thus, although Japan remains "dependent" on the tropical timber trade, this dependence is quantitatively and qualitatively different from that of producing-country members. This statement applies with even greater force to other consuming-country members of the ITTO. The European Union, the next largest importer

²⁵ John V. Ward Associates Inc., *The Japanese Market for Tropical Timber: An Assessment for the International Tropical Timber Organization* (Washington, D.C.: John V. Ward Associates, September 1990), pp. III-1 to III-7.

²⁶ François Nectoux and Yoichi Kuroda, *Timber for the South Seas: An Analysis of Japan's Tropical Timber Trade and its Environmental Impact* (Gland, Switzerland: WWF International, April 1989), p. 25.

of tropical timber after Japan, currently meets 85 per cent of its total timber demand from domestic sources. In 1990, the EU imported fewer than 12 Mcum of tropical timber, 90 per cent of which was accounted for by only six countries and 40 per cent by the United Kingdom and the Netherlands combined.²⁷ In North America, on the other hand, the total volume of tropical timber imports was less than 3 Mcum in 1990, valued at about \$550 million, 90 per cent of which was consumed by the United States.²⁸

Government recognition of the relative lack of importance of the tropical timber trade is evident in a German policy statement on tropical forests:

The tropical timber share of German timber supplies has no major significance in terms of pure volume and value, and is receding as a whole....Tropical timber competes in use with domestic wood as well as with alternative products such as steel, concrete and plastics...substitution of tropical timbers by domestic wood varieties generally appears possible in many application areas in Germany...substitution by competing materials is also entirely feasible....²⁹

Consuming-country governments' greater economic independence is accompanied by greater political independence from

²⁷ E. Barbier et al., *The Economic Linkages between the International Trade in Tropical Timber and the Sustainable Management of Tropical Forests* (London: Environmental Economics Centre, IIED, London, March 19 1993), pp. 26-29.

²⁸ *Ibid.*, pp. 26-29.

²⁹ Government of the Federal Republic of Germany, *Tropical Forest Report* (Bonn: Press and Information Office of the Federal Government, undated circa 1990), p. 25.

the timber industry. Although the power of the trade is not by any means insubstantial, other fractions of capital tied to banking and other financial services, automobile production, computers, and telecommunications tend to be more influential. The political constraint is perhaps strongest in Japan, where large trading companies, the *sogo shoshas*, engage in all aspects of the import trade. The top 15 traders imported approximately 64 per cent of all Japan's tropical timber imports in 1987. Such trading companies have extensive links to other sectors of the Japanese economy, including banking, shipping, processing and retailing. As Nectoux and Kuroda note:

Sogo Shoshas...are more than wholesalers and import-export companies, since they permeate most commercial and financial operations on the market and are associated with large city banks and major industrial groupings. Although the majority of their turn-over comes from domestic trading in Japan, they do have a considerable import-export role (including within the timber trade).³⁰

In most other consuming countries, on the other hand, the relationship between the timber importing trade and other fractions of capital is cordial, but at arms length. A Dutch policy paper on the tropical timber trade is notable, for example, for the scant attention it pays to its domestic industrial sector, notwithstanding the fact that the Netherlands exported almost 27 per cent of its tropical timber imports as processed wood products in

³⁰ Nectoux and Kuroda, *Timber From the South Seas*, p. 61.

1988.³¹ In another developed country, a consuming-country official noted, in response to a question about his government's interest in the timber trade, that:

The...interest isn't substantial. There is a link with Africa, and I cannot quote the figures, but if it had been that important we would have fought harder for trade interests. It was difficult to see what job losses there would be from substitution and there was a problem with substitution to white woods, but tastes do change.³²

Although consuming-country officials confront a less pressing set of economic and political considerations when developing an interpretation of the "national interest", this is not to say that they are unconstrained in the development of tropical timber trade policies. Policies that would immediately and unequivocally result in genuine sustainable forest management in developing countries would, by massively reducing the volume of timber exported, have unpleasant and harmful short-term effects on consuming-country governments. These effects include increased unemployment, reduced tax revenues, and heightened pressure from tropical timber trade associations.

The above economic and political considerations of consuming-country governments are refracted through a set of

³¹ Ministry of Agriculture, Nature Management and Fisheries, Department of Nature, Forests, Landscape and Wildlife, *The Dutch Government's Policy Paper on Tropical Rainforests* (The Hague, the Netherlands: Ministry of Agriculture, Nature Management and Fisheries, 1992). The data come from Table 5, p. 94.

³² Interview with consuming-country official, 16 June 1994.

"sustainable development" ecological, political and economic ideas: sustainable forest management, liberalized international trade, and qualified state sovereignty. The central ecological idea of consuming-country governments is captured by the phrase "sustainable forest management" (SFM). The phrase constitutes an attempt to situate "sustained-yield forest management" in a broader ecological and social context. Although a "sustainable forest management" strategy remains centred on the exploitation of forests for their timber values, other forest values are to be taken into consideration, by ensuring better land-use management. One definition of SYM is provided by the ITTO:

Sustainable forest management is the process of managing 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.³³

This official ITTO definition of SFM is interpreted by the producing-country coalition, as we have already seen, as being equivalent to SYFM, with its focus on timber production. Consuming-country governments, however, took the definition's injunctions more

³³ ITTC (XI)/25, "Draft Report of the International Tropical Timber Council at its Eleventh Session, Yokohama, Japan 28 November - 4 December 1991", Yokohama, Japan, ITTO, 1 May 1992; Decision 6 (XI), Annex, p. 69.

seriously and placed more emphasis on non-timber forest functions.

Thus, a German government report notes:

Confronted with plundered forests at the start of modern times, central Europeans developed an awareness that the management of long-lived forest ecosystems outlasting a human generation must take the needs of future generations into consideration. The notion of sustainability was coined to express this idea. It meant that the functions of the forests for society should be guaranteed in an enduring, constant and even manner by sustained forms of forest management. While the goal was initially applied mainly to the timber yield, it subsequently expanded more and more to embrace all forest functions.^{3 4}

This paragraph captures the essence of the difference between SYFM, with its exclusive focus on timber production, and SYM, with its broader, but vaguer, mandate to expand the focus beyond fibre production to protect other forest values. Although consuming-country officials recognized the need to move away from narrow interpretations of forest management, they were not comfortable with the vagueness of the resulting definition. One consuming-country official noted:

There is now a publication of the definition of sustainable management in the recent ITTO newsletter....The whole question of a definition was discussed in the consumers' group, but difficulties occurred in drafting it into legal

^{3 4} Government of the Federal Republic of Germany, *Tropical Forest Report*, p.40.

language. It seemed to leave so many escape clauses that it was not deemed worthwhile.³⁵

Another consuming-country delegate, in response to a question concerning defining SFM, noted that:

The big debate is to decide what we are sustaining. You can sustain over time, and you can sustain different outputs. This was, and still is, the source of discussion, because some more extreme environmental NGOs won't talk about it in terms of any logging at all, and other groups will only talk about it if there is massive logging. It's a sliding scale with every other shade of opinion in between.³⁶

In summary, therefore, consuming-country officials were influenced by the concept of SFM, which nonetheless remained imprecisely defined. While the concept implied doing more than merely SYFM, precisely how much more was unclear and open to significantly different interpretations. The new concept constituted an attempt by consuming-country governments to sustain high levels of timber flows, while simultaneously condemning the more egregious forms of timber exploitation and timber mining carried out in the past under the rubric of SYFM.

A fundamental difference between producing- and consuming-country governments concerns the time frame over which forests should be exploited for timber production. Producing-

³⁵ Interview with consuming-country official, 8 June 1994.

³⁶ Interview with consuming-country official, 4 July 1994.

country governments are constrained by economic and political considerations to maintain policies that exploit forests over the short term to maintain tax revenues, foreign exchange earnings and employment. Consuming-country governments are less constrained and have the opportunity to develop the longer-term policies for tropical forest exploitation contained within the concept of SFM.

Economic liberalism provides the general theoretical framework within which the development of these longer term policies are developed. A core value of economic liberalism is that human welfare is best advanced by the promotion of economic growth and development through the widening and deepening of the market. Evidence that consuming-country government officials supported a broadly liberal economic policy can be found in the public statements of many of the senior officials that attended ITTO meetings. Milton Drucker, for example, the former head of the United States delegation to the ITTO and spokesperson for the consuming-country coalition between 1992 and 1994, was deeply committed to a free-market perspective. In a speech to the Furniture Manufacturers Symposium on Tropical Hardwoods, Drucker concludes:

International trade in forest products is often the scapegoat for those who are concerned about deforestation. But this is unfair. Our impact on the forest policies in tropical countries is actually quite limited....We believe that free market principles offer the best hope for protecting tropical forests. Sound environmental policy and economic development are mutually reinforcing. Government impediments to trade, short-sighted leasing

arrangements, and other unsound economic practices artificially reduce the economic value of tropical forests, thereby reducing or destroying the incentive to conserve and properly manage the forest.³⁷

Drucker's comments are supported by extracts from country market statements submitted to the ITTO. The 1994 Country Market Statement from Australia is especially clear:

Australia continues to support trade liberalisation in favour of an open, non-discriminatory and equitable multilateral trading system and sustainable development. Australia has been prominent in efforts to reform and revitalise the international trading system, to safeguard and increase access for all countries, including developing countries, to overseas markets.³⁸

Finally, the German Policy Statement referred to earlier, notes:

One-sided import and use restrictions would also contravene our GATT trade policy obligations. They do not fit into the landscape of the current GATT Uruguay Round which aims among other things to facilitate access by developing countries....The European Community also grants customs exemptions on these products to developing countries under its General System of Customs Preferences for developing countries. Any intervention in this trade would infringe upon these agreements and

³⁷ Milton Drucker, "The International Tropical Timber Organization and Some Elements of U.S. Policy on Tropical Timber Trade: A Personal View", in *Proceedings of the First Pan American Furniture Manufacturers' Symposium on Tropical Hardwoods* (Grand Rapids, Michigan: Grand Rapids Community College Applied Technology Centre, November 5-6, 1991), p. 53.

³⁸ Government of Australia, "Australian Report on Progress Towards Target 2000 and Country Market Statement", presented to the Sixteenth Session of the International Tropical Timber Council, May 1994, p. 2.

impair trade considerably. Furthermore, the credibility of the Federal Government's free trade stance would be greatly weakened.³⁹

The definition of SFM as the continuous production of large volumes of fibre in perpetuity sits uneasily with the free-market stance adopted by the majority of consuming-country governments. This is because the market merely values tropical forests for the exchange values they are capable of producing in the short term, and does a poor job of valuing non-exchange values related to forests' ecological, environmental, cultural and spiritual functions. Promoting sustainable forest management via the market and free trade constrained the consuming-country coalition, because some of the more powerful trade measures (bans, boycotts, quotas, tariffs, levies) that could have promoted compliance with the spirit of SFM were automatically discounted from serious consideration.

While consuming-country governments clearly endorsed the ideas of SFM and economic liberalism, they appear to have harboured ambiguous views on the principle of state sovereignty. There is no direct evidence available to indicate that consuming-country officials consciously questioned the sovereignty principle and sought its amendment at ITTO Council Sessions. Indeed, it would have been counterproductive to do so, given the reaction such efforts would have provoked from the producing-country coalition. There is a sense, however, in which the statism of consuming-country

³⁹ Government of the Federal Republic of Germany, *Tropical Forest Report*, p. 49.

governments is qualitatively different from that of producing-country governments. Under the sway of liberal economic ideas, consuming-country governments were generally prepared to grant a larger role to interstate actors in the creation of international order based on the rule of law.

A number of clues exist that support this interpretation of the consuming-country coalition's concept of sovereignty with responsibility. First, it is notable that consuming-country governments did not champion the principle of sovereignty at the ITTO, and its delegates' speeches are notable for their virtual neglect of the concept. Second, in place of the concept of sovereignty, speeches by consuming-country officials are replete with references to the desirability and utility of international cooperation. As early as the Third Session, therefore, the spokesperson for the European Community, Enzo Barattini noted:

It is important that the Council and its Committees should not restrict itself to the function of a body with the sole purpose of considering projects. It should also evolve as a forum for dialogue between producers, consumers and other interested parties on all aspects of the tropical timber trade and of the sustainable management of forests covered in the Agreement, and should emerge as a forum for review of the current situation in these fields....⁴⁰

⁴⁰ ITTC (III)/18, "Report of the International Tropical Timber Council on its Third Session, held in Yokohama from 16 to 20 November 1987", Yokohama, Japan, ITTO, 2 July 1988, p. 88.

This view of the ITTO as a forum for dialogue with a view to establishing international norms for the tropical timber trade is elaborated in a later speech by Barattini at the opening of the fourteenth Council Session in Kuala Lumpur. There, Barattini notes:

This session is all the more important for the discussion which will take place...on the linkages between the tropical timber trade and the sustainable management of tropical forests. This is the ITTO's real vocation: to serve as an international forum for exchange of opinion and information on the timber trade. Thus we hope that it will be possible for differences of opinion to be reconciled and at the same time to determine if certain policies can be carried out....⁴¹

The above statements, and others of a similar nature made by national delegations, place the emphasis less on the pursuit of national interests under the principle of inviolable state sovereignty and more on the requirement, indeed the necessity, of identifying common international norms and policies that will be universally agreed upon and complied with. It is for this reason that there is a qualitative difference in the approaches adopted to the principle of state sovereignty by producing- and consuming-country governments. For producing-country governments, the principle was used to protect against the adoption of unacceptable international norms that threatened to limit the growth and development of their

⁴¹ Commission des Communautés Européennes, Direction General du Developpement, "Declaration of the Community and Its Member States at the opening session of the XIVth Session of the ITTO Council, Kuala Lumpur, 11 May 1993", Brussels, May 1993.

domestic timber industries. For consuming-country officials, the principle constituted the platform for the negotiation of binding international agreements that could create a form of international law governing the timber trade issue area in general, and the tropical timber trade issue area in particular.

Consuming-country governments' interpretation of their "national interest" emerges from the interplay between economic and political interests as refracted by a set of ideas dominated by "sustainable forest management", economic liberalism and qualified state sovereignty. The interests and ideas shaped the composition of producing-country delegations to the ITTO. Table 15 presents historical data on the composition of consuming-country delegations to ITTO Council Sessions and reveals that lead delegates from producing countries have been drawn from foreign affairs, forestry, and trade and industry ministries. Environmental ministries have been seriously underrepresented. Although the composition of lead delegates has altered over the years, reflecting the growing importance of the environmental issues within the ITTO, control has nonetheless tended to remain with ministries having a commercial, commodity mandate.⁴²

The shared interests, ideas and departmental composition of consuming-country delegations helped to cement an

⁴² Thus, for example, in the United Kingdom in the mid-1990's, the lead role switched from the Department of Trade and Industry to the Overseas Development Administration. This was less a response to the growing salience of the environment, however, and more a consequence of the huge number of projects that were being considered for funding at the three ITTO sub-committees.

Table 15

Council Session	Composition of Consuming-Country Lead Delegates Attending ITTO Sessions*							Total	
	Trade & Industry	Forestry	Foreign Affairs	Environment	Development	Private Industry	ENGOs		Other
Three	5	4	15	0	1	2	0	1	28
Four	9	2	17	0	2	1	0	1	32
Five	7	1	16	0	4	1	1	0	30
Six	6	4	21	1	1	3	1	4	41
Seven	6	6	15	1	3	1	2	2	36
Eight	6	5	16	2	4	3	1	1	38
Nine	6	5	13	4	3	2	1	1	35
Ten	4	8	18	1	2	0	2	2	37
Eleven	5	5	12	4	3	1	2	0	32
Twelve	6	7	12	4	5	2	1	1	38
Thirt'n	7	7	11	2	5	1	1	1	35
Fourt'n	7	10	16	1	2	3	0	1	40
Fifteen	4	9	14	2	4	1	0	0	34
Sixteen	4	4	13	4	4	3	0	2	34
Total	82	77	209	26	43	24	12	17	490
Average	6	6	15	2	3	2	1	1	

* Lead delegates consist of a Representative, an Alternate Representative and an Advisor to a maximum of three per delegation.

Source: Data are taken from "Lists of Participants" in draft reports of each ITTC session (three to sixteen inclusive).

international consuming-country governmental coalition at the ITTO. This coalition has been guided by officials from the United States, the United Kingdom, the Netherlands and Japan. These four states that have sent the largest delegations to ITTO Council meetings. Three (the U.S., the U.K., and the Netherlands) have large domestic environmental movements that have targeted the tropical timber trade as a major cause of tropical deforestation. The strength of these environmental movements contrasts with the situation in other European states, where domestic environmental pressure on national governments concerning the tropical timber trade has been far less significant. In addition, three of the four states (the U.K., the Netherlands, and Japan) import sizeable amounts of tropical timber for both domestic consumption and remanufacturing for export. The fate of the trade, although not of vital national significance, remains a consideration, and these governments are thus interested in ensuring that they exercise influence over the debate.

The organizational structure of the consuming-country coalition is similar in many respects to that of the producing-country coalition. The consuming-country coalition spokespeople have been drawn mainly from the United Kingdom and the United States although other delegations have also held the position, albeit for only one or two sessions. The organizational structure of the consuming-country coalition is complicated by the presence of the European Community (now the European Union). On commodity matters, EC members are obliged to speak with one voice via its official

representative, Enzo Barattini, who attended almost all of the ITTO Council Sessions during the past decade. However, in development assistance matters, EC member states speak and act individually. Thus, when the consuming-country coalition is seeking to reach a preliminary consensus on a commodity matter, delegates from the EC must caucus first to determine a common EC position. This position is then communicated to the consuming-country caucus, where a second round of negotiations ensues in order to reach a common, agreed position. At this point, the Spokesperson for the consuming-countries is able to enter into negotiations with a producing-country counterpart in an effort to broker a common ITTO position on any particular topic.

This review of the consuming-country coalition demonstrates that although the tropical timber trade made an important contribution to the total timber imports of a small number of consuming-country members, its overall economic importance to developed countries was small in relative terms. Consequently, the consuming-country coalition was less economically and politically dependent on the maintenance of the existing industrial structure and could afford to take a longer-term perspective. The relative unimportance of the consuming-country coalition's interest in the tropical timber industry shaped the composition of its national delegations to the ITTO, and representation was expanded to include delegates from environmental and development assistance ministries as well as representatives from environmental non-governmental

organizations. Nonetheless, the consuming-country coalition was by no means economically or politically disinterested in the tropical timber trade, which was refracted through a set of ecological political economic ideas that supported the "sustainable development" of the industry. The ideas of sustainable forest management, neo-classical economics, and qualified state sovereignty shaped the coalition's overall approach, orienting it to seek market-based solutions to the tropical deforestation and rainforest degradation crisis. The fact that different governments within the consuming-country coalition were under very different economic and political pressures from their domestic environmental movements, that they varied substantially in the degree to which they relied on tropical timber imports, and that the European Community had competence in commodity matters, tended to weaken the coalition. Internal negotiations within the coalition often produced compromises based on the lowest common denominator, in which more progressive government delegations had to compromise their positions to maintain the support of other coalition members.

The Tropical Timber Industry

The tropical timber industry consists of a huge number of diverse companies located in different countries. The industry links concessionaires, logging companies, domestic processors, shippers, overseas processors, importers, wholesalers and retailers together in the extraction, shipment and processing of tropical timber for sale in

Japan, Europe and North America. Those within the industry are conscious of the many commercial conflicts that exist within and between its various sectors. One writer notes, for example:

The slang "tak ada ngam", which in this case means that the various sub-sectors [of the industry] are not cooperating with and supportive of each other, fittingly describes the timber industry....Timber exporters defiantly say quota and export levy will be counter productive, and are against such measures....Plywood, mouldings and furniture makers will press the Government to impose quota, ban or whatever tariff barriers to ensure that they get the supply they need—without taking into account the fact that such measures can affect the rice bowl of the sawmillers and exporters.⁴³

Despite these intra-industry struggles, however, all companies have the same basic, underlying, interest in ensuring the profitability of the entire tropical timber trade. The industry itself is aware of its interdependence, as the following quotation on behalf of European, American and Japanese import trade reveals:

Trade makes self-generated economic contributions. There are rewards for all at every stage of trade from forest to consumer. If only one link in the chain fails to see reward the business activity ceases. The allocation of such rewards is always a matter of debate and involves forest owners, governments, shareholders and employees.⁴⁴

⁴³ *Business Times, Malaysia*, "Doing What is 'Ngam' for the Timber Industry", 12 March 1990.

⁴⁴ Alle Stoit, "Statement to the ITTO Council of the Tropical Timber Import Trade from Europe, the U.S.A. and Japan", Tenth Session of the ITTC, 3 June 1991.

The profitability of the industry depends on the volume of timber traded, the price of tropical timber on domestic and international markets, the "efficiency" of production technologies, and the extent of government regulation and taxation. The industry perceives a large number of threats from environmentalism to its profitability. These threats include the creation of totally protected areas and a consequent decline in the size of the area devoted to production forests; the imposition of higher levels of government taxation to capture a greater share of the timber rent; the enforcement of overly strict forest management legislation resulting in unnecessary costs; the imposition of boycotts and bans in consuming countries that destroy major markets; and the imposition of labelling and certification schemes. All of these threats have the general effect of increasing costs, squeezing profits and making tropical timber less competitive relative to temperate and boreal timbers and non-wood substitutes. The industry thus has an unmediated interest in defending itself against these potential environmentally-imposed threats.

Underpinning industry's defense of its profitability is a set of ecological, economic and political ideas that minimize the environmental impact of the tropical timber trade, discourage government regulation of the international market, and encourage the entrenchment of the principle of state sovereignty in international agreements. A clear statement of the industry's central ecological premise is contained in a fascinating defence of hill logging

in Sarawak by James Wong. Wong was one of the pioneers of the mechanization of hill logging in Malaysia and also serves as the Sarawak State Minister for Environment and Tourism. In a 1992 booklet, he set out to disprove the "unfair criticisms being levelled against the Sarawak Government and in particular its timber logging practices."⁴⁵ In his defense of timber logging in Sarawak, Wong noted that there is "a misconception by some people on logging in Sarawak that selective logging by necessity of its nature causes huge damages to soil, forest and water courses."⁴⁶ This, Wong asserted, is not the case. When there was adequate care and protection "the forest regrowth and regeneration of the gaps and of any bare spots caused by timber harvesting is very rapid...."⁴⁷

So convinced was Wong of the natural regenerative powers of tropical rainforests that he cited a nursery rhyme to illustrate his point:

'Little Bopcep has lost her sheep/and do not know where to find them/Leave them alone and they'll come home/Wagging their tails behind them.' Logged over forest left to regenerate will regain their pristine glory, within a number of years. Such is the recuperative power of nature.⁴⁸

A similar defence of the industry comes from the importing trade in a statement to a House of Lords Committee. Terrence Mallinson, as

⁴⁵ James Wong, *Hill Logging in Sarawak* (Kuching, Sarawak, Malaysia, 1992), p. 4.

⁴⁶ *Ibid.*, p. 25.

⁴⁷ *Ibid.*, p. 25.

⁴⁸ *Ibid.*, pp. 25-26.

President of the Timber Trade Federation of the United Kingdom, noted:

It is our belief in our trade that it is completely practical to manage tropical forest for cyclic harvesting without destroying its essential nature, which in our terms means the tree cover.⁴⁹

Mallinson's statement highlights the industry's exclusive focus on the value of forests for timber production and the unproblematic nature of "cyclical harvesting", which will not destroy tropical forests if carried out properly. An even more definitive defence of the robustness of Southeast Asian tropical rainforest systems is offered by Dr. J.R. de Beijer, an industry consultant. In confronting the anti-tropical timber movement, Dr. de Beijer argues that in Southeast Asia:

vegetations grow unbelievably fast: virgin forests, once cleared, will continuously fight to restore themselves. That includes all existing gardens in ASEAN countries, where we are, with or without gardeners, frantically engaged in fighting the return of the jungle.⁵⁰

In short, the basic ecological idea that dominates the tropical timber industry is of the robustness of tropical ecosystems, which regenerate spontaneously and require, therefore, relatively

⁴⁹ "Memoranda by the Timber Trade Federation Examination of Witnesses", Tuesday 16 January 1989, pp. 4-5. Mimeo.

⁵⁰ Dr. J.R. de Beijer, "The Other Side of the Coin: A Proposal for a Systematic Counter Campaign against Anti-Tropical Timber Movements", Paper presented to Eighth ITTO Council Session in Bali, Indonesia, undated but circa 1990, p. 3.

low levels of management to ensure the availability of forests for future harvesting.

The industry links the idea of tropical ecosystem robustness with a central tenet of modern economics, the need for natural resource exploitation to achieve national economic "development" and growth. The industry values tropical rainforests exclusively in terms of the exchange value they generate. Wong, for example, shows his deep concern to protect tropical forests' exchange values when he focuses on the potential impact of bans and boycotts. He argues that such consuming country bans and boycotts

if successful would be counter-productive, and militate against the very thing they [environmentalists] are advocating—to preserve the forests. Mark my words, if in the event there is no market for our timber, or in other words, our timber is of no merchantable value, there will be no good argument for us to protect and retain our forest....⁵¹

Wong makes an argument against the the imposition of tropical timber trade barriers because such barriers reduce the throughput of tropical timber cutting into industry profits. This anti-protectionist stance is also shared by the importing trade. Klaus Kuperus, for example, notes that the Dutch Timber Trade Association stands "for a free trade as the ideal way of balancing offer and demand, quantity and quality wise in the interest of a responsible

⁵¹ Wong, *Hill Logging*, pp. 22-23.

forest management...."⁵² Similarly, Alle Stoit, speaking on behalf of the importing trade, observes that "as operators in the private sector we know that the free market—with its competitiveness, and its striving for efficiency and innovation—offers the best potential route towards maximizing the material benefits from forests and the reduction of waste."⁵³ In short, and despite substantial inter-industry rivalry within and between industrial sectors, the exporting and importing trade agrees that the trade in tropical timber must continue without extensive government regulation and most especially without the imposition of bans, boycotts, quotas or punitive tariffs.

The industry's defense of the market is coupled with a political stance in favour of the traditional principle of state sovereignty. Evidence that the industry supports the principle of state sovereignty is scattered throughout its publications and is more often implicit than explicit. Mallinson, for example, argues that the imposition of negative sanctions to ensure the adoption of sustainable forest management practices in producing countries is wrong and that "encouragement, when you are talking about sovereign nations" is the only effective approach to bring about change.⁵⁴ Similarly, a publication of the U.K.'s Timber Trade Federation observes that "we cannot direct sovereign countries as to

⁵² Klaus Kuperus, "The View of an Importing Country or How Felling and Selling Saves Forests", Paper Presented to the IIED Conference on the International Tropical Timber Organization, London, March 1985, p. 12.

⁵³ Stoit, *Statement to the ITTO Council*.

⁵⁴ T.S. Mallinson, cited in a *Memoranda by the Timber Trade Federation*, p. 21.

what they should do in their own country, but we can meet with their representatives regularly to put our point of view. If we boycott their timber we will be unable to do this."⁵⁵

The support the industry gives to state sovereignty suggests that the principle may serve its interests in some fashion. Although the subject of some speculation, three possible but not mutually exclusive reasons can be offered. First, the entrenchment of the traditional, unitary principle of state sovereignty makes it more difficult to establish a strong, effective international agency with responsibility to monitor the well-being of tropical rainforests. As a result, the tropical timber trade is able to evade detailed scrutiny of its harvesting and trading practices.

Second, by invoking the traditional principle of state sovereignty, industry representatives justify trade deals in states with non-democratic, authoritarian governments that make no pretence of encouraging sustainable forest management. Under the principle of state sovereignty, the responsibility for ensuring sustainable forest management clearly devolves to governments. If a government chooses not to practise and enforce the principles of sustainable forest management, then other states must respect its decision and industry representatives need not consider themselves responsible for the resulting environmental problems. The industry can claim, therefore, that it is conducting a perfectly legitimate business operation even when engaged in unsustainable forest

⁵⁵ Timber Trade Federation, "The United Kingdom Tropical Timber Trade and Conservation", London, The Timber Trade Federation, undated.

management, because it is not transgressing the national laws of the state in which the operation is taking place.

Finally, in giving weight to the principle of state sovereignty, the industry supports the *status quo* negotiating process, thus deferring responsibility for the negotiation of international agreements to government delegations. This enables the industry to support national delegations as the proper, legitimate authority for the negotiation of international treaties while simultaneously exerting influence over those delegations to ensure that industry interests are protected.

The tropical timber industry constitutes a global coalition in the sense that it has a direct, unmediated interest backed by a set of distinctly commercial ecological, political and economic ideas that defends the maintenance and expansion of the tropical timber industry. The shared interest and ideas of the industry constitute a basis for the construction of a loose, transnational industrial coalition to ensure that its concerns are represented at the ITTO and other international fora. Members of the industry have sought to represent their interests in two different ways. One approach has been to work through national and regional structures. National tropical timber trade associations in major exporting and importing countries have developed strong links with their respective trade and foreign affairs ministries and have lobbied all levels of government to ensure that threats to the industry's interests are taken seriously.

Indonesia's trade representation structure, for example, appears to be complex with several different, independent associations, each representing the interests of a particular sector. On closer inspection, however, the system of interest representation is highly centralized. The structure has been described by Richardson as follows:

The integration of private sector institutions is an apparent contrast with that of the bureaucracy. The principal associations are the Concession Holders (APHI), the Wood Panel Association (APKINDO), the Sawmillers Association (ISA), the Furniture Association (IFHA), and the Rattan Producers Association (ASMINDO). Highly disciplined, and tightly run, the Associations exercise close control over markets and product allocations. They are linked together under the umbrella of the Forest Community....APKINDO is the type example. It has a Council appointed by its members and approved by the Department of Trade. The Council in turn appoints Executive Presidents to each of 7 joint marketing boards....Membership of a board is compulsory for all producing companies, but members may select which board they join....Control is exercised by the Marketing Board which may advise the Department of Trade to withhold the export license required for shipment.⁵⁶

These Associations are closely linked together and to the Ministries of Trade and of Forestry. Richardson goes so far as to observe that "the Forest Industry Associations are a major force in determining forest policy and in its implementation: they may,

⁵⁶ S. D. Richardson, "Forestry Institutions and Policy", Directorate General of Forest Utilization, Ministry of Forestry, Government of Indonesia/Food and Agriculture Organization of the United Nations, Jakarta, April 1990, pp. 91-92. Mimeo.

indeed, be the driving force."⁵⁷ Although Indonesia's structure of timber industry interest representation is unique in being so highly centralized, nationally based trade associations with considerable political-economic power exist in other major producing countries.

