WILDLIFE VALUES IN INTERNATIONAL CONSERVATION POLICY

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by

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Abbreviations

ACAP	Agreement on the Conservation of Albatrosses and Petrels
ACCOBAMS	Agreement on the Conservation of Cetaceans of the Black Sea,
	Mediterranean Sea, and Contiguous Atlantic Area
AEWA	Africa-Eurasia Waterbird Agreement
ASCOBANS	Agreement on the Conservation of Small Cetaceans of the Baltic
	and North Seas
ATCM	Antarctic Treaty Consultative Meeting
ATS	Antarctic Treaty System
BAS	British Antarctic Survey
CBD	Convention on Biological Diversity
CBI	Confederation of British Industry
CCAMLR	Convention on the Conservation of Antarctic Marine Living Resources
CCAS	Convention for the Conservation of Antarctic Seals
CI	Conservation International
CIC	International Council for Game and Wildlife Conservation
CITES	Convention on the International Trade in Endangered Species
CMS	Convention on the Conservation of Migratory Species of Wild Animals
CMB	Conference of Derties
	Convention for the Degulation of Antarctic Mineral Descurse Activity
	East and A grigulture Organisation
G77	Grouping of more than 100 developing nations
G//	Clobal Environment Essility
UEF	International Convention for the Deculation of Whaling
	International Convention for the Regulation of whating
ICSU	International Council of Scientific Unions
IFAW	International Fund for Animal Welfare
IGY	International Geophysical Year
INC	Intergovernmental Negotiating Committee
IUCN	World Conservation Union (formerly International Union for the
	Conservation of Nature and Natural Resources
IWC	International Whaling Commission
IWRB	International Waterfowl Research Bureau
MA	Millennium Ecosystem Assessment
MaB	Man and the Biosphere Programme
MoU	Memorandum of Understanding
NGO	Non-governmental organisation
OECD	Organisation for Economic Cooperation and Development
RSPCA	Royal Society for the Prevention of Cruelty to Animals
RSPB	Royal Society for the Protection of Birds
SBSTTA	Subsidiary Body for Scientific, Technological and Technical Advice
SCAR	Scientific Committee for Antarctic Research (ICSU)
SGF	Small-grants Fund (Ramsar)
STRP	Scientific and Technical Review Panel (Ramsar)
UNCED	United Nations Conference on Environment and Development (1992)
UNCHE	United Nations Conference on the Human Environment (1972)
UNEP	United Nations Environment Programme
UNESCO	United Nations Economic, Social and Cultural Organisation
WDCS	Whale and Dolphin Conservation Society
WEOG	Western Europe and Others Group
WSPA	World Society for the Protection of Animals
WWF	Worldwide Fund for Nature

Chapter 1 - Introduction

This thesis investigates the impact of differing valuations of wildlife upon the development of international wildlife conservation policy. Malcolm Hunter notes that 'It is easy to describe the history of conservation in terms of political benchmarks such as the passage of laws, but these are only a manifestation of a more fundamental process: the evolution of human values systems and ethics.' (Hunter 1995: 11). This thesis therefore has as its fundamental objective the identification, description and understanding of the various 'wildlife values' encountered (expressed by actors) within this policy-making process. It furthermore considers the relationship of these to the outcomes of said policy. Such an investigation provides a valuable opportunity to identify relations of power between actors, to better understand the conflicts which arise within the policy-arena, and to consider the effectiveness of international conservation policy.

1. WILDLIFE CONSERVATION

Wildlife conservation can take many varied forms from setting aside hundreds of square miles as National Park land to the organic gardening done by our next-door neighbour. This thesis defines wildlife conservation as; *any action with the direct purpose of maintaining or improving the ecological and/or biological status of a group of animals in their 'natural' habitat*.

In its broadest sense, 'wildlife' refers to all non-domesticated, non-cultivated living plants and animals and excludes human-life. This is perhaps the most common interpretation of the term, particularly publicly, and in this sense is commonly used interchangeably with the term 'nature'. However a restricted definition is also widely used which limits the term to wild animals (fauna), and it is this definition that is utilised throughout this thesis. With contemporary levels of ecological understanding it may appear odd, if not counterproductive, to attempt to consider the conservation of wild fauna separately from that of wild flora. However, this is not the intention behind adopting this faunal definition of wildlife. Rather the objective is to establish wildlife as a concept necessarily inclusive of fauna. The conservation of wild fauna presents particular challenges and problems not presented by the conservation of flora. The mobility of wild animals introduces a spatial element to their conservation and, more importantly, a variety of strong ethical relations can exist between humans and other animals. Further to this, this focus helps define the limits of empirical material necessarily considered by this thesis.

Some faunal species are highly mobile. A wolf may typically range over 250 km² and cover up to 150 km in a single day and a male Siberian tiger has a range of 800-1000 km². Pacific grey whale migrates over 9000 km annually from the Arctic Beaufort Sea down the western coast of North America to the warm waters off the Baja Peninsula, Mexico. There is, therefore, and in contrast to plants, a significant spatial element to the conservation of wild animals which exposes them to multiple valuations and results in the need for their concerted conservation over large areas and by a number of actors. Further to this, the conservation of wild-life seemingly demands conservation in-situ. For most who engage with wildlife conservation there is an almost unquestioned assumption that the primary method is to conserve species within their natural surroundings; that is *in-situ*. The secondary, at best complementary, importance of *ex-situ* methods, is accepted even by those who are involved in and hence ardently advocate ex-situ conservation (Linington et al. 2003); that is the conservation of species in an artificial environment or outside their 'natural' location. This attitude is in fact institutionalised within the Convention on Biological Diversity (CBD) in which Article 9, on *ex-situ* conservation, calls on Contracting Parties to 'Adopt measures for the ex-situ conservation of components of biological diversity...predominantly for the purpose of complementing *in-situ* measures'. This thesis does not, therefore, consider conservation oriented activities in zoos or other ex-situ facilities. An emphasis on protecting mobile creatures, where we find them, creates an onerous challenge.

Another significant factor in the decision to focus upon fauna is the notion that we have generally stronger ethical ties to animals than plants. This is not to say that notions of an ethical responsibility towards plants does not exist. My assertion is that the depth and variety of potential ethical obligations to animals are greater than to plants, and that these may be important influences upon the policy process. What is more, I would argue, in common with Templeton-Lang (1993), that the depth and variety of ethical obligations to wildlife serves to set wildlife conservation agreements apart from other 'environmental agreements' such as ozone depletion or pollution control which, when ethical issues do arise, are predominantly anthropocentric.

The focus on wildlife as wild fauna also serves to limit the number of international agreements considered by this thesis, thus making the research process more manageable. Whilst I do consider a number of agreements that pertain to both flora and fauna, those which focus exclusively upon the protection of flora fall outside its remit.

In its simplest form, to conserve is to keep or protect. However, in contemporary parlance the term has acquired a much more specific meaning in reference to the natural environment such as 'the protection, preservation, and careful management of natural resources and of the environment' (Collins English Dictionary). Much has been written on wildlife conservation, with the vast majority originating within the natural sciences of ecology and biology, which have done much to identify and describe wildlife related problems and attempt to explain *what* we should conserve and *how*. Further to this, significant volumes are offered from the disciplines of law and environmental ethics, the latter of which considers why we *should*, as moral actors, consider and protect other species and the natural world more generally. Much less is written on the political aspects of conservation, especially on its developing stages and at the international level¹. Important questions regarding which actors are involved, have influence upon policy development and why they become engaged in policy-making remain unanswered. This thesis asserts that one valuable method via which to address these political questions is an investigation of the way in which wildlife is valued by the actors involved in the policy-making process.

2. WILDLIFE CONSERVATION AS AN INTERNATIONAL ISSUE

This thesis focuses on the international dimension of wildlife conservation policy, and analyses, in-depth, a representative sample of globally significant *multilateral* agreements as case-studies. This case-study methodology, based on typological analysis, aims to facilitate the identification of the wildlife values expressed by involved actors and comparison between agreements, which can inform us as to any change and development of the values over time. The research is therefore inductive, looking to identify general explanations as to the development of conservation policy broadly from the identification of themes between specific cases. The reasons for selecting the specific cases used in this thesis are discussed in detail in the opening section of Chapter 3. The case studies are:

- International Convention for the Regulation of Whaling (ICRW, 1946)
- Antarctic Treaty System (ATS, 1959 onwards)

¹ There is a significant literature on the domestic wildlife conservation policies of some states, particularly the United States. Internationally, perhaps the only exception is the literature on the alleged colonialism of 'northern' conservation policy, exemplified by National Parks and supposedly promoted by non-governmental organisations. Instead, it is argued, there is a need for community-based conservation.

- Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar, 1971)
- Convention on the International Trade in Endangered Species (CITES, 1973);
- Convention on Migratory Species (Bonn-CMS, 1979)
- Convention on Biological Diversity (CBD, 1992)

By excluding bilateral agreements the thesis is perhaps creating a bias against regions with few distinct independent states, such as North America, where several bilateral agreements have been adopted between the United States and Canada, and the United States and Mexico particularly with regard to migratory species, but also regarding cooperation over national parks and other protected areas. However this is felt necessary in the interests of research time and space.

Considering the complexities at the interface of concern for wildlife and international politics, which will become apparent in this research, it may well be asked why this thesis utilises *international* case-studies as its focus. Three reasons are foremost; (i) the pluralist character of the international arena, (ii) the existence of a defined body of primary data for analysis, and (iii) the opportunity to pose critical analysis of wildlife conservation itself. A fourth reason might be noted, although less critical to the thesis, and that is that, as with other concerns on the environmental agenda, it is a common argument that international (even supra-national) cooperation is vital (Brenton 1994; Elliott 2004) if wildlife is to be conserved effectively, especially in terms of biological diversity.

The most obvious reason for focusing at the international level is the fact that differences in wildlife value are more likely to occur where interested parties are numerous and varied in perspective. International fora are apt to provide such conditions. Studies of individual national policies would not, perhaps, be as likely to reveal as broad a range of values, both in quantity and quality, due to fewer economic, social and cultural differences between the, probably, smaller number of actors involved (although diversity of interest in these situations should not be dismissed as unimportant). International conferences can involve a great number of parties, the clearest example of this being the United Nations Conference on Environment and Development (UNCED), or 'Earth Summit', held in Rio de Janeiro, Brazil, in 1992. Even a comparative study of several national policies would be unlikely to capture the same number and variety of involved actors. A traditional approach to the study of wildlife conservation, drawn from the natural sciences, would be species-centric; that is focused upon a single species. This would again, however, suffer from a similar problem and

would, in order to ensure proper coverage of wildlife values, require either a very large number of randomly selected species to be studied, or a smaller number of specially chosen subjects; with which would come the problems of artificiality associated with a necessarily subjective selection process.

International boundaries can also see stark contrasts in the category of wildlife values expressed, as differing constituencies and legislatures expound distinct perspectives. Contrasting attitudes to transboundary migratory wildlife often illustrate this point. A focus on globally significant multilateral agreements is also beneficial because it provides a defined body of primary data upon which to draw. As mentioned, an analysis of this type focused on national policies would require a very large sample size, as would a species-centric approach. ECOLEX, an international environmental law database maintained by the United Nations Environment Programme (UNEP) and World Conservation Union (IUCN), lists more than sixty distinct multilateral agreements pertaining to the conservation of flora and fauna. Of these, only seven can be considered 'global' in the sense of being agreed between parties from multiple regions. The six chosen case-studies can therefore be reasonably considered a representative sample of such agreements, and other relevant global initiatives.

Finally, this study provides an opportunity (or at least a foundation) for critical analysis of wildlife conservation policy itself, and in particular of the appropriateness of policy action at the international level of political organisation. Does policy-making at the international level feature some forms of value and not others? If so, what might explain this and what are the consequences?

To become the target of multilateral action wildlife must be considered an 'international' issue, that is be of concern to actors in more than one state's jurisdiction. Of importance to this thesis, therefore, is to illustrate how wildlife can become an 'international issue'. There are a number of answers to this, ranging from the simple movement of fauna, migration for example, across international boundaries, through to complex social phenomena such as global lobbying campaigns on behalf of wildlife fuelled by transnational non-governmental organisations, and the dissemination of information through the internet. This process, the internationalisation of concern for wildlife, has itself been identified as 'fundamental to the globalizing environmental agenda' broadly (Elliott 2004: 29).

Andrew Hurrell identifies the rise of general environmental concern internationally with the 'growing awareness of the material limits' to accepted modes of progress and development, which itself consists of (i) 'accelerated rates of environmental degradation', (ii) 'improved

scientific knowledge' and (iii) 'heightened popular awareness' (Hurrell 1995: 130). This explanation certainly holds true for both domestic and international wildlife conservation which can largely be understood as a reaction to the realisation of the 'material limits' of wildlife populations and nature in general. At the forefront of this realisation have been those who directly engage with wildlife most regularly; hunters and scientists. J Baird Callicott (2003a) argues that a specific conservation philosophy was developed in the United States primarily as a response to the realisation that human impacts could threaten the existence of seemingly infinite game and other natural resources in the New World.

The most fundamental factor in the internationalisation of wildlife politics is, however, the ever-increasing awareness of the ecological interdependence of states and their peoples. Highlighted by, as Hurrell notes, improved scientific understanding of ecosystems and the biosphere as a whole, the simple fact is that wildlife populations encountered (and valued) within one state's jurisdiction can be influenced positively or negatively by actions (such as hunting, habitat destruction or interference in the water cycle) in another state's jurisdiction. Thus international agreements relating to wildlife have proliferated seemingly in tandem with knowledge and awareness, suggesting that with each step the values of wildlife are recognised by more actors and perhaps in new ways.

3. RESEARCH QUESTIONS

The research asks the following central questions; (i) In what ways can wildlife be valued? (ii) Which 'wildlife values' are expressed in international wildlife conservation agreements and during the policy-making process? (iii) Which actors are involved in the international wildlife conservation policy-process? (iv) What correlations can be identified between categories of actors and the categories of wildlife value expressed or favoured by them? (v) Which 'wildlife values' are most likely to underpin 'effective' wildlife conservation policy?

The first research question is answered, in Chapter 2, via the construction of an original typology of wildlife values. Being an attempt to categorise the breadth of value associated with wildlife, this typology draws on the environmental stream of a number of existing disciplines including ethics, sociology and economics. Chapter 3 defines the parameters of the research and reviews the existing comparative literature.

The second and third research questions are answered by Chapters 4 and 5, via a documentary, internet and interview based investigation of the initiation, negotiation and

drafting of six case-study agreements, with additional research into key relevant themes or processes encountered during the implementation stage of the policies. These chapters attempt to 'map' wildlife values and actors over time in order to, at least to some extent, illustrate power structures within the policy-arena. Answers to my fourth research question are given in Chapters 6, 7 and 8 of the thesis in which I seek to identify broader patterns of wildlife values and associations between categories of actor and value *comparatively across the cases*.

Throughout Chapters 4 and 5 I offer discussion of the 'outcomes' of each treaty's policyprocess in order to assess the relative 'effectiveness' of specific actors. Basic judgments as to 'effectiveness' can be made by considering which wildlife values most readily facilitate or encourage political activity with wildlife conservation as an objective, such as the agreement of a new convention, accession to an existing one or the development or implementation of consequent legislation². The only necessary assumption behind this is a desire for wildlife conservation as a basic activity, an objective which may be considered common to all participants in wildlife conservation negotiations. The adoption of a 'green' political perspective can certainly presume a commitment to the conservation of wildlife and some conclusions are offered from within this ideological perspective.

4. KEY HYPOTHESES

In response to the above research questions, and in light of the case-study materials, this research offers a number of central hypotheses regarding the structure and conduct of politics within the international wildlife conservation policy process. First, it is recognised that wildlife can be, and has been, valued in a wide variety of ways. A general diversification of wildlife values over time can be identified within the policy-arena. There has also been a marked shift away from an early emphasis on commercial and scientific values, towards a strong focus upon wildlife's ecological value. Advocacy of the intrinsic value of wildlife has had only a limited impact upon policy, extending only to the influence of animal-welfare arguments upon policy relating to some charismatic mammal species, most notably whales and elephants.

² I use the term 'consequent legislation' here to refer to regional or national legislation adopted as a result of the agreement of an international convention. For example, a national Biodiversity Action Plan under the auspices of the Convention on Biological Diversity.

Whilst states lie at the heart of international wildlife conservation policies, this research asserts that they are by no means the only relevant and influential actors. Scientists and non-governmental organisations (NGOs) in particular play an active role within the policy-process. Further to this, there has been a shift in the character of actors involved, bringing an attendant shift in values. For example, whereas the policy-arena was once the reserve of developed states (particularly the former colonial powers and the United States), developing state actors have emerged as very significant in their own right. Additionally, although hunting groups were once central to this policy-process, their influence has waned significantly and the vacuum has been filled by, primarily, 'conservation' NGOs, but also, in some arenas, by animal welfare groups.

With NGOs and their broad and varied agenda, and the involvement of new states within the process, the change in prominent actors within international wildlife conservation policy is certainly a primary cause of the change in values expressed. However, state behaviour remains significantly conditioned (particularly by private business, industry interests and wider economic forces) despite their virtual absence from the policy process itself. This is reflected in a distinct preference for financial quantification of the benefits accruing from international wildlife conservation. NGO actors in particular have become very adept at redefining their own interests into such terms.

It is recognised that economic arguments in support of wildlife conservation can provide a clear and convincing basis for action. As such, certain categories of extrinsic value are favoured as quantifiable in this way. However, a stronger case for conservation can be made by combining these with other valuations, not necessarily similarly quantified, and recognising its 'full' value to humans. One key finding of this research is the overall failure of international wildlife conservation policy to significantly impact upon the problem of wildlife destruction. This seems primarily due to state-actors not considering wildlife of sufficient value to motivate significant effort and resource expenditure. Thus the recognition of wildlife's 'full' anthropocentric value is asserted as a necessary prerequisite of successful international conservation policy.

5. WILDLIFE POLITICS: VALUES AND POWER

For many, power defines the parameters of politics as a discipline. As Hay notes 'power is to political analysis what the economy is to economics' or 'what time is to history'. In light of this, Hay defines political analysis as 'the analysis of the nature, exercise and distribution of

power' (Hay 2002: 168-9). Identifying the exertion of power in a political process is, however, highly problematic. It may be inferred from discussion of the outcomes of a particularly policy, and, to a certain extent, from an examination of the actors involved in the policy-process.

Within this thesis, the analysis of the wildlife values encountered within international conservation policy actually provides an additional analytic resource with which to address the question of power and influence. It may be reasonably asserted that the agreement of policy based upon, or strongly featuring, the values of a certain political actor reflects, at least to some extent, the power or influence of that actor. By mapping the values attributable to specific political actors onto their prominence within treaty texts and the wider policy-arena (Research Questions 2 & 3), we are able, to some degree, to infer the power, or at least political influence, of those actors (RQ 4).

Colin Hay (2002 171-87), writing in reference to Stephen Lukes' work on power, notes that power can be either 'context' or 'conduct' shaping. Actors may be able to influence the political environment, or context, in which a policy develops through affecting prevailing attitudes or preferences (both of actors themselves and those to whom they are accountable). This can be done by establishing specific issues as important elements of the political agenda, and/or redefining established ideas or attitudes. In this way political actors can have a significant influence upon which policies make it onto the negotiating table. As Hay notes, they are able 'to "have an effect" upon the context which defines the range of possibilities of others' (2002 185). Subsequent to this, political actors are able to exert power and influence when around the negotiating table itself, in an attempt to ensure the selection of the 'possibility' most satisfactory for their own interests. This is what Hay refers to as 'conduct' shaping power. This conceptualisation of 'power' has the effect of dividing the policymaking process into different stages, although these are not mutually exclusive chronologically – the context within which a policy develops may be continually changing. With this in mind, this thesis is not only concerned with the 'conduct' of face-to-face negotiations over wildlife policy (although this is an important part). Additionally it considers the pre-negotiation period and the continual 'context' within which the policy develops. 'Mapping' the values prevalent at these distinct stages can facilitate comment upon the 'power' or influence of actors during different phases of the policy process.

There are several phenomena which may be considered evidence of 'power' within this research. In terms of context shaping, we may attribute power to an actor that succeeds in establishing an issue as requiring political cooperation where none was previously likely, thus

setting a specific agenda. Also, as mentioned above, we may attribute power to those actors whose wildlife values become the basis of international wildlife conservation agreements. Evidence of more implicit exertion of power is likely to be difficult to identify and perhaps rather circumstantial. For example, general environmental concern expressed by citizens and interest groups may well influence specific actions on the part of state-actors, but such influence is difficult to pin down without an explicit acknowledgment of such from the affected actor. Similarly, a strong business and industrial lobby may create a political climate in which environmental initiatives are considered costly and unnecessary. However, whilst these business and industry actors are not necessarily present and active within the policy process, their influence may be structural, as argued by Charles Lindblom (1977). Thus power is not always easily empirically identifiable.

In terms of conduct shaping, the most obvious evidence of power might be found during actual negotiations, where 'strong' actors may coerce the 'weak' through the application of, for example, economic pressures. This environment, where actors often express their perceived interests explicitly, would provide the clearest opportunity to illustrate an arguably crucial element of power; that is the sub-ordinated actor acting contrary to their own perceived interests. As Ball & Guy Peters argue, where an actor rationally persuades another that an action is actually in their interests power has *not* been exerted. Rather this is merely political 'influence' (Ball & Guy Peters 2000: 38). Having said this, a significant factor influencing this research is, in fact, its normatively consensual nature. As will be discussed, in much of this policy arena the need for broad international cooperation has engendered a positive atmosphere in which the obvious or blatant use of power is considered contrary to the objectives of the negotiations. This is particularly true in a 'north/south' context where any attempt by the developed world to exert pressure has been vehemently opposed by developing states, which itself reflects the changing nature of power within this policy arena. In the 'anarchic' (Bull 1977) international world, power has most commonly been defined and conceptualised in terms of military and economic strength. 'Strong' states are able to guarantee the integrity of their borders, and hence their continued existence, by physically and financially coercing 'weak' states into following their policies. Amicable terms are maintained between opposing 'strong' states through a 'balance of arms' or perhaps, in the modern world, through the 'interdependence' of their economies and other institutions.

Further to this power may be illustrated through policy 'outcomes'. Of course, the desired outcome will differ from actor to actor, however, where each actors communicate these explicitly some conclusions can be drawn. This thesis therefore considers the outcomes of each case-study individually in light of the actors involved and structure of the agreement.

Consideration is also given to effectiveness across the case-studies in simple terms of species or ecosystem protection, which lies at the root of each agreement albeit for distinct reasons. As Young & Levy note 'Effectiveness is a matter of the contributions that institutions make to solving the problems that motivate actors to invest the time and energy needed to create them.' (1999: 3). The 'problem' at the core of each of the six chosen case-studies is considered to be the destruction of wildlife.

Military and economic strength continues to be a significant factor in all political arenas, however consideration of international wildlife politics (and environmental politics in general) acts to alter the resources upon which a state draws for power. No longer is power wholly dependent upon the number of warships in a state's navy or on the strength of its manufacturing industries. It is defined, at least in part, by the biological and ecological resources found within its boundaries. This expanded understanding of power has had a significant impact upon the distribution of power amongst international actors. From a state-centric perspective, traditionally 'weak' states such as Brazil, Malaysia, India and Kenya have become 'powerful' actors within the internationally community due to their sovereignty over the forests, tigers, elephants and many other biological phenomena found within their borders.

Other identifiable factors may illustrate the lack of power within a certain political arena. For example, the refusal of actor(s) to participate in international agreements illustrates the limits of others to coerce them. Furthermore, the threat, from an important actor, or refusal to cooperate, can in itself illustrate that actor's power within the policy arena.

'Expert' actors, possessors of specialist knowledge, are of particular importance to power relations, in both the conduct and context shaping senses. New knowledge may define new areas of concern to actors, and/or redefine interests within previously established issues. Within this policy-arena, 'expert' actors have focused upon the provision of consensual knowledge (see Chapter 8, Section 1.2) around which varied actor's interests can converge. The ability of certain actors to produce such knowledge is a clear indication of their political influence.

6. METHODOLOGY

6.1. 'Actors' – units of study

By focusing upon international agreements, that is agreements made primarily between the governments of sovereign states, this research is at its core, state-centric. It acknowledges the fact that in the contemporary international system, whilst there is a plurality of influential actors, sovereign states are the final decision-making institutions. The obligations of international law entered into upon the signature of international agreements bear upon, and must be enforced by, sovereign states. This focus does not, however, dictate that state actors are the main actors in the policy-making *process*. This is because, as discussed in Section 5 above, the policy-*process* consists of distinct stages during which different actors may be 'dominant'. The state is not the only actor capable of influencing the context in which policy is developed, nor the conduct of actors at the negotiating table.

At the decision-making stage, an increasing number of non-state actors are becoming relevant by establishing institutional links with the policy-process, by offering economic incentives for cooperation and by actually acceding to 'informal' international agreements. Importantly, considering the impact of knowledge upon an issue's context, in complex and highly interdependent policy-arenas state actors cannot hope to have anywhere near a perfect knowledge of a situation. They are consequently often reliant upon non-state actors for information, and this provides opportunities for non-state actors to influence policy-making.

Scholars of international relations theory, and in particular those within the realist tradition, posit that only certain categories of international issue warrant action on the part of the state. It is after all easily conceived that an issue might be international in character yet of no real concern to states or state actors. Thus;

"... it may well be ... that a strategic or hegemonic group will allow minority interests to prevail on certain issues which do not directly threaten its domination, reserving its influence for matters of greater significance." (Hay 2002: 176)

Wildlife conservation is very likely to be one of these issues, which truly powerful actors can ignore for the most part. It has traditionally demanded only very small resources, relative to other governmental programmes such as welfare, education and defence, and allowing non-governmental organisations and 'weak' states to dominate the wildlife conservation policy process hardly threatens the world's dominant powers.

There are three points to be made in response to this. First, it is important to note that the objective of this research project is an understanding of the wildlife conservation policy arena itself, and the relative power of those actors engaged within it. It is not a quest to locate the 'most powerful' international political actors *per se*. I engage with international relations theory only so far as to observe which tradition best explains the development of wildlife conservation policy and the behaviour of actors within it. Second, it is important to note that wildlife conservation *can* demand the expenditure of very significant, if not relatively great, resources from the state and/or other 'powerful' actors such as business interests which, importantly, they must justify or be coerced into releasing. Where wildlife conservation interests are ignored it can, occasionally, lead to significant losses for 'powerful' actors. Finally, it must be noted that although wildlife conservation is currently a relatively minor policy-arena, if state-actors were seriously to address the issue of, for example, biological diversity loss, then huge additional resources to such issues is a very real indication of their over-riding power in the broader domestic and international political system.

6.2. Values as research data

It has been argued above that the distinct ways in which actors value wildlife play a key role in the development of wildlife conservation policy, and it is such values upon which this research focuses its analysis. This thesis is, therefore, primarily concerned with statements of wildlife values and with information regarding how, when, and by whom, these statements are made. This information is identified from a number of sources including organisational and governmental position statements, press releases and media reports, internally published organisational and business reports, internet sites, secondary academic literature, conference and other meeting proceedings, and personal testimony, correspondence and memoirs.

Valid interpretation and comparative analysis of such information is fraught with the danger of subjectivity, which may result in the incorrect interpretation of statements by the researcher. One method of minimising this variance and error is the use of a clearly structured and sound theoretical framework, based on existing theory (Peters 1998). This framework is provided by the typology of wildlife values offered in Chapter 2, which itself draws upon theoretical work by Stephen Kellert and other scholars (Kellert 1996; Rolston 1994; Norton 1986). My typology offers an original perspective, significantly amending Kellert's work (see Chapter 2).

6.3. *Case-study*

This thesis is a comparative analysis of six cases, based upon primary data obtained through documentary, interview and internet research. I have selected a representative sample of the more than sixty multilateral agreements that feature substantial wildlife conservation elements, and from the in-depth analysis of these it will be possible to assert some key generalisations regarding the development of international policy in the wildlife conservation arena. The sample includes almost all globally significant agreements. The value of the case-study approach is outlined by Rhodes when he notes;

"... the comparative case method allows valid generalisations provided that there is a theoretical statement against which to compare case studies. If there are several case studies, carried out to a single design, with each case compared to the initial theory in turn, it is possible to make analytical, not statistical, generalisations.' (Rhodes 1995: 56)

The majority of case-studies carried out within the discipline of politics are individual cases, usually focusing on one nation-state, one institution or one actor. The comparative element to these studies is therefore contingent upon other similar pre-existing cases or theory rather than internal to the individual piece of work. With this in mind it may be considered more appropriate to refer to the methodology of this thesis as a 'focused comparison' (Hague *et al.* 1998: 280-2), that is a 'systematic comparison of a limited number of cases' (Mackie & Marsh 1995: 176).

'This approach utilises more cases, it offers less detail than a case study but its conclusions are more generalisable. ... [However] ... we are faced with a trade-off between detail and generalisability, or some might claim between description and explanatory power' (Mackie & Marsh 1995: 176)

Indeed during this research I have been aware of the limitations of an overly descriptive end product. An accurate description of the situation encountered is, however, not only a valid foundation upon which to base this and future research, but also challenges some descriptions of reality posited by established theoretical traditions. In addition to the rich or 'thick' description offered by case-oriented analysis, we can assert what Hague terms 'intellectual gearing' as a benefit. Case study research can make 'a contribution to a wider debate as well as offering a grounded account of a particular subject' (Hague *et al.* 1998: 276).

6.4. Interviewing

Research on the case studies features a number of activities designed to add depth of analysis and understanding. The most significant element of this was the interviewing of key policy actors relevant to each of the treaty regimes. A number of interviews have been conducted for this research, both in person and via the telephone, along with extensive email correspondence. These were persons currently involved in the implementation and development of the agreements, and also where possible, those individuals involved in their initial negotiation and drafting. This latter category of individual was of key importance to understanding why and how the treaties were drafted and evolved in the way they did, and in identifying key early actors and understanding what motivated them to become involved in the agreement. A full list of interviewees is provided in Appendix A.

The type of interview used was a variation on the 'elite' interview, particularly popular in the study of politics (Dexter 1970; Richards 1996; Harrison 2001) and could be termed the 'expert' interview. They followed a semi-structured format and allowed the interviewee much flexibility to define what he/she considered important to the discussion. The ideal description of this type of interview could be a 'quasi-monologue stimulated by understanding comments', a term used by Dexter (1970). Along with providing substantial primary data not recorded elsewhere, there are several other benefits associated with this type of interview including the interviewee's ability to assist in the interpretation of documents, particularly where they were or are responsible for drafting or amending the document (Richards 1996: 200), and the generation of knowledge regarding specific events or processes in which they were involved.

An 'expert' is defined as an individual in an 'important' or 'privileged' position within, for example, a treaty Secretariat, scientific committee or similar body, a governmental representative or member of a non-governmental organisation involved in negotiations, or other negotiator or key conference delegate. These individuals possess an 'expert' knowledge of the negotiation, operation and/or implementation of the agreement. Initial interviews focused upon those experts with a 'specific' knowledge relating to one of the case-study agreements. These included persons involved in negotiations, conferences and secretariat or other administrative bodies. The second group of interviews were with a more 'general' category of persons who provided a broader understanding of the issues after involvement with and knowledge of a variety of agreements or conservation projects. These interviewees were drawn from non-governmental organisations and governmental agencies involved in varied and multiple policies. An expert level of knowledge should partially counter the low sample size inherent in the 'elite' interview.

One problem which can potentially arise in interview research is the deliberate provision of wrong information, although this is thought unlikely since the nature of the subject is not normally considered controversial or sensitive. However, one phenomenon along these lines experienced several times during this research has been the embellishment of the interviewee's role within a certain process enquired about. Further to this, and perhaps even more frustrating for this researcher, was the evident understatement of an interviewee's involvement, resulting in their being unwilling to offer an opinion at all.

The data sought from these interviews was not (necessarily) personal interpretation, but rather regarded the interpretation of policy in the wider world, or within the organisation to which the 'expert' belongs. It is hoped that this lack of personalisation of information will mean that some of the barriers which interviewers commonly face, such as sensitivity to questioning, will be less apparent. Indeed my experience was that if asked for a 'personal' opinion, interviewees became markedly less willing to offer an answer. Particularly where the interview may have digressed onto questions of personal faith, belief or activities. Use of an interview schedule and pre-written questions was vital to maintaining the focus of the interviewe. Where interviewees overly dominated the structure and agenda, and the researcher's questions were marginalised, some of the information and primary data was of little relevance to the thesis. Having said this, not only were these digressions on the whole interviewe also provided an insight into the individual interviewee and occasionally provided very useful unexpected information.

The various media have produced a range of responses although with no rigid parameters. Face-to-face interviews have produced by far the greatest amount of information and in the most complex and developed form. In this situation information can be given, received and returned as a dialogue at a more relaxed pace than over the telephone. Although much very useful information has been gained via telephone interviews, the interviewee and researcher generally feel that they are 'against the clock'. Email responses (more properly referred to as 'correspondences') have been of varied lengths and depths, and whilst in some cases have provided the briefest single word replies, have in others in fact given more detailed and clearly communicated responses on individual points than in-person interview questions. Email communication was at times limited: for example, it failed to gain a response from the Ramsar Secretariat (despite their otherwise excellent communication of information

electronically through their website and 'Ramsar Forum' email discussion group) and a 'survey' of over 30 individuals acting as convention 'National Focal Points' gained only two replies.

All interviews were recorded in note form by the interviewer. Whilst this method of recording the meetings may have resulted in the interviewer missing some points, the key issues were thoroughly covered. Additionally, the research demanded general interpretations and understandings to be recorded as opposed to large quantities of substantive fact. Most inperson interviews took place in a private office or room and suffered very few interruptions. When interruptions did occur these actually provided useful opportunities for me to pause and catch up on notes and to observe the interviewee in a broader context. Following each inperson and telephone interview I immediately made extensive notes from the brief notes made during the meeting. This proved to be a very effective method and I was able to recall substantial elements of the conversation.

<u>Chapter 2 – Wildlife Values</u>

This chapter addresses my first research question; In what ways can wildlife be valued? I answer this by describing an original and comprehensive typology of 'wildlife values'. The originality of a values approach was confirmed by a number of interviewees who noted that, to their knowledge, such a study had not been conducted. Interviewees also noted that many political actors do not have a clearly developed understanding of the value of wildlife and the reasons why they are involved in its conservation. Therefore, this study contributes to the development of such awareness. The importance of this awareness is beginning to be recognised by some actors resulting in, for example, publication of the UK National Trust's 'Valuing Our Environment' (National Trust 2001), and English Nature's 'Revealing the Value of Nature' (English Nature 2002).

<u>1. 'VALUE'</u>

The Introduction used the term 'value' with only brief explanation. As stated there, my term 'wildlife value' refers to any way in which wildlife can be valued by a political actor. Thus my use of the term 'value' is in a broad sense. It is *not* restricted to an economic or monetary meaning, nor is it meant only in the sense of a normative 'principle' or 'ideal', as defined in opposition to 'interest' by the Idealist/Realist debate in international relations theory (see Hoffman 1998: 54-69; Willetts 1996 sets this debate in an environmental context).

Even within the environmental literature the word 'value' has been used in at least three different ways. The distinction and relationship between them is often, however, far from obvious. The first two uses are most easily understood in relation to the existence of a valuing 'agent', and perhaps most usefully described by Brown and Manfredo as 'held' and 'assigned' values. 'Held values can be viewed as precepts and ideals held by an individual about something, whereas assigned values can be viewed as the relative importance or worth of something' (Brown & Manfredo 1987: 12). Dan Perlman establishes a similar distinction referring in his work to 'held' values as simply 'values', and to 'assigned' values as 'worth' (1997: 39-43). 'Held' values are therefore pre-existing (but changeable) beliefs, preferences or principles, 'although the process of their development is moulded by external events and other humans' (*ibid.*). 'Assigned' values are not necessarily predetermined and therefore require an active engagement by the valuing agent.

A third use of the word 'value' is claimed by some authors. This 'intrinsic' value is not assigned or even held by humans but is rather 'inherent in the object or its relationship to other objects' (Brown & Manfredo 1987: 13). I discuss the 'intrinsic' value of wildlife later in this chapter, although it is important at this stage to note that this thesis does not seek to contribute to the debate over the actual existence, or not, of intrinsic value in nature in its varied forms. Rather I adopt a pragmatic approach to the consideration of 'intrinsic' value, focusing not on whether intrinsic value actually exists, but whether political actors *perceive* it to exist. Indeed the significance of the debate over the existence of intrinsic value has been seriously questioned by environmental pragmatists, such as Bryan Norton, who has noted that 'It seems unlikely that the issue of whether wild species have intrinsic value will be decided before the question of saving wild nature becomes moot.' (1989: 242).

I believe my use of the term most closely relates to the notion of 'assigned' values, even (as discussed above) in relation to wildlife's intrinsic value. This research is concerned with the act of valuing wildlife; that is, the positive motivations of actors to pursue involvement in wildlife conservation, and there is a clear active engagement within this on the part of a valuing actor (or 'agent'). The 'agent' is specifically *assigning* one or more values to a particular species or other element of wildlife. In this way I use the term 'value' to deliberately acknowledge the existence of a 'valuer' – contrary to environmental ethicist Paul Taylor who uses the term 'worth' in a deliberate attempt to avoid reference to a valuer (Taylor 1986).

I note above that I do not focus exclusively upon economic or monetary systems of valuation of wildlife and the reasons for this are two-fold. Whilst I acknowledge that such financial valuations are of much use within the policy-process, I consider such pricing to be capable of accounting for only a limited range of relevant wildlife values. Whilst the commercial or even recreational values of wildlife may be usefully monetarised, the technique is of little use where moral, cultural or sacred valuations are involved. Not only are such categories sufficiently subjective and socially constructed so as to question the meaning of any quantification such as 'willingness-to-pay', it may further be that some actors consider such values to be 'priceless'. This contrast of efficacy and scope is excellently summarised by economists David Bengston and David Iverson who note that;

"Without a broader, pluralist understanding of all the values associated with natural systems, natural resource planners, managers and policy makers are a bit like the proverbial drunkard who looked for his lost keys under the lamppost because "that's where the light is." ... Traditional economics casts a bright light, and it has a role to play in the making of policy choices. But economics illustrates only a small part of the overall picture, and the keys may be found elsewhere.' (2003: 238)

Thus, the exclusive use of economic valuations of wildlife misses many non-economic factors which are important elements of the policy-process and which may be identified by other techniques of analysis. As one delegate to the Convention on Biological Diversity noted on this subject, 'If the only tool you have is a hammer, you will treat every problem as a nail.' (Ugandan delegate quoted in Nevill 2001: 10).

Further to this, I reject economists' assertion, identified by John O'Neill, that environmental decision-making requires strong value commensurability. O'Neill notes that economists assume 'that to make a rational non-arbitrary choice between options there must exist "some common unit of measurement" ... Money provides that unit of measurement ...' (1997: 77). Rather, in reference to other research, O'Neill goes on to claim 'Rational decision-making does not require commensurability in a strong form, the existence of a single cardinal unit of measurement. It requires only weak commensurability, an ordering of betterness between items ...' (1997: 80).

Both academic and practitioner discussions of wildlife conservation are dominated by 'megafauna' (elephants, whales, tigers, pandas, wolves, etc) and, similarly to a concentration on economic tools, this impoverishes its analysis by limiting its appreciation of the varied quality (or type) of wildlife value. Ashish Kothari, for example, suggests that 'the "big animal" definition of wildlife' can lead to some cultural, ecological and political factors being ignored (2001: 204).

Some authors identify negative valuations of wildlife within their typologies. Stephen Kellert (1996: 24-6), for example, notes the 'negativistic' value of wildlife defining it as 'an active avoidance of animals due to dislike or fear'. In some of his work Kellert also identifies a 'neutralistic' value based on 'indifference or lack of interest' (Kellert & Clark 1991: 23). Such values, whilst conceivably of some relevance to wildlife policy broadly, do not fit my conceptualisation of 'value'. I use the term in a positive sense only, that is to describe instances where value is invested or posited in wildlife by political actors. Indifference and dislike do not represent such instances. They are unlikely to constitute positive motivations for actors to become involved in wildlife conservation.

2. WILDLIFE VALUES IN CONSERVATION PRACTICE

Having noted the nature of my conceptualisation of 'wildlife values', it is important to illustrate how they can impact upon conservation policy. One illustrative example is the fundraising tactics of several non-governmental organisations involved in the conservation policy-process who focus upon animal-welfare issues, particularly 'endangered' charismatic megafauna such as dolphins, tigers, whales and elephants. These tactics have proved extremely lucrative³ and the financial support for conservation that these funds provide is extremely important. However advocacy of this particular position can cause conflict within negotiations and, upon recognition of some practical realities by donors, severely limit the conservation management options open to the organisation. Their activities are restricted by what their donors perceive to be the goals of the organisation based on these campaigning tactics. One such example, noted in the *New York Times Magazine*, was the position of the Worldwide Fund for Nature (WWF) in relation to the African elephant and trade in ivory.

'In spite of its longtime commitment to the principle of sustainable utilization, however, the World Wildlife Fund in Washington was concerned that the concept was "not understood by the vast majority" of its members. "Most of these members are more traditionally orientated toward species 'preservation,' and there is little understanding of the complexities of conservation in Africa in the 1980's," two senior conservationists in Washington wrote in a 1988 memo. Failure to endorse a ban, they added, would have "a seriously detrimental effect on our membership." As Russell Train, the group's chairman, told me in 1991: "We're trying to bring our members along on utilization, but our development people, the fund-raisers, are very nervous because there is no question that the great majority of our membership are animal lovers and have difficulty making the evolution to a more sophisticated understanding of conservation."' (Bonner 1993: 17)

This extract illustrates conflict between categories of intrinsic and extrinsic wildlife values within the same organisation, let alone between distinct organisations or government agencies.

Much conflict and confusion in wider society can be put down to a lack of understanding and clarity on the part, not necessarily of the actors involved, but of some media accounts of their positions. For example, media reports have described Whalewatch – a self-proclaimed 'global coalition of animal welfare charities' led by the World Society for the Protection of

³ Indeed recent surveys have shown that animal welfare charities in the UK often receive greater financial support from public donations than other groups dealing with, for example, elderly and infirm humans (Dowling: 2003: 2-3).

Animals $(WSPA)^4$ – as a group of 'major *conservation* organisations' (Brown 2004a: 9). To conflate these is to make mistaken assumptions about their distinct priorities and desired outcomes, and this can again lead to a lack of understanding between negotiating parties.

The clear categorisation of wildlife values is particularly relevant in the context of pluralist politics, within which a normative argument can be made that truly effective conservation policy should acknowledge a broad a range of wildlife values in order to engage as many actors as possible in positive dialogue and action for the conservation of wildlife; this could be referred to as pluralist environmental pragmatism. Such pluralist politics is, however, seriously impaired by polarisation and a lack of clarity of perspectives between actors in the policy making process.

3. TYPOLOGY OF WILDLIFE VALUES

3.1 Existing Typologies

Typological analysis has a significant history in environmental research, particularly in environmental ethics. In relation to wildlife the work of American environmental sociologist Stephen Kellert (1976) is most prominent. Holmes Rolston III offers a more intuitively informed typology (Rolston 1994), yet Kellert's is easily the most widely applied having provided the basis for at least eighty published studies since 1990. The areas of investigation to which these studies have been applied are, however, limited – nearly all being surveys of public attitudes with a distinct focus (more than 20 studies) upon attitudes towards 'megafauna', particularly wolves and coyotes (see Gompper 2002; Ericsson & Heberlein 2003). With the exception of one comparative study of environmental attitudes between Trinidad, the Dominican Republic and the United States (Rauwald & Moore 2002), I have not identified any application of Kellert's work in an international context, nor to political decision-makers or elites.

My typology aims to provide a coherent and comprehensive description of the varied potential motivations for actors' involvement in wildlife conservation, through an original synthesis of existing concepts and previously unacknowledged forms of value. Whilst drawing partially upon Kellert's work, its structure differs significantly and thus offers substantive original elements. In terms of the language used, which in the academic literature

⁴ See <u>www.whalewatch.org</u>

can often become jargonistic, this research takes its lead from the language actually encountered in the text of the international agreements used as case-studies.

Value			Description				
Kellert (1986)	Kellert & Clark (1991)	Kellert (1996)					
Utilitarian	Utilitarian - consumption -	Utilitarian	the practical value of animals.				
Ecological	Utilitarian - habitat		the practical value of habitat associated with wild animals				
Ecological	Ecologistic	Ecologistic – scientific	concern for the environment as an inter-related system.				
Scientific	Scientistic		interest in physical attributes / biological functions of wildlife.				
Naturalistic / outdoor recreational	Naturalistic	Naturalistic	interest and affection for the environment / direct recreational contact.				
Aesthetic	Aesthetic	Aesthetic	interest in the physical attractiveness of animals.				
	Negativistic	Negativitstic	an active fear, dislike and/or avoidance of wildlife.				
	Theistic		a fatalistic belief in wildlife as controlled by external deities.				
Moral / existence	Moralistic	Moralistic	the concern for the right or wrong treatment of animals.				
Cultural / symbolic / historic		Symbolic	value as 'expressions of group identity'				
	Dominionistic	Dominionistic	interest in the mastery and control of animals (often sporting)				
	Humanistic	Humanistic	an affection for individual animals/strong anthropomorphism				
	Neutralistic		passive avoidance, indifference or lack of interest.				

Table 1. The development of Stephen Kellert's typology of wildlife values.

Stephen Kellert has developed his typology over the last 30 years from its original presentation to the 1976 North American Wildlife Conference (Kellert 1976) and as such it has such undergone certain amounts of change during this time (see Table.1). This change is a significant motivation for describing a new typology.

Perhaps the most obvious distinction is my dichotomy between intrinsic and extrinsic categories of value. Kellert makes no such distinction with his 'moralistic' category being drawn rather narrowly. Whilst he does include the animal-welfare perspective within this category, other intrinsic valuations are excluded. Kellert argues that the notion of 'all creatures possessing an intrinsic right to exist ... remains flawed ... by its limited power to convince more than a very few people of the virtue of denying their own self-interest for the sake of a highly abstract notion' (1996: 215). He thus seemingly considers it unnecessary to analyse its impact.

Kellert's 'utilitarian' category makes no explicit distinction between commercial and subsistence uses. I argue that this conflation, also found in Rolston's typology, acts to deny the appreciation of an important difference in actors' motivations in this research. As I discuss in the description of these values, the subsistence use of wildlife can create distinct relationships between humans and their environment, and these can be the basis of dramatically different conservation practices.

The distinction that Kellert does, occasionally, make is between the utilitarian value of wildlife itself and the habitat in which the wildlife lives. However, to value the habitat of a wild animal is by no means sufficient to value the animal itself, and what Kellert achieves here is a blurring of a typology of wildlife values with a more general typology of environmental values. Kellert's 'utilitarian' value also notes a 'personal' utilitarian benefit derived from engagement with and experience of nature; 'an intrinsic pleasure can also be derived from this participation in the movement of energy and material through varying cycles of life' (1996: 11). It is not clear how this is distinct from Kellert's 'naturalistic' value, which I associate with educational, recreational and aesthetic values.

The lack of specific consideration of subsistence values within Kellert's work, may reflect its origins as a discussion of attitudes towards wildlife held by the American public. Whilst there may well be United States' citizens engaged in a subsistence lifestyle, Alaskan Inuit being a prime example, it was unlikely that such a perspective would be illuminated by such a survey. The US administration has, however, long appreciated the strength and importance of subsistence and related cultural arguments within their own borders, particularly within the negotiations over whaling rights.

Further Americentric bias can be detected within Kellert's typology. For example, little significance is placed on sacred, or 'theistic' for Kellert, wildlife values. The predominantly Christian environment within the US allows Kellert to characterise theistic concerns within his description of 'moralistic' value, which he relates explicitly to the right or wrong actions of humans towards animals. Thus Kellert's 'moralistic' category includes religious ethics along with the 'animal-rights' discourse. Rolston notes the sacramental value of nature, although in doing so is not as specific as might be expected as to the origination of this value. He later uses the term philosophical and religious value and this is somewhat clearer in its characterisation of wildlife as a philosophical or religious 'resource' (1994: 140-1). Although this characterisation is certainly narrower in scope than Kellert's 'moralistic' value discussed above, Rolston also introduces a secondary, non-sacred, dimension, an acknowledgement of the cultural importance of philosophical contemplation.

A second consequence of Kellert's focus on 'public' perceptions is its limited appeal to an analysis of international policy drafted and negotiated by political elites. We may expect a distinct terminology and perhaps a different set of value priorities. Whilst this may be more of a criticism of the subsequent application of Kellert's research, an acknowledgement particularly of the terminology of international convention texts will be useful. Phrases such as 'dominionistic', 'humanistic' and 'negativistic' are likely to be uncommon in treaty texts where translation of text and broad understanding of terms is required.

Of particular importance considering its prominence, is the political value of wildlife, described in my typology, which is largely untheorised by Kellert and others. I describe two distinct values, political and cultural, where Kellert again describes only one which he terms 'cultural/symbolic/historic' in early work but simply 'symbolic' in later work. Kellert wishes to combine all of the potential symbolic values of wildlife when I feel that political and cultural symbolism are distinct particularly in the political world.

I feel two further distinctions are necessary in areas where Kellert's typology is either ambiguous or terminology is conflated. In early work Kellert made a distinction between 'ecologistic' and 'scientistic' values. Ecologistic value was characterised as a 'concern for the environment as a system, and for interrelationships between species', whereas 'scientistic' was an 'interest in the physical attributes and biological functioning of animals' (Kellert & Clark 1991: 23). In later work, however, Kellert seeks to reconcile these two areas of value into one 'ecologistic-scientific' value (Kellert 1996). It is unclear why Kellert attempts to combine the two values and very little discussion is provided.

One significant strength of Kellert's typology is its specificity, which contrasts with many others that use broad classifications such as 'direct use', 'indirect use' and 'non-use' values (Pearce & Moran 1994: 19-22). Whilst such terms may be useful for macro-level economic analysis, they do little to identify the actual motivations of individual actors. Such broad classifications are thus descriptively weak; that is their content is not obviously or clearly defined. The 'direct use' of wildlife can take many forms including the provision of food, clothing, shelter, medicine, ornament and sport. Each of these uses can affect conservation policy and practice in a different way.

3.2 An Original Typology of Wildlife Values

In the next section I describe an original typology which is summarised by Table 2 below. Holmes Rolston III notes that 'two different philosophical perspectives are possible when a valuing agent (a valuer) encounters an x in the world: (a) what is x good for ? and (b) what is x's own good?' (1994: 171-2). Thus, wildlife can have extrinsic (for Rolston, 'instrumental') value and be 'good for' a number of uses, and/or wildlife can have intrinsic value and it 'own good', which may also take a variety of forms. My typology acknowledges this fundamental dichotomy, but also identifies and describes considerable variety within these perspectives.

	EATKINSIC
Animal Welfareconcern for right or humaneEcological	the value of wildlife with regard to its
treatment	ecological role or function in relation to
	other organisms, or species.
Animal concern for maximum Subsistence	the direct use values of the physical
Liberation preference satisfaction	form, and parts thereof, of wildlife.
Animal Rights concern for autonomous Commercial	the monetary or exchange value of an
individual animals	animal, or part of, in the market place.
Biocentrism concern for individual lives Educational	the utility of wildlife to provide
with a 'good-of-their-own'	knowledge to humans through its study.
Ecocentrism concern for ecological Aesthetic	the value associated with a passive
'wholes'	positive or negative appreciation or
	experience of wildlife.
Recreational	the value associated with an active
	interaction with wildlife.
Sacred	the value of wildlife due to the
	existence of some religious or spiritual
	relationship to the animal or species.
Cultural	the value of wildlife due to its
	importance for the maintenance of
	cultural identity or distinctiveness.
Political	the value of an animal or species as an
	argumentative political tool.
Indirect Duty	concern for wildlife due to a duty to
indifect Duty	other humans
Psychological	the value of wildlife to the
i sychological	psychological health of humans

Table 2. An Original Typology of Wildlife Values

4. INTRINSIC VALUES

John O'Neill (1993) notes three forms of 'intrinsic value', or at least three uses of the term. First, intrinsic value resides in x if x is 'an end in itself'. Second, x may be valuable on account of its 'intrinsic properties', its residual or constitutive qualities. Third, x may be of objective/independent value. Within this typology, for wildlife to possess intrinsic value, some element, dimension or faculty of it must be 'an end in itself', to borrow O'Neill's phrase (1993: 9). This element may vary from simple existence of life through to some notion of 'well-being' with a significant influence being the conception of wildlife in individualistic or holistic terms.

4.1 Animal-welfare – the 'moral orthodoxy'

With reference to Aubrey Townsend, Robert Garner describes the notion that some animals are sentient (able to experience pain or pleasure) and thus deserving of greater moral consideration than non-sentient 'objects', as the contemporary 'moral orthodoxy'. This ethic obliges us to consider the welfare of certain animals, avoiding causing them unnecessary pain or suffering. The 'moral orthodoxy' also admits some expansion of the notion of 'welfare', there being widespread agreement that sentient animals can 'suffer' in ways other than simple physical pain, such as 'fear, frustration, exhaustion, stress and loss of social companions' (Garner 2004: 14-16). Some animals can therefore be meaningfully said to possess 'interests', although these cannot equal those of 'autonomous' human beings. The moral obligation that emerges from such an ethic focuses upon concern for the welfare of individual sentient animals, and particularly upon 'humane treatment'.

A wildlife conservation programme based on an animal welfare ethic would demand protective actions on behalf of the limited number of animals considered sentient. Patti Clayton, paraphrasing Peter Singer, notes;

"... we can be fairly confident attributing sentience and thus membership in the moral community, to animals with a sufficiently developed nervous system; and we can exclude plants, fungi, microorganisms, and, of course, nonliving objects. Thus, mammals and birds are definitely "in", fish and reptiles are probably "in", and insects and most mollusks ... are probably "out".' (Clayton 1998: 48)

An ethic based upon individual sentiency seems at odds with the protection of species or other holistic entities, as commonly assumed necessary by conservationists.

4.2 Animal Liberation

A broader utilitarian ethic challenges the 'moral orthodoxy' by claiming that the sentiency of (some) wildlife creates more significant obligations than just a concern for welfare. Such a moral system is presented by Peter Singer's *Animal Liberation* (1990). Based, as an animal-welfare ethic, upon sentiency, the distinctiveness of Singer's approach, from an individualistic and hierarchical animal-welfare ethic, lies in his equation of the moral status of human and animal interest in the avoidance of suffering physical pain and his utilitarian reasoning.

The animal-liberation ethic does not, necessarily, equate *total* human interests with those of animals, as Singer recognises that autonomous humans may have interests, such as a desire for a long and happy life and an awareness of death, beyond the basic avoidance of physical pain. However, Singer's central insight is that like interests should be considered equally. For example, he claims 'Pain is pain, and the importance of preventing unnecessary pain does not diminish because the being that suffers is not a member of own our species.' (Singer quoted in Clayton 1998: 48).

Utilitarian ethics judge the 'rightness' of an action or policy by its tendency to maximise 'utility', commonly conceived as 'happiness', or in Singer's terms 'preference satisfaction', and, according to J S Mill, actions are 'wrong as they tend to produce the reverse of happiness'. Whilst individual pleasure-seekers are the basis of utilitarian ethics, Jeremy Bentham's formula 'the greatest happiness for the greatest number' serves to aggregate the happiness maximisation.

