



Increasing representation of states by utilitarian as compared to environmental bureaucracies in international forest and forest–environmental policy negotiations

Lukas Giessen^{a,b,*}, Max Krott^b, Torsten Möllmann^b

^a Forest and Nature Conservation Policy Group, Wageningen University, The Netherlands

^b Chair of Forest and Nature Conservation Policy, University of Göttingen, Germany

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ABSTRACT

This article analyses the representation of selected countries (EU-27 and the five influential “forest states”) to international forest-related negotiations by national utilitarian vis-à-vis conservation-oriented ministerial bureaucracies. It is hypothesised that due to the bureaucracies' informal goal of gaining and maintaining responsibility over political issues, mainly ministries of agriculture including forestry and ministries of environment are competing for the task of representing states in international forest and forest–environmental negotiations. A survey design based on a semi-structured questionnaire was used to study the bureaucratic representation of the selected states to the United Nations Forum on Forests (UNFF) and to the Convention on Biological Diversity (CBD) negotiations between 2000 and 2011. The results show that in the processes under study the representation of states by utilitarian types of bureaucracies is rather increasing, while the role of conservationist bureaucracies is declining. Likewise, the roles of ministries of foreign affairs and economic affairs are declining, while hybrid organisations on agriculture/environment were observed being on a strong increase. Under *CBD negotiations* the vast majority of responding countries was represented by environmental bureaucracies, while agricultural ones played a marginal role. In contrast, *under UNFF negotiations* countries were represented by agricultural, economic and hybrid agricultural/environmental bureaucracies in approx. equal shares. Agricultural bureaucracies especially gained influence under UNFF negotiations during the study period. The article concludes on these trends also highlighting options for future research.

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1. Forest and forest–environmental negotiations within an international forest regime complex by states' bureaucracies

The behaviour of states' governments in international forest-related negotiations is influenced by what is called a unitary and rational actor's national interest (Werland, 2009; Arts, 2012, in general Walt, 2006). It is, however, also influenced by the different preferences of the governments' bureaucracies, ministries, agencies and departments involved (Krott, 1990, 2005; Krott and Hasanagas, 2006, in general Allison, 1971; Stern, 1998). The influence of such distinct state bureaucracies even increases in cases of low economic and political relevance, the so-called low politics (Willetts, 2001). Depending on its political and economic implications, forest policy can be either of low (e.g. if talking about forest biodiversity) or high such relevance (e.g. if talking about the sovereignty of highly forested states in their utilisation of natural resources or climate change implications, Humphreys, 2006; Lövbrand, 2009; Negi and Giessen, unpublished). This offers diverse venues for bureaucratic influence on a country's preferences in international forest-

related negotiations by national ministries and departments responsible for e.g. agriculture, forestry, environment, foreign affairs or trade.

International forest-related negotiations continuously take place in multiple processes resulting in a body of international forest-related policy, which is referred to as an international forest regime-complex (Giessen, 2012, 2013a, 2013b; Rayner et al., 2010; Arts and Babili, 2013).¹ According to Humphreys (2006) the main parts of this regime complex are:

- Hard legal instruments, such as the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD), the General Agreement on Tariffs and Trade (GATT) and the Convention on International Trade in Endangered Species (CITES);

¹ Previous literatures refer to an international forest regime, others to the broader notion of global forest governance (see e.g. Arts and Babili, 2013; Giessen, 2013a, 2013b; Humphreys, 2006; Smouts, 2008; Singer, 2008; Dimitrov, 2006 on the forest regime and Brown, 2001; Pattberg, 2005; Glück et al., 2005; Chan and Pattberg, 2008; Sander and Pattberg, 2008; Levin, McDermott and Cashore, 2008; Werland, 2009; Arts and Buizer, 2009; Giessen and Böcher, 2009; Humphreys, 2009; Hoogeveen and Verkooijen, 2011; Visseren-Hamakers and Glasbergen, 2007; Garrelts and Flitner, 2011 on the broader notion of global forest governance).

* Corresponding author at: Chair of Forest and Nature Conservation Policy, University of Göttingen, Germany. Tel.: +49 163 4878000; fax: +49 551 39 3415.

E-mail address: lgiesse@uni-goettingen.de (L. Giessen).

- Soft international law on forests, like the UNCED Forest Principles, Agenda 21 Chapter 11, the Intergovernmental Panel on Forests' and the Intergovernmental Forum on Forests' Proposals for Action, and the United Nations Forum on Forests' (UNFF) resolutions such as the 2007 "Non-legally binding instrument on all types of forests"; and
- Private international law, such as the legal chain of custody of the Forest Stewardship Council (FSC) and the FSC forest management principles.

The main lines of conflict run between forest conservation-oriented and utilitarian interests of actors (Humphreys, 2001, 2006; McDermott, 2012; McDermott et al., 2010). Each of these parts contains specific elements which are directly or indirectly relevant for forests as an issue in global politics. These "forest issue elements" of the regime complex are not static, but are (re-)negotiated and become further detailed over time in so-called Conferences of Parties (COP²).

Often political analyses of these forest-related negotiations and resulting forest issue elements refer to the *states* or *countries* and their preferences and interests which would drive forest politics (e.g. Humphreys, 1996, 2006; Singer, 2008). Actually, however, it is rather specific national bureaucracies (i.e. ministries or governmental departments and agencies) who negotiate on behalf of the entire government and who politically represent individual countries in the course of international forest negotiations (Hogl et al., 2009; Edwards and Kleinschmit, 2012; Jürging and Giessen, 2013). In this context it is especially the following types of national ministerial bureaucracies which, based on their main tasks and responsibilities, can be assumed having an influence: agriculture (including forestry), environment, hybrid between agriculture and environment, foreign affairs, and economics and trade.