Producing-country industry associations have their counterparts in consuming countries. In the United Kingdom, for example, the Timber Trade Federation has been fighting a long-standing war against calls by environmentalists for tropical timber boycotts and bans. The Federation has been active in lobbying the British Government in the interests of tropical timber traders and has made extensive interventions in debates in the House of Lords and House of Commons on the tropical timber question. In 1989, for example, a delegation from the Timber Trade Federation appeared before a House of Lords Select Committee to argue against the use of negative sanctions by the European Community in the tropical timber sector.

In 1990, in response to growing pressure from environmental groups and the British public, the Timber Trade Federation launched its "Forests Forever Campaign", designed "to provide an independent voluntary funded body to represent the interests of all timber and wood using industries in the UK on the environmental issue."⁵⁸ The Campaign's purpose was to combat domestic pressure against the tropical timber industry and it made a

⁵⁷ Richardson, *Forestry Institutions and Policy*, p. 90.

⁵⁸ Forests Forever Statement, "Sustainability of Timber in Trade", made at the Fourteenth Session of the ITTC, Kuala Lumpur, 11-19 May, 1993.

number of interventions at the international level at Council meetings of the ITTO. In one early intervention, it suggested that the ITTO had a role

(1) to react to the recent moves to list a number of tropical species as being commercially endangered; (2) to counteract endeavours in importing countries to impose restrictions or bans on international trade in tropical wood products; (3) to resist the pressures on tropical timber forest resources from outside encroachment by motivating those who influence tropical agriculture.⁵⁹

The British Timber Trade Federation has its counterparts in the Netherlands, France, Germany, Japan and the U.S.A. These organizations have engaged in lobbying efforts to protect the trade from environmental pressure. In addition to these national efforts, the industry is also loosely organized at the regional level. In Europe, for example, the Union pour le commerce des bois tropicaux dans le marché commun (UCBT) is a federation of European timber trade associations that seeks to develop a "uniform stand on political issues related to the tropical rainforest" and that is united around the motto "Save the Rain Forest—Buy Tropical Timber".⁶⁰ Representatives of the UCBT have attended and actively

⁵⁹ Forests Forever Campaign, "Statement: 'UK Forests Forever', Eleventh Session of the International Tropical Timber Council, Yokohama, Japan 28 November to 4 December, 1991", London, Forests Forever Campaign, p. 1.

⁶⁰ Morten Bjørner, "Certification: A Key Element in the Strategy for ITTO's Year 2000 Target", in Jean-Pierre Kiekens (ed.), *Promoting A Trade in Sustainably Produced Timber: Proceedings of the Seminar held in Brussels on March 18 & 19 1993* (Brussels, Belgium: Environmental Strategies Europe, 1993), pp. 51-54. Morten Bjørner was Senior Vice-President of UCBT at the time

participated in ITTO Council sessions. UCBT has been unable to act as the sole spokesperson for the importing trade, however, and has had to recognize the power of national associations. Bjørner notes, for example, that "in a time where subsidiarity and self-dependence are common things, we realize that individual initiatives in countries like Holland, Germany, the UK and my own country, Denmark, have to be respected."⁶¹

In producing countries, both African and Asian timber traders have experimented with regional associations. In Asia, for example, an effort has been made through the Southeast Asian Log Producers Association (SEALPA) and the Asian Tropical Timber Organization (ATTO) to bring together industry representatives from all of the major Southeast Asian log-producing countries. SEALPA was formed in 1974 "as an association of companies (not countries) who were the major log exporters to Japan", and its members came from Peninsular Malaysia, Indonesia, Sabah, the Philippines and Papua New Guinea."⁶² Notably absent from this group were representatives of the Sarawak timber industry, and Mulholland concludes that the Association "seems to have had little effect on the South East Asian forest products trade" as a result, although it probably played a useful role as "an information collecting and

this article was written as well as a member of the Danish Timber Trade Federation.

⁶¹ *Ibid.*, pp. 51-54.

⁶² Seamus Mulholland, "Log Export Restrictions and Forest Products Trade from South East Asia", Centre for Forestry in Rural Development Working Paper #2, undated. Mimeo.

dispersal agency for its member companies."⁶³ More recently, the Asian industry has started to meet as a caucus within the Asia-Pacific Tropical Timber Organization (ATTO). The ATTO groups Japan, Korea and Taiwan as consumers with the Philippines, Malaysia, Sabah and Sarawak as producers. According to one consuming-country industry representative, "the ATTO meets once or twice a year, and we [the private sector] exchange information between business groups....At the next meeting of the ATTO we will invite China to join because it is a country where demand is very important."⁶⁴

The conclusions to be drawn from this review of the industry is that it exerts its most powerful effects at the national level. It is clear that an intimate relationship exists between trade associations and their lead ministries. Indeed, in some producing countries, it becomes difficult to determine where the private sector ends and the public sector begins. This form of industrial representation achieves two goals. First, it ensures that officials in producing and consuming countries are clearly aware of the industry's interest in the maintenance of the tropical timber trade and of the likely economic and political consequences of negative sanctions against it. The unpleasant consequences of policies that promote genuine sustainable forest management discourage state

⁶³ *Ibid.*, p. 32.

⁶⁴ Interview with consuming-country timber industry representative, November 7 1994.

managers from taking the necessary action to promote genuine sustainable forest management.

Members of the industry have sought also the direct inclusion of industry representatives as advisors on national delegations. Evidence for this comes from Tables 14 and 15 which reveal that average attendance by an industry representative occupying an official position in national delegations is more frequent than average attendance by an environmental NGO representative. These figures underestimate both the quantity and quality of industry representation, however. The data in Tables 14 and 15 refer only to the three designated officials on national delegations (Representative, Alternate Representative and Advisor). If the representation of entire delegations is examined, on the other hand, average attendance by industrialists increases dramatically. These figures are presented in Table 16 for the three largest producing and consuming country delegations.

From the data in Table 16, we can observe that there has been a strong tendency among governments to include industry representatives directly in their national delegations. Average industry representation among the six major participating delegations to the ITTO has been more than six times as great as that of environmental representation. Indeed, industry representation is a close third to representation from ministries of foreign affairs and forestry and a long way ahead of representation from ministries of trade and industry. Yet, even these data underestimate the presence

Table 16

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Delegate Composition of Three Largest Producing and Three Largest Consuming Countries
Attending Council Session of the ITTO

ITTO Session	Country	Trade	Foreign Affairs	Forestry	Develop- ment Aid	Environ- ment	Private Industry	ENGOS	Agricul- ture	Other	Total
3rd	Japan	2	7	8	1	0	2	0	2	2	24
	USA	0	3	0	0	1	1	0	0	0	5
	Netherlands	2	2	1	0	0	2	1	1		9
	Malaysia	1	2	2	0	0	1	0	0	0	6
	Indonesia	0	3	1	0	0	0	0	0	0	4
	Brazil	1	3	1	0	1	1	0	0	2	9
4th	Japan	0	4	1	1	0	0	0	0	0	6
	USA	1	3	0	0	0	0	1	0	1	6
	Netherlands	1	1	0	0	0	3	1	1	1	8
	Malaysia	2	0	3	0	0	1	0	0	0	6
	Indonesia	0	2	1	0	0	0	0	0	0	3
	Brazil	0	5	0	0	0	6	0	0	6	17

Source: "List of Participants", ITTO Draft Report on ITTC Sessions

ITTO Session	Country	Trade	Foreign Affairs	Forestry	Development Aid	Environment	Private Industry	ENGOS	Agriculture	Other	Total
5th	Japan	0	7	3	1	0	1	0	1	2	15
	USA	1	2	1	0	0	1	1	0	0	6
	Netherlands	2	1	0	0	0	2	1	2	1	9
	Malaysia	2	1	3	0	0	1	0	0	0	7
	Indonesia	0	2	3	0	0	0	0	0	0	5
	Brazil	0	5	0	0	0	0	0	0	1	6
6th	Japan	0	4	1	0	0	1	0	0	1	7
	USA	1	2	1	0	0	1	1	0	0	6
	Netherlands	1	1	0	0	0	2	1	1	0	6
	Malaysia	3	1	4	0	0	0	0	0	1	9
	Indonesia	0	0	1	0	0	0	0	0	0	1
	Brazil	0	2	0	0	0	0	0	0	2	4
7th	Japan	0	6	5	1	0	1	0	1	1	15
	USA	1	1	0	0	1	1	0	0	1	5
	Netherlands	1	1	0	0	0	2	1	0	0	5
	Malaysia	3	1	4	0	0	1	0	0	0	9
	Indonesia	0	2	2	0	0	0	0	0	0	4
	Brazil	0	2	0	0	2	1	0	0	0	5

ITTO Session	Country	Trade	Foreign Affairs	Forestry	Development Aid	Environment	Private Industry	NGOs	Agriculture	Other	Total
8th	Japan	0	5	2	1	0	1	0	0	1	10
	USA	1	2	0	1	0	1	1	1	0	7
	Netherlands	2	2	0	0	1	2	1	1	0	9
	Malaysia	3	1	5	0	0	4	0	0	2	15
	Indonesia	3	1	8	0	0	1	1	1	0	15
	Brazil	0	2	0	0	1	0	0	0	0	3
9th	Japan	0	4	7	1	0	1	0	1	2	16
	USA	1	3	1	1	1	1	1	1	0	10
	Netherlands	2	1	2	0	1	2	1	0	0	9
	Malaysia	3	3	6	0	0	3	0	0	3	18
	Indonesia	1	2	6	0	0	7	0	0	1	17
	Brazil	0	2	0	0	1	1	0	0	2	6
10th	Japan	0	6	2	1	1	1	0	0	1	12
	USA	1	2	1	0	1	1	1	1	0	8
	Netherlands	1	1	1	1	1	2	1	0	0	8
	Malaysia	4	1	6	0	0	3	0	0	1	15
	Indonesia	0	0	3	0	0	3	0	0	0	6
	Brazil	0	2	2	1	0	4	0	0	3	12

ITTO Session	Country	Trade	Foreign Affairs	Forestry	Development Aid	Environment	Private Industry	NGOs	Agriculture	Other	Total
11th	Japan	1	6	6	1	1	1	0	1	2	19
	USA	1	2	1	0	1	1	1	1	0	8
	Netherlands	1	1	1	0	1	1	1	0	0	6
	Malaysia	4	1	7	0	0	5	1	0	1	19
	Indonesia	0	2	5	0	0	2	0	0	0	9
	Brazil	1	3	0	0	0	3	0	0	2	9
12th	Japan	1	6	1	1	1	1	0	0	1	12
	USA	1	1	2	1	1	1	0	0	0	7
	Netherlands	1	0	1	0	1	2	1	2	0	8
	Malaysia	1	1	5	0	0	5	0	0	0	12
	Indonesia	0	0	2	0	0	2	0	0	1	5
	Brazil	0	2	0	0	0	1	0	0	2	5
13th	Japan	0	8	9	1	3	1	0	1	2	25
	USA	2	2	2	0	2	1	1	1	0	11
	Netherlands	1	1	1	0	2	2	1	0	0	8
	Malaysia	1	2	6	0	0	6	0	0	1	16
	Indonesia	1	2	2	0	0	4	0	0	0	9
	Brazil	0	2	0	1	2	1	0	0	1	7

ITT0 Session	Country	Trade	Foreign Affairs	Forestry	Develop- ment Aid	Environ- ment	Private Industry	ENGOS	Agricul- ture	Other	Total
14th	Japan	0	6	1	1	1	3	0	0	1	13
	USA	1	2	2	0	1	1	1	1	0	9
	Netherlands	1	1	1	1	0	3	1	0	0	8
	Malaysia	8	2	21	0	1	24	2	1	10	69
	Indonesia	1	4	3	0	0	3	0	0	0	11
	Brazil	1	2	0	0	2	2	0	0	0	7
15th	Japan	0	4	10	1	5	3	0	0	3	26
	USA	2	2	3	0	1	0	0	0	0	8
	Netherlands	1	1	2	0	1	0	0	0	0	5
	Malaysia	3	2	8	0	1	5	0	0	1	20
	Indonesia	2	4	5	0	0	3	0	0	0	14
	Brazil	0	2	0	0	1	2	0	0	1	6
16th	Japan	0	5	2	0	1	1	0	0	1	10
	USA	1	2	2	1	1	2	2	1	0	12
	Netherlands	1	1	1	0	1	2	0	0	0	6
	Malaysia	2	1	7	0	0	6	0	0	1	17
	Indonesia	0	1	1	0	0	2	0	0	1	5
	Brazil	0	2	0	0	3	3	0	0	1	9
Total		88	202	218	20	48	175	27	24	71	1907
Average		6	14	16	1	3	13	2	2	5	

of the industry, because they do not take into account the quality of representation. In this regard, we can note the inclusion of several extremely powerful individuals within both the Indonesian and Malaysian political economies, including the attendance of Bob Hasan from Indonesia and Tunku Osman Ahmad and Tan Sri Dato' Wong Kum Choon from Malaysia.

It can be concluded, therefore, from this review of the interests, ideas and organizational structure that the tropical timber industry constituted a loosely structured global coalition self-consciously defending itself against threats to its profitability. Since genuine sustainable forest management has the effect of increasing the costs of production and reducing the volume of supply leading to a profit squeeze, the industry resisted its implementation. Industry representatives lobbied their national government directly, launched public relations campaigns to inform the public about the harmlessness of their activities, and sought and achieved a high level of participation on national delegations to the ITTC. Through participation on national delegations in particular, they were able to influence the norms of the emerging international tropical timber trade regime. In addition, an effort was made to improve regional coordination of activities through pre-existing regional groupings such as the ATTO and UCBT and in informal discussions at the ITTO itself. The regional associations did not emerge as powerful loci of industry representation during the period investigated, however, partly because the success of the efforts at the national level and

partly because informal contacts, which are strong within the industry, have substituted.

The Environmental Coalition

Thirty-two national and international environmental NGOs (ENGOS) attended at least two sessions of the ITTO during the life of the ITTA, 1983 (Table 17). These organizations represented the full spectrum of diversity of the environmental movement, representing different geographical regions, modes of political action, degrees of commitment to an ecosystem perspective, and funding sources. The ENGO coalition was, however, heavily influenced by four major organizations. These were the International Institute for Environment and Development (IIED), World Wildlife Fund International (WWF—International), Friends of the Earth, United Kingdom (FoE-U.K.) and Survival International (SI).

IIED was formed in 1971 in England with a mandate to influence national and international public policy by conducting high quality environmental research and providing project formulation and implementation services to developing-country governments. Based in London, the Institute carries out research into sustainable agriculture, sustainable forest management, drylands, human settlements, and climate change. IIED obtains most of its income from government sources: in the 1992-1993 fiscal year, for example, approximately 65 per cent of its £3.5 million budget was grant-aid from developed-country governments, notably the U.K.'s Overseas

Table 17

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Environmental NGOs Attending more than two Sessions of the ITTC, 1985-1994

<u>Conservation & Environmental NGOs</u>	Sessions of the ITTC																
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	
Asia Pacific People's Environment Network	0	1	0	0	1	0	0	1	1	0	0	0	0	0	0	0	4
Australian Conservation Foundation	0	0	0	0	1	0	0	1	1	0	0	0	0	0	0	0	3
Confed. Indigena del Oriente de Bolivia	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Deutscher Naturschutzring	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Environmental Policy Institute	0	0	1	1	1	1	1	1	0	0	0	0	0	0	0	0	6
Friends of the Earth Int'l	1	1	1	0	0	1	1	0	0	0	0	1	1	0	0	0	7
Friends of the Earth (UK)	0	1	0	1	0	0	0	0	1	1	0	0	0	0	0	0	4
Friends of the Earth (Japan)	0	1	1	0	1	0	0	0	1	0	1	0	1	0	1	0	7
Friends of the Earth (Ghana)	0	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0	3
Friends of the Earth (Holland)	0	0	0	0	0	1	0	1	0	0	0	1	0	0	0	0	3
Friends of the Earth (USA)	0	0	0	1	0	0	0	0	0	0	0	0	1	1	1	0	4
IIED	1	1	0	1	1	1	1	1	0	1	0	1	1	1	1	1	13
IUCN-International	1	1	1	1	1	1	1	1	1	1	1	1	0	1	0	0	13
Japan Tropical Forest Action Network	0	0	1	0	1	0	1	1	1	1	1	0	1	0	0	0	8
National Wildlife Federation, USA	0	0	0	0	0	0	1	1	1	1	0	0	1	1	1	0	7
Oro Verde	0	0	0	0	0	0	0	1	1	1	1	1	0	0	0	0	5

Development Administration (ODA), the Swedish International Development Agency (SIDA), the Norwegian Ministry of Development Cooperation (NMDC) and the Canadian International Development Agency (CIDA).⁶⁵

At the other end of the spectrum, Survival International (SI) is a British-based NGO dedicated to protecting the "rights of threatened tribal peoples to survival, self-determination and the use and ownership of their traditional lands."⁶⁶ SI's interest in the tropical timber trade stems from its support of forest dwellers' rights in the struggles against logging companies that are often abetted by state officials. SI's involvement in the ITTO was prompted in particular by the struggle by members of the Penan and other indigenous peoples in the Malaysian State of Sarawak against destructive logging on their traditional lands. SI became influential within the ENGO coalition because of its clear and unambiguous focus on indigenous peoples' rights and because the organization was ably represented at ITTO meetings by Marcus Colchester, an academic-turned-activist who was very influential in the ENGO coalition between 1989 and 1991.

The two remaining organizations fall somewhere between these two extremes. FoE-U.K.'s mandate is public education, advocacy and direct action on environmental issues. Carrying out this mandate

⁶⁵ International Institute for Environment and Development, *Annual Report 1992-1993* (London: IIED, 1993).

⁶⁶ Letter from Robert Hanbury-Tenison, President of Survival International, to Dr. Freezailah Chee Yeom, Executive Director of ITTO, dated 14 September, 1989.

frequently brings its representatives into direct conflict with government and industry representatives. As a result, FoE-U.K. relies heavily on membership dues, donations and annual fundraising campaigns for funds and ran active campaigns in the tropical timber trade, acid rain, nuclear power, water pollution, road building, the countryside and environmental crime in the early 1990s. These campaigns were funded by supporters' contributions, which amounted to almost 75 per cent of FoE-U.K.'s total budget for 1993.⁶⁷

WWF—International's mandate is "to conserve the natural environment and ecological processes essential to life on earth".⁶⁸ In pursuit of this mandate, WWF implements conservation projects, publishes position papers, and distributes educational materials that are designed "to mobilize on a worldwide basis the strongest political, moral and financial support for safeguarding the living world, and to convert such support into action based on scientific advice."⁶⁹ WWF International has a diverse source of funds, receiving support from philanthropic foundations, governments, international agencies and private corporations. Its affiliates can be heavily dependent on private-sector funding, however. WWF—Malaysia, for example, received large donations from Rothmans, Bata, BP Chemicals, Bank of America, and Nestles Products during the 1992-93 fiscal year and

⁶⁷ Friends of the Earth, "Annual Review 1993", London, 1993.

⁶⁸ WWF—International, *Tropical Forests* (Gland, Switzerland: WWF—International, 1990).

⁶⁹ WWF—International, *Tropical Forest Conservation: Position Paper 3* (Gland, Switzerland: WWF—International, August 1989), p. 5.

corporate, governmental and international grants accounted for more than 60 per cent of its total revenue that year.⁷⁰

This brief description of just four of the most active of the ENGOs attending ITTO Council Sessions indicates their immense diversity in focus (environment, indigenous people), in mandate (research, direct action, education), and in funding sources (governments, foundations, international agencies, corporations, memberships, campaigns). Despite this diversity, however, ENGOs managed to constitute themselves as an environmental coalition to pursue the broad goal of tropical rainforest conservation. This coalition was possible because ENGO's shared a central interest which was refracted through an imprecise and unsystematized but nonetheless powerful set of ideas that constituted the ENGO coalition's interpretative framework.

The central interest that bound together the disparate coalition of environmental, human rights and indigenous peoples non-governmental organizations (ENGOs) was a direct, unmediated interest in maintaining fully functional tropical rainforest ecosystems to preserve biological diversity, protect against soil erosion, enhance global carbon fixation, and safeguard the livelihoods of indigenous forest communities. Evidence of this ecological and environmental interest in tropical rainforests is evident in the many publications produced by ENGOs during the period, much of it specifically directed

⁷⁰ WWF—Malaysia, *WWF Malaysia Annual Review 1994* (Kuala Lumpur, Malaysia: WWF Malaysia, 1993).

at influencing debate within the ITTO. Thus, for example, an early ENGO publication notes:

Primary forests should be preserved in toto wherever possible, taking into account the proviso below: Their function should be viewed as:

- watershed protection, regulating hydrological cycle and regional climate
- reservoir of genetic resources
- home for native peoples
- base-line ecosystem against which sustainability of managed forest can be judged and environmental perturbations assessed.

Secondary forests should be managed as 'multiple use management areas'....The primary objective of these areas would be to provide for the sustained production of water, timber, wildlife, pasture and outdoor recreation (and non-wood forest products) with the conservation of nature primarily oriented to the support of economic activities.⁷¹

Similarly, Khor Kok Peng, writing on behalf of the Friends of the Earth—Malaysia (Sahabat Alam Malaysia or SAM) noted:

The nation's resources should not be seen only from the narrow and selfish perspective of businessmen and commercial interests. The forest is not merely a resource to be exploited by tycoons to extract timber....The forest must be appreciated as the source of life for hundreds of thousands of people: providing resources for their food, water, building material, shelter, fuel and implements for use at home and work.⁷²

⁷¹ WWF—International, *Tropical Forest Conservation and the ITTA: WWF Position Paper 2 on Forest Conservation and the International Tropical Timber Agreement* (Gland, Switzerland: WWF—International, November 1987), p. 5.

⁷² Khor Kok Peng, "A Plea to Recognise Their Land Rights", *The Star*, Malaysia, 18 June 1987, reprinted in World Rainforest Movement/Sahabat Alam Malaysia,

In another statement, the NGO Network for Forest Conservation in Indonesia observed:

Tropical forests harbour the richest genetic resources compared to other forests in the world. The temperature and humidity of tropical forest make it possible to harbour more life species. For instance, one can find 300 different tree species in a hectare of tropical forest....More importantly, some 1000 tribes live in the tropical forest worldwide. They live harmoniously with nature and have beautiful cultures....However, the lifestyle and cultural existence of these people are being threatened.⁷³

It is clear from the above statements that ENGOs were articulating a very different set of tropical rainforest interests than those of the other three global coalitions. The emphasis in the above statements is squarely on the ecological importance of tropical rainforests both for their contribution to biodiversity protection and their importance to indigenous peoples for the preservation of their culture and traditional livelihoods. This set of interests is in marked contrast to that of the other three global coalitions, which have emphasized the economic importance of tropical rainforests and downplayed their ecological significance.

During the period in question, the ENGO coalition sought to articulate an integrated set of ecological, political and economic

The Battle for Sarawak's Forests (Penang, Malaysia: WRM and SAM, 1989), pp. 30-31.

⁷³ SKEPHI, *SKEPHI: The NGO Network for Forest Conservation in Indonesia* (Jakarta, Indonesia: SKEPHI, undated), p. 1.

ideas grounded in the principles of ecosystem management. Unlike the other global coalitions, however, the ENGO coalition was engaged in the construction of a new approach to forest management and was not building on a set of already articulated ideas drawn from the forestry, economic and political sciences. As a result, a good deal of confusion and uncertainty was evident in the ENGO coalition over such critical concepts as "sustainable forest management", "economic development", and "state sovereignty". In the discussion that follows, therefore, this lack of clarity and uncertainty must be borne in mind as the ENGO coalition struggled to give expression to an alternative vision yet to be fully and completely articulated. Notwithstanding this lack of clarity, and the practical problems that resulted from attempting to promote ecosystem management without a clear conception of either the goal or the tools to achieve it, the ENGO coalition was able to structure itself around specific policy issues that arose in the ITTO and to speak with one voice, for the most part, against the other global coalitions in defence of its ecological and human rights interests.

In the context of tropical timber trade, the environmental coalition drew attention to the fragility of tropical rainforest eco-systems, their extraordinary beauty and biological richness, and the ease with which they could be irreversibly destroyed. A 1990 publication from WWF—International noted that:

Once disturbed, tropical forests are slow to recover their original state. Repeated human interference can mean that they

never recover at all. So tropical forests should be managed 'sustainably'.⁷⁴

There are many forms of sustainable management of tropical forests. The most ancient and well-developed are those of the forest peoples, many of whom have lived in tropical forests for millennia....In most cases, sustainable management will mean management for 'non-wood forest products' as well as timber....Timber is but one of the goods and services provided by forests. It should not be seen as the only one.⁷⁵

As a result of this perspective, the environmental coalition became very critical of SYFM approaches to the "management" of tropical rainforests. The environmental coalition embraced the concept of "sustainable forest management", although the concept held a qualitative difference for it than it did for producing- and consuming-country government representatives. When environmentalists employed the term, they had in mind a management regime that focused first and foremost on preserving the integrity of forest ecosystems. Although the environmental movement is divided on how far to go in embracing the "New Forestry" approach, which is grounded in the principles of ecosystem-based management, all environmental coalition members recognized the existence of a wide range of forest values, of which exchange value for timber production was only one and not necessarily the most important.

⁷⁴ WWF—International, *Tropical Forests*, p. 31.

⁷⁵ WWF—International, *Tropical Forest Conservation*, p. 13.

The broad ecological perspective developed by the ENGO coalition required some rethinking of the traditional, liberal "free-market" approach to economic questions in general and the trade in tropical timber in particular. The degree to which members of the ENGO coalition engaged in a critical analysis of neo-classical economic theory varied considerably. At one extreme, for example, lay the IIED, which substantially accepted the theory, and used the tools, of modern economics to build a case for environmental conservation. Thus, IIED's 1990-91 Annual Review observes, in relation to its work in the ITTO, that:

In 1988, IIED was asked to undertake a survey of the management of tropical forests in timber-producing countries....Progress has since been made on many aspects of the IIED recommendations and on the Action Plan....Rather than aiming at blanket bans, these activities have been concerned with creating an environment that favours policies giving timber from well-managed forest an edge in the market.⁷⁶

The IIED, moreover, in conjunction with the University of London, had founded the London Environmental Economics Centre (LEEC), which although carrying out interesting work, tended to apply the tools of neo-classical economics to environmental questions without engaging in any systematic critique of the theoretical analysis upon which the tools were based.

⁷⁶ IIED, *Annual Report 1990-91* (London: International Institute for Environment and Development, 1991), p. 18.

A more critical approach to modern economic theory was provided by WWF—International. In a Discussion Paper to stimulate debate at the European level, for example, the relationship between trade and the environment was examined in considerable detail.

...the Community needs to address the subject of trade and the environment in greater depth than in the past....The General Agreement on Tariffs and Trade is a key forum for trade-related concerns as its Contracting Parties account for over 90 per cent of all international trade. Its principal aim is to liberalise international trade, for example by the negotiated reduction and abolition of import controls....More comprehensive reform of the GATT to integrate environmental protection requirements into the Agreement itself seems preferable to cautious attempts to test the boundaries of long-established provisions drawn up with little or no concern for the environmental consequences of free trade.⁷⁷

WWF's analysis led it to propose that the European Commission advance "some of the ideas for trade regulation proposed by the European Parliament...to limit imports of tropical timber not produced on the basis of sustainable yields and in accordance with forestry management and conservation plans."⁷⁸ IIED's broad support for the free-market and WWF's circumscribed critique can be contrasted with the World Rainforest Movement's political

⁷⁷ WWF—International, *European Community Policy and Tropical Forests: Discussion Paper* (Gland, Switzerland: WWF—International, October 1991), pp. 8-9.

⁷⁸*Ibid.*, p. 10.

economic analysis of the tropical forest crisis.⁷⁹ In its "Emergency Call to Action for the Forests and Their People", WRM argues that:

Deforestation is the inevitable result of the current social and economic policies being carried out in the name of development. Such destructive projects and policies include: plantations, both for industrial forestry and for export crops; ranching schemes; dam projects; commercial logging; mining and industry; the dispossession of peasants and indigenous peoples; colonization schemes; highways into forested areas; pollution; tourism.⁸⁰

As a consequence of its analysis of the causes of deforestation, one of WRM's ten recommendations to halt the global deforestation crisis called upon the United Nations and national governments "to ban all imports of tropical timber and tropical wood products from natural forests".⁸¹

Although the broader notion of "value" that underpinned the ENGO coalition's perspective made it generally critical of the "free" market, there was considerable debate within the movement about whether minor or major reforms were required, or whether the entire market system should be rejected completely. The ENGO

⁷⁹ There is a certain fluidity among some ENGO organizations. Marcus Colchester, for example, represented Survival International at a number of ITTO meetings, but also later became the Director of the Forest Peoples' Programme of the World Rainforest Movement. The World Rainforest Movement was, in turn, closely associated with both Sahabat Alam Malaysia and the Consumers' Association of Penang.

⁸⁰ World Rainforest Movement, *Rainforest Destruction: Causes, Effects & False Solutions* (Penang, Malaysia: World Rainforest Movement, 1990), Annex entitled "Declaration of the World Rainforest Movement: An Emergency Call to Action for the Forests and Their Peoples".

⁸¹ *Ibid.*

coalition did agree, however, that the *status quo* was not acceptable. Coalition members were generally prepared to support restrictions on the free trade of tropical timber products in pursuit of the higher goal of protecting and defending tropical rainforest ecosystems. The coalition was a keen promoter of Target 2000 and the use of trade measures as incentives to encourage governments and industry to implement genuine sustainable forest management.

The ecosystem management approach to tropical rainforests required also the ENGO coalition examine, more implicitly than explicitly, the conventional notion of state sovereignty. Most of the pressure, at least in the early period during which the ENGO coalition was consolidating itself, came from indigenous peoples and the ENGOs that supported their struggles against loggers. The World Rainforest Movement, for example, called into question a "strong", "centralized" concept of state sovereignty when it urged the United Nations and national governments:

To empower forest peoples and those who depend upon on the forest for their livelihood with the responsibility for safeguarding the forests and ensuring their regeneration by:

- a) achieving land security both through revising tenure legislation and through land reform, as recommended in the Brundtland report;
- b) ensuring forest people the right to a decisive voice in formulating policies for their areas;
- c) correcting social and economic policies based on the assumed cultural superiority of non-forest peoples.⁸²

⁸² *ibid.*

Similarly, in a Review of the first five years of ITTO activities carried out by Friends of the Earth and the World Rainforest Movement and signed by a large number of ENGOs active in the ITTO (including IUCN-Netherlands, Japan Tropical Forest Action Network, National Wildlife Federation—U.S.A. and Sahabat Alam Malaysia), an entire chapter is devoted to analysing and evaluating the relationship between the ITTO and forest peoples. Drawing on the World Commission on Environment and Development (the Brundtland Commission) report and the International Labour Organization (ILO) Conventions 107 and 169, the report argued that:

There are...clear moral, legal, political, economic and environmental grounds for insisting that international policy-making and project development affecting tropical forests should be sensitive to the needs and rights of forest peoples....A politically uncompromised institution seriously committed to fulfilling this mandate [objective (h) of the ITTA,1983] would have embarked on detailed consultations and cooperation with forest peoples. Sustaining the livelihoods of forest peoples would have been an explicit part of the ITTO's definition of sustainable forest management.⁸³

Even IIED in the post-Rio period called for local control over natural resources. In its 1992-93 Annual Report, for example, it noted that:

⁸³ Friends of the Earth and the World Rainforest Movement, *The International Tropical Timber Agreement: Conserving the Forests or Chainsaw Charter? A Critical Review of the First Five Years' Operations of the International Tropical Timber Organization* (London: Friends of the Earth, November 1992), pp. 35-36.