Thus the animal liberation ethic serves to boost the moral considerability of animals with the assertion that inflicting pain upon humans and animals can be equally wrong. The utilitarian basis of animal liberation serves to oblige humans to minimise the infliction of pain upon animals when it *is* considered necessary, and what is more, the aggregation of animal interests has the potential to act as a powerful counterbalancing moral force in the face of conflicts with humans.

Wildlife conservation sponsored by an animal-liberation ethic, similarly to animal-welfare, is still significantly limited by its reliance upon sentiency. Even with this, the animal-liberation ethic does facilitate a stronger defence (than the 'moral orthodoxy') of wildlife conservation where it conflicts with the interests of humans.

4.3 Animal-rights

A further (significant) boost to the moral status of individual animals is given by an animalrights ethic, a well-known example of which is presented by Tom Regan (1984). Regan seeks to attribute a mental capacity beyond simple sentiency to some animals – specifically 'mammals, one year of age and over' (Garner 2004: 22). This heightened mental capacity approaches (if not achieves) 'autonomy' and thus demands equal moral consideration of these animals with humans. Rather than simply avoiding the infliction of pain, humans would be obliged to maintain conditions such that the autonomous animal could live comfortably, or even 'flourish'. However there is nothing in the animal-rights ethic (except, perhaps, a notion of individual animal autonomy based upon an essentialist conception of freedom; for example, that a gorilla must be 'wild' to truly be a gorilla) that necessitates that this 'flourishing' would be best done *in-situ*: the natural world is not a comfortable place!

A significant disadvantage of a wildlife conservation programme based upon Regan's animalrights ethic would be the narrowing of wildlife within its scope. The establishment of high mental capacity is a significantly more difficult task than establishing sentience, and, as Regan acknowledges, is unlikely to extend beyond mammal species. Having said this, Varner (2003) argues that Regan's ethic does posit rights for other genera of animals such as birds but that they become progressively weaker. Further criticism is offered by Holmes Rolston III who critiques the ontology of 'rights';

'A right is a valid claim that a person can make to have his or her interests and welfare taken into account in the society in which he or she lives. Legal rights are enforced in courts, or they ought to be. *Rights* is a political word. But the concept of rights, which has worked so well to protect human dignity proves troublesome when we turn to the biological world. Nature knows no rights. Nature is not civil. There were no rights over the millennia of evolutionary time – nor are there today, outside the human sector. Trees, grasses, wildflowers do not have rights, nor can they recognize the rights of others. They do not assert argued claims and entitlements against each other. Nor do rivers or canyons, clouds or mountains.' (1994: 106-7)

The limited application and social construction of animal-rights thus seems to limit its utility to the wildlife conservationist. Such a position is unlikely to promote the conservation of those non-sentient elements of the natural world such as the many thousands of beetle species or varied fungi. This wider concern for biological diversity and its elements is a central intuition of the broad conservation arena.

4.3.1 Reconciling Individualism and Holism?

Environmental ethicists have, in general, been unsympathetic towards animal rights, liberation and welfare ethics. For example, in his discussion of animal-welfare and managed wildlife, Holmes Rolston III draws upon an example of a bison which has fallen through the ice of the Yellowstone river. Park authorities were criticised by welfare groups for not intervening and assisting in the animal's rescue, however as Rolston notes;

'Consider the coyotes, ravens, grizzly bear, and other scavengers whose lives depend on just such a winterkill. Intervening would have hurt the others. Now we begin to see that a simple
compassion extended from human or humane society ethics to wildlife is too indiscriminate. It does not take into account how their welfare is entwined with their wildness, how their integrity is ecological.'(1994: 111)

In short, well intentioned interventions motivated by the welfare of one animal may negatively affect the welfare of ecologically dependent others. Dobson claims, therefore, that 'Neither Singer nor Regan get anywhere near an environmental ethic' (1995: 52). The claim, and assumption, that Dobson is making here is that an 'environmental ethic' is necessarily holistic. Indeed this is where the primary disagreement lies; between the individualism of animal rights, liberation and welfare and the supposed need for a holistic environmental ethic (see Callicott 1980).

Gary Varner (2003) has attempted to reconcile these perspectives by arguing that the individualism advocated by animal welfare, liberation and rights perspectives can, in fact, provide a sound basis for the conservation of ecological 'wholes', and the sacrifice of individual interests, where such conservation will protect the interests of a larger number of individuals that would be protected if no conservation actions were taken. He particularly predicates his argument on overpopulation, the harmful effects that this can have upon the individuals of a species and the consequent agreed need for 'therapeutic hunting'. This argument seems to sit comfortably with an animal-welfare position. Robert Garner claims that whilst Varner's argument may also fit with the utilitarianism of animal-liberation, it is not compatible with an animal-rights view (Garner 2005 134-7). Indeed, Varner himself notes 'What I say about hunting will, I think, be met with skepticism by many self-professed animal rights activists ... [and] be rejected out of hand by many animal activists.' (2003: 98).

Varner also relies upon the notion of 'obligatory management species' which he defines as 'one that has a fairly regular tendency to overshoot the carrying capacity of its range', the elephant for example (Varner, quoted in Garner 2005: 135). This begs the question how is a species' 'range' defined? Committed conservationists would clearly argue that, due to human habitat destruction, the range of all species has been dramatically reduced, particularly in the last 150 years.

Furthermore, Varner argues that environmentalists and animal-rights activists can unite in their opposition to 'sport hunting'. Why should this be the case? Were a species to reach its 'carrying capacity', why should conservationists necessarily object to sport hunting to reduce the overpopulation? Indeed, sport hunting, particularly for trophies, has long been a useful

weapon in conservationists' armoury as it provides substantial financial resources which can be recycled into the conservation process.

Given these limitations and the perceived need for a broader environmentally aware framework for action, environmental ethicists have sought to present a moral system which challenges the moral orthodoxy to an even greater extent – particularly in its holistic approach. As J Baird Callicott notes '... we wanted to develop ... an ethic ... which situates the environment as the object, not merely the arena, of human moral concern.' (2003b: 203). This need for a new ethical approach, distinct from the 'current mode of ethical discourse (rights, duties, rational actors, the capacity for pain and suffering, and so on)' is underlined by Warwick Fox. Dobson summarises his view that;

'Those who argue from this perspective point out that the current mode of discourse demands that ecologists present reasons why the natural world should *not* be interfered with. What is required, they suggest, is the cultivation of an alternative worldview within which justifications would have to be produced as to why it should be interfered with.' (1995: 49)

4.4 Biocentrism

Rather than sentiency, mental capacity or membership of an ecological community, biocentric ethics revolve quite simply around life. Albert Schweitzer's biocentric ethics focus upon the 'will-to-live' which, he claimed, is evident not only in oneself, but in all other beings;

"... equally whether it can express itself to my comprehension or whether it remains unvoiced. Ethics thus consists in this, that I experience the necessity of practising the same reverence for life toward all will-to-live, as toward my own." (Singer 1993: 278)

Schweitzer recognises this as a very onerous ethic requiring no tearing of leaves from trees nor crushing of insects. Paul Taylor's 'respect for nature' argues that each living entity is 'pursuing its own good in its own unique way' (1986: 60). Once we recognise this, we can see all living things 'as we see ourselves' and, similar to Schweitzer's ethic, 'we are ready to place the same value on their existence as we do on our own' (Singer 1993: 279).

Patti Clayton (quoting Taylor) describes the parameters of his moral system;

'The theory of "respect for nature" thus claims membership in the moral community for *all animals and all plants*; because they are alive their well-being can either be promoted or hindered, and "it is possible for us imaginatively to look at the world from their standpoint, to

make judgments about what would be a good or a bad thing to happen to them, and to treat them in such a way as to help or hinder them in the struggle to survive." Conversely, inanimate objects cannot be so affected and thus do not have the status of moral subjects. Dogs and butterflies, daisies and oaks are "in"; rocks and rivers, canyons and sand dunes are "out." (1998: 56)

Taylor presents a detailed ethical system which facilitates a similarly detailed construction of a biocentric wildlife conservation programme. We have a 'duty not to do harm to any entity in the natural environment that has a good of its own', although we are not required to take actions to prevent harm. We must refrain from 'placing restrictions on' the freedom of individual organisms, ecosystems and biotic communities. Thus, Taylor notes that an 'exploitative' attitude towards nature is '*necessarily* incompatible' with the attitude of respect for nature (1986: 95-6). Individuals should be free to live their lives 'in a wild state' and, significantly, ecosystems should not be controlled modified or 'managed' in any way. The Rule of Fidelity, which creates a duty 'not to deceive or mislead any animal capable of being deceived or misled', rules out hunting and fishing where 'Deception with the intent to harm is of the essence'. A biocentric conservation programme would include a comprehensive programme of ecological restoration. Taylor's ethics create clear a duty to restore the balance of justice between a moral agent and a moral subject, although a good deal of substitutability is permitted. Taylor's 'principle of restitutive justice' provides clear motivation for setting aside natural areas.

4.5 Ecocentrism

An ecocentric ethic places at least some intrinsic moral value in ecological 'wholes' and is thus distinct from the individualistic 'moral orthodoxy' of western philosophical discourse. In his essay 'The Land Ethic', Aldo Leopold sought to extend the concept of 'community' to all elements of the biosphere or 'land', with the objective of similarly extending the ethical limitations placed upon human conduct towards it (1948: 203-4). This work was the culmination of his career as a game and reserve warden and reflected his beliefs that the ecosystem itself was its own best manager and that the presence of predator species was an illustration of ecosystem 'health' (Flader 1974). Leopold's opinion of 'keystone' species was clearly grounded in personal encounters.

The ecological character of Leopold's understanding of human's relationship to nature, place within it, and dependency upon it for continued survival, was vital. As Callicott notes 'it is the ecosystemic model of land which informs the cardinal practical precepts of the land ethic.'

(Callicott 1989: 89). He argues that Leopold considered 'community' membership *necessarily* involved the individual being subject to ethical limitations.

Leopold focused on the flow of energy within ecosystems and it is this that he uses to draw focus from the individual towards processes and systems. As individual entities, animals, plants and even rocks and soils are simply 'ephemeral structures in a patterned flux of energy' (Callicott 1989: 90), they can be considered less fundamental than the flow of energy itself. This allows Leopold to posit species and ecological processes, as possessing intrinsic value. The maintenance of the ecosystem becomes morally significant and leads Leopold to establish his well-known maxim 'A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise' (Leopold 1948: 224-5). This ethic is unequivocally holistic in nature, indeed Callicott refers to it as being 'holistic with a vengeance' and claims that this sets the 'land ethic' well apart from the mainstream of western moral philosophy (1989: 84).

Originating from an individual so closely involved in wildlife conservation policy and practice, it might well be expected that Leopold's 'land ethic' provides one of the most coherent frameworks within which to design a conservation programme. Callicott notes that;

'According to the land ethic, ...: Thou shalt not extirpate or render species extinct; thou shalt exercise great caution in introducing exotic and domestic species into a local ecosystems, in exacting energy from the soil and releasing it into the biota, ... and thou shalt be especially solicitous of predatory birds and mammals.' (1989: 91)

Further to this, Leopold placed great importance in biotic diversity as he considered diversification to contribute to ecosystem integrity and stability, and be illustrative of continuing evolution. Representative of this diversification are those species found at the apex of the ecological pyramid, and the 'land ethic' demands particular attention to their conservation.

There is some lee-way in the 'land ethic' for the exploitation of wildlife at a level which would not have a negatively impact on the integrity or stability of the ecosystem. Indeed, as noted above, the lack of 'protection' afforded to individuals is a source of criticism. The 'land ethic' is not, therefore, inconsistent with the notion of 'sustainable yield'.

4.6 Summary

This section has outlined five categories of wildlife's intrinsic value. Each of these categories relates to wildlife conservation in a distinct way; each sponsoring a distinct conservation policy summarised in Table 3 (next page). Six elements of a wildlife conservation programme are identified in this table and it will be noted that only an ecocentric perspective can sponsor all six of these arguments. Animal-welfare and animal-rights arguments can sponsor only one. Thus we may conclude that, of these categories of intrinsic value, an ecocentric ethic would be most likely to support an effective wildlife conservation policy.

5. EXTRINSIC VALUES

5.1 Ecological Value

Ecology refers to the relations between organisms, and between organisms and their physical environment. The ecological functions performed by individual animals, species, ecosystems and ecosystem processes are vital to the continued survival and functioning of all species, including humans. Holmes Rolston III refers to this as 'life-support' value, referring to the maintenance of environmental quality (or integrity) and the value of this for the continued support of human society (1994: 134). Ecological science is a holistic enterprise, thus discussion of ecological value tends normatively to privilege groups or wholes over the individual. It is however, important to note the holistic ethical bias of decisions based on an ecological rationale. The ecological value of an organism, or species, is defined (and created) by *its role or function in relation to other organisms, or species; especially in relation to their continued survival*. As all organisms interrelate to one or more others, it is possible to suggest that all organisms possess some ecological value.

Species, and individuals, interact with others in myriad variant ways ranging from the indirect facilitation of individual or species flourishing, to mutualistic or even symbiotic relations. An example of a beneficial indirect relationship between species is provided by Paul Taylor's discussion of the interdependence of the natural world;

'... we might consider some aspects of the ecology of the Everglades of Florida. In that ecosystem alligators make large depressions in marshy areas when they feed and rest. These depressions become permanent pools of water, containing a variety of forms of marine life nourished by the alligator's droppings and by bits of their food.' (1986: 116)

Competitive relationships between two species can also be of indirect value to a third. Predators can provide opportunities for those species in competition with prey species. Wolf control programmes, particularly, in the United States have long illustrated this, as the removal of the main predator species has led to massively reduced predation of deer. The consequent increase in deer populations, an intended consequence of the programme to facilitate sport hunting, not only had a devastating effect upon browsed vegetation, but also impacted upon competitor browsing species. This specific issue was a significant influence upon American conservation icon Aldo Leopold (Flader 1974).

Ecosystems, or more precisely ecosystemic processes, are of great value to those species within them, including humans. Living organisms rely on ecosystemic processes, such as water and nutrient cycling, carbon storage, pollution mitigation and flood absorption, for their continued existence. With this in mind, the notion of ecosystem *stability* has been posited as a desirable and appropriate conservation objective. With contemporary ecological science illustrating the dynamic nature of ecosystems, when considering ecosystem *stability*, we must shift the focus from stable wildlife *populations* to stability (or continuation) of ecosystemic *processes*. We can meaningfully and realistically ask questions as to how robust processes are, and how quickly and fully they recover to pre-disturbance levels, *regardless* of the species which carry out the necessary functions within that process.

5.1.1 Biological Diversity

Biological diversity is one of the most familiar terms in the contemporary world of conservation policy and practice, referring to the multilayered variation of organisms and species within an ecosystem, and to the variation between ecosystem types themselves. The notion that biological diversity is valuable is founded upon a central ecological theory, that increased biological diversity is directly correlated to increased ecosystem stability. This theory originates in the work of ecologist Charles Elton who argued that less diverse ecosystems are more vulnerable to disturbance (McCann 2000). That diversity leads to stability is by no means universally accepted and indeed theoretical work has shown that in certain situations diversity may have an inverse correlation to stability, the seminal research in this area being that of Robert May (1973). However, May's conclusions have been challenged using both empirical studies, some relating directly to food-web complexity (Petchey 2000), and theoretical models (Wilmers *et al.* 2002). We can therefore summarise that the majority of ecological research supports the notion that increased biological diversity *does* lead to increased ecosystem stability.

Form of Intrinsic Value	Unit of Focus	Habitat Protection	Protection of Biological Diversity	Control of Overpopulous or Invasive Species	Sustainable Yield	Protection of 'Megafauna'	Protection of Non-living Objects
Animal Welfare	Individual sentient animals	NO	NO	NO	NO	YES	NO
Animal Liberation	Groups of animals	YES ⁵	NO	YES	YES	NO	NO
Animal Rights	Individual animals with high mental capacity	NO	NO	NO	NO	YES	NO
Biocentrism	Individual lives	NO	NO	NO	YES	NO	NO
Ecocentrism	Elements of the 'biotic community' & energy flow	YES	YES	YES ⁶	YES ⁷	YES	YES

Table 3. Summary comparison of potential conservation programme elements motivated by differing forms of intrinsic value.

 ⁵ Where habitat protection can be identified as ensuring the 'happiness' or 'preference satisfaction' of large numbers of individuals in a group (see Varner).
⁶ The ecosystem is considered its own best manager – intervention of this sort is therefore permitted only rarely and to correct only human influences.
⁷ Sustainable yield must be kept to a low level so as not to endanger biological diversity.

(continued from page 35)

Having made this point, the anthropocentrically minded ecologist might still ask what level of diversity is required to maintain basic ecosystem stability? Or, more 'strongly' anthropocentric, how much can we diminish biological diversity before the system becomes unstable? As ecologists have noted;

'Although 95% of experimental studies show a positive relationship between diversity and ecosystem function, many have found that only 20-50% of species are needed to maintain most biogeochemical ecosystem processes.' (Purvis & Hector 2000: 212)

Another theory from ecological science, that 'diversity begets diversity', is useful here to support calls for the maintenance of high levels of biological diversity. The theory is, again, contested between ecologists although recent opinion and research tends towards supporting it (Palmer & Maurer 1997). If we accept that diversity *does* beget diversity and that diversity maintains ecosystem stability, we can argue as to the value of conserving *high* levels of diversity. Another ecological theory claims that diversity (and hence stability) increases with time. As an ecosystem progresses through its developmental stages, it becomes more diverse. If this is accepted, the more mature the ecosystem the more ecological value it will possess.

Stephen Kellert argues that biodiversity, and ecological value in general, can be complex for the 'average person' to comprehend. This is because many processes operate at an obscure scale, such as microbial organisms, or over vastly extended time periods. Despite this, Kellert recognises that historically when these natural functions, structures and processes are understood a prudent and cautious respect can develop leading to a general reluctance to overexploit species and habitats (1996: 14). This is evident when we consider traditional ecological knowledge (TEK) (also called local conservation knowledge) where social, cultural and religious sanctions have been developed in recognition of a respect for natural processes.

Rolston's 'dialectical' value, that is the value of the 'dialectical stress' which nature exerts on us, can be considered a dimension of ecological value as I describe it. Rolston suggests that we value this stress because it facilitates evolutionary improvements, 'The cougar's fang sharpens the deer's sight' (1994: 140) for example. This value is based upon the existence of evolutionary processes. That which is valued is an outcome of the stress which the ecosystem exerts on individuals. Kellert's dominionistic value, close to Rolston's 'dialectical' value, can also be encompassed within my conceptualisation of ecological value. This value is based on the notion that we can better our own mental and physical competences by 'successfully challenging nature and wildlife' (Kellert 1996: 20).

An understanding of ecological processes demands the conservation of non-living, as well as living, ecosystem elements and policy designed specifically for the conservation of ecological value would likely focus on the protection of habitat at an ecosystem level.

5.2 Subsistence Value

The most fundamental extrinsic value of wildlife is for subsistence purposes. To 'subsist' is simply to keep oneself alive and throughout most of human history we have relied upon wildlife for food, clothing, shelter and medicines, in our quest to do just this. Even with the advent of agriculture and the domestication of some species, wild animals remain an essential resource for many. Today, a significant proportion of the world's population still lives a wholly or partially subsistence lifestyle and utilise the wildlife around them. Subsistence value is, then, *the direct use value of the physical form, and parts thereof, of wildlife, without entering into the market economy*.

The distinctiveness of 'subsistence' use asserted by this research is sometimes called into question, although this is usually in relation to falsely categorising the wildlife user rather than the wildlife. Some definitions of subsistence extend to include the social and cultural elements of a 'subsistence lifestyle'. According to George Wenzel such a lifestyle is 'more than a means of survival ... It is a set of culturally established responsibilities, rights and obligations that affect every man, woman and child each day.' (Wenzel quoted in Freeman 1997: 8). This broad definition of subsistence allows such scholars to defend the hunting (and other uses) of wildlife purely in terms of 'subsistence'. In addition to this, Oran Young notes the difficulty, in practice, of defining subsistence use to the exclusion of commercial exchange. He notes that;

'Historically, numerous different subsistence-based societies have traded various commodities over long distances. The idea that true subsistence users do not think of the products they obtain from hunting, fishing and gathering as commodities is a romantic and unsubstantiated myth ...' (1994a: 123).

Indeed the common need for the commercial exchange of wildlife and wildlife products to support and maintain otherwise 'subsistence lifestyles' is well documented (Freeman 1993: 243-51), as is the 'destructive' impact of trade bans of those products, such as seal skins and

fur in the Arctic, upon the economies and culture of 'subsistence' communities (Lynge 1992). When discussing subsistence 'users' there is also a tendency to make romanticised generalisations about their supposed values or desires. Economically, for example, the 'subsistence lifestyle' has been characterised as;

"... a cultural milieu or way of life less driven by economic ambition and the search for increasing productivity and profit. The implication is that people in communities must be satisfied with the (often marginal) economic niches to which they have been assigned." (Li 2001: 161)

For the scholars mentioned above, the 'subsistence lifestyle' does not simply consist of endeavouring to 'subsist'. Whilst these criticisms are strong, I suggest that the use of language, and the drive to define the broad interests of subsistence *users*, is problematic and does not provide an effective framework in which to dispel these assumptions. Rather, this thesis asserts the distinction of each of these wildlife values (subsistence, commercial, cultural) and allows a pluralistic understanding of actors where each can claim multiple values. Thus a 'subsistence user' defined by Wenzel, Freeman or Young becomes an actor, or wildlife user, interested in the subsistence, commercial and cultural value of wildlife – and perhaps more.

In terms of wildlife conservation, perhaps the most significant effect of recognising the subsistence value of wildlife is the associated recognition of the dependency of human life on the resources of the biosphere. Whilst the phrase 'closer-to-nature' is both essentialist and pejoratively primitivist, it illustrates the notion that the chain of dependency from nature to consumer can be markedly shorter in relation to subsistence use than in the commercialised world. This shorter link to nature, it may be argued, leads to a greater understanding of local natural systems. Notions of sustainability and sustainable yield are not uncommon where subsistence use is practised. Arvind Khare notes, for example;

'The cultural practices in the Indian subcontinent indicate a number of traditions of restraints on the exploitation of wild plant and animal resources that reflect a detailed knowledge of the functioning of the ecosystem and the need to preserve biological diversity.' (1998: 96)

Such knowledge can sometimes provide a more appropriate epistemology for conservation policy than western science (Freeman 1992: 20).

5.3 Commercial Value

The natural extension of direct use of wildlife for subsistence purposes is into the commercial market where wildlife and wildlife products acquire exchange value. The commercial value of wildlife can, then, be described as *the monetary or exchange value of an animal, or part of, in the market economy.* This transformation of value can, in some circumstances, radically alter the relationship between humans and wildlife, as some examples given earlier illustrate. Whilst the existence of this form of value, at least for many forms of wildlife, is undisputed, its amount, form and measurement are not quite so easily agreed upon. One estimate, prepared by TRAFFIC International, put the total value of the legal international wildlife trade (excluding fisheries and timber) at around \$15 billion per annum (Fisheries were valued at \$40B and timber products at over \$100B per annum) (Broad *et al.* 2003: 14). This trade constitutes live animals for pets, fur and skins, medicinal products and foods. Domestic trade in wildlife can greatly exceed international trade in some states, although trade in domesticated animals and their products, of course, dwarfs both.

Whilst there are practical limitations to measuring the commercial value of wildlife, the usefulness to conservation efforts of its appreciation is significant. It provides strong economic arguments for conservation and, in some states, allows actors to draw upon the support of powerful industrial interests. A number of significant private business interests engage with the commercial value of wildlife. These include the fur and skin, trophy, souvenir, and folk-medicine trades, biotechnology, agrichemical and pharmaceutical industries and, perhaps most significantly, the timber and logging industry. When the circumstances are appropriate these actors could potentially form a significant political lobby in favour of wildlife conservation.

Traditionally nowhere near enough emphasis has been placed on positive commercial inducements to conserve (Oldfield 2003). However, it is vital to draw a clear distinction between the commercial value *of* wildlife and the broader impact of economic structures and forces *upon* wildlife. Economists have attempted to measure both the direct commercial value (exchange) of wildlife and wildlife products, and, much more broadly, the financial value of wildlife and the environment as providers of other services, such as environmental protection or tourism. Much of the criticism aimed at economics is aimed at the latter financial valuation of wildlife non-commercially.

There is a further dangerous element of private harvest of wildlife's commercial value where that wildlife is rare or in danger of extinction. Assuming consistent demand, market price reflects supply, thus rare species (or products from rare species) fetch high prices in the free market. Rare species are thus more likely to be sought by traders, and where traders possess stocks of rare product attempts may be made to maintain the species' rare status to sustain price. Reports have even been made of traders seeking the extinction of the rhinoceros in an attempt to make the value of their horn stock soar. Short-termism such as this is a serious detraction from the usefulness of commercial valuations of wildlife.

5.4 Educational Value

The study of wild animals holds great extrinsic value, in a multitude of forms. It can provide direct benefits, such as medicines or indications of ecosystem disturbance or health. It can advance ecological understandings locally or globally, increase awareness of potential new uses of natural resources and of the impact of humans on the environment, and in its broadest sense the study of animals contributes to an accumulation of scientific knowledge vital to the advancement of civilised society. To describe this, I use the term 'educational' value, to describe all *the distinctive ways in which we can gain knowledge from the study of wild fauna*.

The direct benefit of harnessing the educational value of faunal species is most easily illustrated by reference to medicinal research. The use of the rosy periwinkle to produce Vinblastine and Vincristine, to treat childhood leukaemias and other cancers, and Aspirin which is derived from salicin found in willow bark and the herb meadowsweet are perhaps the two most famous examples.

However, faunal species are also of great use to the medical world, particularly within the field of genetics. The humble fruit fly has been of enormous worth in understanding genomics because of its short generational period and rapid reproduction cycle (Ridley 1999). The blood of horseshoe crabs is a vital resource for a number of pharmaceutical and medical tests⁸. Medicinal leeches are perhaps one of the most famous animals with apparent medicinal qualities. Some contemporary plastic and reconstructive surgeons note their usefulness in re-establishing blood flow to amputated/severed limbs following reattachment. However, their widest use is in the production of hirudin, an anti-coagulant found in their salivary secretions. Another pharmaceutical resource, cantharidin, is derived from the blister beetle. The consumption of the weaver ant has clear medicinal benefits including increased blood circulation and metabolism, boosting the immune system, pain reduction and treatment of the spleen and liver.

⁸ See www.horseshoecrab.org/med/med.html.

It is not just through the creation of pharmaceuticals that wild fauna can help progress in the medical field. Understanding the biological processes of certain species also has huge potential. In a recent lecture Professor Eric Chivian noted the value of understanding the hibernation, or 'denning' of black bears. The monetary figures seem huge, but he claims;

Osteoporosis is an enormous public health problem – afflicting 28 million people in the U.S. alone,... causing 1.5 million bone fractures and 70,000 deaths a year, and costing the U.S. economy more than \$14 billion annually. Bears have substances in their blood that stimulate bone forming cells and inhibit bone dissolving cells. If we understood how these substances worked, we could perhaps develop new preventative measures and treatments for osteoporosis. ... If we understood how bears recycle essentially all of their urinary wastes, and converted these into amino acids and new proteins, we could possibly treat renal failure, a condition that costs the U.S. economy an additional \$16 billion a year. (2004)

The educational value of species for increased understanding of ecological processes is also enormous. Traditionally based upon the study of species as the 'fundamental unit' (Wilson 1992), the scientific analysis produced enables us to understand species' functions and enables us to reapply that knowledge in various contexts. It has been suggested, for example, that the study of ecological relationships is an important element of understanding human relationships (MacDonald 2005: *pers comm*).

Wildlife is a useful indicator of ecosystem health, change and type. The presence or abundance of a species may, for example, be considered archetypal of a given ecosystem. In the best tradition of the coal miner's canary, the most common use of indicator species is to demonstrate and measure ecosystem change or disturbance.

5.5 Enjoyment Values (Aesthetic and Recreational)

Great pleasure can be gained through engagement with the natural world. For example, the many millions of visitors to National Parks engage in watching, walking in, painting, photographing, collecting, writing about, climbing, sailing on, fishing for and, occasionally, hunting various elements of nature.

An important dichotomy exists within these enjoyment or leisure values and I draw attention to this via reference to distinct recreational and aesthetic values. This distinction is between a passive (aesthetic) and active (recreational) engagement with nature. Holmes Rolston III, describes this distinction clearly by noting that some people use nature to 'show what they can do', whereas for others it is a chance to be 'let in on nature's show' (Rolston 1994: 135). Rolston also provides an example of how different policy choices might result from these distinct valuations. He refers to the construction of the Telico dam in the United States which, famously, led to a confrontation between the developers and environmentalists who sought to 'save' the local population of endangered snail darter fish. He notes that;

'It will strike a sportsman as ridiculous to say that snail darters and Furbish louseworts have more recreational value than will the reservoirs behind those dams, stocked with game fish, while it will seem obscene to the naturalist to exterminate a rare life form in exchange for one more place to water-ski' (Rolston 1989: 79)

5.5.1 Aesthetic Value

The natural world provides us with many experiences of beauty and pleasure. The grace of a whale, the power of a tiger, the strength of an oak, and the magnificence of a redwood are just a few expressions of such perceptions. The aesthetic value of wildlife is based upon its beauty or attractiveness and can be described as *the value of the passive appreciation or experience of wildlife*. Any form of viewing nature, e.g. bird-watching, whale-watching or safari, can be characterised as expressions of aesthetic value. Several scholars have posited a link between aesthetics and human evolution, ecological awareness and problem-solving (Heerwagen & Orians 1993).

'Our ancestors lived in environments devoid of modern conveniences. Their health, survival, and reproductive success depended on their ability to obtain and use environmental information wisely. They had to know how to interpret signals ... They needed to evaluate habitats... . [such knowledge developed and remained in the human brain] as 'neural filters that emphasize or deemphasize aspects of information emanating from the environment. ... These prefilters evidently express themselves in all organisms as a sense of aesthetics and some form of logical analysis.' (Orians 2000: 46)

If we assume these ecological roots to be valid, aesthetic valuations of nature must lie at the very core of human motivations to conserve wildlife. Whilst concerns have been raised over the subjectivity of aesthetic valuations, research has suggested a strong and consistent preference for 'natural' scenes, as opposed to attractive man-made phenomena such as St Paul's Cathedral or the New York skyline. Stephen Kellert notes 'a consistency in the human aesthetic response to nature that unites us all despite our enormous variations in upbringing and experience.' (1997 33). Peter Singer notes;

'I have looked at the paintings in the Louvre, I think I have a reasonable sense of appreciation of the fine arts; yet I have not had in any museum, experiences that have filled my aesthetic senses in the way they are filled when I walk in a natural setting and pause to survey the view from a rocky peak overlooking a forested valley, or sit by a stream tumbling over moss-covered boulders set amongst tall tree-ferns, growing in the shade of the forest canopy. I do not think I am alone in this;' (Singer 1993: 271-2)

This suggests an *a priori* formation of aesthetic preferences through evolutionary processes and adaptations. Natural phenomena linked to safety, sustenance and security are particularly desirable, thus 'positive responses to indicators of the presence of food, water, shelter, and protection from predators' are common (Orians 2000: 51). Thus aesthetic preferences conditioned by evolutionary pressures can be seen to aid human decision-making and problem-solving. Consequently one of the most significant aspects of the aesthetic value of nature is its 'restorative' capacity and the potentially enormous health benefits of this. As Orians explains 'If aesthetic responses evolved because they enabled people to better solve life's problems, exposure to high-quality environments should be restorative, that is, it should reduce feelings of tension and stress.' (2000: 53).

Considering the suggested ecological basis of aesthetic valuations, a conservation programme based upon the such values is potentially broad. It is likely to result in a 'nature' sympathetic to basic human needs, thus featuring significant 'resources' including the conservation of water bodies, forest areas and, importantly, considerable numbers of wild fauna and flora, particularly large fauna, such as mammals and some birds. We are unlikely to see concern for biological diversity emerge from a conservation programme based on wildlife's aesthetic value. Furthermore, we do have negative aesthetic perceptions, similarly to those positive perceptions discussed here, which demand action opposite to conservation. Certain wildlife, such as snakes and spiders, elicit strong negative reactions from humans (Ohman & Soares 1994: 231-40).

5.5.2 Recreational value

Very closely related to a passive (aesthetic) enjoyment of wildlife and the natural world is the enjoyment gained from an active engagement with it. Recreational activities include climbing, swimming, walking and sailing, yet of most relevance to wildlife are hunting and fishing. Stephen Kellert relates recreational pursuits conducted in the environment to a supposed human desire to master nature. This attempted mastery has four evolutionary

adaptive benefits for human development; 'physical strength and mental prowess; selfreliance and independence; exploration and adventure; and courage and heroism.' (Kellert 1997: 127).

Hunting need not, of course, be based only upon a recreational valuation of wildlife, it may have an ecological, cultural or subsistence motive. Indeed the same hunt may be based on two or more values simultaneously, such as when park authorities allocate recreational hunting licences in order to reduce the over population of a species. Often recreational hunters also place great value on the aesthetic experience of wildlife. Some suggest that hunting can engender a respect for wildlife, American conservation icon Aldo Leopold being the 'case in point' (Flader 1974). Holmes Rolston III describes both the potential positive and negative aspects.

'We need to see how hunting is both natural, bringing the hunter, through a human culture, into identification with the wild world, and also how hunting can be unnatural, a blood sport that spills out life gratuitously, just for pleasure and pride or this 'game', a machismo killing for thrills.' (1994: 122-3)

Conservation programmes based upon the recreational value of wildlife would focus on those species of 'game' most enjoyed by hunters, such as large mammals and birds (wild fowl). It is also likely to aim to maximise their numbers and thus include a programme to reduce or remove predators and otherwise manage the ecosystem.

5.6 Sacred Value

Many animals are held to be worthy of religious or spiritual veneration. The possession of sacred value is defined by *the existence of any religious or spiritual relationship with wildlife*. Within my typology, I use the term 'sacred' value to refer to the broad variety of religious, spiritual and mystical values associated with wildlife. An excellent survey of the environmental ethics encountered in the world's many spiritual and cultural traditions is provided by J Baird Callicott (1994).

Some belief systems hold animals actually to be deities, spirits, or primary incarnations of deities (avatars). One form of this, totemism, is a belief system which identifies a sacred personal relationship between an individual, or community group, and a particular animal, plant or even natural phenomenon thought to possess spirits or spirit power. The totem animal is considered a companion, protector or relative and it is believed necessary to

maintain a positive relationship with it in order for the individual or group to prosper. Totemism is widespread throughout Africa and Asia, along with aboriginal Australians and indigenous Amerindians. Its impact upon wildlife conservation is easily appreciated, and indeed its relevance is beginning to be appreciated by some conservationists⁹.

Wildlife can also have value as creations or expressions of deistic power. There are varied ways in which this can be conceptualised from creations, put in place to be tended and watched-over by man, to expressions of deistic power, constantly animated by supernatural force and beyond man's power. These two conceptualisations both find expression within the Christian tradition, motivating an ethic of 'stewardship' and transcendentalism respectively.

As God's creations, wildlife should be respected, and the authority of man to alter, interfere or destroy it should not be assumed this represents an ethic of Christian 'stewardship'. Humans are free to use wildlife, but with the knowledge that it has been entrusted to man, who is himself answerable, eventually, to God. The Islamic conceptualisation of nature is akin to Christian 'stewardship', being characterised as a 'gift' from God, created as a 'testing ground' for man's moral responsibility and as such possesses a kind of 'sacramental efficacy' (Manzoor & Sardar 1997).

The anthropocentric nature of the Christian stewardship ethic was criticised by American conservation icon John Muir, who questioned the perceived intentions of God's creations. He noted that;

"... all uneatable and uncivilizable animals, and all plants which carry prickles, are deplorable evils which, according to closet researches of clergy, require the cleansing chemistry of universal planetary combustion." (1998, 1916: 141)

To Muir, the very existence of these 'uneatable and uncivilizable' animals, and every other element of nature hostile to man, was proof that the world was not 'meant for man'. Rather, Muir believed the natural world reflected the mind of God, referring to the 'writing' of God in the natural forms found in the wilderness, and that the experience of it could educate people as to God's true nature. He refers to animals as 'fellow-mortals' noting 'Bears are made of the same dust as we, and breathe the same winds and drink the same waters' (1954: 313).

⁹ See for example an entry to Conservation International's 2003 Biodiversity Reporting Award at http://www.conservation.org/xp/CIWEB/programs/awards/2003/Ghana/Judges/entries/gha 11.xml

The notion of reincarnation, common to some 'Eastern' theological traditions such as Buddhism and Jainism, provides another dimension to the sacred value of wildlife. The *samsara*, central to the Buddhist faith, is the perpetual cycling of telic beings through rebirth, or reincarnation, over very long life spans. This process engenders a commitment to universal compassion based on the notion that, at some point in past cycles, each and every other life form was, or could have been, a relative of your own. Furthermore, holistic Buddhist notions of unity, wholeness and interconnectedness clearly compliment ecological ideas relating to the interdependence and integrity of ecosystems. Within Buddhism the natural world, and forest particularly, was also considered an excellent environment in which to bring about transformation of consciousness, similar to Muir's transcendentalism. Nature provided solace from others, but also an illustration of the impermanence of being. Harris notes that 'By conquering fear the forest dwelling monk achieves supernatural powers.'(Harris 2000: 128).

A 'myth' is a story used to explain or illustrate some historical event, cultural or ideological understanding and animals are prevalent throughout the myriad mythological traditions across the globe. Once common to all peoples, mythological narratives are still common outside the dominant theistic traditions, especially in South America, Africa and large parts of Asia. Myth rarely invokes a direct consideration for the animals found within the stories, yet they do serve to provide knowledge, often of an ecological nature, which promotes awareness of human impacts, and may lead to the totemisation of mythical animals identified with a certain quality or strength.

5.7 Symbolic Values (Cultural and Political)

Wildlife can be symbolic of a wide range of characteristics, values, and perspectives. States identify with 'national species'. As Holmes Rolston III notes 'The bald eagle perches on the top of American flagpoles and is portrayed in the seal behind the president, expressing freedom, power, grace, lofty alertness. The British prefer the lion; the Russians the bear.' (Rolston 1987: 194). The Athabaskan Amerindians of the Yukon Territory, Canada, identify very closely with caribou, 'the caribou is not just what we eat: it is who we are. It is in our dances, stories, songs and the whole way we see the world. Caribou is our boots and mittens. Caribou is how we get from one year to another.'¹⁰. Holmes Rolston III, again, notes the importance of the bighorn sheep to residents of Colorado, 'Would not the death of the last bighorn lower the perceived quality of life in Colorado?' (1994: 137). Nor are these symbolic identifications limited to 'cultural' actors or groups. Wildlife can be symbolic of persons'

¹⁰ Gwich'in leader Sarah James quoted in 'Inupiat and the Gwich'in' at www.lib.uconn.edu/ArcticCircle/ANWR/anwrinup-gwich.html (12/03/96).

united otherwise, for example the Antarctic Wives Club (for those whose partners are engaged in extended periods of research in the frozen South) have the snow petrel as their symbol on account of the species' unswerving fidelity (Jackson 2005: *pers comm*).

Wildlife can also be symbolic of political movements or arguments and, although this link is perhaps not as strong as those to cultural groups, they can still be powerful icons. The panda, tiger and, particularly, the whale are all symbolic of the wider struggle to protect nature broadly, the notion being that if we can save those species there is yet hope for the rest. (Certainly if we *can't* save these iconic species there is little hope for the rest!). Thus, we can identify two distinct categories of symbolic valuations of wildlife – cultural and political.

5.7.1 Cultural Value

Wild animals often have value in relation to their importance to a certain culture or cultural identity; that is, the animal is deemed important to the continued distinctiveness and integrity of the culture in question. One example is the caribou and its relevance to the culture of the Athabaskan Indians of the Yukon Territory, Canada. Not only do these communities rely heavily upon the caribou for food and clothing, they form a vital part of their cultural and spiritual life. Whales form a central aspect of the cultural systems of many communities, such as the Makah community of Washington state. With this in mind we can see that threats to the continued existence of a culturally valuable species can be construed as a threat to the continued existence of a culture. This perspective provides a very strong argument in favour of wildlife conservation, and against any activities that may place wildlife at risk. For example, the International Working Group for Indigenous Affairs (IWGIA) note, in strong language, that '… indigenous peoples see it as their right to utilise the renewable resources of their lands … [which] when denied can be seen as a threat to their cultural identity and can thus be compared to cultural genocide.' (1991: 27).

Holmes Rolston III identifies a number of benefits accruing to human culture through an identification with wildlife. It can provide a sense of place and attachment to the landscape. It can enrich the quality of a culture. Conversely, a lack of association with or negative relationship with nature will be detrimental to that culture, 'What a culture does to its wildlife reveals something of the character of that society, and a society fails itself if it fails to conserve its wildlife.' (Rolston 1994: 131).

No discussion of wildlife conservation would be complete without mention of the 'flagship' species, those used by wildlife conservation campaigners to symbolise the plight of the natural world and to inspire support. Mainly drawn from the 'charismatic megafauna' of the world such as tigers, elephants, pandas and whales, these animals have huge political value; that is reference to them is a potent political tool. Wildlife does not, however, have to be 'megafauna' to become a political symbol. The tiny snail darter fish occupies a very prominent position in the story of endangered species protection, particularly in the United States. This three inch member of the perch family became the focus of a successful court action under the US Endangered Species Act to prevent completion of the construction of a dam across the Tellico river, a tributary of the Tennessee. The political value of wildlife exists, therefore, in *the ability of some species to symbolise a particular perspective, programme or argument.*

In addition to this value as symbolic of an argument or perspective, wildlife can possess value of a more obvious political nature. Environmental protection generally is now seen as an important element of government policy by an increasing number of voters. Saving wildlife, particularly charismatic species, can be very popular with significant numbers of an electorate, and it thus possesses significant value as political capital. However, considering the dynamic nature of political life and democratic institutions, acknowledgement of, and action motivated by, the political value of wildlife can, unfortunately, be epideictic, and thus subjective and highly evanescent.

5.8 Indirect Moral Duty Value (Future Generations & Moral Character)

Wildlife may be of value to individuals other than ourselves and thus there may exist a duty upon us to conserve it. The two most common forms of this relate to concern for future generations and human moral character, yet it might simply be that we should not damage the property of others.

5.8.1 Future Generations

The notion that current human generations have duties towards future generations of humans is widely accepted within the environmental movement. Indeed, it informs a number of green policies, and forms the basis of sustainability, a central concept in environmental politics. Fundamental to this obligation is the notion that the actions of current humans will affect the welfare of future generations. For example, extinction and species loss deprives future generations of the opportunity to enjoy or otherwise utilise those species. Norton suggests a broad, systemic, notion of obligations to future generations where;

'Environmentalists do not wish to meddle in the individual affairs of future generations; they want simply to ensure that those individual dealings take place against a liveable environmental context.'(1991: 218)

Thus, conservation efforts can be justified on the grounds that current humans have a duty to maintain (perhaps even improve) wildlife for the benefit, use and enjoyment of future humans.

Exactly what form of wildlife to maintain is a source of controversy. Should we maintain biological diversity, or protect individual species, such as the tiger, so that our grandchildren will have the opportunity to appreciate its beauty? These questions are very closely linked to the debate over the nature of future generations, their identity and their perceived needs and wants. It is argued by some that, as current biological and ecological circumstances and decisions *determine* the identity and interests of future individual humans, current policy cannot be decided in reference to them (Elliot 1995: 2). Environmental ethicists have debated how far into the future such obligations might go. As Norton reports 'In an extreme form such theories state that, while we might have substantial obligations to the next generation our children - we have no obligations whatsoever to the generations that succeed them.' (1991: 214-5). He goes on to quote John Passmore who states '... we ought to try and improve the world so that we shall be able to hand it over to our immediate successors in a better condition [than we found it] and that is all.' (*ibid*.). Passmore's ethic creates coherent objectives for wildlife conservation as the needs and desires of immediate successors can be known with at least some accuracy, as they are likely to be similar to our own. Thus an obligation to conserve species currently perceived as valuable can be construed, along with efforts to conserve biological diversity. Norton however presents a normatively driven critique of Passmore's position claiming that concern for distant future generations is actually a central moral intuition of green philosophy.

5.8.2 Human Moral Character

Wildlife conservation can also be based upon an indirect duty to maintain our own moral character, or that of others. John Passmore describes this; 'In so far as cruelty to animals was wrong, this was only because, ... it might induce a callowness towards *human* suffering.

There was nothing wrong with cruelty to animals *in itself*.' (Passmore 1974: 113). Humans should not, therefore, perpetrate deliberate acts of malevolence towards wildlife. Interestingly, the anthropocentrism of this moral perspective cannot admit any hierarchy of interests between non-human species as *all* are devoid of value. Similar acts of cruelty towards the whale and the fruit-fly are equally detrimental to human moral character. To argue anything else would require the investment of greater moral significance (considerability) in one species than the other – which is illogical where non-humans have none at all. One outcome of this perspective is, therefore, its broad application across *all* species – that is, to all life with which humans can act in a morally damaging manner.

5.9 Psychological Value

Several scholars have posited a psychological value of wildlife, founded upon the argued necessity of a healthy natural world for human 'well-being'. With this human focus, this value is anthropocentric and thus extrinsic. However, these arguments often blur this dichotomy.

Ernest Partridge presents such a case for the protection of nature based on 'self-transcending concern' which recognises 'that fundamental to the human condition is a *need* to care for things outside of oneself' (1984: 101-130).

'... this need is suitably met, and human life enriched, by a transcending concern for the wellbeing of natural species, habitats, and ecosystems. These considerations are joined with the ecological point of view to yield the conclusion that a self-transcending concern for the welfare of wild species and their habitats enriches the quality of moral life. Persons with genuine reverence and respect for wild creatures and their habitats will enjoy greater fulfilment in their own lives and be better neighbours to each other.'(1984: 101)

For Partridge, nature is a human 'moral resource'. He argues that in light of the 'paradox of morality', 'that is, the conclusion that one's self-interest might not be best served by directly seeking that self-interest', Partridge claims that to avoid the undesirable social alienation that results from self-interest ('narcissism') the individual is required to renounce 'the direct and deliberate search for personal satisfaction'. Instead 'Satisfaction and fulfilment are attained by valuing things other than oneself, not for the gratification that these others bring us, but for *themselves*'. Thus we are presented with an anthropocentric justification for adopting a *non*-anthropocentric ethic! Partridge says 'I am suggesting, in effect, that for mankind's sake it is wiser to love nature for nature's sake' (1984: 121-7).

The 'transpersonal ecology' of Warwick Fox presents a similar argument, moving away from mainstream ethical discussions of values and 'codes of conduct' towards a natural (organic) 'state of being'.

'The idea involves the cultivation of a sense of self that extends beyond the individual understood in terms of its isolated corporal identity. To this is added the notion that the enrichment of self depends upon the widest possible identification with the non-human world.' (Dobson 1995: 57)

John Barry makes clear the link between Fox's 'transpersonal ecology' and the transpersonal *psychology* of Abraham Maslow (Barry 1997: 21). The distinction lies in Fox's shift towards ecocentrism. Whereas Partridge's concern is the moral character of humans, Fox posits an *a priori* ecological conception of the human self. As Barry says, we '(re)discover the 'ecological self' rather than intersubjectively 'create' it through a shared ethical discourse.' (1997: 24). This is fundamental to Fox's perspective as without it the value of the natural world remains subjective. The assertion of an *a priori* ecocentric 'self' is the basis of Fox's assertion that a shift occurs in the onus of justification for policy-makers. In this regard he claims;

'in terms of preserving the nonhuman world, the wider identification approach is more advantageous than the environmental axiological approach in a political or strategic sense because it shifts the onus for justification of one's actions from the person who wants to preserve the nonhuman world to the person who wants to disrupt or interfere with it.' (Fox quoted in Dobson 1995: 59)

For Fox, without identification with the human 'self', nature has no intrinsic value. However, the real problem here is the casting of the anthropocentric/ecocentric dichotomy itself which, for Fox, rests upon a misconception of the true nature of what it is to be human. For Fox, to ask whether humanity *or* nature is the true locus of value is fundamentally flawed, because if human well-being is understood properly (that is, in terms of the 'ecological self') anthropocentrism cannot exist. 'Transpersonal ecology' effectively posits *true* anthropocentrism as ecocentrism.

The psychological value of nature could uphold a very strong conservation programme. Partridge's conception of wildlife as a 'moral resource' clearly demands concern for wild species and habitats, and this holistic dimension sets it apart from a concern for moral character based upon the welfare and treatment of individual animals, presented as an 'indirect duty value' above. It also crystallises the form of conservation programme likely to be fostered. Partridge notes 'I think we have found reason to conclude, first of all, that we need nature *in fact*. We need viable, independent, flourishing natural ecosystems.' (1984: 129). Thus we can identify a strong commitment to the conservation of *in-situ* biological diversity. The notion of a human *need* for wildlife is also the basis of Edward Wilson and Stephen Kellert's biophilia hypothesis which asserts '... we continue to rely – physically, emotionally, intellectually – on the quality and richness of our affiliations with natural diversity.' (Kellert 1997: 1).

6. CONCLUSION

This chapter has described an original typology of wildlife values and has consequently identified wildlife as being of great value. These values are either intrinsic (for wildlife's 'own good') or extrinsic (what wildlife is 'good for'). Wildlife is of particularly great value to humans. One factor, rarity, much discussed in contemporary wildlife conservation, impacts significantly on the quantity of value held by individuals. Simple economic thought leads us to recognise that if we value a certain property of one species, then the fewer individuals that constitute that species, the more important each individual becomes. This is true for any aspect of extrinsic value. In the wildlife conservation policy-arena, this argument is most commonly made in reference to the ecological value of wildlife, but, as shall be illustrated, this is simply a result of the relative prominence of political actors espousing such value.

Chapter 3 – International Wildlife Conservation Policy – An Overview

This chapter defines the body of international policy with which this thesis is concerned. I begin by briefly noting those areas of international cooperation that are excluded from the study by my definition of wildlife conservation. This is followed by a discussion of the existing literature that offers some comparative review of international wildlife conservation policy. Finally I offer my own overview of 'global' conservation policy, within which I identify my case-studies for more detailed analysis in subsequent chapters.

1. AREAS OF INTERNATIONAL POLICY BEYOND THE SCOPE OF THIS THESIS

The conceptualisation of wildlife conservation as 'any action with the direct purpose of maintaining or improving the ecological and/or biological status of a group of animals in their natural habitat', as established in the Introduction to this thesis, has an important impact upon defining which international agreements I engage with in this research. To begin with, two often associated areas are quite clearly excluded; plant conservation¹¹ and animal welfare¹² agreements. However, one further, significant, international concern is also excluded from consideration within this thesis; fisheries. This is perhaps a controversial distinction to draw as fisheries are quite obviously not explicitly outside my definition of wildlife conservation defined above. Furthermore, my case-studies *do* include whaling, long defined by some as a fishery issue, along with some fisheries aspects of the Antarctic Treaty System.

Whilst fishery policy may fit literally within my definition of wildlife conservation policy there is a clear argument for a conceptual distinction between them, in particular with regard to their motivations. The central analysis of this thesis is focused upon the varied motivations for the conservation of wildlife, not just between separate international agreements, but between actors internal to the policy-process of each. I would claim that this internal

¹¹ For example, the 1951 International Plant Protection Convention (Revised 1979, 1997); 1951 Convention for the Establishment of the European and Mediterranean Plant Protection Organisation; 1955/6 Plant Protection Agreement for the Asia and Pacific Region; 1961 International Convention for the Protection of New Varieties of Plants (amended/revised 1978, 1991); 1967 Amendment of the Plant Protection Agreement for the Asia and Pacific Region; 1993 Agreement for the Establishment of the Near East Plant Protection Organization; and the 2001 International Treaty on Plant Genetic Resources for Food and Agriculture. See www.ecolex.org for details.

¹² For example, the 1968 European Convention for the Protection of Animals during International Transport; 1986 European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes; and the 1987 European Convention for the Protection of Pet Animals. See <u>www.ecolex.org</u> for details.

controversy is not apparent within fishery policies owing to their specifically commercial perspective, which has traditionally made no claims to more general goals. Van Heijnsbergen makes this very distinction within his legal review of the international protection of wildlife, with similar effect, 'The emphasis is on protection not exclusively based on economic-consumptive considerations, so that a number of instruments, e.g. concerning fishing, will remain outside the scope of this study.'(1997: 5). Hence, not only is fishery policy not a suitable subject for this thesis to consider, it must be said that, *vice versa*, this form of analysis is not suited to an investigation of fishery policy.

Whilst fish species *can* be valued for, say, recreational reasons, these activities largely exploit a freshwater resource separate to those marine fish stocks covered by international fishery conventions, and on a quantitively different scale. It is the conflict between differing human objectives and perceptions of value that I argue is at issue in wildlife conservation, and I argue that similar conflicts do not (maybe cannot) occur over maritime fish stocks. Sacred, cultural, recreational and other valuations of fish species therefore do occur, but not in relation to the same body of fauna as is considered by maritime fishery policy. There does, however, exist some interplay between the two areas of concern, indeed this is recognised in some fishery conventions such as the 1992 Moscow Convention for the Conservation of Anadromous Stocks. This agreement regulates fishery industry activities in the North Pacific in the interests of protecting anadromous species (those that migrate up-river from the open sea to breed) of ecological value within the river ecosystems and of value to upstream human users. Agreements such as this act to blur the distinction between wildlife conservation and fishery regimes.

The decision to exclude categorically fishery agreements from my analysis does not, of course, preclude consideration of fish species *per se.* A large number receive protection under the auspices of treaties which I do discuss in the thesis. Also, as mentioned above, my case-studies do include elements of fishery policy which it would be false to set aside in the context of a comprehensive case examination. The most obvious example of this is the 1980 Convention for the Conservation of Antarctic Marine Living Resources, which is a sub-convention within the Antarctic Treaty System. This agreement does not, however, only concern fish species, but any marine species other than whales or seals. Furthermore its 'conservation' agenda is quite clear and it was one of the first multilateral agreements to adopt the so called 'ecosystem-approach' to management of resources.

The second element of my thesis which tests the distinction between fisheries and wildlife conservation is my examination of the 1946 International Convention for the Regulation of

Whaling. Aside from offering the rather obvious statement that whales are not fish species, several aspects of this regime lend themselves to its interpretation as wildlife conservation. Indeed whaling has arguably transformed into a wildlife conservation regime after a previous life as a fishery-style convention, and some might suggest that this change is now complete with the adoption, at the 2003 International Whaling Commission meeting, of the 'Berlin Initiative' on strengthening the Commission's conservation agenda. Unlike other broad based fishery issues it is quite clear that whale species are the object of many varied valuations, and that it is the same whale populations that are the object of these.