Bureaucratic politics are fuelled by the fragmentation of the forest regime into distinct forest issue elements, because individual bureaucracies may be in charge of different such elements. Consequently, besides the interests of states (national interests, Walt, 2006) also the preferences, positions and organisational interests of the representing bureaucracies are important factors when it comes to the political influence on international deliberations (Allison, 1971; Stern, 1998). Furthermore, the question of which bureaucracy is in charge of any forest-related international negotiation process (e.g. CBD, UNFF or UNFCCC negotiations) can also be assumed to be influenced by the organisational interests and preferences of specific bureaucracies of retaining political responsibility with a specific organisation.

Before this background of specific national bureaucracies competing for the responsibility of representing their countries during international forest negotiations, the *study's objectives* are to analyse the representation of EU-27 and (other) influential global forest policy players (i.e. "forest" states) to international forest-related negotiations by specific national bureaucracies over time. In doing so the study aims at demonstrating to what extent the ministries of agriculture as utilitarian bureaucracies have gained or lost responsibility in international forest affairs vis-à-vis more conservation-oriented and other ministerial bureaucracies. This exploratory research is expected to generate some first indications on such trends, from which some core questions for future research on bureaucratic politics within the international forest regime complex will be derived.

Chapter 2 positions this study theoretically. Chapter 3 describes the empirical material and methods used for arriving at the study objectives, while Chapter 4 presents the results on the bureaucratic representation of EU-27 and "forest" states to UN negotiations and its dynamics. Chapter 5 discusses the methods and results before the last chapter concludes on the role of utilitarian vis-à-vis conservationist bureaucracies in international forest negotiations.

² Different terms are used for these conferences under the different international agreements. In this article the term COP covers all such conferences.

2. Theory of persistent bureaucratic politics

The theory of bureaucratic politics³ basically assumes that states and their governments – at least not in every given issue area – are *not* fully rational and unitary actors who base their policy decisions on a completely rational evaluation of existing policy alternatives. Rather, it suggests that political decisions are the result of intra-governmental negotiations, bargaining and related politics mainly amongst a government's competing bureaucracies⁴ (Peters and Pierre, 2007; Downs, 1967; Krott, 1990; Krott and Hasanagas, 2006; Giessen and Krott, 2009; Hubo and Krott, 2007, 2010, 2013 on domestic settings and Allison, 1971; Stern, 1998; Peters, 2010 on international relations). According to Derlien et al. (2011) the concept of bureaucracy implies a specific type of organisation. Following the ideas of Peters (1995, c.f. Krott, 2005, 126) bureaucracy as the main independent variable in this research tradition is understood as "a public institution which makes decisions concerning specific problems on the basis of general legal standards, resolving those problems by implementing special measures." It is mainly characterised by its permanent staff, with its specific expert knowledge as well as by the clear delineation of its formal tasks and responsibilities, its hierarchy and rule-bound procedures (Weber, 1980/1922: 124ff, 551ff).

Bureaucracies were found to pursue formal as well as informal goals (Krott, 1990, 2005; Peters, 2010). The former are publically stated while the latter are not (Krott, 1990). They formally have distinct tasks and political responsibilities in specific issue areas for delivering public services (e.g. concerning the management of forests), which are their outputs (Niskanen, 1971). Informally, however, bureaucracies are competing with one another for resources, political domains and influence (Allison, 1971; Niskanen, 1971; Stern, 1998; Krott, 1990; Hubo and Krott, 2010; Peters, 2010). In the case of international forest policy the main line of conflicts is between utilitarian bureaucracies such as the ministries for agriculture and forestry, and the conservation-oriented ministries of environment (Humphreys, 2006; Giessen, 2013a). This is fuelled by the fact that only between environmental and agricultural bureaucracy conflicts run on the substance of their main tasks, i.e. the basic ideologies towards the use of natural resources, protective vs. utilitarian (Krott, 2005; Peters, 2010) and both bureaucracies are competing for the same object of responsibility – the territory or area of un-built environment. To sum up: Bureaucracies do have two main goals: *Firstly*, they formally strive for problem-oriented delivery of public service, as publicly stated in their mandates. *Secondly*, they informally pursue the organisational interest of survival and organisational expansion. In cases where both interests cannot be pursued simultaneously, the organisational interests are given higher priority.

It has been demonstrated theoretically that particularly forest utilitarian and forest conservation-oriented bureaucracies strongly compete for political tasks and responsibilities such as the representation of their country to relevant international forest-related negotiations. They also compete for personnel and high shares of the governments' budgets relative to other bureaucracies, which are the main competitors for these resources (Peters, 2010; Niskanen, 1971; Holzinger, 1987). Once acquired, the tasks and responsibilities of a particular bureaucracy are used as rather strong arguments in the intra-governmental budget negotiations (Niskanen, 1971; Krott, 1990; Peters, 2010) so that attaining new and maintaining previous tasks has a direct positive impact on the informal goals of a bureaucracy.

The competition between bureaucracies is even intensified by the interests of the societal clientele surrounding each bureaucracy (Jänicke,

³ Similar terms used in international relations theory include governmental politics (Krell, 2003), organisational politics, organisational process (Allison, 1971), bureaucratic organization (Peters, 2010), or in German "verwaltete Außenpolitik" (Krause and Wilker, 1978).

⁴ The term bureaucracy here refers to national governments' organisations such as ministries, departments and agencies.

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