The World's Agenda for the 21st century, as drawn up at the Earth Summit, underlines the importance of making sure that people have firm rights to the local resources on which their livelihoods depend....Key principles of Agenda 21 include people's participation, local rights to manage natural resources, building on indigenous knowledge and skills as the basis for development, and the empowerment of local communities.⁸⁴

Although the ENGO coalition came to agree, therefore, on the need for the devolution of power from central government to local communities, the extent and scope of such devolution remained poorly specified. In the case of WRM, for example, taking into consideration its clear critique of the existing global and national political economic structures, a substantial devolution in the degree and scope of powers from national to sub-national entities was probably intended. IIED's proposals, on the other hand, were likely viewed as involving only a modest restructuring of centralized governmental structures in the interests of improved administration.

The ENGO coalition was a strong supporter of the Brundtland Commission, a champion of the United Nations Conference on Environment and Development (UNCED), and an insistent participant at the international level, at the ITTO and other inter-governmental organizations. Many coalition members undoubtedly agreed with the Brundtland Commission's observation that:

⁸⁴ IIED, *Annual Report 1992-93* (London: International Institute for Environment and Development, 1993), p. 14.

National boundaries have become so porous that traditional distinctions between local, national, and international issues have become blurred. Policies formerly considered to be exclusively matters of 'national concern' now have an impact on the ecological bases of other nation's development and survival. Conversely, the growing reach of some nations' policies...into the 'sovereign' territory of other nations limits the affected nations' options in devising national solutions to their 'own' problems. This fast-changing context for national action has introduced new imperatives and new opportunities for international cooperation.⁸⁵

Although the ENGO community did not explicitly condemn the principle of state sovereignty, it adopted an approach that emphasised the devolution of power to the community level under an overarching, global normative structure embodied in international agreements negotiated at international fora. While the nation state did not by any means disappear as a result of this devolution of power both upwards and downwards, its "sovereignty", at least as traditionally conceived, would be substantially weakened. Internally, the centralized state would be required to share its power with powerful, sub-national, partially autonomous indigenous peoples communities, while internationally it would cede some of its policy-making rights to international agencies through international treaties.

In summary, the ENGO coalition's ecological, political and economic ideas can be distinguished from the three other global

⁸⁵ World Commission on Environment and Development, *Our Common Future* (New York: United Nations, 1987), p. 12-5.

coalitions. ENGOs adopted an ecosystem management interpretive framework that was based on a defence of ecological values, green trade and community rights. This framework contrasted starkly with the "modernist" frameworks that informed producing- and consuming-governments and the industry coalition. While the latter three coalitions constructed their paradigms essentially around the defence of economic interests and the modern goal of "accumulation", the environmental coalition set out to articulate a different vision, with the goal of maintaining and enhancing tropical ecosystem health and integrity.

The ENGO coalition's efforts to construct an alternative ecological political economic framework were only partially successful, however. At every step, they encountered theoretical obstacles. Such obstacles included difficulties in determining the precise meaning of the concept of ecosystem management and its implications for the management of tropical rainforests. In addition, although the theoretical edifice of mainstream economics was generally regarded as seriously deficient from an environmental perspective, work was only beginning on the construction of a more clearly elaborated "ecological economics". The lack of a well-articulated ecological-economic critique of international trade led some ENGO's to adopt nationalist and neo-mercantilist policies, while others were influenced by neo-classical economic theory.

Finally, ENGOs did not subject the principle of sovereignty to a rigorous theoretical critique. They were thus often caught in the

contradictory position of both attacking state sovereignty when it was used to oppress indigenous peoples and defending it when it served to protect Third World states from First World neo-colonialism. Notwithstanding these theoretical difficulties, however, the ENGO coalition was able to consolidate itself around its central ecological interest and found enough common ground to enable it to speak with one voice, for the most part, on many of the vital issues that were debated on the ITTO agenda.

In order to represent its interests effectively, the ENGO coalition needed to speak, as much as possible, with one voice. On the other hand, each ENGO jealously guarded its right to individual action and the more "radical" ENGOs did not want to be constrained from carrying out "direct action" by the more conservative ones. The ENGO coalition adopted a dual representation strategy that enabled it to achieve both of these objectives. Between 1987 and 1992, for example, ENGOs attending ITTO Council Sessions elected a spokesperson to present the shared concerns of the ENGO coalition as a whole. Over the years, several different fulfilled this function, including Theo Anderson (Friends of the Earth, Ghana), Dr. J.C. Centano (WWF), Gordon Shepherd (WWF), Simon Counsell (Friends of the Earth-U.K.) and Someshwar Singh (WWF).

In addition, the ENGO coalition produced copies of the newsletter *ECO* at each ITTO Council Session. Editions of *ECO* usually carried a common statement of the ENGO coalition's position on ITTO project and non-project activities, as well as articles from individuals

representing a diversity of points of view. However, as none of the articles was attributed to a specific author, it was impossible to tell which represented the common ENGO position and which represented the individual views of a particular organization. The impression created, however, was one newsletter speaking with a unified voice, advancing an environmental perspective.

Members of the ENGO community also were in constant contact in other fora, notably in the debates over the Tropical Forest Action Plan and the Preparatory Committees for UNCED. ENGOs were quick to appreciate the advantages of electronic mail (e-mail); and many organizations quickly went on-line and were thus able to participate in discussions and debates year-round. Finally, the ENGO coalition consolidated itself by focusing on concrete project and policy proposals that were emanating from one or other of the ITTO's permanent committees, the Council, or the Secretariat. This concrete focus enabled them, for the most part, to avoid theoretical and divisive debates over the meaning of environmentalism and appropriate strategies for the attainment of ecosystem management. The success of this overall strategy can be seen in the following comment by an ENGO representative, hostile to the notion that a distinct, separate, identifiable ENGO coalition existed:

The NGO community is not really categorizable, but representative of conflicts in civil society. The remarkable fact was that some consensus could be constructed at all, and a *modus operandi* was developed in which joint statements were made but not signed, which enabled positions to be put forward which were not lowest-common denominator

positions. Preparatory meetings took place in the run up to ITTO meetings, and workshops would be organized at other conferences, and the e-mail would be buzzing also. During a conference, an NGO room would be set up with a newsletter going out and a huge amount of documentation circulated. It was all unusually well-coordinated lobbying work for NGOs.⁸⁶

Although ENGOs attending ITTO Council sessions worked hard to coordinate their actions and to present a broad, common front to other coalitions, each ENGO jealously guarded its own right to autonomous action. In pursuit of this right, individual organizations conducted a wide range of different activities at ITTO Council sessions that ranged from the quiet lobbying of government delegates to the organization of press conferences and the carrying out of publicity stunts. The greatest strains within the movement occurred here, over the most appropriate mode of political action, with policy-oriented ENGOs preferring to work within the system and campaign-oriented ENGOs frequently working outside it.

Conclusion

This chapter has described and analyzed the four broad global coalitions that contested the normative structure of the TTTR at biannual meetings of the International Tropical Timber Council. Each coalition sought to defend a core set of interests, which both structured and was structured by a particular ecological political economic interpretive framework. The producing-country coalition sought to defend the rapid exploitation of tropical rainforests for

⁸⁶ Interview with ENGO representative, 26 May 1994.

timber production and legitimized and received legitimation from a developmentalist interpretive framework that advocated sustained-yield forest management, economic "development" and the inviolability of state sovereignty. Consuming-country governments defended the longer-term exploitation of tropical rainforests under the sway of the ideas of "sustainable forest management", liberal economic theory, and the efficacy of international cooperation.

The industrial coalition defended its commercial interest to the hilt and articulated a set of exploitative ideas based on the robustness of tropical ecosystems, the necessity of unregulated trade, and the desirability of state sovereignty. Finally, a loose coalition of environmental NGOs, allied together in defense of tropical rainforests' non-economic values, articulated an ecosystem approach position based on ecosystem management, "green" trade, and community control over resources. The next two chapters examine the struggles that took place between these four global coalitions over the structure of the TTTR by examining the negotiations that occurred in three distinct ITTO "non-project" activities.

CHAPTER SIX

GLOBAL COALITIONS AND THE POLITICS OF REGIME CREATION

Introduction

The previous chapter argued that four distinct global coalitions representing the interests of producing- and consuming-country governments, the tropical timber industry and the environmental movement were engaged in constituting and contesting the normative structure of the tropical timber trade regime via the discussions and negotiations that took place at biannual council sessions of the ITTO. Each of the four coalitions was distinguished by its defence of a core interest which was both legitimized by and legitimized a set of distinctive political, economic and ecological ideas. Operating within different interpretative frameworks, each global coalition not only construed the nature of "reality" in the tropical timber trade issue area differently but also drew different conclusions from the same evidence and proposed different solutions to the problems of tropical deforestation and rainforest degradation.

The purpose of this chapter is to present a detailed examination of the politics of regime creation by focusing on the bargaining that took place within the ITTO forum between 1985 and 1994 over the normative structure to be established. The contours of the TTTR emerged from bargaining over three ITTO "non-project"

activities: the negotiation and promulgation of guidelines for the sustainable management of natural tropical forests; the consideration of incentives for sustainable forest management; and the commissioning of an ITTO Mission to Sarawak.¹ An examination of the struggles that took place in each non-project activity reveals the manner in which the ENGO coalition was systematically marginalized by government and industry coalitions and by the institutional structure of the ITTO forum.

The argument of this chapter is that the normative structure and compliance mechanisms of the TTTR emerged from the struggle among global coalitions that participated in discussions and negotiations at the ITTO forum. This argument can be contrasted with mainstream neoliberal and institutional explanations that treat a regime's normative structure as a product of interstate bargaining among regime members. The four global coalitions that mobilized to defend their interests sought to influence outcomes via a range of different strategies and tactics. In this struggle, the relative weakness of the ENGO coalition with respect to other coalitions was revealed. Representatives of the industry coalition not only wielded greater overt and structural power than environmentalists over producing- and consuming-country governments, but also were able to form a broad industry-government alliance in defence of

¹ The distinction between "project" and "non-project" activities was made in chapter four. The former are formal proposals from producing-country governments for funds to implement a discrete set of nationally-based activities in the forestry sector. The latter consist in the main of studies carried out by international consultancies to elaborate the normative dimension of ITTO's work.

accumulation that blocked the adoption of the tough environmental measures necessary to secure genuine sustainable forest management.

Negotiating the TTTR's Normative Content

The normative structure of the TTTR was, as we have seen, consonant with the post-war international trade regime in its instantiation of the rights of freer-trade in the tropical timber sector. To the "most-favoured nation" and "national treatment" rules of the ITR, however, the TTTR subsumed a third: that states producing timber for global markets should structure their domestic forestry policies and practices in accordance with the principles of "sustainable forest management". The debate over the content of SYM and how its principles should be applied took place in the ITTO under a non-project activity to develop a set of "guidelines" for the sustainable management of tropical forests. The impetus for this initiative came from the IIED:

There were two main parts in the original Tropical Forest Programme developed in 1984 by IIED: multi-sectoral reviews of forest land use within tropical forest countries and the encouragement of the International Tropical Timber Agreement. The latter was included in the hope that the ITTO could be used as an effective instrument in furthering the better management of tropical forests....²

² Duncan Poore, "The Involvement of IIED in the International Tropical Timber Agreement", London, IIED, 3 February 1991.

In 1987, the IIED was contracted by the ITTO to conduct a study on the extent to which "sustainable forest management" was being implemented in tropically forested countries. The study, which was led by Dr. Duncan Poore, investigated forest management practices in all three continental regions (Asia-Pacific, Africa, and Latin America and the Caribbean), and came to the conclusion that less than one per cent of the world's tropical forests was under sustainable forest management.³

Poore's report was considered, along with three other studies, by the Permanent Committee on Reforestation and Forest Management at the Council Session in November 1988. The PCF suggested that the four studies "could be effectively integrated into an overview of the forest conservation, development and management situation in producing countries" to "provide inputs to the formulation of action programmes and priorities for ITTO."⁴ One of the "inputs" to the action programme on the table was guidelines for sustainable forest management. At the next meeting of the PCF in Abidjan, Côte d'Ivoire in May 1989, the PCF formulated and the Council adopted Decision 2 (VI), which empowered the Executive Director "to propose activities for priority implementation" in eight areas, including to "develop guidelines for 'best practice' and

³ PPR 11/88, "Natural Forest Management for Sustainable Timber Production: Volume 1", Yokohama, Japan, ITTO, October 1988.

⁴ITTC (V)/D.1, "Draft Report of the International Tropical Timber Council Fifth Session, Yokohama 14-16 November 1988", Yokohama, Japan, ITTO, 16 November 1988, p. 57.

sustainability in relation to the sustainable management of natural forests and plantations."⁵

The Secretariat appears to have been somewhat tardy in taking action on this matter, however, and an extended discussion to review progress on the subject took place at the Seventh Council Session in Yokohama in November 1989. At that meeting, to move the process forward, the British government announced that it would commission a background paper on the topic and the Australian government agreed to provide an forestry expert with experience in developing codes of practice. Members of the PCF proposed to establish an expert panel (referred to here as the Guidelines Working Group or GWG) with representation from producing and consuming countries, international organizations, NGOs and industry to "develop recommendations and principles for how the guidelines are to be prepared and advise the Secretariat on the action to be taken for commissioning the preparation of the Guidelines for Best Known Practice."⁶

Early in 1990, events began to move more quickly. In February 1990, the IIED and Britain's ODA, on behalf of the ITTO, issued invitations to a select group of experts to attend a meeting of the Guidelines Working Group (GWG) to be held in London on the 13 and 14 March. This meeting was formally chaired by a Peruvian, but

⁵ ITTC (VI)/D.1, "Draft Report of the International Tropical Timber Council on its Sixth Session, Abidjan, Côte d'Ivoire 16-24 May 1989", Yokohama, Japan, ITTO, 24 May 1989, p. 105.

⁶ ITTC (VII)/D.1, "Draft Report of the International Tropical Timber Council Seventh Session, Yokohama, 30 October-7 Novembers, 1989", Yokohama, Japan, ITTO, 22 December 1989, p. 67.

the *de facto* chair was Ron Kemp, a consultant to the workshop and then Deputy Chief Natural Resource Advisor to ODA.⁷ Eric Lammerts van Bueren from the Netherlands was vice-chair, and there were eleven other participants: three representatives from producing countries (Brazil, Ghana and Malaysia); three from consuming countries (USA, Australia and Japan); one each from the environmental NGOs (WWF—International), the international agencies (FAO) and the timber industry (Hinrich Feldmeyer GmbH & Co, Germany); a consultant from IIED (Simon Rietbergen); and the ITTO's Assistant Director of Reforestation and Forest Management.

The GWG proceeded to draft the principles and associated actions of sustainable forest management on the basis of a paper commissioned by Britain's ODA and written by Rietbergen of the IIED. Rietbergen's paper was based substantively on Poore's earlier IIED study, and was divided into four sections: (I) The Policy and Legislative Environment; (II) Forest Management; (III) The Financial and Socio-Economic Environment; and (IV) Key References. Seven appendices were included in the draft text on: (i) categories of land to be kept under permanent forest; (ii) national forest inventory; (iii) choice of silvicultural system; (iv) concession

⁷ One interviewee noted that "It [the Working Group] was supposed to be chaired by the Peruvian but he spoke hardly any English, so Ron Kemp took over..." Interview with consuming-country official, 13 July 1994. Another interviewee commented that "Ron Kemp...was the father of the guidelines and his work in the PCF was important. The idea was floated at Rio [Fourth Session of the ITTC] and it was one that no one liked initially but became one that people thought might be the best of the worst possible outcomes." Interview with consuming-country official, 16 June 1994.

legislation; (v) forest fees and taxes; (vi) roads and harvesting; and (vii) relations with local populations.⁸

The GWG made rapid progress during its two-day session in London. The meeting was, by all accounts, a productive experience in which professional foresters set aside national and organizational differences and focused on the practical work at hand:

The meeting was collegial, the main difficulty was trying to sort out the framework, and although there were debates...it was recognized that we would all have to compromise.⁹

Now what I remember from the group was that it was very constructive, and everybody was trying to do the best they could and to make progress and work as colleagues. So it was nice to sit down together and to be relieved of the tension that existed normally between producers and consumers.¹⁰

The output of the two-day meeting was a revised document divided into: (I) Recommendations; (II) Working Group Procedures; (III) Synopsis of Guidelines; and (IV) Key References. The revised document still contained seven appendices. Three of the original appendices had been dropped, however, including the appendix on "relations with local people", three new ones were added, and the order was altered. The new set of appendices was: (i)

⁸ Overseas Development Administration, "A Synopsis of 'Best Practice' Guidelines for Tropical Moist Forest Management for Sustainable Timber Production", London, ODA, February 1990.

⁹ Interview with ENGO representative, 13 July 1994.

¹⁰ Interview with ENGO representative, 4 July 1994.

categories of forest land; (ii) national forest inventory; (iii) roads and harvesting; (iv) concession legislation; (v) UNEP statement on sustainable development; (vi) indicative scheme of pre-requisites for sustainable management at various levels, including guidelines; and (vii) members of the working group.

The revised document, which was circulated by IIED in late March to working group members, was further modified at the PCF's initial meeting in Bali in May 1990, and further amended by the Council prior to its adoption as the official text of the ITTO Guidelines. Two significant modifications were made at this time. First, at the insistence of producing-country members of the GWG, it was agreed that the ITTO Guidelines would not be directly applicable to producing-country rainforest management. Rather, the Guidelines would constitute an international standard for the subsequent development of national guidelines. This "guidelines for guidelines" approach was not contained in the original IIED draft, but does appear in section 2.4 of the GWG's Report:

The group was unanimous in the view that the development of effective guidelines must be carried out in two stages of which the first is the establishment by the ITTO of the principles which must form the basis for an agreed standard. A synopsis of the proposed principles and associated actions is given in Section C of this report supported by appendices indicative of possible elements of more detailed guidelines, manuals and codes of practice to be developed nationally.¹¹

¹¹ PCF (VI)/4/Rev. 1, "Report of the Working Group on Guidelines for 'Best Practice' and Sustainability in the Sustainable Management of Tropical Forests

The above reference, however, buried in the text and somewhat vague, was regarded by producing-country members as still too weak. At the Bali Session of the ITTC, therefore, and under the leadership of Brazilian and Malaysian officials, the "guidelines for guidelines" approach becomes clearly stated in the text's Introduction:

These guidelines contain a set of principles which constitute the international reference standard established by ITTO for the development of more specific guidelines, at the national level, for sustainable management of natural tropical forests for timber production.^{1 2}

The new language makes it clear that a two-tier approach is being replaced by a two-stage approach. Under the GWG draft, *both* the ITTO Guidelines and national guidelines could have been directly applied to judge whether sustainable forest management was occurring in producing countries. Under the text, as finally amended, it is clear that *only* national guidelines, based on the ITTO standard, apply. The producing-country coalition was thus assured that the ITTO Guidelines could not be used directly to pressure producing-country governments into practising sustainable forest management.

with Particular Application to the Natural Forests", Yokohama, ITTO, 18 May 1990, p. 5, para. 2.4.

^{1 2} ITTO Guidelines, p. 1.

A second key revision to the GWG document was the dilution of its already weak provisions concerning indigenous peoples' rights. One interviewee maintained that the Malaysian delegate informed the Working Group that he would lose his job unless a weakening of the language of the draft Principle 36 was accepted.¹³ The delegate's concerns resulted in the provision being altered from "All timber permits for areas inhabited by indigenous peoples should comply with conditions recommended by the World Bank and the ILO for work in such areas" to "Timber permits for areas inhabited by indigenous peoples should take into consideration the conditions recommended by the World Bank and the ILO for work in such areas *inter alia*."¹⁴ The replacement of "should comply with" by "take into consideration" and the addition of "inter alia" significantly weaken the import of this clause.

With the final amendments made, the ITTC, by Decision 4(VIII), agreed:

- (a) to adopt the ITTO Guidelines for the Sustainable Management of Natural Tropical Forests contained in document PCF (VI)/16;

¹³ The precise statement was: "The social side was changed at the behest of the Malaysian delegate who argued that he would lose his job if it stayed as it was and it was changed from 'should comply with to 'should take into consideration'." Interview, 13 July 1994.

¹⁴ See PCF (VI)/4/Rev. 1, p. 16, para. 5.1, and *ITTO Guidelines*, p. 9, para 4.1. It should be noted that this discussion is based on an early version of the working group's document that included the original wording as it emerged from the Working Group. This document does not appear to have included all the revisions that were made as a result of the discussions at the PCF. It thus falls somewhere between the original Working Group document PCF (VI)/4 and PCF (VI)/4. Rev. 1.

(b) to commend the ITTO Guidelines as an international reference standard to members and the international community in general as a major contribution towards the goal of sustainable utilization and conservation of tropical forests and their genetic resources.¹⁵

The final document, *ITTO's Guidelines for the Sustainable management of Natural Tropical Forests*, is divided into four sections: an Introduction, Policy and Legislation, Forest Management and Socio-Economic and Financial Aspects. The document contains six appendices which are identical to the first six of the GWG document. The seventh appendix on the composition of the GWG was dropped. The Guidelines themselves consist of 41 Principles and 36 Possible Actions. The 41 Principles are divided into sections based on the level of analysis to which they apply. The first section, which deals with national policy and legislation, for example, includes such principles as the need for "a strong and continued political commitment at the highest level" (Principle 1), the establishment of "an agreed forest policy...supported by appropriate legislation" (Principle 2), the development of "a national forest inventory" (Principle 4) and the setting up of "a national agency capable of managing the government forest estate" (Principle 10).¹⁶

The second and largest section on forest management is targeted at the level of the forest management unit. Twenty-three of

¹⁵ ITTC (VIII)/D.1, "Draft Report of the International Tropical Timber Council Eighth Session, Denpasar, Bali, Indonesia 16-23 May 1990", Yokohama, Japan, ITTO, 6 July 1990, p. 69.

¹⁶ *ITTO Guidelines for the Sustainable Management of Natural Tropical Forests*, (Yokohama, Japan: ITTO, July 1992).

the principles apply to this section, ranging from recognition that "forests set aside for timber production are able to fulfill other important objectives, such as environmental protection and, to a varying extent, conservation of species and ecosystems" (Principle 11) to the need to "ensure a sustained production of timber from each forest management unit" by adopting "a reliable method for controlling timber yield" (Principle 17).¹⁷ The third section of the Guidelines is a more general, catch-all category that deals with socio-economic and financial aspects of forest management. It notes that "sustained timber production depends on an equitable distribution of incentives, costs and benefits associated with forest management, between principal participants, namely the forest authority, forest owners, concessionaires and local communities" (Principle 34) and that "the success of forest management for sustained timber production depends to a considerable degree on its compatibility with the interests of local populations" (Principle 35).¹⁸

The reactions of each of the four global coalitions at the Eighth Council Session to the adoption of the ITTO Guidelines was surprisingly muted, given their potential significance. The official record reports that the spokesperson for the Consumer Group, in making his closing observations, observed that "the organization could also feel proud of the work done in formulating the 'Guidelines for Sustainable Management of Natural Tropical Forests'." Meanwhile, the producing-country spokesperson, while not referring to the

¹⁷ *Ibid.*

¹⁸ *Ibid.*

Guidelines directly, is reported to have expressed "satisfaction at the positive spirit of cooperation which prevailed during the proceedings of the Session."¹⁹ The ENGO spokesperson commended the ITTO for adopting the Guidelines and noted that "these Guidelines were to be seen as a first step in a process which should be reviewed regularly."²⁰ Finally, although there is no official record at the Bali meeting of the timber trade's views on the Guidelines, the senior spokesperson for the importing trade, Arthur Morrell, writing in the August 1990 edition of the *Timber Trade Journal*, expresses support for the concept of sustainable yield forest management which "was practiced for decades in many areas and although in recent times economic pressures may have caused standards to fall away, there is now an awareness of what is required."²¹

The Secretariat was delighted also with the negotiation of the Guidelines, which constituted ITTO's first major international "product". In a foreword to the ITTO Guidelines, ITTO's Executive Director observes:

For our young Organization this publication represents a major milestone in our efforts to meet the overall objective of achieving management of tropical forests on a sustainable basis. It also represents a major breakthrough in cooperation between the member countries of the ITTO, conservation NGOs and the trade in tropical timber which provided valuable inputs into its formulation....It is a major step in the ongoing process of

¹⁹ ITTC (VIII)/D.1, *Draft Report of the Eighth Council Session*, pp. 28-29.

²⁰ *Ibid.*, p. 27.

²¹ Arthur Morrell, "ITTO: Short on Rhetoric, Long on Proposals", *Timber Trade Journal*, 4 August 1990.

developing sustainable forest management in the
tropics.²²

The Executive Director's enthusiasm for the Guidelines was understandable. A key component of his role was to justify the ITTO's existence and to carve out a unique niche for the Organization. Despite his hopes, however, the ITTO Guidelines did not, in fact, prove to be "a major step" in the promotion of the sustainable forest management of tropical rainforests.

Lurking beneath the apparent consensus that the Guidelines represented were a number of unresolved questions that haunted later ITTO debates. First, with the adoption of the "guidelines for guidelines" approach, the success of the ITTO Guidelines depended on producing-country governments drawing up a set of national guidelines based on the ITTO standard. Yet the lukewarm reception the Guidelines had received made it less likely that this second step would be taken. Another problem concerned who would bear the cost of implementing the sustainable forest management advocated in the Guidelines. Producing-country governments were adamant that consuming-country governments should bear their share. Thus, the spokesperson for the producing-country coalition warned in a statement read into the official record at the Eighth Council Session in Bali that "the discussion of sustainability of the international tropical timber trade and of the survival of the tropical forests must be based on the conduct of

²² ITTO Guidelines, Foreword.

sound international trade practices between producing and consuming countries" and that consuming-country governments must "recognise the need to match their pronouncements and concerns for the conservation of the tropical forests with specific actions which recognised the right of the people of tropical timber producing countries to a life with dignity."²³

A third difficulty concerned the weak and vague wording of the ITTO Guidelines. The vagueness of the Guidelines stemmed in part from the failure of coalition representatives to reach agreement on a rigorous definition of the central concept of sustainable forest management. As a result, each party could read into the concept its own preferred definition. Negotiators also failed to specify whether any hierarchy existed among the 41 principles and 36 possible actions that made up the Guidelines. Although Appendix 6 explains that different activities need to be undertaken at different levels and recognises that some activities are pre-requisites for others, the Guidelines themselves are strangely silent on this question. Such silence enabled governments to claim that their forestry practices are moving in the direction of sustainability even though many of the more vital policies required to support such a statement have not been implemented.

Finally, the Guidelines were very weak in the area of biodiversity conservation, indigenous peoples' rights, and workers' health and safety. The first weakness was later partially overcome

²³ ITTC (VIII)/D.1, *Draft Report of the Eighth Council Session*, pp. 20-21.

by the development and promulgation of ITTO's Biodiversity Guidelines in 1993, but the original Guidelines remained grounded in the assumption that timber was the major value to be sustained. It was not surprising, therefore, that at UNCED two years later, the adoption of a set of forestry principles grounded in similar principles were condemned by a number of ENGOs as a "Chain-Saw Charter" that were "actually worse than existing guidelines of organizations like the International Tropical Timber Organization (ITTO), the World Bank or FAO."²⁴ Such comments suggested that the initial and somewhat artificial "global consensus" that had been constructed around the ITTO Guidelines in 1990 had evaporated by 1992. It remains to be explained, however, why the ENGO coalition endorsed the ecologically and socially deficient ITTO Guidelines in 1990. In order to explain their actions, we must examine the politics of regime creation in greater detail.

The Politics of Regime Creation I: Negotiating the Regime's Normative Content

The GWG was central to the negotiation of the Guidelines, and its proceedings were heavily influenced by an alliance between the more "progressive" consuming-country governments (Britain, Australia and the Netherlands) and the more conservative environmental NGOs (IIED and WWF—International). The IIED, as already seen, played a particularly crucial role. The Institute was

²⁴ Adam Rogers, *The Earth Summit: A Planetary Reckoning* (Los Angeles, Calif.: Global View Press, 1993), p. 115.

uniquely well placed, in the latter half of the 1980s, to broker a set of guidelines for the "sustainable management" of tropical forests. The Institute had a clear understanding of what it meant by sustainable forest management; it held the confidence of the ENGO coalition, of progressive consuming-country governments, and of the ITTO Secretariat; and its low-key approach and extensive contacts in developing countries ensured that producing-country governments were prepared to listen to its views, even if they did not always agree with them.

The IIED also adopted a deliberate strategy to have its approach accepted as the basis for the development of ITTO guidelines. Duncan Poore, in a review of the IIED's role in the history of the ITTO, gives a sense of the IIED's strategic goals:

Our next opportunity came when we were invited to undertake the pre-project surveying the status of the management of natural forests for timber production in the producer countries. We used this deliberately to prepare the elements of an action plan for the Committee on Reforestation and Forest Management....We hoped also to alter the main thrust of action from project to non-project activities....Since then certain elements of our recommendations (and of the Action Plan) have moved ahead—notably the Guidelines (for which IIED prepared the first draft).²⁵

The above paragraph gives an indication of the broad strategic planning that lay behind IIED's activities at the ITTO forum.

²⁵ Poore, *Involvement of IIED*, (emphasis added).

Such planning led to the de-selection and unconscious self-selection by the ITTO, IIED and ODA of GWG participants and to the creation of a relatively homogeneous group of individuals that consisted, with one exception, of professional foresters trained in the sustained-yield forest management paradigm. The GWG, guided by IIED, was able to reach rapid agreement on the Guidelines because members shared the same basic forestry paradigm, were heavily influenced by the work of the IIED, were less inclined to emphasise non-technical forestry matters, and operated in a depoliticized environment.