2. EXISTING LITERATURE

A number of other works have offered a review of existing international legislation concerning the protection of wildlife, the majority from a legal perspective. These accounts from within the sub-discipline of environmental law offer analysis primarily of the development of concepts and terminology, along with consideration of the relative success of implementation and enforcement, rather than of the political influences and motivations, that is 'wildlife values', behind the legislation. Two such accounts exist in full book length of which Simon Lyster's International Wildlife Law (1985) is easily the most commonly referenced; it is, however, now almost 20 years old, with only a single edition being produced, and as such lacks contemporary analysis and critique. This text dedicates just three pages, of 450, to the values encountered in wildlife conservation (Lyster 1985 75-6 & 299). A more recent survey and analysis is provided by P. van Heijnsbergen's International Legal Protection of Wild Flora and Fauna (1997). Van Heijnsbergen initially sets out an historical survey of both multi and bilateral agreements reaching back to 1781. As noted above, the text goes on to examine the development of a number of specific concepts and terms as elements of substantive law. The text does however, offer one brief, descriptive chapter on 'Values for Protection', which the author broadly sub-categorises into Economic Instrumental, Noneconomic Instrumental and Intrinsic Values.

Another survey is offered by Maria Maffei (1993) who seeks to identify distinct approaches to and trends within this field of law, particularly in light of the Convention on Biological Diversity. Maffei's fundamental argument is that international wildlife conservation has progressed through four distinct phases over time, which have both legal and political significance. At first a 'strictly utilitarian' perspective was maintained, this was basically a hard anthropocentric line based on the conservation of directly useful species and the concomitant destruction of 'noxious' animals. This approach is ideally illustrated by the 1900 London Convention, discussed later in this Chapter. A second phase, focused on 'protected areas' and a third on a 'comprehensive approach' which particularly sought to integrate development and conservation goals. Maffei claims that this phase heralded the abandonment of the anthropocentric approach to conservation. Finally the fourth phase focuses on sustainable-use of natural resources. Whilst these phases may be supported by a legal analysis, this thesis will question them from a political perspective. Maffei also deals with several elements of 'soft law' such as the 1980 World Conservation Strategy. Whilst many such examples are of great interest and significance to global wildlife conservation efforts, they are perhaps less relevant to a study of international policy-making looking to investigate power relations.

A significant limitation on the scope of Maffei's article is a dichotomy between 'protection' and 'conservation' agreements, of which she claims to consider only the former. Whilst acknowledging that these terms are often used interchangeably Maffei argues a difference in content with 'protection' treaties containing 'positive obligations' and 'conservation' agreements containing 'negative obligations', such as the reduction of catch (1993: 132). This seems a distinction suited primarily to legal analysis and again is questionable from a political perspective. Also the question of what actually constitute 'positive' and 'negative' obligations is controversial. The author argues that the 1946 International Convention for the Regulation of Whaling has transformed from a 'conservation' to a 'protection' regime, having moved from purely 'negative' catch restrictions to a 'positive' ban. To suggest restrictions transform from 'negative' to 'positive' when the restriction is absolute (the whale catch limit is set at zero), seems incoherent. It may be more coherent to argue that the ICRW became 'positive' when its Commission (IWC) began demarcating whale 'sanctuaries' yet no such claim is made by the author. Also the Convention for the International Trade in Endangered Species (CITES) is included in the discussion, which quite clearly consists of only 'negative' obligations, and is much criticised for it. It must be said, however, that others have attempted to make similar distinctions. Cyril de Klemm (1985), for example, makes the distinction between 'exploitation' and 'conservation' conventions, the former of which contain only regulative structures to limit the exploitation of commercially important species. 'Conservation' conventions, on the other hand, recognise broader concerns and structures.

Two prominent general surveys of international environmental law contain chapters on the protection of wildlife. Phillipe Sands (1995) offers a broad general description of international legislation concerning biological diversity in which he identifies the Convention on the International Trade in Endangered Species and the Convention on Biological Diversity as the 'only two conventions which are potentially applicable to all species in any habitat in the world' (1995: 373). Hypothetically this is the case, although for CITES to apply, a

species must be both traded and endangered. This author then continues to give a comprehensive list of general regional instruments and then legislation pertaining to habitat types (including fisheries) and wildlife families. Patricia Birnie & Alan Boyle provide a more detailed account of international nature conservation law with two chapters pertaining to ecosystems, and migratory and land-based species (2002: 545-645). By focusing upon the most significant agreements, this text is able to offer a good deal of context to this legislation, but again focuses upon the development of concepts and terminology, with particular investigation reserved for the Convention on Biological Diversity (2002: 568-89). Discussion, once again focusing upon implementation, of the other four of the 'big-five' biodiversity agreements is also provided (2002: 615-31). A brief account of the 'big five' is given by Veit Koester in which the author (a central figure in international wildlife conservation policy-making) offers a four-part analysis of the agreements (2001). These are number of parties, legal features, secondary review by academics and practitioners and personal assessment. Koester makes no reference to the base motivations or values applicable to each agreement.

A few book chapters have offered limited surveys of legislation in the form of case-study comparisons. For example, John Temple-Lang (1993) compares CITES, Ramsar and the migratory species convention (CMS) and Robert Boardman (1981), in the only book length political analysis of international efforts to protect wildlife (now unfortunately 25 years old), compares polar conservation, wildlife conservation in East Africa and migratory bird conservation, taking in several relevant treaties along the way. Boardman's analysis concerns international organisation and the IUCN's role within the development of policy.

Peter Sand (2001) presents a summary of those 'lessons learned' from the experience of international conservation policy for the effective development and implementation of legislation generally. His case-studies concentrate on the two classic regimes of whaling and the ivory trade under CITES, along with consideration of the forestry regime. Whilst, echoing Ernst and Peter Haas, Sand identifies the value dimension as important (2001: 38), the restricted focus on these established issues is not conducive to a broad analysis.

The literature reviewed here provides substantial information regarding the administrative structure and operation of each of my case-studies. This thesis does not, therefore, deal with this other than where it usefully illustrates wildlife values. As this literature survey demonstrates there is a distinct lack of sustained political analysis of international wildlife conservation policies. The most relevant existing literature is found within the discipline of

law. Several individual case-study investigations are to be found, some of which are discussed later in this thesis, within the field and context of international relations.

3. GLOBAL WILDLIFE CONSERVATION POLICY

The following sections offer an overview of extant international wildlife conservation policy, beginning with globally significant agreements and moving onto regional treaties. There are seven multilateral international agreements, and one multilateral 'programme', which apply, or have the potential to apply, to the conservation of wildlife globally. A representative sample of six of these eight are considered in depth as case-studies within this thesis. These are¹³:

- International Convention for the Regulation of Whaling (ICRW, 1946)
- Antarctic Treaty System (1959)
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar, 1971)
- Convention on the International Trade in Endangered Species (CITES, 1973)
- Convention on Migratory Species (CMS, 1979)
- Convention on Biological Diversity (CBD, 1992)

Chapter 4 deals with the first three of these, all concluded prior to the 1972 UN Conference on the Human Environment (UNCHE) held in Stockholm. Chapter 5 deals with the latter three agreements signed after this event.

1972, and the UNCHE, is used primarily as a structural tool within this thesis in order to aid presentation of the case-studies. It does, however, also have a substantive element as it forms a useful dividing line between earlier specifically targeted policies (whaling, the Antarctic, and Ramsar) and later policy aimed at protecting species more broadly. Earlier policy is more specific in its valuations, and later policy more general, to the point, on occasion, of being decidedly ambiguous. It might be argued that UNCHE established a prevailing assumption that the conservation of wildlife was simply a generically 'good' thing. Thus actors lost sight of the need to argue effectively as to wildlife's specific values. There has been a subsequent diversification of values made explicit within agreements, although in many cases not particularly manifested practically. Following UNCHE and the involvement of new states

¹³ The two that are not considered in case-study depth are the UNESCO sponsored 'Man and the Biosphere' programme (initiated in 1970) and the 1972 World Heritage Convention.

and organisations, the ICRW, for example, shifted its emphasis from exclusively commercial values to intrinsic (animal-welfare) and ecological values. Similar diversification has occurred in the Ramsar convention. Some agreements pay lip service to this diversity but behaviour is little affected. It should also be noted that the Stockholm Declaration explicitly mentions some of the case-studies, including calling for a migratory species convention and a moratorium on whaling.

These case-studies have been selected as being the most 'globally significant' agreements in force; hence likely to be representative of the broad political situation and, theoretically at least, inclusive of the greatest number of parties and perspectives. United Nations membership stands at 191 states, and with the list of state Contracting Parties to the Convention on Biological Diversity now standing at 187 (and CITES not far behind with 167) it can be seen that the perspectives of few states will be excluded from consideration. In fact the Convention for Biological Diversity can boast one signatory, the Cook Islands, which is not a UN member state (as at December 2004). Only three United Nations Member states (Andorra, Timor-Leste and Iraq) are not signatory to any of the case-study treaties. Eighteen states are party to just one of the six case-study convention, the majority of these being parties to the Convention on Biological Diversity, which indicates its general success in appealing to those states, particularly smaller ones, which have not previously defined wildlife conservation as within the national interest. The large majority of states (140, 73% of UN Member states) are party to three or more of the case-study conventions. Nineteen states are party to all six case-study conventions, mostly 'developed' (OECD) states; several European states, Australia and New Zealand. However, there are also some 'developing' states (India, South Africa, Uruguay, Peru, Chile and Argentina) party to all six, and these include some key states from the perspective of wildlife conservation, such as three members (India, Peru & South Africa) of the 'Like Minded Megadiverse Countries' negotiating group.

Figure 1 shows the growth in Contracting Party membership of the case-study conventions over time and illustrates a number of points. The most striking element is the phenomenal growth rate of the Convention on Biological Diversity during the early and mid-1990s. This convention has increased in membership since that time, but only at a rate comparable to three of the other conventions (CITES, Ramsar & CMS). Indeed, since their establishment in the mid 1970s, CITES and Ramsar have grown at a very similar rate, although through the 1980s CITES forged ahead a little more successfully. This affirms the Ramsar convention's attractiveness and success, which is often overshadowed by CITES and the CBD. After coming into force some time after its signature, the CMS has grown steadily. Two final points emerge from Figure 1. First, although having generally weak but sustained growth, the

ICRW sees a rapid surge in membership during the years 1979-82, the period immediately prior to the moratorium vote. Second, the Antarctic Treaty can be seen to be the least effective at recruiting Contracting Parties. Its strict rules of accession, and the vested interests of those states already Contracting Parties, obviously serve to thwart growth.



The case-studies also provide a useful chronological perspective for analysis of the development of wildlife conservation. Spread over 46 years the cases are separated by just over a decade each, notwithstanding the three signed in the 1970s. Subsequent protocols and Memoranda relating to the cases extends the analysis a further 10 years to 2002.

Table 4 (next page) illustrates a number of points of interest regarding the current status and coverage of the case-study conventions. Perhaps the most noticeable feature is the very high membership of the Convention on Biological Diversity (97% global coverage), including 100% coverage of African, Latin American and Caribbean states. This is an extraordinary achievement and clearly illustrates the attractiveness of the principles and structure of the convention. A very high percentage of states in these two regions are also Parties to CITES, which again illustrates its attractiveness and indeed the applicability of its measures to those states. These two conventions clearly lead the way in terms of membership and hence global coverage, however the Ramsar convention comes in a strong third place, well ahead of the

Table 4. Number of Contracting Parties (as of May 2005) to Case-study Conventions by Global Environment Outlook¹⁴ Region

	Africa (53) ¹⁵	Asia & Pacific (40)	Europe & Central Asia (54)	West Asia (11)	North America (2)	Latin- America & the Caribbean (33)	Total (193)
CBD	53 ¹⁶	38	52	10	1	33	187
	(100%) ¹⁷	(95%)	(96%)	(91%)	(50%)	(100%)	(97%)
CMS	26	7	38	2	0	7	80
	(49%)	(18%)	(70%)	(18%)	(0%)	(21%)	(41%)
CITES	52	29	46	7	2	31	167
	(98%)	(73%)	(85%)	(64%)	(100%)	(94%)	(87%)
Ramsar	42 (79%)	23 (58%)	49 (91%)	4 (36%)	2 (100%)	25 (76%)	145 (75%)
ATS	1	9	23	0	2	8	43
	(2%)	(23%)	(43%)	(0%)	(100%)	(24%)	(22%)
ICRW	6	8	16	1	2	18	51
	(11%)	(20%)	(30%)	(9%)	(100%)	(55%)	(26%)

(Number of Parties) (Number of Parties as Percentage of Region Total)

1-	26-	51-	71-	91-
25%	50%	70%	90%	100%

Colour Key: Contracting Parties as a percentage of total states within each region.

¹⁴ UNEP (1999) <u>GEO-2000: UNEP's Millennium Report on the Environment</u>. Nairobi: UNEP. pp. xxx-xxxiii. ¹⁵ The figure in brackets under each region name is the total number of states within that region.

¹⁶ The main (unbracketed) figure in each box is the number of Contracting Parties located within that region.

¹⁷ The bracketed percentage figure in each box represents the convention's coverage within each region; that is the number of Contracting Parties as a percentage of the total number of states found in that region.

(continued from page 61) Convention on Migratory Species which has a very low coverage throughout Asia and the Americas. CMS is, currently, a heavily European and African focused agreement.

African, Asian and Pacific states are massively under-represented within the Antarctic and whaling conventions. Since the signature of South Africa, back in 1959, the Antarctic Treaty framework has failed to attract a single African state. To suggest that Antarctica and Antarctic science is less relevant to African states than to others is, of course, nonsense. Therefore it must be assumed that the strict rules of accession, lack of resources or simple lack of engagement is to blame for the almost non-existent African membership. It is not hard to imagine the multiple benefits of facilitating the involvement of African states within the Antarctic Treaty system, although such moves might well be resisted by existing Contracting Parties due to concerns over potential future sovereignty claims. Similar points can be made regarding the complete lack of Muslim states within this treaty system. As mentioned, membership of the whaling convention is also low for these regions, however the benefits for African and Asian states to accede at this time are not obvious. Pacific states, on the other hand may well benefit.

The classification of agreements as 'globally significant' is, then, on account of an agreement's Contracting Party base, as opposed to its geographical extent of application. Five of the cases do also, however, have a global geographic applicability, with the only real exception being the Antarctic Treaty System which generally applies only to the area South of 60°S latitude, or sometimes to the ecological boundary formed by the Antarctic Convergence¹⁸. The agreement does, however, have over forty Contracting Parties including representatives from every continent.

The 1946 International Convention for the Regulation of Whaling is the oldest global wildlife conservation agreement to be in force today. This convention seeks to conserve cetacean populations throughout the worlds oceans and seas. Its primary methods are the regulation of catch and the demarcation of 'sanctuaries' closed to hunting (see Chapter 4, Section 1). The various elements of the Antarctic Treaty system, agreed between 1959 and 1991, form the next significant body of policy considered by this research. Whilst not global in geographical application, as are the other cases, the treaty system has Contracting Parties from across the

¹⁸ The Antarctic Convergence is a thermal oceanic boundary between cold southern waters and warmer northern ones. Although varied considerably between localities, this boundary runs generally around 55°S latitude.

globe due to the unique sovereignty issues surrounding the continent. This treaty establishes some of the strictest and most comprehensive protection for wildlife encountered in environmental law (see Chapter 4, Section 2).

As discussed in greater length below, the early 1970s represents a period of intensive international efforts aimed at the protection of wildlife. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) sponsored 'Man and the Biosphere' Programme (MaB), the Ramsar wetlands convention, World Heritage Convention (WHC) and the Convention on the International Trade in Endangered Species (CITES) were all concluded in the first four years of that decade. The first three of these are discussed below (see section 3.1). CITES has developed into one of the most prominent elements of international conservation policy, and has the strictest legal obligations attached to it. The convention monitors the international wildlife trade and its Parties are able to place trade restrictions upon overexploited, and hence endangered, species (see Chapter 5, section 1). The 1979 Convention on Migratory Species provides an 'umbrella' under which to adopt specific agreements to protect species which, due to their mobility, commonly become endangered. The final element of global wildlife conservation policy agreed to date is the 1992 Convention on Biological Diversity. This is another umbrella convention with the purpose of fostering and facilitating national programmes to conserve states' own biological diversity, thus achieving global benefits. Unprecedented (for this sector) financial resources have been forthcoming within this programme, largely moving from developed states to the developing world.

3.1 Wetlands, Heritage, Man and the Biosphere

As mentioned, the years 1970 to 1972 saw three distinct international efforts aimed at the conservation of wildlife. At UNESCO's 16th Session of its General Conference in 1970, the 'Man and the Biosphere' Programme (MaB) was launched, giving birth to the Biosphere Reserve concept. February 1971 hailed the signing of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar), at Ramsar in Iran. Finally at UNESCO's 17th Session in 1972 the Convention on the Protection of the World Cultural and Natural Heritage (WHC) was adopted. Whilst these are distinct projects, they share much in terms of philosophy, approach, implementation and negotiation history, no doubt at least partially due to their close proximity in age. All three are properly conceptualised as protected area agreements, unlike the other case-studies used by this

thesis¹⁹. Much confusion exists with regard to the distinctiveness of areas designated under these three instruments, a fact which is not eased by many individual sites holding multiple designations. For example, 74 Biosphere Reserves are also wholly or partially Ramsar Sites, approximately 40 Biosphere Reserves are also wholly or partially World Heritage Sites, and 15 sites hold all three designations. Michel Batisse has framed this positively noting several areas of 'convergence and complementarity' between in particular the MaB Programme and World Heritage Convention (2001: 38-43).

In the interests space within this thesis, and due to the significant overlap between these three agreements, I offer only the Ramsar Convention as a full case-study. This is chosen from the three as (i) the largest project (there are approximately 1435 Ramsar Sites, as opposed to 440 Biosphere Reserves and just 149 'Natural' World Heritage Sites), and (ii) the most specifically focused upon the conservation of wildlife. The designation of Ramsar Sites is primarily motivated by the desire to conserve wildlife, particularly birdlife, whilst both Biosphere Reserves and World Heritage Sites have a much broader motivation to protect natural sites generally. A final reason behind the selection of the Ramsar Convention as a full case-study is its stand-alone character. Both the MaB Programme and the World Heritage Convention were drafted and negotiated under the pre-established auspices of UNESCO and, whilst not wishing to detract from their contribution to wildlife conservation, the consensus building required to establish the Ramsar Convention as an individual piece of legislation makes it a ready case in relation to the study of its genesis and negotiation history.

The 'Man and the Biosphere' Programme originated from within UNESCO's Natural Resources Research (NRR) Programme in the early to mid 1960s. The need for a specific effort to address 'rational use and conservation of the biosphere' was initially stated during the NRR Advisory Committee's first session in September 1965 (UNESCO 1967). UNESCO then seized upon an idea suggested by several non-governmental organisations and called for an intergovernmental conference to consider the 'rational use and conservation' of biospheric resources. This 'Biosphere Conference' was held at UNESCO Headquarters in Paris between 4th-13th September 1968 (UNESCO 1970), and the subsequent programme, which featured the notion of 'biosphere reserves', that is natural areas set aside for science and some other uses, followed on from the International Biological Programme (IBP) in 1972, with prominent roles for UNESCO, IUCN and the United Nations Food and Agricultural Organisation (FAO). The first meeting of the programme's International Co-ordinating Council (MaB-ICC) in 1972,

¹⁹ Whilst each other case-study, except CITES, has the capacity to designate protected areas and reserves, the three agreements discussed here are explicitly protected area conventions; that is they use the designation of protected areas as their primary conservation tool.
noted the role of the reserves as 'areas for education and training, and as essential components for the study of many projects' (UNESCO 1972: 9), and the IUCN was to play a key role in defining the criteria for their designation. Whilst new to the international community, the Biosphere Reserve concept was not new to all. The Russian 'zapovednik'²⁰ predates the Biosphere Reserve by almost 60 years. Originally established in 1916 explicitly for the pursuit of science, zapovedniks were strictly managed by the Soviet state, which prohibited any activity except scientific experimentation and monitoring within their boundaries (Webster 2003). The conceptual similarity to biosphere reserves is obvious yet, despite prominent involvement of Russian scientists in the negotiations, there is no published evidence to suggest zapovedniks as a philosophical or practical model for biosphere reserves.

The **Convention Concerning the Protection of the World Cultural and Natural Heritage** (World Heritage Convention), also administered by UNESCO, was signed in November 1972. Its basis has been described as 'disarmingly simple' (Train 1974: 2), extending, as it does, the National Park concept towards the notion of an *International Park*. As a National Park represents an area of great importance to a nation;

'With our broader international viewpoint, we recognize that there are certain areas of such universal natural, cultural, or historic interest that they belong to the heritage of the entire world.' (*ibid.*)

The convention was initiated first by IUCN and then members of the Committee on Natural Resources Conservation and Development of the 1965 White House Conference on International Cooperation which, after listing examples of 'unique and irreplaceable' built monuments such as the Acropolis and Stonehenge, states;

'Also important but in a somewhat different way are the areas whose main value lies in the spectacular animal species they support – the Indian rhinoceros, mountain gorilla, and the orang-utan, for example. ... [these] are of legitimate concern and should be maintained for the study and enjoyment of all peoples of the world and for the benefit of the country in which they lie.' (Anon 1965: 17)

Very little occurred in the years following this conference, until the idea re-emerged at the beginning of the 1970s. It was seized upon by President Nixon (or more precisely by Nixon's

²⁰ 'Zapovednik' are defined as 'model natural areas preserved in their unchanged form ... Their territories closed to visitors, their natural ecosystems, vegetation and fauna are preserved and their natural processes studied in conditions unaffected by humans'. (Chebakova: 1997).

administration) in 1971 which gave the movement a greater impetus. In a message to Congress, which clearly illustrates the political value of wildlife, Nixon stated;

'As the United States approaches the centennial celebration in 1972 of the establishment of Yellowstone National Park, it would be appropriate to mark this historic event by a new international initiative. ... It would be fitting by 1972 for the nations of the world to agree to the principle that there are certain areas of such unique worldwide value that they should be treated as part of the heritage of all mankind and accorded special recognition as a part of a World Heritage Trust.' (Nixon 1971)

Whilst there may not be a large number of World Heritage Sites, their quality, and hence importance to wildlife conservation, is beyond doubt. They include hugely important areas such as the Great Barrier Reef, The Sundarbans, Galapagos Islands, and the Serengetti National Park. There is, however, a general lack of agreement over the effectiveness and relative successes of MaB and WHC conservation efforts. The WHC is commonly included amongst the most important wildlife conventions (Koester 2001), despite the greater coverage of the MaB programme. This is perhaps due simply to MaB's lack of 'convention' status founded as it is upon a 'Statutory Framework'. The WHC is not helped by a generally indifferent opinion in senior policy-making circles. Russell Train, one of the convention's 'founding fathers', notes that on reflection 'It is not an earth shaking program', although he has also noted that 'in some cases it has proven critical in preventing the degradation or even destruction of an area' (Train 2003). During correspondence, Jeff McNeely initially noted its importance but later went on to clarify a more circumspect opinion, 'with World Heritage designation being a significant ecological boost in some cases, having no impact in others ..., to somewhat negative when World Heritage designation leads to excessive numbers of visitors' (McNeely 2005: pers comm). Birnie and Boyle summarise that 'For sites listed, it [WHC] provides real protection but the limitations on listing prevent it from being the major instrument of habitat protection.' (2002: 622).

In addition to 'global' conservation treaties there are a significant number of agreements that apply to a restricted geographical region. ECOLEX lists 37 such agreements²¹, with the African region being the subject of most with 43% (16 of 37). The European and Central Asian region has received the same attention as the Latin American & Caribbean Region with 9 of 37 each (24%). Elsewhere there has been significantly less activity particularly in the

²¹ <u>www.ecolex.org</u>

West Asian region where no agreements²² apply. Asia and Pacific states are party to 4 of 37 agreements (11%) and 2 agreements apply to the Polar Regions. That North America is poorly represented (only 1 of 37) by multilateral legislation can be attributed to simple political geography and the limited number of states (two) which constitute this region. Some regional agreements, such as the 1979 Berne convention on European wildlife and habitat conservation impact significantly upon national policy.

²² This region is not totally devoid of multilateral conservation agreements with West Asian states being party to three subsidiary agreements to the CMS.

Chapter 4 – Case-studies I: Pre-UNCHE Agreements

This chapter, and the next, seek to map the development, structure and wildlife values expressed within the six case-study agreements. This is in order to provide answers to my third and fourth research questions. For reasons outlined at the beginning of the next chapter, I divide the six cases chronologically into pre- and post- 1972 and the United Nations Conference on the Human Environment. Consequently this chapter deals with the whaling, Antarctic, and Ramsar (wetlands) conventions, whilst Chapter 5 focuses upon CITES, the Migratory Species, and Biological Diversity conventions.

1. WHALING

The 1946 International Convention for the Regulation of Whaling represents the earliest attempt to conserve wildlife on a global scale to still be in force. It is 'global' in the sense that, first, it concerns a family of wildlife encountered in almost every marine environment and, second, it was agreed between interested actors from every continent. Although no Asian states were present at the 1946 conference (IWC 1946a) they were involved and represented in the process, with the Japanese government adopting the convention in 1951. The 1946 agreement was by no means an isolated piece of legislation, growing, as it did, out of a series of international whaling conferences and other, ineffective, treaties since the early 1930s. The first significant agreement in this line, the 1931 Geneva Convention for the Regulation of Whaling, had 26 signatories yet was only ever ratified by two states. In addition to this, seven other international agreements were negotiated prior to 1946. At this early stage, the policy-arena consisted entirely of state-actors, particularly governmental agriculture and fishery ministries.

1.1 Actors and Values

The aim of the convention was, and still is, the regulation of the whaling industry via the establishment of a monitoring body – the International Whaling Commission (IWC). Regulation was required because of the industry's long history of over-exploitation of whale stocks which had led to their severe depletion, and the near extinction of some cetacean species. At an international whaling conference in 1938 the Rt. Hon. William Morison, representing the UK's Ministry of Agriculture and Fisheries, stated;

'the remaining stock of whales cannot stand up for long against the present rate of exploitation, ... The past history of whaling throughout the world, and recent statistics, show us that we are dealing with an exhaustible stock, and that, unless we take measures to conserve it, we shall within measurable time have *no whaling industry at all*.' (Whales Research Institute 1938, emphasis added)

At a conference of the International Council for the Exploration of the Sea in Copenhagen in the same year, the 'Whaling Committee' called for limits to the amount of whale oil which could be taken annually in order to protect blue whales from 'being reduced to a level at which it can no longer be the object of economic exploitation.' (IWC, No Date a). A viable whaling industry (with an important role in the post-war economy) could simply not be maintained around such scare resources, and those interested in maintaining it were hence motivated to act. With this in mind we can identify the primacy of the commercial value of whales as the key motivation for the conclusion of this international agreement. This commercial focus is explicit in the convention's Preamble which states its purpose as 'to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry'. The convention's Preamble also outlines the importance of sustainable yield principles, more than 25 years before their global exposition at the UNCHE in Stockholm in 1972.

'Recognizing that the whale stocks are susceptible of natural increases if whaling is properly regulated, and that increases in the size of whale stocks will permit increases in the numbers of whales which may be captured without endangering these natural resources;'

Commercial valuations continued to dominate this policy arena well into the 1970s, as was demonstrated by the defeat of a United States proposed commercial moratorium within the IWC in 1972.

The convention itself has remained virtually unchanged during its almost sixty year existence, however, the terms of the debate, of which it is at the centre, has transformed beyond nearly all recognition - shifting, to borrow the title of Patricia Birnie's key text, 'from conservation of whaling to conservation of whales and regulation of whale watching' (Birnie 1985). The contemporary whaling debate centres upon the ethical status of whales with particular reference to animal-welfare concerns. Consequently, in contemporary whaling politics there is, as Ray Gambell noted, little probability of a return to the 'old style' industrial whaling which saw 'big ships steaming round the Antarctic' (Gambell 2003: *pers comm*). Instead, any

debate around continuing to harness the commercial value of whales relates to small coastal communities for whom it can provide valuable income.

Despite claims of policy-making based on clear 'scientific' information, animal-welfare concerns have undoubtedly been a significantly influential factor upon the IWC's policymaking in the last three decades. Such concerns were first raised by the UK's Royal Society for the Prevention of Cruelty to Animals (RSPCA) in a letter to the Ninth meeting of the International Whaling Commission in 1958 (IWC 1958). This expressed concern over the killing methods used against whales, particularly regarding the use of electric harpoons. Although no immediate action was taken, an exchange of information began which achieved the placement of concern for 'humane killing methods' firmly on the agenda and established the RSPCA as an observer within the IWC, a task that it has continued since. Subsequent petitions were forthcoming from various welfare groups such as the World Federation for the Protection of Animals (IWC 1959: 16) resulting in the establishment of an IWC Working Party in 1960. The title of this 'Working Party on Humane and Expeditious Methods of Killing Whales' illustrates that the whaling states of the IWC were not, at that stage, motivated entirely by moral concerns. Whalers shared concerns over the killing methods employed, but largely due to an interest in increased efficiency (that is the time and effort required to kill each whale and move on to the next). The investigation of 'humane killing methods' has been a central feature of IWC research (Mitchell et al. 1986), with much work having been done by the Norwegian government (Grandy 2003: pers comm), and draws near universal support. Even following this research, several non-governmental organisations (NGOs) including the RSPCA, Greenpeace and the Whale and Dolphin Conservation Society (WDCS) argue that no 'humane' whale-killing methods currently $exist^{23}$. Within international wildlife conservation, perhaps only concern for the intrinsic value of the African elephant approaches the level of such concern expressed for whales.

Many governments, particularly of states where the whaling industry has declined or ceased, have responded to majority public opinion, communicated through NGOs such as Greenpeace, the RSPCA, the International Fund for Animal Welfare (IFAW), the Humane Society of the United States and World Society for the Protection of Animals (WSPA), firmly opposed to whaling. Whilst animal welfare concerns have been prominent features of public opinion for some time (Garner 2004: 43-51), the campaigns, sometimes aggressive and confrontational, of organisations such as Greenpeace and the Sea Shepherd Conservation Society have proved vital in focusing these concerns upon whaling as an issue.

²³ See <u>www.rspca.org.uk</u>

In addition to the development of this animal-welfare agenda, concern has also emerged centred upon the ecological value of cetacean species. The ecological value of whales does not receive as much attention within the IWC and has not had a significant effect on its policy recommendations. The Revised Management Plan (RMP) does not specifically take the ecological roles of whale species into account, rather limiting itself to considering externalities, including environmental variables, that may impact upon the management of stocks. Former Secretary Ray Gambell noted that he felt the IWC 'didn't move nearly far enough in our understanding' in this area, but that ecological considerations must supplant the single-species approach formerly adopted. In its defence however, Ray Gambell noted that, considering the whaling industry's history, to a large extent the 'damage had already been done' to those ecosystems in which whales play key roles, making contemporary ecological studies and assessments very difficult (Gambell 2003: *pers comm*).

Promotion of cetacean's ecological value was again driven predominantly by NGOs (Huxley 1993: 280-93) and culminated in the 'Save the Whale – Save the World' campaign at the UNCHE in Stockholm in 1972, which also illustrated whales' political value. Russell Train recalls 'There was a great deal of non-governmental organization (NGO) activity associated with the conference ... For example, there was the large "Whale March," complete with a full-scale mock up of a whale ... in which my family and I took part.' (Train 2003: 134). The resultant Recommendation 33 of the UNCHE Stockholm conference read;

'It is recommended that Governments agree to strengthen the International Whaling Commission, to increase international research efforts, and as a matter of urgency to call for an international agreement, under the auspices of the International Whaling Commission and involving all Governments concerned, for a 10-year moratorium on commercial whaling.' (UN, 1972)

The call for a moratorium on commercial whaling was then championed by several states party to the 1946 convention including, importantly the US, UK and (after 1979) Australia. Apart from Australia, these states had lost any significant whaling industry and as such had little to lose in furthering the preservation cause. Thus the distinct, but convergent campaigns in opposition to whaling, based upon cetacean's intrinsic and ecological values, eventually combined to successfully establish a moratorium on commercial whaling. Whilst zero level quotas had long been set for *some* species considered highly endangered, such as the right and humpback whales, the moratorium came with the adoption, in 1982, of zero level quotas for all species of cetacean²⁴. It is an analytically useful and important point that these campaigns

²⁴ These quotas came into effect for the 1985/6 season.

were convergent with regard to their objective, a moratorium, rather than their values. This fact becomes apparent when evidence of whale population recovery arguably supports the resumption of some whaling activities. The fact that some contracting governments remain unwilling to countenance such a resumption suggests that animal-welfare arguments are perhaps dominant. These campaigns, relating to the intrinsic and ecological values of whales, clearly demonstrate the influence, in context shaping terms, of non-governmental organisations within this policy-process.

The whaling moratorium has triggered the emergence of another group in this policy process; those concerned with 'aboriginal whaling' focusing particularly upon the cultural and subsistence values of whales. NGOs (such as the Inuit Circumpolar Conference, the International Working Group for Indigenous Affairs and, in particular, community groups such as the Makah) again feature prominently in this movement. Many state-actors have been quick to acknowledge their position, which highlights the lack of sensitivity of a total moratorium to their needs. The subsistence value of whales has been an integral, if decidedly secondary, element of the international debate since the rights of 'aboriginal' whalers were enshrined in the 1931 Geneva whaling convention. Article 3 of that agreement exempted these whalers so long as they did not use firearms or motorised boats, nor were involved in commercial ventures (the validity of the distinction between subsistence and commerce is discussed below and in Chapter 2). Subsistence whaling communities were again considered at the 1938 conference in London with the Danish delegate (on behalf of Faeroe Islanders) calling for continued 'reservations' to catch limits 'provided that the meat of such whales is to be used for local consumption' (IWC No Date b). There is surprisingly little reference to the subsistence value of whales in the 1946 convention, the Preamble simply states that the recovery of whale stocks should be achieved 'without causing widespread economic and nutritional stress'. Generally state actors have been very open to subsistence concerns in this policy-arena although establishing the distinction between subsistence and other activities has proved problematic.

In recent decades the concerns of 'aboriginal' whalers have shifted markedly, away from subsistence for which there are arguably alternatives, towards cultural concerns. The cultural value of whales is not on the IWC's agenda other than in the context of 'aboriginal' whaling communities, despite their obvious broad cultural significance, through art and literature, to a much wider constituency. This is quite simply a result of the fact that the cultural link for 'aboriginal' communities includes the practice of hunting, over which the IWC has at least some jurisdiction, as opposed to non-consumptive uses within art and literature.

Within the whaling regime the distinction between commercial, subsistence and cultural values is complex and controversial, as has been discussed in Chapter 2. A prominent feature of IWC discussions, the distinction between subsistence and commerce has been part of the basis of US support for its own (and other) 'aboriginal' whalers and opposition to Japanese coastal whaling and small-scale Norwegian whaling, which, it is claimed, are engaged in commercial activities (Stoett 1997: 117-8). Whilst the US administration has come under regular criticism for the adoption of this dichotomy, it is not entirely baseless. In light of the arguments made in Chapter 2, it would not be incoherent to allocate catch quotas to fulfil subsistence and cultural needs whilst denying, to the same wildlife user, a catch quota for commercial purposes. Thus the US position to deny any catch quota to those Japanese communities which have both commercial and cultural (or subsistence) links to whales is untenable, although that quota would likely be set well below a viable commercial level. Such a position is not, however, able to take into account lower levels of need relating to commercial use of whales, as noted above.

The aesthetic value of whales, accessed through whale-watching tourism, has become almost as significant an influence upon contemporary whaling as animal-welfare arguments. The exploitation of whales in this way can be considered legitimate within the existing 'sustainable use' framework of the ICRW which allows for amendments to the convention 'to provide for the conservation, development, and optimum utilization of the whale resources' (Article V, para. 2). In the contemporary world it is possible to consider that significant financial rewards, hence 'optimum utilization', may well come from whale-watching tourism. Figure.2 (next page) illustrates the IWC's growing interest over the last decade in terms of the number of papers considered on the subject by its Annual Meetings (prior to 1995 no such papers were presented). Aside from the general increase in interest, it is also of interest to note that the 2000 Annual Meeting, at which the highest number of 20 papers were considered, was hosted by Australia, a state strongly supportive of the development of whalewatching. The 2002 Annual Meeting, where just 4 were considered, was hosted by Japan, a state less supportive of such activities.



Figure. 2. The Number of Whale-watching Related Papers Considered by the IWC Annual Meetings 1995-2004. Source, IWC (2005).

1.2 Outcomes

The effectiveness of this convention is difficult to assess, largely due to the notion, already mentioned above, that the majority of the 'damage' to whale populations had already been done when it was established. For an illustration of this we can compare contemporary and historical 'catches'. It is estimated that Japan, Iceland and Norway have killed, in total, around 25,000 whales in the almost 20 years from when the moratorium was established for the 1985/6 season to 2004, approximately 1,250 per year (McCarthy & McNeill 2004: 12). These have been predominantly minke whales, the smallest of the so-called 'great whales'. Japan has suggested it wishes to increase their catch to 3,000 minke per year, and Iceland has expressed its own desire to hunt 1,800 of the same species (Kirby 2004). We can compare these figures to the catches of the years preceding the agreement of this convention. For example, no less than 28,325 individuals of a single species, the blue whale, were killed in one year's season 1930/31, along with 8601 fin whales and a lesser number of others. A similarly astonishing catch was achieved during the 1937/8 season during which 25,744 fin and 14,555 blue, and 2,016 humpback whales were killed. The 10 seasons from 1928/9 to 1937/8 saw an average of 25,043 animals, from just the blue and fin whale species alone, killed annually, twenty times the contemporary average (IWC No Date c). These catches continued to grow following the adoption of the convention. As a general indication, Elspeth Huxley notes that 'Far from achieving its ostensible aim of curbing over-hunting, an annual catch of all species of around 40,000 in the 1930s rose to 67,000 in 1962.' (Huxley 1993: 282). It is generally accepted that populations will consequently never return to appropriate levels.

Other difficulties inherent in making judgements regarding the conservation of cetacean species relate to the scientific uncertainties of measuring populations, the difficulty of monitoring catches, and the contested scope of the convention. The Japanese and Norwegian governments, for example, do not consider the minke whale (and other 'small cetaceans') to be within the Commission's scope. Population statistics remain very politically subjective and on scientifically disputable bases (although most recent estimates suggest slight increases during the past few decades). Scientific uncertainty also impacts upon calculations of sustainable yield and 'carrying capacity' that may be put forward (Pearce 2003a). Having said this, much can still be said regarding its development and the relative success of the actors involved.

At the end of 2004 the convention had 51 Contracting Parties, illustrating the relatively limited interest in whaling issues compared to the other case-study agreements considered by this thesis (except the Antarctic Treaty system). Furthermore, as discussed later in Chapter 6, it is clear that many of these Contracting Party states actually have no active interest in whaling *per se*, instead being motivated to join by economic aid from interested states. The IWC Secretariat has a full-time staff of 17 and an annual budget of almost \$3 million. The convention itself does provide a structure within which to impose very strict protection of wildlife, as evidenced by the existing moratorium (zero quota), however administrative loopholes have combined with severe enforcement problems to weaken the *de facto* strength of this protection.

The first 30 years of this convention's existence saw little change in the behaviour of whalers, the consequent continued decline of whale stocks and accompanied 'extinction' of the whaling industries of many formerly key states, such as the United States and the United Kingdom. This decline is largely attributed to ineffective observation, monitoring and enforcement of the legislation which facilitated allegedly huge misreporting of catch by some member nations, along with a fundamental lack of scientific knowledge and understanding upon which to base policies (Grandy 2003: *pers comm.*; Gambell 2003: *pers comm*). Thus, the convention has failed in its original purpose of facilitating the 'orderly development' of the whaling industry. It is arguable that all actors involved in whaling at this stage were powerless (or at least failed to exercise their power), and that the most significant influence upon the policy-process was the international economy which drove short-term demand. Some states, notably those with little capacity for arable food production, did manage to maintain a limited whaling industry despite the rising costs of hunting.

The second 30 years of the convention's existence has been a slightly different story with, as noted above, far less hunting activity. The moratorium on commercial whaling represented a significant achievement for the many groups involved in anti-whaling campaigns, particularly the animal-welfare groups. It has had a significant effect upon the activities of several states that had ongoing whaling operations at that time, perhaps most notably the Soviet Union but also Australia, resulting in the killing of fewer animals. The killing of whales has, however, continued, albeit at a reduced rate. Norway has continued commercial operations since the moratorium by entering a reservation to it at the original vote in 1982. Japan and Iceland have continued under the auspices of 'scientific' whaling. Whilst inflicting pain upon a single animal is, of course, unacceptable to animal-welfare organisations, this significant reduction in killing must be welcomed.

Annual IWC negotiations are commonly condemned as a 'shambles' (Webb 2003: 3) or 'dysfunctional' (Goodman 2003: 32), largely because the maintenance of the status-quo between strongly polarised views leads to a perceived lack of outcome. There exists little middle-ground in the whaling policy-process, however the IWC can indeed more constructively be considered as a well-balanced competition between these strongly opposing perspectives. The animal-welfare lobby has successfully overseen a prolonged commercial ban and research into 'humane' killing methods, yet the few states that demand the right to continue hunting do so, albeit under strong pressure and thus limitation.

1.3 Summary

As Figure.3 (next page) illustrates, the category and diversity of wildlife values encountered within the policy-process around the International Convention for the Regulation of Whaling have changed significantly over time. Original concerns, expressed exclusively by state-actors, were for the whaling industry, and cetacean species were valued almost exclusively commercially. As non-governmental organisations became more involved other wildlife values entered the policy-process. The intrinsic value of whales, in the guise of animal-welfare concerns, has had a particularly significant effect upon the context within which policy has been made. Such concerns originated exclusively within the non-governmental sector – although the whaling industry has embraced the agenda under the banner of humane and efficient killing methods.



Figure. 3. The Development of Wildlife Values in the International Whaling Convention²⁵

Since the early 1970s, and particularly following UNCHE, NGOs have also been swift to identify and promote the ecological value of whales, and utilise their political value. Later identification of their aesthetic value, and the potential for economic rewards from whale-watching has begun to have a significant impact upon the policy-process, illustrating the strength of combining NGO and business (tourism) actors.

Thus within the international whaling policy-process the global economy has perhaps been the most significant long-term influence. Recently NGOs have been particularly influential context shaping actors, with state actors responding to their agenda. However, the preoccupation of these state-actors with economic concerns remains. The emergence of concern for the intrinsic and ecological values of whales has certainly been aided by the decline of the whaling industry in many states and the subsequent lack of such pressure. Also, much of the strength of the whale-watching agenda rests in its potential economic rewards, and the behaviour of several state-actors has been influenced by the prospect of economic aid from other economically powerful states.

²⁵ The thickness of the line or area associated with each value category represents its relative influence at that time. These figures are not draw to any precise quantification, they are meant only as guidelines. The greater the area or thickness of line the more significant the value category at that time.

2. THE CONSERVATION OF ANTARCTIC FLORA AND FAUNA

The momentum for the Antarctic Treaty was generated by the scientific cooperation of the International Geophysical Year (IGY),1957-8. The Second World War and subsequent Cold War period had seen the extensive militarisation of science and the IGY, sponsored by the International Council of Scientific Unions (ICSU) was a deliberate attempt to reinvigorate civil science. Further, and complementary to this, was the desire to foster political cooperation between states, as illustrated in the treaty's Preamble which notes that 'Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord.'.

The 1959 Antarctic Treaty is distinct from the other cases considered by this research in the sense that wildlife conservation was not a primary motive for its agreement, in fact in the words of David Walton the original treaty was 'nothing to do with wildlife conservation' (Walton 2004: *pers comm*). The text of the agreement only refers to 'conservation of living resources' once, in Article IX, section f, which identifies it as one of the six principles and objectives of the treaty. Newspaper reports at the time make no mention of conservation at all, focusing instead upon the political achievement (Anon 1959; Anon 1960). Rather the early focus was very much the continent of Antarctica as a whole. The original treaty, agreed by Contracting Party states in 1959, drafted by ICSU scientists, explicitly recognised the educational and political values of the continent.

Two, by no means mutually exclusive, reasons have been identified to explain the inclusion of wildlife conservation in Article IX. Andrew Jackson suggests generally that 'Antarctic States were aware of wildlife as a potential resources management problem' (Jackson 2005: *pers comm*). David Walton suggested, much more specifically, that wildlife conservation was included in the agreement because of one man, Brian Roberts, an ornithologist and polar explorer with the British Graham Land Expedition (1934-7), who played a central role in drafting the 1959 treaty. In an attempt to encourage maximum scientific and political cooperation, it was suggested that he identified the conservation of wildlife as an easy, 'non-contentious' subject around which could be built a strong consensus (Walton 2004: *pers comm*). The significance of Roberts' role is also asserted by John Heap, although he also notes Roberts' scepticism of an ecosystem-approach to conservation (Heap 1991).

Roberts' prediction proved largely correct with the conservation of arctic wildlife quickly proving to be a significant cause of widespread interest and concern, with over twenty Recommendations relating to wildlife conservation emerging from the first four Antarctic Treaty Consultative Meetings (Anderson 1968). The first 'official' Recommendation was I-VIII ('Conservation of Antarctic Flora and Fauna', 1961) which included 'general rules of conduct' and placed strict controls on the unnecessary disturbance or killing of indigenous wildlife, along with restrictions on the introduction of 'alien' species to the continent. Subsequent discussion and reaffirmation of these principles (for example, Recommendation II-II, made by Antarctic Treaty Consultative Meeting (ATCM) II, in 1962) led to the adoption of the 'Agreed Measures'. To date, four subsequent conservation agreements have been agreed under the umbrella of the original treaty:

- Agreed Measures for the Conservation of Antarctic Flora and Fauna, 1964;
- Convention for the Conservation of Antarctic Seals, 1972 (CCAS);
- Convention for the Conservation of Antarctic Marine Living Resources, 1980 (CCAMLR)
- Madrid Protocol on Environmental Protection, 1991.

2.1 Actors and Values

Discussions held prior to the adoption of the 'Agreed Measures', including a 1962 symposium of ICSU's Scientific Committee for Antarctic Research (SCAR), identified the educational value of Antarctica's wildlife, noting that 'The study of Antarctic and Sub-Antarctic seals has now made a considerable contribution to mammalian ecology' (Carrick 1964a). The scientists at this symposium also acknowledged other values of Antarctic wildlife with Carrick noting 'that animate nature has important scientific, cultural and aesthetic as well as economic functions in the life of man, and that it is worth his while to avoid depletion of its variety' (Carrick 1964b: 590).

The 'Agreed Measures' clearly reflect the early focus upon wildlife's educational value, although it also alludes to its ecological and subsistence values at least as a necessary basis for this pursuit of knowledge. The Preamble states that the contracting governments recognise 'the scientific importance of the *study* of Antarctic fauna and flora, their adaptation to their rigorous environment, and their interrelationship with that environment'. Members of ICSU, and particularly SCAR, identified wildlife conservation as a relevant agenda and succeeded in getting this recognised not only (briefly) in the text of the original convention, but subsequently in specific legislation. It is also clear that the wildlife values expressed by SCAR scientists in 1962, notably wildlife's educational value, went on to form the basis of the 'Agreed Measures'. The educational value of Antarctic wildlife has remained the basis of

much conservation activity under the treaty system. For example, CCAMLR, 1980, noted the importance of increased knowledge of the ecosystem and its components obtained through its study. And the Madrid Protocol boldly restates 'the unique opportunities Antarctica offers for scientific monitoring of and research on processes of global as well as regional importance' in its Preamble.

Subsequent to the 'Agreed Measures' the subsistence value of Antarctic wildlife remains only as a very minor concern until no reference at all is made to it by the 1992 Madrid Protocol. The importance of the ecological value of Antarctic wildlife, in contrast, increased with each subsequent agreement. CCAS' Preamble acknowledges the ecological role of Antarctic wildlife by noting that the convention is partly based upon the desire 'to maintain a satisfactory balance within the ecological system'. However, CCAMLR particularly asserts the importance of the ecological value of Antarctic wildlife noting in the opening statement of the Preamble, that the Contracting Parties recognise 'the importance of safeguarding the environment and protecting the integrity of the ecosystem of the seas surrounding Antarctica;'. One example of the practical impact upon policy of the consideration of wildlife's ecological value is the attempted regulation of the harvest of krill, the basic food resource in the Antarctic, under the auspices of CCAMLR. This regulation is deemed 'fundamental to the maintenance of the Antarctic marine ecosystem and vital to the recovery of depleted whale populations' (Parkes 2000: 83; Edwards & Heap 1981: 353-62). Denzil Miller noted that Article II, paragraph 3(c) of CCAMLR, which explicitly calls for the 'prevention of changes or minimization of the risk of changes in the marine ecosystem which are not potentially reversible...', 'is clearly where the krill "connection" to whales is made' (Miller 2004: pers comm). The ecological value of krill, as an integral element of the marine food web, is thus a clear motivation for its conservation.

The commercial value of Antarctic wildlife is clearly recognised by CCAS and CCAMLR. Within CCAS, recognition of seals' commercial value is central; motivated, as it is, by 'concern about the vulnerability of Antarctic seals to commercial exploitation'. Such value had long been recognised and harvested with, for example, Captain James Weddell commenting in 1825 that 'This valuable animal, the fur seal, might, ... have been spared to render annually 100,000 furs for many years to come.' (Weddell 1825). However, exploitation was well in excess of this;

'Between 1784 and 1822, millions of seal skins were taken from South Georgia, the Falkland Islands, the Cape Horn region, the South Sandwich Islands, and the coast of Chile. As many

as three million skins were taken from the Juan Fernandez Islands alone, driving the seals population there nearly to extinction.²⁶

Commercial value remains strongly represented in the treaty system being reinforced by CCAMLR with its focus upon 'marine living *resources*' as a source of protein. Perhaps the most likely future commercial exploitation will be in the pharmaceutical field and Andrew Jackson expressed the opinion that he did not expect the Madrid Protocol would be a constraint on such activities (Jackson 2005: *pers comm*). There is, however, virtually no contemporary interest in the exploitation of Antarctic mammals, with the exception, of course, of whaling which is within the competency of the ICRW rather than the Antarctic Treaty. Business and industry actors have only played a minor role in this policy-arena. There is currently little political pressure upon Contracting Parties from mineral extraction interests, due largely to the technological difficulties inherent in such pursuits. Private tourism enterprises are beginning to exploit Antarctica and its wildlife, and have begun to enter into the policy-arena. However, most of this activity is ship-based and thus poses little threat to wildlife (Walton 2004: *pers comm*). Where tourists do go ashore, the industry has in place some clear and rigorous codes of practice.

Article 3 and Section 7 of the Annex to CCAS introduces animal-welfare considerations into the treaty system although *not* as a motivation for their conservation. Section 7(a) of the Annex is particularly clear in this regard as it invites the Scientific Committee for Antarctic Research (SCAR) to 'report on methods of sealing and to make recommendations with a view to ensuring that the killing or capturing of seals is quick, painless and efficient'. Whilst, as noted, this is not presented as a motivation to conserve the wildlife, it does represent a recognition of some ethical obligations to other species based on some intrinsic value, and the first instance of this within the Antarctic Treaty system. The Madrid Protocol extends this notion by explicitly recognising the intrinsic value of Antarctica and its wildlife. Article 3, Paragraph 1, of the Protocol states;

'The protection of the Antarctic environment and dependent and associated ecosystems and the *intrinsic value* of Antarctica, including its wilderness and aesthetic values ... shall be fundamental considerations in the planning and conduct of all activities in the Antarctic Treaty area.'

²⁶ From <u>http://www.antarcticaonline.com/antarctica/history/history.htm#Anchor_sealhunters</u> (accessed 20/05/03).

This notion of Antarctica's 'intrinsic' value has not yet received specific consideration within the ATCMs. Indeed David Walton felt that at this stage the term had no meaning at all, but that is was 'available' to be discussed at subsequent meetings (Walton 2004: *pers comm*). However, Chris Banahan expressed his opinion that the protection of Antarctic wildlife *was* broadly accepted as a moral obligation (Banahan 2005: *pers comm*). Andrew Jackson, however, notes 'I believe that the term was expected to describe Antarctica as a whole, which is greater than the sum of its parts'. He described his understanding of intrinsic value as 'The unique values of Antarctica represented by its relative intactness, remoteness, scientific interest, wilderness qualities and capacity to inspire' (Jackson 2005: *pers comm*).

Duncan French (1999) identifies five primary reasons for the protection of Antarctica within the Madrid Protocol which confirm the centrality of ecological, educational, and intrinsic valuations as suggested above. He notes that maintenance of Antarctica's ecological integrity is 'axiomatic' and that this is also a vital element of global biospheric functioning. He also notes commitments to future human generations and the 'intrinsic' value of Antarctica. In addition to this, French also notes the Antarctic's 'instrumental' educational value, particularly as a 'baseline for measuring environmental degradation elsewhere'. Although not included in his five primary motives for protecting the continent, French also notes its political and cultural importance. He claims that 'some of the factors [motivating conservation] are purely political', suggesting in particular the desire of the existing parties to maintain hegemony over the continent. Furthermore, with reference to the IUCN, he notes that 'Antarctica is special for most nations and peoples of the world. It inspires a sense of adventure and a love of nature' (1999: 291). The growth of the Antarctic tourism industry, which 'deliberately exploits wildlife' (Jackson 2005: *pers comm*) as one attraction confirms an underlying aesthetic valuation of Antarctic wildlife.

2.2 Outcomes

Following the agreement of the Madrid Protocol on Environmental Protection in 1991, the continent of Antarctica is perhaps the most strictly and comprehensively protected ecosystem on Earth, and this includes, of course, its wildlife. Access to the continent is very tightly controlled by the Contracting Governments and restricted to scientific personnel and a very few tourists.

There are currently just 43 Contracting Governments to the Antarctic Treaty which, whilst some consider this to be a 'large number' (Banahan 2005: *pers comm*), is the smallest Party base of the six case-agreements studied by this research. In this case we cannot conclude a

lack of interest in the conservation of Antarctic and its wildlife, rather a more appropriate explanation for this small Party base is the strict regulation of Consultative Party status by existing Parties.

The individual elements of the treaty system each contribute to this success. For example, it is the view of many observers, however, that the adoption of CCAS, and the preestablishment of a regulatory system, has significantly discouraged any potential industry (Walton 2004: *pers comm*). Indeed, Simmonds notes the 'strict' regulation of any prospective sealing industry as one of the 'principal purposes' of CCAS (1993: 8). CCAMLR continues to regulate and monitor Antarctic fisheries, particularly krill, in the face of substantial 'pirate' fishing (Jones 2003). Indeed, CCAMLR has been a ground-breaking agreement with the ecosystemic approach to management and the 'precautionary principle' as its focus (Parkes 2000; Constable *et al.* 2000). Erik Molenaar argues that the relative simplicity of the Antarctic ecosystem facilitated the adoption of this ecosystemic approach (2001: 465-99).

The British Antarctic Survey (BAS) highlights the extent of its collaboration with other institutions both within the UK and internationally. In addition to fulfilling one of the central objectives of the treaty, this collaboration has additional benefits particularly in relation to large and expensive research projects.

