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**WORKING DRAFT IN PROGRESS**

**The EU and the UN Forest Negotiations: a case of  
failed international environmental governance?**

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-----**Abstract**-----

Over the past two decades, global environmental governance has emerged as an empirical reality and an important scholarly topic. The European Union (EU) plays an important part in such governance, even taking a leading role in cooperative ventures and treaty negotiation. Yet the EU's record in negotiations varies, from great successes such as the Montreal Protocol to apparent failures as in the recent breakdown of talks over a United Nations (UN) convention on forest management. This paper examines the EU's role in this latter case to shed light on global environmental governance and the pursuit of sustainable development. The UN negotiations from 1995-2006 help to spotlight not only the EU's role in the negotiations, but also the inner workings of global environmental governance generally and whether such governance can contribute to the wider goal of sustainable development. The paper argues that although this case might be interpreted as an instance of 'failed governance', the negotiation process itself helped to generate important norms such as sustainable forest management. In this respect, the analysis here shows the broader impact of global environmental governance beyond formal agreements.

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## **Introduction**

Attention to international environmental problems has grown tremendously between the 1972 UN Conference on the Human Environment (UNCHE) held in Stockholm, and the latest World Summit on Sustainable Development (WSSD) in Johannesburg 2002. Two decades ago, environmental problems were not regarded as a major political issue by most governments. The appearance of a new set of global environmental issues has given environmental politics a new status in world politics and also resulted in the practice of environmental diplomacy. The proliferation of summits, multilateral agreements and negotiations also indicate a rise in global environmental governance, leading to a number of new hard law instruments and soft law norms.

The EU has become an important participant in global environmental cooperation, especially with regards to the Kyoto Protocol. When the US rejected the Kyoto Protocol in 2001 and adopted a negative approach towards other multilateral environmental agreements, the EU emerged as a leader in the drive to ratify the Protocol. In climate change negotiations and in the negotiations for the Cartagena protocol to the Convention on Biological Diversity, the EU has been able put forth a unified position.

However, the EU record in the environmental negotiations varies and the EU is not always able to act as a unified actor. This has been apparent in the international forest negotiations. Throughout the negotiations the EU common position was in favour of a global forest convention. Yet, at the sixth session of the United Nations Forum on Forests in February 2006 the long-discussed agenda item of whether or not to start negotiations on a forest convention was abandoned. It was decided instead to adopt a non-legally binding instrument on 'all types of forests' at the next session. Hence, the development of the international forest negotiations suggests that the Union failed to advance its position.

This paper examines the EU's role in international environmental governance as a context in which to study a problematic case in the field of global environmental governance: the UN negotiations on forests from 1995-2006. Those have been underway for a decade, but the idea of a global forest convention was recently abandoned despite EU support. The case sheds light not only on the EU's role in the negotiations, but also the inner workings of global

environmental governance and how such governance contributes to the wider goal of sustainable development.

The paper begins with a discussion of global environmental governance, focusing on the conventional understanding of this concept. The following section introduces the EU as a main player in environmental governance, sketching out its growing role in environmental policy both at home and abroad. The paper then turns to the issue of forest management, the origin of forest negotiations, and the EU's approach to pursuing an international convention. The conclusion examines the result of these negotiations and considers whether or not we should interpret the negotiations as an example of 'failed governance'.

### **Global Environmental Governance**

The rise of global environmental problems, such as climate change, deforestation and loss of biodiversity, has led to a growing demand for international interventions and increased cooperation among state and non-state actors (Baker, 2006, p9). This growing awareness of environmental issues on the global scale has occurred in parallel with an expansion of the sub-discipline of international environmental politics (IEP). Since the 1980s the study of IEP is dominated by two grand narratives: 'global environmental change' and 'sustainable development', which replaced 'limits to the growth' and 'scarcities', the grand narratives of the 1970s (Stevis, 2006, pp29-39). The term 'global governance' has become a key topic within the environmental discourse of today (Biermann, 2006, p237). Global environmental governance (GEG) could be contextualised within the framework of sustainable development; here it is understood as a necessary, although not sufficient condition<sup>1</sup>, for the pursuit of sustainable development.

'Sustainable development' became a well-known concept in the mid-1980s. It played a central role in the United Nations Conference on Environment and Development (UNCED), then had become a popular concept in a rather short period of time. Since its introduction it has become a framework for policy-making at international and national level (Bruyninckx, 2006, pp265-270). In 1987, the World Commission on Environment and Development (WCED) published

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<sup>1</sup> GEG is the focus of this paper and seen as a vehicle for the work towards sustainable development. However, other factors, such as the global economy, are of vital importance to pursue sustainable development.

its report, 'Our Common Future'<sup>2</sup>. The understanding of 'sustainable development' used in the WCED-report became popularized through the UNCED-meeting.<sup>3</sup> The WCED formulation of sustainable development has become the guiding principle of international environmental negotiations and governance practice, a large number of international organizations and agencies subscribes to the objectives of the this formulation of sustainable development (Baker, 2006, pp45-46).