The initial agreement that emerged from the GWG, however, proved unacceptable to the producing-country coalition and required amendment to insert the "guidelines for guidelines" clause and to weaken the clause on indigenous peoples rights. Only then did the Guidelines become acceptable to all parties. The Guidelines were acceptable to the consuming-country coalition whose governments had greater relative autonomy in the development of tropical timber policy as a result of relatively low levels of economic and political-economic dependence on the tropical timber trade. Greater space was available for officials from the more progressive consuming-countries to consider the longer-term requirements of tropical rainforests. Even so, progressive consuming-country coalition members acted in the knowledge that most national delegations attending ITTO council sessions hailed from departments of industry, trade and foreign affairs and that the commodity dimension of the tropical timber trade would continue to be a major concern of other

governments in the consuming-country coalition. IIED's approach, which focused precisely on this aspect of the tropical deforestation problematic, was very appealing because it promised the continuation of the trade even as it appeared to guarantee the conservation and protection of the tropical rainforests.

The Guidelines finally agreed were also eventually acceptable to the producing-country coalition. Producing-country governments were narrowly constrained by economic and political considerations in the development of tropical rainforest policies. Their economic and political dependence on the tropical timber trade made the adoption of guidelines risky if it necessitated a rapid reduction in the volume of timber traded and increased costs substantially. On the other hand, producing-country governments were coming under considerable pressure from consuming-country governments to manage their tropical rainforests better. They were also under considerable ENGO pressure, some of which was emerging from newly established domestic affiliates, to deal with the worst excesses in the tropical timber industry. In such circumstances, an outright refusal to negotiate sustainable forest management guidelines was fraught with danger because it risked fuelling the tropical timber boycott campaigns being launched by ENGOs in Europe and North America. Producing-country governments were prepared, therefore, to agree to a set of sustainable forest management guidelines as long as they were flexible enough to ensure the maintenance of the process of economic "development".

The "guidelines for guidelines" approach, their timber-focused nature, and their weak clauses on indigenous peoples' rights ensured such flexibility.

Representatives of the tropical timber trade, particularly its export fraction, were deeply concerned about all efforts to regulate the trade. A rigid and inflexible application of the principles of even sustained-yield forest management risked cutting into profits by reducing the hectareage available for timber production and by increasing costs. At the same time, the industry was aware of growing consumer resistance to the purchase of tropical timber as a result of ENGO campaigns. The industry sought to maintain profits, improve its public image and discourage boycott campaigns. The adoption of a flexible, timber-focused set of Guidelines for the implementation of a vaguely defined concept of sustainable forest management was thus viewed by the industry as an acceptable outcome.

In short, therefore, three of the four global coalitions attending the ITTO forum were prepared to adopt flexible ITTO guidelines that would set out some basic standards for sustainable forest management. It was only the environmental coalition that had a direct interest in the establishment of guidelines that fully protected tropical rainforest ecosystems and indigenous peoples' rights. Why did they environmental coalitions sign on to the ITTO Guidelines at this time? Several reasons can be provided. First, the environmental coalition's concept of sustainable forest management

was seriously underdeveloped at the time the Guidelines were being negotiated. A debate on the topic was being conducted through the *ECO* newsletter even as the ITTO Guidelines were being negotiated.²⁶ The topic was complex, however, and seemed to require considerable technical expertise and no simple resolution appeared available. As a result, there was a tendency to defer to the professional foresters in IIED and WWF—International who had a clear grasp of the technical issues and who could speak to other professional foresters in government and industry delegations.

In addition, there was a tendency for ENGOs to "specialize" at ITTO Council Sessions in their respective areas of expertise. Thus, FoE-U.K., Survival International, Sahabat Alam Malaysia and the World Rainforest Movement tended to focus on the human and social rights aspects of forestry and the plight of indigenous peoples groups, and to defer on technical forestry questions to organizations such as WWF—International and IIED. The former accepted assurances from the WWF and IIED that the socio-economic dimensions had been included in the Guidelines. Yet it was the latter that took responsibility for negotiating the draft Guidelines, and these organizations were willing to make greater concessions on social and economic matters in the interests of achieving consensus.

²⁶ "Can Selective Logging be Sustainable?", *ECO Number 1*, Yokohama Japan, 23-27 March 1987; "Some Thoughts on Sustainable Management", *ECO Number 2*, Yokohama, Japan, November 11-20, 1987; "Sustainability", *ECO Number 3*, Abidjan, Ivory Coast, May 23 1989; "Sustainable Logging: The Queensland Model Questioned", *ECO Number 2*, Denpasar, Indonesia, May 18, 1990; and "Sustainable Harvesting of Tropical Rainforests: The Great Paper War", *ECO Number 2*, Yokohama, Japan 16-23 November 1990.

Finally, and more practically, at the Eighth Council Session in Bali where the ITTO Guidelines were adopted, the more socially-concerned ENGOs were engaged in a massive lobbying campaign over the ITTO's Mission to Sarawak, the draft report of which was released just as the Session got underway. The ITTO Guidelines did not, therefore, receive the detailed scrutiny by Survival International and Friends of the Earth-U.K. that they would have had under different circumstances.

What do we learn, therefore, from this effort by global coalitions gathered within the ITTO forum to establish Guidelines for sustainable forest management? Prior to the establishment of the ITTA, 1983 and adoption of the ITTO Guidelines, the normative content of the International Trade Regime permitted governments and industry to exploit their tropical forests as they saw fit, entirely within the ambit of domestic legislation. The passing of the ITTO Guidelines altered the normative content of the TTTR in a positive direction, albeit marginally. If the Guidelines had been directly applicable as a standard to judge producing-country forest management practices, they might have made some contribution to slowing rates of deforestation and rainforest degradation. Consuming-country governments could have brought pressure to bear, both inside and outside the ITTO forum, on producing-country governments to improve their forest management practices, and project and programme funding from the ITTO, TFAP, and other agencies could have been more directly tied to the implementation of

the Guidelines. As it was, however, the Guidelines were only "guidelines for guidelines" that had no binding effect on producing-country governments until they developed their own, national guidelines. And producing-country governments refused *en masse* to take this next step precisely because a set of national guidelines could be used by consuming-country governments to apply pressure to their tropical timber trade. As one producing-country official commented:

The producing countries have developed a strategy that until our consumer friends make progress, then we are not going to move forward. The ITTO Guidelines were produced through an equitable process between producers and consumers in that it took place in the ITTO where both parties participated. In the renegotiations, we argued for an expanded scope of ITTO in order for the broad issue of guidelines for all timber to be considered. But now there are double standards emerging.²⁷

In theory, therefore, the ITTO Guidelines replaced the norms of *laissez-faire* forest management with those of sustainable forest management and producing-country governments committed themselves to managing their tropical forests in accordance with the new norms. In practice, however, because the guidelines were only "guidelines for guidelines", lacked a definition of sustainable forest management, fudged the issue of the relationship between its different components (legislative, managerial and social provisions), focused narrowly on the management of forests for timber

²⁷ Interview with producing-country official, 30 August 1994.

production, and diluted the provisions relating to biodiversity conservation and the protection of human and indigenous peoples' rights, there was little noticeable change in producing-country government and industry behaviour. Even worse, perhaps, the promulgation of the Guidelines enabled producing-country governments and industry representatives to argue that they were moving in the direction of "sustainability", when in fact it was the definition of "sustainability" that was moving in the direction of legitimating clearly unsustainable practices.

In judging the significance of the Guidelines, it might be best to leave the last word to a member of the ENGO coalition who had clearly reflected on the subject. The individual commented:

Guidelines were a useful phase because we all learned that we didn't need guidelines, and anyway we assumed goodwill, and that if the guidelines were established then people would follow them. ITTO's guidelines have been ignored, but the Forest Stewardship Council has been able to build on that learning experience.²⁸

Debating the TTTR's Compliance Mechanisms

In addition to modifying, albeit marginally, the rules of the post-war regime governing the tropical timber sector, the debates that took place in the ITTO between 1985 and 1994 attempted also to modify its compliance mechanisms. In addition to existing compliance mechanisms (reputation, moral suasion, and self-help), the establishment of the ITTO added project financing as a

²⁸ Interview with an ENGO representative, 17 August 1994.

positive inducement. Unfortunately, the sums made available by voluntary donation to the Second Account to support projects were never particularly large, with the exception of sizeable contributions from the Japanese government. Of greater potential importance, therefore, were the debates that took place within the ITTO during the period on adding a fourth compliance mechanism, and particularly the potential and feasibility of certification and labelling schemes to encourage the practice of sustainable forest management.

Four relatively discrete attempts have been made to consider the nature of the TTTR's compliance mechanisms. In November 1989, the ITTO forum considered a pre-project proposal formulated by Friends of the Earth-U.K. (FoE) and the Oxford Forestry Institute (OFI) to examine the feasibility of certification and labelling systems in the tropical timber trade sector. Two years later, the OFI produced its own report on "incentives" required to encourage sustainable forest management. A third report produced in 1993 by the London Environmental Economics Centre (LEEC) recommended that ITTO adopt a country-level certification and labelling scheme. Finally, a report commissioned by the ITTO was discussed at a two-day workshop prior to the Sixteenth Council Session in Cartagena, Colombia in May, 1994. These discussions have produced a series of interesting studies and generated considerable debate. They have not, however, led to the negotiation or implementation of the needed positive and negative sanctions to encourage sustainable forest management.

This section examines the history of these debates and analyses the nature of the impasse that developed. It is argued that the lack of progress made at the ITTO forum in developing effective compliance mechanisms occurred for two reasons. First, the consuming-country coalition was internally divided about the need for and types of incentives that might be applied. Consuming-country governments were thus unable to mount a coordinated campaign for tough compliance mechanisms. Producing-country governments, on the other hand, were united in their opposition to proposals that threatened to damage their economies by reducing timber flows and market share. They were able to form an alliance with the timber industry coalition, particularly its exporting fraction, to block the adoption and implementation of effective compliance mechanisms.

The first attempt to raise the issue of the TTTR's compliance mechanisms occurred in 1989. The effort was spearheaded by Friends of the Earth-U.K., which, in conjunction with individuals at the Oxford Forestry Institute (OFI), drew up a pre-project proposal to investigate the feasibility of certification and labelling systems to enable consumers to distinguish between "sustainably" and unsustainably produced tropical timber in importing markets. The objective of the pre-project was:

Primarily to devise a mechanism by which individual consignments of timber from sources eligible for consideration as 'sustainably managed' can be marked/labelled and documented in the producing

region, enabling buyers in the consumer countries to identify and choose such timber.²⁹

The goal of the pre-project proposal was "to test the feasibility and describe the problems likely to be encountered in the design and implementation of a labelling system to identify and distinguish sustainably produced tropical hardwoods."³⁰ The heart of the study consisted of four activities: a description and an evaluation of past and present certification and labelling schemes; an assessment of the feasibility of labelling timber products at different points in the timber trade chain; a study of the different ways in which labelling schemes might be monitored and verified; and an examination of the potential for linking such schemes to existing tariff systems to benefit timber from sustainable sources.³¹

Before the pre-project proposal could be put formally to the ITTO Council, FoE-U.K. lobbied the Government of the United Kingdom and particularly its Overseas Development Administration (ODA) to officially sponsor the project. This request for official backing led to a number of meetings between FoE—U.K. and ODA representatives and to some minor modifications of the project proposal in the interest of clarity and conformity with ITTO project submission guidelines. The overall integrity of the pre-project and its central focus on certification and labelling were preserved, however,

²⁹ Pre-Project Proposal PCM, PCF, PCI (V)/1, "Labelling Systems for the Promotion of Sustainably Produced Tropical Timber", Yokohama, Japan: ITTO, November 1989, p. 1.

³⁰ *Ibid.*, p. 2.

³¹ *Ibid.*, pp. 4-5.

and the pre-project proposal went forward to the Seventh Session of the ITTC, which was held Yokohama, Japan in late October 1989.

At that meeting, FoE—U.K.'s pre-project proposal ran into a storm of protest from producing-country governments and industry representatives alike. The official record of the meeting reports that:

The original proposals contained in document PCM, PCF, PCI (V)/1...were the subject of intense and protracted debate....Several reservations were...made on the pre-project proposals. The proposals, as formulated, would not make any significant contribution to achieving sustainable forest management given the more important and higher priorities for action in other areas. There was the difficulty of implementing a system designed to define and evolve acceptable criteria for sustainable forest management and standards of labelling timbers. The scope and thrust of the pre-project were too ambitious and did not take into account the interests of all parties in the tropical timber situation and economy. The ultimate output of the pre-project was a veiled attempt to install a system which was only an incentive to encourage the current campaign of boycott against the imports of tropical timber products unless they could be proved to be labelled as coming from sustainably managed tropical forests.³²

The reflections of NGO representatives on the Seventh Council Session expose further the acrimonious nature of the debate and the source of a major portion of the opposition. Chip Fay of the Environmental Policy Institute noted that:

³² ITTC (VII)/D. 1, *Draft Report on the Seventh Session of the ITTC*, p. 54.

no pre-project proposal has ever stirred up more debate....Malaysia, Indonesia and the Cameroon led the opposition and with the notable exception of Brazil the pros and cons fell largely along producer and consumer lines.³³

Similarly, a report from WWF—International noted that:

This proposal was extremely controversial, with an initial hard line taken by Malaysia and supported by Indonesia and Cameroon....The initial pre-project drafted by Friends of the Earth and submitted by the UK Government was quite substantially modified. Initially the Malaysians had opposed the concept and the UK had been prepared to drop it but after lobbying...they had been persuaded...to change their views.³⁴

The net result of opposition from producing-country governments was several sessions of intense negotiations to revise the pre-project proposal in order to find a compromise solution. A brief comparison between the original pre-project proposal submitted by the British Government on behalf of FoE-U.K. and the revised project confirms not only the drastic nature of the revisions, but also highlights the areas in which compromises had to be made in order to secure the agreement of consuming-country governments

³³ Chip Fay, "Report on the International Tropical Timber Meeting in Yokohama, Japan, Oct. 30th-Nov. 7th 1989," Environmental Policy Institute, Washington, USA, undated.

³⁴ WWF—International, "Report by WWF Observers at the Seventh Council Session Fifth Permanent Committee Session of the International Tropical Timber Organization (ITTO), Yokohama, 30 October-7 November 1989", Gland, Switzerland: WWF International, January 1990, p. 2.

and industry representatives. One immediately noticeable change is the alteration of the pre-project's original title to "Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests". The new title reflected the substantially broadened focus of the revised pre-project, which took the study well beyond certification and labelling schemes to the consideration of all types of measures that could promote "sustainable development of tropical forests".

The change in title was reflected within the new document by significant changes in the pre-project's objectives and activities. The original proposal specified three objectives, the first of which was the most important and, as already noted, focused on devising a mechanism to certify and label tropical timber products to enable consumers to express a market preference for timber that had been sustainably produced. The new paragraph on objectives makes no mention whatsoever of certification and labelling, however. Instead, we are told that:

The Primary Objective of this Pre-Project is to identify and assess measures aimed at providing incentives in both producer and consumer countries in support of the ITTO's overall objective to seek a balance between utilization and conservation of tropical forests.^{3 5}

^{3 5}PCM, PCF, PCI (V)/1/Rev 3, "Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests", Yokohama, Japan: ITTO, November 1989, p. 1.

Such a vaguely worded Primary Objective provided considerable scope for interpretation. It is pertinent to observe that the central term "incentives" was not defined in the pre-project proposal. In the absence of a clear definition, it would be left to the consultants who implemented the pre-project to elaborate its meaning. Given the vagueness of the wording, the distinct possibility existed that the study could be conducted without including any detailed study of the feasibility of certification and labelling.

The immediate result of the struggle over the FoE—U.K. pre-project proposal was the letting of a contract by the Secretariat to the OFI to conduct the reformulated study on "incentives" for sustainable forest management. A team was assembled, the study conducted and in February 1991, the OFI released its report entitled "Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests" to the ITTO. The OFI report adopted a narrow definition of the concept of "incentives" interpreted as "ways of encouraging the adoption of sustainable forest management practices" and deliberately restricted the focus to a consideration of positive sanctions. The authors noted, therefore, that although "it is possible to go further and also include sanctions (i.e., fines)—to consider 'sticks' as well as 'carrots'", the authors "have taken the view that this was not what was intended and therefore excluded them."³⁶ The OFI Report thus excluded a range of trade-restrictive measures—such as the use of tariffs, quotas, and bans—

³⁶ *ibid.*, p. 11.

without any detailed consideration of their potential effectiveness to alter the behaviour of producers in other sectors of the economy.

The restrictive definition of the incentive concept enabled the OFI research team to avoid any detailed examination of the issues surrounding tropical timber certification and labelling. As a result, the report contained almost no analysis of the feasibility and effectiveness of such schemes. This approach reflected the authors own scepticism of the potential of such schemes to encourage compliance. Thus, in section 6.7 of the report, they noted:

Labelling of timber presupposes an effective system of monitoring the performance of many different logging firms and forest industries in a large number of tropical countries. To be effective monitoring must ensure that labelling is carried out honestly and that it is possible to trace the product back to the forest area from which it comes. This is possible with log exports but once logs are converted to sawn wood, plywood, veneers...the task of tracing the timber's origin is extremely difficult. The price of unreliable or dishonest labelling is that it rewards dishonesty and achieves the opposite of what was intended. There is evidence that this is already happening with some timber. The difficulty in giving an overall definition of sustainability which covers all situations increases the problems inherent in labelling."³⁷

On the basis of the above paragraph, OFI concluded that "labelling is only possible at present in a relatively small number of situations where the parties concerned are willing to submit to independent

³⁷ *Ibid.*, p. 44.

outside monitoring of their activities without regarding this as an unwarranted interference in their freedom of action."³⁸

The environmental coalition was deeply critical of the OFI Report. Francis Sullivan of WWF—U.K. observed that "the social aspects of sustainability and incentives are almost absent in the report" and that "the only substantive mention of labelling is made on page 44, section 6.7", which "sadly prejudices ITTO's ability to agree the monitoring system which is essential if the trade is to guarantee its sources are well managed."³⁹ Similarly, Mark Dillenbeck of IUCN—U.S. observes that "the utility of the Report is, however, seriously diminished by its failure to adequately and accurately address important incentive mechanisms at the tropical timber producer level."⁴⁰ Dillenbeck notes that "several governments are considering legislation which would require imported timber to be labelled as to country of origin" and concludes that "a review of the technical, legal and political dimension of a labeling [scheme] would be a timely contribution to the debate on the tropical timber trade."⁴¹ Finally, Chris Elliott of WWF—International notes that "the discussions [at an ITTO Round Table in Quito] were based on a report done for ITTO by the Oxford Forestry Institute which was very weak.

³⁸ *Ibid.*, p. 44.

³⁹ Francis Sullivan, "Critique of the ITTO Pre-Project Proposal on 'Incentives for Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests'", Godalming, Surrey, WWF—U.K., 14 April 1991.

⁴⁰ Mark Dillenbeck, "A Critique of the International Tropical Timber Organization Pre-Project Report on Incentives in Producer and Consumer Countries to Promote Sustainable Development of Tropical Forests", Washington, D.C., IUCN—U.S., May 1991.

⁴¹ *Ibid.*

For example, the report dismissed the possibility of labelling tropical timber...as impractical without doing any analysis."⁴²

Consuming-country governments also were disappointed with the OFI Report. One observer, attending meetings of the Incentives Working Group of the Tropical Forest Forum in London, observed in a memorandum that:

It is quite clear that ODA is not satisfied with Oxford Forestry Institute Incentives Pre-Project Report. They are clearly quite embarrassed at the shallow treatment of the subject and as a result have encouraged three project ideas to be tabled for the Round Table meeting to be held in Quito to essentially show that the British Delegation does want to push the question of incentives further than the report itself does.⁴³

This view of the position taken by the U.K. government is supported from interviews with members of the consuming-country coalition. One delegate, in response to a question about the difficulty the ITTO had in making progress in the area of incentives, noted that:

The incentives proposal was debated at the Ecuador meeting, but an unsatisfactory report was produced by Oxford Forestry Institute which was full of pie diagrams that indicated that Europe was capturing a lot of revenue through VAT, which it should devote to sustainable

⁴² Chris Elliott, "Report on the 10th Meeting of the International Tropical Timber Council, Quito, Ecuador, 26 May - 6 June 1991", Gland, Switzerland, WWF—International, 10 June 1991, p. 5.

⁴³ Francis Sullivan, "Memorandum to Chris Elliott, Gordon Shepherd, Bob Buschbacher, Ann-Marie Mikkelsen and Alison Lucas on 'ITTO Meeting in Quito and the British Delegation Position'", Godalming, Surrey, WWF—United Kingdom, 20 May 1991.

forestry management. The Report was controversial and things blew up in Ecuador.⁴⁴

The British Delegation's unhappiness with OFI's report was not attributable merely or even mainly to the Report's failure to deal adequately with the issue of certification and labelling. At least as important was OFI's central recommendation that a tropical timber tax transfer be implemented to generate revenues for producing-country governments to support sustainable forest management. OFI proposed that consuming-country governments, on either a bilateral or multilateral basis, reduce the level of Value Added Tax (VAT) in exchange for "an appropriate increase in tax, royalty or stumpage fee in the producer country".⁴⁵

The tax transfer proposal was unattractive to consuming-country governments because it was politically, technically and administratively difficult to implement. Politically the tax transfer scheme was unpopular because it would result in a decline in VAT revenues and thus in the general level of revenues available to support government programmes in Europe. Technically, it would prove extremely difficult to coordinate a VAT reduction with a producing-country tax increase to ensure no net increase or decrease in the price of tropical timber. The danger existed in undershooting or overshooting, thereby creating either an incentive to consume more tropical timber or a new form of tropical timber trade barrier.

⁴⁴ Interview with consuming-country official, 8 June 1994.

⁴⁵ Oxford Forestry Institute, *Report on Incentives*, p. 47.

In addition, there were administrative difficulties in operating the system, which would have to be tailor-made to each individual producing country, requiring the adoption of several different rates of VAT for tropical timber depending on its point of origin. Ultimately, the combination of all three difficulties were enough to doom this proposal, despite some attractive theoretical features.

OFI's report also was poorly received by producing-country governments. Although pleased that the Report gave little credence to the notion of certification and labelling, the tropical timber tax transfer scheme was greeted with deep suspicion. The producing-country coalition feared that the transfer scheme would be the thin end of the wedge, paving the way for the adoption of increased VAT levels against governments that refused to participate in the scheme. Furthermore, the possibility of overshooting would raise the price of tropical timber in consuming-country markets and lead to a decline in tropical timber market share as consumers substituted temperate timber and non-timber goods for tropical timber.

OFI's report sowed seeds of dissension within the tropical timber industry between its exporting and importing fractions. The exporting industry was extremely influential in ensuring that calls for import levies and taxes were opposed by their respective national delegations. Their action was consonant with their interests and ideas and especially with their desire to maintain, and possibly expand, overseas markets in developed, consuming countries. OFI's

report appealed more to the importing industry because it discounted the feasibility and effectiveness of certification and labelling and supported the importing industry's general effort to raise funds for sustainable forest management from within the industry itself. The tax transfer scheme, from the perspective of the importing industry, promised to be much more complicated, however, than the import trade's own proposal for a voluntary levy, which had been mooted in 1988.⁴⁶ There was some scepticism in the import industry, therefore, about the workability of the tax transfer scheme and concern that it would create unnecessary administrative expense.

In short, therefore, and with the exception of the importing industry, OFI's report on "incentives" was greeted with either disappointment or suspicion by members of the other coalitions. The report was a particular embarrassment to the British Government, which had argued that the original FoE-U.K. proposal on certification and labelling had been largely preserved intact in the revised pre-project proposal. The fact that the study adopted a biased interpretation of the concept of "incentives" that precluded the use of both positive and negative sanctions was particularly galling, while the casual dismissal of the feasibility of certification and labelling fuelled environmental campaigns in Britain and Europe to boycott and ban the importation of unsustainably produced tropical timber. To stave off criticism from environmentalists on the

⁴⁶ See ITTC (V)/D.1, "Draft Report of the International Tropical Timber Council Fifth Session, Yokohama, 14-16 November 1988", Yokohama, Japan, ITTO, p. 3.

one hand and from industry associations on the other, the British Government moved quickly to propose three further studies at the Tenth Council Session in Quito, Ecuador.

The Round Table discussions based on OFI's Report held in Quito, Ecuador, in conjunction with the Tenth Council Session were very general and no substantive agreement was reached on the TTTR's compliance mechanisms. Two procedural mechanisms were adopted to keep the topic of compliance mechanisms on the ITTO's Agenda. The first was the convening of a workshop on incentives, to be held in Melbourne, Australia, in February 1992. The second was an agreement to allow the British Government to fund a study by the London Environmental Economics Centre (LEEC) on the "The Economic Linkages between the International Trade in Tropical Timber and Sustainable Management of Tropical Forests". Of the two mechanisms, the LEEC study was by far the more controversial and, ultimately, influential.

The LEEC Report analysed the economic structure of the tropical timber trade and produced two major findings. First, the authors reported that the linkages between the timber trade and tropical deforestation were weak and that "the trade is not a major source of tropical deforestation."⁴⁷ Despite its relative insignificance, however, the authors also found that international trade could contribute to the "sustainable management of production forests" if it

⁴⁷ E. Barbier, J. Burgess, J. Bishop, B. Aylward and C. Bann, *The Economic Linkages Between the International Trade in Tropical Timber and the Sustainable Management of Tropical Forests: Main Report to the International Tropical Timber Organization* (London: LEEC/ IIED, March 19, 1993).

provided a more attractive economic option "than alternative uses of forest lands such as agriculture." Based on these and other findings, the authors concluded that "the key factor in reducing timber-related deforestation is ensuring proper economic *incentives* for efficient and sustainable management of tropical production forests" and that the trade in tropical timber "could act as an incentive to sustainable production forest management—provided that the appropriate domestic management policies and regulations are also implemented by producer countries."⁴⁸

The major recommendation of the LEEC report was a proposal that the ITTO encourage the establishment of country-level certification schemes for tropical timber products. WWF—International's report on the Thirteenth Session of the ITTC in November 1992 captures aspects of the controversy that this proposal generated:

The LEEC report provoked a strong negative reaction from the producer countries who had clearly caucused to present a united opposing front. Brazil opened the criticism of the report, contending that the idea of country certification was discriminatory and had already been objected to by ITTO. Their objections were supported by Cameroon, who called the report 'scandalous'; objections were also raised by Malaysia, Zaire, Indonesia and Ecuador. From the consumer side, Netherlands as the funder of the report, gave it low key support and Japan indicated that they found it stimulating without agreeing with everything in it.⁴⁹

⁴⁸ *Ibid.*, Executive Summary, pp. iii-vi.

⁴⁹ Chris Elliott, "Report on the 13th Session of the International Tropical Timber Council, 11th Session of the Permanent Committees and First

The hostility with which producing-country governments greeted the LEEC report did not bode well for its future. However, because delegates and representatives had only had time to review the Executive Summary of the Report and needed more time to digest the entire document, it was agreed to set aside one-and-a-half days of the normal two-day Market Discussions at the next Council session to discuss in greater detail the Report's findings, conclusions and recommendations. In the intervening period, the hostility of some key producing-country governments to country-level certification abated. This was particularly true in the case of Indonesia which, very much out of step with most other producing countries, began to move quickly to establish its own internal country-certification scheme. As a result, at the Fourteenth Council Session in Kuala Lumpur, Malaysia in May 1993, "the ITTC experienced its first real discussion of the possibility of timber certification, heretofore a politically unacceptable topic."⁵⁰ Dillenbeck further observes that:

Several producer country representatives expressed support for the concept and some revealed that they were negotiating with private certification companies. Many countries remain hostile to the notion. Amongst those supportive of timber certification schemes, there is no clear agreement about how this might be

Preparatory Meeting for the Renegotiation of the International Tropical Timber Agreement 1983 Yokohama, Japan 11-24 November 1992", Gland, Switzerland, WWF—International, 20 February 1993.

⁵⁰ Mark Dillenbeck, "Mission Report: International Tropical Timber Council-14th Session, Kuala Lumpur, Malaysia", Washington, IUCN—U.S., 17 June '993.

accomplished. The LEEK [*sic*] study proposed country-level certification as the most practical approach. Most NGOs were opposed to country-level certification because, in their view, this would provide a 'free-ride' for poorly managed concessions. The report prompted contentious and often vigorous debate. Council members did not achieve consensus on the issues raised in the report nor on the specific proposals. After much deliberation, the Council approved a report characterizing the debates and agreed to take the matter up at the next Council session.⁵¹

Although ITTO officials and governments felt that progress had been made at the Kuala Lumpur meeting, the fact remained that no agreement between the parties could be reached on LEEC's key recommendation that the ITTO encourage the establishment of country-level certification schemes. Thus, the official report of the debate concludes rather lamely with three procedural recommendations that empower the Executive Director to circulate the expert speakers' text to all participants, to gather additional information and certification and labelling schemes, and to organize further discussion at the next Council Session in Yokohama.⁵² The weak recommendations that emerged from the Kuala Lumpur meeting reveal that the issue of certification and labelling remained extremely divisive, notwithstanding the apparent "conversion" of Indonesian and Ghanaian governments. Significant

⁵¹ *Ibid.*

⁵² See in particular the "Summary of Market Discussions to Consider 'Policy Issues and Options Concerning Linkages between the Tropical Timber Trade and Sustainable Forest Management'", in ITTC (XIV)/14, "Draft Report of the International Tropical Timber Council at its Fourteenth Session, Kuala Lumpur, Malaysia 11-19 May 1993", ITTO, Yokohama, 18 August 1993, pp. 68-70.

opposition to country-level certification existed among producing-country governments (particularly Brazil, Colombia, Malaysia and Cameroon), the exporting industry and the ENGO coalition.

The continued failure of the ITTO to take the lead on certification and labelling was becoming a serious threat to the organization's effectiveness and legitimacy. The ITTO forum constituted only one international arena, albeit an extremely important one, in which the normative structure of the tropical timber trade regime was being debated. A notable alternative initiative was the decision by environmental NGOs to set up the Forest Stewardship Council (FSC) to deal specifically with the issue of certification and labelling in a substantive fashion.

FSC was formally established in October 1993 with a mandate "to promote good forest management throughout the world based on a set of Principles and Criteria to ensure that forests of all types are managed in ways which are environmentally appropriate, socially beneficial and economically viable."⁵³ However, planning for the organization had begun much earlier and was well advanced by the time the LEEC report first appeared in November 1992. The reaction of those involved in FSC to the LEEC report was hostile, therefore, not only because the Report threatened to overshadow the ENGO initiative before it got off the ground, but also because it recommended country-level certification which, in the views of FSC

⁵³ Chris Elliott, "The Forest Stewardship Council and Timber Certification", in *Proceedings of an Informal Workshop on Timber Certification* (The Hague: the Netherlands Ministry of Environment, Directorate of International Environmental Affairs, Ministry of Foreign Affairs, 30-31 March 1994).

officials, was unworkable.⁵⁴ It was in this rapidly evolving climate, therefore, that the ITTO once again debated the issue of certification and labelling at the Fifteenth Session of the ITTC. No genuine progress was possible, however, and a further procedural solution was resorted to. By Decision 6(XV), yet another study was commissioned. This study was carried out by Drs. Baharuddin Ghazali and Markku Simula under the title "Certification Schemes for All Timber and Timber Products".⁵⁵

The Ghazali and Simula study was prepared under restrictive terms of reference that directed the consultants to carry out an "information study" to gather data on certification and labelling schemes, review the schemes, and seek the views and reactions of all parties to such schemes. The task of analysis and recommendation was to be left to an all-Member Working Party, which would "examine the options available to and make recommendations regarding the role of the International Tropical Timber Organization in this field, taking into account work undertaken in other international organizations."⁵⁶

⁵⁴ One interviewee observed that "The LEEC report was a complete mess and an enormous amount of money was spent to conclude that country certification was the answer, but there was no attempt made to examine current initiatives and thus the money was not well spent...Freezailah saw the possibility for an initiative for ITTO to get involved and I hit the roof because country certification is not workable." Interview with ENGO representative, 13 July 1994.