'European funding for Antarctic research has led to the development of strong ties between European scientists (particularly from The Netherlands and Germany) and beyond (notably the USA), and large multinational programmes have emerged to tackle issues of the highest priority. These scientists strengthen the intellectual capacity of the programmes ... The European Polar Board (EPB), drawn from 22 organisations, encourages the development of new initiatives and offers opportunities to share expensive facilities.' (BAS No Date: 22)

Of the ten elements of BAS' 2000-5 'Core Programme' seven involve direct study of the environment, with three of these focused upon Antarctic wildlife. The Australian Antarctic Division report approximately 250 research trips to Antarctica per annum, pursuing around 160 distinct projects²⁷. Antarctic science is evidently a successful and vibrant field.

²⁷ See <u>www.aad.gov.au</u>

2.3 Summary



Figure 4. The Development of Wildlife Values in the Antarctic Treaty System

As Figure.4 indicates, the educational (scientific), political and, especially commercial values of Antarctic wildlife had been recognised well before the development of any applicable conservation policy. Since the adoption of the original treaty wildlife's educational value has dominated concerns. Commercial valuations rose with the notion of seal exploitation but no longer feature in Antarctic policy-making, whilst the ecological value of wildlife now rivals its educational value as a prime motive for its conservation. In recent years the aesthetic value of Antarctica and its wildlife has begun to play a role in policy-making, and brought a very limited number of business actors into the process.

Scientific actors dominate the policy-making process of the Antarctic Treaty, to the virtual exclusion of all others. However, two interesting findings should be highlighted. First is, of course, the very domination of scientific actors. In no other case-study addressed by this research do scientific actors hold such influence in the policy process. Second, we can note that with the dominance of one set of actors, there is only limited diversification of wildlife values within the policy-process. Certainly educational value, identified by scientists so early on, has remained dominant.

Diversification of wildlife values does, however, still occur. Therefore factors other than a simple increase in numbers of involved actors must influence this. NGOs have however

played a limited role in Antarctic Treaty policy and certainly their influence in shaping public opinion in opposition to Convention for the Regulation of Antarctic Mineral Resource Activity (CRAMRA) and in support of the Madrid Protocol was a factor. How the intrinsic value of Antarctica is defined will be of future interest in this policy-process.

3. RAMSAR

The 1971 Convention on Wetlands of International Importance, especially as Waterfowl Habitat, was the first global convention to focus upon the identification and protection of components of biological diversity, in the form of wetland areas. The convention's genesis can be found in the 1962 Project MAR conference held in Stes-Maries-de-la-Mer, France. This was called in response to the growing realisation that massive drainage of wetlands, throughout Europe in particular, was having a dramatically negative impact upon many bird species. Following this conference the convention took quite some time to develop. The Soviet invasion of Czechoslovakia in August, 1968 proved a significant set-back in the negotiations, particularly as a meeting was scheduled to be held in Leningrad later that year.

3.1 Actors and Values

There are two distinct aspects to the valuation of wildlife within the Ramsar convention's policy-making process which are illustrated by Figure.5 below. Whilst some actors have consistently highlighted a broad variety of values of wetlands and wetland wildlife, 'official' valuations under the Ramsar convention have, contrastingly, focused primarily upon ecological values, as wildlife habitat and provider of ecosystemic services. This focus has long been maintained with the 1999 Strategic Framework noting Ramsar's objective as;

To develop and maintain an international network of wetlands which are important for the conservation of global biological diversity and for sustaining human life through the *ecological and hydrological functions* they perform. (Ramsar Convention Secretariat 1999a. emphasis added)

There have been repeated attempts to introduce a broader range of values to the convention's purview. However, despite featuring strongly in academic and non-governmental literature, these have been consistently consigned to the sidelines of the 'official' discourse. Wetlands traditionally held negative values as 'wastelands' and harbours of noxious insects, and indeed this view had long provided support for the policy of drainage and conversion to agricultural purposes. With hindsight, I would argue that this need for the identification of positive values

has in itself increased the success and effectiveness of the Ramsar convention. It has resulted in the existence of a wide range and depth of resources upon which those involved can draw and a ready disposition to advocate wetland conservation.

The initial plea for action on wetland conservation, originated amongst those engaging with birdlife most often and directly, namely ornithological and hunting organisations. Indeed the specific need for an international convention, due to the effect of wetland drainage upon migratory bird life, was first formally expressed at the 1962 Project MAR conference by Baron Le Roy representing the Association Nationale de Chasseurs de Gibier d'Eau (French National Association of Waterfowl Hunters) (Matthews, G.V.T 1993: 12; Mathews 2004: *pers comm*). Thus, as illustrated by Figure.5, the recreational value of birdlife was the primary motive for the initiation of this convention, and non-governmental hunting organisations the agenda-setting actors. The recreational argument has remained central and developed since with contemporary reference to the importance of wetlands and wetland species as a basis for the fishing industry (and applies broadly to recreational, subsistence and commercial fishing). It is estimated that in the US alone more than 45 million people spend a total of \$24 billion per annum on recreational fishing (Ramsar Convention Secretariat 2001a).

That the convention developed at all subsequent to 1962 can be attributed to the staff of the International Wildfowl Research Bureau (IWRB, now Wetlands International) and fellow ornithologists. From a conference at St. Andrews, Scotland, in 1963 through to the 1971 conference in Ramsar itself, IWRB organised at least eight further conferences and meetings across Europe at which the notion and content of a convention was elaborated. Participation increased steadily throughout these meetings, particularly by governmental actors on the advice of Max Nicholson, then Director-General of the UK's Nature Conservancy. Following the Soviet invasion of Czechoslovakia in 1968 the IWRB once again facilitated progress outside closed official channels (see Chapter 7). The enthusiasm of the Iranian government was key to the success of the final conference in Ramsar. In particular Eskander Firouz (Director of the Iranian Game and Fish Department) played a central role in its organisation.

3.1.1 Early Variety in Wildlife Values

The Project MAR conference featured a diverse array of biologists, ecologists, ornithologists and others, from NGOs such as the IUCN, International Council for Bird Protection (now Birdlife International) and IWRB. These actors communicated a similarly diverse array of wildlife values, and a range of papers were presented outlining the commercial, subsistence, recreational, aesthetic and ecological benefits of wetland conservation (IUCN 1962). At this early stage no governmental actors were involved. One specific outcome of the Project MAR conference, *Liquid Assets* (a document produced, in various editions and formats, by the IUCN), identifies recreational, aesthetic, educational, commercial and subsistence values, along with a future generations indirect duty value (Atkinson-Willes 1964).

Many of the delegates to Project MAR were well aware of the difficulties associated with advocating 'emotive' wildlife values as a basis for conservation action and thus, even at this stage, there was a tendency to assess and express values in financial terms (a practice which has remained prominent throughout Ramsar's existence). This is usually done in terms of the costs society would have to pay in order to carry out ecological tasks without wetlands or the amount society would have to pay in repairs after flooding events. Whilst these figures were and are of use to many policy-makers, during an exchange that highlights the diversity of values expressed at the Project MAR conference, the Rapporteur-General Peter Scott (then Vice-President of the IUCN) noted the following;

'For myself I must confess to a feeling of disappointment in that again and again the economic theme receives the primary emphasis. In a really mature civilisation research would be supported for its own sake It is a measure of the present lack of civilisation in our world that we have to bolster up our case with appeals to sordid economic "realities". ... My point is that such considerations are secondary – that reasons of right, of truth and of beauty, are fundamentally more important and should be advanced first.' (IUCN 1962: 38)

G.V.T Matthews noted that, at this conference, Peter Scott was essentially 'preaching to the converted' (Matthews 2004: *pers comm*). In response to Scott's points, Luc Hoffman (then Director of IWRB and later co-founder of the WWF) warned 'I am afraid that our civilisation is not yet ready to look favourably on the ethical and aesthetic arguments. If we are to be successful we must in the first place use economic arguments.' (IUCN 1962: 44). Count Leon Lippens responded further and noted that;

'If we talk economics we will lose the battle from the start because they will always prove to us that there is economic value in planting crops on waste land. ... We have as much duty to protect it as we have to protect Notre Dame de Paris or Chartres Cathedral. As somebody once said, it is just as stupid to drain the Marismas to plant rice as to destroy Notre Dame to plant potatoes. ... we must convince more people of the need for conservation *because political leaders follow people instead of leading them.*'(IUCN 1962: 45. Emphasis added) The early variety and breadth of values placed upon wetlands and wetland wildlife was complex. Therefore, that the designation criteria focus upon one, quantifiable, central category of value, to the explicit exclusion of some others, was a recognition of the need for strong, clear arguments if broad support is to be obtained. Thus, whilst the Preamble of the convention notes that 'wetlands constitute a resource of great economic, cultural, scientific, and recreational value, the loss of which would be irreparable', thus acknowledging some of the initial breadth of value identified by Project MAR delegates, Article 2, paragraph 2 contains no reference to non-ecological criteria for the actual designation of wetlands of 'international importance'. The Article reads;

'Wetlands should be selected for the List on account of their international significance in terms of ecology, botany, zoology, limnology or hydrology. In the first instance wetlands of international importance to waterfowl at any season should be included.'

These original criteria have been refined and developed since the adoption of the treaty, and they provide a useful illustration of the dominance of ecological factors. Of the ten information sheets produced currently by the convention's secretariat to outline the value and functions of wetlands and wetland wildlife, seven relate to ecological factors. A similar focus is presented by governmental agencies such as the United States Environmental Protection $Agency^{28}$.

A 1974 conference held in Heiligenhafen, Germany, (prior to the convention's coming into force) set out criteria which attempted to introduce some non-ecological factors for consideration. Particular reference was made to wetlands valuable for 'research, education and recreation' (Matthews 1993: 48). However the 1st Conference of Parties (COP) at Cagliari, Italy, in 1980, revised these criteria and eliminated reference to these educational and recreational values specifically on the grounds that it did not fall within the terms set out in Article 2, paragraph 2 (above), despite being noted in the Preamble. COP1 identified three criteria - importance to waterfowl, importance to animals and plants generally, and representativeness/uniqueness – which in effect still form the basis of the criteria in their contemporary form.

Further proposals to introduce explicit socio-economic criteria were again resisted at COP3 in Regina, Canada, in 1987. However this COP did see the introduction of the 'wise-use'

²⁸ See <u>www.epa.gov/owow/wetlands/fun_val.pdf</u>

concept which is now central to Ramsar. This clearly recognises the socio-economic importance of wetlands and wetland wildlife, by defining the 'wise-use' of wetlands as 'their sustainable utilisation for the benefit of mankind in a way compatible with the maintenance of the natural properties of the ecosystem.' (Ramsar Convention Secretariat 1999b: paragraph 23). However, this recognition of value is not meant as a motivation for conservation action, the concept is rather focused upon ensuring that activities undertaken within existing Ramsar sites are sustainable. It does not *itself* provide a basis upon which to designate 'internationally important' Ramsar sites.

3.1.3 'Wise-Use' and the Re-emergence of Wildlife Value Variety

'Wise use' has become a central element of the implementation of the Ramsar Convention, with Article 3, paragraph 1 requiring Contracting Parties to 'formulate and implement their planning so as to promote ... the wise use of wetlands'. Whilst a specific definition of 'wise use' is not provided by the convention's text, Matthews notes that it is clear that the term was meant in terms of 'sustainable exploitation' (1993: 53). Thus, as illustrated by Figure.5 the commercial and subsistence values of wetlands and wetland wildlife are at the forefront of this more recent element of the convention. With the increase in the number of developing states party to Ramsar, the relevance of the 'wise use' programme has increased. Wetland products provide numerous commercial and subsistence resources from crocodile skins to rice. Indeed, as within the whaling policy-process, the separation of commercial and subsistence use of wetland products is complex. These values are particularly prominent in Hails' (1996) regional review of the Ramsar convention.

The political value involved in preserving wetlands as a matter of 'national pride' (IUCN 1962: 49) was noted at the Project MAR conference, and has emerged as a significant factor in recent years (see again Figure.5, below). This value has also been identified by two former Ramsar Bureau Secretary Generals, Delmar Blasco and Daniel Navid, as a significant motivation for accession to the convention (Blasco 2004: *pers comm.*; Navid 1989: 1011). The 'prestige' associated with the designation of a Ramsar site can bring significant domestic and international political benefits along with access to financial and technological assistance. As Bowman notes, this political value;

"... may be of assistance to conservation groups seeking to influence the formation or implementation of government policy, while at the same time strengthening the hand of government departments minded to resist undesirable proposals for the development of wetland areas." (1995: 1-52)

As Hails notes, in addition to all the above, many communities also place sacred value upon wetlands and wetland wildlife.

'Many human cultures developed along the shores of wetlands in the Neotropical Region, ..., benefited from their plants and animals, respected them and in many areas worshipped the gods that lived in them.' (1996: 112)

Prior to 2002, the closest the Contracting Parties have come to establishing an official socioeconomic criteria for the designation of Ramsar sites was at COP4 in Montreux, 1990, where it was agreed that human subsistence and cultural values could be encompassed within a developed criteria pertaining to wetland 'representativeness'. Accompanying 'Guidelines' to the criteria noted that wetlands 'could also be of substantial value in supporting human communities by the provision of food, fibre or fuel; maintaining cultural values; supporting food chains, water quality, flood control or climate stability'(Matthews 1993: 52; Ramsar Convention Secretariat 1990: Annex 1).

The latest format of the Criteria was set out by the *Strategic Framework* (Ramsar Convention Secretariat 1999a), and did much to simplify the designation system and integrated some socio-economic values utilising the concept of biological diversity. Paragraph 26 notes the importance of considering 'the economic and socio-economic values of the site (especially for local communities), and the cultural values associated with the site' (*ibid*.).

At COP8, in 2002, following the distribution of a document referred to as the 'Tehran Communiqué' from several central and west Asian states, Contracting Parties adopted Resolution VIII.19. entitled 'Guiding principles for taking into account the cultural values of wetlands for the effective management of sites'. This document recognises that 'peoples' relations with wetlands have given rise to aspects of non-material culture, through folklore, music, mythology, oral traditions, customs, traditional knowledge and popular wisdom ...' and urges Contracting Parties to consider 'both material and non-material cultural elements related to wetlands and water ... when preparing ... for the designation of new Wetlands of International Importance ...' (Paragraphs 3 & 19(a)). This Resolution also makes mention of the 'diverse cosmologies' relating to wetlands, a brief reference to potential sacred values. This, albeit voluntary, set of guidelines is easily the most significant move towards including cultural and other socio-economic values in the designation process to date.

The debate over the inclusion of cultural and other social values has been 'very, very heated and long' and it has proved nearly impossible to gain consensus upon these criteria. Some states have been 'adamant' in their opposition to the inclusion of cultural valuations in Ramsar designations, most notably Brazil and Australia (Blasco 2004: *pers comm*). Other actors have been strong in their support for their inclusion, particularly developing states in Africa and Asia along with those states involved in the MedWet project. The Wetlands Centre at the University of Valencia has been a central actor in attempts to develop tools to measure them.

3.2 Outcomes

On paper at least, the Ramsar convention has been tremendously successful. Growing from an original eight states by the end of 1975²⁹ to its present 145 members; the convention, and its associated list, now protects 1435 sites across the globe and fosters many widespread programmes of wetland conservation. 'Ramsar sites' include enormous areas such as Queen Maud Gulf, Canada which covers 6,278,200ha and not so huge areas such as the Somerset Long Bay Pond, Bermuda with an area of just 1ha. Individual national contributions differ somewhat, for example Canada has just 36 Ramsar sites yet they cover an enormous 13,051,501ha, whilst the United Kingdom has 169 entries on the list covering just 859,023ha (as at March 2004). The total number of sites is increasing constantly with regular announcements of additional designations, for example, the Moroccan government designated 20 new sites on the 29th June 2005. The convention's Secretariat (originally known as the Ramsar Bureau) consists of 14 people, the smallest of the six case-study agreements, but has the second largest budget with an income of just over \$5.562 million (in 2002, see Table.6, Chapter 6, for comparison).

Despite the lack of real bite to the protection required by the text of the convention, the value of many of these sites is taken seriously by decision-makers and thus receive effective protection. For example, a recent decision by the UK government not to site an economically important new container port at Dibden Bay was taken primarily on environmental grounds, in reference to the Solent and Southampton Water Ramsar Site. Paragraph 27 of the Secretary of State's 'Decision Letter' states;

'The Inspector considered that the *most significant* harm arising from the proposed Dibden terminal would be to nature conservation interests. There would be direct impacts on sites of

²⁹ The convention required ratification by seven states in order to enter into force, which it did on 21st December 1975.

local and national conservation importance and on internationally protected sites, to which he attached paramount importance. He had no doubt that the proposed development would damage the integrity of the Solent and Southampton Water Ramsar site and Special Protection Area (SPA).' (Carey 2004)

Having made these points, consideration of the contemporary extent of wetlands, the status of birdlife, and wetland biological diversity, the 'success' of this convention is debateable. Wetland loss and degradation has been occurring for a substantial period of human history, although the rate at which this has occurred increased dramatically in the 20th century. There is little evidence to suggest that broad rates of wetland loss and change have slowed significantly since the agreement of the Ramsar convention, continued drainage for agriculture being the principal cause.

'by 1985 it was estimated that 56-65% of the available wetland had been drained for intensive agriculture in Europe and N America; the figures for tropical and subtropical regions were 27% for Asia, 6% for S America and 2% for Africa, making a total of 26% worldwide. Future predictions show the pressure to drain land for agriculture intensifying in these regions.' (OECD/IUCN quoted in Moser *et al.* 1996)

Within this broad picture of wetland loss, Ramsar sites themselves have also suffered.

'...data provided by the Ramsar Contracting Parties showed that 84% of Ramsar sites had undergone or were threatened by ecological change. Since Ramsar sites are probably better protected against wetland loss and degradation than most other wetlands with a lower conservation status, there can be few wetlands today which are not under some form of anthropogenic threat.' (Dugan & Jones quoted in Moser *et al.* 1996)

The convention was originally founded upon a desire to protect waterfowl, especially for recreational hunters. Waterbird species are still, however, in decline. Of the 1,138 populations of waterbird for which population trend information is known, 41% are in decline, with just 19% increasing. A similar study of European *Anatidae* (ducks, geese and swans) revealed 37% of their populations declining, 35% stable, 22% increasing and 4% extinct (BirdLife International 2004a: 10). Waterfowling and hunting continues to be a popular past-time for millions, particularly in Europe and North America. The British Association for Shooting and Conservation has 122,000 members currently and a staff of 70 (larger than any of the convention Secretariats). Ducks Unlimited, the largest American hunting organisation had total revenues of \$163.57 million in 2003.

Ornithologists as well as hunters were behind the genesis of the Ramsar convention, and, unfortunately, declining population figures are not only exhibited by waterbirds. BirdLife International (2004a: 8) claims that 'Many common species are in decline', illustrating this by noting that the European farmland bird index has declined by 34% during the years 1966-2002 (contemporaneous with the negotiation and agreement of this treaty). Globally, 1,211 bird species are currently threatened with extinction, of which 179 are 'critically endangered' (BirdLife International 2004a: 14). Despite this, birdwatching remains an extremely popular pursuit. BirdLife International again note;

'Watching birds is tremendously popular. For example, c.46 million people in the United States (around one in five) spend time observing and identifying birds, and 20 million people (around one in three) in the United Kingdom are birdwatchers or regularly feed birds in their gardens.' (2004a: 6)





Figure 5. The Development of Wildlife Values in the Ramsar Convention

Despite regular reference to a range of wildlife values, the ecological value of wildlife has dominated the Ramsar convention policy arena. This focus has positioned the Ramsar convention well to take advantage of the contemporary orientation of conservation towards biological diversity. The convention is now considered a central element of international wildlife policy, and those involved in it consider the importance of biological diversity to have had a very positive effect on the convention's development. Delmar Blasco noted a 'strategic choice' made by the Ramsar Secretariat and Contracting Parties to develop a close working relationship with the CBD, which, he said, was facilitated by pre-existing personal friendships such as his with the CBD's Executive –Secretary (2004: *pers comm*).

The recreational and aesthetic value of wetland wildlife, notably waterfowl, played a crucial role in motivating action initially, and it is clear that those individuals involved in the early stages of the convention's development also felt wildlife conservation to be an indirect duty to future generations. The 'wise use' agenda has maintained the relevance of commercial and subsistence values, particularly with the ever increasing complement of developing state Contracting Parties. In the last decade, and following the increased influence of African and Asian state Parties, the cultural value of wetlands and wetland wildlife has re-emerged as an important motivation for conservation. Indirect duty values, relating to future generations, and animal-welfare arguments relating to the intrinsic value of wildlife, have not played a significant role in this convention, whereas they have in others.

Non-governmental organisations have been crucial to the initiation, development and implementation of the Ramsar convention. The Contracting Parties have institutionalised links with some of the most important of these. Thus not only were NGOs key context-shapers in this policy arena, they remain important conduct shapers also. For their part, the Contracting Parties maintain a preoccupation with the economic benefits of wetland protection as the most desirable form of evidence upon which to act. The convention's Secretariat and involved NGOs have proved very adept at translating their concerns into such a format.

4. CONCLUSION

The three case-studies discussed in this chapter exhibit some clear general trends and elements. Each agreement is targeted towards resolving a specific wildlife conservation problem and this has resulted in the official discourses of each having, for the majority of their existence, focused upon on specific category of value, although this has differed between cases. The whaling convention focused upon wildlife's commercial value. Antarctic wildlife has been valued for its educational value and wetland wildlife for its ecological value. That each focuses differently is a reflection of their different origins involving varied actors. That each have been effectively agreed and maintained reflects the success of these actors in casting their concerns in terms attractive to state-actors, notably in economic terms. Also of importance to Contracting Parties involved in the protection of Antarctic flora and fauna were

sovereignty concerns. The educational value of wildlife seemingly provided a suitable focus around which to build exclusive membership criteria.

Thus a picture can be built of state-actors being effectively drawn into issue areas not necessarily of great importance to them, by NGOs and scientists. Once drawn in their conduct remains heavily conditioned by their preoccupation with economic and sovereignty concerns, although non-state actors have long been aware of these priorities and have adapted their activities accordingly to take full advantage of them.

Subsequent to the dominance of single valuations in each of the policy-arenas, values have diversified. This has occurred to a significant extent within the Ramsar and whaling conventions, but to a lesser extent within the Antarctic Treaty system. This diversification has been particularly prevalent since the early 1970s and clearly linked to the increased interest in wildlife conservation broadly and participation of NGOs. The very limited involvement of NGOs within the Antarctic Treaty system seems clearly correlated to the limited diversification of values within that arena.

Business and industry actors have played a very limited role within the development of these international agreements. They have been of greatest influence within the whaling convention where they were the intended primary beneficiaries of the original convention and have recently begun to play another strong role in relation to the development of whale-watching. Finally, scientific actors have played a consistent role in the development of these conventions. Primarily this has been a consensus-building role.

Of the three case-studies here, perhaps the only one that facilitates truly effective wildlife conservation is the Antarctic Treaty. The Ramsar convention has been effective in that it has been widely adopted, but its implementation, and hence outcomes, has been poor in many ways. The whaling convention, for most of its existence, has been a disaster for cetaceans and consequently the whaling industry. Its adequate provisions, as Ramsar, have simply not been implemented or enforced to a great enough degree. Costs of effective implementation of Ramsar and the whaling convention would be high, a fact not denied by state-actors. These costs, simply, have not been met. In a few instances costs have been met although largely from non-state activities very much dependent upon conservation such as birdwatching, whale-watching and hunting. Whilst these activities have not often been directly supported by resources from the state, they have often had a 'sympathetic' ear with state-actors, primarily it may be suggested because of their ability to generate their own economic resources.

Chapter 5 – Case-studies II: Post-UNCHE Agreements

The early 1970s was a period of heightened concern for environmental issues culminating in the United Nations Conference on the Human Environment (UNCHE, held in Stockholm in 1972). This event heralded hitherto unprecedented world attention on issues including pollution, population growth, forest management, agriculture and many others. UNCHE created the United Nations Environment Programme (UNEP) which has come to play a prominent role in international environmental affairs.

With this more pervasive concern for the environment, wildlife conservation became of wider interest. Conceptual links between economics, development, human welfare and wildlife began to be made. Consequently those international agreements reached after 1972, presented in this chapter, are aimed at wildlife much more broadly than previously. Within early policy specific elements of wildlife tended to be of value. Latterly all wildlife became valuable, particularly from an ecological point of view.

Each of the three agreements discussed in this chapter are, directly or indirectly, referred to within the Recommendations made by the 'Stockholm Declaration' adopted by the conference. Recommendation 30 called on governments to monitor the trade in wild animals. Recommendation 32 specifically called on governments to enact international legislation to protect species 'which migrate from one country to another'. Recommendation 39 called on the United Nations and the Food & Agriculture Organisation (FAO) to 'agree to an international programme to preserve the world's genetic resources'. In addition to these statements, Recommendation 32, as already noted (see Chapter 4, section 1), called on IWC states to agree a 10 year moratorium on commercial whaling. Thus, whilst the division of the six case-studies into two chapters of three is, here, predominantly to aid presentation, there is also some substantive element to it.

1. INTERNATIONAL WILDLIFE TRADE

Concern over the impact of trade in wildlife and wildlife products has a long history and its international dimension was the subject of early agreements such as the United States' Lacey

Act (1900) and the 1900 London Convention³⁰. 'Modern' concern relating to this trade, culminating in the agreement of the 1973 Convention on the International Trade in Endangered Species, has its genesis in the 1960s. It was discussed by the members of the IUCN at their 7th General Assembly in 1960, at which Resolution 14 was adopted praising the efforts of states which sought to apply import restrictions to wildlife that was *exported illegally* and recommending the spread of such legislation to other states (IUCN 1960). The issue was further discussed at the 1961 Arusha conference on conservation in Africa (United States Department of State 1973: 3; Fosbrooke 1963: 161-5) and specific calls for an international convention were made at IUCN's 8th General Assembly. At this stage concern was largely related to illegal export and as such Resolution 5 stated;

'Whereas many rare and vanishing species of wildlife are threatened with early extinction through illegal export from their native land and whereas such illegal export would be much less frequent if import into other countries were prohibited; ... recommends that the practical and political problems involved in illegal export be studied and that an international convention on regulations of export, transit and import of rare or threatened wildlife species or their skins and trophies be drafted and submitted for the approval of governments ...' (IUCN 1963b)

Although most of the blame was laid at the feet of illegal trade, the solution was to be the regulation and monitoring of all trade. Indeed one of the enduring unresolved questions relating to wildlife trade is whether allowing some *legal* trade facilitates or encourages *illegal* trade. Wijnstekers (2001) suggests a first draft convention (prepared by IUCN) appeared in 1964, followed by another in 1971. Other sources imply or claim more than these two drafts. Elizabeth Layne (1973 99-102) for example notes that 'Three formal IUCN drafts followed' the original. Wolfgang Burhenne claims that there were at least eight drafts (Burhenne 2004: *pers comm*). An international convention for the regulation of the wildlife trade was agreed in March 1973 at a Plenipotentiary conference held in Washington D.C., attended by 88 national governments and 6 international organisations (United States Department of State 1973).

1.1 Actors and Values

The value of wildlife under the Convention on the International Trade in Endangered Species is far from clearly presented, and this has itself led to much confusion and conflict within its policy-arena. Nowhere during the official negotiation of the convention do the actors

³⁰ Convention Designed to Ensure the Conservation of Various Species of Wild Animals in Africa which are Useful to Man or Inoffensive.

involved explicitly address the value of wildlife or the motivations for wildlife conservation. The reason for this seems rooted in the convention's genesis within the IUCN, an organisation with a pre-existing commitment to wildlife conservation *per se* (see Chapter 7). Furthermore, as discussed in the introduction to this chapter, as a post-UNCHE agreement, CITES suffers from an assumed importance of wildlife conservation. Because of this, no explicit case as to the value of wildlife had to be made. Indeed, Kevin Hill notes that the convention is based only upon a 'vague intuitive notion that the preservation of species is good' (1990: 246). The convention's rather non-specific understanding of the value of wildlife is reflected in the convention's Preamble which recognises 'the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view'. Indeed, George Reiger claimed that this statement represented '... a change in the traditional way of looking at wildlife ...' (1973: 659).

With its focus upon trade, CITES is perhaps most obviously focused on and motivated by wildlife's commercial value. Indeed, for CITES to be applicable to a species it *must* possess commercial value. In this context, Paul Matthews claims that;

'By focussing exclusively on plants and animals which are traded it conceives of wildlife principally as an economic resource with individual animals being considered as mere economic units rather than sentient beings.' (1993: 7)

The commercial value of wildlife was certainly a strong influence upon some actors during the negotiation of CITES. In particular some traders in wildlife products supported monitoring and control in so much as it facilitated continued trade (see Chapter 6). Indeed the control and restriction of *illegal* trade may offer more opportunities for *legal* trade. Thus, as illustrated by Figure.7, the commercial value of wildlife did feature as a significant motivation for the agreement of CITES.

However, this is not by any means the whole story and to appreciate the value of wildlife to CITES' Contracting Parties the treaty must be set against its, above mentioned, broader background and origins, and recognised as one element of the wider objective of wildlife conservation.

As discussed above, the convention originated within IUCN which was concerned with the causes of species loss, of which international trade was one. Rarity, or endangerment, is therefore the vital qualifier within CITES and can, potentially, expand the conception of wildlife value to any fundamental value upon which it is based (as discussed in the

Conclusion to Chapter 2). It is, however, perhaps most commonly referenced to wildlife's ecological value, and the protection of endangered species then becomes the protection of particularly vulnerable increments of biological diversity and / or keystone species. Indeed, the Preamble to CITES states that the Contracting Parties recognise 'that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural ecosystems of the earth which must be protected for this and generations to come'. Whilst the ecological value (along with aesthetic and indirect duty values) is obvious here, it is unclear whether it is specifically the 'wild fauna and flora' or the 'natural ecosystems of the earth' which must be protected. In his legal analysis of the convention David Favre claims that this clause commits the parties to maintaining the 'historical role' of species in the ecosystem, a reference to the notion of 'ecological stability', rather than merely 'minimum biological survival levels' (1989: 33). Thus CITES was also founded upon firm concern for the ecological value of species.

Indirect duty values are encountered within the CITES policy arena in terms of the obligations to future generations identified in the Preamble. Furthermore, although *not* an actual motivation for conservation, CITES features a commitment to 'minimize the risk of injury, damage to health or cruel treatment' during transportation, thus acknowledging some intrinsic value of wildlife. Whilst, as just noted, this animal-welfare argument is not presented as a motivation for conservation *per se*, in his discussion of the convention when in draft form, Barry Kowalski does relate it to rarity (and thus ecological value) when he notes;

'It is especially important to protect the health of individual members of species covered by this Convention. They represent a vanishing or diminishing race which can ill afford the loss of any of its individual members.'(1972: 679)

The perceived intrinsic value of some species has in fact had a substantial impact upon the development of CITES, particularly where related to the African elephant. The debate over the ivory trade, which has pitted animal-welfare groups against sustainable-use groups in particular has served to polarise the negotiations in this arena. Thus, since the ivory trade ban was established in 1989 this debate has consumed significant resources allocated to CITES.

Obligations to future generations are a key element of NGO arguments within CITES, but the investment of such value was not restricted to non-governmental actors. As George Reiger noted 'When I asked one delegate from south-east Asia if his government would sign the finished document he replied, "Of course. This is a conservation convention, not a political one." (1973: 659), illustrating the underlying commitment to wildlife conservation. The duty

to future generations was also echoed by members of the US government delegation, for example by Secretary of the Interior, Rogers Morton, who opened the conference saying to delegates that;

'You are here today not merely as the representatives of individual nations but in a true sense as the representatives of mankind in a meeting with his own conscience. ... In concluding this convention, you are performing an honorable duty before future generations.' (United States Department of State 1973: 1-2)

The origin of CITES within the IUCN, an organisation with nature conservation as its priority, is a possible explanation for the primacy of this objective within the convention. Robert Hepworth felt that the primacy of this basic conservation objective separated CITES and CMS from other agreements (Hepworth 2005: *pers comm*).

1.2 Outcomes

The Convention on the International Trade in Endangered Species now has 187 Contracting Parties, which illustrates its broad success and appeal. As Table.4 (in Chapter 3) notes, this represents 87% of the world's states, including all but one African state and all but two Latin American and Caribbean states, underlining the importance of the agreement to these regions. CITES is commonly perceived as a central element of international wildlife conservation policy, sometimes as the most important element. This is both an indication of its success and an occasional burden to its successful implementation. CITES has a large Secretariat with 28 members of staff (second in size only to the CBD) and a sizable budget of \$4.411 million. Despite having occasionally significant problems, CITES is perhaps the most enforceable, and hence best enforced, international wildlife convention. The administrative structure of the convention is clearly developed and described. The relative simplicity of trade regulations has been suggested as a positive factor in the success of the convention. Trexler argues that trade controls were relatively familiar to states, providing a simple tool to address an 'increasingly complex and diverse' problem (1989: 18). As described in this section above, the CITES policy-process has been engaged with for a number of reasons including the prevention of species loss and endangerment, the development of wildlife-based tourism, the protection of animal-welfare, and the facilitation of some wildlife trade interests.

The contemporary international wildlife trade remains huge. Broad *et al.* (2003) (of TRAFFIC International) estimated the annual value (excluding timber and fisheries) at \$14.9 billion. Although precise knowledge of trends over time is not available, trade has grown
since the agreement of CITES in 1973. During the 2004 Bangkok Conference of Parties to CITES, Thai Prime Minister Thaksin Shinawatra stated that 'Globally, the illegal trade in wildlife, timber and other natural resources is now surpassed only by the trafficking in drugs and weapons' (Aglionby 2004a: 13). Although by no means the biggest threat to wildlife *per se*, this trade remains a significant threat to a large number of species. Recent reports have highlighted the current trade related threat to the Beluga sturgeon (Brown 2004b: 16), Sumatran tiger (Aglionby 2004b: 12), great white shark (Aglionby 2004a: 13), saiga antelope (Pearce 2003b: 4-5), and common hippopotamus (Pearce 2003c: 9), along with a number of other species. Former Head of the Kenya Wildlife service Richard Leakey, speaking at the same Conference as the Thai Prime Minister stated 'Trade has been the foremost factor in the decimation of scores of species ranging from tigers to cod' (Vidal 2004: 4).

It is clear that CITES has not comprehensively fulfilled its objective of preventing species loss and endangerment through international trade. It has, however, provided a framework within which a number of domestic industries concerned with species propagation for trade have developed. These have had a positive effect upon the conservation status of a number of species, including crocodiles in Australia, and Snowdrops and Cyclamen in Turkey, which were 'once over-exploited, now well managed by Turkey using the CITES system – while still providing important income for local people.' (McGough 2004 & 2005 *pers comms*; Lucas 2004: *pers comm*).

In addition to this, wildlife tourism, another prominent motivation for the conclusion of CITES, has developed enormously since the early 1970s. The World Tourism Organisation states that 'nature tourism generates 7% of all international travel expenditure' (World Tourism Organisation 2004: 1). Although the figures are imprecise, the International Ecotourism Society identifies the growth in 'wildlife-related tourism' claiming that global international visitor numbers have risen from between 79-157 million to between 106-211m during the period 1988 and 1994, with an associated increase in economic revenue from between \$47-155 billion to between \$83-166 billion. Considering the prominent role played by African states in the negotiation of CITES, which was specifically related to a desire to promote tourism, it is useful to consider tourism in Africa more specifically. Unfortunately figures relating specifically to wildlife-based tourism are very sparse, however some broad trends can be illuminated. Figure 6 illustrates the enormous (more than twenty fold) increase in international tourism earnings for the continent of Africa during the existence of CITES. This is not to say, of course, that the conservation of wildlife is the only factor which has facilitated this. Table.5, however, offers a comparison between tourism revenues of five African states well-known for their wildlife tourist attractions and five randomly selected

others. The difference is marked, with all but one of the 'wildlife oriented' states far exceeding the \$170 million average, compared to just two of the others.



Figure 6. International Tourism Revenues for Africa, during the CITES Era.

⁽Source: World Tourism Organisation, Tourism Market Trends, 2004)

State	International Tourism Income (for year 2000 in \$ millions. Continent-wide average 170)	Growth in Revenue (1995-2000)
Wildlife-oriented States		
Kenya	283	-10.3%
Tanzania	377	-5.6%
Botswana	313	14.1%
South Africa	2,677	4.7%
Zimbabwe	125	-2.9%
Other States		
Angola	18	12.5%
Sao Tome	10	n/a
Mauritius	542	4.7%
Sudan	5	-9.0%
Nigeria	200	13.3%

 Table. 5 International Tourism Income for Selected African States
 (Source: World Tourism Organisation, Tourism Market Trends, 2004)

We can conclude from Figure.6 and Table.5 above that contemporary with the existence of CITES, tourism in Africa has grown enormously and that some states with prominent wildlife resources have benefited significantly above average from this growth. Thus we might loosely infer that those African states pursuing the protection of wildlife through CITES in order to benefit their tourism industries have been successful. Kenya's role in the negotiation of CITES was key to its successful agreement and this state has certainly benefited from the touristic exploitation of its wildlife. It is estimated that '...80% of Kenya's tourist market is

drawn by wildlife and that the tourism industry generates one-third of the country's foreign exchange earnings.' (International Ecotourism Society 2000: 2).

1.3 Summary



Figure 7. The Development of Wildlife Values in the Convention on International Trade in Endangered Species.

CITES is perhaps predominantly an attempt to protect ecologically important species which also happen to possess commercial value, and thus are a particular target for depletion. Ecological value is therefore the central value of the CITES policy-process. Having said this, wildlife's commercial and aesthetic values are also of key importance, as the convention clearly aims to facilitate some trade and tourism. Certainly commercial value was a significant motivation for some states and, although the exploitation of some wildlife in this way became less acceptable with the emergence of concern for animal-welfare and the agenda surrounding the African elephant. The educational, cultural and recreational values of wildlife made explicit in the convention's Preamble play no significant role in the policyprocess.

The convention having come from a concern for wildlife conservation broadly set against the background on the UNCHE conference, it was not specifically focused. Rather a diversity of

wildlife values was officially expressed at the outset, from within which some emerged as of greater significance to parties and other actors, or as categories around which agreement and cooperation could be build.

Similarly to the cases described in the last chapter, the development of this convention can be characterised as state-actors responding to a political context shaped primarily by non-state actors. However, CITES also provides strong evidence of some state-actors playing an important agenda-setting role themselves, particularly developing states. These state-actors remain primarily economic actors, with developing states concerned about the conservation of valuable economic resources, whilst some developed states, such as fur-traders, are keen to protect, indirectly, their own economic interests.

2. MIGRATORY SPECIES

The migration of wild animals, particularly wild birds, across national borders has probably been the single most important factor in the 'internationalisation' of wildlife politics. As H. E. Keith Johnson, Ambassador of Jamaica, noted in his statement at the opening of the 1979 plenipotentiary conference to conclude the Bonn Convention;

'Even if we would wish it, these species will not be the bearers of national passports, they will not seek visas, they will not fly national flags to indicate allegiance. In the effort to conserve these migratory species, in our own interest and in that of succeeding generations, there seems to be no alternative to international cooperation.' (1979: 148)

Despite the longstanding nature of this issue, it was only in the 1970s that an umbrella convention was proposed to conserve all species whose migration routes cross international boundaries. The Convention on the Conservation of Migratory Species of Wild Animals (Bonn), 1979, was initiated at UNCHE, Stockholm, a fact acknowledged in the Convention's Preamble. UNCHE's Recommendation 32 reads;

'It is recommended that Governments give attention to the need to enact international conventions and treaties to protect species inhabiting international waters or those which migrate from one country to another....' (Anon 1977: 190)

The convention is largely perceived to have taken a long time to 'get off the ground', Bowman noting that 'early progress under the convention was extremely limited' (1999: 283). A seven year period followed Stockholm, during which time the government of the Federal Republic of Germany initiated and gradually led efforts to prepare a draft agreement (MFAF 1976: 3; Navid 1976: 117), which then went through three further official drafts prior to its adoption in 1979. These efforts were largely motivated by domestic political pressure upon the German government (see Chapter 6, Section 2.1) and, in its capacity as 'host' nation, Germany remains a leading state within the convention's policy arena and commits significant quantities of financial support to it (Galbraith 2005: *pers comm*). There was, at this stage, close collaboration with the IUCN over the drafting of the convention. Even following the adoption of the treaty, progress remained very slow causing Anthony Brough (UNEP) to note his disappointment that no subsidiary agreements had yet been reached prior to the opening of the 2nd Conference of Parties in 1988. He, furthermore referred to 'an apparent lack of interest and even, regrettably, co-operation on the part of Party Range States.' (CMS Secretariat 1998: 8).

2.1 Actors and Values

In notes attached to the original Draft and Revised Draft of the convention it is stated that the Preamble's text was in fact based upon that of CITES (Anon 1977: 190). We might therefore expect similarities in the values and objectives therein expressed. Indeed, in a somewhat similar vein to CITES, the CMS identifies a large number of wildlife values with the Preamble of the Final Text stating that Parties are 'Conscious of the ever-growing value of wild animals from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view'.

The sentiments remain largely unchanged from the original Draft convention, although some amendments were made. The original Draft convention listed seven forms of value³¹ with three more being debated during the first round of negotiations. The Second Revised Draft also saw the addition of wildlife's 'genetic' value. The final text therefore offers no less than ten categories of value, in addition to wildlife forming 'an irreplaceable part of the earth's natural system'.

Non-governmental actors played only a limited role in the early development of CMS, instead it was primarily state actors who eventually carried the proposal forward following UNCHE's Recommendation 32 quoted above. With this genesis the ecological value of wildlife, as apart of the wider environment, can be posited as an important implicit starting point.

³¹ These were 'environmental, social, cultural, scientific, educational, recreational and aesthetic'. (MFAF: 1976, 11)

However, of perhaps greater importance at this stage, and similarly implicit, was its political value to state actors, in particular the government of the Federal Republic of Germany, which sought to improve its environmental reputation in the face of domestic criticism.

In addition to the role played by Germany, Colin Galbraith noted the contribution of the UK and France, both of which had contributed significantly to the treaty (Galbraith 2005: *pers comm*). Indeed Michael Ford (2005: *pers comm*)noted the lead role played by the UK in the development of the EUROBATS agreement, although he revealed this required only minimal effort from the UK due to the prior development of a suitable framework as a response to domestic legislation (1981, Wildlife & Countryside Act). Latterly NGOs have become far more involved with the convention's development, even to the extent of formally entering into sub-agreements with state actors. Colin Galbraith noted three organisations (BirdLife International, WWF, and the Whale and Dolphin Conservation Society) as having made particularly positive contributions (Galbraith 2005: *pers comm*).

Whilst wildlife is obviously broadly valued by the convention, it is safe to say that the text does not clearly explain the specific values of those species of wildlife it is seeking to conserve. By not achieving this Mike Moser expressed his opinion that the actors involved had 'missed a trick' and was concerned that the convention was 'treading a path to irrelevance' (Moser 2005: *pers comm*). His opinion was that this technique had been particularly effective within the Ramsar convention's framework, and facilitated the shift in emphasis from a species-centric to ecosystem-approach, exhibited in the wider conservation arena. In contrast, Colin Galbraith felt that not seeking further definition of distinct wildlife values was a positive decision aimed specifically at avoiding being caught up in administrative minutiae. He felt that Ramsar was perhaps overly bureaucratic and had 'guidelines for everything', which could occasionally limit the actions of states. Furthermore, Colin Galbraith suggested that any consideration of specific wildlife values could be addressed within the subsidiary agreements (Galbraith 2005: *pers comm*).

Contemporary publications from the CMS Secretariat do attempt more clear descriptions of the value of migratory wildlife, noting ecological value (as ecosystemic elements, prey, and pollinators and seed dispersers), educational value (as ecological indicators) and commercial, subsistence and recreational values. Furthermore, the cultural and sacred values of wildlife are acknowledged thus; '... migratory species command powerful significance in many cultural and spiritual traditions
- in legend, story, popular song and religious observance as well as in folk medicine and other customary usage.' (CMS Secretariat 2004: 2)

Whilst, as mentioned above, the overarching convention appears somewhat generalist regarding the value of wildlife, the subsidiary agreements provide excellent opportunities to effectively communicate these values to the Range States concerned. To a certain extent, some of the sub-agreements do achieve this.

However, whilst concurring that the sub-agreements can and do fulfil this role, Colin Galbraith presented a slightly alternative and nuanced view. He asserted that it is more appropriate to consider the main convention text and subsidiary agreements as two complimentary sides of the same coin, each emphasising certain wildlife values. The main convention text is far from irrelevant as it highlights high-profile rare and endangered migratory species, from which an effective public-relations message can be gained. Thus the main text brings the ecological and political/symbolic values of wildlife sharply into focus. The subsidiary agreements compliment this by, as suggested above, facilitating the communication of the specific values of each wildlife species. In this way the two-level structure of the convention can be harnessed to communicate wildlife values without becoming overly-bureaucratised.

Of the thirteen sub-agreements adopted so far, seven make reference to the ecological value of the species or family concerned. One agreement, the Memorandum of Understanding on the Great Bustard (MoU – Great Bustard), refers also to the educational value of the species as a 'key indicator for the state of the habitat on which it relies' (Preamble). Another single reference is made, within the Agreement on the Conservation of Albatrosses and Petrels (ACAP), to the 'cultural significance of albatrosses and petrels to some indigenous peoples' (Preamble). The recreational value of some species is noted in two agreements³² and the importance of this category of value is confirmed by the presence of the International Council for Game and Wildlife Conservation (CIC) as a cooperating non-governmental organisation on three further agreements³³. BirdLife International is a formal partner in three agreements, and its Japanese 'national partner' organisation, the Wild Bird Society of Japan is partner to a

³² Agreement on the Conservation of African-Eurasian Migratory Waterbirds, (AEWA, 1995) & Memorandum of Understanding concerning Conservation Measures for the Siberian Crane, *Grus leucogeranus* (1993).

³³ Memorandum of Understanding concerning Conservation Measures for the Slender-Billed Curlew, Numenius tenuirostris, (1994). Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer, (2002). Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard, *Otis tarda*. (2001).

fourth. IUCN and WWF are formal partners in two agreements with the International Crane Foundation being involved in the MoU on the Siberian Crane.

Indirect duty values are prominent throughout the drafting process with the final text's Preamble noting the conservation of wildlife under this convention was 'for the good of mankind' and that 'each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where used, is used wisely;'. This clear anthropocentric basis to the convention received supporting words from the Ambassador of Jamaica, H. E. Keith Johnson, at the opening of the 1979 plenipotentiary conference when he noted that the convention 'places priority emphasis on the matter of human interest ... and it is noted that the draft does not in any respect attempt to curtail the wise exploitation of the migratory species' (Johnson 1979: 148). This perspective was not, however, unchallenged during the negotiations and, following comments on the original Draft convention (MFAF 1976) the Preamble to the Revised Draft read;

'Recognizing that wild animals in their innumerable, beautiful and varied forms are an irreplaceable part of the natural systems of the earth which are entitled to exist in their own right and must be conserved for the benefit of mankind.' (Anon 1977: 185)

From the documentary evidence, it is not possible to identify the origin of these calls to the intrinsic value of wildlife. Very few non-governmental organisations attended this conference, and of these perhaps only IUCN, WWF or Friends of the Earth would be likely to present such an argument. The call may not have come, of course, from an NGO. This said, advocating the intrinsic value of wildlife cannot have found much sympathy with the negotiators of the CMS as such provisions were quickly dropped from subsequent drafts and the anthropocentric view reasserted. A more central position was taken by some delegates (to the 1976 conference) who warned against using the phrase 'for their mutual benefit' in reference to the Parties, as it was considered 'very likely to be used to justify exploitation beyond all else' (MFAF 1976). Therefore, exploitative use was not necessarily to be promoted above other values/uses.

2.2 Outcomes

The Convention on Migratory Species has significantly fewer Contracting Parties than the CBD, CITES and Ramsar conventions, currently numbering 80. It also has a small Secretariat of 19 staff with an annual expenditure of \$2.81 million, similar to the IWC's Secretariat. Its broad appeal to the international community is, therefore, questionable.

During early negotiations, the United States and the Soviet Union joined in protest against the inclusion of marine species in the CMS and they maintain this 'rather odd' (Koester 2001: 282) alliance, neither currently being Party to the convention. However, Colin Galbraith expressed his opinion that the Russian Federation was very likely to join the CMS soon, it was just a question of when (Galbraith 2005: *pers comm*).

The primary purposes of this convention are to afford strict protection for Appendix I species and to arrange subsidiary agreements for Appendix II species, therefore its success can to some extent be assessed in terms of these purposes. Appendix II contains approximately 180 species, including over 100 bird species of which the Africa-Eurasia Waterbird Agreement (AEWA) protects approximately 80 and ACAP protects 18. A further 66 non-avian species are covered by the remaining 12 agreements. This leaves approximately 40 Appendix II species (approximately 30%) without the legal protection of a subsidiary agreement. These 40 include some notable species such as the African elephant and dugong, along with several commonly hunted species of Artiodactyla (cloven-hoofed mammals) such as the oryx, saiga antelope, vicuna and some gazelle species.

Whilst the figure of 70% of Appendix II species being covered by sub-agreements seems a reasonably successful rate, the exceedingly slow rate at which these agreements have been reached tempers the success somewhat. Its has taken, on average, 17¹/₂ years from the signature of the umbrella convention to the signature of the sub-agreement, plus an average 1¹/₂ years further for it to come into force. During this time the status of several species has significantly declined, and more prompt action might have, in several cases, avoided the dire contemporary state in which the species finds itself. Albatross species, for example, are now 'on the brink of extinction' (Mckie 2003: 9), as are the slender billed curlew (Pain 2003: 50-1) and saiga antelope (Pearce 2003b: 4-5).

The need for the conclusion of further Agreements has, ironically, been seen as one of the primary obstacles to the development of CMS. Michael Ford, for example, noted that the sub-agreements were, and to some extent still are, seen as 'too daunting' and legally 'complex' (Ford 2005: *pers comm*). Delegates to the 1976 conference to discuss this original Draft noted that 'Several comments maintained that the present draft is over-ambitious and that it will be difficult to negotiate and operate the numerous general and specific Agreements envisaged.' (MFAF 1976: 44).

Contrastingly many consider the sub-agreements vital to the success of CMS. For example, Mike Moser felt that the potential 'irrelevance' of the overarching convention which he identified may not, after all, be important if the subsidiary agreements can be made to work (Moser 2005: *pers comm*). This opinion is mirrored both by Michael Ford, who noted that the sub-agreements were 'where the convention works' and that the 'overarching convention is less important' (Ford 2005: *pers comm*), and by Michael Bowman who claims that the real potential of the Bonn convention '... can be seen to reside primarily in the negotiation and implementation of the various range state agreements ..., rather than in the convention itself.' (Bowman 1999: 293). From a governmental point of view the advantages of this system are outlined by Robyn Bromley who writes from the Australian perspective;

'One of the great strengths of CMS for Australia and its neighbouring Pacific countries lies in the fact that each arrangement developed under it is a targeted, regional agreement, and is open to all Range States for the species it covers, regardless of whether those countries are Parties or not. Such flexibility allows more targeted action at ground level than other international agreements, resulting in solutions tailored to the needs of the region and sensitive to both environmental and socio-economic objectives.' (2004: 21)

As Colin Galbraith noted, CMS is 'grounded' in biological diversity (Galbraith 2005: *pers comm*). Migratory species have long been recognised as particularly vulnerable to declines in population numbers, primarily due to the extensive areas of habitat required for their continued survival. Thus the maintenance of biological diversity is a further key objective of CMS (see section 3.3 below).

2.3 Summary



Figure 8. The Development of Wildlife Values in the Convention on Migratory Species

Although the ecological value of wildlife has long been at the centre of the CMS's concerns, its political value was clearly the most important factor in it initiation. This value quickly receded, however, leaving the ecological focus which has been renewed with the contemporary participation of NGOs such as WWF and BirdLife International. In contrast to all the other case-studies considered here, CMS does not engage with economic arguments, particularly steering clear of commercial perspectives. It has managed to do this even whilst dealing with some cetacean issues. Since the growth of CMS's sub-agreements the recreational value of wildlife has emerged as a significant influence, and has brought some NGOs into the process.

As with CITES, the CMS makes a diversity of wildlife values explicit within the text of the agreement, yet is in reality focused upon just a few of these, most particularly ecological value. Thus, whilst the cultural, educational and even sacred values of wildlife are acknowledged, the convention's structure and context favour, perhaps necessarily, quantifiable ecological criteria of rarity and diversity.

3. BIOLOGICAL DIVERSITY

The 1992 Convention on Biological Diversity (CBD), signed in Rio de Janeiro during the United Nations Conference on Environment and Development (UNCED), or 'Earth Summit', represents a sea change in the approach and commitment to international wildlife conservation. Referring, as it does, to biological diversity, of which each and every gene, species and ecosystem is a part, and on a global scale, its comprehensive scope is unrivalled. Furthermore, several of its institutional arrangements, such as the preparation of national action plans, technology and information transfer, and environmental impact assessment – not to mention the provision of relatively huge financial resources for its implementation – are innovative and unique in the field.

3.1 Actors and Values

Widespread international concern for biological diversity, focused particularly on tropical rainforests and other diverse ecosystems, became prominent in the 1980s (Chasek 2001: 117). However, Wolfgang Burhenne suggests that the notion of a specific convention to protect biological diversity as a whole predated this concern, originating in the IUCN's Commission on Environmental Law (CEL). Experienced environmental lawyers such as Burhenne and

Cyril de Klemm felt that 'the natural environment as a whole was not being adequately conserved through the existing legal instruments of the time', and thus calls came for a 'worldwide convention of a general nature' (Burhenne 1994: ix). In a more concrete fashion, Fiona McConnell pinpoints the so-called 'Brundtland Report' (Brundtland Report 1987) as the convention's point of origin. The report;

'stressed the importance of economic as well as other reasons for conserving the sum and variety of species on earth, "a common heritage", and proposed a species protection convention which would need to be accompanied by appropriate funding arrangements.' (McConnell 1996: 5)

Shortly after the publication of this report, the United States delegation to the 14th Governing Council of the United Nations Environment Programme (UNEP) tabled 'an initiative calling for work on a global convention on biological diversity' (*ibid.*). This led to the first formal international acknowledgement of the need for such a convention in UNEP Decision 14/26. Biotechnology issues were not a feature of this original proposal, rather the purpose at that stage was 'to rationalise arrangements under existing international agreements and their variously located secretariats, with a view to bringing everything together under an "umbrella" convention.' (*ibid.*). Chasek notes that this rationalisation of existing legislation was also an attempt to encourage its proper and successful implementation (Chasek 2001: 117).

Five years of negotiations, organised by UNEP, followed Decision 14/26 in 1987, both within specifically designated biological diversity fora and the broader Preparatory Committees for UNCED in Rio. During these negotiations a number of areas, such as the financial arrangements, inclusion of biotechnology, global species lists and sovereignty of resources, to name but a few, emerged as serious sticking points around which consensus proved hard, and in some cases impossible, to build.