There are a number of conceptual approaches and a theoretical debate over the term of GEG (see e.g. Biermann, 2006, pp254-255; Paterson et al, 2003). The conventional understanding of GEG refers to the international cooperation on environmental issues, i.e. the international environmental organizations and international environmental agreements (Paterson et al, 2003, p4). Since the ending of the Cold War, environmental diplomacy and the international environmental law have developed rapidly. In the field of International Relations the focus has been to explain the evolution of environmental discourse in terms of the outcomes of environmental summits, agreements and negotiations (Clapp, 2005, p45).

An important dimension of GEG in this conventional meaning has been the establishment of regimes to foster rule-governed activity. The task of the regimes is to secure negotiations, set standards of environmental management and find effective responses to the challenges presented by global environmental change (Baker, 2006, p53). A regime could be defined as 'agreed-upon formal and informal institutional structures, principles, norms, rules and decision-making procedures and action programmes to address a specific environmental issue' (Young, 1997). Regime analysis has been used to analyse the institutional response to different environmental problems (see e.g. Andresen, 2001; Sjöstedt, 1998; Young, 1989).

However, Dimitrov argues that scholars traditionally have focused on environmental issues where a legal agreement has been achieved and thus a regime been formed. Dimitrov

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<sup>2</sup> The former Norwegian Prime Minister chaired the WCED and the report 'Our Common Future' is sometimes referred to as the Brundtland Report.

<sup>3</sup> The WCED definition of sustainable development: 'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. [...] contains within it two key concepts: the concept of needs, in particular the essential needs of the world's poor, to which priority should be given; and the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.' (WCED 1987, p43)

evaluates cases where attempted global agreements were not reached and call these cases 'non-regimes'. Dimitrov defines a regime as '[...] a formal intergovernmental policy agreement that involves specific commitments to policy targets and timetables and has entered into force according to the terms of the legal text' (Dimitrov, 2006, p5). In contrast, a 'non-regime' is 'a public policy arena characterized by the absence of an interstate policy agreement where states have either tried or failed to create one, or when governments have not even initiated negotiations'(Dimitrov, 2006, p9). Using the concept of 'non-regime' could provide an understanding of the promises and pitfalls of GEG. Dimitrov uses the international forest negotiations as a case of failure, meaning that the negotiations have not led to a formal treaty. Further, Dimitrov states that 'recent sessions of UNFF have become notorious in diplomatic circles for their lack of purpose' (Dimitrov, 2006, p109).

Other scholars have reached different conclusions regarding this topic. Humphreys develop another approach arguing 'that a distinct forest regime has evolved that is gradually expanded and strengthened as new areas of agreement emerge' (Humphreys, 2006, p192). Humphreys argues that without a forest convention the consensus on forest-related issues is fragmentary and incomplete (Humphreys, 2006, p212). These different conclusions depend partly on what scholars consider as a regime, i.e. if they referring to the international forest negotiations or the wider forest governance area (to which we will return to later in the paper).

Whether or not forest issues make up a regime will not be further analysed here; instead the focus is what can or can not be achieved in the framework of GEG. The absence of a treaty clearly has its disadvantages for forest health; a convention could contribute to attracting political and public interest, that in turn, could increase the salience of the issue and thus improved financial means. Without a convention, there is no global institution that could create a coherent issue area. On the other hand, forest management might be too complex to cover by an international agreement, since it is more problematic to distinguish the global scope than what is the case with the atmosphere. Other initiatives in the forest area might be able to handle the issues in a more efficient way.

In order to further expand the understanding of what is possible to achieve in the area of GEG, we now turn to the EU as one of the central players in GEG. The EU constitutes an interesting actor in this case. The Union has not been as successful in the forest negotiations as in other environmental negotiations. Moreover, GEG makes up a 'multi-actor governance

system' (Biermann, 2006, p243). This involves the increased participation of other actors than the traditional state actor and the EU is a different kind of actor with special characteristics, such as multilevel policy-making and a division of power between the member states and the Community.

### **The EU, GEG and Sustainable Development**

Alongside the development of GEG and sustainable development, the EU has evolved as an important actor, both within this framework and more generally in world politics. The evolution from the late 1980s to the Kyoto-negotiations is captured by Srabiga and Damro: '[...]EU moved from being the Vienna laggard to the Kyoto leader' (Sbragia and Damro 1999, p53). The growing importance of the EU within the international environmental cooperation is linked to institutional development and evolution of internal environmental policy-making. The domestic and institutional features of the EU are crucial to understand the Union's performance and acting at the international level (Delreux, 2006, p232, Rhinard and Kaeding, 2006).