⁵⁵ Baharuddin Haji Ghazali and Markku Simula, *Certification Schemes for All Timber and Timber Products* (Yokohama, Japan: ITTO, 15 April 1994).

⁵⁶ ITTC (XV)/16, "Draft Report of the International Tropical Timber Council at its Fifteenth Session, Yokohama, Japan 10-17 November 1993," Yokohama, Japan, ITTO, 13 November 1993, p. 64.

The all-member Working Party met at a two-day seminar just prior to the Sixteenth Session of the ITTC at Cartagena de Indias, Colombia, in May 1994. The Ghazali-Simula Report constituted the basis for yet a further, inconclusive discussion on the topic of certification and labelling. Although the Report was well received by both producing- and consuming-governments, this was more a reflection of its deliberately non-controversial nature than of any clear advance in the negotiations over the TTTR's compliance mechanisms. The body of Ghazali-Simula Report contained a review of the objectives of timber certification and described existing schemes in operation at international, regional and national levels, and by NGOs and the private sector. Although the consultants were not mandated to make recommendations, the authors hinted that "timber certification, straddling the promotion of sustainable forest management on one hand, and improved market access on the other, is clearly within the mandate of ITTO. Its future role may be defined in view of its comparative advantages, with a particular reference to policy work and monitoring mechanisms."⁵⁷

Despite this quasi-recommendation, governments could not agree on the role the ITTO should play in relation to certification and labelling. Caroline Sargent of the IIED noted that:

Producer delegates, led by Brazil and Colombia steadfastly blocked attempts to develop common thinking and an agenda for the ITTO towards labelling and certification. Their initial position was that any discussion

⁵⁷ Ghazali and Simula, *Certification Schemes*, p. xvi.

relating to labelling should include all timber. They considered that as the GATT could deal with the entire international timber trade, this was the body which should develop standards and approaches to timber certification.⁵⁸

The impasse referred to above is also clearly reflected in Decision 2 (XVI) of the Sixteenth Council Session, which made five weak, procedural recommendations based on the Working Party discussions. Among the five, unsurprisingly, was one that called for yet a further study of certification, this time to "undertake a detailed study on markets and market segments for certified timber and timber products". In short, after five years of debate and discussion about the nature of the TTTR's compliance mechanisms that focused almost exclusively on certification and labelling, the parties to the ITTO forum were no nearer agreement on even the most modest positive and negative sanctions required to ensure the implementation of sustainable forest management. In the absence of such compliance mechanisms, however, there was little likelihood that the majority of producing-country governments and exporting and importing firms would take sustainable forest management seriously.

⁵⁸ Caroline Sargent, circular letter to members of FAG, undated circa June 1994.

The Politics of Regime Creation II: The Non-Establishment of Compliance Mechanisms

It is clear from the above account that the negotiations over whether the TTTR needed compliance mechanisms, and if so, what those mechanisms should be, ended in deadlock. Deadlock was the result of a fundamental conflict of interests and ideas among the participating coalitions. The institutional mandate of the ITTO, confined as it was to issues related exclusively to the tropical timber trade, compounded the problem. The potential of compliance mechanisms to act as a barrier to trade required that they be negotiated and agreed upon within an all-timbers framework, a requirement that the ITTO forum was unable to meet because the scope of the 1983 Agreement was confined exclusively to consideration of the tropical timber trade.

One of the more interesting aspects of the present case is that it was global civil society actors—NGOs led by the FoE-U.K.—that initiated the debate within the ITTO forum over the nature of the TTTR's compliance mechanisms. This willingness to push discussions forward on the positive and negative sanctions required by the TTTR to encourage practices on the ground to conform to the standards of sustainable forest management was entirely consistent with NGOs' interests and ideas. The environmental coalition regarded tropical deforestation as a global crisis requiring immediate action on behalf of environmentalists, governments and timber traders.

Furthermore, ENGOs were convinced that the trade in tropical timber, as currently conducted, was a major cause of tropical rainforest deforestation and degradation. Despite the growing internal debate within the environmental movement over the definition and feasibility of sustainable forest management, therefore, most ENGOs were keen to establish mechanisms to ensure that concessionaires, loggers, exporters, importers and governments complied with the minimum requirements of sustainable forest management as set out in ITTO's Guidelines.

FoE-U.K.'s decision to initiate a debate on certification and labelling as the compliance mechanism of choice was not accidental. It was clear to FoE-U.K.'s rainforest campaigners that tougher measures (such as boycotts, quotas, and bans) would never be countenanced by the other global coalitions participating within the ITTO forum. It would be difficult, moreover, to build a consensus within the environmental coalition around proposals to impose boycotts, quotas, and bans on the import of tropical timber, because a number of the more active ENGOs did not favour such trade restrictive measures. WWF—International and IIED were opposed to boycotts and bans on the trade in tropical timber and defended the use of the market as a mechanism to give value to tropical rainforests. The beauty of a certification and labelling scheme, therefore, was that it could be defended from within a liberal economic theoretical framework. Its goal was not to restrict trade, but to ensure that consumers had the necessary information to make

an informed choice about the kind of tropical timber they wished to purchase.

The hostility generated by FoE-U.K.'s proposal at the Seventh Council Session surprised the environmental coalition. Although some resistance had been anticipated from the trade and producing-country delegations, ENGOs were unprepared for the vehemence with which the proposal was denounced. Subsequent events—the reformulation of the pre-project proposal, the letting of the contract to an OFI team hostile to certification and labelling, and the final OFI Incentive Study's weak and dismissive analysis of the topic—convinced many environmentalists that the ITTO forum had become dysfunctional. This growing awareness of the limits of the ITTO forum's capacity to negotiate meaningful compliance mechanisms led ENGOs, under the leadership of WWF—International, to establish their own, alternative institution, the Forest Stewardship Council, and to disengage themselves from the ITTO.

The process of ENGO disengagement was given a forward push, ironically, by the release of the LEEC Report in 1992-1993, which finally did recommend that the ITTO take a lead role in certification and labelling. From an ENGO perspective, the LEEC Report added insult to injury. The report, by supporting industry's claim that the timber trade made an insignificant contribution to deforestation, undermined arguments concerning the effectiveness of all trade policy mechanisms. Its recommendation in favour of country-level schemes undermined the rationale for a global scheme

that ENGOs were advocating. Moreover, as far as ENGOs were concerned, country-level schemes were unworkable. Such schemes were open to political manipulation because producing-country governments could determine the standards, norms, and compliance mechanisms that would apply. The LEEC Report did, however, further convince ENGOs that they were on the right track in pursuing certification and labelling at the level of the management unit through FSC.

While the pursuit of compliance mechanisms for the TTTR was clearly compatible with the interests and ideas of the environmental coalition, the position of consuming-country governments, and particularly that of the British government, was more complex and ambiguous. In Britain, the lead role in managing the ITTO brief was, until 1990, with the Department of Trade and Industry (DTI). Officials from DTI focused on the commodity aspects of the tropical timber trade and were uncomfortable with, and unsympathetic towards, the environmental objectives of the ITTA. Officials from Britain's Overseas Development Administration, on the other hand, were much more comfortable with ITTO's project focus and more sympathetic to the Agreement's environmental objectives. It is not surprising, therefore, that it was ODA that responded positively to FoE-U.K.'s pre-project proposal on certification and labelling and convinced DTI to allow the pre-project proposal to go forward.

The transfer of the lead role from DTI to ODA had not been completed, however, by the time the FoE-U.K. pre-project proposal was considered at the Seventh Session of the ITTC. When the pre-project proposal ran into a storm of criticism, therefore, it was an official from DTI, not ODA, who negotiated the compromise agreement to reformulate radically the proposal on the feasibility of certification and labelling into a project on "incentives". Although ODA officials also would have had to compromise had they themselves directed the negotiations, a tougher line to protect the original pre-project's core might have been adopted. This counterfactual analysis is not meant to imply, however, that a single individual or even a single government was responsible for the failure of the ITTO to take up the question of certification and labelling. It provides, rather, an illustration of the tension that existed in many consuming-country delegations between environmentally sympathetic and unsympathetic arms of government. The net effect of the internal divisions within consuming-country delegations was to weaken their coalition's commitment to substantive reform of the tropical timber trade in general and their ready acceptance of massive "revisions" to FoE-U.K.'s pre-project proposal.

In brief, therefore, consuming-country governments were weakly committed to the negotiation of compliance mechanisms for the TTTR. They sought the adoption of compliance mechanisms that would be inexpensive to their national governments, easy to

administer, consistent with international trade law under the GATT, and acceptable to industry and producing-country governments. Although sceptical at the outset about the feasibility and effectiveness of certification and labelling schemes, the consuming-country coalition eventually decided that such schemes might make a small contribution to sustainable forest management. From the coalition's perspective, therefore, the LEEC Report was a major contribution to the debate because it provided a comprehensive, liberal economic rationale for the adoption of certification and labelling. After 1993, therefore, a greater willingness within the consuming-country caucus can be observed to pursue certification and labelling schemes, a resolve that was strengthened by the initiation of work on the parallel development of national certification and labelling schemes in temperate and boreal timber producing countries.

Producing-country governments opposed FoE-U.K.'s pre-project proposal because they regarded it as a direct threat to vital national interests. Certification and labelling schemes could be used to encourage producing-country members to comply with ITTO's weak guidelines, necessitating a significant and sudden drop in tropical timber production. This, in turn, would seriously reduce government revenue, foreign exchange earnings and employment and place precious national development projects in jeopardy. In addition, producing-country governments would come under

immense pressure from their politically well-connected and important tropical timber industry.

These economic and political constraints that confronted producing-country governments help explain the outrage with which the producing-country coalition greeted FoE-U.K.'s pre-project proposal on certification and labelling. The proposal, which would enable consumers to discriminate between "sustainably" and unsustainably produced tropical timber, constituted a direct threat, in the eyes of producing-country governments, not only to their domestic timber industries, but also to development strategies based on unrestrained resource exploitation. Since almost all timber currently traded came from forests that could not be classified as sustainably managed, and since there was little prospect that the implementation of the ITTO's Guidelines could be quickly or cheaply achieved, the proposal for certification and labelling was simply unacceptable.

The solidarity among producing-country governments was enhanced because the composition of their national delegations was more homogeneous and coherent than those of consuming-country delegations. The environmental perspective was seriously underrepresented within producing-country delegations, while representatives of the timber export trade frequently exercised a direct and determinate influence on national policy. In addition, the producing-country coalition's resistance was bolstered by a set of ideas that played down the environmental impact of the timber

trade as a cause of deforestation and degradation. Producing-country governments regarded shifting cultivators, not concessionaires and loggers, as the real agents of deforestation. It thus made little sense, from their perspective, to implement policies that threatened to block the development of a national forest industry.

The relative homogeneity of producing-country delegations, the clear perception that a vital national interest was at stake, and a legitimating, developmentalist interpretive framework created a coherent producing-country coalition that was united in its opposition to the negotiation at the ITTO forum of any compliance mechanisms, including certification and labelling, that threatened in any way to interfere with the "development" of the international trade in tropical timber.

A similar explanation accounts for the reaction of the producing-country coalition to the recommendations of the LEEC report. Although producing-country governments were pleased with the report's conclusion that the tropical timber trade contributed only marginally to overall tropical rainforest deforestation and degradation, many were dismayed by its recommendation that the ITTO become a forum for the debate, negotiation and implementation of country-level certification schemes. Although, by 1993, the outright opposition of producing-country governments to any consideration of certification and labelling schemes had softened because a number of important producing-country governments were examining country-level certification and labelling schemes,

general agreement could still be reached that the ITTO was an inappropriate forum for the negotiation of any measures that would apply only to the tropical timber trade.

Much of the strength of the producing-country coalition's opposition to the negotiation and implementation of certification and labelling schemes derived from a strong alliance with the tropical timber industry and most especially with their nationally based tropical timber exporters. Exporting and importing industry representatives were united at the outset in their opposition to the adoption of negative sanctions for the TTTR and reacted with great hostility to FoE-U.K.'s pre-project proposal to study the feasibility of certification and labelling schemes. This opposition was consistent with the broad interests of the industry, because certification and labelling schemes threatened the industry with a profit squeeze. Most industry officials also felt that such a profit squeeze would be endured for no net benefit to the forests because of the many opportunities that existed at each stage in the timber chain to subvert certification and labelling schemes. Finally, in 1989, when certification and labelling was first proposed at the ITTO, industry officials had little evidence to support the contention that consumers would pay more to purchase timber labelled as originating from "sustainably managed" sources. The adoption of a certification and labelling scheme thus appeared to require a great deal of money, time and effort to create a scheme that would reduce profits, increase bureaucratic regulation, prove ineffective and be unpopular.

Between 1989 and 1994, the initial solidarity within the exporting and importing industry fragmented. As importers became more aware of customers' concerns, they became more interested in certification and labelling schemes as a mechanism to reassure consumers that the timber they were purchasing came from "sustainably managed" forests. In 1989, relatively few customers were requesting certified tropical timber. This situation had changed by 1993, when the LEEC Report appeared, and the shift in consumer attitudes, coupled with aggressive and uncompromising tropical timber boycott campaigns by European and North American ENGOs, made the importing fraction of the industry coalition more sympathetic to certification and labelling schemes. Taking their lead from the LEEC Report, therefore, senior officials representing the tropical timber importing industry began to speak more positively about country-level certification schemes. Such country-level schemes were attractive to the industry because power and responsibility for timber certification remained in the hands of state officials (who were receptive to industry influence) and because timber from conversion forests remained eligible for certification.

This change in attitude to certification and labelling schemes was less marked among timber exporters, however. Exporters, because they were frequently far removed from the retail market, tended to be less aware of and less interested in changes in consumer demand. Furthermore, the burden in implementing certification and labelling schemes fell on the export industry, which

was expected to bear the additional costs. These costs took the form of increased levels of government taxation to capture a higher proportion of the rent earned from the exploitation of natural forest stands, increased costs associated with the practice of "sustainable" logging, and the additional direct costs associated with becoming a certified producer of "sustainable" tropical timber. As well as these additional costs, exporters had no guarantee that, once established, certification and labelling schemes would not act as a barrier to the trade in tropical timber as consuming governments, under pressure from their respective domestic environmental movements, made the requirements for certification and labelling increasingly more rigorous.

The conclusion to be drawn, therefore, is that the debate that ENGOs attempted to initiate at the ITTO forum on the need to develop global mechanisms to ensure that governments complied with the standards of genuine sustainable forest management was sidestepped by other global coalitions and replaced with a debate about whether producing-countries should implement national certification schemes and whether those measures should be worked out through the ITTO or be determined by individual producing-country governments. Despite five years of discussion, no progress could be made through the ITTO on the topic, although some producing-country governments, convinced that country-level certification schemes could help the marketability of their tropical

timber products, began to actively investigate such schemes themselves.⁵⁹

Conclusion

In Chapter four, it was concluded that the provisions of the ITTA, 1983 and the operation of the ITTO marginally modified the rights and rules, decision-making procedures and compliance mechanisms of the post-war international trade regime by promulgating a new rule (that traded tropical timber should come from "sustainably" managed forests), by creating a new forum for decision-making (the ITTO), and by establishing a new compliance mechanism (project funding). In this chapter, we moved beyond a description of the TTTR's components to examine why those components took the precise form they did. The focus of the chapter, therefore, was on examining the processes by which a regime's rules and compliance components are created.

The negotiation and adoption of the ITTO guidelines added one new rule to the post-war regime governing the tropical timber issue area. The precise content of the guidelines was the outcome of bargaining among the four global coalitions participating within the ITTO forum. The agreed-upon compromise permitted the continued exploitation of tropical forests for timber production, but provided some minor safeguards for the protection of biodiversity,

⁵⁹ For further details on these schemes, see PCM, PCF, PCI (XIV)/3Rev.1, "Report of the Working Party on Certification of All Timber and Timber Products", Yokohama, Japan, ITTO, 16 May 1994.

indigenous peoples rights, and workers health and safety. The practical consequences of the new rule were heavily circumscribed, however, because it could only be applied by producing-country governments within their domestic jurisdictions. The "guidelines for guidelines" approach ensured that consuming-country governments and international agencies could not use the guidelines to judge the adequacy of a producing-country government's forest management practices.

The debates that took place over the feasibility and desirability of certification and labelling schemes failed to produce a negotiated settlement. Consequently, a new and potentially substantive compliance mechanism for the TTTR was not instantiated. The failure of parties to the ITTO forum to negotiate a compromise solution on certification and labelling led to the adoption of a series of procedural decisions that were designed to keep the matter under consideration. Consultancies and workshops were the main procedural mechanisms used. Although the outright opposition of the producing-country coalition and the tropical timber industry abated following consideration of the 1993 LEEC report, no progress on the issue could be made within the ITTO. A strong alliance between the producing-country coalition and the tropical timber industry (especially its exporting fraction) blocked the negotiation of certification and labelling schemes within the ITTO, which were being promoted by a weak alliance between the ENGO coalition and some members of the consuming-country coalition.

From the above, it is clear that alliances among global coalitions constituted an important dimension of the politics of regime creation within the ITTO forum. The ENGO coalition allied itself with more progressive consuming-country governments to promote guidelines for sustainable forest management and certification and labelling schemes. On the other hand, as noted in Chapter four, the ENGO coalition allied itself strongly with the producing-country coalition and the exporting fraction of the timber industry in the debate over expanding the scope of the ITTA, 1994 to include temperate and boreal timbers. A certain fluidity existed, therefore, in the capacity of global coalitions to form alliances with others on specific issues. This fluidity occurred only within certain bounds, however. When fundamental issues relating to industry profitability, government revenue, employment and development were at stake, it is possible to observe the contours of a broader-based alliance among producing- and consuming-governments and the tropical timber industry in defence of the general process of accumulation. The constitution of this broader-based blocking alliance was particularly noticeable in the case of the Sarawak mission and is the subject of the following chapter.

CHAPTER SEVEN

PRACTISING SUSTAINABLE FOREST MANAGEMENT: THE ITTO MISSION TO SARAWAK

Introduction

The debates and negotiations outlined in the previous chapter over the TTTR's normative content and compliance mechanisms were conducted largely in the abstract. The ITTO Guidelines and the various schemes for certification and labelling were developed on paper, not implemented in practice. Consequently, none of the social-force coalitions had been required yet to make costly concessions in the interests of "sustainable forest management". The ITTO's mission to Sarawak was revealing because it constituted a concrete example of what the application of the TTTR's normative structure looked like in practice.

In this chapter, I present first a detailed account of the ITTO mission to Sarawak from the Sixth Council Session in May 1989 when the invitation was first issued, to the Fourteenth Council Session at which the Sarawak government defended its implementation of the mission's recommendations. This presentation is followed by an analysis of conduct of the mission, in which I argue that the mission's report to the Ninth Council Session in November 1990, and the final Decision 3 (IX) accepting it, reveals the existence of a tacit compromise between three of the four social-force coalitions over the practical implementation of the TTTR's normative

structure. This compromise was founded on unqualified state sovereignty over tropical rainforests under a normative structure of sustained-yield forest management backed by weak compliance mechanisms consisting of exhortation and the provision of minimal, project-focused finance. The compromise devalued the environmental, ecological and social functions of forests and constituted a clear signal to the ENGO coalition that its concerns would always remain marginal within the ITTO.

The ITTO Mission to Sarawak

The discussion on the ITTO mission to Sarawak commenced at the Sixth Council Session in Abidjan, Côte d'Ivoire in May 1989, when the Chief Minister of Sarawak Tan Sri Abdul Taib Mahmud addressed the assembled delegates. The official record stated that:

The Chief Minister called upon the ITTO to assist countries in their efforts at sustainable forest management. The environment and forest conservation are matters of global concern and responsibility for this should be seen in a global context with due regard for national sovereignty and sensitivities. For these reasons the Government of Malaysia was ready to welcome a mission from ITTO to visit Sarawak to assist in promoting sustainable forest management.¹

Despite the fact that the formal invitation was issued by the Chief Minister, however, the locus for this initiative lay with the ITTO

¹ ITTC (VI)/D.1, p. 4.

Secretariat and its Executive Director, Dr. Freezailah. All the reasons that motivated Dr. Freezailah to undertake this initiative may never be known, but several distinct pressures at the international, national, organizational and personal level can be identified.² The most important of these pressures was undoubtedly the increasing strength of the campaigns to boycott and ban the importation of tropical timber mounted by European and North American ENGOs.³

² This section is based on comments made in the following interviews with consuming-country officials, 16 June 1994 and 17 June 1994; interviews with producing-country officials 24 August 1994 and 30 August 1994; interviews with ENGO representatives, 26 May 1994, 9 June 1994, 15 June 1994, 20 June 1994, 27 June 1994, 30 June 1994, 13 July 1994, 7 September 1994; and an interview with an inter-governmental representative, 31 October 1994. One particularly knowledgeable individual noted: "Freezailah may not admit it, but I am almost certain it was he who went to the Sarawak Government and suggested it. Malaysia had sent a high level mission to Europe and North America to convince people that Sarawak's practices were fine....Freezailah thought this was an enormous opportunity for ITTO to go into a difficult situation and produce constructive solutions. The Malaysian Government saw it as a way of bringing Sarawak to heel. The Sarawak Forestry Department knew it was doing a good job and wanted to have the opportunity to show it. I have no idea why Sarawak's Chief Minister wanted the Mission." Interview with ENGO representative 20 June 1994. Another noted: "There had been heavy criticism of Sarawak since early 1989, and the Malaysians had visited and Parliament had asked for action against the timber coming from Sarawak. It was clear that Malaysia was under heavy criticism. I sensed that the Government of Malaysia had some sympathy for the European position..." Interview with ENGO representative, 27 June, 1994.

³ Campaigns to boycott the importation of tropical timber were started in the late 1980s in Europe. Friends of the Earth led a campaign in the United Kingdom, which aimed at persuading British retailers to stop selling tropical timber products that did not come from well-managed forests. In Germany and the Netherlands, meanwhile, many municipalities had passed local laws prohibiting the use of tropical timber in construction. And in 1989, the European Parliament had passed a resolution proposing the phasing out of tropical timber from unmanaged forests within a five year period. These initiatives prompted the ITTO's Executive Director to launch a stinging attack on the actions of ENGOs at the outset of the Eighth Session of the International Tropical Timber Council in Bali, Indonesia in May 1990. See Sara Oldfield, "The Tropical Chainsaw Massacre", *New Scientist*, 23 September 1989, pp. 54-55; and ITTC (VIII)/D. 1, "Draft Report of the International Tropical Timber Council Eighth Session, Denpasar, Bali, Indonesia, 16-23 May 1990", Yokohama, Japan, ITTO, 6 July 1990, pp. 6-7.

Although these campaigns were not targeted exclusively at Malaysia, the dependence of Sarawak on its tropical timber industry made it extremely vulnerable to this form of pressure and increasingly concerned about the involvement of municipal and national governments in the anti-tropical timber campaigns.

The Malaysian situation was even more acute than that of other producing-country governments, however, because of the growing conflict within Sarawak between the state's indigenous peoples, logging companies and government. In 1987, some members of the Penan tribe had blockaded logging roads in the Baram district to protest logging in the region. The Sarawak government had responded by arresting some members of the tribe and by outlawing road blocks on logging roads. As a result, Sarawak had become an international *cause célèbre* for the ENGO coalition, particularly for those ENGOs associated with indigenous peoples' rights such as Survival International. The Sarawak case was fuelling boycott campaigns in Europe and North America, enabling ENGOs to increase significantly the pressure on consuming-country state, provincial and municipal levels of government.⁴

In response to Sarawak's growing international reputation as an environmental hot spot, several groups sought

⁴ In particular, the passing by the European Parliament of a resolution calling on all Member States to suspend the importation of timber from Sarawak on 8 July 1988 caused great consternation among Sarawak and Malaysian state managers and industry. The resolution calling for the ban was the result of an earlier report submitted by the Committee on the Environment, Public Health and Consumer Protection which had set out the environment and ecological effects of deforestation in Sarawak. See *Utusan Konsumer*, "Ban Sarawak Timber, Says European Parliament", September 1988.

permission to send missions there. In early 1989, for example, a congressional staff study mission from the United States visited Sarawak to carry out a fact-finding investigation. The mission was organized and coordinated by several progressive environmental and human rights NGOs in the United States; members visited a Penan longhouse community in Sarawak and travelled to a logging blockade. The mission's report to the U.S. House of Representatives Committee on Foreign Relations concluded that "although the Sarawak state government is confident that its current forestry management practices are environmentally sound and sustainable there is considerable evidence indicating that such is not the case" and that "land rights disputes are at the root of a potential polarization between native groups and the state government."⁵

At the organizational level, too, there was pressure on the Executive Director to prove that the ITTO was capable of undertaking distinctive, difficult and innovative tasks. The Secretariat was painfully aware of the long shadow cast by the United Nations Food and Agricultural Organization (FAO) in the tropical timber issue area and of the need for the ITTO to establish its own distinct reputation

⁵ Congressional Staff Study Mission to Malaysia, March 25-April 2, 1989, "The Tropical Timber Industry in Sarawak, Malaysia", Report to the Committee on Foreign Affairs, U.S. House of Representatives, U.S. Government Printing Office, Washington, D.C., September 1989, p. 1. Other visits appear to have been in the offing. One interviewee noted that "prior to the ITTO [Mission], many countries wanted to send missions to Sarawak: the EC had sent a Mission to Sarawak; the Dutch were trying to send a mission; the US had had a Mission that was very anti-Sarawak; the U.K. were interested. So it was very clever of the Malaysians to let the ITTO carry out the Mission because it had more control over the terms of reference there than elsewhere." Interview with ENGO representative, 30 June 1994.

in the world of tropical forestry.⁶ An investigatory mission to Sarawak under ITTO auspices would demonstrate that the ITTO could achieve pragmatic solutions to difficult problems in a timely manner. The mission to Sarawak would constitute a precedent for further missions to other producing countries, carving out a high-profile niche for the ITTO that other bodies, such as the FAO, had not been able to fill. The ITTO might even, in time, evolve into some kind of international forestry "watchdog" capable of monitoring the degree to which members were achieving sustainable forest management and able to mobilize the necessary political support, policy advice and project funding.

But beyond international, national and organizational reasons, there were also personal reasons prompting Dr. Freezailah's involvement. In his frequent trips to Malaysia, and in meetings with his forestry colleagues, Dr. Freezailah was aware of and shared Malaysia's pride in its forest management record. Malaysian officials believed from visits to other Asian, African and Latin America countries that Malaysia was a world leader in the practice of

⁶ Relations between many international organizations are fraught with tension and rivalry, and those between the ITTO and FAO are little different than those, for example, that used to exist between the World Food Program and the UN Food and Agricultural Program. In an internal memorandum, the FAO representative to the ITTO observes that "private discussions with senior ITTO staff indicated that the relationship between FAO and ITTO appears to have reached a very low level. As a result of their treatment (or perceived treatment) by FAO, it seems that they have decided to make only limited effort to cooperate with FAO. There are a number of stated reasons for this, but the net result is that they are unlikely to take the initiative on cooperation." I.J. Bourke, "Travel Report: Japan: 28 November-6 December 1991", Rome, Italy, FAO, 23 January 1991, p. 2.

sustainable forest management.⁷ Malaysian forestry officials viewed the ITTO Guidelines as being based largely on Malaysian forestry research and they were confident that an "independent" and "objective" mission would set the record straight. Although forestry management in Sarawak was by no means perfect, Malaysians foresters were of the view that Sarawak's situation was far better than "radical" environmentalists were presenting it. A multilateral mission to Sarawak, therefore, offered Malaysian officials the opportunity to silence their critics both at home and abroad.

Moved by these considerations, the ITTO's Executive Director took the initiative and travelled to peninsular Malaysia and Sarawak prior to the Sixth ITTC to discuss the possibility of an ITTO mission. Having secured the agreement of the Government of Malaysia and Sarawak in the Spring of 1989, the Executive Director discussed the possibility of the mission with other country delegations prior to the Sixth Session of the ITTC in Abidjan, Côte d'Ivoire. U.K. and Dutch governments, for example, were aware in advance of the Abidjan Session that a mission was in the offing and supported the initiative.⁸ Similarly, some thought had been given to

⁷ The quote in footnote 65 already alludes to this. Another interviewee commented when asked about the Sarawak Mission: "The Government of Sarawak are reeling from it [the Sarawak mission] ever since because they thought everything was OK, and the study recommended massive cutbacks". Interview with industry official, 13 June 1994.

⁸ Thus one member of the British delegation observed in response to a question about whether the British government knew that a Mission to Sarawak would be proposed at Abidjan, "Oh yes, the concept was certainly there beforehand, but to what extent the details had been agreed to I'm not sure. The concept had been floated earlier. The composition of the Mission was decided at the Abidjan meeting." Interview with member of the British delegation, 17 June 1994.

an appropriate mission leader and the name of H.R.H. Prince Bernard of the Netherlands had been put forward.

Prior to the Abidjan meeting, therefore, a considerable amount of thought and strategizing had already gone into a mission initiative and efforts had been made to think through some of its implications. However, there were no guarantees that other governments would agree to the principle of sending an ITTO mission or that a set of terms of reference acceptable to members and to Sarawak could be worked out. The official record of the Sixth Session reveals that a rancorous public debate took place within the producing-country coalition about the principle of sending a mission to any country under ITTO auspices. This debate, already detailed in Chapter five, pitted Malaysian, Indonesian and other producing-country governments against Brazilian and Peruvian governments, with both sides invoking the concept of "sovereignty" in defence of their position.

Debate about the general principle of sending an ITTO mission to Sarawak took place concurrently with another debate over the precise nature of the mission's terms of reference. The environmental coalition, although intrigued by the mission's potential, wanted to ensure that the mission would investigate the issue of indigenous peoples rights. Consuming-country governments, on the other hand, were keen to ensure the "objectivity" and "freedom" of the mission from Malaysian influence. The Malaysian and Sarawak authorities were determined that the terms of

reference should exclude mention of indigenous peoples rights or land claims and should focus on assessing the degree to which Sarawak was practising sustained-yield forest management. The industry coalition was deeply concerned about the breadth of the mission's terms of reference, and backed producing-country governments' efforts to restrict the investigation to assessing the "sustainability" of Sarawak's forest management practices for timber production.