For example, developed states insisted that the Global Environment Facility (GEF), which they controlled, was to be the institution charged with deciding the size of contributions and the destination of grants. In contrast, developing states, claiming the GEF to be undemocratic, insisted equally forcefully the convention's own Conference of Parties, in which they would hold the numerical voting advantage (see Figures 10.11 & 10.12, Chapter 6), should be responsible for such allocations. Compromise was eventually struck with developing nations accepting the GEF as the 'interim' financial mechanism with guarantees of its review and the persistent fears of developed nations, in particular the UK, being soothed

by formal declarations made at the time of signature (McConnell 1996: 165) and some choice, wise counsel from non-governmental organisations (Lyster 1992: 15). Indeed, all accounts of these negotiations describe their very difficult nature, including that given by Mostafa Tolba (1998: 136-63) – then UNEP Secretary-General – who oversaw them from beginning to end. Tolba noted of the final convention that 'a consensus was reached over a text of the convention that pleased no one. This seems a good indication that the provisions of the convention were balanced' (1998: 159).

Despite a skilfully crafted opening Preambular paragraph identifying nine distinct valuations of 'components' of biological diversity along with the 'intrinsic' value of biological diversity as a whole, the Convention on Biological Diversity is built around just three key wildlife values; ecological, commercial and political.

As with CITES and the CMS, the specific value of wildlife (nor biological diversity) received very little formal or coherent discussion during the negotiation of the CBD, certainly not during the later stages. Only the briefest documentary evidence exists of those limited discussions which did take place, mainly within the Technical Working Group on Biodiversity established by UNEP between 1988-90 (UNEP 1988)³⁴. Reference is made to the 'true value of biological diversity' although this is only briefly summarised.

'There is a need for a new approach to the conservation of biological diversity, which must recognise the contribution of biological resources to the well-being of societies and their economies. ... There is a need for comprehensive assessments of the diverse uses of biological resources and measurement of their socio-economic benefits. This socio-economic information will provide decision-makers with vital criteria on which to base their decisions.' (UNEP 1990: 10)

It is now widely accepted, if perhaps not fully understood, that ecosystemic processes, such as carbon and water cycling, are fundamental to supporting life on earth, including, of course, humans. Biological diversity is, it is argued, vital to ecosystemic structure and, thus to the continued functioning of said ecosystemic processes (see Chapter 2). Whilst this realisation did not occur, for many, overnight, wildlife's value in this sense formed the basis of the majority of actors' motives within the CBD policy-arena. This is enshrined in paragraph 2 of the convention's Preamble which notes 'the importance of biological diversity for evolution and for maintaining life sustaining systems of the biosphere'.

³⁴ The 1st such report and hence a key document in this regard, is no longer in existence within any archive available to this researcher including at UNEP (Nairobi), WCMC (Cambridge), IUCN's CEL (Bonn), or CBD Secretariat (Montréal).

In addition to this value as fundamental life support, the Preamble's paragraph 2 identifies an evolutionary aspect to the ecological value of biological diversity. It is argued by the majority of ecologists that biological *diversity* drives speciation (the emergence of new species). This may be cumulative, again many ecologists argue that 'diversity begets diversity' (see Chapter 2, Section 5.1.1), resulting in megadiverse ecosystems such as wetlands and tropical forests. However, speciation can equally occur within relatively stable (in terms of species diversity) ecosystems where speciation roughly equals extinction. Speciation is *valuable*, in the sense referred to in paragraph 2, on account of the emergence of new genetic material and its consequent potential benefits.

Genetic material, old and new, is, of course, the basic raw material of the biotechnology industry which produces myriad pharmaceutics and agricultural products. It becomes clear, in the light of the above points, that the biotechnology industry relies upon the ecological processes carried out by wildlife both to produce genetic material of potential commercial value in the form of new species *and* to perpetuate the gargantuan reservoir of genetic material which exists today and which the industry is yet to investigate. Thus, to the biotechnology industry, wildlife is valuable both in ecological and commercial terms, and for both developed and developing states.

The political importance of gaining an agreement was indeed a strong motivation throughout its negotiation, particularly when agreement was reached upon a climate-change convention that was being negotiated simultaneously. The prospect of reaching the Rio de Janeiro 'Earth Summit' without an agreement was, to most negotiators, simply unacceptable (Lyster 2005: *pers comm.*; McConnell 1996).

Paragraph 1 of the CBD's Preamble notes that the Contracting Parties are;

'Conscious of the intrinsic value of biological diversity and of the ecological, genetic, social, economic, scientific, educational, cultural, recreational, and aesthetic values of biological diversity and its components'

The strength of this well drafted statement lies in its distinction between the value of biological diversity and the value of its components. This is important because it makes the distinction between the two understandings of biological diversity; the common, if misguided, notion of its synonymity with the term 'wildlife', and the more technically correct understanding of the term as *variability* amongst organisms and natural systems.

As discussed in Chapter 2, the term 'intrinsic' may simply be being used here in the sense of constitutional or residual, in which case its use here in the CBD's Preamble is rather meaningless and is contingent upon (or subsidiary to) other valuations posited. However, the text of earlier drafts of the convention suggest that a moral element was intended by this statement. For example, the opening paragraph of the Fourth Revised Draft states the Contracting Parties recognise ' ... that humanity shares the earth with other forms of life and accepting that these should exist independently of their benefits for humanity.' (UNEP 1991: 3).

This interpretation is confirmed by subsequent criticism of the lack of moral awareness from within the CBD policy-arena itself. For example, John Nevill (Director of Conservation, Ministry of Environment and Transport, Seychelles) identifies the lack of attention given to the Preambular statement of intrinsic value in CBD Decisions and Recommendations, and the consequent overemphasis of 'utilitarian' values (2001: 9-10). Maffei agrees, insisting that 'a less utilitarian approach could be inferred' from the statement, which, she notes, appeared in all the early drafts of the convention but not the final text (1993: 172-3).

If this is intended as a statement of intrinsic moral value, and bearing in mind the established dichotomy between diversity and its components, then the convention's drafting committee have skilfully avoided a moral commitment to individual species (the components); rather the moral obligation is to maintain *diversity* as a whole. With this wording the Contracting Parties make an important and significant moral commitment to wildlife (which was perhaps of importance to some involved actors) without the danger of accusations of immorality over individual cases/instances of extinction. This interpretation is widely missed resulting in opposing understandings such as that presented in the IUCN's *Guide to the Convention on Biological Diversity* which claims that 'This is a very important innovation, and may be seen as acknowledging the inherent right of all components of biological diversity to exist independent of their value to humankind.' (Glowka *et al.* 1994: 9). I am inclined to disagree with this interpretation, as I feel it extremely unlikely that the same Contracting Parties which fought 'tooth and nail' over the most basic of clauses, let alone ones which created a real commitment, would be likely to allow such a perspective to be adopted.

3.2 Outcomes

The Convention on Biological Diversity tends to overshadow other international wildlife conservation agreements in both its scope and size of consequent programmes. Contracting

Party numbers currently stand at 187, a full 97% of the world's sovereign states. Its secretariat is twice the size of the next biggest (CITES) with 59 staff members and operates on a budget almost equal to the combined funds of all the other Secretariat bodies of the case-study agreements considered by this thesis (\$13.27m³⁵). The great strength of the CBD is undoubtedly its scope and scale, along with its financial mechanism which has provided previously unimaginable sums of money, 'several hundred million dollars' (Tolba 1998: 136), in the name of wildlife conservation.

The primary method of wildlife conservation for this convention is the establishment and promotion of national programmes, under the auspices of a national 'Strategy' and/or 'Biodiversity Action Plan'. In this regard the convention has been very successful with the drafting, to date, of such plans for 169 (of the 187) Contracting Parties, that is 90%.

3.3 The Status of Biological Diversity

The maintenance of biological diversity is, of course, the primary objective of the CBD, and also a significant element of both CITES and CMS. Wetland biological diversity is now also a central concern of the Ramsar convention. Thus, in order to judge the outcomes of these conventions, it is useful to consider how the biosphere's diversity has fared during the last three decades, particularly since the CBD was signed in 1992.

The CBD (Article 2) defines 'biological diversity' as 'the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems.'. The measurement / assessment of levels of biological diversity and its decline is famously imprecise, due primarily to our ignorance of the total number of species extant in the biosphere. The very notion of what constitutes a species affects how much diversity exists between them and causes problems for 'conservationists' (Holmes & Hecht 2003: 6-7). Having noted this, 'expert' opinion, based upon what we *do* know, is generally that biological diversity, particularly in terms of species, has been and remains in serious decline. Influential American biologist Edward O. Wilson, in his seminal work *The Diversity of Life* published in the same year as the CBD was signed, claimed that 'Some 73 percent of the large mammal genera that lived in the late Pleistocene are extinct.' (1992: 247).

³⁵ The financial mechanisms of the CBD relating to its three Trust Funds are relatively impenetrable compared to those encountered within the other case-studies. This figure represents the sum total of the contributions received for the 2004 financial year (including those paid in advance and arrears, and into all three of the Trust Funds [BE, BZ, & BY]). Source: www.biodiv.org

He goes on to claim that a 'cautious', 'optimistic' conclusion would be that 'the number of species lost each year is 27,000. Each day it is 74, each hour 3.' (1992: 280).

At the Sixth Conference of Parties to the CBD the parties adopted decision VI/26 which established the so-called '2010 Biodiversity Target'. The Parties first acknowledged continued biodiversity loss stating that;

'The rate of biodiversity loss is increasing at an unprecedented rate, threatening the very existence of life as it is currently understood. The maintenance of biodiversity is a necessary condition for sustainable development, and as such constitutes one of the great challenges of the modern era.' (CBD decision VI/26, paragraph 4)

They then committed themselves 'to achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national level as a contribution to poverty alleviation and to the benefit of all life on earth.' (CBD decision VI/26, paragraph 11). This target has since been integrated into the Millennium Development Goals (MDG), although it is not a Goal in itself. Unfortunately, general opinion is that this target will not be met. One interviewee noted that 'any frank assessment' would conclude that achieving the target is impossible and that losses are continuing and even increasing. Another interviewee expressed the opinion that the target was simply 'pie in the sky' (Anonymous comment). Recently, just prior to the 2005 MDG summit in New York, the heads of five 'biodiversity-related conventions' (which included the World Heritage Convention) made a joint plea to world leaders to treat the conservation of biological diversity more importantly than before³⁶.

In 2005, the 'Biodiversity Synthesis' element of the Millennium Ecosystem Assessment (MA) was published (MA 2005). The MA is the most significant government led global assessment of the state of the biosphere to date, and is largely a response to calls for such from CBD Parties³⁷. It represents easily the most comprehensive review of biological diversity produced to date. Its conclusions are, unfortunately, bleak. It states that 'Across the range of biodiversity measures, current rates of loss exceed those of the historical past by several orders of magnitude and show no indication of slowing.' (MA 2005: 42). The MA also quotes the 'Living Planet Index' which shows a continued decline in species diversity from 1970 through 1992 and beyond. It has fallen, in total by 40% since 1970, of which approximately 20% has been since the agreement of the CBD in 1992 (MA 2005: 47). In

³⁶ 'Biodiversity – Life Insurance for our Changing World', A statement from the heads of the five biodiversity related conventions, 12th September 2005.

³⁷ See <u>www.millenniumassessment.org</u>. The Global Biodiversity Outlook, prepared by the UNEP and various NGOs, although significant, was relatively limited in scope and, importantly, funding.

reference to the '2010 Target', the MA concludes that 'Unprecedented additional efforts would be needed to achieve, by 2010, a significant reduction in the rate of biodiversity loss at all levels.' (MA 2005: 14).

Individual examples of declines in state's biological diversity are not difficult to locate. Even in the UK, which has expended a relatively large amount of resources upon nature conservation, the past 20 years have seen continuing species decline. A newspaper coverstory reports the latest research findings:

'In the past 20 years, according to study in the US journal Science today, about 70% of all butterfly species in Britain have shown signs of decline. About 28% of plant species and 54% of bird species also declined Lord Robert May, president of the Royal Society and a distinguish ecologist, said "If this pattern holds more generally, then estimates of global extinction rates – which are mainly based on birds and mammals – although already alarming, could err on the optimistic side.' (Radford 2004: 1)

Biological diversity is not just threatened and declining on land but also throughout marine ecosystems (Leahy 2003: 6; Radford 2005: 11). It is painfully clear from this evidence that the CBD has, so far, had little if any effect upon the problem of biodiversity loss. This is perhaps the clearest indication of the lack of power of those organisations and individuals motivated by the ecological value of wildlife to have an effect upon the outcomes of this policy-arena. It may be that the problem is simply too big and that there is so little 'scientific' evidence upon which to act. Certainly the causes of biodiversity loss are many including massive habitat destruction, fragmentation and transformation, bad management of protected areas, ecosystem invasion by 'alien' species, and wildlife trade. Contemporary social trends, particularly in developed states, compound the problem. For example, in the UK, the weakening of the 'traditional' family model and consequent shrinking size of 'households' have led to an increased demand for new housing, with its associated environmental impact. Recently the enormous threat to wildlife from global climate change has been realised (Brown 2004c: 1).



Figure 9. The Development of Wildlife Values in the Convention on Biological Diversity

With its focus on biological diversity, this convention is focused firmly upon wildlife's ecological value. However, political actors have engaged with it for a number of reasons most notably economic and political reasons. It would be accurate to suggest that many parties to the CBD value wildlife very little, if at all, and see it primarily as a framework within which to gain access to development assistance. In some states, for example the UK, it has made a significant impact by providing a broad programme under which to bring wildlife conservation of different types. Furthermore, the convention has had an impact on other areas of government work. Although not always considerable, this impact can be felt particularly in, for example, agricultural departments.

In common with both CITES and CMS, the CBD makes explicit a diversity of wildlife values in its treaty text only to focus upon a restricted number, including political values not even made explicit initially.

The three cases presented in this chapter are distinct yet provide some clear conclusions. None of them can be said to have been particularly effective in terms of conserving these species (or diversity) they set out to protect. CITES has undoubtedly had the most significant impact, particularly in a few specific areas. The costs of implementing these conventions, as with the Ramsar and whaling treaties, are great. Perhaps the least costly is, again, CITES. This convention was, after all, primarily a drive to have existing structures (import and export controls) brought effectively to bear on a specific issue. Whilst some limited resources were forthcoming from the state, these were able to be applied, to some effect, to a pre-existing structure. Of further importance to CITES is that the wildlife it protects is of direct commercial value, unlike much of the wildlife protected by CMS and the CBD. It is thus of direct value to state-actors.

The CBD recognises the fact that large financial resources are necessary for effective conservation, and those actors instrumental in gaining its agreement, such as IUCN, have indeed managed to illicit, from state-actors, significant and unprecedented resources. However, these sums are but a fraction of overall governmental expenditure. As will be seen in Chapter 7, on non-governmental organisations, in many circumstances greater resources are in fact forthcoming from this sector rather than states.

4. CONCLUSION

Since the very early 1970s and the Ramsar convention, the ecological value of wildlife has clearly been the most prominently cited motivation for international wildlife conservation policy. Ecological concerns hardly featured at all in early wildlife conservation such as the International Convention for the Regulation of Whaling and the Antarctic Treaty, and do so within these arenas only a little today. However, within the four later case-studies wildlife's ecological value has dominated. This is also reflected in regional agreements where such values have been recognised, for example, in the 1979 Berne Convention, 1985 Nairobi Protocol and 1989 Paipa Protocol. It is clear that the wider social climate of the 1970s and subsequent to the UNCHE has had a significant effect upon the policy arena.

The commercial value of wildlife has been a consistent and complex influence upon international wildlife conservation policy. The recognition of this value and a subsequent desire to exploit it is a significant factor motivating conservation under four of the six casestudies within this research, the ICRW, Ramsar, CITES and the CBD. The influence of this perspective has, however, varied. It was central to the philosophy behind the whaling convention and indeed CITES. However, as the public acceptability of some commercial exploitation decreased, so did conservation policy based upon it. The commercial value of whales decreased in influence, as did the commercial value of species broadly under CITES. However, with the establishment of the sustainable-use concept, and the emergence of clear linkages between the commercial use of wildlife and livelihoods, the commercial value of wildlife has reasserted its prominent position within the policy-process – particularly clearly in the Ramsar and CBD arenas.

The commercial value of wildlife has also impacted upon wildlife conservation in another important way, in that some actors have sought to *prevent* the commercial exploitation of wildlife to facilitate its conservation. Such a perspective, based on concerns about over-exploitation, permeates both the ICRW and CITES, but is a source of significant confusion and conflict between actors. A significant element of this confusion is the common conflation of an animal-welfare position, from which commercial exploitation of wildlife is acceptable only when it occurs without animal's suffering, and more ecological positions, concerned with avoiding species extinction or depletion, but from which some commercial exploitation can be acceptable. It is thus, only when discussions centred upon the commercial value of wildlife are stripped down to their basic positions (focused either upon commercial, ecological or animal welfare concerns) that a situation can be properly understood.

The political value of wildlife is perhaps the most surprisingly prominent wildlife value to emerge from this study. Since the Antarctic Treaty this has had a significant influence upon international wildlife conservation policy. In particular political value has been significant within the Ramsar convention, where designated sites are considered symbolic, and within the early stages of the CMS and CBD. The evanescent nature of political value was noted within Chapter 2, and this has been confirmed by the empirical research. It is of greatest importance during the early stages of a convention and in the pursuit of new Contracting Parties and new protected areas. These three most prominent valuations differ in importance between distinct actors (see next chapters), and the fact that commercial and political factors often seem to dominate ecological ones is some evidence of how state-actor preferences affect wildlife conservation policy.

Of the various categories of intrinsic value outlined in Chapter 2 the only one to feature prominently within international wildlife conservation policy is an animal-welfare position. This has had a significant effect upon the ICRW, the Antarctic Treaty system and CITES. The distinction between animal-welfare and animal-liberation perspectives is subtle, certainly subtle enough to be overlooked by actors in this policy-arena, and some advocates of animal-welfare positions have occasionally tended towards a liberation position, particularly in relation to exploited charismatic megafauna, namely whales and elephants.

Largely absent from the six case-studies is an ecocentric intrinsic perspective. Reference is made to the 'intrinsic' value of Antarctica yet, despite remaining 'officially' undefined, this

concept is distant from an ecocentric ethic – seemingly closer to John O'Neill's notion of intrinsic value on account of 'intrinsic properties', referring as it does to the characteristics of the continent as a whole. The CBD notes the 'intrinsic value of biological diversity', which is easily the closest statement to an ecocentric position encountered in the case-studies. With its focus upon biological *diversity* this is similar to Leopold's notion of ecocentrism which places value upon energy flows and ecological processes, rather than upon species themselves. This perspective lacks real support however, and has had little impact upon policy-making and development.

The recreational and aesthetic values of wildlife have played a sustained, but less prominent, role in international wildlife conservation policy. The role and influence of hunting organisations, once significant, has declined within the wider policy arena, although they remain important in some such as the Ramsar and Migratory Species conventions. Reference to recreational value has consequently declined. Aesthetic valuations are perhaps most significant within the whaling convention. The educational value of wildlife, although mentioned in several wildlife conservation treaties, only has a significant impact within the Antarctic Treaty system. Perhaps surprisingly the subsistence value of wildlife features only partially in conservation policy. This may perhaps be because most subsistence concerns are on a small scale and dealt with on a national basis. The Ramsar and whaling conventions represent the main vestiges of subsistence concern in contemporary policy. Similarly cultural values feature only very briefly in international wildlife conservation policy, with the Ramsar convention being the only significant arena in which they are evident, although only recently. Finally, a significant finding of this research is that the sacred value of wildlife has not featured at all in international wildlife conservation policy, despite the involvement of some (a very few) religious groups.

Chapter 6 – State Actors in International Conservation Policy

By focusing upon international agreements, entered into predominantly by states, this research is state-centred. It may be assumed that, because of this, state-actors are the dominant or only relevant actors within this policy-arena. Indeed several interviewees noted their significance with, for example, Paul Rose (2004: *pers comm*) noting that 'Governments are the most influential' actors and Colin Galbraith (2005: *pers comm*) asserting that the 'Parties themselves' play a key role within the Convention on Migratory Species. A strong state-actor role in international conservation seems necessary for two primary reasons. First and foremost, states have access to the quantities of financial resources that are required for the effective implementation of policy. Second, as with many other environmental issues, global cooperation seems necessary in order, again, for conservation policy to be effectively implemented. A third factor, although more contentious, might also be asserted. State-actors may be considered complicit in the processes that cause the widespread destruction of wildlife that conservation policy seeks to redress. Industrial growth, mass consumption of natural resources and the intensification of agricultural processes are all areas which state-actors can be considered to sponsor (although not necessarily be in control of).

Having said this, state-actors are not the only relevant actors and indeed only 'dominate' certain aspects of the policy-making process. In particular the agenda-setting stage of policy development is heavily influenced by non-state actors with interviewees noting, for example, that governments 'don't lead, they follow' (Moser 2005: *pers comm*) and that governments have 'responded' to various other pressures (Lyster 2005: *pers comm*). This is considered in Chapters 7 and 8 where I discuss the role of non-state actors. This chapter considers the role and preferences of state-actors within international wildlife conservation policy. I begin with a discussion of how states seem to become involved in this policy arena, particularly noting the role of 'lead-states' and regional and economic groupings. I then proceed to discuss why these actors participate in this way.

1. STATE-ACTOR PARTICIPATION

Two phenomena have impacted significantly upon the participation and behaviour of stateactors in this policy-arena, and hence upon the development of international wildlife conservation policy. First is the common presence of 'lead-states'. This has had a consistent impact upon the recruitment of new Contracting Parties and the strength of development of each case-study agreement. A second phenomenon is the emergence of developing world states as agenda-setters. Not only does this have some effect upon the character of wildlife values expressed in the policy-arena, it also illustrates the changing nature of 'power', as suggested in section 5 of the Introduction.

1.1 'Lead States'

Within most of the six case-studies a clear leadership role is played by an individual state, or a small group of states. This role can consist of simply providing the venue(s) and resources for an agreement's negotiation, or resources and expertise to assist the drafting process. Otherwise the leadership may be of a more normative character.

The leadership of the United States certainly lent direction to efforts to regulate whaling, and contributed to the successful establishment of the 1946 convention after more than 15 years of failed agreements. The US administration brought the various interested parties together in Washington and used the post-war search for resources as a rallying call. Whilst the US has maintained its central position within the whaling regime and is probably still the most powerful state, Japan has emerged as a leader of the pro-whaling perspective and uses its influence and economic power effectively. The US has also been instrumental in leading other international conservation policy-making, including the World Heritage Convention, but most significantly CITES. This fact was noted by Gren Lucas who drew attention to their central role in the organisation of the negotiations and to the fact that their legal experts did a lot of the drafting 'on behalf of the Kenyan Government' (Lucas 2004: *pers comm*). Kenya did indeed play an important role in the negotiation of CITES, the first example of a developing state playing such a role.

In addition to these examples 'lead state' status can be attributed to both the Netherlands and the Federal Republic of Germany for their roles within the development of the Ramsar and Migratory Species conventions respectively. The Dutch government led early drafting efforts on Ramsar and have continued to play a central role by providing technical expertise and financial resources; for example, it financed the three-year 'Wise-use Project'. The German government played a broad role in the development of the Migratory Species Convention by providing, again, financial and technical resources as well as some normative impetus (see Chapter 4). Although this thesis does not identify a 'lead state' actor for the Antarctic Treaty itself, it is clear that the lead taken by the Australian government in rejecting the CRAMRA agreement and advocating the Madrid Protocol in its place had a profound effect upon its successful adoption.

Whilst individual state-actors remained significant within the negotiation of the CBD, a slightly different phenomenon can be observed. Although the United States formally tabled the agenda that would develop into the Convention on Biological Diversity, no clear individual 'lead state' emerged from these negotiations. Rather, groups of like-minded states coalesced around certain issues. The two primary blocs were the Western Europe and Others Group (WEOG) and G77 (developing states and China) groups. Leaders emerged within these groupings (such as the UK, France and the US for WEOG and India, Brazil, Malaysia and the Bahamas for the G77) but not to the extent of dominance. The establishment and success of the CBD demonstrates that an individual 'lead state' is not a necessity for international cooperation over wildlife conservation, however, its tortuous negotiating history suggests that it may have been beneficial.

Neo-realist theories have linked international cooperation with conditions of hegemony, suggesting that a dominant state can 'use its power to create and enforce the institutional rules necessary to sustain cooperation' (Reus-Smit 2001: 211). Whilst the emphasis on hegemony is perhaps inappropriate within this policy-arena, the preceding examples illustrate clearly the ability of 'powerful' states to generate international cooperation.

Another influence upon Contracting Party recruitment is, what one interviewee referred to as, reaching a 'critical mass' of regionally or otherwise linked states (Hepworth 2005: *pers comm*). Whilst adoption of an agreement may be slow to 'get off the ground', after a significant proportion of regional states accede to it others will follow on in relatively swift succession. Perhaps the best example of this is the Africa-Eurasia Waterbird Agreement, signed under the auspices of the CMS, which now boasts 18 African state Contracting Parties, predominantly clustered in the sub-Saharan equatorial regions of West, Central and East Africa. Furthermore, the fact that CITES demands that Contracting Parties apply their regulations and procedures even when trading with states not party to the convention has proved a significant recruitment tool. Non-party states find that they are having to comply with the regulations anyway, but are outside the decision-making process. As Robert Hepworth noted (2005: *pers comm*), it is vital for states to be party to CITES in order to

influence its proceedings. For example, Claudius Nhema, a Zimbabwean delegate to COP9 in Fort Lauderdale in 1994, noted 'it is better to work on CITES from within ... It doesn't end with elephants; once you are an outsider you have no input or involvement ... We realize we will benefit from staying in...' (quoted in Mofson 2000).

1.2 Developing States as Agenda-Setters

Some scholars tend to characterise the economically 'developing' world as victims in the field of conservation and wildlife policy, claiming the dominance of the economically 'developed' world's agenda and economy, along with highlighting the problems created by colonialist policies, especially relating to national parks. Whilst these critiques are strong, a number of findings from my research lead to the questioning of these assertions and instead paint developing world actors as increasingly articulate in the international wildlife conservation arena, often setting the agenda for developed states to follow. With the gradual realisation of wildlife as a national resource to be drawn upon for subsistence, tourism, biotechnology and culture, these states have sought to set the agenda and utilise established conservation structures and resources to secure significant benefits for themselves.

The negotiation of CITES provides the first clear example of the developing world, most notably Kenya, driving the negotiations forward. As previously discussed, this agenda was initiated in the early 1960s, a period of new found independence for many African nations. At the pivotal 1961 Arusha conference many African officials argued that controlling the international trade in wildlife products was vital if poaching was to be halted and valuable wildlife conserved (Train 2003: 144). For example, H. A. Fosbrooke (Chairman-designate of the Ngorongoro Conservation Area Authority, Tanganika) noted;

'The control of rhino poaching can well be compared to the slave trade, which ... was abolished by getting at the traders themselves, and herein lies the best solution to the rhino poaching problem of Eastern Africa. ... Those overseas interested in the preservation of rhino could do much to assist, as did the antislavery workers in the old days, by persuading the importing countries to take strict measures against those illicitly importing rhino horn.' (1963: 165)

Max Nicholson, who attended the Arusha conference noted a more general impression of changing responsibilities.

'The Arusha Conference was an unusual success because it marked a de facto hand-over of responsibility for African wildlife from the European old guard, who had learnt in their amateurish way to value and cherish it, to African leaders, to whom it naturally belonged but whose interest and capacity to conserve it had up to that moment been very much in doubt.' (Nicholson No Date: Chp. 13, p. 23)

With the IUCN's Environmental Law Centre undertaking much of CITES' drafting, and the United States government providing the financial and logistical resources for its actual negotiation, it is easy to consider the convention as driven by western states and organisations. Indeed, in their review of the convention, Jon Hutton and Barnabus Dickson imply that 'northern' concern for wildlife motivated the convention, and Chris Huxley (2000) in the same volume claims 'The huge interest in the convention was initially generated mainly by western societies or western cultural values.'. As can be seen, however, this is not necessarily the case as African governments remained key proponents and advocates of the convention throughout. Gren Lucas, a member of the UK delegation to the 1973 Washington plenipotentiary conference, indicated the importance of recognising this, noting that it was the principle objective of many *developing* nations to get developed nations to apply their wellestablished customs systems to the import of wildlife (Lucas 2004: pers comm), thus placing controls upon wildlife trade in support of their own conservation efforts. This notion is borne-out by official conference records which confirm that these were indeed the sentiments advanced by the Botswanan, South African and Tanzanian governments (Anon 1973a: 1 & 2; Anon 1973b: 1).

A similarly important role was played by 'developing' states, particularly African, within the Convention on Migratory Species. Françoise Burhenne-Guilmin notes their role in maintaining a broad remit for the convention in the face of opposition from 'developed' states such the US, USSR, Japan, Australia and New Zealand, who made moves to exclude all marine species from its application.

"... the Migratory Species Convention would probably not be a reality today had the African delegations not countered these moves by presenting a remarkable united front on the need to keep a holistic approach. They proclaimed, in a joint declaration, their beliefs that "wildlife as a whole, and migratory species in particular, are a common heritage of mankind to be conserved and managed in the common interest and by the common consent of all peoples." No exclusion of groups of species or geographical areas could be consistent with these views.' (Burhenne-Guilmin 2004: 20)

It is false to homogenise the perspectives of 'developing' states and there were, and still are, certainly differences of opinion between them. For example, differences of opinion between Eastern and Southern African states over control of the ivory trade have been evident throughout the negotiation of CITES. Such divisions facilitate manoeuvring by other states, and it is certainly arguable that the Eastern African states, such as Kenya, were only able to achieve their objectives because they matched those of more powerful states, such as the US, who thus chose to support them. However, the evidence provided by Prof. Lucas above, along with the fact that the opinions of the senior US delegates Russell Train and Lee Talbot seem to have been formed at the Arusha conference following evidence presented by African states, would suggest otherwise. Furthermore, Train refers to Kenya as 'the leading proponent of a strong convention' (2003: 144-5) at the 1973 conference, and East African states, particularly Kenya and Tanzania, have continued to play a leading role within CITES, particularly relating to the ivory trade. When compared with the earlier case agreements relating to whaling, the Antarctic and wetlands, developing states played a significant role in the development of this convention.

That the 'G77' group, representing well over 100 developing states and often negotiating in close alliance with China, had an enormous impact upon the agenda and negotiation of the Convention on Biological Diversity is one of the clearest conclusions to emerge from its study. Originally conceived by the United States as a simple umbrella convention for general species conservation, the G77 states transformed it into a framework within which technology and expertise were to be transferred to them and substantial financial assistance from developed states became a pre-requisite of any successful implementation of conservation. Article 20, paragraph 4, states;

"The extent to which developing country Parties will effectively implement their commitments under this Convention will depend on the effective implementation by developed country Parties of their commitments under this Convention related to financial resources and the transfer of technology'

This strong position was based on the notion, mentioned above, that developing states felt in a position of power as they controlled a resource (biological diversity) which was deemed valuable to developed states. This illustrates a shift, or at least a perceived shift, in power as discussed in the Introduction. Figure 10 (next page) goes some way to illustrating this shift in the balance of power (in numerical terms at least) from the developed to the developing world. Within the early agreements (whaling, Antarctic Treaty, Ramsar) OECD states can be seen to be in the majority, especially in the early stages of each convention's life. Within the

whaling and Antarctic regimes they remain today a substantial proportion of voting parties. The shift in the balance of power in favour of non-OECD states is most clearly illustrated by the contrast between 1976 and 2005 for the Ramsar convention (Figures 10.5 & 10.6). Non-OECD states dominate (in numbers) the policy-processes relating to the latter three conventions. This is the case throughout their existence, except the CMS which was equally balanced in its early stages.

As illustrated by elements of Chapters 4 and 5, developing state actors focus largely upon the same wildlife values as developed state-actors, in particular, of course, economically grounded ones. For these actors, the Ramsar convention is a framework in which to ensure sustainability of wildlife use and access financial resources, CITES is a tool via which to protect tourism and other wildlife-related industries, and the CBD is another framework in which to protect valuable biological diversity and access finances.

Having said this, some developing states-actors have introduced other wildlife values into the policy-process, perhaps most notably cultural values. The 1968 Algiers Convention (applicable to the African continent) was of particular cultural importance to newly independent African states. Further to this it has been developing states that have led recent efforts to establish cultural values as an official criteria for the designation of Ramsar sites (see Chapter 4, Section 3.1.3). It should, however, also be noted that some other developing states, perhaps most notably Brazil, have been at the forefront of efforts to prevent the adoption of such a criteria.



Figure 10. Figures Illustrating the Shift in Numerical Balance Between Developed and Developing State Contracting Parties within the Case-study Agreements

1.3 Summary

The above discussion suggests that the existence of an individual 'lead state', or strongly cohesive group, appears to be an important factor in the development of international wildlife conservation agreements. With this in mind, a pertinent question arises as to why a state (or group of states) assumes this leadership role, and bears the presumed costs of it. Are state-actors pro-active, identifying pertinent issues to address themselves, or are they reactive to the agenda of others. This research argues that the latter is closest to the truth; that is, state-actors are primarily reactive to the agenda of others, most notably to economic pressures and to the concerns of their domestic political agenda. This leads state-actors to value wildlife in certain ways, economically and politically. This perspective is the subject of the following two sections of this chapter.

The preoccupation with economic arguments is discussed in Section 2, focusing upon widespread concern for the commercial value of wildlife (and the industries it supports) (Section 2.1), some limited consideration of subsistence value (Section 2.2), widespread financial quantification of some (realistically quantifiable) benefits of conservation (see Section 2.3) and a clear demand for economic incentives to implement conservation policy (see Section 2.4). The political value of wildlife is considered by Section 3.

2. STATE ACTORS AND THE ECONOMICS OF WILDLIFE CONSERVATION

Numerous interviewees identified economic motives as key influences upon actors in this policy-arena. Former UNEP Executive-Director Mostafa Tolba, described wildlife's commercial value as the *most* important influence upon policy-making (Tolba 2004: *pers comm*). Jon Hutton (2005: *pers comm*) identified what he called 'financial value' as a universal language understood by all parties in negotiations, thus emphasising the usefulness of financial quantification as a consensus building tool. Jeff McNeely (2005: *pers comm*) expressed his opinion that 'As a broad conclusion, I would say that the economic dimensions are dominant', in international wildlife conservation policy-making. Many similar comments were made by other interviewees.

The importance of these arguments *to state-actors in particular* was also noted by many interviewees. Mostafa Tolba, for example, noted that 'national state actors favour commercial' valuations (Tolba 2004, *pers comm*). Specific examples were provided by Andrew Jackson (Australian Antarctic Division) who noted that one value placed upon

Antarctic wildlife by the Australian government was on account of its potential for sustainable-use (Jackson 2005: *pers comm*), and James Marsden (English Nature) who noted that in policy discussions governmental ministers are most likely to base their 'first pitch' argument on economic terms (Marsden 2004: *pers comm*). Sir Crispin Tickell (senior environmental advisor to the Thatcher and Major governments) noted that economic arguments were important for governmental 'decision-makers' with control over resource allocation as they had to illustrate to their political superiors, and to voters, that they were getting 'value for money'. They therefore look first at the economic analysis (Tickell 2005: *pers comm*). Economic arguments are also considered by some state-actors to provide 'strong' arguments, not only for public consumption, but also in intra-state debates between departments mandated to the conservation of wildlife and others.

The economic priorities of developing states are particularly evident in international wildlife conservation, as Veit Koester (2005: *pers comm*) notes 'For developing countries ... economic and social considerations and sustainable development perspectives were in the forefront' of their position during the negotiation of the Convention on Biological Diversity. Michael Ford (2005: *pers comm*) noted specifically that developing states were concerned primarily about revenue and royalties from the exploitation of biological resources. This is made explicit within the CBD's Preamble where it recognises 'that economic and social development and poverty eradication are the first and overriding priorities of developing countries'. Indeed the fact that, in one form or another, economic value is formally recognised within the text of each of the six case-studies considered by this research is another indication of the importance of economic factors to state-actors. Another clear indication of the preoccupation of state-actors with economic factors is the marked demand for financial incentives evident within this policy-arena. Where such incentives exist, participation in and implementation of policy is substantially improved (see Section 1.4).

State actors also recognise some limitations on making an economic case for conservation. For example, whilst Andrew Jackson (2005: *pers comm*) noted the value of Antarctic wildlife from a commercial point of view, noted above, he went on to acknowledge that in relation to sealing activities 'the economic arguments would not add up'. In relation to contemporary negotiations surrounding the Ramsar convention, Delmar Blasco (2004: *pers comm*) noted that economically developed states tended to require less reference to the economic benefits of conservation, whereas such valuations were particularly useful for developing states who required 'strong' arguments to support wildlife conservation legislation and action. Perhaps the most significant limitation upon the economic valuation of wildlife, however, was noted by Paul Rose (Joint Nature Conservancy Committee) who stated that 'Quite clearly we could

lose a large percentage of the world's species before we noticed any kind of economic or social effect.' (Rose 2004: *pers comm*). Whilst Rose's point identifies the problem of focusing exclusively upon the diversity of life and the fact that we could indeed suffer losses of diversity and not witness any economic signals (as indeed the developed world has done for the past century at least), this simultaneously illustrates an inherent weakness of economic arguments. Often wildlife is of very little, or even no, value that can be obviously described in economic terms.

The origin, or source, of this preoccupation with economic factors cannot be easily identified by this research, although some suggestions can be offered. In Chapter 8 (Section 3) I consider the lack of *direct* participation by business and industrial actors within any of the six case-studies. The argument is made in that Chapter, in reference to the work of Charles Lindblom, that business interests impact upon the development of policy in a structural manner. The argument identifies state-actors as *necessarily* considerate of economic pressures due to the privileged position of business within the policy process, which is itself founded upon the perceived need for general economic growth and improvements to the public standard of living. Thus, this economic preoccupation may simply be unavoidable within the current state-system.

2.1 The Commercial Value of Wildlife

This research has identified several instances of governmental actors cooperating over wildlife conservation internationally in order to protect or maintain domestic (and sometimes foreign) economic actors which directly exploit the commercial value of wildlife. The whaling industry, the fur trade and the biotechnology industry are perhaps the three most prominent examples.

Of the cases studied for this research, perhaps the most obvious example of the conservation of wildlife on account of its direct commercial value is the 1946 International Convention for the Regulation of Whaling (ICRW). Sponsored largely by the US because of their 'own national requirements for whale oils and ... general concern about the conservation of existing stocks of whales' (Anon 1944: 4), the objective of this agreement was the conservation not of whales *per se*, but of the industry which exploited them for commercial gain. In a similar regard, the motivations of the Australian government 'were, naturally, the economic advantages this expansion of primary industry would secure, and also the supply of the world market for whale products which, in the absence of substitutes, were essential for some industrial purposes' (Frost 1979: 200).

We can identify from both these statements that underpinning the treaty was the desire to regulate access to a resource which could potentially supply the whaling industries of numerous states whose fragile economies needed to locate all available resources in the post-war world. The principles informing the whaling convention therefore focused upon the interdependence of states and their economies, a liberal view of world affairs. The minutes of the opening session of the 1946 Washington conference to draft the ICRW illustrate this view and records the speech of Acting US Secretary of State, Dean Acheson.

'In wide perspective, all of the nations of the world have a responsibility and interest in maintaining and developing whale stocks. These whales stocks are a truly international resource in that they belong to no single nation nor to a groups of nations but rather they are the wards of the entire world.' (IWC 1946b)

With its explicit and exclusive focus upon tradable species the Convention on the International Trade in Endangered Species (CITES) engages much more obviously with the commercial value of wildlife than any other wildlife conservation agreement. Consequently it significantly influences the policy and implementation of CITES. Kevin Hill may be close to the truth when he notes that 'Although the primary goal is to preserve endangered species, its secondary goal is to allow a sustainable level of exploitation of those species.' (1990: 245). Clearly many states negotiated and acceded to CITES in an attempt to ensure the maintenance of existing exploitative industries, similar principles to the whaling convention. As Elizabeth Layne notes in relation to the original convention 'the attention of such consumer nations as the United Kingdom, ... Japan, ... and the Netherlands, ... was directed toward protecting the flow of what they considered legitimate trade.' (Layne 1973: 100). Contemporarily this is perhaps most clearly and loudly illustrated by the position of the sub-Saharan African elephant range-states, such as Zimbabwe, Botswana and South Africa, in the debate over the ivory trade, their position being that CITES should facilitate sustainable legal trade (Duffy 2000: 144).

Not only was international regulation required to sustain stocks of certain exploited species, it was also useful to limit wider negative impacts upon other associated exploited species. This, perhaps more subtle, recognition of wildlife's commercial value was illustrated during the negotiations of CITES in the arguments presented to bring major fur-trading states into the agreement. Reiger suggested that some key fur-trading states, such as Canada and the Soviet Union were motivated to act in defence of their own fur industries in conclusion of this treaty. The low volume trade in specialist luxury furs, such as spotted cats, was having a serious

negative effect upon those species involved and it was suggested that the potential public reaction against this part of the trade could extend to the much more economically significant trade in furs of non-endangered species such as mink, beaver and muskrat (Reiger 1973: 659). There was also significant domestic disquiet about alleged competitive disadvantages for fur traders in the United States which had already enacted national legislation (Sand 1997: 19-36). Furthermore, the International Fur Trade Federation had also imposed a voluntary ban on certain skins and furs, such as the spotted cat species, in the 1960s (Huxley 2000). Fur trading states thus adopted CITES and sought to regulate the international fur trade to eliminate illegal trade which drove down prices, and to attempt to protect those 'charismatic' species at risk, but which were economically insignificant to the major trading states.

The impact of commercial valuations of wildlife by some, mainly developing, state actors within the Convention on Biological Diversity is marked. In particular developing nations, where much biological diversity was to be found, considered their natural wildlife resources to be of substantial commercial value to the fledgling biotechnology industry. To use Robert Hepworth's words, developing states were 'labouring under the impression they had something to sell' (Hepworth 2005: *pers comm*). Simon Lyster (2005: *pers comm*) referred to their position as believing biotechnology could be 'a bit of a gold mine'.

Within the other case-studies the direct link between commercial values and state actors is not as obvious. However, commercial valuations are influential in the policy processes of both the Antarctic treaty system and Ramsar, although not the CMS. Within the Antarctic Treaty system, which places a ban on commercial mineral extraction on the continent, the direct commercial value of wildlife has motivated some conservation activity, most notably the Convention on the Conservation of Antarctic Seals (CCAS) and the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR). Andrew Jackson (2005: pers comm) noted the value of krill and fish exploitation to the Australian state, and identified the potential pharmaceutical resources represented by Antarctic wildlife as a further commercial motivation for their conservation. Whilst it has been at times ground-breaking, particularly with its application of precautionary and ecosystem considerations, CCAMLR is similar to the whaling convention in its recognition of the commercial value of Antarctica's marine wildlife. CCAMLR exists specifically as a reaction to the commercial value of this wildlife and because of the consequent need to regulate access to it. The innovative element of CCAMLR is the juxtaposition of commercial value alongside other valuations, in particular the ecological value of the species concerned. Denzil Miller (2004: pers comm) noted that 'CCAMLR has always attempted to balance conservation and rational use in accordance with the principles set out in Article II of the convention'.

Like the Antarctic Treaty, the Ramsar wetlands convention identifies the direct commercial value of wildlife as just one valuation amongst several. In particular it identifies the importance of some commercially important species, predominantly fish, which depend upon wetlands as habitat. The commercial value of such species has occasionally been quantified by actors within Ramsar, for example the international trade in crocodilian skins has been estimated at \$500 million per annum, and the wetland dependent crab, shrimp and salmon landings in the US put at around \$13 million (Ramsar Convention Secretariat 2001b).

Whilst the Preamble to the Convention on Migratory Species notes, amongst others, the economic value of wildlife, actors within that policy-arena rarely raise wildlife's commercial value as an issue. Of its 13 sub-agreements, only one, the Africa-Eurasia Waterbird Agreement (AEWA), notes the economic value of the wildlife its seeks to conserve. This absence of obvious economic values may, at least in part, explain the initial lack of engagement by states with the CMS. The success of the AEWA, with its clear acknowledgement of economic values adds to this notion.

The public acceptability of the direct exploitation of wildlife for purely commercial gain has waxed and waned significantly over time. The character of this exploitation has also changed somewhat from harvesting skins, furs, ivory and other such products, to the manipulation of genetic resources. Thus whilst the killing of elephants for their ivory continues to elicit opposition from animal-welfare groups, other forms of commercial exploitation do not necessarily do so. Rather, the manipulation of genetic materials has brought opposition from other sources, predominantly religious actors.
States have been increasingly concerned with the protection of micro-economies, at regional and community level, and consequently have illustrated some concern for the subsistence value of wildlife. In the whaling arena for example, Peter Stoett has noted 'What has become the accepted cetapolitical ideology for American policymakers is that whaling for commerce is bad, but whaling for subsistence and cultural purposes is justified.' (1997: 117). The increased involvement of developing world states in the policy-arena has also been a significant factor in this development. This phenomenon is much more clearly illustrated by an examination of domestic wildlife conservation policies, than of international legislation. However, our six case-studies do illustrate some instances of sensitivity to such concerns, particularly within the whaling, Ramsar and biological diversity regimes.

As noted in Chapter 5, aboriginal whaling has long been a concern of the Contracting Parties within that regime. One element of this is a fundamental concern for the nutrition and livelihoods of small communities, although cultural concerns are also of significance within this issue. Several states, including the United States, Canada, Russia, Japan, Norway, Iceland and Denmark (for the Faeroe Islands) have been strenuous in their defence of their own communities, although not always sensitive to others'.

Concern for livelihoods is at the core of the 'wise-use' agenda within Ramsar. GVT Matthews notes that as more developing states became Party to the convention, the 'wise-use' concept developed to incorporate the need for a 'sustainable yield of food and fibre', which was, for these states, 'a more cogent argument for not draining wetlands than was the saving of habitat for other animals' (1993: 53). In 1996 Ramsar's Contracting Parties adopted Recommendation 6.3, regarding the involvement of 'local and indigenous people' in wetland management, in which it was acknowledged that they 'have a particular interest in ensuring that the wetlands within their region are managed wisely' (Ramsar Convention Secretariat 1996: para. 3). Whilst not mentioning subsistence use explicitly in the Recommendation, the subsequent case-study research carried out on behalf of the Secretariat noted a number of wetlands upon which local communities drew for subsistence activities including fishing and hunting (Ramsar Convention Secretariat 1996b).

2.3 The Financial Quantification of Non-commercial Wildlife Values

It is clear that states are also motivated to conserve wildlife where non-commercial values, particularly recreational, aesthetic and ecological, can be shown to be of economic importance by their description in financial form. Indeed this is perhaps more widespread than the conservation of wildlife for its direct commercial value and examples can be drawn from all of the case-studies considered by this research. The aesthetic and recreational values of wildlife as a basis for tourism and other leisure activities are very prominent, as is the growing understanding of the financial value of ecological services.

Whilst other influences such as ethical arguments should not be forgotten, the aesthetic value of whales quantified financially through whale-watching tourism, provides one of the strongest contemporary arguments for the conservation of cetacean species. Whilst whale-watching has been most consistently advocated by non-governmental organisations, the establishment, in 1994, of the whale-watching Working Group within the IWC's Scientific Committee is illustrative of the importance that state actors attach to the activity. Advocacy of the development of whale-watching does not necessarily come at the expense of whaling itself as, despite some localised conflicts, whale-watching and whale hunting, even of the same populations, are not necessarily mutually exclusive. For example, the same populations of grey whales are hunted by the Makah community of Washington state (US), and viewed by whale-watching tourists off the coast of the Baja peninsula, Mexico.

When quantified financially the aesthetic and recreational value of wetland dependent wildlife, particularly bird species, is enormous and has been used consistently to advocate conservation policy and action. Estimates of the annual economic activity generated by the 60 million birdwatchers and more than 3 million game bird hunters in North America exceed \$20 billion (Ramsar Convention Secretariat 2001a). Paul Rose noted that more than half of the total amount spent on leisure and tourism in the UK was dependent upon (components of) biodiversity (Rose 2004: *pers comm*). Further to this, a link has been posited between individual health and engagement with nature and wildlife which can be quantified in fiscal terms. Mike Moser (2005: *pers comm*) noted recent research which estimated huge potential savings, approximately £8 billion annually, to the UK's National Health Service as a result of increased aesthetic and recreational engagement with nature and wildlife by the public.

The aesthetic value of Antarctica, including its wildlife, acknowledged by the 1991 Madrid Protocol to the Antarctic Treaty, underpins a growing Antarctic tourism industry. Indeed Andrew Jackson (2005: *pers comm*) noted that 'it can be argued that tourism presents an

opportunity to ensure adequate conservation of Antarctica and its values.'. This notion is supported by David Walton (2004: *pers comm*) who noted that almost all of the 20,000 tourists per year are entirely ship based and thus have little environmental impact, whilst contributing substantial quantities of money for conservation efforts.

Other very powerful economic arguments can be made with the quantification of the ecological value of wildlife in financial terms, and this is achieved extremely well by the Ramsar convention. The ecological value of, and services provided by, wetlands and wetland wildlife have long been a significant theme within the Ramsar convention arena. The Fourth Conference of Parties in 1990, held in Montreux, Switzerland, revised the established criteria for the designation of wetlands under the convention as of 'international importance'. These criteria identified, for example, areas which play 'a substantial hydrological, biological or ecological role' (Matthews, G.V.T 1993: 51-2) and where they are of 'special value for maintaining the genetic and ecological diversity of a region' (ibid.) as being deserving of designation as Ramsar sites. Flood control is just one of several ecological functions of wetlands which has been relatively regularly expressed in fiscal terms by calculating the cost of potential flood damages. For example, information published by the Ramsar Bureau put the value of 3,800 hectares of wetland along a single watercourse, the Charles River in the USA, at \$17 million annually (Ramsar Convention Secretariat 2001c). Globally, it has been estimated that wetlands provide approximately \$4.9 trillion worth of ecosystem services annually (Ramsar Convention Secretariat 2004a: 8).

The Convention on Biological Diversity has not seen such a 'precise' description of the ecological value of wildlife in financial terms as has the Ramsar convention. This is at least in part due to the size of the task of valuing global biological diversity in such terms. The importance of such valuations is, however, formally recognised by the Contracting Parties in Decision IV/10 which states that 'economic valuation of biodiversity and biological resources is an important tool for well-targeted and calibrated economic incentive measures,' (Preamble to Section A). Upon close investigation it can be seen that the economic valuation so far carried out under the auspices of the CBD is limited almost exclusively to the value of genetic diversity to the pharmaceutical industry. As the main report so far prepared by the Subsidiary Body for Scientific, Technological and Technical Advice (SBSTTA) itself notes;

'Other more indirect benefits, such as the role that genetic diversity plays in supporting the more strategic benefits of biodiversity in general -- climate stability or watershed functions, for example -- have not been considered at all.' (CBD Secretariat 1996: para. 48)

Decision VI/15 reaffirms the Contracting Party's commitment to this economic valuation despite the acknowledged fact that 'Continued work on valuation can be costly, requires considerable expertise and the ultimate results may be difficult to communicate and the derived monetary values open to challenge.' (Annex II, para. 12).

2.4 Access to Financial Resources

The problem of lack of resources for conservation (and otherwise) was commonly raised in interviews and correspondence for this research. For example, Alikhon Latifi (2005: *pers comm*) noted, in reference to the Convention on Migratory Species, 'Many countries along the CAF [Central Asian Flyway] have developing economies with inadequate allocation of resources for research and conservation.'. Thus, access to financial resources has been a prominent motivation for involvement in wildlife conservation policy, particularly, of course, for developing states. This phenomenon is widespread within the policy-arena and ranges from states gaining access to the multimillion dollar finances of the Global Environment Facility via the Convention on Biological Diversity, through to the desire to obtain personal allowances distributed to facilitate the attendance of delegates from poor states. One interviewee noted that these allowances are sometimes in excess of a delegate's annual salary (Moser 2005: *pers comm*).

Access to financial resources has been a significant influence within the whaling regime with several states being offered economic aid to support certain votes (see below). One attractive element of Ramsar's structure is the Small Grants Fund (SGF), established in 1990, to act 'as a mechanism to assist developing countries and those with economies in transition in implementing the convention'³⁸. It offers funding up to 40,000 Swiss Francs for projects aimed at implementing the convention's Strategic Framework and, importantly, providing 'preparatory assistance' for states not party to the convention to become so. These grants are closely monitored and their completion is, unofficially at least, a prerequisite for any subsequent applications. In 2003 the SGF allocated a total of 345,901 Swiss Francs (\$267,000) (Ramsar Convention Secretariat 2004b). In the period 1990-2005, during which the SGF has been operational the number of Ramsar Contracting Parties has grown by 145% (from 59 to 145). The average growth rate has almost doubled from just over three Contracting Parties per year to almost six. Accession to the Ramsar convention also facilitates access to a wealth of accumulated wetland research and management expertise, by

³⁸ www.ramsar.org/sgf

inclusion in, for example, the 'wise-use' programme, which can assist in the establishment of wetland management strategies.

Article 20, paragraph 2 of the Convention on Biological Diversity (CBD) states;

'The developed country Parties shall provide new and additional financial resources to enable developing country Parties to meet the agreed full incremental costs to them of implementing measures which fulfil the obligations of this Convention and to benefit from its provisions ...'

As noted in Chapter 4, the CBD represented a sea-change in the approach to international wildlife conservation with one of the most significant elements of this being the access to financial and technical resources gained by developing states. Developed states agreed to fund extensive conservation measures through the Global Environment Facility (GEF) to the tune of many millions of dollars. In addition to this, some national governments established their own funding agencies such as the UK's Darwin Initiative. It is safe to say that without these funding mechanisms and commitments there would have been no convention. From early in the negotiations 'Regular G77 statements warned that there would be no negotiations before WEOG [western European and others group] countries committed themselves to fund all conservation in developing countries.' (McConnell 1996: 25). Several interviewees noted the importance of the financial arrangements to the successful conclusion of the convention.

The access to funding, for which a state must be Party to the convention, coupled with the 'quite woolly' (Lyster 2005: *pers comm*) obligations upon Parties, has undoubtedly been the most important influence upon the recruitment of new Contracting Parties. Essentially, developing states don't have much to lose by becoming Parties. As Simon Lyster (2005: *pers comm*) noted 'no-one's going to give you a hard time' and there is significant potential to secure funding. Robert Hepworth described the CBD as a 'win-win' situation for developing states (Hepworth 2005: *pers comm*). Figure.1 (Chapter 3) illustrates the rapid growth of the CBD in comparison to the other cases. In its thirteen year of existence the convention has grown by an average of 14 Contracting Parties per year; a vastly greater rate than the others (ICRW <1, Antarctic Treaty <1, Ramsar 4, CITES 5, CMS 3).

Access to economic resources has also provided the 'carrot' to attract Contracting Parties to join the IWC. There are several cases of seemingly disinterested states acceding to the convention and voting with one side or the other, in return for economic or other political aid from the lead states involved. In particular the Japanese Overseas Development Agency has used the 'carrot' of aid to developing states in order to facilitate a pro-whaling shift within the IWC (McCarthy & McNeill 2004).

'Maseyuki Komatsu, the head of Japan's fishery agency, confirmed the suspicions. "Japan does not have military powers. Our means are diplomatic communication and overseas development aid," he said. "To get appreciation of Japan's position it is natural we resort to those two major tools. I think there is nothing wrong with that.' (Joyce 2001: 19)

It was widely reported that the Japanese Government had used this tactic successfully the year before this admission when six Caribbean states, along with the Solomon Islands and Guinea voted with them on every issue, including blocking the establishment of a whale sanctuary in the South Pacific (Watts 2001: 18). Some reports went so far as to suggest that this tactic went beyond offering a 'carrot', with Dominica's Environment Minister, Atherton Martin, claiming that Japan had threatened to withdraw pre-existing development aid if the wishes of the Japanese government were not followed (Whymant 2001).

2.5 Summary

Whilst the fiscal quantification of non-commercial wildlife values is not without its inaccuracies, due largely to the absence of real 'markets', it is an extremely powerful tool in the policy arena. The willingness of state actors to act on such information is, at least to a certain extent, illustrated particularly by the success of the Ramsar Convention which has engaged with such quantification most frequently. Indeed, those involved in Ramsar explicitly recognise its policy-making role in their published convention handbook.

'Policy- and decision-makers frequently make development decisions based upon simple calculations of the monetary pros and cons of the proposals before them Thus, more and more economists and other scientists are working in the field of the valuation of ecosystem services. This is a difficult task, but ... there is no choice but to progress in this direction.' (Ramsar Convention Secretariat 2004a: 8)

Whilst economic valuations of wildlife values are therefore useful, their limits are also clearly recognised (as in the statements above). The primary issues lie in their accuracy and scope, and whilst improved methodologies can be expected to improve accuracy it is unclear how wider social wildlife values (relating to culture, religion, morality and politics) can be effectively monetised.

This section has suggested that state actors respond positively to economic arguments made in favour of wildlife conservation; that is they respond to wildlife's commercial and subsistence values and to financial valuations of wildlife's ecological, recreational and aesthetic values. Also there is evidence that state-actors implement some wildlife conservation simply for economic rewards – with no particular acknowledgement of wildlife values. Within this the importance of different values has shifted with time. Whereas commercial concerns were at the forefront of the whaling regime, elements of the Antarctic Treaty and, to a certain extent, CITES, the financial quantification of the ecological value of wildlife, and the potential economic rewards for the manipulation of genetic materials, have emerged as the primary concern in the last 15 years. Contemporaneously with this, although to a lesser extent, the economic benefits of wildlife's aesthetic and recreational values have been realised.

3. THE POLITICAL VALUE OF WILDLIFE AND WILDLIFE CONSERVATION

3.1 Political 'Pressure'

State actors respond strongly to the political value of wildlife which manifests itself in a surprising number of ways. Perhaps the most obvious manifestation is the need for democratically elected governments to react to perceived public concern for wildlife and its conservation. In this regard Paul Rose (2004: *pers comm*) stated the case for the UK government quite clearly as 'The government likes to think that it represents the views of its people and contributes to the global good. Obviously ignoring wildlife is consequently *impossible*.'. The strength of this obligation for a democratic government, such as the UK's, to respond to such public concerns was reinforced by David MacDonald who commented that it was simply 'not socially or politically acceptable to do nothing' in terms of wildlife conservation (MacDonald 2005: *pers comm*).

In this sense it is clear that wider social movements and the public in general can be important political actors through demanding certain public goods or the resolution of specific problems. Whilst the public is not often engaged directly in the policy-making arena, public concerns enter into and influence it in a number of ways. Non-governmental organisations and the media are perhaps the most prominent routes via which these concerns are articulated, however it is not uncommon for politically astute governmental actors to take initiatives outside or in addition to established public concerns in order to improve reputation or opinion. With these factors in mind it becomes difficult to identify any primary, agenda-setting actors in the process, and thus to locate political 'power'. However, the pre-existence of public

concern for wildlife broadly is the fundamental requirement here and we may thus assume that any political action is a response to that concern.

Perhaps the most symbolic family of wildlife are cetaceans (whales) and there is much evidence to suggest that domestic anti-whaling public opinion resulted in a number of states supporting the moratorium on commercial whaling activities. Certainly Russell Train notes the political motivation for the United States' role. The political kudos to be gained from environmental protection in general had been clearly recognised by President Nixon.

'There is no evidence of which I am aware that Nixon had any real personal interest in environmental matters. I certainly never heard him express any. His reaction to these issues was that of a highly political animal. He read the polls and he had to be aware that concern for the environment was rapidly rising among the American people. His political instincts told him that he and the Republican Party could not afford to be seen as anti-environment.'(Train 2003: 79)

This knowledge and awareness was put into effect on several occasions throughout Nixon's presidency, including when proposing the moratorium on commercial whaling. Train notes that suggestions Nixon took this course to deflect attention away from the Vietnam war were 'preposterous ... Nixon proposed the moratorium because the American people overwhelmingly were opposed to whaling.' (Train 2003: 141). Domestic pressure brought to bear on the Australian government had similar results, noted in the Foreword to the published version of Sir Sydney Frost's report.

'It's not that often that a government changes a firm, longstanding policy overnight. It's even less frequent that such a dramatic and abrupt change comes as the result of citizens' pressure. But this is what happened to Australia's whaling policy in early 1979: Australia switched from whaling nation to leader in the effort to end commercial whaling world-wide.'(Friends of the Earth *et al.* 1979: 1)

The actions of the Federal Republic of Germany in relation to the Convention on Migratory Species is an excellent example of these complex influences, highlighting as it does the power of domestic political pressure and the roles of non-governmental organisations and astute governmental actors. In a discussion of the convention's history, Françoise Burhenne-Guilmin, herself described as 'a distinguished contributor to the drafting process' (CMS Secretariat 2004: 18), explains unequivocally the motives of the German government.

'At the end of the 1960s and the beginning of the 1970s, environmental protection and nature conservation became public issues in Germany. ... This ... gave rise to increasing public criticism of the federal Government and of ministers responsible for natural resources. ... The Federal Government, anxious not to be forced onto the defensive on such issues by the emerging Green Party and others, came up with the idea that it should take the lead in international relations and law-making for nature conservation. The Environmental Law Centre (ELC) of IUCN, located in Bonn, directed the Ministry of Agriculture's attention to one of the many Stockholm recommendations, on establishing a framework for a multilateral Convention on Migratory Species. The then Minister of Agriculture, Joseph Ertl, accepted the suggestion.' (Burhenne-Guilmin 2004: 20)

Domestic political pressure was again a very significant factor in UK Prime Minister John Major's decision, eventually, to sign the Convention on Biological Diversity. After the UK delegation had played a major role in the negotiation of the convention, government officials became nervous of the seemingly open-ended financial commitments, a 'blank cheque', being given to developing states (Sherman 1992). This indecision drew much scorn from opposition MPs. Labour Leader Neil Kinnock described the government's record on the provision of aid as 'indefensible', having halved it whilst in office (Knewstub 1992: 6). Paddy Ashdown 'called the prime minister's defence of Conservative environmental credentials "pathetic" (Oakley & McCarthy 1992: 1 & 18) and Bryan Gould, opposition spokesman on the environment, 'accused the United Kingdom of colluding with the Americans in "frustrating the world's environmental agenda"' (Sherman 1992: 8).

Criticism such as this prompted the UK Environment Secretary, Michael Howard, to note in a House of Commons statement that 'Our position on this particular question has nothing to do with the position of the Americans. They have expressed a number of concerns about the biodiversity treaty which we do not share' (*ibid.*). This was a clear attempt to distance the UK's government from the US administration which was coming under sustained and vehement criticism, even including a several thousand strong protest march on the US consulate in Rio de Janeiro (Brown & Tisdall 1992: 22). Eventually Prime Minister Major did sign the convention as, it was felt, he would have 'found it politically impossible' not to (Oakley 1992: 12). As one media report noted 'The government clearly prefers to risk the treaty's ambiguous language on finance, ... to the opprobrium that Mr Major would have to face in Rio' (McCarthy 1992a: 1). Furthermore, the US refusal to sign may have actually encouraged or facilitated the UK's signature. As the Head of the US delegation, William Reilly, noted in a television interview 'Britain was willing to sign ... because it knew that America's opposition would eventually have some of the objectionable provisions removed.'(McCarthy & Fletcher 1992: 11).

It has been further suggested that this domestic political pressure prompted John Major's government to conceive an additional programme, the Darwin Initiative, in an attempt to regain the political lead. Michael Ford (2005: *pers comm*) noted the last minute nature of the conception of this initiative following the sustained criticism of the UK's concerns over the CBD's financial mechanism, the plans for which were quickly written down 'on the back of an envelope' by senior advisors. It then featured as one of Major's key pledges in his address to the 'Earth Summit' (Brown 1992: 8), although it was, unfortunately, quickly criticised by opposition MPs as 'fine words but no commitment' (*ibid*.). Despite this perhaps inauspicious beginning, the Darwin Initiative is today a very successful element of the UK's commitment to the transfer of biological diversity related knowledge to developing nations³⁹.

The whaling issue has not always proved an easy domestic issue for the US administration. From the late 1970s onwards through the 1980s pressure mounted from 'aboriginal' whalers within the US such as the Makah of Washington state, along with Inuit and native Indian communities in Alaska. Since this time the US government has had to balance its staunch opposition to commercial whaling, supported by the vast majority, with these minority concerns; 'As Day puts it, the administration was caught "between the Save the Whale lobby and the Save a Vote in Alaska lobby" (Day quoted in Stoett 1997: 38). Although much public concern is for wildlife broadly, it is perhaps when focusing upon the so-called 'charismatic megafauna' that the political value of wildlife becomes greatest. Thus we see the wildlife conservation policy process dominated at all levels by debates over whales and elephants, and other similar species. As indicative of this, Noel McGough (2004: pers comm) noted that several delegations to contemporary CITES negotiations, including the UK, include an individual dedicated to whaling issues - and this in a forum which has officially recognised the over-riding competency of the International Whaling Commission on cetacean issues. Andrew Jackson (2005: pers comm) notes that the 'iconic' value of Antarctic fauna, based upon their special adaptation to surviving in the extreme polar conditions, underpins 'strong popular support for the [Australian] Government's environmental protection agenda'.

Certain species can also be potent symbols of national pride and this can have varied effects on the policy-making process. It can, for example, cause a bottleneck in the political process as some national governments focus upon individually important species which the broader decision-making community consider unimportant or, at times, as outside the parameters of the negotiations. An excellent example of this is the phenomenon within CITES referred to as

³⁹ See <u>www.darwin.gov.uk</u>

'political species' by Gren Lucas. These were symbolic national species, such as the quetzal of Guatemala, which the governmental delegate of that nation was insistent upon inclusion at the highest level of protection, Appendix I, despite the fact that there was no significant trade in that species, nor was it considered 'endangered' – the two defining criteria for inclusion in Appendix I. The records of the Washington Conference illustrate some examples of this and confirm the awareness of the proposing delegates that the listing criteria did not facilitate listing such species. For example;

'The Delegate of Guatemala proposed that a bird species native to his country, the Quetzal, be included in the list of endangered species. He proposed expanding the list to include species in which trade is insignificant but which are nevertheless endangered.' (Anon 1973c: 3)

According to Gren Lucas, many such listings were proposed and, although most were not adopted, it severely hampered progress in the negotiations.

Taking action to conserve wildlife is not only valuable to domestic politics but internationally also. Creating the perception of world leading conservation in world leading parks was certainly the notion behind Richard Leakey's work to have Kenya lead efforts to protect the African elephant including via the CITES regime. The then Head of the Kenya Wildlife Department conducted an aggressive campaign – including the famous burning of many thousands of dollars worth of ivory in July 1989, aimed at symbolising the government's commitment to conservation to the international community, most importantly tourists. The campaign even included competing for top spot with allies in the international arena, such as Tanzania, over who would first propose the listing of the African elephant on Appendix I of CITES at the 1989 Conference of Parties in Lausanne, Switzerland.

'I had discussed all this with President Moi, and persuaded him during one of our first meetings that we in Kenya should take the lead in promoting the ban. ... Time was of the essence. ... I had learned from Iain Douglas-Hamilton that the Tanzanian government was also preparing a proposal, ... I felt strongly that Kenya should be first in with a proposal, so that we could link our leadership on this issue to the burning of the ivory. ... There's no question that the Tanzanian proposal, ... was far better than ours. But the symbolic value of being first was far more important.'(Leakey & Morrell 2002: 86-88)

This notion of international leadership as being an element of the national interest is recognised by others, including Russell Train in the US context who indicates that he gave;

'... a high priority to the international dimensions of environmental policy and to the need for vigorous U.S. leadership in the area. To my mind, the United States has largely abdicated such leadership today – to the major detriment of the world and the United States alike.' (Train 2003: 153)

Mike Moser (2005: *pers comm*) also noted the importance of leading international wildlife conservation politics to the UK government, expressing the opinion that it is a policy area in which the UK feels able to have influence, whilst having 'more to offer than gain' by such action.

Participation in international wildlife conservation is not only considered important by leading states. For example, Alikhon Latifi (First Deputy Minister for Nature Protection, Tajikistan) noted 'The Republic of Tajikistan is the sovereign state, which feeling the belonging to the world community. The Government counts that the participation in the international activity directed on preservation of the environment is important for the country.' (Latifi 2005: *pers comm*). This indicates a more general importance to conservation, or more specifically to participation in it. A similarly general perspective was noted by Jana Brozova (Czech Department for the International Conservation of Biodiversity) who felt that 'Biodiversity conservation is crucial in this world and therefore it is important that we are Party to the Convention.' (Brozova 2005: *pers comm*).

3.2 Reputation

One less direct element of the political value of wildlife (more of a consequence of the political vale of wildlife than a constituent) is the importance of reputation within international negotiations. Particularly affecting governmental actors, although also a significant influence upon private business, maintaining a positive reputation, or at least a perceived positive reputation, is a significant factor in motivating actors to conclude successful agreements.

One example of this factor is the experience of the government of Brazil during the negotiation of the Convention on Biological Diversity, which was seen as one of the pinnacles of the 'Earth Summit' to be held, crucially, in Rio de Janeiro. Determined to make the summit a success, and indeed to gain maximum credit for it, the Brazilian government were motivated to play a prominent role, although not always with positive effects.

During the Nairobi Final Act Conference, the very last stage in the negotiation of the Convention on Biological Diversity held just two weeks prior to the 'Earth Summit', reputation motivated the Brazilian delegation to try and broker a last-minute compromise between developed and developing states regarding Article 21 on the CBD's Financial Mechanism. The Brazilian and Mexican delegations 'were troubled by the possibility that the UK might not be able to sign the convention at Rio' (McConnell 1996: 101) and drafted a formal declaration to try to bring opposing parties together. Unfortunately this effort failed to gain the approval of other developing nations and Brazil and Mexico had to remove their names from it, leaving just a number of developed states. Brazil continued this activity throughout the summit itself with a particular effort to facilitate the signature of the United States. A leaked US memo from William Reilly (Head of the US Environmental Protection Agency, and of the US delegation in Rio) to President Bush, which highlighted some division within the US administration and caused much political embarrassment to Mr Reilly, revealed Brazilian attempts to 'fix' the convention's language to enable the US to sign. Brazil was 'eager for the United States to sign the treaty because of the prestige that would add to the conference' (Schneider 1992: A6). The same state again played the role of facilitator when it offered to host the commission for sustainable development to be established by the Rio summit. Media reports noted 'The offer came from President Collor de Mello, who has acted to restore his country's battered environmental reputation President Collor said the move demonstrated Brazil's commitment to the environmental cause.' (McCarthy 1992b: 11).

Brazil's interventions in the CBD negotiations were, however, not always helpful. For example, a significant stumbling block was the naming of the final convention with claims coming from both Kenya, who wished it to be named the 'Nairobi Convention' as it had been negotiated there, and Brazil, who opposed this as the treaty was to be opened for signature in Rio de Janeiro. This problem, which as Tolba notes was nothing to do with the content of the convention, 'stayed alive through the whole negotiating session' (the 'Fourth (or Sixth) INC' (Intergovernmental Negotiating Committee), Nairobi, February 1992) consuming valuable negotiating time (Tolba 1998: 155). At one stage in the negotiations, Executive Director Tolba criticised the Brazilian delegation for being 'interested in UNCED, not biodiversity' (McConnell 1996: 94), a clear illustration of the somewhat indirect nature of this reputation building in relation to the political value of wildlife.

Also at UNCED, the US administration, who had come in for sustained criticism over their refusal to sign the CBD, attempted to mend its battered reputation by promoting domestic environmental protection laws and initiating an international programme of forest conservation. Media reports noted that 'Mr Bush insisted ... that he had a superb record on

environmental matters and that he would go to the summit ... "on the offence, not defence" (Fletcher 1992: 1). Under the headline 'US, Trying to Buff Its Image, Defends the Forests', New York Times journalist William K. Stevens wrote;

'The United States, under fire at the Earth Summit for perceived foot-dragging on treaties intended to protect the planet's climate and its biological diversity, is trying to restore its standing, at least partly, by leading a drive to save the world's forests.' (Stevens 1992: 20)

This initiative was met with scepticism by the press and environmentalists, and with scorn by foreign diplomats. Malaysian Ambassador Ting Wen Lian, a central negotiator throughout the CBD's development, said;

'We are certainly not holding our forests in custody for those who have destroyed their own forests and now try to claim ours as part of the heritage of mankind, ... "the almost obsessional anxiety to have a forest convention" is driven by concerns that have nothing to do with forests or trees, but rather mainly by the desire of developed countries "to appease their public opinion and thus get electoral mileage out of forests" (*ibid.*)

The domestic political agenda can also limit the ability of governments to take initiatives. For example, Fiona McConnell notes the subduing impact of an upcoming general election upon the UK delegation to the UNEP's 14th General Council, 'We had no initiatives to float and our overall brief was to keep a fairly low profile...' (1996: 4). In contrast, 'Without the restrictions imposed by an approaching General Election the UK was able to play a more proactive role in UNEP's Fifteenth Governing Council...' (1996: 5).

The 1992 US Presidential election was also suggested as an influence upon George Bush Snr's hard stance against the Convention on Biological Diversity. When UK Prime Minister John Major met with President Bush and unsuccessfully attempted to persuade the US to sign the CBD, it was noted that 'the domestic political constraints on President Bush in an election year had made it pointless to try to bring him round' (Oakley 1992: 12). It should perhaps be noted, however, that at the same time as President Bush was assuming this hard stance his opinion poll ratings 'plunged', in an election campaign he was subsequently to lose to Bill Clinton (*ibid.*).

4. CONCLUSION

This chapter has identified state-actors as primarily economically motivated, that is concerned with wildlife as a resource with which to secure economic gain. This can be through the harvesting of wildlife and wildlife products for commercial or subsistence products or harnessing wildlife's aesthetic and/or recreational values through tourism and/or sport hunting enterprise. State-actors are also beginning to comprehend the financial value of the ecosystems that function within their jurisdiction and beyond, and consequently the ecological value of wildlife. In a phenomenon perhaps unique to wildlife conservation some states have been willing to pay others (on a very limited scale) not to consume or deplete their resources, which in itself acknowledges the primacy of economic considerations to state actors.

That state-actor valuations are focused upon economically grounded factors itself suggests the importance of wider economic pressures, and basic cost-benefit analysis, to them. There seems particular sympathy towards wildlife conservation that can, in essence, pay for itself. The other side of this coin is a tendency for state funding to be forthcoming only when the costs of *not* acting are, in the short-term, considered likely to be higher than the cost of action. The long-standing issue/problem for wildlife conservationists is that there are very few instances (particularly for the developed world) where such arguments have be made effectively. The result of this is that *very little state funding has been forthcoming for wildlife conservation*. This has been a long-standing and long-recognised 'failure' within wildlife conservation circles. For example, sometime in the mid-1980s Max Nicholson wrote;

'Even a thorough intellectual solution [to conservation problems] would, however, be stillborn unless the "developers", who mainly did not want to know, and were uneducated and untrained to understand the subject, could somehow be persuaded that the changes proposed for "sustainable development" were not impracticable, uneconomic and irreconcilable with their true interests. ... After two decades of demonstration and explanation remarkably few politicians, civil servants, directors and managers of business (except a few big ones like BP and ICI), or even leaders of the relevant professions, had seriously begun to learn the message' (Nicholson No Date: Chp. 14, p. 41)

He continues later;

'As the paramount necessity for understanding and adapting to ecological principles slowly became apparent to most others, the Establishment continued to isolate itself from the mainstream and to drag its feet over necessary adaptations, with a Bourbon stubbornness which it had restrained itself from showing on previous occasions.' (No Date: Chp. 15, p. 15)

Often, as is the case with biological diversity, economic arguments have been made in reference to long timeframes, to which state-actors largely fail to respond. State-actors may acknowledge such arguments and go so far as to produce information and policy guidelines. However, such policy is usually only applied where implementation costs are very low (in existing protected areas or other sparsely populated areas) and other economic opportunities are not available. The very real cost of not implementing conservation policy effectively is commonly felt in the developing world. However the events, in 2005, around the flooding of New Orleans and Louisiana more widely, brought these costs to the developed world. The United States is an active Party to the Ramsar convention and its Environmental Protection Agency a capable organisation well aware of the advantages of wetland conservation (see www.epa.gov/owow). Scientists had consistently pointed to the dangers of wetland loss in Louisiana over the past 70 years. This, it was argued, left New Orleans especially vulnerable to flooding (Usborne 2005: 6).

Precise statistics to illustrate the lack of state funding of conservation are difficult to produce due largely to the complexities of the myriad ways in which funding is channelled into wildlife conservation. In the next chapter, for example, I note the financial resources of a number of prominent NGOs. However, some of this is itself derived from governmental sources.

Having said this, some indications can be given. It is possible to note, for example, the expenditure upon the administration and projects of the six case-study conventions. Table 6 notes the budgets of the Secretariat bodies of each.

Case-study	Secretariat Income (\$ millions)	Secretariat/Programme Expenditure (\$ millions)
IWC	n/a	2.93
ATS	n/a	n/a
Ramsar	5.56	6.02
CITES	4.41	4.38
CMS	2.81	2.34
CBD	13.27	n/a

 Table 6. Income and Expenditure upon the Administration and Projects of the Casestudy Agreements

This table does illustrate the greater financial commitment to the CBD relative to the other cases, it being $2\frac{1}{2}$ times the amount of the next largest (Ramsar). The sum total of the international Secretariat finances is just short of \$29m. In 2003 the UNEP's 'Environment

Fund' totalled \$52.6m, to which the UK was the largest single donor providing \$6.86m (UNEP 2003). Indeed, the UK is one of the leading donor governments to international environmental projects broadly, and wildlife conservation in particular, yet a review of that government's fiscal policy framework in the UK Yearbook 2004 notes that expenditure on 'Housing and Environment' combined was just 3% (£17 billion) of national expenditure (£488 billion). Out of 10 named categories of expenditure this was 9th, equal to the 10th category of 'Transport'. Social Protection (£138 billion, 28%), Health (£81 billion, 17%) and Education (£63 billion, 13%) were the sectors with the greatest expenditure (Office for National Statistics 2004: 365). This confirms James Marsden's observation that education, crime and health dominate the UK government's spending priorities and that English Nature has to 'fight tooth and nail' for its funding (Marsden 2004: *pers comm*).

It is possible to further compare the UK government's contribution to the UNEP 'Environment Fund' (\$6.86m) to other specific elements of expenditure. Defence provides a number of comparative figures, for example, in 2002 the UK placed orders for 150 F-35 Joint Strike Fighters from US defence corporation Lockheed Martin at a cost of £35m (\$62m) each (BBC Online 2002). In December 2004, six Royal Navy ships received new Sonar systems at a total cost of £160m (\$283m) (BBC Online 2004a), and earlier in the year one ship (HMS Nottingham) had been repaired after its crew had run it aground – at a cost of £39m (\$69m), the ship having originally cost £300m (\$530m) (BBC Online 2004b). Of course, these specific figures can only be considered very general comparisons, yet it is clear that the financial resources available for wildlife conservation (domestically and internationally) are a mere drop in the ocean of wealth possessed by some states.

The most globally significant state-financed source of funding for wildlife conservation is the Global Environment Facility (GEF), established in 1991⁴⁰. To its credit, this agency has provided unprecedented levels of state funding for environmental projects, with biological diversity as one of its premier concerns. Its 2002 10-year report claims that it has channelled a total of \$4.2 billion of direct funding (\$1.4b) and co-financing (\$2.8b) into biodiversity conservation projects during its existence (GEF 2002: 6). Table 7 breaks this financing down by region accounting for the majority of this sum (\$3.9b), and it can be seen that Latin America and the Caribbean have benefited most significantly from it⁴¹.

⁴⁰ See <u>www.gefweb.org</u>

⁴¹ The \$0.3b difference between the total given by this source and the total of its given regional spending is mirrored by the similar claim to have financed 470 biodiversity projects (GEF 2002: 6) whilst the regional total is just 456. These discrepancies may possibly be explained by the remaining 14 projects being difficult to classify regionally – perhaps involving parties from more than one region. Some may have been projects in North America, not covered in this report.

Region	Total Direct Finance (in \$ millions)	Total Co-financing (in \$ millions)	Number of Projects
Africa	347.8	760.0	160
Asia / Pacific	306.0	528.0	93
Eastern & Central Europe	103.0	109.8	56
Latin America & the Caribbean	501.6	1200.0	128
West Asia	27.5	22.9	19
Total	1285.9	2620.7	456

Table 7. Global Environment Facility Biodiversity Funding, 1991-2001.(Source: GEF 2002)

The figures shown in Table 7 seem substantial, they certainly represent a significant shift in state-led funding. However, the ten-year period over which the sums have been expended should be taken into account. This means that the average annual expenditure of the GEF is \$420m. This can be set against the expenditure of NGOs, which is detailed in Section 1.1.2 of Chapter 7. In one year the total expenditure of just three international NGOs (WWF, IUCN and Conservation International) totalled over \$393m, only just short of this GEF total.

The evidence here suggests that the conservation of wildlife remains a very low priority for governmental actors in terms of financial expenditure. As was noted in Chapter 5, section 3.4, a great deal more funding is necessary for wildlife conservation to be effective in terms of species and habitat protection.

This chapter has also identified the political value of wildlife as a significant influence upon state-actors. However, the commitment to wildlife sponsored by this value is often short-lived. This does, however, highlight the value of public awareness work and campaigns by NGOs. Whilst these NGOs seem well aware of governmental responsiveness to this value, it seems that they are not fully able to capitalise upon it, and certainly the lack of substantial positive outcomes from the agreements studied by this thesis seem overlooked in favour of lobbying in favour of 'endangered' species broadly.

The lack of state-resources expended upon wildlife conservation subsequent to it becoming an international issue clearly identifies state-actors as very powerful in this policy-arena. In an arena that seems *necessarily to require* significant state expenditure, state-actor inertia is a hugely limiting factor. State-actors are keen at least to appear committed to wildlife conservation, although this is often very short-lived. It seems that either far clearer methodologies in which to communicate the broad economic value of wildlife (including

acknowledgment of cultural and religious values in terms of improved quality of life) are required, *or* a more radical revision of how state-actors define their interests.

<u>Chapter 7 – Non-Governmental Organisations in International Wildlife</u> <u>Conservation Policy</u>

This research has identified a prominent and consistent role played by non-governmental organisations (NGOs) in the development of international wildlife conservation policy. In some instances NGOs have featured heavily in the policy-process, indeed Thomas Princen *et al.* (1995) claim the environmental aspect of international politics itself creates crucial roles or niches which NGOs fill. As Chapters 4 and 5 have noted, NGOs have had some influence upon the agenda of all six case-studies. Possibly their most important role has been the identification of specific issues, and subsequent agenda-setting in that area. Other important NGO activities include the provision of administrative, financial and technical support to negotiators and implementation agencies, lobbying state-actors on technical and public-interest grounds, creating political 'will' and 'space', and monitoring the implementation of policy. Although largely outside the scope of this research project, NGOs also play a central role in raising public awareness of wildlife related issues. This can be seen to influence the 'context' in which policy-makers reach their decisions. Some interviewees posited the non-governmental sector as *the* most influential sector in international wildlife politics, particularly regarding the implementation of policy.

1. NON-GOVERNMENTAL ORGANISATION PARTICIPATION

The participation of NGOs in international wildlife conservation policy has increased steadily over time, and especially since the 1970s. Some of the case-studies exhibit greater NGO participation than others. Within the whaling convention, where the influence of business and industry has declined, non-governmental organisation participation has increased hugely, and has consequently completely redefined the issue area. The number of non-state actors present at IWC meetings has moved from zero in the early years of the convention, to just a few in the late 1950s, to 50 in 1982, then 99 in 1997. Figure 11 illustrates this growth in contrast to the much slower increase of Contracting Parties. In 1997 almost twice as many non-governmental organisations as Contracting Parties attended the IWC's Annual Meeting. Much NGO activity has been from an anti-whaling perspective, but increasingly from the opposing camp. Examples of the diverse array involved are the Humane Society International to the Whale Cuisine Preservation Society, the Inuit Circumpolar Conference to the Environmental Investigation Agency, and the Sierra Club to the Women's Forum for Fish.



Figure 11. Growth in Number of Non-governmental Organisation IWC Observers, Compared to Contracting Party Growth, 1978-2002.

Non-governmental organisations initiated the Ramsar Convention, and have continued to play a part throughout. The convention's secretariat has officially designated four organisations as formally recognised 'partners'; these are IUCN, WWF, BirdLife International and Wetlands International (formerly IWRB). These 'partners' are crucial to the successful implementation of the convention. For example, Delmar Blasco (2004: *pers comm*) noted that the WWF's 'Living Waters' campaign has encouraged thousands, if not millions, of people to become interested in wetlands and wetland wildlife. The IUCN has also been central to the development of CITES since its initial identification of wildlife trade as an issue. Veit Koester (2005: *pers comm*) noted that NGOs have been very influential within CITES, and Jon Hutton singled-out TRAFFIC International as having a very significant impact upon its implementation through its excellent monitoring work (Hutton 2005: *pers comm*). Animal-welfare organisations have also influenced the CITES regime through their extensive engagement with the ivory trade issue and African elephant conservation.

As with the Ramsar Convention, the Convention on Migratory Species has institutionalised some links with NGOS through their inclusion as signatories to several of its Memoranda of Understanding. Indeed, Mike Moser expressed his opinion that such involvement was 'fundamental' and 'crucial' to the success of these agreements (Moser 2005: *pers comm*). Once again the IUCN played a vital role in the establishment of this convention.

Within the other two case-studies, NGO participation has been much less. The Antarctic Treaty system, in fact, features virtually no NGOs. The negotiation and day-to-day operation of the Convention on Biological Diversity have actually featured very little non-governmental organisation participation. Whilst the Rio 'Earth Summit', at which the convention was

signed, was attended by a huge number of NGOs, those involved in the preceding negotiations recall virtually zero NGO participation at that stage. This was limited to a few governmental delegations that included NGO representatives. This caused Veit Koester to reflect that NGOs do not play any role in the CBD (Koester 2005: *pers comm*). With regard to the implementation stage, NGOs certainly engage with the concept of 'biodiversity', although not necessarily with the CBD itself.

The NGOs that participate in international conservation policy-making represent a broad range of interests, not only a traditional 'conservationist' perspective, although these are perhaps at the centre (see Section 1.1 below). These organisations include animal-welfare groups, hunting organisations, community cultural and subsistence rights groups, monitoring specialists and a (very few) religious groups. They vary in size from just a few members to many millions, with similar variation in financial resources.

1.1 The 'Mainstream Conservation Lobby'

A small number of active and prominent NGOs were identified in Chapters 4 & 5 as having been involved in much international conservation policy. These centre particularly on the IUCN, and WWF and to a lesser extent BirdLife International. Becoming increasingly relevant, particularly to the conservation of biological diversity is Conservation International (CI). This constitutes a 'mainstream conservation lobby' (Lyster 2005: *pers comm*) which has had a significant impact upon the development of international conservation policy, not only for the six case-study agreements considered in depth, but also beyond. I suggest that these four organisations have had the most influence and impact, from this sector, upon contemporary international wildlife conservation. Between them, these organisations have hundreds of millions of dollars of financial resources upon which to draw to fund conservation projects. This group of NGO actors focus very clearly on the ecological value of wildlife (see Section 3.1, below). Other non-governmental organisations with a similar perspective although of generally lesser influence include:

- Wetlands International (International Wildfowl Research Bureau)
- Royal Society for the Protection of Birds (RSPB)
- Fauna & Flora International
- Wildlife Conservation Society
- Sierra Club
- TRAFFIC International

- Greenpeace⁴²
- Friends of the Earth

The International Union for the Conservation of Nature and Natural Resources (IUCN), later renamed the World Conservation Union, was established in 1948 and has since grown enormously in size, capacity, influence and reputation. Its unique membership rules, that allow equal membership for states, state agencies, and both national and international nongovernmental organisations, make it a unique political actor – certainly in the conservation policy-arena. It currently boasts a total of 1078 members⁴³ from 147 countries. Financially the IUCN is not the largest organisation in the 'mainstream conservation lobby', although in 2004 it had an expenditure of \$76.77 million. The IUCN's primary strength is as a coordinator of conservation action as it brings together global scientific and technical expertise, in its 'Commissions', with its many membership organisations, under the guidance of an international Secretariat. Indeed, half of its strategies by which to achieve its stated objectives relate to building 'alliances', enhancing 'cooperation', providing 'a forum for discussion' disseminating information and establishing 'networks' (IUCN 2005: para. 3). IUCN's six Commissions, including the Species Survival Commission (SSC), consist of many thousands of 'experts', the SSC has over 7000 itself, who give their time largely voluntarily. This is one indication of the high levels of commitment encountered in nongovernmental organisations.

Producing scientific research is a key strategy of the IUCN, particularly for the SSC and the Commission on Ecosystem Management. Perhaps the pinnacle of this is the SSC's annual 'Red List' of endangered species, which is considered the authoritative catalogue of such. This is prepared by the Commission's more than 100 Specialist Groups, each of which concentrates upon one family of wildlife, and which themselves draw upon specialists from myriad institutions across the globe.

In line with one of its stated strategies, elements of IUCN have played an important part in the development of a number of the case agreements examined in this research. It led efforts to agree the Ramsar convention, the SSC set the agenda on regulation of the international wildlife trade which led to CITES, and the Commission on Environmental Law has contributed to the drafting of Ramsar, CITES, CMS and the CBD. Another of the IUCN's primary strategies is public education and awareness raising about nature. It has been

 ⁴² Greenpeace has also adopted animal-welfare based positions, especially in reference to whales.
 ⁴³ As of March 2005. Of which 82 are 'state' members, 112 'government agencies', 768 'national NGO', 82 'international NGO', and 34 non-voting 'affiliates'.

relatively successful at this by producing educational materials and through partnerships with educational organisations such as Raleigh International and the Earthwatch Institute.

Max Nicholson dated the inception of the World Wildlife Fund, now renamed the Worldwide Fund for Nature, to Friday March 24th 1961 and a conversation between himself and Guy Mountfort (Honary Secretary of the British Ornithologists Union). Its official formation and launch followed less than six months later on September 11th. The organisation was conceived as a specialist fund-raising operation to support activities in the conservation world, in particular those of the IUCN. As Nicholson put it 'any hope of large-scale fund-raising seemed now to hang on the possibility of some leading businessmen coming in and persuading their fellows to stump up.' (Nicholson No Date: Chp. 13, p. 22). Peter Scott, another founding member, noted '[WWF] was to be the fund raising and campaigning arm, while the International Union for the Conservation of Nature, ... continued as the scientific arm.' (Scott 1966: 295). As the organisation has developed 'an institutional life of its own' this partnership with the IUCN has weakened (Christofferson 1997: 65).

WWF-International, with its Secretariat in Gland, Switzerland, coordinates a large number of national organisations across the globe and it has been extraordinarily successful at its fundraising task. In 1995 the WWF-Network had total operating income of some \$270 million, well in excess of other environmental groups such as Greenpeace (\$140m) and even the UNEP (\$150m). This is a leading position it maintains today with 2003 income standing at \$381.7m. This financial strength has caused one scholar to note 'It would indeed be difficult to discuss the state of global biodiversity, species protection, or conservation policies without at some point examining the activities and future prospects of the WWF.' (Park 1997: 71). National contributions to the Network total vary, with, for example, WWF-UK's total income for the 2002/3 financial year being \$60.4m (£34.3m) of which 73.6% (£25.25m) was spent upon conservation programmes (WWF 2003:10). Between 1998 and 2003 WWF-UK's income grew (rather unevenly) by over £11m, at an average rate of 8.46%⁴⁴.

BirdLife International (formerly the International Council for Bird Preservation) is a global coalition, or 'partnership', of national organisations across more than 70 states, coordinated by a secretariat in Cambridge, UK. Its strengths are a very firm scientific basis, responsiveness to local needs and conditions, and a membership base of over 10 million people. The organisation is involved in a diverse array of conservation programmes and policies focused upon bird species, but commonly more broadly encompassing biological

⁴⁴ See Annual Reviews in *WWF News*, Winter issues 1999/00-2003/04.

diversity. Birds provide a very effective focus for the organisation's programme (Aminu-Kano 2005: *pers comm*), including its approach to protected areas centred on 'Important Bird Areas', of which around 10,000 have so far been identified.

Similarly to the IUCN and Conservation International (discussed below), BirdLife International focuses upon coordination and networking between its partners, and between its 'experts' and local communities. Open access to its extensive information on birds, Important Bird Areas and biological diversity is another key feature of its work, as is its role as the Listing Authority for birds on the IUCN's Red List of endangered species.

In terms of age, Conservation International (CI) is the baby of wildlife non-governmental organisations as it was formed less than 20 years ago on January 28th 1987. The organisation is certainly no baby in financial terms, spending a total of \$91.9 million on conservation in 2004, and is fast overtaking the WWF in fund-raising ability, in the United States particularly.

CI's strategies are highly focused upon biological diversity, and in particular upon 'biodiversity hotspots, high-biodiversity wilderness areas and key marine regions'⁴⁵. These areas are identified through scientific analysis, and indeed scientific and technical networking is a key element of CI's work, much like the IUCN and BirdLife. Other strategies include active promotion of biodiversity and conservation issues within government and business, with a focus upon facilitation and leadership. The organisation believes that US leadership, in particular, is crucial to successful biodiversity conservation, and its Centre for Conservation and Government leads specific efforts to promote this.

Having said this, CI's primary strategy, and strength, is its fundraising and financial support for conservation. This has three main elements; (i) the Critical Ecosystem Partnership Fund, (ii) the Global Conservation Fund, and (iii) Verde Ventures. Each of these is a partnership between CI and other public and private concerns and wield significant financial resources. In 2004 the Critical Ecosystem Partnership Fund distributed \$11.9 million to other NGOs and communities to support conservation projects. The Global Conservation Fund, which totalled \$2.4 million , is concerned with purchasing areas of land in biodiversity hotspots to establish protected areas. Rob Hepworth (2005: *pers comm*) summarised this 'straightforward and extremely effective' strategy as establishing how much industry was prepared to pay for a certain area of land, and offering that plus \$1. Verde Ventures seeks to invest in businesses that are 'strategically important to conservation in biodiversity hotspots.' (Conservation

⁴⁵ See 'Conservation Strategies' at <u>www.conservation.org/xp/CIWEB/strategies</u> (accessed 24/07/05).

International 2004: 19). CI are also a very efficient operation with just 4% of their income being spent on further fund-raising.

1.2 Animal-welfare Organisations

Chapters 4 & 5 described the participation, on some occasions, of animal-welfare organisations within the policy-processes of the six case-study agreements. They have been particularly active within the whaling and CITES regimes. A majority of those interviewed for this research identified the 'conservation' oriented organisations described above as the most influential NGOs in the policy-arena. However, the animal-welfare group, focusing upon the intrinsic value of wildlife (almost exclusively adopting the 'moral orthodoxy' of animal-welfare) have also had a significant impact, not always considered positive, upon specific issues. This group has had a significant impact upon conservation policy, but primarily concerning a few mammal species, particularly whales (within the IWC) and elephants (CITES). The international element of the animal-welfare lobby centres upon four organisations:

- the Royal Society for the Prevention of Cruelty to Animals (RSPCA)
- the World Society for the Protection of Animals (WSPA)
- the Humane Society of the US
- the International Fund for Animal-Welfare (IFAW)

These organisations are well-funded, although not to the same level as the 'mainstream conservation lobby'. This is illustrated by Table.8 (below) which notes IFAW's expenditure of \$62.78m in 2003.

1.3 User groups / hunting organisations

Although perhaps contemporarily a controversial group of actors, hunting organisations, focused primarily upon the recreational, but also aesthetic values of wildlife have played a long-standing role in the development of wildlife conservation. These groups have, historically, been at the forefront of engagement with wildlife and have, as such, often been amongst the first to note declining species populations (obviously contributing to this decline in many instances).

As noted in Chapter 4, Section 3.2, the call for an international convention for the protection of wetlands and waterfowl, came from the Association de Chasseurs de Gibier d'Eau (the French National Association of Waterfowl Hunters), following the realisation that drainage of wetlands was having a negative effect upon hunted birds species. A consistent presence at Ramsar Conferences of the Parties has been maintained since by similar organisations such as the Conseil International de la Chasse de la Conservation du Gibier (CIC, International Council for Hunting and Game Conservation) and Federation des Associations de Chasseurs de la CEE (FACE, the Federation of Hunting Associations of the CEE). The conservation community has thus featured many ex-hunters including, the icon of North American conservation Aldo Leopold, long-standing and prominent IUCN and WWF member Peter Scott, Chairman of the US Commission for Environmental Quality and WWF-US President Russell Train, and, as Jeff McNeely noted, 'long-time President of WWF' Prince Philip, to name but a few.

Several more significant non-governmental organisations active in today's conservation arena originated within the hunting fraternity, the most prominent perhaps being Fauna and Flora International (originally the Society for the Preservation of Wild Fauna of the Empire) (see Adams 2004) and the Wildlife Conservation Society which 'has a long historical link with hunting organisations' (McNeely 2005: *pers comm*). These individuals and organisations have played a significant role in the identification of conservation issues and the implementation of controls. Some hunting organisations, such as the British Association for Shooting and Conservation. In a similar manner, James Marsden noted that fishing organisations such as the Rivers Trust do a great deal of good riverine conservation work in the UK (Marsden 2004: *pers comm.*).

2. THE ROLE, IMPACT AND METHODS OF NON-GOVERNMENTAL ORGANISATIONS

This research has identified five primary areas in which non-governmental organisations can have an impact upon the international wildlife conservation policy-process. These are:

- Issue identification (and redefinition) and agenda-setting
- Provision of technical, financial and administrative resources
- Creation of political 'space', facilitation and coordination

- Creation of political 'will'
- Monitoring of compliance, critique and lobbying

Whilst I do not utilise their exact terminology, it can be seen that these areas are largely coterminous with, if slightly broader than, the five ways in which NGOs influence environmental regime formulation described by Gareth Porter and Janet Welsh-Brown. These are (i) definition and redefinition of issues, (ii) domestic political lobbying, (iii) drafting convention texts, (iv) international negotiation lobbying, and (v) monitoring compliance (Porter & Brown 1996: 54). Whilst the ability to set the agenda, including identification and reinterpretation of issues, is perhaps the most powerful tool at the disposal of NGOs, I would argue that their financial resources, not explicitly mentioned by Porter & Welsh-Brown, are also of great significance. These authors also include lobbying during international negotiations as a distinct influence. However, the ability of NGOs to do this, by which time state-actors commonly have pre-established interests, is very limited. This is actually recognised by Porter & Welsh-Brown when they note that in the context of UNCED;

'On issues where negotiating instructions permitted some flexibility, NGO impact was often significant, but NGOs had little or no influence on highly sensitive issues, such as financial resources and trade, on which negotiating instructions often came straight from the office of the president or prime minister.' (Porter & Brown 1996: 58)

Indeed, Chapter 5 noted the virtual absence of NGOs from the early stages of negotiations for CITES, CMS and the CBD.

2.1 Issue identification and agenda-setting

Chapters 4 and 5 described how the issues addressed by five of the six cases studied here can clearly be said to have been identified, at least in part, in non-governmental circles. The identification of the issue of Antarctic wildlife conservation is discussed in the next chapter, on scientific actors. Declining waterbird populations caused hunters and some ornithologists to set the agenda for the Ramsar convention. This agreement also saw the first significant contribution to policy making made by the IUCN. The organisation began at this time to 'find its feet' as a facilitator of cooperation and consensus, at the same time as being an advocate of wildlife conservation. As a co-sponsor of the Project MAR conference, and others subsequent, IUCN played a vital role in the convention's development. This organisation has subsequently gone on to play a more important issue-identification role than any other actor.

Since the 1970s there has been a significant increase in NGO participation in international wildlife conservation policy, and hence those cases described in Chapter 5 have experienced significant NGO activities. There has, however, been limited engagement by NGOs during the negotiation stage of agreements particularly, although the IUCN has gone against this trend. Its role in the genesis of the CITES, CMS and CBD has been documented by Chapter 5, it having been central to the identification of each issue and to their entry onto the international agenda.

Of the six case-study agreements, only the 1946 whaling convention can be said to have originated independently of any non-governmental organisation pressure. Whilst NGOs may not have set the original agenda for the whaling convention, they have certainly redefined the issues within the contemporary IWC. As discussed in Chapter 4, animal-welfare organisations, in collaboration with more ecologically minded groups, have transformed the policy-arena from a "whaler's club" into a strong whale protection regime.

2.2 Technical, financial and administrative support and resources

This research has identified that NGOs have long provided much needed technical advice, administrative support structures and financial resources for the development and implementation of international wildlife conservation policy. On the technical side, many NGOs have significant scientific research programmes which contribute greatly to the understanding of complex wildlife issues. Those actors that characterise themselves as exclusively scientific are considered in the next chapter, but the sizable scientific programmes of several NGOs provide them with the information with which to lobby state-actors and monitor the implementation of conservation programmes. In many circumstances, NGO scientific programmes are used to inform state-actors directly, and this is an area of significant collaboration between the two categories of actor.

The IUCN is clearly the largest facilitator and producer of NGO scientific research, with more than 7,000 scientists collaborating under the umbrella of the Species Survival Commission alone. Its unique structure allows it to claim a sort of loose ownership over a broad range of work. Other large, but more directly controlled, NGO scientific programmes are conducted by the WWF Network, BirdLife International, Wetlands International, and the Centre for Applied Biodiversity Studies (an element of Conservation International). In the same way as the scientific actors described in the next chapter, a significant strength of these scientific programmes is their consensus-building nature. This allows NGOs to coalesce support

around certain issues of interest to them. In addition to providing information to state-actors and those actors involved in their own conservation programmes, NGOs are often consulted for technical information by the media. Thus, they also have an important public information role to play.

NGOs also provide non-scientific technical advice, commonly in the form of legal analysis and assistance. The IUCN's Commission on Environmental Law, for example played a significant role in the drafting of the Ramsar, CITES and CMS conventions. The International Waterfowl Research Bureau (IWRB) was also instrumental in the drafting of the Ramsar Convention, as described in Chapter 4. The IUCN also provided a draft convention around which to initiate negotiation of the CBD. This draft convention was angrily dismissed by delegates during the early negotiations. Fiona McConnell notes that;

"When one of the Nordics suggested that it be tabled as a basis for negotiation in the absence of a secretariat text 20 or 30 country "flags" (name plates were waved vigorously at the chairman. "This is not a negotiating session." "We represent governments – we cannot work on a document from an NGO, however eminent." "We have not studied it." "We have studied it, but it has no status." "It has not been translated into all UN languages".' (McConnell 1996: 26)

These delegates were clearly unaware of the role that the IUCN had played in drafting previous international wildlife agreements. Some delegates did draw occasionally from the IUCN text but did so without acknowledgement. During these negotiations, the WWF actually drafted Article 11 on Incentive Measures, which was incorporated without amendment into the text (Lyster 2005: *pers comm*).

Financially, the NGO sector has been a significant player since the establishment of the World Wildlife Fund (WWF, now Worldwide Fund for Nature) in 1961. Fundraising strategies have been diverse, from campaigns focusing upon endangered 'charismatic-megafauna' such as elephants, whales, tigers and pandas, particularly targeting the individual donor, to corporate level campaigns aimed at obtaining more substantial single donations and at establishing long-term funding partnerships on specific projects. In recent years Conservation International has become particularly adept at obtaining corporate funding.

With these resources NGOs have become very significant actors in the field of wildlife conservation policy, although engagement with the specific programmes set out by the six international agreements studied in this thesis is not an explicit priority. Certainly these organisations engage with these agenda, however they also have very clear agenda of their own focused very clearly on the implementation of conservation projects in specially targeted areas. The WWF Network, for example, has a number of well defined states and regions in which it prioritises its activities. Thus, its resources are expended upon community conservation, tourism and sustainable use programmes, monitoring wildlife conservation status and trade, promoting sustainable fishery and forestry projects, livestock vaccinations, scientific research, and education programmes in parts of South Asia (India, Bhutan, Nepal, Pakistan & Thailand), South America (Brazil, Colombia & Mexico) and Africa (Tanzania, Namibia, the DR Congo). WWF are often amongst the first NGO actors to engage with stateactors new to the policy-arena, for example, it has recently begun working in Laos to help the local communities conserve and sustainably manage its 120,000 sq km of forest (Denton 2003: 10-1).

The degree of financial support offered varies enormously over time and between organisations. Whereas contemporary organisations such as WWF and Conservation International are able to provide substantial financial resources (see Table 8), records show the provision of very much smaller funds has in some cases had a significant impact. For example, the Proceedings of the 7th IUCN General Assembly, in 1960, records mutual financing of the Survival Service Commission by IUCN and the Fauna Preservation Society of London (now FFI) to the tune of £250 (IUCN 1960: 99).

Organisation	Income (in \$ millions)	Expenditure (in \$ millions)
'Mainstream Conservation Lobby'		
WWF-Network	381.69	275.00
IUCN	80.76	76.78
BirdLife International	n/a	n/a
Conservation International	n/a	91.90
Wildlife Conservation Society	129.13	103.74
Royal Society for the Protection of Birds (UK)	131.61	84.34
Wildlife Trusts (UK)	94.73	86.44
Greenpeace	198.90	135.14
Animal Welfare Lobby		
International Fund for Animal-Welfare	64.57	62.78
Humane Society of the United States	73.87	74.86
Royal Society for the Prevention of Cruelty to	150.75	120.39
Animals (RSPCA)		
World Society for the Protection of Animals	n/a	n/a

 Table 8. Comparison of Major Non-governmental Organisation Income and Expenditure, 2003 (except IUCN & CI, 2004)⁴⁶

⁴⁶ These figures are assembled from the audited financial statements included within the 2003 Annual Reports or Annual Reviews published by the individual organisations.

Table 8 illustrates, not only that the international WWF Network is far and away the most powerful organisation financially, but also that national NGOs also have access to considerable resources. These figures may be compared to those presented in Chapter 6 relating to state-actors, such as the \$6.86m contribution to UNEP's 'Environment Fund' from the UK. This figure represents just 8.1% of the RSPB's 2003 expenditure, and just 2.5% of the WWF-Network's. Certainly the \$6.86m does not represent the sum total of the UK's annual expenditure on wildlife conservation, yet it does illustrate that the funds available to NGOs is not insignificant.

It is important to note, however, that although this financial strength gives some NGOs substantial power in the wider conservation arena, the existence of their own priorities and programmes serves sometimes to limit their engagement with elements of international wildlife policy. This is often a conscious choice, in that the limitations inherent in international policy-making (described in Chapter 6) are recognised by NGOs and the choice made to operate outside of those limitations. Thus, in making that choice, NGOs recognise their limited power in the policy-processes investigated by this thesis, and chose to operate in an arena in which they can be more powerful and thus effective.

In terms of administration, NGOs have assisted international treaty Secretariats on a number of occasions and still do. For example, when first established, the IUCN in fact acted as the convention's Secretariat for several years. Linkages between NGOs and existing Secretariats are strong in the contemporary wildlife policy-arena. There are also close links between NGOs, Secretariats and intergovernmental organisations, particularly the UNEP. For example, the World Conservation Monitoring Centre, one time element of the IUCN, is now closely affiliated to the United Nations Environment Programme (UNEP)⁴⁷.

2.3 Creating Political 'space', facilitation and coordination

For Thomas Princen *et al.* (1995) the role of NGOs focuses on the creation of 'linkages' between issues and actors along two continua; the biophysical/political and the local/global. This first continuum relates to the necessity of politicising 'biophysical' phenomena – that is, making environmental issues politically relevant. The second continuum focuses upon the need for concerted and coordinated action between global and local actors which they themselves are not in a position to facilitate. Princen *et al.* claim that these two needs create a unique political niche in which NGOs are able to operate. I refer to the 'creation of political

⁴⁷ See <u>www.unep-wcmc.org</u>

'space', facilitation and coordination' to characterise this 'linkages' role of NGOs, although my conceptualisation is perhaps broader than Princen *et al*. The major role played by nongovernmental organisations in the politicisation of wildlife problems, including overexploitation, trade, wetland drainage, and habitat loss, is demonstrated throughout this research.

An excellent example of an NGO creating political 'space', in specific reference to the Ramsar convention, is the activity of the International Wildfowl Research Bureau (IWRB, now Wetlands International) which co-coordinated much of the drafting of the convention's text. Within the broader cold-war political environment of the time, and in particular following the Soviet invasion of Czechoslovakia in 1968, this organisation was able to provide the crucial 'political space' in which compromise convention texts could be drafted, discussed and agreed. Professor G.V.T Matthews, responsible with colleagues for much of the latter drafting process, recounted how, following the invasion of Czechoslovakia, the intergovernmental process aimed at agreeing a convention 'fell apart'. Despite this intergovernmental failure, Soviet negotiators (primarily Professor Yu Isakov) sent their draft convention to the IWRB where Professor Matthews was able to compare it with a text provided by the Dutch Government. In his position, 'not bound by' governmental interference, Professor Matthews was able to put together a 'compromise text' which went on to be considered at the plenipotentiary conference in Ramsar, in 1971 (Matthews 2004: pers comm). Colin Galbraith (2005: pers comm) referred to this as the ability of NGOs to 'talk in ways government people can't'.

Grenville Lucas provided another example with a similar political background when he noted the official reluctance of the Soviet government to send delegates to Washington for the plenipotentiary conference for CITES. In this instance Soviet involvement, seen as crucial to the success of the agreement, was facilitated by the inclusion of several unofficial Soviet representatives within the IUCN delegation (Lucas 2004: *pers comm*). Again illustrating the potential for non-governmental organisations, being free from governmental obstacles, to facilitate full discussion and consensus.

As well as providing this 'political space' or freedom away from governmental actors and formalities, NGOs have also proved adept at engaging directly with the same governmental actors, often forging very close linkages. Michael Ford and Mike Moser both identified these linkages as a key element in the success of NGOs in influencing policy-making. A reflection of these links is the fact that during the negotiation of both CITES and the Convention on Biological Diversity many national delegations actually included representatives from NGOs.

Indeed, individuals would often act in a dual capacity representing both organisation and government. For example, Gren Lucas noted how his duties at the Washington CITES plenipotentiary conference were divided between acting as a governmental negotiator on the flora (plants) committee and as a Royal Botanic Gardens botany expert who, in consort with colleagues at the Smithsonian Institute, was responsible for verifying many technical elements of the floral entries into the convention's appendices. The UK delegation to the CBD negotiations included several NGO members such as Simon Lyster (WWF), Ian Gauld (Natural History Museum), Noel McGough (RBG, Kew) and Michael Ford (JNCC) to name just a few. Colin Galbraith (2005: *pers comm*) further expanded this linkage role by noting the similarly close links maintained by some NGOs with the Secretariat bodies of the various conservation agreements.