The outcome of the negotiations is contained in Resolution I(VI) of the ITTC, entitled "The Promotion of Sustainable Forest Management: A Case Study in Sarawak, Malaysia". The substantive paragraph states that the purpose of the mission was:

To assess the sustainable utilization and conservation of tropical forests and their genetic resources as well as the maintenance of the ecological balance in Sarawak, Malaysia, taking fully into account the need for proper and effective conservation and development of tropical timber forests with a view to ensuring their optimum utilization while maintaining the ecological balance, in the light of recent ITTO studies on forest management for sustainable timber production in Member countries and relevant reports by other organizations.⁹

This broad set of terms of reference necessitated interpretation. The Resolution omitted any reference to land tenure issues, and language that would have included investigation of land claims was explicitly

⁹ ITTC (VI)/D.1, p. 108.

rejected by the Malaysian and Sarawak Governments.¹⁰ There is also an effort to restrict the concept of sustainable forest management to sustained-yield forest management for timber production. This is the effect, for example, of the clause "in the light of recent ITTO studies on forest management for sustainable timber production", a reference to the narrower, more technocratic study into sustainable forest management carried out by the IIED.

On the other hand, the terms of reference do not explicitly preclude the mission from investigating indigenous peoples' land claims and the ENGO coalition supported the mission under the terms of reference adopted. ENGO support was forthcoming because of a tacit agreement reached between them and the other coalitions which Jim Barnes described as follows:

NGO statements stressed the need for the interests of forest dwellers to be taken care of. The Malaysian government and the Sarawak government formally opposed any reference to forest dwellers, indigenous peoples or human rights in the resolution adopted by the Council in approving the mission. NGOs held private working sessions with the Malaysian delegation including one long breakfast with the Chief Minister of Sarawak, in which we insisted that any mission that failed to address the situation of forest dwellers would be opposed by NGOs....The compromise agreed by governments formally, and by NGOs informally, is that the actual terms of

¹⁰ Thus, one interviewee noted: "I wasn't involved in the meetings over the definition of the Terms of Reference but the outcome was a form of words that could be interpreted and there was room for different interpretations." Interview with ENGO representative, 20 June 1994. Another commented: "The terms of reference debate was useful but indigenous people did not get on. The Government of Sarawak did not want this included and regarded it as an internal matter." Interview with ENGO representative, 27 June 1994.

reference for the ITTO mission to Sarawak will be set by the members themselves, without any influence by Malaysian officials.¹¹

NGOs were further reassured that the mission would, in fact, address the needs of indigenous peoples' as a result of the establishment of an informal consultation group. Barnes notes that:

NGOs attending the meeting agreed with Dr. Poore on the establishment of an informal consultation group, which will assist him with information, materials, a list of possible witnesses who might provide evidence, a suggested itinerary, and any other sorts of assistance necessary to ensure the success of the mission. This consultation group is open to the participation of interested NGOs from any country.¹²

In addition to the Terms of Reference, the mission's composition was also determined at this Session. A structure similar to that adopted for expert working groups was proposed and accepted. A ten-member mission was established consisting of three producing-country government representatives (Indonesia, Côte d'Ivoire [replaced by Ghana], and Bolivia); three consuming-country government representatives (Norway, Japan, U.S.A.); one representative each from an intergovernmental organization (FAO), an environmental organization (IIED), and the tropical timber industry (UCBT); and the mission leader. In order to protect the

¹¹ Jim Barnes, "Report: ITTO Meeting in Abidjan (May 16-23, 1989)", Washington, Environmental Policy Institute, Washington, D.C., August 7, 1989, p. 5.

¹² *Ibid.*, p. 5.

mission's "objectivity", no Malaysians were formally appointed to the mission, although it should be noted that Dr. Freezailah, a Malaysian, accompanied the mission throughout as Executive Director of ITTO. It was agreed that the members of the mission would have freedom to travel wherever they pleased within Sarawak.

The choice of mission leader was made also at the Bali Session of the ITTC. Prior to the meeting, Dr. Freezailah had sounded out Prince Bernard of the Netherlands, who had declined. At the Sixth Council Session, Duncan Poore suggested Lord Cranbrook, a naturalist and a Malaysiaphile with many years of experience in Borneo.¹³ Although something of an unknown quantity, Cranbrook was regarded as having done a good job chairing the House of Lords Parliamentary Committee inquiry into the European Community's policy on tropical forests and the timber trade. The fact that he was recommended by Poore, an Aristocrat, and spoke Malay also worked in his favour.

Assessing the Sarawak Mission Report

With their terms of reference and composition established, mission members were able to go about their business. The mission leader opened a small office at the Royal Geographical Society in London to enable parties to make submissions independently of the ITTO Secretariat and the Malaysian

¹³ As one interviewee recalls: "Initially Prince Bernard of the Netherlands was suggested as Mission leader, but later it was suggested at Abidjan that Lord Cranbrook would be a good possibility and the leader of ODA didn't even know who he was!" Interview 20 June 1994.

Government. Three visits to Peninsular Malaysia and Sarawak were undertaken (27 November—8 December 1989, 12—23 February 1990 and 16—28 March 1990). During the visits, mission members met with federal politicians and government officials (including Dr. Mahathir, Prime Minister of Malaysia) and Sarawak politicians and government officials (including Sarawak's Chief Minister), representatives of the Sarawak Timber Association and the Sarawak timber trade, and community and indigenous peoples spokespersons. The mission report was released confidentially to governments just before the Eighth Session of the ITTC in Bali, Indonesia, and was subsequently distributed to delegates and observers at the Bali meeting.

The mission report, which was informally discussed at the Eighth Council Session in May 1990, but not officially debated until the Ninth ITTC Session, was divided into nine chapters, preceded by a Chairman's Summary and followed by three appendices. Several noteworthy aspects of the report deserve mention. First, it contains a *Chairman's Summary* because consensus could not be reached among mission members on the contents of an Executive Summary.¹⁴ The Chairman's Summary contains six "quasi-recommendations" for the achievement of "sustainable forestry" in Sarawak. Thus Lord Cranbrook notes that:

Only a major increase in staff [of the Sarawak Forest Department] will permit the necessary improvement of

¹⁴ Interview 16 June 1994.

control of concession conditions in the felling areas...the rate of timber harvesting will have to be reduced significantly....

The procedures by which both TPAs [Totally Protected Areas] and additions to the permanent forest estate are gazetted are excessively slow: a full-time unit might expedite the process....

...an assessment should be made of the forest resources of the State in relation to the long-term trade prospects for forest products. The organizational structure through which timber licences are allocated, managed and operated should be reviewed. Closer consultation and greater participation among local communities should be encouraged.¹⁵

A second noteworthy aspect of the report was the absence of a separate chapter dealing specifically with indigenous peoples' land claims.¹⁶ In the first, "Background" chapter, it is noted that it could be argued that "the rights and wrongs of the traditional rights issue are matters for determination in the courts of Malaysia" and that "the mission is neither qualified nor empowered to judge on such matters."¹⁷ The mission apparently rejected this narrow view, arguing that the issue of indigenous peoples' land claims could be the mission's business "if the extent, nature, and location of these rights

¹⁵ ITTC (VIII)/7, "Report Submitted to the International Tropical Timber Council by Mission Established Pursuant to Resolutions I (VI) 'The Promotion of Sustainable Forest Management: A Case Study in Sarawak, Malaysia'", Yokohama, Japan, 7 May 1990, p. vii.

¹⁶ A crucial debate on the structure of the Mission's Report is described by one mission member as follows: "There was a tremendous argument on whether we should produce a separate chapter on the social issues but this was overruled by producer members of the Mission, so social issues were incorporated into the overall report and it was the influence of the producers that turned this round." Interview with Mission participant, 20 June 1994.

¹⁷ ITTC (VIII)/7, *Sarawak Mission Report*, p. 8.

or claims and how, when and where they are exercised affect either or both the area and productivity of the forests...."¹⁸ Thus, the mission dealt with land rights questions by treating them as important to the extent that they had an impact on timber production. This approach allowed the mission to avoid addressing directly the politically difficult questions involved in the relationship between forest dwellers, logging companies, and the governments of Malaysia and Sarawak.

Another noteworthy feature of the report is the lack of balance in its treatment of the timber and non-timber functions of tropical rainforests. The mission channelled most of its energy into determining the potential size of the permanent tropical rainforest estate and the portion that should be set aside for timber production, biodiversity conservation, and catchment protection. Chapter V, which deals with "sustainable timber yield", is the longest chapter in the report and contains the most detailed, although still incomplete, statistical data. On the topic of Non-Timber Forest Products (NTFPs—such as rattan, resins, medicines, herbs, fruits, animals), on the other hand, the report observes:

The mission is not able to make a reasoned assessment of the economic sustainability in terms of the non-wood products and services. The weaknesses discussed...do however throw considerable doubt on the economic sustainability, under present practices, of water quality and river transport systems....As far as other non-wood forest products are concerned, the evidence is conflicting

¹⁸ *Ibid.*, p. 8.

and indefinite. On the whole, however, the mission is inclined to accept as highly likely that policies as they are presently implemented are reducing the capacity of the forest resource to sustain the rural economies based on these products, unless protection measures are put in place.¹⁹

A third noteworthy feature of the mission report concerns the several important and controversial assumptions it made in calculating its estimate of Sarawak's sustained-yield annual cut of 9.2 million cubic metres. These assumptions concerned the area available for timber production, the likelihood of implementation and the efficacy of a particular silvicultural technique, and the future market for smaller logs of lesser-known species. The mission projected that the total area of forest available for timber production was 4.6 million hectares, calculated by subtracting the amount of land set aside for other purposes (biodiversity protection, permanent agriculture, additional cultivation, and urban development) from the total estimated forested area of 12.4 million hectares. The figure of 4.5 million hectares included those forests already gazetted as part of the permanent forest estate, plus approximately 824 thousand hectares of state land hill dipterocarp forests.²⁰

¹⁹ *Ibid.*, p. 60.

²⁰ State land forests consist of forested lands outside the permanent forest estate. The Department of Forestry has no legal jurisdiction over the use of these lands after timber is removed. See ITC (VII)/7, Sarawak Mission Report, p. 18, para. 76.

In addition to estimating the potential size of Sarawak's production forests, the mission based its estimates of the sustained-yield annual cut on a reduction in the size of logs harvested. At the time of the mission, Sarawak's log exports were dominated by logs with a diameter at breast height (dbh) of more than 60 centimetres. The mission, however, based its estimate of the sustained-yield annual cut on an increase in the intensity of the harvest by reducing the girth of acceptable logs to those greater than 45 centimetres (dbh). Mission members recognised, however, that doubts existed about whether there was a market for the smaller logs, and its recommendations were made "on the assumption (although this is of course uncertain) that future markets can be found for these smaller logs and more diverse species...."²¹

Most controversially, however, the mission based its estimate of a 9.2 Mcum sustainable yield on the widespread use of a specific silvicultural technique known as "liberation thinning". As described in the report, liberation thinning in Sarawak "has significantly accelerated the growth of selected crop trees in cut-over forests" and although "the treatment is costly, requiring trained crews...it promises not only to provide much needed added sustainable yield but, if required, might also reduce the length of the cutting cycle by as much as 10 years."²² However, for liberation thinning to work it would have "to be applied throughout current

²¹ *Ibid.*, p. 33.

²² *Ibid.*, p. 35.

logging areas, starting promptly, and would call for a silvicultural outlay heretofore made only on an experimental scale."²³

Considering the above assumptions, it is perhaps not surprising that the mission never actually reached a consensus on what Sarawak's sustained-yield annual cut should be. Prior to the mission's departure at the end of the third visit, no figure had been agreed upon, and "the key recommendation on annual cut had to be negotiated." The agreed upon procedure for determining the annual cut consisted of mission members faxing their best estimates to the mission leader in London; these varied "from a low figure to some quite high ones". The mission leader then selected the estimate that he felt was most appropriate, which was 9.2 Mcum.²⁴

One final noteworthy aspect of the Sarawak mission report was that the Assessment chapter limited itself to making only three substantive recommendations.²⁵ The chapter thus contrasted with the Chairman's Summary, which offered six "quasi-recommendations"; moreover, its small number of recommendations did not adequately reflect the findings of the mission contained in the body of the report. Thus, the report's first recommendation was that "the staff of the Forest Department must be comprehensively

²³ *Ibid.*, p. 35

²⁴ Interview with mission participant, 16 June 1994.

²⁵ The recommendations section of the Report is divided into two sub-sections, A and B, apparently at the behest of the Japanese delegate. The second set of recommendations (B1, B2 and B3) call on the ITTO and the international donor community to provide international development assistance to Sarawak specifically in the human resources development sector and the preparation of long-term outlook plans.

strengthened."²⁶ The logical place for the inclusion of an analysis of the Sarawak Forestry Department would have been in Chapter three, "Forestry in Sarawak", which features an extensive discussion of the Sarawak Land Code, Forest Policy and Forest Legislation. However, no details are provided on the Sarawak Forestry Department, and this omission, coupled with the vague recommendation that the Department be "comprehensively" strengthened", provides little guidance to the Sarawak Government or to interested observers as to what, more precisely, needed to be done. There were no details on how many staff were needed to implement sustainable forest management, how much the Sarawak Forest Department's budget needed to be increased to recruit, train and provide equipment for such additional staff, where staff should be posted, in what occupational categories they might fall, and what the timetable for the strengthening of the Department might be.

The mission's second recommendation concerns the size of Sarawak's sustained-yield annual cut. The recommendation was that:

...the annual rate of harvesting must be phased down to a figure that corresponds to the prospective sustainable yield, i.e., for a Permanent Forest Estate of 4.5 million hectares of land at slopes of less than 60 per cent, of which a substantial portion is silviculturally treated, plus State land forest not allocated to other uses within the same slope limitation, about 9.2 Mm³ per annum.²⁷

²⁶ ITTC (VIII)/7, *Sarawak Mission Report*, p. 71.

²⁷ *Ibid.*, p. 71.

The mission's recommendation to reduce the annual cut to 9.2 Mcum was heavily qualified by the assumptions made about the size of the permanent forest estate, the feasibility of harvesting on slopes less than 60 per cent, the inclusion of state land forest, and the extensive application of the silvicultural technique of "liberation thinning". Apart from the fact that each of these assumptions was both contestable and contested, there was little discussion of the financial costs of this recommendation. This was surprising, given that the implementation of the prescribed silvicultural system would increase the costs of sustainable forest management during the same period when the reduction in the annual cut would lead to a significant decline in government revenue and foreign exchange, and a profit squeeze in the logging industry. In short, the mission made a recommendation that it knew to be extremely costly, but did not cost it or clearly indicate how such costs might be met by the Sarawak Government, the Malaysian Government, and the international donor community.

The mission's third, substantive recommendation noted that "the standards of catchment protection in the Hill Dipterocarp timber production forests must be improved."²⁸ In expanding on this recommendation, the report noted that "management must be improved by more precise prescriptions based on research, by withdrawal of logging from critical areas and by strict control of the conditions of licences."²⁹ This recommendation did not address the

²⁸ *Ibid.*, p. 71.

²⁹ *Ibid.*, p. 72.

central finding of the report, however, which was that "there is at present no provision in Sarawak legislation for the dedication of forest for 'catchment protection'."³⁰ Given this major gap in Sarawak's forestry legislation, it would seem logical that the mission would recommend the immediate application of the Malaysian National Forestry Act (which provided for soil protection forest, soil reclamation forest, flood control forest and water catchment forest) to Sarawak.

The most glaring omission in the report's assessment section is the complete absence of a recommendation concerning indigenous peoples' land claims, notwithstanding the inclusion of a "quasi-recommendation" to this effect in the Chairman's Summary and the fact that the body of the mission's report considers forest dwellers rights in detail, albeit from within a narrow, legalistic perspective. The omission of a recommendation on land claims is surprising, therefore, given the mission's finding that "the prospects for sustainable management were definitely affected by the native communities issue" which occurs "through shifting cultivation to reduce the area of forest from which future timber yields can be expected" and "through the increased costs of logging associated with the response of native communities to disputes over their rights and interests."³¹ An implicit recommendation to improve the prospects for "sustainable management" thus follows when the mission report notes that "fuller cooperation of local communities might be gained

³⁰ *Ibid.*, p. 45.

³¹ *Ibid.*, p. 36.

by involving them more directly in concessions and in the management of forests which are close to them."³² The mission members appear, however, to have been persuaded, or to have persuaded themselves, that indigenous peoples' issues were peripheral to the major goal of sustainable forest management and that it was in the larger interest not to include any reference to native land claims' and possible settlement procedures in the report's conclusions.

Debating the Sarawak Mission Report

The formal debate on the report took place at the Ninth Session of the ITTC in Yokohama in November 1990, and the official record noted that "the State Government of Sarawak accepted the report as fair and constructive" and that the Government "accepted the recommendations in principle". However, the Sarawak government's response was not a ringing endorsement of the mission's findings and did not indicate a clear intention to take immediate action to implement the mission's recommendations. In his official address to the ITTC, the Sarawak government's delegate took issue with aspects of the mission report, noting that "deciding the rate of harvest of mature and over-mature stands of forests was a management dilemma world-wide" and that "it was the Government's view that the forecasts [on the current rate of

³² *Ibid.*, p. 38.

harvesting and the future of primary forests] were based on excessive estimates of the consequences of harvesting".³³

Further, the delegate noted that although a "well-planned and properly constructed logging road system would reduce the incidence of soil erosion" and that an ITTO project being presented to this meeting could help alleviate some of these problems, "in any event due to the nature of harvesting concentrated in patches that hardly broke the forest canopy, the roads and skid trails were recovered relatively quickly by vegetation when they were abandoned". Furthermore, although "the mission has expressed concern over the delays in gazettelement [of Totally Protected Areas]", it was the view of the Sarawak government that "these delays were unavoidable in view of the nature of the administrative processes for gazettelement instituted among scattered communities."³⁴

The reaction of the Sarawak authorities to the mission report was disputatious, therefore, and although they accepted the report "in principle", their acceptance was a qualified one that boded ill for the implementation of the mission's recommendations in practice. In particular, the unquantified but substantial costs of implementing the mission's recommendations led the Governments of Malaysia and Sarawak to adopt a tough negotiating stance, based on the reassertion of the sovereign right of states to determine their national forestry strategy and on the refusal to submit to the

³³ITTC (IX)/D.1, "Draft Report of the International Tropical Timber Council at its Ninth Session, Yokohama, Japan, 16-23 November 1990", Yokohama, Japan, ITTO, 8 February 1991, pp. 17-20.

³⁴*Ibid.*

establishment of targets, timetables, or reporting arrangements. In adopting this stance, Malaysian governments could count on the full support of producing-country governments, including Brazil, which continued to oppose the concept of investigative missions to the bitter end.³⁵

The truculent response of the Malaysian and producing-country coalition to the Sarawak report was in contrast to its ready acceptance by the majority of consuming-country governments. Just as the principle of the mission had created considerable strain within the producing-country caucus, however, so the actual mission report caused strains within the consuming-country coalition. At the Ninth Session of the ITTC, therefore, the official spokesperson for the consuming countries was unable to play his customary role in the debate over the Sarawak mission, and statements were made on behalf of the European Community, Japan, the Nordic Countries, Switzerland and the United States. Despite this apparent fragmentation of the consuming-country coalition, however, the differences were more apparent than real, with the possible exception of an uncharacteristically tough stance taken by the United States.

The general tone of the consuming-country caucus was set by the European Community, whose spokesperson welcomed "the statement of the Government of Sarawak as responding to the

³⁵ Thus the official record notes that "The Representative of Brazil...placed on record the position of Brazil not to participate in the debate on the work of the Mission to Sarawak. She reiterated the reservations of her Government expressed at previous Sessions of the Council on this matter." *Ibid.*, p. 25.

Community's concerns over sustainable forest management in Sarawak", observed that "the measures announced by Sarawak authorities as a follow-up of the mission's findings should also be highly commended" and indicated that "the member States of the EC would wish to assure the responsible Malaysian authorities of their support in the search for the most appropriate means to achieve their goals."³⁶

This enthusiastic and uncritical acceptance of both the report of the mission and Sarawak's response was echoed by Japanese and Nordic Country delegates. The Japanese delegate "commended the Government of Malaysia and the State of Sarawak for their encouraging, cooperative and constructive response to the work and findings of the mission" and indicated that "the response of Japan would be translated into constructive and concrete support of the requests for assistance which the Government of Malaysia had placed before the Council...." Similarly, the Nordic Countries delegate "welcomed the constructive response of these authorities to the report and their promptness in presenting pertinent project proposals" and "supported the report as a whole with its recommendations."³⁷

In contrast, the U.S. delegation took a much tougher line. This appears to have been partially the result of the lower-level of dependence of the U.S. on tropical timber imports from the region and partially the result of extensive lobbying work carried out by

³⁶ *Ibid.*, pp. 21-22.

³⁷ *Ibid.*, pp. 21-22.

the U.S. ENGOs prior to the ITTC's Ninth Session. This lobbying work led to the inclusion, for the first time, of representatives from the Environment Protection Agency and USAID, and to a clear recognition within the U.S. delegation of some of the inadequacies of the mission report. The official record reports that the U.S. delegate indicated that "the report of the mission constituted a positive first step in developing solutions" to Sarawak's forestry problems. However, although "the mission had recommended a certain level of reduction [in the annual cut]...it was the view of the U.S. that the limit to this reduction could be much greater" and that "the ITTO should take into account the interests and the elemental human rights of all the people of Sarawak when addressing sustainable forest management in Sarawak". Thus, the U.S. delegate indicated that he expected the final resolution to recommend, among other things, that "the situation should be reviewed by examining progress in developments at future Sessions of Council."³⁸

The U.S. position was, as we have seen, out of line with the position taken by other members of the consuming-country caucus. Despite some modest U.S. pressure, therefore, the benign view articulated by the European, Nordic and Japanese governments prevailed and little pressure was placed on the Malaysian government in the final resolution to specify targets, establish a timetable for implementation, or outline a reporting requirement in the final decision. This weak and compliant negotiating stance on

³⁸ *Ibid.*, pp. 24-25.

behalf of the consuming-country coalition ensured that the mission report would be adopted on the terms set by the producing-country coalition and by the governments of Malaysia and Sarawak.³⁹

The views of the industry coalition are not recorded in the official records of the Eighth and Ninth Sessions of the ITTC. The views of the importing industry, however, were expressed by a spokesperson for the UCBT. The spokesperson spoke highly of the mission's report and noted that "the members of the mission had been assisted in every way by the host authorities who had invited them to examine their forests within their sovereign territory" with the result that "the mission had consequently made appropriate recommendations" and that "for their part, the authorities of Malaysia and Sarawak had responded positively and submitted relevant project proposals to the Council for consideration." Thus, the UCBT spokesperson indicated that the importing industry "supported the Sarawak initiative and, with the backing of national governments, would work to assist Malaysia and Sarawak in their efforts towards sustainable forest management."⁴⁰

³⁹ Canada's reaction to the Sarawak report was muted and no Canadian statement was entered into the records of the proceedings of the Ninth Session of the ITTC. More generally, Canadian officials, one from the Ministry of Natural Resources, Canadian Forest Service, and the other from the Department of Foreign Affairs and International Trade, tended to avoid controversial issues and focused on financial and procedural matters such as the development of the ITTO Action Plan, the paring down of the ITTO budget, and the restriction of the Organization's scope to tropical timber.

⁴⁰ *Ibid.*, pp. 27-28. The spokesperson for the UCBT, Morten Bjørner, was also the industry representative on the ITTO Mission and was thus in the interesting position of endorsing a Report he had participated in preparing.

The importing industry's endorsement of the report contrasts with the response of the environment coalition, which, with the understandable exception of the IIED, roundly condemned the mission's recommendations and demanded a tough resolution to ensure that many of the quasi-recommendations contained in the Chairman's Summary would be included. Thus, the ENGO representative noted that "NGOs were disappointed with the work of the mission, not to mention its restricted membership, and the lack of attention given in the report to economic, social and non-timber issues."⁴¹ ENGOs demanded that the ITTO, in its final decision on the mission report, seek the resolution of land disputes, strict standards of catchment protection, an expanded network of protected areas, a reduction of between 60 and 90 per cent in the annual cut, a delay in approval of project proposals until the above measure were taken, and the establishment of a progress reporting mechanism.

The official ENGO reports on the Eighth and Ninth Sessions also reflect their dismay and disappointment. WWF—International's briefing note on the Sarawak report observes that:

WWF is disappointed with the recommendations of this report....Firstly, the approach taken by the mission was too narrow and 'timber focussed'....More importantly, the reduction in the annual rate of harvesting proposed in recommendation A2 is quite insufficient....Recommendation A3 is also weak. It is difficult to improve standards of catchment protection through better management policies, as suggested, when there is no administrative or legal basis for catchment protection....In WWF's view, the

⁴¹ *Ibid.*, p. 26.

only realistic approach is to move rapidly to substantially reduce extraction rates with international assistance to help Sarawak achieve this goal.⁴²

Similarly, Marcus Colchester reporting to Survival International, noted that:

The Sarawak report itself was very disappointing. The report marginalises the social issues and avoided addressing the land rights issue properly. The report makes no effective recommendations to resolve the conflict of interest between loggers and native people.⁴³

In short, the ENGO coalition was deeply disappointed with the report, from both an ecological and a social perspective. Its negotiating stance was that the ITTC should build not on the weak formal recommendations contained in the final Assessment chapter of the report, but on some of the quasi-recommendations of the Chairman's Summary and in the body of the report. It lobbied governments strongly between the Eighth and Ninth Sessions to have this stance accepted as the official ITTO position. However, apart from getting a sympathetic response from the U.S. delegation, the ENGO coalition was unsuccessful in persuading the other members of the ITTO to adopt a tougher stance. The outcome, therefore, of the negotiations over the resolution to adopt the Sarawak mission report

⁴² Chris Elliott, "Memorandum: ITTO Meetings 16-23 November, Yokohama, Japan: WWF Note on ITTO 'Sarawak Mission' report", Gland, Switzerland, WWF—International, 16 October 1990.

⁴³ Marcus Colchester, "Brief Report for Survival International on ITTO Meeting May 1990", Chadlington, England, 21 June 1990.

at the Ninth Session was thus never really in doubt. The tough and united negotiating stance of Malaysian officials and the producing-country caucus confronted a meek and, for the most part, compliant consuming-country caucus. The result, therefore, was Decision 3(IX) of the ITTC, "The Promotion of Sustainable Forest Management: A Case Study in Sarawak, Malaysia".⁴⁴

Decision 3(IX) of the ITTC is extremely long and contains seven distinct paragraphs pertaining to the report of the Sarawak mission. Of the seven paragraphs, only three can be considered in any sense substantive. Thus, Paragraph five notes the main findings of the ITTO mission report, Paragraph six fully appreciate the commitment of Malaysia to sustainable forest management, and Paragraph seven decides to:

- (a) accept the findings of the Sarawak Report,
- (b) support the Government of Malaysia and the State of Sarawak to continue to develop and implement comprehensive planning processes based on sustainable forest management, conservation and socio-economic development...
- (c) support the Government of Malaysia in the continued development of national forest policies and guidelines for sustainable forest management,
- (d) call for international co-operation to fully support and assist the Government of Malaysia's and the State of Sarawak's commitment to implement the recommendations of the Sarawak Reports, and
- (e) appeal to all Members and all relevant international and non-governmental organizations to use their best endeavours to co-operate with and support the Government of Malaysia and the State of Sarawak in their

⁴⁴ ITTC (IX)/D.1, pp., 104-105.

efforts to achieve sustainable management and conservation of their forest resources.⁴⁵

Despite the long-windedness of Decision 3(IX), however, it is clear from the above quotation that it does little more than accept that the Malaysian and Sarawak governments will implement whatever elements of the mission report they deem necessary on a timetable established by them and without further international scrutiny. The Decision reflects the bargaining positions of the producing- and consuming-country governments and the industry coalition. This compromise, however, was possible only because the concerns of the ENGO coalition were marginalized, trivialized and ultimately excluded. While producing- and consuming-country governments congratulated themselves on the successful conclusion of the Sarawak initiative, ENGO representatives were bitterly assessing the process, the report and the future. In the closing session of the Ninth Council Session, for example, the Executive Director of the ITTO "dwelt on the significance of the Council's decision on Sarawak" which "marked a historic milestone in the track record of the ITTO" and "had brought members of the Council together in solidarity through a process of consultation, policy dialogue, understanding and cooperation."⁴⁶ The Executive Director's comments were echoed by both the consuming- and producing-country spokespersons. The former observed that "the decision on

⁴⁵ *Ibid.*, p. 105.

⁴⁶ *Ibid.*, p. 43.

Sarawak was a historic achievement" that "recognized the validity and importance of the principles of the ITTO Guidelines" and "focused attention on the need to see the Guidelines applied and implemented at the forest stand."⁴⁷ Similarly, the producing-country spokesperson "associated himself with the assessment made of the outcome of the Session."⁴⁸

The somewhat self-congratulatory effusiveness of the Secretariat and of producing- and consuming-country governments contrasted markedly with the soul-searching taking place within the ENGO coalition. The process, the report, and Decision 3(IX) left ENGOS in despair over their role in the ITTO and called into question their future participation. Thus, Francis Sullivan of WWF—U.K. observed:

The future of the ITTO as an important policy changing, multilateral organization is now in doubt. NGOs believe that ITTO members are so hobbled by political compromise that it can never become a forum for policy dialogue....WWF's efforts over the last three years have paid off in terms of conservation benefits and action in the Reforestation and Forest Management Committee. However, it is possible that our effort effectiveness curve is levelling out....⁴⁹

Similarly, Simon Counsell of FoE-U.K. in his report of the Session observes:

⁴⁷ *Ibid.*, p. 44.

⁴⁸ *Ibid.*, p. 45.

⁴⁹ Francis Sullivan, "Memorandum: ITTO Meeting in Yokohama, 16th-23rd November 1990", Godalming, Surrey, U.K., WWF-U.K., 28 November 1990, p. 5.

The ITTC appears to have taken important and retrogressive steps during the 9th Session....The combination of ITTC's clear inability to respond effectively to the excesses of the timber trade, even where, such as in the case of Sarawak, there is a clear need to do so...augers very badly for the prospects of promoting rainforest conservation through the ITTC and ITTO. There was almost complete consensus amongst the environmental NGOs present that the 9th ITTC Session has damaged their confidence in the organization...⁵⁰

Finally, Marcus Colchester, reporting to Survival International, observed:

...it is the view of all NGOs that the ITTO, hobbled as it is by political compromise, is unable to deal with the social issues in any concrete way, when this means challenging the interests of those who profit from unsustainable logging....Indeed, in my opinion, the ITTO, owing to its domination by the timber trade, is a negative force which is actually retarding desperately needed change in forestry practice.⁵¹

The Ninth Session of the ITTC was thus something of a watershed in the history of the ITTO. The three powerful, productivist coalitions, formed by industry representatives and producing- and consuming-country governments, reached a practical understanding of the concept of sustainable forest management that

⁵⁰ Simon Counsell, "Draft Report from the 9th Meeting of the International Tropical Timber Council, Yokohama, Japan, November 16-23", London, U.K., Friends of the Earth-U.K., December 1990, pp. 11-13.

⁵¹ Marcus Colchester, "Report on the Ninth Session of the International Tropical Timber Council in Yokohama 16-23 November 1990", Chadlington, U.K., 27 December 1990.

eviscerated its ecological and social dimensions and focused exclusively on its timber management aspects. This practical interpretation of the concept not only ignored the precautionary principle, but also demonstrated that one crucial component of sustainable forest management—the estimation of the annual cut—could be easily manipulated for political ends. Finally, their interpretation of sustainable forest management unequivocally supported the existing institutional structures of state and market to the exclusion of innovative, community-based participatory forms of forest management.

While the practical interpretation of sustainable forest management pleased both consuming-country governments and the importing industry, many elements also appealed to the producing-country coalition and the export industry. In the case of the latter, the successful defence of sovereignty, the emphasis on timber production and the minimization of indigenous peoples' land tenure rights were particularly pleasing. The major drawback, however, from the perspective of producing-country governments and the exporting industry, notwithstanding the mission's extraordinary efforts to beef up the size of the annual cut, was the requirement to reduce the annual rate of harvesting, the economic and political costs of which were very high. For example, the mission quotes the Sarawak forest industry as contributing 2.1 billion *ringgit* to the Sarawak economy in 1987 (more than one billion U.S. dollars

at current, 1995 exchange rates).⁵² Even if a reduction in the rate of logging by about one-third (from 13 Mcum to 9.2 Mcum) resulted in only a one-tenth decline in the size of the logging industry (with off-sets occurring as a result of a rise in the price of logs, increased downstream processing, and greater efficiencies), the net cost to the Sarawak economy would still be in the region of 210 million *ringgit* (approximately US\$110 million).

The cost implications of the mission's interpretation of sustainable forest management were astronomical, even though the mission had proposed only a very modest reduction in the size of the annual cut. Although the Governments of Sarawak and Malaysia thus committed themselves in principle to implementing the mission's recommendations, a deliberate strategy of obfuscation appears to have been adopted to disguise the fact that the flow of timber from Sarawak was not decreasing in the wake of the mission's visits. This strategy proved so alarming that it prompted the mission Leader to write to ITTO's Executive Director in advance of the May 1991 Session of the ITTC in Quito, Ecuador. In his letter, Lord Cranbrook observed:

If correct, both the news that Sarawak has increased log output to 18 000 000 t/year, *and* the quoted remarks of the Minister, appear to me to show total disregard (if not disrespect) for the work of the ITTO mission. This, in

⁵² ITTC (VIII)/7, *Sarawak Mission Report*, p. 22.

turn, in my view, jeopardises the reputation of your organization and of individual mission members.⁵³

In pursuit of their strategy, however, delegates from Sarawak made appearances at the Tenth, Eleventh and Fourteenth Sessions of the ITTO (including a visit by the Chief Minister himself), to confirm that, notwithstanding that the total annual harvest had increased from approximately 15 Mcum to 18 Mcum between 1990 and 1992, the actual proportion of timber coming specifically from the Permanent Forest Estate, the focus of the mission's work, had gradually fallen from 13 to 11 Mcum and was set to fall to 9.5 Mcum in 1993.⁵⁴ The balance over and above the 9.3 Mcum, the delegates' argued, was coming from increased logging of the forests set aside for agricultural conversion that lay outside the PFE.

Despite the explanations offered, a recent publication by the government of Sarawak confirms that the state has not complied with either the spirit or the letter of the mission report. In the publication, it was noted that:

FAO/UNDP was asked to assist and they recommended a 'liberation thinning' method [of silviculture]. This method seeks to remove only those trees that impede the growth of a selected tree crop....However, liberation thinning is not widely applied as research findings have highlighted alternatives. For one thing, sufficient regeneration is stimulated by harvesting operations. Secondly, the growth rate due to liberation thinning is lower than that

⁵³ Letter from the Earl of Cranbrook, DL to B.C.Y. Freezailah dated 8 May 1991, emphasis in original.

⁵⁴ ITTC (XIV)/14, p. 4.

stimulated by harvesting operations. Hence, selective logging and natural generation within further post-harvesting treatment is a viable and economic option for the management of the Hill Mixed Dipterocarp Forest.⁵⁵

It is, of course, possible that the FAO/UNDP experts were wrong and that standard "selective" forest management practices in the hill dipterocarp forests of Sarawak is a more productive "management" system than liberation thinning. However, the mission explicitly based its recommendation of 9.2 Mcum on the extensive practice of liberation thinning and estimated that the annual cut, in its absence, would be 7.7 Mcum.⁵⁶ Given that the Sarawak government has admitted that it is not applying liberation thinning, in order to be in compliance with the mission's recommendations, it should reduce the annual cut from the PFE to 7.7 Mcum. Unsurprisingly, however, producing- and consuming-country governments and industry representatives have little interest in drawing attention to Sarawak's non-compliance. Such action not only would antagonize trading partners and incur the wrath of domestic industry associations, but also would provide fuel to the anti-tropical timber campaigns in Europe and North America. Such an action would risk bringing to light many of the anomalies that underlie the Sarawak mission report and the manner in which its

⁵⁵ *Forestry in Sarawak, Malaysia* (Kuching, Sarawak: The Forest Department, Sarawak, Malaysia, undated, circa. 1993), p. 23.

⁵⁶ See Table 5.5 of the Report, which gives a figure of 7.7 Mcum on untreated stands for a PFE of 5.783 million ha. ITTC (VIII)/7, *Sarawak Mission Report*, Table 5.5, p. 34.

recommendations have been implemented by the Sarawak Government in the years since its publication.

The Politics of Regime Creation III: The Practice of "Sustainable Forest Management"

The Sarawak mission offered each of the global coalitions the opportunity to translate the theoretical concept of sustainable forest management into a practical reality. The concrete instantiation of sustainable forest management consisted of the weak application of the principles of sustained-yield forest management, which perpetuated the "old forestry" paradigm's focus on timber production to the detriment of other forest functions and values and to the rights of labour, community groups and indigenous peoples. Despite its pretensions to "objectivity" and "independence", the interpretation that the Sarawak mission placed on sustainable forest management resulted from a political compromise worked out between producing- and consuming-country governments aimed at defending their respective exporting and importing timber industries.

In this compromise, consuming-country governments achieved their basic objectives of protecting the longer-run supply of tropical timber, diffusing the campaigns to boycott and ban tropical timber imports, and avoiding the imposition of high costs. The protection of the longer-run supply of timber was achieved by instantiating the principle of sustained-yield forest management as the central principle of the concept of sustainable forest

management. Although this principle was weakly applied in the Sarawak case, its wider application to other producing countries, and the potential to tighten up later on the assumptions used, would help to secure the flow of tropical hardwoods into the 21st century. In addition, consuming-country governments were able to use the Sarawak mission report domestically to indicate that substantial progress was being achieved in the area of rainforest conservation and protection. Finally, a third objective, the avoidance of costs, also was achieved. Under the compromise worked out in the mission's report, the burden of the cost for implementing sustainable forest management fell on producing-country governments and the export industry. The contributions of consuming-country governments could be limited to the provision of relatively small amounts of voluntary project financing, without the need to agree to any long-term, large-scale, mandatory, forestry compensation fund.

On the other hand, producing-country governments also achieved a number of objectives through the Sarawak mission report. First and foremost, the mission diffused the pressure that had been building in Europe and North America to boycott and ban tropical timber products in general, and those from Sarawak in particular. This pressure had threatened the producing-country governments' development strategies by placing major sources of foreign exchange at risk. Second, the mission reconfirmed the principle of state sovereignty over the management of forest resources and thus provided some protection to producing-country governments from

undue external pressure. Finally, the mission upheld the rule of positive state law and called into question customary and traditional law and the right of indigenous peoples to act in defence of their traditional lands. Not only did this action strengthen the hand of the government of Sarawak in dealing with the direct problem of some Penan, who were continuing to blockade logging roads, but it ensured also that top-down, non-participatory forest planning for timber production could continue without governments being overly concerned about the local communities and indigenous peoples that might have to bear the costs of such "development".

The tropical timber industry also gained by the Sarawak compromise. The industry was delighted to be able to indicate that "sustainable forest management" was being partially achieved in Sarawak and to point to the government's intention to reduce harvesting levels. The report promised to be an important weapon in the industry's struggle against environmentalists. Industry officials were pleased that the general principle of state sovereignty was upheld, because this ensured that exporters and importers would continue to exert at times determinative influence over their respective states' forestry policies. The mission's disregard of the relevance of indigenous peoples' land claims to the concept of sustainable forest management was welcomed because it enabled the industry to continue to exploit timber stands in disputed areas.

Yet, although the industry welcomed the mission report, it was concerned about the level of reduction in the log harvest.

These concerns were mollified to some extent because, even though the mission had included some interesting observations in its report on "the concession system", it had not made any substantive recommendations to change that system.⁵⁷ It thus seemed likely, notwithstanding Sarawak's "in principle" acceptance of the mission's Recommendations, that the production of timber would continue much as it had before. Moreover, from the perspective of the importing industry, Sarawak was merely one small state that could be expected to decline in productivity relatively soon as its forest were logged out. The general trend in the industry was to shift location as supplies decreased, and importers were already examining alternative supply sources in Asia, Africa and Latin America.

The big loser from the Sarawak mission, therefore, was the ENGO coalition, which was united in its condemnation of the report. The ENGO statement to the final plenary session of the ITTO reflects its dismay and disappointment.

This must be a day of shame for the ITTC. It is the culmination of a week of vacillation, compromise and lack of determination to tackle issues central to the organization's mandate....The resolution before the Council is unacceptable. It is limited to the weak responses

⁵⁷ The Mission's observation on the concession system contains no hint that corruption might be involved, but it does clearly indicate that the system as currently operating is "destructive of sustainability objectives". Its central finding is that "The concession system, in effect tends more to frustrate than to facilitate the sustainable management of even the Permanent Forest Estate. This result may be accidental, but that is the way the system works." Notwithstanding this indictment of the system, the Report contains no recommendations on such a fundamental component. *Ibid.*, pp. 67-69.

proposed by the Sarawak and Malaysian governments. It fails to mention several key issues raised in the body of the report.⁵⁸

The ENGO coalition's efforts to use Sarawak as the paradigmatic example of unsustainable forest management collapsed with the publication of the report. Not only did the mission not unequivocally condemn Sarawak's forest management practices, but it actually argued that Sarawak's forests were being partially "sustainably" managed and could be entirely sustainably managed if its forestry department were beefed up, its annual cut reduced, and its catchment protection practices improved. The three recommendations were weak in themselves; moreover, the omission of any recommendation on indigenous peoples' land claims meant that the normative structure of the TTTR was devoid of even the slightest social content. Although some ENGO members tried to put a brave face on this rout by arguing that there were elements in the report that could be built on, there are definite signs of a hardening of attitudes within ENGOs from this point on and of the preparation of their departure from the ITTO to other, potentially more receptive fora, such as UNCED, CITES and FSC.

The anger and dismay evident in the ENGO coalition was understandable given that not one of its major objectives had been achieved. The practical instantiation of the TTTR through the Sarawak mission report ignored indigenous peoples' land tenure

⁵⁸ "NGO Statement to the Final Plenary, 9th Meeting of the International Tropical Timber Council, Yokohama, 23 November 1990".

rights, overestimated the size of the annual cut, denied the importance of catchment protection, devalued the contribution of non-timber forest products, and left the structure of the tropical forest industry unchallenged. In short, from an ENGO perspective, if what the ITTO mission recommended for Sarawak constituted sustainable forest management, then the ENGO community wanted no part of it and would withdraw its support and continue to fight for a more appropriate normative structure for the TTTR in other fora and in other ways.

It remains to be explained, however, given the débâcle experienced by ENGOS over the Sarawak report, why they supported the mission in the first place. There appear to be four mutually supporting and interacting reasons that led the ENGO coalition to sign on to what, in retrospect, turned out to be a very flawed process. First, ENGOS were insufficiently critical of the different interests and legitimating ideas of the global coalitions participating at the ITTO forum and particularly of the interests and ideas motivating the consuming-country coalition. A number of ENGO representatives, under the sway of a liberal political economic analysis, clearly expected governments to respond to reasoned evidence and environmental pressure, irrespective of the underlying political economic structure of producing- and consuming-country states. Thus, some members of the ENGO coalition overestimated the degree to which consuming-country governments supported its vision of sustainable forest management. This overestimation of the potential

of ecological ideas was compounded by the vagueness of ENGO's conception of sustainable forest management and their failure to situate the concept within a more fully elaborated ecosystem management paradigm. The ENGO coalition was thus insufficiently critical of the concept of sustainable forest management when the term was employed by other global coalitions. Although the ambiguity of the term was useful in brokering a consensus over the ITTO Guidelines, that same ambiguity proved disastrous from the ENGO perspective when those Guidelines were put later into practice.

ENGOS, as a coalition, were insufficiently critical also of the process that was established to conduct the mission to Sarawak. Simply put, many ENGOS appear to have accepted much of the ITTO rhetoric that the mission would be "independent", "objective" and "free" even though it consisted of members appointed by state governments with a decidedly economic and political interest in the perpetuation of the tropical timber trade. ENGOS also were insufficiently critical of the appointment of Dr. Duncan Poore as their representative on the mission. While Dr. Poore had excellent credentials to offer in relation to sustained-yield forest management, his timber focused approach, close connections with the ITTO Executive Director and mission leader, and his conservative attitude to indigenous peoples rights and non-timber forest products might have been more deeply questioned.

Finally, ENGO representatives do appear to have been misled at the outset, when the mission was first proposed, into

believing that it could and would be far more responsive to their interests than ultimately proved to be the case. ENGOs were misled partly because there was genuine confusion among all parties about what was meant by sustainable forest management; but ENGOs also needed to better discriminate between the promises made by individual diplomats and the likelihood that they would be able to get their governments to deliver on them.⁵⁹

Conclusion

The Sarawak mission reveals the struggles that took place between producing- and consuming-country governments, industry representatives and environmentalists over the concrete application of the emerging TTTR's normative structure. The outcome of this struggle was the negotiation of a "compromise" solution among three of the four social-force coalitions. Producing- and consuming-country governments and the tropical timber trade reached a compromise that permitted the state of Sarawak to continue to exploit its tropical rainforests for timber production. Continued high levels of timber

⁵⁹ One ENGO that did carry out an analysis similar to the one suggested here was Sahabat Alam Malaysia (SAM). In October 1989 in an analysis of ITTO's decision to send a Mission to Sarawak (several months before the release of the Mission's final report), SAM noted that: "Our fundamental objection to the Mission is that it is unable to function objectively because of its vested interest...A truly independent study of forest management in Sarawak would require terms of reference which do not presume that timber is the primary value of the tropical forest, and which addresses the question of native customary land and forest rights affecting a few hundred thousand people. To that end, a Mission which includes adequate representation of ecologists, anthropologists and lawyers would have been welcomed." S.M. Mohd. Idris, "The International Timber Trade Organisation (ITTO) Mission on the Promotion of Sustainable Forest Management: A Case Study in Sarawak, Malaysia", Penang, Malaysia, Sahabat Alam Malaysia, 29 October 1989, pp. 6-7.

production were legitimized by a "productivist", "developmentalist" interpretation of the ITTO Guidelines that legitimized SYFM, rapid economic "development" and state sovereignty.

The normative structure of this compromise solution was unacceptable to the ENGO coalition. ENGOs sought to reverse the order of priority and place tropical forest conservation ahead of utilization. Their vision of an appropriate normative structure for the TTTR was based on the emerging principles of eco-forestry, participatory development, and qualified state sovereignty. The failure of the ENGO coalition to achieve even minimal compromises from the other social force coalitions led them to abandon the ITTO for other, potentially more sympathetic, international fora.

The ENGO coalition departed from the ITTO, therefore, neither because it became weary of long-term participation at international meetings, nor because it had a short-term attention span and turned to other more popular campaigns.⁶⁰ ENGOs left the ITTO because their interests and perspective were being systematically marginalized in the compromise solutions achieved

⁶⁰ Many producing- and consuming-country delegates appeared genuinely surprised that ENGOs were leaving the ITTO, and appeared to have no idea why this was taking place. Thus in response to a question about why ENGOs had left the ITTO, one delegate remarked: "I don't know why. Perhaps they do not want to be associated with the failure of Target 2000 when it comes around. Perhaps, also, the more you work on a topic, the harder it is to achieve something. The practical task of reconstructing is very difficult." Interview with consuming-country official, 4 July 1994. Another delegate remarked: "Even the whacko NGOs only want to talk about biodiversity and climate change so their departure is not confined to the ITTO...Mr. _____ [name of NGO representative] wants to spend his time in CITES, perhaps because forests are hard to get a hold of, and it's easier to focus on biodiversity, CITES, and Global Climate Change." Interview with consuming-country official, November 8, 1994.

between producing- and consuming-country governments and industry representatives. Although ENGOs were willing to compromise on what constituted sustainable forest management (for example, the compromises made in the negotiation of the ITTO Guidelines), they expected the other coalitions to make concessions that would slow the rate of timber extraction to a sustainable rate, preserve biodiversity and ensure indigenous peoples and local community participation. The unacceptable conclusion of the Sarawak mission—which further watered down the already weak ITTO Guidelines, adopted an approach heavily oriented to timber production, and ignored the plight of indigenous peoples' communities—forced the ENGOs to decide between staying within the ITTO forum, thereby continuing to legitimate a deeply flawed institutional structure that marginalized their interests, or to abandon it and pursue the struggle for genuine sustainable forest management elsewhere. With the exception of the IIED, therefore, ENGOs opted to leave and to redirect their energy to other international fora, such as CITES, UNCED, and the FSC.

CHAPTER EIGHT

EXPLAINING TROPICAL DEFORESTATION AND RAINFOREST DEGRADATION

Introduction

The underlying goal of this study is to provide an answer to one of the most pressing ecological questions of the late twentieth century: why is tropical rainforest deforestation and degradation continuing unabated in the 1990s despite the efforts of the international community, through several international fora (ITTO, TFAP, FAO, and UNCED), to halt and reverse the decline? In order to answer this question, an approach to studying instances of international cooperation was developed that integrated the international regime concept into a neo-Gramscian theoretical framework informed by the work of Robert Cox. This critical approach to international regimes was applied to the tropical timber trade issue area to examine the provisions of the ITTA, 1983 and the operation of the ITTO in the creation of the Tropical Timber Trade Regime between 1983 and 1994.

Several important conclusions emerge from this study. First, the critical perspective adopted here avoided the pitfall of assuming that international cooperation is necessarily a good thing, and permitted an examination of the adequacy of the TTTRs normative structure in meeting the goal of genuine sustainable forest management. Second, the analysis revealed that the new normative

between governments, was in fact the product of a four-way struggle between representatives of producing- and consuming-country governments, the timber industry and the environment. Finally, the study highlighted the important role played by ideas—particularly the ideas of sustainable forest management, economic growth and development, and state sovereignty—in creating the basis for a loose and informal a-environmental alliance among producing- and consuming-country governments and timber industry representatives. The goal of this a-environmental alliance was to maintain, and if possible deepen, the process of unsustainable accumulation at national and global levels.

These three conclusions are examined in greater detail in this chapter. Taken together, they reveal that the process of negotiating *international* regimes in a *global* ecological political economy dominated by capitalist production structures is highly flawed. A minimum requirement for the construction of a sustainable global regime in any issue area, therefore, is that its normative structure be based on compromises worked out between global actors directly representing relevant interests. This requirement implies that governments must share power to a much greater extent, both within the state and at international fora, with other sub- and supranational actors. Only when tropical rainforests are unambiguously represented at the bargaining table by legitimate and powerful global actors free from the accumulation imperative should we begin to expect global negotiations over the normative structure

of the TTTR to produce minimally satisfactory results. While such a negotiating structure will not, of itself, guarantee the instantiation of genuinely sustainable rights and rules, decision-making procedures and compliance mechanisms, the absence of such a structure virtually guarantees the perpetuation of the *status quo*.

The Emerging Tropical Timber Trade Regime: From *Laissez-Faire* Forest Mining to Unsustainable Forest Management

In previous chapters, detailed accounts were presented of the state of the world's tropical rainforests, the structure and operation of the tropical timber industry and the role of the ITTO as a forum for global actors negotiating the normative structure of the TTTR. The accounts and the analyses revealed that the normative structure of the post-war international trade regime underwent a modest reformulation in the 1980s. The establishment of the ITTO forum under the provisions of the ITTA, 1983 played an important role in modifying the *laissez-faire* ITR in the direction of greater sustainability by bringing together governments, industry executives and environmental representatives to discuss the new regime's rights and rules, procedures and compliance mechanisms.

As a result of these discussions, governments adopted a number of important decisions that, taken together, set out the basic rights and rules, procedures and compliance mechanisms of a new regime in the tropical timber issue area. The new regime continues to be founded on the fundamental right of governments to supreme

authority over the management of their tropical rainforests. Under the TTTR as under the ITR, the sovereign right of states remains unqualified with respect to forest management practices taking place within a state's borders. The significance of the principle of unqualified state sovereignty is that it insulates governments from external criticism from other governments and international agencies. The sovereignty principle also hinders the establishment of effective global agencies with the mandate, authority and means to monitor, evaluate and report on forest management practices and to issue binding recommendations for their improvement.

Although the normative structure of the new regime preserves the sovereignty principle, ironically the scope available for its exercise has become increasingly circumscribed by direct and indirect pressures on states to adopt liberal economic development strategies. The erosion of the right of states to practise state-led development has occurred in the wider context of the international trade regime negotiated under the GATT, which has led to a steady and general decline in the overall level of tariff protection. Governments at the ITTO forum contributed to the general process of trade liberalization by promoting freer-trade in tropical timber, not only in terms of increased access to consuming-country markets via the reduction of barriers against processed-wood products, but also in targeting state subsidisation of the forest industry as a major contributor to higher-than-necessary levels of deforestation. Governments have been especially vehement in their opposition to

ENGO demands for boycotts and bans of tropical timber from unsustainably managed sources.

These basic rights of the TTTR have been accompanied by one major alteration in its rules. Under the new regime, the set of rules of sustainable forest management replaces *laissez-faire* timber mining. Under the ITR, governments and timber trade representatives viewed tropical forests as unlimited, self-generating timber factories to be exploited without economic, ecological, environmental or social consequences. Tropical rainforests were mined for their timber and then abandoned or put to more productive uses as forest plantations or for cultivation. Under the provisions of the TTTR, rainforests are now viewed as scarce resources that require "management" if they are to continue to yield tropical timber in perpetuity. Governments, as guardians of the forests, have a responsibility to improve forest-harvesting practices, to set the level of the annual cut, and to protect watershed and biodiversity functions.

The above changes in the rights and rules of the ITR confirm that the new regime's normative content has been modified in the direction of sustainability. This modification occurred primarily as a result of a major modification in the ITR's procedural component. Prior to the establishment of the ITTO, the only global forum for discussing the arrangements governing the tropical timber trade sector was the Food and Agricultural Organization of the United Nations (FAO). FAO was handicapped, however, in performing a pro-

active role in tropical forestry. Not only were the resources devoted to the forestry sector limited, but the centralized and bureaucratic structure of the FAO enabled the Secretariat to exercise a considerable and conservative influence over the tropical forestry agenda. FAO's forestry department, dominated by foresters trained in the traditional, industrial forestry paradigm, ensured that international programmes and projects perpetuated the developmentalist agenda and focused on the work of growing more straight, commercially-desirable trees as quickly as possible.

Under the ITTA, 1983, new procedures emerged that facilitated debate over the normative structure of the TTTR. The ITTA, 1983 created a forum for biannual meetings of the International Tropical Timber Council serviced by the ITTO Secretariat. Although the ITTO was not a well-funded organization and maintained an extremely small headquarters staff, its smallness made the organization more accessible to its members and more responsive to their needs. On the other hand, the Organization's size and heavy workload limited the degree to which the Secretariat was able to influence the ITTC's agenda. As a result, delegation members were able to engage in on-going, direct debates over the regime's normative structure, decision-making procedures and compliance mechanisms. The creation of a forum for the regular debate of the TTTR's normative structure was an extremely important development. The demarche, however, was less significant than it might have been, given that formal participation at Council sessions

was limited to government delegates. Although industry and environmental organizations participated at the ITTO forum, they did so as observers, and thus as outsiders. The ITTC was, in short, an *international* as opposed to a *global* institution, representing the interests of states as interpreted by government delegations rather than the interests of the global community as represented by all relevant global actors.

The substantial changes that took place in the ITR's procedural component contrasts with the minimal changes in the regime's compliance mechanisms. Under the old regime, no environmental compliance mechanisms of any sort existed and governments were free to treat their tropical forest estates as they wished without international repercussions of any kind. Following the ratification of the ITTA, 1983, however, and the elaboration of the regime's normative content through the ITTC, two changes occurred in the regime's compliance mechanism. First, more opportunities were created through the ITTO forum to recognize and praise producing-country governments' commitment to, and practise of, "sustainable forest management" and considerable use has been made of the forum for this purpose. In addition, the Second Account of the ITTO encouraged governments to improve their forest management practices in order to secure project financing for important, nationally determined projects.

The sums committed to ITTO's Second Account have been paltry, however, especially if compared to the potential loss of

earnings that would result from implementing "sustainable forest management" policies. Producing-country governments succeeded, moreover, in insulating themselves from the imposition of negative sanctions by insisting on the maintenance of the principle of unqualified state sovereignty. As a result, parties to the ITTO forum were unable to negotiate the implementation of internationally monitored, stand-level certification and labelling schemes. The promise of such schemes lies in the link they establish between the behaviour of purchasers in consuming-countries and the behaviour of forest managers in producing-countries. Certification and labelling schemes provide a powerful incentive to practise "sustainable forest management" if a sufficient proportion of consumers adopt green purchasing criteria.

The reluctance of governments to negotiate a certification and labelling scheme under the auspices of the ITTO stemmed from a number of considerations, including doubts about such schemes' technical feasibility, cost, GATT compatibility and industry resistance. On the other hand, certification and labelling was the mildest of the negative compliance measures suggested (which included bans, boycotts, tariff increases, voluntary export restraints, quotas and levies). By failing to move forward on certification and labelling, governments signaled their intention to create a minimally-effective TTTR that ensured that few consequences and no costs would result from a failure to implement its provisions.

The normative structure of the TTTR that emerges from the above comparison, therefore, indicates that the new regime represents only a small improvement over the previous ITR. If implemented in practice, the new normative structure would curb the old regime's worst excesses by obliging governments to establish permanent forest estates for timber production, biodiversity conservation and catchment protection. Tropical rainforests would benefit from some improvements in the standards of logging operations and from a reduction in harvesting levels down to the sustained-yield annual cut. The removal of large subsidies to the logging industry would slow its growth, while an increase in the rent captured by governments could offset the attractiveness to enter the industry in the expectation of earning "super profits". In short, the normative structure of the TTTR moves us in the direction of sustainability. This could be a cause for optimism, were it not for the fact that the new normative structure falls so far short of the goal of genuine sustainable forest management that it has had, and will have, no discernable impact in slowing the process of tropical deforestation and rainforest degradation on the ground.

There are two critical weaknesses in the TTTR that render it incapable of constraining tropical rainforest utilization in the interests of genuine sustainable forest management. The first weakness is that the normative content of the regime—its basic rights and rules—continue to give overwhelming priority to the utilization of tropical rainforests for timber production. The management of

tropical rainforests for timber production is the central element of the TTTR's reinterpretation of the concept of "sustained-yield forest management" as "sustainable forest management". Although sustained-yield forest management represents a progressive shift from the past practice of forest mining, it is a long way short of ecosystem-based forest management. Under the sway of the theory of sustained-yield, therefore, politicians, forest officers, industry, and the media continue to regard a forested area as a timber factory. Unlike under the old regime, however, in which the factory was viewed as a magical supplier of unlimited amounts of timber, those under the sway of sustained-yield recognize that the factory can run out of marketable timber unless certain activities are carried out. Instead of relying on magic, therefore, governments and industrialists rely on management systems and technology to maintain the timber supply.

Difficulties arise at all levels in this technocratic, managerial approach to tropical rainforests, however. The approach is based on a system inherited from the more "developed" northern countries with vastly simpler forest ecologies and far richer soils. The approach has, moreover, failed in temperate forests and is now undergoing a critical re-evaluation because it promotes the creation of even-aged, monocultural, plantation-like timber estates that require chemical spraying to prevent infestation and disease. Furthermore, those who set the level of the annual cut have a vested interest in inflating its size to enhance government revenue, increase

employment, maintain industry profits and placate powerful social forces within their domestic political economies. The political manipulation of the size of the annual cut is made more likely because its calculation depends on a large number of variables for which only incomplete and ambiguous data are available. The sustained-yield approach perpetuates itself, because it encourages the development and establishment of a larger-than-sustainable timber industry, which then comes to play a vital role in the state's political economy and to have significant influence over government policy. The industry uses its increased power to push for policies that enhance profitability and protect against short-term losses. Such policies include increasing the size of the annual cut, reducing the size of conservation areas, minimizing government regulation, lowering standards of "sustainable forest management" and subsidising down-stream industrialization and off-shore investment.

The second critical weakness in the normative structure of the new TTTR is the lack of effective compliance mechanisms to encourage governments and timber traders to take the regime seriously. Under the ITR, the only compliance mechanisms that existed were reputation and self-help. Although the TTTR has instituted two weak compliance mechanisms in the form of moral suasion and project funding, neither exerts much effect. In particular, and despite almost five years of reluctant discussion over one possible substantive compliance mechanism, governments have been unable to agree on whether certification and labelling schemes are

feasible or how they might be implemented. The inability of governments to take the lead in this matter signals their reluctance to be bound by even the weakest of measures to the normative structure of the regime they have negotiated. Their failure to bolster the normative content of the TTTR with effective compliance mechanisms ensures that the TTTR will not prove any more effective than the ITR in halting tropical deforestation and rainforest degradation.