2.4 Creating a 'political veneer'

NGOs have become very aware of the limitations of other actors within the conservation policy-process, particularly state-actors. Importantly, they have become adept at describing their own concerns in terms with which these limited actors can engage, for example, the description of ecological services in financial terms. NGOs have also developed the ability to harness the political value of wildlife effectively.

Michael Ford noted that whilst perhaps it was scientists who played the major role in issue identification, a 'political veneer' is always required to make the desired conservation action attractive to policy-makers and state actors generally. He commented that NGOs fulfil this role particularly well, referring to them as 'politically astute' (Ford 2005: *pers comm*). Indeed, in the international arena NGOs have proved very effective at presenting information to state actors in such a way as to engage with conceptualisations of the 'national interest', or alternatively making convincing public interest arguments. Often a strong combination of these is presented. Further to these comments, Paul Rose (2004: *pers comm*) noted that 'the science community and NGOs have to take a huge amount of credit for getting governments interested'.

Notions of 'national interest' were clearly engaged with in order to garner state support for the Ramsar convention and, to a certain extent the CBD. The position of the UK in particular with regard to the CBD was very heavily influenced by political considerations (see Chapter 5, Section 3.2)

2.5 Monitoring Compliance

Another significant area in which non-governmental organisations provide very effective input to the policy-process is in a monitoring capacity. Organisations can bring their technical knowledge to bear on individual cases and offer criticism when state actors are found not to be complying with established rules and legislation. Possibly the most effective organisation in this regard is TRAFFIC International which monitors the wildlife trade subject of the CITES convention. Jon Hutton (2005: *pers comm*) noted that the data created by TRAFFIC was central to the successful implementation of the convention. The scientific programmes of NGOs, mentioned in section 1.1.2, are also of huge significance in the monitoring of programme effectiveness.

2.6 Factors affecting NGO effectiveness

A number of factors affect the ability of an NGO to carry-out those 'influential' activities outlined above. Access to significant finance and high-quality technical expertise are, perhaps, the most obvious. Several interviewees noted that NGOs tended to have well-qualified and highly motivated staff, which allows them to make significant progress with limited resources. One particularly notable strategy adopted by several larger NGOs is the employment of former governmental officials. Russell Train, once President of WWF-US, was previously a US Tax court judge and then senior Presidential advisor to the Republican administrations of Richard Nixon and Gerald Ford. Max Nicholson, probably the most important figure in contemporary UK conservation and founder of the WWF, had much previous experience of governmental service with the Shipping Ministry and as a high level official during the war years. He went on to head the Nature conservancy and, according to G.V.T Matthews (2004: *pers comm*), his knowledge played an instrumental role in facilitating governmental involvement in conservation broadly, but in particular the movement to conserve wetlands and wetland wildlife.

A number of interviewees claimed that the relative influence of each NGO is based upon its reputation. Within the international wildlife conservation arena reputation seems to be built upon three factors; longevity, technical capacity and financial resources. Those organisations able to claim all three of these elements, such as the IUCN, the Wildlife Conservation Society (WCS, formerly the New York Zoological Society), and, in the UK, the Royal Society for the Protection of Birds (RSPB) have very strong reputations. Jeff McNeely claimed that the IUCN's Species Survival Commission had been 'by far the most important influence', and that the WCS was also 'very influential' (McNeely 2005: *pers comm*). The reputations of

other organisations rest on narrower parameters. The WWF and Conservation International are respected on account of their huge financial resources (although both now also have strong scientific element), whilst smaller organisations, such as Wetlands International and Birdlife International, focus upon the production of high quality research thus gaining a reputation for expertise in a certain area. Longevity can add enormously to an organisation's reputation, an excellent example of which is Fauna and Flora International which David MacDonald felt had 'punched miles above its weight' in terms of influencing global conservation programmes (MacDonald 2005: *pers comm*).

Finally, the institutionalisation of linkages between NGOs, state-actors and international bodies and conventions adds greatly to the NGOs effectiveness (not only because of the consequent increased reputation and financial resources). Thus the four 'partner organisations within Ramsar (IUCN, WWF, BirdLife International and Wetlands International) can clearly be seen to be the most effective actors within that arena. Those NGOs that have formally acceded to MoUs under the CMS (e.g. CIC, BirdLife International, WWF) can be considered very effective within those restricted areas.

2.7 Summary

Non-governmental organisations have a multifaceted influence upon the development of international wildlife conservation policy. It is true to say that NGOs have almost no formal negotiating power, in the context of voting rights, a fact that is recognised by the NGO community itself (Aminu-Kano 2005: *pers comm*). However, their capabilities as lobbyists, experts and facilitators, all free from any governmental straightjacket, and their access to substantial financial resources make them very influential actors. Indeed some of those I interviewed for this research suggested that they are the most influential actors in the wildlife conservation arena. In order to illustrate this, in a national rather than international context, Mike Moser (2005: *pers comm*) noted that NGOs have been largely absent from the state of Iran for the past 40 years, during which time no progress had been made in the wildlife conservation arena.

The influence of NGOs within the international policy arena can, however, be overstated. For example, Thomas Princen *et al.* (1995) characterise 'traditional' politics as exclusively state-centric with industrial / economic growth and security as the only legitimate concern, a classically 'realist' state of international affairs. The 'global ecological crisis' causes this 'traditional' politics to give way to a 'new' politics in which non-governmental actors play a central role creating 'translational linkages' between issues and actors. These 'linkages' are
necessary since 'traditional' state actors are no longer able to 'strike compromise settlements abroad', nor apply traditional science, in relation to such complex transboundary environmental issues. Whilst I do not wish to dismiss the importance of the networking role that NGOs play, I believe Princen *et al. significantly overstate its effect*. My research documents an international system where NGOs certainly have a niche, of which establishing linkages is a key element, however this niche is not as important or influential as Princen *et al.* describe.

The above example concerning Iran might simply reflect the lack of a wildlife conservation agenda within this state, for which, as we have seen, states are virtually reliant upon NGOs. The wider evidence of ever-decreasing wildlife populations and biodiversity loss reveal NGO's fundamental lack of real power, in that they do not seem able to force states to expend sufficient resources with which to effectively conserve wildlife. As Lee-Anne Broadhead cautions 'For all the talk of the increase in NGO participation, it is important that we not confuse attendance with influence' (2002: 53).

3. NON-GOVERNMENTAL ORGANISATIONS AND WILDLIFE VALUES

The participation of NGOs in the case-study agreements has had the effect of broadening the spectrum of wildlife values expressed in the policy-making processes. Very few, if any, NGOs refer exclusively to the commercial value of wildlife, and are not bound by economic arguments in the same way that state-actors seem to be. NGOs introduce ecological, animal-welfare, cultural, subsistence, recreational and aesthetic values into the process.

3.1 The 'mainstream conservation lobby' and the Ecological Value of Nature

IUCN's statutes, which regulate the organisation, acknowledge a number of values of wildlife and nature broadly. Paragraph 2 identifies the 'objectives' of the organisation as 'to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable', underlining the ecological value of wildlife as the primary motivation for the organisation. In addition to this, nature holds aesthetic, recreational, economic, social, educational and cultural value. For example, the Statutes' Preamble states 'natural beauty is one of the sources of inspiration of spiritual life and a necessary framework for the needs of recreation'. Despite this broad recognition of values the organisation has traditionally concentrated on the ecological aspects of nature, a fact that is illustrated by the predominance of natural scientists on its Commissions. There are very few economists or social scientists engaged by IUCN (Christoffersen 1997: 63), which means that the numerous non-ecological values identified in the Statutes remain relatively unexplored. The organisation is trying to rectify this and has established the CEESP, the Commission on Environmental Economic and Social Policy.

Similarly, WWF's 'purpose' is 'to conserve the natural environment and ecological processes worldwide', thus focusing on wildlife's ecological value. In particular the organisation emphasises 'the maintenance of essential ecological processes and life support systems, and on the preservation of genetic, species and ecosystem diversity'⁴⁸. Whilst the organisation itself has this focus, it acknowledges that others, particularly local communities, may value wildlife for other or additional reasons, and that understanding and recognising this is crucial for its success. Thus 'Global Priorities to the Year 2000' states that 'WWF believes that conservation efforts which do not recognize human aspirations and needs are unrealistic and cannot hope to succeed.' (WWF quoted in Park 1997: 73).

As noted in the Introduction to this thesis, WWF has long experienced tension between its holistic ecological principles and the 'animal-rights' discourse. Much of this tension is due to the organisation's own fund-raising strategies which concentrate on individual, anthropomorphised 'charismatic megafauna'. Few donors motivated to help defend 'Dumbo' the African elephant from criminal poachers wish to be informed that 'Dumbo' has been 'sustainably-used' by the local community! However, these fund-raising tactics have proved extremely effective and, as Park notes;

'As WWF abandon its simple but powerful protect-the-animal message in favour of an intricate environmental policy network of climate change protection, green accounting, and eco-forestry projects, there is a danger that this labyrinth of issues is going to confuse and turn off rather than appeal to individual members.'(Park 1997: 76)

These tensions have seen conflict between WWF and other NGOs more explicitly welfare oriented, such as the International Fund for Animal Welfare (IFAW).

BirdLife International works hard to identify linkages between human societies and birds, and to organise public engagement with and education about them. Clearly identifying why birds are of value to people is, thus, a priority for the organisation. In *A Strategy for Birds and*

⁴⁸ See <u>www.wwf.org.uk</u> 'WWF's Purpose' (accessed 10/08/05).

People BirdLife (2004b 16-7) identify seven key values, although not expanded upon and described at all. These are:

- Ecological services
- Enjoyment and inspiration
- Environmental indicators
- Measuring sustainability
- Science
- Economic resources
- Human fulfilment

The ecological value of bird species forms the core of BirdLife's message, particularly noting their value as indicators of ecosystemic health and change, 'In general, places that are rich in bird species are also rich for other forms of biodiversity. Birds can be used as good indicators of these important areas.'. The organisation also notes that 'societies value birds for economic, cultural, ethical and spiritual reasons', although their discussion of these is brief, giving examples of subsistence and commercial uses, along with reference to the aesthetic value of birds to artists and birdwatchers. The bird watching industry is noted as being a 'growing economic force' (BirdLife International 2004c).

As mentioned above, CI focuses upon biodiversity, thus prioritising the ecological value of wildlife. However, biodiversity is not just the Earth's life-support system and the organisation's 'Mission Statement' notes that;

'Conservation International believes that the Earth's natural heritage must be maintained if future generations are to thrive spiritually, culturally, and economically. Our mission is to conserve the Earth's living heritage-our global biodiversity-and to demonstrate that human societies are able to live harmoniously with nature.' (Conservation International 2004: ii)

Thus, as the IUCN, CI acknowledges other wildlife values including moral, sacred, cultural, commercial and subsistence values.

The four non-governmental organisations described above (IUCN, WWF, BirdLife, CI) are linked by the fact that the ecological value of wildlife lies at the core of their motivations for engagement in wildlife conservation. Each of them clearly recognises that wildlife is of value in other forms, yet focuses upon the requirement for continued ecosystemic integrity in order to harness/enjoy these other values. This focus is almost always qualified via reference to an explicit anthropocentrism. For example, Conservation International's 'Mission Statement' (above) rests the obligation to conserve biodiversity upon duties to 'future generations'. The Preamble to the IUCN's Statutes opens with a recognition that;

'conservation of nature and natural resources involves the preservation and management of the living world, *the natural environment of humanity*, and the earth's renewable natural resources on which rests *the foundation of human civilisation*;' (IUCN 2005: Preamble)

Such anthropocentric tendencies are not restricted to these four major international organisations, as the following list of extracts from 'conservation' NGO 'Mission Statements' illustrates.

'The purposes of the Sierra Club are to *explore, enjoy*, and protect the wild places of the earth.' (Sierra Club)⁴⁹

'Environmental Defense is dedicated to protecting the *environmental rights of all people*, including future generations. Among these rights are clean air, clean water, healthy food and flourishing ecosystems.' (Environmental Defense Fund)⁵⁰

'Our vision is "an environment richer for everyone" (The Wildlife Trusts)⁵¹

The National Audubon Society's statement alludes to both an anthropo- and eco-centric moral perspective.

'Audubon's mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats *for the benefit of humanity* and *the earth's biological diversity*.' (National Audubon Society)⁵²

Indeed, this and the unqualified statement from the Nature Conservancy that 'The mission of The Nature Conservancy is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.'⁵³, represent the only instances of any prominent actors publishing a statement in this arena which *could* be construed as ecocentric. It can be concluded, therefore, that an ecocentric moral perspective is not prevalent in the contemporary wildlife conservation arena.

⁴⁹ <u>www.sierraclub.org/policy/</u>. Emphasis added.

⁵⁰ www.environmentaldefense.org/aboutus.cfm. Emphasis added.

⁵¹ www.wildlifetrusts.org/index.php?section=about

⁵² www.audubon.org/nas/index.html. Emphasis added.

⁵³ <u>http://nature.org/aboutus/</u>

This is contrary to the widespread perception of 'preservationist' wildlife conservation, which has historically been criticised for, allegedly, placing the interests of wildlife ahead of human interests. When considered in depth, however, it is clearly evident that even the worst excesses of colonial 'preservationist' policies were a long way from ecocentrism. They can, in fact, be more simply understood as the dominance of one group of humans' interests over another. The conservation of wildlife may well have taken priority over the needs of some humans, yet this can hardly be considered ecocentrism.

The degree to which NGOs in the 'mainstream conservation lobby' are, and have been perceived to be, human- or animal-centred, has been a significant issue for them. It is clear that such considerations were at the heart of the IUCN's decision to substitute 'conservation' for 'protection' in their 1956 name-change from the International Union for the Protection of Nature and Natural Resources (IUPN). Leif Christoffersen records that 'The term "nature protection" appeared more concerned with wild animals and plants than with people. ... "Nature conservation" was seen as a terms more responsive to human concerns ...' (1997: 61). This author also notes, however, that Lee Talbot (former IUCN Director-General) claimed the name change '... was necessary for the outside world to have a better understanding of IUCN, but that it did not signify any substantive difference of opinion with those who took the initiative to establish it.'(*ibid*.). Whilst this may have been the case at the time, contemporary critics have claimed that IUCN and WWF have shifted too far towards a human-centred approach – so much so as to make wildlife conservation impossible within their contemporary framework. John Robinson (Senior Vice-President and Director of International Conservation Programmes, Wildlife Conservation Society), for example, has drawn attention to the substantial shift evident between the 1980 World Conservation Strategy and 1991 Caring for the Earth, both co-published by IUCN, WWF and UNEP. Robinson claims that the goals of 'development' and 'conservation', which are mutually dependent yet separate within the World Conservation Strategy, are conflated as one process within *Caring* for the Earth, which focuses 'almost exclusively on human beings' (Robinson 1993: 26). Because sustainable-use will always lead to the loss of biological diversity, Robinson states that 'Caring for the Earth does not recognize that while improving the quality of human life, we will inevitably decrease the diversity of life.' (Robinson 1993: 21).

The ecological value of wildlife has been widely recognised throughout international wildlife conservation policy for some time. Indeed, superficial readings of most agreements adopted since the early 1970s, both regional and global, would conclude that the ecological value of wildlife was in fact the primary motivation for its conservation. Considering their central

involvement in agenda-setting, issue identification, lobbying, monitoring and implementation, as described in Chapters 4 & 5, the 'mainstream conservation lobby' can, without too many objections, thus claim that the majority of the (limited) progress that has been made within this policy-arena during the last three or four decades is attributable to their influence. That more far-reaching success has not been forthcoming is, however ,evidence of their overall lack of real power.

3.2 The animal-welfare lobby and the intrinsic value of wildlife

The animal-welfare lobby have successfully projected of dimension of the intrinsic value of wildlife onto the international wildlife agenda. Deliberately causing the unnecessary suffering of obviously sentient wild animals is generally considered unacceptable in the contemporary conservation policy-arena. Whether this has contributed positively to wildlife conservation is, however, questionable. It is not, for example, possible to conclude that animal-welfare, or other NGOs, exerted any 'power' upon state-actors to influence the decrease in the killing of whales. This is most easily explained by the fundamental decline in 'supply' of whales to the industry consequently making their exploitation overly costly. However, since animal-welfare has become a well-established position in the whaling policyprocess, its effects can be seen in the difficulties faced by whaling nations to continue and, perhaps importantly, in the fact that very few, if any, new states have become interested in the actual exploitation of cetaceans (although many have politically supported a pro-whaling argument within the IWC). Animal-welfare NGOs have been more obviously successful in influencing the type of killing-method employed by whalers, although this also must be qualified by the 'efficiency' drive of whalers. The examination of 'humane killing-methods' has been a central element of the IWC's deliberations for many years, and animal-welfare NGOs have been fundamental to this. In contrast, ecological concerns have not been fully developed within the IWC, and it is suggested that the ecological role of whales was, in fact, significantly diminished well before even the 1946 convention.

The animal-welfare lobby have also been particularly active within certain agenda of CITES, most notably in relation to the trade in ivory. They can be seen to have had some success, such as the imposition of the ivory trade ban which can, to a great extent, be understood as a result of significant public pressure on politicians largely generated by animal-welfare nongovernmental organisations. However, the unnecessary suffering of even one sentient animal is contrary to the wishes of these organisations and thus, considering the enormous scale of the contemporary wildlife trade mentioned above which necessarily inflicts significant suffering, the power of these organisations to affect international politics and activities is obviously very limited. Certainly the views of some well-known international figures seem farcical. For example, Eugene Lapointe, a former Director of CITES, recently stated;

'CITES is being hijacked by animal protectors. It is dominated by them, ... Countries are being forced to take positions which are contrary to their own national interests. The dogma of protectionism is so powerful. These [protection] groups have billions of dollars for propaganda. CITES is now being used as a tool which is very unfortunate. It is being contaminated by inappropriate lobbying and pressure.'(Lapointe quoted in Vidal 2004: 4)

Whilst some sub-Saharan African states, notably Zimbabwe and Namibia, have long interpreted their own national interest to be the opening of the ivory trade, this is perhaps one of very few examples of states being 'forced to take positions .. contrary to their own national interests', as Lapointe suggests. It is important to remember, however, as Zimbabwean delegate Claudius Nhema himself noted (and as mentioned in Chapter 5), that CITES does not extend only to elephants. The vast majority of wildlife trade continues as trading-states wish it to. The influence of the animal-welfare lobby does extend beyond these issues, but their participation in the policy-process is commonly viewed as 'counterproductive' (Marsden 2004: *pers comm*).

It is one consequence of the academic and media preoccupation with whales and elephants that the influence of animal-welfare organisations upon conservation policy broadly is perhaps perceived to be greater than it in fact is, particularly across the whole conservation sector. Indeed this problem can be worsened by inaccurate media reportage conflating 'conservation' and 'animal-welfare'. For example, the Whalewatch⁵⁴ coalition of nearly 150 self-titled animal-welfare organisations, led by the WSPA, was referred to in the Guardian newspaper as a groups of 'major conservation organisations' (Brown 2004a: 9). Perhaps the only group with an explicit 'conservation' agenda within the steering group is the Whale and Dolphin Conservation Society, despite the individualistic 'adoption' tactics that they utilise to obtain funds and support.

In a similar way to other NGOs, animal-welfare groups have proved very effective at coalition building in their specific issue areas, the largest example being probably the Whalewatch coalition mentioned above. The importance of the cohering moral perspective to this coalition becomes clear upon consideration of the otherwise lack of interest in whale conservation of some member organisations. It is unlikely, for example, that the Costa

⁵⁴ <u>www.whalewatch.org</u>

Blanca Feral Cat Trust, Friends of the Cyprus Donkey or the Association for the Welfare of Dogs (all Whalewatch coalition members) would often find whaling on their meeting agenda.

Whilst animal-welfare groups cannot be credited with contributing to the creation of any international wildlife conservation policy, Section 2.1 above notes their effectiveness at redefining certain issue areas (particularly the whaling agenda) in which they are active. This is achieved primarily through highly-targeted, emotive and well-financed lobbying and publicity campaigns, which gain huge public support (in western Europe and North America particularly) and thus create political pressure. This has been so successful that the moral argument now precludes any consideration of 'sustainable-use' in some wildlife conservation arenas, such as whaling. Michael Ford, for example, noted that it may well be possible to make a good scientific case for the resumption of sustainable whaling activities, however this move was simply not publicly and politically acceptable in some countries and was thus *never* likely to be agreed. In this sense the science carried out to assess such policies was a waste of time and money (Ford 2005: *pers comm*).

Science has an interesting role in the campaigns of animal-welfare organisations. Following extensive criticism of their emotive perspective, several NGOs have carried out scientific research into the levels of pain and stress suffered by animals when hunted and killed. In whaling, for example, this has ranged from observations of kill times – often noting extended periods of suffering caused, questioning the claimed efficiency of whalers – through the identification of physiological indicators of stress caused to the animal during the hunt, to consideration of the impact of death upon other members of the animals social group.

3.3 Hunting and the recreational value of wildlife

Hunting organisations, focusing on the recreational value of wildlife, have had a significant influence upon the development of international conservation policy. Although perhaps more influential within domestic political arenas, their role in the initiation and development of the Ramsar convention, and several subsidiary agreements to CMS, are evidence of wider influence. However, this influence has perhaps waned in recent decades, as fewer people engage in such activities (except maybe in the US) and with the emergence of such strong animal-welfare and animal-rights movements that broadly oppose hunting. The focus of these groups upon the limited number of game species seemingly excludes them from efforts to protect biological diversity. Having said this, many such organisations are themselves landowners and, in some instances, there has existed a desire to manage this land/habitat in such a manner as to promote the conservation of biological diversity.

4. CONCLUSION

The participation of NGOs in international wildlife conservation policy has increased dramatically over the past 35 years. With this there has been an associated increase in their influence and a diversification in the wildlife values expressed by them and hence encountered in the international policy-process. NGOs are particularly aware of the political constraints within which they must operate, and seem increasingly effective at manipulating the agenda and other actors. In addition to a diversification of wildlife values, there has been significant 'consolidation' of certain perspectives. Dr Muthari Aminu-Kano, for example, noted that the number of 'conservationist' and 'animal-welfare' organisations had multiplied greatly but that some interests remain sparsely represented – notably indigenous groups who advocate the subsistence and commercial values of wildlife (Aminu-Kano 2005: *pers comm*).

Chapter 8 – Other Actors in International Conservation Policy

Having focused, in Chapters 6 and 7, on state actors and non-governmental organisations, this chapter considers the role played by other categories of actor within international wildlife conservation policy. It discusses scientific actors, and other 'knowledge-bearers', business and industry, and individuals. These categories often cut across one another and those discussed in Chapters 6 and 7. For example, Russell Train, featured in Section 4 (below), was, at various times, a state and non-governmental actor. The scientific actors discussed can be either state or non-state actors.

Despite this cross-cutting, each category can be seen to have a specific and distinct impact upon the policy-process. Scientists and other 'knowledge-bearers' play a variety of roles but are perhaps most effective as consensus-builders. Individuals have, in some instances, played key leadership and facilitation roles. The impact of business and industrial actors is much harder to discern, due largely to their virtual absence from actual policy negotiations. I suggest several arguments below which consider why these actors are not heavily involved and how else their interests may otherwise impact upon the process.

1. SCIENTIFIC ACTORS

Western science and scientists have played several important roles within the international wildlife conservation policy-process. Certain conservation issues and problems have been identified by them, but their primary role has been the subsequent provision of uncertainty-reducing information with which to identify common 'interests' and promote political consensus. The character and identity of key scientific actors can change over time, particularly where science becomes institutionalised into the decision-making process, often involving the creation of new scientific bodies. Relevant scientific information has often been forthcoming from both non-governmental and governmental scientific actors.

Scientists have played an important agenda-setting role identifying some of the issues fundamental to wildlife conservation. As Chapter 7 has noted, however, they have not been the only actors to do this. Certainly within the Antarctic Treaty, where scientific actors dominate, the identification of wildlife conservation as an issue can be attributed to scientists. In particular the Scientific Committee for Antarctic Research (SCAR), and its individual members, have been instrumental. Scientists have also contributed significantly to the identification of criteria such as 'endangerment' and to the assessment of extinction and biological diversity loss. The IUCN Species Survival Commission has been instrumental in setting the agenda for CITES, whilst the rise of ecological science since the 1960s, and in particular the work of key ecologists such as Edward O. Wilson, identified biological diversity and its loss as a central concern for politicians broadly. It is significant to note that each of these agenda-setting scientific actors were non-state actors. Subsequent to this early issue identification, scientists are called upon to add flesh to its basic bones. This, it is desired, will enable decision-makers to identify their (hopefully common) interests and build consensus. Indeed, consensus building can be considered the central task of scientists in the international wildlife conservation policy arena.

1.1 The Institutionalisation of Science Within International Wildlife Conservation Policy

Science is an institutionalised element of the decision-making process in each of the six casestudies considered by this research. For example, the 'Scientific Committee' is the central element of the International Whaling Commission. Each Contracting Party is entitled to have a representative on the Committee, although not all do. Thus ratios of opinion within the Scientific Committee do not always mirror the Commission itself. Whilst the recommendations of the Scientific Committee are held in high regard and almost always followed by the Commission, tension and disagreement can exist between agreed 'science' and desired policy choice. The most significant example of this being the Commission's 1982 vote to impose the ten-year moratorium, which was against the advice of the Scientific Committee (Grandy 2003: pers comm.; IWC 1982: section 6). The fact that this Committee does not conduct primary research of its own is a significant factor contributing to the IWC's perceived lack of autonomy and initiative. This was illustrated by Jon Hutton's opinion that the Commission is largely a 'mouthpiece' for the Contracting Parties. It does, however, provide an access point into the policy-process for NGOs, and a very large number of scientific papers on whaling have indeed been presented by these organisations.

Of the six case-studies considered by this research, the Antarctic Treaty system is the most profoundly influenced by science and scientists. As discussed in Chapter 4, the very idea of an Antarctic Treaty was first raised by scientists and much of its development has been on their recommendation and initiative. Furthermore, as Chris Banahan (2005: *pers comm*) noted, 'Given that scientists make up the majority of Antarctic station personnel, they also shoulder most of the responsibility for executing conservation policies on the ground.'. Furthermore, entitlement to representation at the Consultative Meetings (and hence a right to vote) is contingent upon a substantial and active interest in Antarctic research, 'such as the establishment of a scientific station or the despatch of a scientific expedition'(Article IX,

para. 2). Scientific duties are carried out by two bodies within the treaty system. The most important of these is SCAR, the officially designated advisory body for the Antarctic Treaty Consultative Meetings (ATCMs), which presents many scientific papers to these meetings which are generally accepted. SCAR's role is also institutionalised within the Convention on the Conservation of Antarctic Seals (CCAS), in which it would perform a coordination and monitoring role, and the Madrid Protocol, which establishes the President of SCAR as a permanent member of its Committee for Environmental Protection. The influence of SCAR on policy is thus significant. The Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) also has a Scientific Committee to coordinate and conduct research including recommending, assessing and monitoring the 'conservation measures' agreed by the parties. The Chair of this Committee also has a permanent membership upon the Madrid Protocol's Committee for Environmental Protection. The autonomy of these bodies, particularly the completely independent SCAR, allows them considerable flexibility with their research agenda which enhances their critical ability.

Scientific duties within the Ramsar Convention have been carried out by two bodies. Initially scientific and technical support was provided for the convention by the International Wildfowl Research Bureau (now Wetlands International) (Matthews, G.V.T 1993: 84-5). This cooperation continues to the present day including Wetland International's maintenance of the 'Ramsar List', the convention's database of 'internationally important' wetlands designated by the Contracting Parties. Since 1993, and due to the huge scientific workload at the time, a seven-member Scientific and Technical Review Panel (STRP) has been established (Ramsar Convention Secretariat 1993), through which the convention's scientific requirements are coordinated. Permanent membership on this Panel was given, initially, to just the IWRB and IUCN, although subsequent amendments were made to extend this and include the convention's other two 'Partner' organisations, Worldwide Fund for Nature (WWF) and BirdLife International.

Further to these permanent members, a number of other organisations are invited to send observers to the Panel meetings. These include the scientific bodies of the Conventions on Migratory Species, Biological Diversity, Desertification and Climate Change, several international environmental bodies, such as UNEP-WCMC, the Millennium Ecosystem Assessment, and the MaB Programme, along with a number of further non-governmental representatives such as Ducks Unlimited, The Nature Conservancy and the World Resources Institute (see Resolution VIII.28). In addition to these formal structures useful wetlands research has been carried out by other actors, Delmar Blasco (2004: *pers comm*) particularly noting the Wetland Centre at the University of Valencia, Spain.

Within the CITES regime there is no central coordinating scientific body and attempts to establish one have been unsuccessful (Farve 1989: 276-80). The only scientific bodies to exist within the CITES structure are the 'Plants' and 'Animals' committees, which are responsible for, amongst other things, advising upon and reviewing Appendix listings and delistings. Membership of these committees is such that it reflects the regional distribution of wildlife, geographical area and number of regional parties (thus there are two representatives from Africa, Asia, Europe, South and Central America and the Caribbean, and one from Oceania and North America). Membership is reviewed at each Conference of Parties.

For the most part, science remains the prerogative of national Scientific Authorities designated by each Contracting Party upon joining the convention. Their task is primarily to assess the data and research available on the status of species as and when requests to import, export or re-export them occur. A monitoring role is also demanded of the Scientific Authority with regard to Appendix II species. Robert Hepworth noted that this situation can sometimes be seen as 'patronising' towards the exporting state when an importing Management Authority refuses to issue a permit. Essentially the Scientific Authority of the importing state is questioning the conclusion arrived at by the exporting state upon 'its own' wildlife.

In contrast to the other four case studies, the scientific elements of the Migratory Species and Biological Diversity conventions are relatively large. As the Scientific Committee of the IWC, the Scientific Council of the Convention on Migratory Species (CMS) is open to all Contracting Parties (CMS Secretariat No Date). With more than 70 members, including several Conference appointed experts, it is a step up in size from the whaling regime and, by most accounts, a much more convivial and non-contentious environment. The Council is an advisory body with its terms of reference set by the Conference of Parties (Article VIII). Its duties are to provide advice regarding the evaluation of species 'conservation status' and their listing on the convention's Appendices, to suggest 'specific conservation and management measures' and to recommend 'solutions to problems' regarding conservation of migratory species and their habitats (Article VIII). Some non-governmental organisations are made welcome to the Council meetings, Colin Galbraith (current Scientific Council Chair) noting their usefulness particularly in terms of additional technical expertise (Galbraith 2005: *pers comm*).

Article 25 of the Convention on Biological Diversity establishes the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA). This is a broadly focused ('openended' and 'multidisciplinary') inter-governmental body whose functions include assessing the status of biological diversity and any measures taken in accordance with the convention. It is also required to respond to any questions forthcoming from the Conference of Parties. The SBSTTA does not itself engage in primary data collection or research – it is a review body only.

As with the whaling regime and CMS, the SBSTTA is open to appropriately qualified and accredited delegates from all Contracting Parties and with the CBD's huge Contracting Party base the SBSTTA is easily the largest example of such a body in the wildlife conservation arena. In order to bring continuity and concentrated decision-making power to it, SBSTTA has a 'Bureau' consisting of one President and ten Vice-Presidents elected from existing members, with consideration given to 'equitable geographical representation' (CBD Secretariat No Date). Not all SBSTTA recommendations are taken up by the Conference of Parties (COP) although some have been endorsed in full giving them *de facto* COP 'Decision' status. This provides an illustration of one method via which science and scientists can have an impact upon the policy-process.

The above descriptions illustrate the great extent to which scientific information is institutionalised into wildlife conservation policy. Peter Haas identifies the importance of 'embeddedness' by epistemic communities within the bureaucracy for the decision-making process. However, Paterson cautions against focusing too heavily on this 'embeddedness' of experts.

'if we simply say that when entrenched in bureaucracies they [epistemic communities] are influential, we fall into two problems. On one hand the statement is question-begging in the extreme – we need to investigate how and why these groups became politically privileged in such a way. On the other hand it is not such a huge claim to say that bits of state bureaucracies influence outcomes – the point is to see how influential these groups are relative to other parts of the state...' (1996: 138)

This thesis asserts that it is the very ability of scientific actors to produce consensual knowledge that causes them to become institutionalised or 'embedded'.

1.2 Science as a Basis for Consensus

The primary role of science and scientists within international wildlife conservation policy is that of consensus-building. Clear knowledge upon which to base political decisions has often been lacking in the wildlife conservation policy-arena, although Muthari Aminu-Kano (2005:

pers comm) noted that the environmental sector in general has been 'very lucky' in its strong scientific background, which has facilitated 'more robust policy'. Scientists have attempted to provide 'objective' data with which to reduce this lack of knowledge and associated uncertainty of policy outcomes.

Many concepts dealt with in the wildlife conservation policy-arena, such as extinction, endangerment, 'conservation status', species, and, in particular, biological diversity, are often complex and difficult to define. To add to this difficulty many delegates to conservation negotiations are non-technical persons, often simply local embassy staff given just the briefest resume of the issues prior to negotiations. Some fora have taken deliberate steps to increase technical and scientific awareness of delegates, such as the introduction of scientific elements to the plenary sessions of Antarctic Treaty Consultative Meetings, and these in themselves can be seen as attempts to facilitate consensus.

There is also significant, and explicit, sharing of scientific and technical information within the wildlife conservation community which can again be seen as a deliberate consensus building effort. This is perhaps in contrast to other areas of international policy-making, such as security for example, where nationally generated information is judged sensitive and thus withheld from all but closest allies. This programme of information sharing is a tactic not only of institutionalised scientific bodies but also of non-governmental organisations.

There is much evidence of science as a basis for consensus building within the six case-study conventions. Scientific and political cooperation are, of course, the essence of the Antarctic Treaty system and it has been suggested that wildlife conservation was placed on its agenda specifically because it was considered a non-contentious activity around which substantial cooperation and consensus could realistically be built (Walton 2004: *pers comm*). We can therefore interpret the Antarctic Treaty system's expanding wildlife conservation agenda, at least in part, a *de facto* expansion of consensus building efforts, and scientists themselves have been consistently central to this expanding agenda. Scientists were integral to the negotiation of CCAS and 'heavily involved in the drafting and agreement of the [Madrid] Environmental Protocol' (Banahan 2005: *pers comm*).

Science has also led the search for consensus in the Ramsar convention, particularly through the development of criteria for the designation of wetland areas as 'internationally important'. As has been discussed in Chapter 4, these criteria are focused almost exclusively upon ecological factors. Indeed this discourse has explicitly avoided 'non-scientific' criteria on account of the problems they would introduce to the consensus building process.

The early negotiation of the Ramsar convention also highlights another aspect of the scientific community conducive to consensus building; a perceived autonomy from political influence and circumstance. G.V.T Matthews recounted how Soviet scientists engaged in the negotiations were upset that they were excluded following the Soviet invasion of Czechoslovakia in 1968. The opinion, particularly of their delegation head Professor Yu Isakov, was that scientific and political cooperation were entirely separate, and thus problems and disagreements in one arena should not affect progress in the other. The Soviet delegation continued to work upon a draft convention, later sending this to fellow scientists at the IWRB.

The scientific environment within CITES is not always conducive to consensus, particularly, as mentioned previously, when in reference to the African elephant. CITES lacks a central coordinating scientific body, although it is not clear that this would facilitate consensus if it existed. Within the existing convention's framework scientific information is not necessarily a part of the consensus building required for the listing of species upon Appendix I or II. Although 'scientific reports' are the most desirable form of evidence to support listing, other reports are acceptable (Wijnstekers 2001: 47-9).

At the moment, therefore, the only scientific 'consensus' demanded is for the permission of trade in Appendix I species – itself extremely rare. This trade demands agreement from both importing and exporting states that said trade will 'not be detrimental to the survival of that species' (CITES, Article 3, para. 2, section (a)). Trade in Appendix II species demands no such 'consensus' as only an export permit is required. Occasionally, even this 'consensus' between just two parties is controversial and conflictual, particularly where the scientific position adopted by an importing state when refusing to grant a permit, is seen as 'patronising' to the exporting state which has granted an export permit based on its own scientific investigations (Hepworth 2005: *pers comm*).

In contrast to CITES, the Scientific Council of the CMS operates in an atmosphere of firm consensus. Colin Galbraith (2005: *pers comm*) noted that there had not, to date, been any votes necessary within the Council on any listing decision, indicating all such listings have been agreed and passed by simple consensus. Again in contrast to CITES, scientific evidence is required for the listing of species in either of the conventions Appendices with Article III, paragraph 2, demanding 'reliable evidence, *including* the best scientific evidence available', that the species is in fact 'endangered'.

The SBSTTA of the CBD was founded upon the notion of building consensual knowledge. During the negotiating process that established this body, comparisons were drawn with the model provided by the Intergovernmental Panel on Climate Change (IPCC) that supports the UNFCCC. Whilst SBSTTA is not an autonomous body, as the IPCC, it was hoped that it would 'provide the best scientific, technical and technological inputs and to work, if required, towards a scientific consensus on issues on which political debate could be based' (CBD Secretariat 1995: 7).

The majority of the evidence from the six case-studies considered here suggest a decidedly consensual role for science and scientists. This research has also, however, identified a limited number of instances which question the notion of science as a purely consensusbuilding tool in international wildlife conservation policy. Perhaps the most significant example is within the IWC. Ray Gambell expressed his opinion that 'science is absolutely crucial' to the management and conservation of whales, but that it 'plays almost no part in the decisions made' (Gambell 2003: pers comm), the prime example, again, being the 1982 moratorium decision referred to earlier in this chapter. In fact despite its desire to be objective the IWC's Scientific Committee provides one clear illustration of a traditional view of science in international relations (see Section 1.4 below) where Contracting Parties commission and present 'scientific' research in support of their own objectives. This is actually in marked contrast to the general philosophy behind the use of science in the other conservation policy-processes examined by this thesis. Perhaps the only other evidence of such being within the debate around the African elephant within CITES. This provides another example of the skewed perception of wildlife conservation, this time regarding science, consequent of the preoccupation with whales and elephants.

As mentioned above, within the Ramsar convention, attempts to describe non-scientific criteria for the designation of 'international importance' have been resisted, at least in part, on account of the perceived problems introduced by them into the consensus-building process. Delmar Blasco noted, for example, that consensus in the debate over the cultural value of wetlands was 'very, very hard to obtain', although this was not entirely due to their non-scientific character, but also because of significant questions regarding Ramsar's competency. In fact Sr. Blasco (2004: *pers comm*) reflected that he and other members of the Secretariat were 'taken aback' by the strength of opposition, particularly from the Brazilian and Australian delegations, who were 'adamant' that such issues were properly within the competence of UNESCO and not the Ramsar Convention. G.V.T Matthews (2004: *pers comm*) noted similar problems relating to the 'non-scientific', and hence difficult to measure, educational value of wetlands and wetland wildlife.

Although this research strongly characterises scientists as consensus-builders, there are exceptions to this rule. Matthew Paterson notes Shackley's assertion that scientific research managers occasionally 'cynically advance particular claims ... in order to increase research budgets.' (1996: 152). A clear example of this occurred during the 'Earth Summit' when 264 scientists 'warned leaders gathering in Rio not to forsake scientific and industrial progress in the name of the environment' (Anon 1992: 6), due to concerns about funding.

1.3 Scientists and the Valuation of Wildlife

It is difficult to identify any clear correlation between the prevalence of scientists in international wildlife conservation policy-making and the way in which wildlife is valued within it. There are, however, some general points that can be made. Intuitively, a link may be expected between scientific actors and advocacy of the educational ('scientific') value of wildlife. However, aside from several scientist interviewees noting wildlife's educational value, there is no clear evidence of these actors specifically advocating the conservation of species purely for this value. In fact, where such value has been advocated it has come usually from other actors, such as, for example, delegates to the Project MAR conference. A more subtle link between scientists and the educational value of wildlife does exist however. Where scientists set the agenda in wildlife conservation policy, this is often a consequence of learning or development within scientific disciplines *based upon the study of wildlife*. For example, the realisation of the importance of diversity within the ecosystem by professional ecologists prompted calls for its conservation. In this way the educational value of wildlife is a causal factor in the development of conservation policy.

Aside from the educational value of wildlife, science and scientists can be seen to effect the wildlife values prevalent in international policy-making in other ways. I have, for example, asserted that scientific actors are primarily consensus-builders within international wildlife policy and have identified the 'scientific' information they produce as the focus of this process. That this information can build consensus amongst disparate actors is a consequence of its perceived objectivity, rationalism and, in many cases, quantifiability. The preoccupation, or preference, of policy-makers with this format of information acts, to a great extent, to preclude consideration of less quantifiable valuations based on emotive experience, such as aesthetic, cultural or intrinsic valuations. Indeed, one scientist interviewee was particularly adamant about the importance of rational scientific principles in policy-making and conversely the mistakenness of basing policy upon 'emotive' criteria (MacDonald 2005: *pers comm*).

This is particularly evident when consideration is given to the criteria established within some policy-arenas to identify areas or species worthy of conservative action. Within the Ramsar convention, criteria for identifying wetland areas of 'international importance' are based solely upon ecological factors. Indeed, as discussed in previous chapters, non-ecological factors have been explicitly removed from the criteria. The consequence of this is that the Ramsar convention is ineffective in the conservation of wetlands of, say, cultural, subsistence or sacred value. Whilst the 'Ramsar Information Sheet', used to identify the 'international importance' of wetland areas, does have provision for statement of the 'Social and Cultural' value of an area, it cannot be designated as a Ramsar site without additionally fulfilling the ecological criteria. Within CITES and CMS criteria focus upon trade and endangerment and thus in the same way, these conventions are ineffective in the conservation of species of, say, aesthetic, subsistence or sacred value. In essence, with a focus upon science, the legislative framework of international wildlife conservation policy is predisposed against conservation motivated by other values, even where obvious or generally accepted.

In his discussion of 'epistemic communities', Peter Haas recognised this as a potential problem noting;

'that privileging the advice of specialists in a particular domain ... may result in the generation of "bad" decisions either because it leads to neglect of potentially valuable interdisciplinary insights or *ignores the social ends to which decisions regarding specific issues are directed*.' (1992: 24)

One counter-balance to this phenomenon is, perhaps, the impact of the personal values of scientists which influence not only their choice of studies but also, in some cases, their interpretation of results.

1.4 Summary

Peter Haas asserts that 'control over knowledge and information is an important dimension of power and that diffusion of new ideas and information can lead to new patterns of behaviour and prove to be an important determinant in international policy coordination.' (Hass 1992: 2-3). Within the international wildlife conservation policy-process knowledge manifests itself and impacts in several ways. Scientific actors, and other knowledge bearers, are prevalent within the international wildlife conservation policy-making arena, being perhaps most active within NGOs and as institutionalised elements of international agreements. This is in keeping with other areas of environmental politics. Numerous studies have illustrated the role of

science and scientists in, for example, ozone depletion (Litfin 1994), climate change and global warming (Paterson 1996), and water pollution (Haas 1990).

Of the case-studies, it is within the Antarctic Treaty system that the role of scientists is, perhaps, most clear. Scientific actors have long dominated the Antarctic Treaty policy-making process, and it is thus difficult to attribute power, influence or wildlife vales to any other actors. The dominance of scientific actors is, at least in part, due to the strict rules on accession to the treaty and participation in ATCMs, which are themselves based upon scientific criteria. For example, where non-governmental organisations have been involved, their presence has been explicitly science focused. Greenpeace has previously gone so far as to establish a research station on the continent which, when dismantled, the organisation attempted to remove as completely as possible, setting standards for others. Having said this, that scientific actors who identified the conservation of Antarctic wildlife as an agenda, one indication of their influence. These actors were also able to bring together state actors to adopt the treaty. However, it is arguably the case that this suited generally disinterested state-actors, in that science provided an opportunity to 'freeze' the development of interest in the continent via seemingly technical elitist membership criteria.

Within the international wildlife conservation policy-arena scientific actors have been primarily concerned with consensus-building, and as having, in some instances, a high degree of autonomy and ability to set the agenda independently of state actors. That scientists play a consensus-building role in international policy has been recognised by several other scholars. For example, those approaches more optimistic of collaboration have focused on actors' desires to reduce uncertainty in the international system and to reach stable agreements via the production of consensual knowledge. Robert Rothstein, for example, in his discussion of commodity negotiations argues;

"... stable agreements between groups of states divided on many dimensions – interests, goals, needs, values, perspectives – are not likely if each group develops and defends its own knowledge and treats the knowledge of the other side as inherently suspect. Thus the development of consensual knowledge may be the best means of providing a stable foundation for agreements, especially agreements which require active cooperation (not merely isolated national actions) to succeed' (1984: 734)

Ernst Haas (1980) has discussed the role of consensual knowledge as a tool with which to facilitate issue-linkage and hence collaboration between international actors. The agenda-

setting role of scientists is also acknowledged in the wider international relations literature. For example, in his discussion of global warming Matthew Paterson identifies the Intergovernmental Panel on Climate Change (IPCC) as prominent agenda-setters, noting that this epistemic community was 'extremely important in establishing global warming as a political issue about which states needed to negotiate' (1996: 144).

This characterisation of scientific actors contrasts with the 'traditional' view. In his account of the socially constructed factors influencing science and scientists in international environmental politics, Brian Wynne offers an excellent and concise picture of the traditional, 'realist', view of science in world politics.

'The discipline of scientific knowledge is seen as the one superordinate discourse which can lend coherence to this incipient anarchism, to identify and describe the real natural problems, account for underlying processes, and to define reliable and realistic options for societal response.' (1994: 169)

This view is also recognised by Peter Haas quoting Barry Barnes and David Edge who note that 'In modern societies ... science is near to being *the* source of cognitive authority: anyone who would be widely believed and trusted as an interpreter of nature needs a license from the scientific community'. (1992: 11).

The assumption has been that political decision makers turn to a natural science methodology, and hence to its practitioners, in a search for the 'objectivity' required to clarify and strengthen, that is reduce the 'uncertainty' of, an established policy perspective. It is useful however to note that few established scientists disagree as to the fundamental issues of concern to conservationists. It is generally accepted that anthropogenic species loss *is* occurring and that many whale stocks *are* at extremely low levels (even pro-whaling states such as Norway and Japan accept this as fact). This contrasts with some other environmental scientific discourses, especially that of climate change/global warming, the 'facts' of which some scientists, particularly in the United States, dispute. Scientists have been crucial in reducing the uncertainty around the definition of some key criteria, such as 'endangerment' and 'species'.

The 'traditional' view emphasises the systemic level of decision-making and the scientists themselves are not attributed any agenda or power of their own. Within this realist account it is still state actors and other empowered decision makers who initiate the involvement of the scientists and, of course, determine the parameters of their investigations. Furthermore, not

only is the 'objectivity' of science seen as a useful method to build consensus and reduce uncertainty amongst negotiating parties, it is also a method by which political figures can attempt to 'spread the blame' if a policy decision proves unsuccessful or has problematic outcomes.

The dominance of scientists by state-actors and the mainstream assumption that state-actors' interests are pre-determined or given, leads some to suggest that science will be nothing more than a restatement or reinforcement of state-actor interests. This view is not supported by the majority of the evidence presented by this research. The use of science to national ends is perhaps restricted to the whaling and Antarctic treaties. Otherwise the evidence suggests quite the opposite, that science must be used in the interests of all. For Karen Litfin (1994), the notion that 'scientific information simply rationalises or reinforces existing political conflicts' is a primary reason to consider the 'discourse' in which scientific actors operate. My assertion, that this is not a central feature of scientific actor behaviour in wildlife policy, does not, however, detract from the importance of Litfin's constructivist argument. That scientist's socially constructed values influence policy-making is clear. For example, that fact that individual scientists consider wildlife to be of value at all, influences the broader consensus-building project. Throughout the interviews for this research, I was increasingly aware of the great value that individual scientists do place upon wildlife and the natural world in general. I am not asserting that these individuals favoured any one category of wildlife value over another, merely that wildlife was considered valuable⁵⁵. That scientists consider wildlife valuable leads onto the assumption that they feel that value *should* be maintained and thus the wildlife conserved. In light of this, the consensus-building of scientists becomes a normative project.

Karen Litfin also identifies another important assumption of established theories of science in international politics. She notes that;

'The few theoretical frameworks that have focused on the role of expert knowledge in international relations suffer from an implicit assumption that scientific consensus tends to generate political consensus.' (1994: 4)

Indeed there seems a broad assumption that where scientific consensus *is* reached a pertinent outcome will follow. In response to this it can be said that, within the international wildlife conservation policy-arena, political consensus would certainly not occur without scientific

⁵⁵ Indeed the limited research conducted on the values held by scientists indicates no obvious preferences. See, for example, (Lautensach: 2005).

consensus. The importance of science in this regard was noted by several interviewees. Furthermore, in each of the case-studies investigated by this thesis, scientific consensus *did* lead to political consensus. There are, however, two significant qualifiers to this statement. First, it is impossible for this research to comment upon the existence, or not, of instances where scientific consensus was reached but no political consensus was forthcoming. There may, of course, have been many potential international wildlife agreements around which a consensus existed but that never came into being. Second, and of perhaps much greater importance, is the question of whether scientific consensus can generate not only political consensus but real political action. It is clear from this research that a broad consensus exists, both scientifically and politically, that wildlife destruction is occurring, but this is not considered of significant enough interest. Scientists have proved as unable to persuade state-actors to expend appropriate resources upon wildlife conservation as other non-state actors.

The normatively consensual nature of much science in international wildlife conservation policy makes it inappropriate to discuss scientific actors in terms of power, as it is normally understood. In this policy-arena, the objective is to persuade state-actors that wildlife conservation is in their interests, thus the activity can be considered only as political 'influence'. Unfortunately, scientists have so far been nowhere near influential enough to make international wildlife conservation policy effective.

2. OTHER 'KNOWLEDGE BEARERS'

2.1 Legal Experts

Scientific actors are not the only 'knowledge bearers' or 'experts' to have an impact upon the development of international wildlife conservation policy. Legal experts, in particular the IUCN's Commission on Environmental Law based in Bonn, have also been influential. Their role has been similar to that of scientific actors, that is focused upon issue-identification and consensus-building.

As Chapter 4 noted, the Commission on Environmental Law (CEL) claims credit for setting the Convention on Biological Diversity agenda by identifying the lack of comprehensive legal cover for wildlife in general. Further to this, Chapter 4 also notes that it was the CEL which identified the Convention on Migratory Species as a concern to the government of the Federal Republic of Germany. Several interviewees noted the importance of this institution, or members of it, to the development of wildlife conservation policy generally. Again similarly to scientific actors, for legal experts the issue identification role, although important, is not as significant as their consensus building role.

This focuses upon their efforts to find consensual text and language for international agreements. Indeed, the image of teams of legal experts working through long days and nights in order to find agreeable language is one of the most enduring images to emerge from accounts of treaty negotiations. On a number of occasions identified by this research, legal experts have been able to build consensus even where their political 'masters' define opposing 'national interests'. The negotiation of the Convention on Biological Diversity provides numerous examples of such occurrences, as, for example, Fiona McConnell recounts;

'Working Group 2 began its consideration of access to technology in a friendly mood, but looked like being bogged down by G77 insistence on a proliferation of references to biotechnology. It was even proposed that for every provision on technology parallel and more stringent provision should be drafted for biotechnology. Chairman Koester picked out a dozen delegations and sent them off under UK chairmanship with the instruction not to return until they had found a way of avoiding such unnecessary length and confusion. ... After a day and a half the sub-group returned to recommend the breathtakingly simple solution (taken from a phrase in the UK's brief) of the phrase "recognising that technology includes biotechnology". A stunned silence followed the UK's announcement that this formula had achieved consensus among the sub-group. Surely there must be something wrong with anything so bald? Was the UK being exceptionally devious? Presumably not since India was represented on the sub-group and could be relied upon to spot the slightest hint of neocolonialism.' (McConnell 1996: 60)

More systemic-level efforts by legal experts to facilitate consensus include efforts to streamline the sub-agreement system of the Convention on Migratory Species (as noted in Chapter 4) so as to make subsequent progress more legally feasible, and advice given to Antarctic Treaty Contracting Parties to place the detail of Environmental Protection in Appendices to the Madrid Protocol (rather than the Protocol itself) so as to facilitate subsequent amendment without recourse to national legislatures. Unfortunately this approach has not been followed by all Contracting Parties (Walton 2004: *pers comm*).

2.2 Traditional Ecological Knowledge

The knowledge possessed by indigenous peoples has entered into this policy-arena during the last decade or so, presenting a challenge to the accepted definition or understanding of an 'expert'. The misuse, or more precisely the unauthorised or unrewarded use, of this knowledge was indeed one motivation for the adoption of the Convention on Biological Diversity. Its Preamble recognises;

'the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components,'

This statement clearly acknowledges the contribution that such knowledge can make to wildlife conservation, and this is becoming increasingly recognised within the policy-arena. Colin Galbraith (2005: *pers comm*), for example, specifically noted how members of the CMS Scientific Council had begun to benefit from this knowledge.

It should be noted that, despite this acceptance, it seems only certain categories of indigenous knowledge are deemed legitimate, most notably that referred to as 'traditional ecological knowledge'. Actors are able to assume some rational basis to this form of knowledge, despite its perhaps 'unscientific' presentation. Indigenous cultural and sacred valuations are less commonly accepted by international actors, in the same way that the cultural and sacred valuations of 'mainstream' actors are not.

It is not clear how actors possessing indigenous knowledge might fit into the model of 'experts' as consensus-builders. However, their inclusion within the policy-process can be interpreted as a conscious effort to increase consensus-building more broadly.

3. BUSINESS AND INDUSTRY

This research has noted that private business and industrial actors are, on the whole, notable through their absence from the negotiation and development of international wildlife conservation policy. Whilst industrial representatives were attendant at the negotiation of the whaling convention, and indeed still attend, none of the other five case-study agreements

feature industrial or business representatives in the negotiations. This significant fact does not, however, mean that the interests of business and industry were not communicated.

This finding suggests a number of possible conclusions. First, business and industry may consider wildlife conservation of little or no importance to them. This may well be the case for the majority of the sector for whom the connection between their activities and the natural world seem remote and unimportant. This, however, illustrates a general lack of awareness of the environmental impact of economic activity generally and the increasing obligation on private enterprise to conduct environmental impact assessments (EIAs), a particular feature of the Convention on Biological Diversity. This lack of awareness can lead to significant problems for private concerns as they may find themselves in breach of legislation. A significant example of this was the UK government's decision to reject the construction of a planned port in Dibden Bay on Southampton Water. The rejection was based, in a large part, upon a negative environmental impact assessment of the planned development upon a local Ramsar site, important for 50,000 waterbirds (Brown 2004d). James Marsden (2004: pers comm) noted his experience of a lack of knowledge even amongst senior management. For example, he recounted a meeting with the Managing Director of McCain's Food where the company did not understand (i) the impact of its supply chain and (ii) that breaches of biodiversity legislation could place its licence to operate at risk.

The other side of this explanation is that much wildlife has no obvious exploitable economic value, or that wildlife previously of financial value loses it through market changes. It is not surprising that business and industry actors, interested in financial gain, would be uninterested in resources with no financial value and thus not concerned with the policy-process. This lack of interest may explain the absence of many business and industrial actors from international wildlife conservation policy. However, it does not explain the absence of those to whom the natural world *is* a direct concern or resource, and whose interests may thus be affected by policy. Most obviously utility (power and water) and extractive (mining, oil & gas, timber and fur traders) companies would fall into this group.