At one level, therefore, an explanation of why tropical deforestation and rainforest degradation did not decline in the 1980s and 1990s, and may even have intensified, lies in understanding the nature of the new normative structure instantiated by governments allied to industry at international fora like the ITTO. This normative structure is predicated on transforming previously unmanaged tropical rainforests into managed tropical rainforests on the basis of the principles of sustained-yield forest management. Not only does the normative content of the regime provide insufficient protection for the non-timber functions of tropical rainforests, but the lack of a substantive compliance component means that governments are under no pressure whatsoever to implement even the regime's basic requirements.

Explaining the Normative Structure of the TTTR

Although the changing nature of the post-war regime's normative structure provides one answer to the study's research

question, halting the analysis at this point risks falling prey to many of Susan Strange's "dragons" discussed in Chapter two. It is clear, however, even within mainstream theoretical frameworks, that descriptions of the normative structures of international regimes have been predicated on some explicit or tacit understanding of the interplay among global actors and the underlying global interests and ideas that they promote and defend. In this study, four global coalitions were identified as contesting the structure of the TTTR. These global coalitions represented the interests of producing- and consuming-countries, the timber trade and environmentalists. This account of regime creation can be usefully contrasted with mainstream explanations that focus exclusively on bargaining among governments (or at a different level of analysis, among states), to explain outcomes.

One popular mainstream approach, for example, is to use game theory to analyse the process of regime creation. Although it is possible to play a number of different games, depending on the nature of the payoff matrix, one popular game that analysts believe models many real-life bargaining situations is Prisoners' Dilemma. Under Prisoners' Dilemma, parties engaged in negotiation fail to cooperate because the desire to receive the rewards of cooperation are outweighed by the fear of receiving the sucker's pay-off. Game theoretic approaches have been applied to model the construction of international regimes and it is possible to develop a simple (and simplistic) version to account for the current outcome in the tropical

timber issue area. One interpretation of events under the game theory approach could begin by noting that the two major parties negotiating the TTTR were the North and the South. The North had a strong preference for environmental conservation reflecting its citizens awareness of the consequences of tropical deforestation and rainforest degradation. The South, on the other hand, had a strong preference for economic development to alleviate widespread poverty, disease and malnutrition. In negotiations, the North, due to its greater market power, was able to pressure the South to compromise and agree to improve its forest management practices, without sacrificing its desire for economic development. The result was the creation of the Pareto-optimal TTTR that balanced tropical timber utilization for economic development with rainforest conservation.

The above sketch is, admittedly, something of a caricature. However, what is interesting about it is that it provides a flattering picture not only of the nature of the TTTR that emerges from the bargaining process, but also of both parties to the negotiations. It enables both producing- and consuming-country governments to be cast positively as engaged in a struggle of gargantuan proportions, legitimately defending the broader interests of their respective societies in either economic development or environmental conservation. For this reason alone, governments find such explanations appealing and tend to prefer them over other, less flattering alternatives. Furthermore, by overlooking differences in

the way states are governed (parliamentary and presidential representative democracies, single-party states, military dictatorships, kingdoms, and so on) and by ignoring the power of political economic forces, game theory analysis treats state officials as de-politicized, rational decision-makers equally capable of, and willing to, represent their state's "national interest" in an "objective" and "impartial" manner.

The analysis presented in this study challenges these assumptions and draws on Marxist and neo-Marxist analyses of the state to argue that governments, far from being impartial and objective mediators, are constrained politically and economically when they mediate in national and international fora. These economic and political constraints have increased substantially in the past decade as the process of economic globalization has expanded and deepened. Governments participating in international fora are increasingly constrained to promote national and global accumulation today regardless of the economic, environmental and social consequences tomorrow. Failure to promote accumulation in the short term, in the context of an increasingly globalized world capitalist economy, results in disastrous consequences for the state in the form of declining tax revenues, foreign exchange earnings, employment and, worst of all, new direct and portfolio investment.

Similarly, governments are politically and economically constrained in creating international regimes that would result in a slowing of the rate of accumulation in particular issue areas. In the

tropical timber trade, for instance, embarking on the negotiation of a tough, environmentally responsible, and genuinely sustainable tropical timber trade regime would irritate powerful political-economic forces within producing and consuming countries. Industry associations would apply pressure on their respective national governments to defend their interests. Should a government proceed against the wishes of powerful fractions of its domestic capital, it risks a decline in its own legitimacy and creates the possibility that it will be ousted in the next election (or by other means).

The approach adopted here takes the role of governments seriously in the context of national and international structures dominated by global extractive capitalism: just as importantly, it has taken other global actors seriously by examining the interests and ideas of environmental NGOs and industry associations and their role in contesting the normative structure of the TTTR. The approach recognizes that the global political economy is populated not only by actors representing states, but also by actors representing global markets and global civil society. Although these global actors remain outside the formal structures of power that continue to legitimate governments as the exclusive locus of authority in the making of international treaties, industry associations and ENGOs are increasingly active at the global level.

The current study has drawn attention to the way in which ENGOs and industry associations have sought to influence the shape of the emerging TTTR. The approach adopted by both groups

has been broadly similar. Both coalitions lobbied national governments, developed global public information campaigns, and sought and achieved direct representation on national delegations. There are, however, considerable differences in the emphasis each group has placed on these three components. Industry representatives, for example, preferred to work through their respective national governments for the most part and constructed only the loosest of coalitions at the regional and global levels. At the national level, industry representatives focused on direct lobbying of the members of their delegations to the ITTO; and government officials and industry representatives interviewed for this study reported that they had an excellent working relationships with each other. In the case of producing countries, this relationship is often so close that it becomes difficult to distinguish whether it is the tropical timber trade or the government that is responsible for national policy. This close cooperation is reflected, in turn, in the large number of industry representatives on national delegations of producing countries.

ENGOS, on the other hand, have preferred to structure themselves as a global coalition speaking as a distinctive "fourth" voice at ITTC Sessions. Although the ENGO coalition engaged in direct lobbying of national governments, and in some cases (depending on the particular ENGO involved) established cordial relations with some government departments, in general the relationship between the ENGO coalition and governments has been distant and, quite often,

hostile. ENGO representatives were, as a result, generally less welcome than industry representatives on national delegations, and even when their presence was requested, the views of their representatives carried less weight. Partly as a result of the difficulties ENGOS experienced in working through formal channels and partly to promote public awareness of the issues, ENGOS turned to the media as a tool to expose overlogging, indigenous peoples' rights' violations, and government and international inaction to halt tropical deforestation.

The Structure of the ITTO

The unequal struggle between global coalitions representing the interests of producing and consuming states, the exporting and importing industry, and the environment thus constitutes one explanation for the emergence of the normative structure of the new TTTR. This explanation moves us beyond a mere description of the TTTR's structure to an analysis of how that particular structure, and not another, came about. The global actors did not contest the TTTR's normative structure in an institutional vacuum, however. A second explanation, therefore, for the continuation of tropical deforestation in the 1990s focuses on the institutional structure of the ITTO forum and the way in which that structure mediated global interests. Three features of the ITTO that were laid down by the ITTA, 1983—the forum's scope, objectives, and structure—crucially affected its capacity to mediate interests to

achieve a global compromise to balance the utilization of tropical rainforests with their conservation and protection.

One notable feature of the ITTA, 1983 was its limited scope which constrained the ITTO to a consideration of matters pertaining exclusively to tropical rainforests. Discussion of matters pertaining to the sustainable management of temperate and boreal forests (for which no genuinely global fora yet exist) were thus kept off the ITTO's agenda. At the outset of discussions within the ITTO, this limited scope did not appear to be a problem. But it quickly developed into one once it became clear that the practice of sustainable forest management would have a negative impact on the tropical timber industry and benefit its boreal and temperate timber competitors.

Part of the impasse over the negotiation of the TTTR's compliance mechanisms occurred because producing-country governments were requested to implement potentially costly and difficult certification and labelling schemes to demonstrate that their timber originating from "sustainable" sources when no comparable obligations were placed—or apparently could be placed—on boreal and temperate timber producers. Given that temperate and boreal timbers increasingly substitute for tropical timber in many end uses, the effect of placing non-reciprocal obligations to certify and label their timber would be to squeeze tropical timber industry profits. The industry would find it difficult to pass on the additional costs of sustainable forest management to consumers at precisely the same

time as its export volume declined. Meanwhile, the temperate and boreal timber industry would be able to expand production to make up for the reduction in the supply of tropical hardwoods, thus increasing their market share. The inequity of this situation was compounded by growing evidence that temperate and boreal timber management practices also were unsustainable, with attention increasingly being focused on the damage done by large-scale, clearcut logging and plantation development to biodiversity conservation, catchment protection and the maintenance of other forest values.

The issue of the ITTO's scope, therefore, became the major contentious item in the negotiations for a successor agreement to the ITTA, 1983. In the struggle that ensued, the ENGO coalition allied itself with producing-country governments and the export trade to push for an expansion of the organization's scope. However, while the environmental coalition was genuinely committed to expanding the TTTR's scope because it regarded a broader-based All-Timbers Regime (ATR) as a necessary condition for the achievement of genuine sustainable forest management, the producing-country governments' and the export industry's support was mainly strategic. Although the latter two coalitions would have been pleased to achieve this objective, it is doubtful they ever really expected consuming-country governments to concede the matter. On the other hand, an all-timbers position had strategic value in winning concessions from producing-country governments.

The consuming-country coalition and the import industry resisted an expansion of the ITTO's scope because they did not want to create a forum for global actors to criticize their own forest management practices. In addition, given that the global trade in tropical timber was dominated by temperate and boreal timbers, governments from the United States, Canada, Russia, Sweden, Australia and New Zealand viewed an organization based in Japan, led by a Malaysian, and structured along North-South lines as singularly inappropriate for the negotiation of matters pertaining to the global forest industry.

The issue of whether to expand the scope of the ITTA, 1983 to include temperate and boreal timbers was finally resolved in January 1994 in favour of the consuming-country coalition and the importing fraction of the tropical timber trade. The provisions of the new ITTA-1994 confine the scope of the discussions taking place at the ITTO forum to tropical timber issues, and this in turn limits the potential usefulness of the ITTO as a forum for the further elaboration of the normative structure of the TTTR. In particular, progress in the development of the regime's compliance mechanisms, including the adoption of certification and labelling schemes, is unlikely. Producing-country governments and the tropical timber export trade will continue to block the adoption of such measures within the ITTO, unless similar measures are simultaneously negotiated and applied to the temperate and boreal timber industry.

The limited scope of the 1983 Agreement was accompanied by an equally limited set of objectives that, taken together, constituted the ITTO forum's mandate. The limited nature of these objectives can be attributed, in the main, to the fact that the ITTA, 1983 was negotiated within the broader framework of UNCTAD's Integrated Programme for Commodities. As a result, the overall mandate of the ITTO forum was heavily biased towards considering the commodity aspects of the tropical timber trade and to playing down the importance of other matters pertaining to the health, protection and conservation of tropical rainforests. Although environmental and ecological considerations were eventually included in the Agreement, such considerations were tacked on to an "atypical" commodity framework agreement that made no provision for the establishment of a buffer stock to stabilize prices.

The ITTO forum was established first and foremost as a commodity organization, therefore. The forum's origins in the IPC and its limited, commodity-focused mandate created the impression at the outset that the appropriate line departments within national governments would be those concerned with the commercial, trade, and development aspects of tropical rainforests. As a result, early delegations to the ITTO from both producing and consuming governments were heavily biased in favour of the commodity aspects of tropical timber and did not reflect either the organization's project funding component or its environmental dimension. Although the composition of national delegations was modified over the years,

the overall structure of delegations to the ITTO remained solidly with those departments responsible for the commodity and "development" aspects of the timber industry. Notably underrepresented, therefore, at the forum's biannual meetings have been representatives from departments dealing with the environment and development assistance.

A third crucial feature of the ITTO forum was its interest mediation structure. In conformity with the vast majority of international organizations, the ITTO was a legal entity established by and for governments. Other global actors were welcomed (at least initially) as observers at the forum's biannual Council Sessions, but held no rights to intervene directly in discussions. Observers were excluded from the most important and sensitive meetings, during which many of the key compromises were reached before being formally announced at the larger, more public, plenary sessions.

This *international* organizational structure for the mediation of *global* interests is extremely problematic. It is based on a number of assumptions, the most important being that government delegations participating in international organizations unproblematically represent their state's "national interest". Once this basic assumption is abandoned, however, the rationale for the exclusion of direct interest representation by other global actors becomes questionable. In the present case, a truly global interest-representation structure would have to include not only producing- and consuming-country governments, therefore, but also direct

representation by the tropical timber industry, indigenous peoples, ENGOs and labour.

The provisions of the ITTA, 1983 not only restricted the formal interest-mediation structure to governments representing states in the international system, they also tended to polarize that representation along a North-South axis. Although such polarization may have arisen in any case as a result of the operation of the ITTO forum, the ITTA, 1983, by making the North-South structure explicit at the outset in the provisions governing membership status and voting rights, precluded the possibility of another structure emerging. The division of interest representation into two groups representing "producers" (the South) and "consumers" (the North) ultimately appears to have worked to the advantage of the producing-country coalition. The heterogeneity of the consuming-country coalition—large-volume tropical timber importing states such as Japan and marginal ones such as Canada and Ireland, and governments under either considerable environmental pressure or almost none—made it difficult for consuming-country governments to develop a consensus in favour of tough measures. The British and Dutch governments, for example, which favoured the adoption of compliance mechanisms, had first of all to persuade sceptical European governments of the efficacy of such measures. These compromises were subject, in turn, to further negotiation with Japanese, Korean, American and Canadian governments in the elaboration of a consuming-country consensus.

Substantial differences also existed within the producing-country coalition based on the extent of members tropical rainforest estates and their on the tropical timber industry to generate revenue, foreign exchange and employment. However, power in the producing-country caucus was centered in the hands of representatives from the governments of Malaysia, Indonesia and Brazil. This relative centralization of power made it easier for the producing-country coalition to reach agreement on both overall strategy and specific issues. In addition, producing-country governments were very aware of the vital "national interest" they were defending and of the potentially important negative ramifications that agreements reached at the ITTO could have for their states' overall prospects for economic development. The net effect of power centralization and vital national interests created, for the most part, considerable solidarity within the producing-country caucus.

In conclusion, therefore, it is clear that the ITTO forum was ill-equipped to carry out the task ultimately assigned to it. The structure the forum inherited from the IPC limited its scope and prevented parties from considering the broader, all-timber context within which tropical timber was situated. Similarly, the mandate of the forum was heavily biased in favour of the commodity dimensions of the tropical rainforest, leading to continued debate over the relevance of ecological, environmental and human rights questions. Finally, the interest mediation structure was deficient because it

excluded the direct, formal representation of global interests and assumed that governments were capable of reconciling conflicts between accumulation and conservation at the national and the international level.

The Role of Ideas

We can explain the continued overutilization of tropical rainforests for timber production, therefore, not only by describing the TTTR's normative structure, but also by analysing the interests that underlay that normative structure and the manner in which those interests were mediated by the ITTO's institutional structure. The process by which global actors arrive at an understanding of what constitutes their "interests" is, however, crucially influenced by the dominant ideas of an epoch, i.e., by its intersubjective meanings and collective images. The normative structure of the TTTR is, as we have seen, based on a compromise worked out between producing- and consuming-country governments and timber trade representatives. It excludes the interests of environmentalists as articulated by members of the ENGO coalition. In the construction of this tripartite, a-environmental alliance, ideas played a critical role in enabling global actors representing different interests to find common ground.

The ideas that are systematized in the modern discipline of economics played a particularly important role in glueing together the tripartite, productivist alliance. Producing- and consuming-

country governments and industry executives accepted the argument that tropical rainforests must "pay their way" if their future is to be guaranteed. The argument in its most succinct form starts with the assumption that any particular area of land is capable of different uses. Land can be conserved as forest, managed for timber production, converted to a plantation, cultivated for crop production or developed for industrial purposes. The decision as to which of these activities should take place is, ultimately, made by the market on the basis of the relative rate of return to different forms of land use. Because the market ultimately determines whether a particular patch of land will remain under forest cover or be converted to some other use, it is important to maximize the economic rate of return from forested land, and the best way to do this is to manage tropical rainforests for timber production. Unless tropical rainforests are so managed, their economic rate of return is likely to be substantially lower than other, alternative forms of use (for plantations, industrial development, conversion to settled and swidden agriculture) and their future jeopardized.¹

¹ This argument is presented, for example, by the FAO, as follows: "Most human activities involve costs and benefits that people have to weigh before they decide what they want to do. In general, no rational person embarks on a course of action if the costs are expected to outweigh the benefits. In the same way, and at its simplest, the question to be asked in relation to the proposed management of an area of forest is whether the benefits of doing so exceed the costs. In purely financial terms, this involves a comparison between the income from the sale of timber and other products and the costs of management. The greater the revenues generated, the more likely it is that the management will be financially justifiable and will not require government or other subsidies. The more secure the financial base for a management system, the more easily it can be maintained on a sustainable basis, with the important proviso that from the revenue earned the required funds be channelled back into forest management." Food and Agriculture

The argument's appeal lies in its hard-headed acceptance of the market mechanism as the final arbiter in determining alternative uses of land. Rather than challenge this basic assumption, therefore, proponents of the argument direct themselves to developing policies to maximize the rate of return generated by tropical rainforests. A key feature of all such policy proposals is the exploitation of tropical rainforests, usually for timber production. The argument can, however, have an "environmental" twist, with some proponents arguing that, instead of seeking to maximize the forests' timber exchange-values, the emphasis should be placed on exploitation for non-timber forest products (nuts, fruits, medicinal compounds, herbs, etc.) or for eco-tourism.

Proponents of this argument, however, are insufficiently critical of how markets operate under capitalism. The market mechanism can only play the role assigned to it over the short term at best. Over the longer term, there are simply too many variables to be controlled to ensure that in all places and at all times the exploitation of tropical rainforests for timber, non-timber and other exchange values is necessarily the most "economic" use of forested land. These variables include changes in the demand for tropical, temperate, and boreal timber and non-timber substitutes as a result of population increases, changes in taste, economic booms and recessions, exchange rate movements, cyclical changes in agricultural

production, economic "development", urbanization, and so on. On the other hand, the supply of timber is affected by the size of the timber estate, the quality of timber available, the volume of harvesting permitted, the number of commercial species available, the ease of exploitation, the degree of government regulation and technological innovation. These demand and supply variables interact in complex and unpredictable ways under capitalism, and while it may be possible to ensure over a relatively short period that tropical rainforests pay their way, this is simply not possible over the longer term. At some point for each forested area, the interaction among the variables under capitalism will require "rational" actors to convert forested land to alternative, more economically productive uses.

The above discussion has focused on the central role played by economic ideas in glueing together an alliance of global actors representing producing- and consuming-country governments and the export and import fractions of the tropical timber trade. There were, however, two other powerful sets of ideas around which the tripartite alliance was constructed. The first is enshrined in the modern "scientific" discipline of forestry, the keystone concept of which is, as we have seen, sustained-yield forest management. The basic logic of the sustained-yield concept focuses the attention of forest managers on the production of a single crop—tropical timber—for sale in the market place and distracts forest managers from their ultimate objective, which is the maintenance of ecosystem integrity. Once forest managers commence operations according to the

principles of sustained-yield, they accept that the major goal of forest management is timber production. Attention focuses on the best means of enhancing the timber productivity of the forest, necessitating "trade-offs" with other forest functions such as biodiversity protection, catchment management, and the harvesting of non-timber forest products.

The basic concept of sustained-yield forestry has been roundly criticized by environmentalists operating from within an ecosystem management perspective. Even if the theory of sustained-yield forestry were sound, however, immense practical difficulties remain in operationalizing it. First, accurate data to compute the sustained-yield annual cut are frequently lacking. Governments usually do not know the actual size of their permanent forest estates and base their estimates on outdated and inaccurate information. In addition, the "scientific" basis for calculating the annual productivity of a forest as a result of the implementation of different silviculture techniques is suspect because such calculations are frequently based on a small number of trials of a small number of species carried out over a biologically brief time period (in comparison to the regeneration cycle of forests). Finally, the long-term sustainable yield is often calculated on the assumption that various silvicultural techniques will be used to enhance regeneration and ensure rapid growth. Yet it is often difficult to get forest companies to practice those techniques, creating a shortfall in the actual as opposed to the calculated annual cut. The technical demands of implementing

sustained-yield forest management are onerous, in short, and require considerable expenditures of time and money to ensure that the necessary data with which to make accurate projections are available.

Beyond these biological and technical variables, however, lies the institutional structure of the modern, globalized system of international production and accumulation. The logic of the theory of sustained-yield management is based on technical forestry criteria that, ideally, would be tailor-made for each different forest area depending on climate, soil type, tree species, and so forth. That is, sustained-yield forest management is a technical concept that requires considerable biological, ecological and forestry expertise to achieve the goal of maximizing the forest's long-term production of timber of commercial species of desirable size. This technical and technocratic approach to forest management operates, however, within a system of global extractive capitalism, the purpose of which is not a more "productive" forest, but rather a continuous increase in accumulation, measured as profits in company annual reports and as GDP per capita by politicians, economists and statisticians.

The conflict between the two logics—the technocratic logic of sustained-yield and the productivist logic of capitalism—was clearly revealed in the Sarawak mission. The poor quality of the data available enabled mission members to arrive at very different estimates of Sarawak's sustained-yield annual cut. The range in the estimates occurred because individuals made different assumptions

about the size of the forest estate, the importance of catchment protection, the marketability of logs of different sizes and species, and the rate of the annual growth increment under different silvicultural techniques. In the absence of a clear consensus among mission members on what constituted Sarawak's sustained-yield annual cut, a tendency existed to seek a "compromise" at the higher end of the range.

Participants at the ITTO forum have been under the sway of a third, powerful set of inter-subjective meanings encapsulated in the theoretical principle and diplomatic practice of state sovereignty. The principle of unitary, unqualified state sovereignty has been invoked in particular by producing-country governments and the timber industry in an effort to insulate themselves against external and internal criticism. The principle enabled them to off-set pressure from consuming-country governments to adopt sustainable forest management and to downplay criticisms arising from internal sources such as environmental NGOs, indigenous peoples and labour unions.

This silencing of internal criticism is particularly evident at international fora because of the reciprocal obligations implied by the sovereignty principle. When one government recognizes the sovereign right and competence of another government to rule over a particular territory, it also legitimizes the system of political representation that operates within the other state's jurisdiction. Recognition is thereby extended not only to delegations from states

in which a limited form of democracy is practised (as in presidential and parliamentary systems of representative democracy), but also to delegates representing states in which non-democratic systems prevail (as in single-party systems, military dictatorships, aristocracies and emirates). In treating all governments as equally competent to interpret and represent their respective "national interest" regardless of the structure of their political system, governments legitimate the oppression and silencing of other voices in those states.

The inter-subjective meaning of the principle of state sovereignty is so powerful that most participants attending the ITTO accepted it as an accurate depiction of the nature of "reality". Yet the principle of state sovereignty is an abstraction that maintains the fiction that states are and can remain relatively discrete economic, social, cultural, political and ecological entities, the interactions between which can be managed by governments through formal diplomatic channels. While this fictitious depiction of the nature of the relationship between peoples and regions may have had some verisimilitude in the seventeenth century when the sovereignty concept was first articulated to characterize the structure and mode of operation of the emergent "inter-state system", it is dangerously inaccurate as a representation of late-twentieth-century "reality".

The Futility of Policy Prescriptions

It has become conventional to end studies of the crisis in the tropical rainforest with a set of policy prescriptions that, if implemented by consuming- and producing-country governments, would resolve the tropical rainforest crisis by instantiating the practices of "sustainable forest management".² One particularly comprehensive set of recommendations comes from Alan Grainger, who lists a total of 21 policy areas, 14 of which require action by producing-country governments; three, by consuming-country governments; and four, by international agencies. Three aspects of Grainger's policy proposals, reproduced in Table 18, deserve comment. The first is their comprehensiveness. As Grainger notes, it is "one of the biggest challenges in environmental management...to persuade governments that what happens to the environment is indeed affected by policies that, at first glance, do not seem to be immediately connected with it."³ As a result of this analysis, Grainger's proposals cover not merely the forestry sector, but extend outwards to embrace the agricultural, environmental and economic development sectors of producing-country governments; the trade, commodity and aid sectors of consuming-country governments; and the environmental activities of international organizations.

² See, for example, Alan Grainger, *Controlling Tropical Deforestation* (Earthscan: London, 1993); FAO, *The Challenge of Sustainable Forest Management: What Future for the World's Forests?* (FAO: Rome, 1993); and Theodore Panayotou and Peter S. Ashton, *Not by Timber Alone: Economics and Ecology for Sustaining Tropical Forests* (Washington, D. C.: Island Press, 1992).

³ Alan Grainger, *Controlling Tropical Deforestation*, p. 229.

Table 18

Key Policy Changes for Controlling Deforestation

- A. Priorities for governments of developing countries
 - 1. Increase support for small farmers
 - 2. Promote large-scale agriculture more carefully
 - 3. Develop an integrated land use policy
 - 4. Revise and publish forest policies
 - 5. Strengthen forestry departments
 - 6. Revise concession agreements and fees
 - 7. Develop a national conservation strategy
 - 8. Ensure a strong environment ministry
 - 9. Improve monitoring of natural resources
 - 10. Cooperate in devising new conservation funding mechanisms
 - 11. Devise social and economic policies
 - 12. Increase environmental component of national development strategies
 - 13. Improve planning techniques
 - 14. Reform land tenure.
- B. Priorities for governments of developed countries
 - 1. Support positive developments in tropical countries
 - 2. Avoid negative or discriminatory policies
 - 3. Support new conservation funding mechanisms
- C. Priorities for international agencies
 - 1. Improve environmental procedures
 - 2. Extend environmental accounting
 - 3. Ensure consistent policies
 - 4. Establish a continuous global satellite monitoring system for the tropical forests

Source: Alan Grainger, *Controlling Tropical Deforestation* (London: Earthscan, 1993), p. 221.

The second striking aspect of the policy proposals is their integrated nature. According to Grainger, "deforestation cannot be controlled or forest management improved unless governments of tropical countries make some fundamental changes in policy"⁴ and adopt "an integrated approach to land use that encompasses agriculture, forestry, the management of other resources and conservation."⁵ The point being made is that previous proposals to solve tropical deforestation and rainforest degradation, even if they had been rigorously implemented, would not have worked because they have not integrated the forestry sector into the broader context of agricultural, environmental and economic development policy. Without such integration, progressive and rigorously implemented forestry policy will still fail because many of the processes that drive deforestation and rainforest degradation lie outside the forestry sector.

The third striking feature of Grainger's proposals is the degree to which they depend on enlightened government action. Politicians and government officials are called upon to identify correctly the nature of the problem, take legislative action within their respective national jurisdictions in the appropriate sectors, and ensure that the bureaucracy has the will and the capacity to implement "sustainable forest management" both now and in the future. This is a tall order and Grainger is aware of how difficult it is for leaders to "reconcile national needs with the responsibilities of

⁴ *Ibid.*, p. 240.

⁵ *Ibid.*, p. 27.

global environmental management."⁶ He notes that "for those politicians able to rise above national concerns even ensuring global collective military security today is a tortuous affair. Going beyond this to achieving collective environmental security will be an even more formidable task."⁷ Nonetheless, Grainger remains confident that politicians and governments can rise to the task and carry out the necessary policy reforms.

Grainger's proposals are far-reaching and require a fundamental, comprehensive, integrated and radical reform of producing-country government policies on forest management. The proposals are noteworthy because they emanate not from a radical environmental NGO, but from an individual who fully accepts the continuation of tropical deforestation as a consequence of the process of "modernization" and whose understanding of the concept of "sustainable forest management" is consonant with that contained in the ITTO Guidelines. In other words, even if the ecoforestry approach is eschewed in favour of "sustainable forest management", producing-country governments will still be obliged to institute massive changes in current government policies.

Given the vital role that governments play in Grainger's scheme, the inclusion of some account of the nature and structure of the state and the role of governments might reasonably have been expected. None is provided, however, and Grainger is by no means alone in this omission. Indeed, most authors avoid any explicit

⁶ *Ibid.*, p. 221.

⁷ *Ibid.*, p. 221.

analysis of the role of the modern state within a system of global extractive capitalism. Instead, they base their analysis on assumptions that governments are rational actors engaged in the technical process of policy formation operating independently from "special interest groups", the pressure from which must be managed in the best interests of society as a whole.

These assumptions about the nature of governing elites have but to be stated to reveal how unrealistic most policy proposals are. Modern governments are not rational, autonomous entities operating independently from national and global social forces. They are arenas of social struggle in which national policy is endlessly contested. This contestation pits actors representing immensely powerful, industrial social forces against weaker actors representing the environment, indigenous peoples, women and labour. The present imbalance in power relations means that most modern states are deeply implicated in the maintenance and promotion of national and global capitalism.

The comments above should not be taken to imply that the state is functional to capitalism. At most, they imply that the state in a capitalist society tends to function in the interests of capitalists. Whether states in capitalist societies are capable of re-ordering their priorities away from the protection of domestic and global accumulation to the protection of domestic and global ecosystems is ultimately a historical question. What is undeniable in the current historical epoch of globalization and neoliberalism,

however, is that most governments, of whatever ilk, are recasting themselves to act ever more directly and overtly as the guardians and promoters of national and global capitalism. In such circumstances, reformist policies such as those advanced by Grainger will continue to be ignored because they threaten the ever-widening, ever-deepening process of accumulation.

The Necessity of Political Action

This analysis brings into view the central anomaly of current efforts to resolve the global tropical deforestation and rainforest degradation crisis. Those with the power to take the necessary action are unwilling and unable to do so because they regard themselves as constrained to operate within local, national, regional and global structures of extractive capitalism. On the other hand, those with a clear interest in protecting tropical rainforests and in instantiating a genuinely sustainable tropical timber trade regime lack the power to play a definitive role at every level.

This power imbalance between the forces of accumulation and those of ecosystem stewardship over the fate of tropical rainforests admits of no quick-fix, policy-oriented solutions. In the medium term, the conflict will intensify. Tropical deforestation and rainforest degradation will continue into the twenty-first century, reflecting the continued hegemony of the tropical timber trade and the liberal-mercantilist and developmentalist ideas that legitimate it. A burgeoning demand for tropical timber as a result of population

increases, industrial "development" and economic growth will spur governments and industrialists to increase supply by expanding the extent and intensity of rainforest exploitation.

As more and more tropical rainforests are deforested and degraded, the conflict will intensify. While the sharp end of this struggle will take place in the rainforests over concrete projects and programmes, environmentalists must also adopt strategies that increase their overt and structural power. Given the power of ideas to shape the interpretation of actors' interests at all levels, one particularly important focus for the environmental movement in the coming decade is to expand, deepen and systematize its "ecological political economic" interpretive framework in contradistinction to the "commercial", "developmentalist" and "sustainable developmentalist" frameworks of the tropical timber industry and producing- and consuming-country governments.

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APPENDIX

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