In fact it is clear from the actions of many business and industry actors that they *do* consider wildlife, particularly biological diversity, to be important. Over 140 private enterprises donated funds to Conservation International in 2004 (Conservation International 2004: 30). BP Amoco have invested significant financial and other resources in conservation projects, over the past 10-15 years. Their Conservation Awards scheme, run in partnership with Fauna and Flora International and BirdLife International, has financed conservation training for over

2000 people and sponsored over 200 conservation projects⁵⁶. In 2004, this scheme awarded a total of \$600,000 to 29 projects across 23 countries (FFI 2004: 26). Partnerships such as this and the Environment and Business Initiative, are key to BP Amoco's biodiversity and conservation strategy which aims to 'have a real, measurable and positive impact upon the biodiversity of the world'⁵⁷. However, the provision of financial resources for conservation projects is not the company's only strategy. Sir John Browne (Group Chief-Executive, BP Amoco) has spoken of ensuring that 'key staff' take responsibility for monitoring and managing conservation and biodiversity by making it an element of their 'performance contract ... which determines their personal renumeration'⁵⁸.

Other major private interests in the extractive and utility sector are taking action similar to BP Amoco. Thames Water (UK), for example, have established a long term biodiversity strategy which aims to manage their considerable land and water resources 'to ensure the conservation and, where feasible, the enhancement of flora and fauna' (Thames Water 1999: 1). Such activities, some of which can be considered amongst the most original ways to promote wildlife conservation, represent a significant commitment to wildlife protection on the part of the company; a commitment unlikely to have been entered into unless the subject was considered important and valuable.

Wildlife can be valuable to business and industry for a number of reasons. In response to a governmental consultation paper, the UK Confederation of British Industry (CBI) identified four elements to the value of biodiversity, noting ecological, commercial, aesthetic and (perhaps most surprisingly) moral values. The statement noted:

'Biodiversity is an essential element of sustainable development because:

- the diversity of biological organisms is inextricably linked to the well-being of the ecosystem: the planet's life support system, and therefore to human life itself;
- biodiversity provides food, raw materials and other resources which are of direct benefit to our economy through farming, fishing and forestries;
- biodiversity is of great social important too and is central to people's enjoyment of the British countryside, and indeed, to the tourism and leisure industry;
- biodiversity has innate value and is important in and for itself. This is the concept of 'stewardship' that we have a moral responsibility to protect the variety of life on Earth in all its forms.' (CBI 1998)

⁵⁶ Greg Coleman (Group Vice-President, BP Amoco) Speech to the World Parks Congress, Durban, 16th September 2003. (Text at <u>www.bp.com/genericarticle.do?categoryId=98&contentId=2015971</u>)

⁵⁷ Sir John Browne (Group Chief Executive, BP Amoco) Speech at the Conservation Awards dinner, London, 27th April 2000. (Text at <u>www.bp.com/genericarticle.do?categoryId=98&contentId=2000484</u>)

Considering the lack of expression of an ecocentric ethic by any major 'conservation' oriented non-governmental organisation, as noted above, to encounter such a statement from the business and industrial sector is remarkable. Some of these values are reflected by individual companies. Thames Water's Biodiversity Action Plan, for example, clearly acknowledges the ecological, commercial and moral values of biological diversity by stating;

'Thames Water's activities depend directly on the use and management of water – the basic resource that underpins life on earth. ... We have considerable responsibility as stewards of biodiversity and the wider environment.' (Thames Water 1999: 1)

Having said this, wildlife is perhaps of greatest value to business and industry politically. With high levels of interest in environmental protection, and biological diversity in particular, on the part of investors, regulators and capital lending agencies, the maintenance of a strong 'green' reputation can greatly improve business performance. A recent survey by the London financial group ISIS Asset management notes that;

'Ten years ago, climate change was not considered material by investors. Today, few investors fail to consider its implications when valuing companies in sectors with a proven exposure to climate change. Biodiversity is beginning to enter the consciousness of investors as an issue of equal, and potentially wider-ranging, significance.'(2004: 3)

In its report on 'biodiversity offsets', Insight Investment again focuses on the potential contribution to an enhanced 'green' reputation, noting the importance of this in maintaining social and regulatory 'goodwill', which over the long-term significantly reduces legal costs and delays (ten Kate 2004: 13). Furthermore, clear 'green' credentials can assist access to capital.

'In today's world, where the World Bank, the IFC, the export credit agencies, and even a wide array of private banks ... all pay attention to environmental issues when making financing decisions, a strong environmental track record can sometimes help in getting a loan in the quickest, easiest, and cheapest way possible.' (ten Kate 2004: 40)

Bearing in mind the evidence above illustrating that some elements of business and industry may well deem the international wildlife conservation policy-process to be significant to them, an alternative explanation for their lack of involvement in negotiations is that they may consider their interests so close to, and so well understood and represented by, state actors as to judge active engagement in policy negotiation unnecessary. Charles Lindblom (1977)

argued that private business occupies a 'privileged position' relative to other interests within market-oriented political systems, which institutionalises consideration of its interests by governmental actors.

'Because public functions in the market system rest in the hands of businessmen, it follows that jobs, prices, production, growth, the standard of living, and the economic security of everyone all rest in their hands. Consequently, government officials cannot be indifferent to how well business performs its functions. Depression, inflation, or other economic distress can bring down a government. ... In the eyes of government officials, therefore, businessmen do not appear simply as the representatives of interest groups do. They appear as functionaries performing functions that government officials regard as indispensable.' (1977: 173 & 175)

In this situation we can consider governmental (state) actors to be *de facto* business representatives (within the policy arena). Indeed there are several instances identified within this research that support this assertion, namely the involvement of some states within CITES so as to maintain their fur-trading interests, and the strong positions assumed by the United States and Malaysia within the CBD negotiations (in efforts to protect their biotechnology and logging interests respectively). That economic growth and business interests are in the mind of politicians when negotiating wildlife conservation policy is further illustrated by an oft quoted remark from US President George Bush (Snr) that the endangered species legislation then favoured by Democratic Vice-President candidate Al Gore would mean being 'up to our neck in owls but every American out of work'⁵⁹. Further to this, Mostafa Tolba (2004: *pers comm*) noted, in reference to the CBD that 'Nation State actors moved in response to [NGO lobbying] but were constrained by the pressure of industry & business for governments not to tie their hands by binding obligations that can affect their business (or rather their profits)'.

There are, however, signs, around the time of the CBD's conclusion, that biotechnology industry leaders in the United States understood the value of wildlife far more clearly than their government, hence recognising the need for a convention for the conservation of biological diversity. A report for *Nature* highlighted that the industry was 'surprised' by the hard stance of the US government towards the treaty to which they were largely sympathetic.

'Officials at two major biotechnology associations [Association of Biotechnology Companies and the Industrial Biotechnology Association] say they do not oppose the gist of the treaty....

⁵⁹ Channel 4 News, October 30th 1992.

Contrary to the impression left by Bush, the biotechnology industry was not wringing its hands over the proposed treaty.' (Anderson 1992: 428)

The representativeness of business and industry interests by state-actors can thus sometimes be questioned.

A further indication of the institutionalised (or intrinsic) consideration of business and industry interests by state actors is the decided lack of legally-binding restrictions placed upon private enterprise by agreed international wildlife conservation policy. In short, the six case-study agreements considered by this research actually place very little restriction or limitation upon the activities of business and industry actors. Only the whaling convention and CITES feature concrete restrictive obligations. Commercial whaling interests are limited to a small number of states (Japan, Norway & Iceland), which do commonly and fiercely defend those interests within the IWC. The wildlife trade is of much wider interest and, as has already been discussed, CITES does, in several ways, act to maintain trade. For example, by protecting endangered species it, to some extent, protects the trade in non-endangered species from criticism.

Although it obviously pertains to water management and thus influences water utility companies, the only binding commitments under the Ramsar convention are the designation of one wetland area of 'international importance' and the creation of a governmental wetland conservation strategy. The obligations upon Contracting Parties to the Antarctic Treaty and Migratory Species Convention are relatively strong, yet do not pertain to wildlife exploited by business or industry (with the exception of CCAMLR which restricts fisheries).

The Convention on Biological Diversity was noted above for the concern expressed, by the United States and Malaysia particularly, over its potential impact upon industrial interests. Indeed, concern over the security of intellectual property rights and the biotechnology industry resulted in the United States' refusal to become a Contracting Party to the convention. These concerns appear to have proved over-cautious and, whilst the US has easily the largest biotechnology sector, other states with substantial biotechnology interests, including Australia, the UK and Japan, are CBD Contracting Parties and have not suffered significantly because of it. Malaysia's primary concern during the CBD negotiations was the Global Environment Facility (GEF), but concern was also expressed over their logging industry. The weak obligations that the CBD finally produced allowed Malaysia to sign the convention without concern. The implementation of the CBD is on a national basis and thus each state can implement it as rigorously as it sees fit.

As mentioned previously, the prior cessation of commercial whaling activities in certain states, such as the UK and US, aided their movement to an anti-whaling stance as those states actors no longer had to consider the business and industry interests. However, the development of Australian policy within the whaling regime provides an example of state actors acting in a manner contrary to business and industry interests. Following the publication, in 1979, of Sydney Frost's *Inquiry into Whales and Whaling* (1979) for the national Government, Australia moved to an anti-whaling position at a time when a significant, if not massive, whaling industry remained in the country in the form of the Cheynes Beach Whaling Company (CBWC). It is true to say that CBWC had, in 1978, announced the end of whaling operations, however this was in itself due to the establishment of the Inquiry. A CBWC press release noted;

'The directors believed operations this year would result in a substantial loss and it was unlikely there would be any profit in whaling in 1979. ... there was a serious move away from filtered sperm oil to alternatives. The reason for the move away from sperm oil was the doubt of continuity of supply from Australia, being an unforeseen effect of the Public Inquiry ... the company's usual buyers had shown extreme reluctance to commit themselves to forward buying.' (Frost 1979: 226)

The ecological and moral motivations for the Inquiry were identified by Australian Prime Minister Malcom Fraser when he stated that;

'Many thousands of Australians – and men, women and children throughout the world – have long felt deep concern about the activities of whalers. There is a natural community disquiet about any activity which threatens the extinction of any animal species. I abhor any such activity – particularly when it is directed against a species as special and intelligent as the whale.' (Frost 1979: vii)

It appears that in this, albeit isolated, case state actors placed moral obligations towards other species above the interests of business and industry.

A final, related, explanation for the lack of participation of business and industrial actors in wildlife conservation negotiations may be that such actors do consider the policy process important, yet consider alternative arenas to be the appropriate location in which to exert their power or influence. As Jeff McNeely (2005: *pers comm*) notes 'The energy companies have attended some meetings of the CBD, but they relatively quickly saw that this was not the most important place for them to influence decision-making.'. This suggests that these actors have

alternative, perhaps informal, access to decision-makers, or that perhaps other fora such as the World Trade Organisation, are more influential.

4. INDIVIDUAL ACTORS

A significant aspect of international wildlife conservation policy revealed, at least in part, by this thesis is the influence of individuals within the policy-making process. Repeatedly within the case-studies examined here, individual persons have played vital roles in setting or driving the agenda forward through either technical expertise or personal commitment and vision. Several individuals have played important roles in more than one policy-process. Particular stress was placed upon the role played by individuals during several interviews. For example, on one occasion I was advised to study a painting on the office wall at English Nature's offices which depicted four men⁶⁰ from whom an influential legacy of individual commitment to nature conservation stems. Policy-makers, particularly although not exclusively in developed nations, are well aware of this 'personal element' of conservation today (Marsden 2004: *pers comm*).

Within the UK, one man, Max Nicholson, is perhaps the single most influential individual in terms of wildlife conservation action. An avid ornithologist, Nicholson became the Director of the UK's Nature Conservancy in 1952 where he stayed for 15 years. In a measure of his importance, Fred Pearce has suggested that he has a 'decent claim' to being the 'father of the modern international environment movement' (1991: 1). In terms of those international agreements considered by this thesis, Nicholson played an important role in the Ramsar convention, advising its early non-governmental advocates of the importance of including government from an early stage.

Nicholson's severe scepticism and mistrust of the 'establishment' (government), led him to advocate strongly the role of the voluntary sector in conservation. He felt that 'their active participation and support would be indispensable to the build-up of an effective national conservation programme' (No Date: Chp. 11, p. 14). That Nicholson personally held wildlife, particularly birds, to be valuable is apparent throughout his work. He notes that;

⁶⁰ Including Arthur Tansley (Professor of Biology, University of Oxford), E.B. 'Henry' Ford (a geneticist and 'butterfly-man'), Captain Cyril Diver (first Director-General of the Nature Conservancy).

'Over ... seventy-odds years there were few days on which I did not watch, or at least take pleasure in recalling, some wild bird. ... As inescapably a child of the Romantic Movement I had assumed that a relaxed and unhurried encounter with nature, where it was virtually untouched by man, would attune me to all kinds of creative sensations and profound understandings hitherto overlaid and hidden.' (No Date: Chp. 1, p. 10 & Chp. 4 p. 17)

There are several individuals who have played significant roles in the contemporary conservation policy considered by this research including Mostafa K Tolba, Veit Koester, Russell Train, Wolfgang Burhenne, and Françoise Guilmin-Burhenne. Dr. Tolba was Executive Director of the United Nations Environment Programme and oversaw the negotiation of a number of international environmental agreements including the Montreal Protocol on ozone depleting gases (see Litfin 1994: 112-5). His impact upon the proceedings of the Convention on Biological Diversity was profound. Fiona McConnell (head of the UK's delegation) recalls;

'He was a quiet background presence throughout the biodiversity negotiations, although many of us were summoned to private meetings for consultation/instruction. Delegates took bets on when he would time his move to impose his will on the negotiations. He waited until the final week: then all concerned, North and South alike, were exposed to his arguments, threats, dramatic challenges and overbearing presence.' (1996: 157)

Tolba's personal commitment to and valuation of the natural world is beyond doubt. McConnell, again, describes his late move in these negotiations.

'By mid-morning on the second Wednesday Dr Tolba made his move. In a carefully thought out but passionate speech he described the participants – from North and South, East and West – as paralysed mice. They should have finished their work days ago. … he and Ambassador Sanchez [Chair of the negotiating conference] would address the heads of 20 key delegations on how they intended to ensure a successful conclusion to the work of the INC. Dr Tolba would tolerate no opposition, no arguments about democracy. The world's biological diversity was a million times more important than saving face … Early on the Wednesday afternoon the UK delegation head was one of those summoned … Dr Tolba placed the US, UK, Germany, Netherlands, India, Malaysia, Brazil, Mexico, Pakistan (for G77) and Kenya at the front of the room "where I can keep an eye on you. … Dr Tolba quietly informed us that we *would* reach agreement on the outstanding issues, that we *would* accept compromises, and that the convention *would* be opened for signature in Rio.' (1996: 90-1)

Veit Koester also had a significant impact upon the CBD negotiations through his Chairmanship of Working Group II (which dealt with, amongst other things, biotechnology and finance). He is described by Fiona McConnell as a 'Pipe-puffing pixie', but also 'a genuine "expert", i.e. one of the few who really knew something about biodiversity and environmental law.' (1996: 157 & 158). As a member of the Danish government, Koester has long been a central figure in European environmental policy-making, with Michael Ford singling him out as 'very influential' and as having been involved since the 1970s and the Stockholm UNCHE. Husband and wife Wolfgang and Françoise Burhenne have been perhaps the leading influences within the IUCN's Commission for Environmental Law (CEL). Between them they have been involved in the drafting of numerous international environmental agreements including CITES and the CMS.

Within the Antarctic Treaty, individual members of the Scientific Committee for Antarctic Research have influenced the development of policy. Two who have already been mentioned are Brian Roberts, who, it has been suggested, was responsible for the inclusion of wildlife conservation in the original treaty, and Nigel Bonner, who drafted the Convention on the Conservation of Antarctic Seals. A number of individuals made the development of the Ramsar convention possible. Luc Hoffman the 'trusty anchor-man of international conservation' (Nicholson No Date: Chp. 13, p. 7) financed much of the research, G.V.T Matthews played a key role in the coordination and drafting of the convention itself, and Eskander Firouz of the Iranian government, facilitate the final plenipotentiary conference.

4.1 Individual Actors and Political 'Space'

The lack of priority attached to wildlife conservation by state-actors has, thus far in this thesis, been viewed as the main cause of ineffectiveness of extant conservation policy. However, this relatively low status has had one 'silver-lining'. In summary, primary decision-makers are prone to take less interest in wildlife conservation than in other policy arenas perceived as more significant. Wildlife conservation is, however, sometimes for purely political reasons, still considered by them to be a policy arena in which action is considered worthwhile. Thus, individuals in positions of importance within wildlife conservation organisations or agencies have, in some instances, been given a great deal of freedom regarding the actual structure and implementation of policy. Crucially however, these individuals have received vocal and clear support, along with resources, from their political superiors. With this freedom and support, they have, on occasion, been able to implement some far reaching conservation programmes. Two prime examples of this exist, which, although the phenomenon described is of more obvious relevance domestically, have impacted significantly upon international policy.

Russell Train was appointed as the first Chair of the United States' Council on Environmental Quality (CEQ)⁶¹ in 1970. Previously a tax court judge, Train's interest in conservation was largely triggered by hunting safari trips to East Africa in 1956 and 1958. He notes that 'The two safaris ... played, without a doubt, a central role in the future course of my life and work.' (2003: 29). After three years as Chair of CEQ, Train went on to Head the US Environmental Protection Agency throughout the Nixon and Ford administrations, and in 1978 became President of the US branch of the World Wildlife Fund (WWF-US). President Richard Nixon's general lack of interest in the environment was noted in Chapter 6, yet Train was able to negotiate and implement some extremely far-reaching legislation domestically and, more importantly to this research, was the architect of US world leadership on the environment in the early 1970s. During his tenure at CEQ, Train directed US efforts to lead the international community in the agreement of the World Heritage Convention and CITES. Domestically the National Environmental Protection Act (1979) represented the pinnacle of CEQ's achievements as it established a mandatory Environmental Impact Statement process for all federal developments.

'The strength of the EIS process mandated by NEPA took the White House, as well as the administration generally, by surprise. ... The whole EIS process and CEQ's role in that process were extraordinary, ... it really did represent a radical change in the way government did business. The very idea that one small agency of the government could have the authority, by legislation and with the president's backing, to monitor, review, and comment on the projects of all other executive agencies was almost inconceivable. Yet that was exactly the authority CEQ had.'(Train 2003: 91)

Curtis 'Buff' Bohlen (initially with the fish, wildlife and parks division of the US Department for the Interior and subsequently Senior Vice-President of WWF-US) and Lee Talbot (CEQ's Chief Scientist and subsequently WWF-International's Head of Conservation) are most prominent amongst other individuals from the US to play a role in international policymaking. Talbot was particularly involved in the negotiation of CITES, as was Bohlen who also played a significant background role in the negotiations around the Convention on Biological Diversity (McConnell 1996: 158).

The second example of a senior international conservation figure who was able to advocate and effectively implement substantial international and domestic wildlife conservation is Richard Leakey, former Head of the Kenya Wildlife Service. An anthropologist and former

⁶¹ The Council on Environmental Quality was created by the 1969 National Environmental Policy Act, as an element of the Executive Office of the President (United States). Its remit was described by President Richard Nixon as to be the 'environmental conscience of the nation' (Train: 2003: 81)

director of Kenya National Museums, Leakey was appointed director of Kenya's Wildlife Department in 1989 (which became Kenya Wildlife Service after gaining substantial autonomy from the state). By October of that year, he had led successful efforts to have the African elephant listed upon Appendix I of the Convention on the International Trade in Endangered Species (CITES), a decision which has had an ongoing fundamental and consistent impact upon the policy-arena. Similarly to President Nixon of the US, Kenyan President Daniel arap Moi had little personal interest in, or time for, wildlife conservation, but recognised its potential, particularly as a source of income (through tourism) and national pride and unity (Leakey & Morrell 2002). Thus, Moi offered substantial support and resources, extending at times even to stringent personal security, to Leakey's wildlife conservation efforts. Leakey is renowned internationally for the 'shoot to kill' policy of his organisation.

Max Nicholson, with his deep suspicion of governmental actors even suggested that in the early stages of policy-formation, a lack of interest from senior politicians was desirable. In a statement which seems not only to question the technical abilities of senior politicians, but also to add weight to the notion of state-actors following opinion rather than driving policy, he noted;

'To work out, develop and spread new perceptions, concepts and attitudes is not something that can be done hugger-mugger. They must be created, tested and practised first among people most capable of absorbing them and best predisposed to take trouble over them. Only when a sufficiently large really interested group can be seen to be successfully practising something fresh does it make sense to start spreading the message more widely. The last thing we wanted was to proselytise Cabinet Ministers or others at the head of the establishment; the less interest they took in the subject matter the better, until it had really taken shape.' (Nicholson No Date: Chp. 11, p. 24)

The autonomy of individual negotiators resulting from a higher-level disinterest is illustrated by the experience of the Madrid Protocol. Individual values and preferences impact upon this process as the agreement was negotiated over a relatively short time-period. It contains some of the most far-reaching commitments to environmental protection laid down in international law and one interviewee noted that perhaps these two factors were linked. It was suggested that the Protocol had been negotiated so quickly that all its elements had not been sufficiently checked by government legal experts (Walton 2004: *pers comm*).
4.2 Summary

There is a limited literature on the role of individuals in policy-formation, this being predominantly within domestic politics. They are characterised as 'policy entrepreneurs' or as possessing 'charismatic authority'. The brief evidence presented above suggests that this analysis may hold some substance in reference to the international arena also. Certainly, strong individuals, of high status and reputation, can aid the achievement of political consensus, and, in some cases, be powerful within a particular arena. However, the broad failure of wildlife conservation policy can, yet again, be considered an illustration of these individuals' limited ability to force state-actors to expend appropriate resources.

5. CONCLUSION

This chapter has argued the importance of scientific actors and other 'knowledge-bearers' (particularly as consensus-builders), and individual actors (particularly as initiative-taking leaders) as conduct-shapers within the international wildlife conservation policy process. These actors have been vital to the progress achieved in international wildlife conservation policy. However, despite being largely absent in physical form, business and industry actors would seem to have exerted some key context-shaping power over the process.

There has not been space enough within this thesis to consider, in-depth, the impact of international organisations, such as UNEP, UNESCO and the convention's Secretariats, upon the development of policy. Previous chapters have described how UNEP and UNESCO have played a significant facilitation and sponsorship role via the organisation of conferences and research programmes which have, on several occasions, resulted in international agreement. For example, the MaB Programme and World Heritage Convention both developed from within UNESCO, and the Convention on Biological Diversity was negotiated within the UNEP framework. The Secretariat bodies of the case-study conventions have had a varied impact upon the development of policy. Some, such as the Ramsar and CBD Secretariats have been very pro-active, whereas the IWC Secretariat has been very limited. Several interviewees noted the commitment of secretariats, and other staffs, to their organisations. Thus, these may take on an institutional life of their own, by creating an extra layer of administrative authority that challenges loyalty to the state (Garner 2005: *pers comm*). This research is unable to offer clear conclusions in this regard.

Chapter 9 - Conclusion

This thesis has presented an analysis of current international wildlife conservation policy through a comparative study of six globally significant conservation agreements. This comparison has been facilitated by the construction of a typology of wildlife values which has been applied to each. The analysis has highlighted a number of key points, summarised in this chapter. Wildlife is of great value and many actors are successfully engaged in international wildlife conservation policy. When considered in a certain light, this policy arena seems most appropriately explained by a neoliberal interpretation of world politics. Multiple actors, including non-governmental organisations and domestic political actors, espousing varied values, appear widely influential. However, upon closer inspection, and particularly in reference to the contemporary status of wildlife globally, a realist account seems more accurate. Non-state actors are prevalent within the policy-arena, yet their ability to extract appropriate resources from state-actors is very limited.

Wildlife is valuable, in a number of distinct ways. Chapter 2 described a very broad range of wildlife values, that is ways in which wildlife is valuable. Some of these were on account of the intrinsic worth of wildlife (or some aspect of it), whilst others were extrinsic or instrumental, that is ways in which wildlife is 'good for' something. Some of these valuations are incompatible with one another, particularly across the intrinsic/extrinsic category divide. The harvesting of a whale on account of its commercial or subsistence value is not easily compatible with notions of animal-rights. This is not always the case across this divide, as the killing of a whale is not necessarily incompatible with an animal-welfare (if carried out painlessly) or an ecocentric ethic.

A comprehensive array of international wildlife conservation policy is extant, which, if applied rigorously, could effectively conserve wildlife. More than 60 multilateral agreements pertaining to the conservation of wildlife are currently in existence and in force. These apply to as few as three and as many as 187 states throughout the world and at global, continental, regional and sub-regional levels. If these agreements were rigorously enforced by their Contracting Parties, the biosphere's many genes, species and ecosystems *could* be very effectively protected. The only major threat to wildlife not effectively covered by this body of legislation is global climate change, although a convention to address this does, of course, exist separately; the United Nations Framework Convention on Climate Change (UNFCCC). The relationship between these two environmental issues has been clarified substantially in recent years and months although elements of it, such as the balance between altered rates of

species loss and speciation during climate change, are still poorly understood. Two claims are, however, well understood. First, the contribution that wildlife conservation, including ecosystem restoration and changes in agricultural practices, can make to mitigating the effects of climate change is broadly accepted (Swingland 2002). Second, ecologists and biologists have argued that species loss is a more urgent concern than climate-change in that its effects will be felt sooner. Separating these issues is, however, not necessarily desirable or pragmatic considering their inter-relationship – a view particularly strongly communicated by Sir Crispin Tickell (2005: *pers comm*).

A broad range of wildlife values are expressed within contemporary international wildlife conservation, and a broad variety of actors participate in, and influence, the international wildlife conservation policy-making process. These two research findings are closely linked, and hence presented together. Whereas early wildlife conservation treaties acknowledged only very specific wildlife values, later treaties, from Ramsar through to the CBD, explicitly acknowledge a broad range. That non-state actors, such as non-governmental organisations, scientists, individuals and intergovernmental organisations, are adept issue-identifiers and agenda-setters, and that these actors express multiple and varied wildlife values, coupled with the notion that state-actors 'react' to others' agenda, suggests that increasing non-state actor participation results in the diversification of wildlife values are indeed written into the text of international treaties seems contingent on the political value of wildlife and its conservation as it reflects state-actors' desires to placate varied political actors.

The participation of varied actors within the international policy-making arena, and their communication of a diversity of wildlife values, suggests this empirical research reflects, to a certain extent, a liberal view of international relations. Realism and neorealism certainly downplay the role of these actors, particularly in terms of state interest identification.

The liberal tradition (including neo-liberal and liberal institutionalist) of mainstream international relations theory has developed as an attempt to explain a world which seemed beyond realist understandings. In contrast to realism's Hobbesian view of human nature and consequent focus on conflict, the liberal tradition adopts a more optimistic view placing much greater emphasis upon the potential for cooperation between states. In particular this cooperation centred upon a universal commitment to key liberal tenets, such as individualism, and economic linkages between states; a so-called 'complex interdependence' (Keohane & Nye 1977) argued to be more pervasive in the contemporary world than in prior history. Liberal international relations thus 'tends to stress the impact of domestic and international

society, interdependence, and international institutions' (Nye 1988: 238) as a basis for cooperation, rather than conflict, between states. Nye expands this analysis;

'Sophisticated versions of Liberal theory address the manner in which interactions among states and the development of international norms interact with domestic politics of the states in an international system so as to transform the way in which states define their interests. Transnational and interstate interactions and norms lead to new definitions of interests, as well as to new coalition possibilities for different interests within states.' (1988: 238)

This 'learning' process – to adopt Ernst Haas' terminology (Haas, E 1990) - paints a picture of national interests as dynamic, in contrast to the static nature of realism. Indeed Nye notes further that 'How states define their interests, and how their interests change, has always been a weak area in Realist theory.' (Nye 1988: 238).

Liberal institutionalism gives greater weight to the role of non-governmental actors in the policy process and understanding environmental policy in particular has been central feature of this literature (Young 1994b). The emergence of liberal international relations creates conceptual space for certain values outside the security and sovereignty concerns of realism to be taken into account, most importantly the call for universal individual freedom through the spread of democracy and economic growth.

It is quite possible to link some wildlife issues to the emancipation of individuals, especially in the rationalist economic terms of sustainable-use which is so prevalent in contemporary wildlife conservation (for example, the equitable benefit-sharing agenda of the Convention on Biological Diversity and the 'wise-use' emphasis of the Ramsar Convention). In addition to this, however, the liberal acceptance of the moral significance of the individual citizen carries with it associated liberties such as the freedom of speech and assembly, and acts to focus political power in the individual. This, to some extent at least, acts to legitimise NGOs within the political process. This legitimised access for NGOs (or at least the legitimising of their concerns where they hold popular support) into international and domestic policy fora partially explains how a diversity of perspectives come to be expressed, reflecting the broad values of the varied support base of lobby groups, including those values normally beyond the traditional concerns of state governments. NGOs may therefore act to bring previously domestic or local concerns onto the international stage. In this way the liberal international relations project acknowledges its residual pluralism which acts to counter-balance the narrow universalised rationalism outlined above. Liberalism seeks to 'uphold a productive and progressive social system set in motion by the (more or less regulated) competitive energies

of pluralized forces' (Laferriere & Stoett 1999: 115). Thus liberals are 'wary of differences "in the big scheme of things" ... while encouraging differences within that context of harmony'(*ibid*.). Thus, a limitation on potential wildlife valuations might be inferred from the universalist tendency also encountered in liberal international relations. With its commitment to equality and reasoning liberalism posits 'an ontological harmony of interests' (*ibid*.) between political actors which may act to homogenise motives.

Despite its traditionally rationalistic perspective, discussed below, liberal international relations theory offers an explanation for the varied wildlife values expressed within the international political arena. Primary concerns remain rationalistic, economic and social equality for example, but as notions of economic and social development themselves evolve, conceptual space is created for the expression and inclusion of a broad variety of perspectives. It is important to note however, as Laferriere & Stoett remind us that although 'non-state actors play important roles, they are for the most part secondary players' (1999: 107) in the international system.

Given the substantial evidence that wildlife is valuable and that this is widely acknowledged by state-actors (in that numerous international treaties have been agreed), why do international efforts to conserve wildlife remain ineffective? The answer to this question must be either that (i) despite the 'paper' commitments and acknowledgement of values, stateactors (or at least those powerful enough to make a difference) do not in fact perceive wildlife to be of actual value to them or at least not of sufficient value to warrant significant conservation action (i.e. expending significant resources) OR, (ii) state-actors consider the problem intractable, due either to a lack of knowledge or an assumption that individual action is worthless or will result in 'relative losses' compared to other states in an anarchical world system. Undoubtedly both of these answers are to some extent true, but explanations offered by scholars to date have tended to focus upon the latter, in reference to a 'tragedy of the commons' and similar constructions. Furthermore, with ever increasing scientific and other knowledge, state-actors cannot for long claim ignorance or uncertainty regarding wildlife's value. My research has particularly tried to illustrate the importance of the first answer, that is that state-actors simply do not (indeed seemingly cannot) perceive wildlife to be of great enough value to concern them.

For many state-actors involved in international wildlife policy, wildlife is actually of no real value at all. In these cases, conservation action is taken simply because they are paid to do so, and it is, therefore, the financial reward that is valuable. This is perhaps not overly common, but the usefulness of the 'carrot' of straightforward financial incentives has been noted

throughout this thesis. For the majority of state-actors, wildlife *is* perceived as being of some value, but this is limited and often evanescent. The perception is limited in the sense that, as this research has attempted to illustrate, state-actors are, in fact, only able to comprehend the few categories of wildlife value that it is possible to render economically. This precludes consideration of an enormous range of other important valuations, particularly cultural, sacred, psychological and some forms of intrinsic value. This represents a significant failure as the categories in fact provide some of the most convincing arguments to conserve wildlife.

Distinct categories of actors involved in the international wildlife conservation policy-process tend to favour some categories of wildlife value over others, in fact international wildlife conservation is, in reality, focused upon just a few categories of value. State-actors clearly favour those categories of wildlife value that can be rendered and quantified economically: that is, wildlife's commercial, ecological, recreational and aesthetic values. It is argued that this preference may be a result of wider economic pressure from business and industry actors, the global capitalist economy or perhaps an economically motivated electorate. Evidence of this, given its implicit structural nature, has proved difficult to identify. The state-actors preoccupation with economics also suggests a rationalist basis of state-actor interest formulation posited by both realist and liberal theories of international relations. Realism posits the existence of objective rules by which world politics are governed. Chief amongst these is the notion that every sovereign state will act rationally and self-interestedly in its constant struggle to protect itself from the actions of others. This rationality at the heart of realism clearly acts to limit the ways in which state-actors define their interests; thus, in the context of this research, value wildlife. As Laferriere & Stoett argue;

'Realism, ... dictated by its own approach to peace and stability, demands a high level of discipline which ... hierarchy provides, and which is necessarily accompanied by an ironing out of differences – for obvious purposes of efficiency, predictability and control. ... the homogenizing tendencies of realism may usually be deduced from its "power politics" framework: reducibility of motive (to power quests, physical growth), likening of units (by emphasizing a statist ontology), defense of nationalism, and, often, an aculturalism which reinforces the sense of similarity ...' (1999: 93 & 95)

A materialist worldview is key to the realist perspective (Laferriere & Stoett 1999: 84), and there is no room for normative or subjective value judgements; such inputs 'merely cloud issues with potentially disastrous effects' (Broadhead 2002: 6). Thus the interests of state-actors within the policy-process can be characterised as exclusively military and economic, and their behaviour conditioned towards such.

Further to this, the 'sheer value of reason' means that 'The individual, rational decision-maker remains the core of the liberal ontology' according to Laferriere & Stoett (1999: 10). This rationality sits alongside a utilitarian materialism identified by Laferriere & Stoett which, it is argued is 'indissociable' from the liberal worldview. These authors identify this tendency within some of the earliest liberal IR theory quoting Norman Angell's somewhat Darwinist interpretation of the world system 'The planet is man's prey. Man's struggle is the struggle of the organism, which is human society, in its adaptation to its environment, the world.' (Angell quoted in Laferriere & Stoett 1999: 127). Thus, with a rational materialism remaining as its base the commercial and subsistence use of wildlife is well within the liberal IR view. However, the primacy of reason is, as within realism, a distinct limiting factor on the breadth and variety of potential wildlife values. This shared faith in rationality is identified by a number of scholars and Hay posits it as the basis of a 'neo-neo-synthesis' (Hay 2002: 19-21).

The responsiveness of state-actors to the political value of wildlife seems to confirm, at least to some extent, the notion of state-actors as concerned with self-preservation/survival. Classical realists characterise state-actors as self-interest *maximisers*, but the neorealist theory of Kenneth Waltz posits the 'weaker' notion of states as simply seeking to survive (Paterson 1996: 92). The fact that state-actors are apt to capitalise on wildlife's political value, thus strengthening their political position by currying favour with an environmentally aware domestic electorate, would seem to confirm the weaker notion of this characterisation.

Non-governmental organisations acknowledge and recognise a much broader range of wildlife values than do state-actors, and this makes an impression, although perhaps limited, upon the policy-process. Chapter 7 identified a number of ways in which NGOs influence the international wildlife conservation policy-process. Two factors were perhaps of the greatest significance (i) their ability to set specific agenda and (ii) their financial resources. The result of these two factors is that firstly, contemporary international policy, in which NGOs have been increasingly involved, tends to express a broad range of wildlife values at an early stage. That these varied values become less relevant as the policy is implemented is itself a reflection of the true nature of power within the international system. State-actors chose to focus upon a refined few values, and NGOs seem unable to affect this, instead having to become adept at describing their own valuations in economic terms. Secondly, the significant financial resources possessed by NGOs actually allows them to move outside the international policy-process and implement wildlife conservation programmes independently. This enables their activities to be far more effective than if they operated exclusively within the international system.

The prominence and centrality of scientists to the policy-process has the effect of promoting the importance of the educational value of wildlife. This is not because of any explicit valuation placed upon wildlife by scientists, it is instead a structural outcome which results from this group of actors' status in the policy-arena and the importance of the study of wildlife to their work.

The values of prominent individuals also influence the development of international conservation policy, although there is no clear preference for one category of value. However, it is evident that some key individuals attach significant intrinsic and aesthetic value to wildlife, and nature broadly, and that this motivates strong leadership and high levels of commitment.

State-actors undervalue wildlife and thus 'under-react' to the issue of wildlife conservation. This 'under-reaction' reveals the true nature of power in the international system. The apparent rationalist tendency of state-actor interest identification, noted above, causes state-actors to greatly undervalue wildlife. This undervaluation results in, what might be termed, an 'under-reaction' by these actors to the problem of wildlife destruction, particularly in terms of pitiful resource expenditure. This 'under-reaction', or more precisely the inability of other actors (be they NGOs, scientists, or individuals) to rectify it, reveals the true nature of power within this international political-arena; that is, with state-actors clearly the more powerful.

Having said this, that state-actors 'under-react' in this way (and are thus 'powerful' actors within this arena) does not necessarily indicate their power more broadly. This under-reaction may, in fact, illustrate the dominance of economic actors and the capitalist system in world affairs. Otherwise, it may reflect the attitude of electorates who, despite much rhetoric, in fact do *not* value wildlife and its conservation as much as might be thought, and certainly not as much as economic growth, healthcare and other elements contributing to their quality of life. The precise location of power in these instances, is very difficult to pin-point.

THE FUTURE OF WILDLIFE CONSERVATION?

The international wildlife conservation policy-arena described by this research focuses upon those forms of value that can be rendered economically. It is widely claimed that such valuations provide an attractive motivation for conservation action, and thus support effective implementation. However, in light of the evidence offered by this thesis we can conclude that the emphasis upon economical wildlife values is simply a result of state-actor preferences. In fact, the most convincing arguments in support of wildlife conservation can be seen to be ecocentric (intrinsic), psychological and, perhaps, sacred values, each of which requires (demands) the conservation of wildlife. It is notable then that such valuations are comprehensively absent from the international policy-process. Therefore, in order to successfully conserve wildlife, either the international political system needs to be restructured and new methodologies developed to effectively communicate these, or the current state-centric system needs to be rejected as an inappropriate forum in which to develop and implement wildlife conservation.

From a 'green' political perspective the conservation of wildlife is normatively desirable, thus we should ask how we can ensure its proper conservation in the future. If one of the reasons wildlife conservation fails is because states, as currently structured, are rationalist and thus unable to comprehend the full value of wildlife, then it may be agreed that this exclusive rationalism must change in order for wildlife conservation to be a success. The process via which this might change, and what it might become, are pertinent considerations. Some green political theorists would call for the adoption of an ecocentric ethical system, and posit certain restructuring of the political system as a method with which to promote this. I argue that, due to the utopian nature of this desired adoption of an ecocentric ethic, wildlife conservationists might, instead, strive more realistically for the proper recognition of wildlife's full anthropocentric value, which the suggested restructuring may well facilitate.

Ecocentrism is defined, by some scholars, as a (or even *the*) central tenet of green political theory (Dobson 1995; Eckersley 1992), and, by Matthew Paterson, as consequently a key element of a critical green theory of international relations (2001a). It is argued, by Eckersley (1992) for example, that the adoption of an ecocentric ethic is a necessary aspect of any social and political system in which the natural world and its constituent parts, are to be successfully protected. It must be beyond doubt that the adoption of such an ethical system in international affairs would have a phenomenal effect upon their conduct: in fact I can imagine no areas of international life *not* dramatically altered by such a move. One obvious result of giving full consideration to the intrinsic value of wildlife throughout international life, and pertinent to this thesis, would be the absurdity and hence non-existence of international treaties specifically oriented at protecting wildlife, the very subject matter of this research. Such a worldview must surely be, however, nothing more than a green utopia. The practical obstacles in the way of gaining widespread domestic adherence to such principles are themselves enormous, let alone in an international context.

Eckersley's response to this is inadequate. Her defence against the criticism that ecocentrism 'is difficult to translate into social, political, and legal practice' focuses wholly upon the legal aspects of this problem, specifically the attribution of 'legal rights' to non-humans (1992: 57-9), which she claims is baseless. We can agree with this. In fact we can remember that the 1979 Berne Convention and the 1992 Convention on Biological Diversity both make the notion of intrinsic value of wildlife (in one form or another) explicit in international law. The real problem is having that ethical position recognised and acted upon in day-to-day political and social life.

Eckersley, and some other green political theorists, do, however, provide a useful vision of how the political system might be restructured, as a method via which ecocentrism might likely be introduced. She describes a 'multilevelled' political system in which power is dispersed;

'both "up" (i.e., to interregional and international democratic decision making bodies) and "down" (i.e., to local decision making bodies such as municipal governments). A multilevelled decision making structure of this kind is more theoretically compatible with an ecocentric perspective ... because it provides a far greater institutional recognition of the different levels of social and ecological community in the world.'(1992: 183)

Eckersley's claims do not seem unreasonable, but I feel it remains both empirically and intuitively very unlikely that an ecocentric ethic will result from such restructuring. However, what does seem more likely and realistic is that such a restructuring may well facilitate a 'compromise' between the current destruction of wildlife and a utopian ecocentrism; that is, the proper recognition and realisation of the full anthropocentric value of wildlife.

Some green political theorists will find my rejection of ecocentric ethics objectionable, claiming that wildlife conservation based upon human contingencies is no real wildlife conservation at all. However, my rejection of ecocentrism is based upon an empirical, pragmatic position, and the response to committed ecocentrics would be that in fact, due to its utopian nature, ecocentrism is actually the perspective that offers no real wildlife conservation. Further to this, the well-established position of environmental pragmatists, predominantly in the United States (e.g. Bryan Norton, Andrew Light & Eric Katz), but increasingly in the UK (e.g. John Barry & Tim Hayward), is that utopian green philosophy has had little effect upon policy-making and that, in reality, a 'weak' form of anthropocentrism and ecocentrism are, teleologically, the same, thus rendering arguments between them irrelevant and counterproductive. As Andrew Light and Eric Katz note, this

'Metatheoretical pluralism involves an openness to the plausibility of divergent ethical theories working together in a single moral enterprise', which is at odds with the mainstream of environmental ethics where 'the consensus it seems, is that an adequate and workable environmental ethics must embrace non-anthropocentrism, holism, moral monism and, perhaps, a commitment to some form of intrinsic value.' (1996: 4 & 2).

A restructuring of the political system might be pragmatic for wildlife conservationists because part of the reason why state-actors currently undervalue wildlife is the contrast in scales between them. Even those categories of value that can be rendered economically, can be so only imprecisely. This is partly because these calculations are often over very long time-frames, but also because wildlife issues such as biological diversity are defined in terms of genes and species (locally) or ecosystems (supra-nationally). These do not fit comfortably with the scale of the state. Furthermore, it is understandably difficult for short-term political actors, in office for perhaps a maximum of 10 years, to conceptualise phenomena such as biologiversity loss, which occurs (and has occurred) over much greater time-scales, as of relevance/importance to them. Thus, the state is simply an inappropriate scale at which to recognise the full value of wildlife and imprecise and complex criteria and methodologies are often employed to try and resolve this.

Matthew Paterson notes that the notion of decentralisation is not uncommon amongst greens broadly, noting John Dryzek's claim that 'small communities are more likely to develop a social ontology which undermines purely instrumental ways of dealing with the rest of nature (because their dependence on local resources is so immediately obvious to them)' (Paterson 2001b: 63). Indeed, Paterson posits decentralisation as another core element of a green international relations theory (2001a: 277-307). The arguments made in this research would certainly support this.

In the context of wildlife, the argument would be that at a local level the forms of value that seem parochial to a community or individual are legitimised as valid motives sponsoring conservation. Whilst I would argue, therefore, that the operation of wildlife policy at a local level would be apt for the recognition of wildlife's full anthropocentric value, I would argue that also necessary for the effective conservation of wildlife would be Eckersley's dispersal of power 'up' to the supra-national level. This is necessary in order to take global biodiversity into account, by making each locale aware of its role/place within the wider biosphere.

That local communities can and do value wildlife broadly, as of cultural and/or sacred value *as well as* an economic resource, is evidenced by the developing literature on community-

based-conservation (CBC) (for example Ghimire & Pimbert 1997; Hulme & Murphree 2001; Kothari *et al.* 1998; Peepre & Jickling 1994). For example, Ashish Kothari *et al.* (2000), provide numerous examples of communities engaging in wildlife conservation throughout South Asia on account of its cultural and sacred value, along with notions of its political value as an activity that empowers the community. These authors also note several examples of where commercial exploitation of wildlife has increased subsequent to the dissolution of community structures. The success of CBC is also, to some extent, illustrated by the NGO focus upon wildlife conservation implementation at the local level (rather than state and international level).

Some scholars warn of the romanticisation of the 'community' as a resource user, noting that;

'the existing literature on community-based conservation reveals a widespread preoccupation with what might be called the mythic community: small, integrated groups using locally evolved norms to manage resources sustainably and equitably.' (Agrawal & Gibson 2001: 19)

It is argued that this leads to the homogenisation of actually varied interests encountered within a single 'community'. With this critique in mind, it should be made clear that my reasoning that the local level is most appropriate level at which to conserve wildlife (in coordination with supra-national bodies) is posited only upon the notion of appropriate scale, rather than upon any specific reference to 'community'. Furthermore, I would claim that the fundamental pluralism of this research, in terms of wildlife values particularly, is an enabling factor in terms of encompassing any diversity of opinions within a group.

Appendix A: Interviewees and Correspondence

Dr. Muhtari Aminu-Kano (Head of Global Policy, Birdlife International). *Interview* – Birdlife International offices, Girton, Cambridge, 9th March 2005.

Mr. Chris Banahan (Polar Region Section, Foreign & Commonwealth Office). *Email* correspondence -11^{th} February 2005.

Sr. Delmar Blasco (Environmental Consultant) Former Secretary General, Ramsar Convention. *Telephone interview* – 29th July 2004

Rev. Marcus Braybrooke (President, World Congress of Faiths). *Interview* – Rev. Braybrooke's home, March Bolden, Oxfordshire, 15th December 2004.

Ms. Jana Brozova (Ministry of the Environment, Czech Republic) *Email correspondence* – 26th July 2005

Dr. Wolfgang Burhenne (IUCN, Commission on Environmental Law). A veteran of international environmental law-making. Central to the drafting of Convention on the International Trade in Endangered Species. *Email correspondence* -02/08/04

Dr. Michael Ford (Retired) Formerly English Nature; Joint Nature Conservation Committee (Head of International Policy); (the first) Chair, Scientific Committee, Convention on Migratory Species; Member of UK Advisory Group on Biodiversity, which advised the UK government during the pre-'Earth Summit' negotiation of the Convention on Biological Diversity. *Interview* – Department of Geography, Kings College, London, 13th May 2005.

Professor Colin Galbraith (Head, Advisory Services, Scottish Natural Heritage) Chair, Scientific Committee, Convention on Migratory Species. Formerly with Joint Nature Conservation Committee. *Interview* – Scottish Natural Heritage offices, Anderson Place, Edinburgh, 4th May 2005.

Dr. Ray Gambell (Retired) Formerly Secretary, International Whaling Commission, 1976 – 2003. *Interview* – IWC Offices, Cambridge, 29th October 2003

Dr. Nicola Grandy (Secretary, International Whaling Commission). *Interview* – IWC Offices, Cambridge, 29th October 2003

Mr. Robert Hepworth (Executive Secretary, Convention on Migratory Species). Formerly, Deputy Director, United Nations Environment Programme. Member of the UK Advisory Group on Biodiversity, representing the Department for the Environment. Also extensive experience in the debate and implementation of the Convention on the International Trade in Endangered Species. *Telephone interview* – 20^{th} July 2005.

Mr. Peter Harris (International Team Leader, A Rocha). *Interview* – London Bridge Rail Station, London, 5th January 2005

Dr. Jon Hutton (Executive Director, Resource Africa; Regional Director for Africa, Fauna & Flora International). Formerly Zimbabwean Wildlife Service. *Interview* – Faun & Flora International offices, Great Eastern House, Cambridge, 9th February 2005.

Dr. Andrew Jackson (Australian Antarctic Division). *Email correspondence* – 23rd March 2005.

Dr. Veit Koester (National Forest and Nature Agency, Denmark). Chair of Working Group II of the Convention on Biological Diversity negotiations. Veteran of international wildlife conservation negotiations. *Email correspondence* -24^{th} June 2005.

Dr. Alikhon Latifi (First Deputy Minister for Nature Protection, Tajikistan) *Email* correspondence - 28th July 05

Professor Grenville Lucas OBE (Retired) Formerly with Royal Botanical Gardens, Kew. Member of the United Kingdom delegation to the 1973 Washington Conference to agree the Convention on the International Trade in Endangered Species. *Interview* – The Herbarium, Kew Gardens, London, 17th November 2004

Dr. Simon Lyster (Director, LEAD International). Formerly responsible for global policy and international conventions for WWF-UK and President of the Wildlife Trust (UK). Member of UK Advisory Group on Biodiversity, which advised the UK government during the pre-'Earth Summit' negotiation of the Convention on Biological Diversity. Author of *International Wildlife Law* (Cambridge, 1985). Whilst with WWF, heavily involved in the debate and implementation of the Convention on the International Trade in Endangered Species. *Interview* – LEAD International Offices, Imperial College, South Kensington, London, 21st June 2005.

Professor David MacDonald (Director, Wildlife Conservation Research Unit, Oxford University) Council Member, English Nature; Darwin Initiative Advisory Committee member; Member (and former Head) of IUCN Canid Specialist Group. *Interview* – WildCRU offices, Tubney House, Oxford. 2nd March 2005.

Mr. James Marsden (Head of Policy, English Nature). *Interview* – English Nature Headquarters, Peterborough, 13th December 2004

Professor Geoffrey VT Matthews (Retired) Former Director, International Wildfowl Research Bureau. Central to the negotiation and drafting of the Ramsar wetlands convention. *Interview* – Professor Matthews' home, Minchinhampton, Gloucestershire, 29th April 2004

Dr. Noel McGough (Head of Conventions and Policy Section, Royal Botanical Gardens, Kew). Member of UK Advisory Group on Biodiversity, which advised the UK government during the pre-'Earth Summit' negotiation of the Convention on Biological Diversity. Royal Botanic Gardens, Kew are the UK's Scientific Authority for floral species in relation to the Convention on the International Trade in Endangered Species, the implementation of which Dr McGough is engaged in on a daily basis. *Interview* – The Herbarium, Kew Gardens, London, 17th November 2004. *Email correspondence* – 18th January 2005.

Dr. Jeff McNeely (Chief Scientist, IUCN). Email correspondence $-2^{nd} \& 18^{th}$ February 2005.

Dr. Denzil Miller (Executive Secretary, Convention for the Conservation of Antarctic Marine Living Resources). *Email correspondence* – 14th & 27th January 2004

Dr Mike Moser (Environmental Consultant) Council Member, English Nature; Councillor to Convention on Migratory Species (Waterbirds specialist); Formerly International Wildfowl Research Bureau. *Interview* – Dr Moser's home, Week, Devon, 25th February 2005.

Dr. Paul Rose (Head of Biodiversity Information Service, Joint Nature Conservation Committee). *Email correspondence* -15^{th} December 2004

Sir Crispin Tickell GCMG KCVO Senior governmental advisor on the environment (to Thatcher, Major & Blair administrations); Formerly UK Ambassador to the United Nations; Environmental advisor, International Council of Scientific Unions; Chair, Darwin Initiative Advisory Committee. *Interview* – Royal Academy, Piccadilly, London, 20th April 2005.

Professor Mostafa K Tolba (formerly Executive Director, United Nations Environment Programme). Veteran of many international environmental negotiations. Central role in the negotiation of the Convention on Biological Diversity. Author of *Global Environmental Diplomacy. Email correspondence* – $12^{\text{th}} \& 29^{\text{th}}$ December 2004

Professor David Walton (Head of Environment & Information Division, British Antarctic Survey). *Interview* – British Antarctic Survey offices, Cambridge, 25th January 2004.

Appendix B: Internet Resources

Antarctica Online, educational resource relating to Antarctica, particularly the history of polar exploration. -

www.antarcticaonline.com/antarctica/history/history.htm#Anchor_sealhunters .

Audubon Society, US conservation organisation. - www.audubon.org/nas/index.html

Australian Antarctic Division - <u>www.aad.gov.au</u>

BBC Online - news source. - http://news.bbc.co.uk

British Petroleum Amoco, global oil and gas corporation. - www.bp.com

Confederation of British Industry. - www.cbi.org.uk

Convention on Biological Diversity Secretariat. - www.biodiv.org

Convention on International Trade in Endangered Species Secretariat. - www.cites.org

Convention on Migratory Species Secretariat. - <u>www.cms.int</u>

Darwin Initiative – the UK government's CBD technology transfer institution. - <u>www.darwin.gov.uk</u>.

ECOLEX, environmental law database maintained by IUCN, UNEP and FAO. - www.ecolex.org

ENTRI, online Environmental Treaties and Resource Indicators maintained by the Center for International Earth Science Information Network at Columbia University in cooperation with NASA, UNEP and IUCN - <u>http://sedac.ciesin.columbia.edu/entri/index.jsp</u>

Environmental Defense Fund, US environmental lobby organisation. - www.environmentaldefense.org/aboutus.cfm

Global Environment Facility - www.gefweb.org

Greenpeace, international environmental lobby organisation. - www.greenpeace.org

Horseshoe crab, educational resource detailing the medical uses of the horseshoe crab. - www.horseshoecrab.org

International Whaling Commission Secretariat. - www.iwc.office.org

Luna, personal pro-whaling informational and advocacy site with extensive records of IWC meetings. - <u>http://luna.pos.to</u>

Millennium Ecosystem Assessment - www.millenniumassessment.org

Nature Conservancy, US cnservation organisation. - http://nature.org/aboutus/

Ramsar Convention Secretariat. - www.ramsar.org

RSPCA, Royal Society for the Prevention of Cruelty to Animals, UK animal welfare organisation. – <u>www.rspca.org.uk</u>

Sierra Club, US conservation organisation founded by John Muir. - www.sierraclub.org/policy/

Thames Water, UK water company. www.thameswater.co.uk

University of Canterbury, online resources for the study of the Antarctic. - <u>http://anta.canterbury.ac.nz/resoucres/general/handbook/1-9a.html</u>

University of Connecticut, online resources for the study of the Arctic, including in particular pages relating to the debate over development of the Arctic National Wildlife Refuge. - <u>www.lib.uconn.edu/ArcticCircle</u>

US Environmental Protection Agency, Office of Water & Office of Wetlands. - <u>www.epa.gov/owow/</u>

Whale and Dolphin Conservation Society. - www.wdcs.org

Whalewatch, coalition of animal-welfare charities lobbying an anti-whaling perspective. - <u>www.whalewatch.org</u>

Wildlife Trusts, UK, National organisation. www.wildlifetrusts.org/index.php?section=about

World Conservation Monitoring Centre, Cambridge - www.unep-wcmc.org

Worldwide Fund for Nature, UK national organisation. - <u>www.wwf.org.uk</u>

Worldwide Fund for Nature, international network/secretariat. - www.panda.org

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