The Treaty of Rome created the European Economic Community (EEC) with the main task to establish a common market and to coordinate the economic policies of the member states. Environmental issues were absent in this treaty, as was the case with environmental issues in world politics more generally at this time (Bretherton and Vogler, 2006, p89). This changed gradually over time as EU competences grew to include social, environmental and regional policy areas. In 1973, EU member states launched a series of Environmental Action Programmes (EAPs); there have been six up to now (Baker, 2006, pp136-142). These multi-annual programmes set objectives, define key-principles, select priorities and describe measures to be taken in different policy sectors related to the environment. The action programmes shows an increasing commitment to environmental protection, however, they were only guidelines to action and did not have the same force of law as treaty articles (Peterson and Bomberg, 1999, pp175-176).

With the European Single Act (SEA) of 1987, environmental policy became a formal EU competence. The Maastricht Treaty of 1993 introduced the principle of sustainable development as a central aim of the EU and confirmed the growing importance of this policy

area. The Maastricht Treaty also set out as a key policy objective the promotion of measures at the international level to deal with regional or international environmental problems (Hix, 2005, p250). The EAPs reveal the EU's move into a prominent international environmental role and its more general commitment to sustainable development. In 2002 the Commissioner for Environment, Margot Wallström, stated that 'the EU has to play the leading role in ensuring that Johannesburg delivers concrete progress towards sustainability goals' (Wallström quoted in Burchell and Lightfoot, 2004, p169). Hence, the EU seems to have committed itself to working to achieve sustainable development and to playing a lead role.

An important milestone for the EU's global role was the European Court of Justice (ECJ) ruling in the 1970s, that in areas where the EU had passed internal legislation, it also had the right to handle external affairs relating to that field (the 'in foro interno, in foro externo' principle, Case 22-70 Judgement of the Court of 31 March 1971). Still, ambiguity remained of the proper division of labour in negotiating international environmental agreements (Peterson and Bomberg, 1999, pp186-187).

In 1992, the European Community (EC)<sup>4</sup> was granted full participant status at the UNCED conference, meaning that it had the same rights as the participating states (Jupille and Caporaso, 1998, p223). The EC has achieved legal status and it is entitled to act only in areas of legally established competence<sup>5</sup>. The EU cannot, unlike the EC, conclude international agreements; the EU does not have international legal personality (Delreux, 2006, p233).

The Union is often described as a unit that is neither an international organisation nor a state; instead it is an international organisation *sui generis*, referring to an actor of its own kind or unique in its characteristics (Vogler, 1999 p26). This originates from the division of power between the Union in form of the Commission and its member states, i.e. competence is divided between the member states and the Commission. Some policy areas are exclusive member state competence areas (e.g. trade); the Commission is then free to conduct negotiations within the limits set by the negotiation mandate decided upon by the Council.

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<sup>4</sup> After the entry of force of the Maastricht Treaty in November 1993, the European Economic Community became the European Community (EC), which still is the official term for the first pillar where trade and environmental policymaking is pursued. Together with the two other pillars the EC is collectively known as the European Union (EU).

<sup>5</sup> Competence could be defined as the authority to undertake negotiations, conclude binding agreements, and adopt implementation measures. Where competence is exclusive, it belongs solely to the European Community to the exclusion of the member states. Where it is concurrent either the Community or the member states may act but not simultaneously (Macrory and Hession, 1996, p183)

Other policy areas are shared between the Commission and the member states (e.g. environment), and additional others are exclusive EU competence (e.g. security policy) (Zeff and Pirro, 2001 p13). The competence of a policy area affects the EU's capability to act, meaning that the competence defines which parties have sovereignty in a negotiation issue, the member states or the Commission. Thus, one of the EU's defining features, how power is divided, is connected to the legal and institutional framework of the EU. This gives the Union different room to manoeuvre in different policy areas.

The environment policy area is formally recognised as an area of shared competence,<sup>6</sup> and the international forest negotiations are subsumed under the EU's environmental policies. When discussions in the negotiations concern issues under exclusive competence, representatives from the Commission take the floor, in issues under the jurisdiction of the member states, national diplomats decide. In areas under the jurisdiction of both member states and the EU (shared competence), the Union is sometimes represented by the Council Presidency, sometimes by the Commission (Elgström and Jönsson, 2005, p118).

In addition to the legal status and the competences, the EU needs to be recognized by other actors as a negotiation party (see e.g. Bretherton and Vogler, 2006, Delreux, 2006). The rather complicated structure of the EU and the dual representation within negotiations has created confusion among other actors. However, the EU is widely regarded as a powerful actor and de facto considered as an actor in its own right.

### **The forest issue**

Forests account for almost 30 percent of the earth's total land area. Both natural and man-made forests have economic, social and environmental benefits. Nearly half of the world's population, mainly in developing countries, depends to some extent on forests for consumption goods. Forests are also an integral part of the biosphere, helping to stabilize the natural systems. Forests contribute to biological biodiversity and help maintain air, water and soil quality. They influence biogeochemical processes, regulate runoff and groundwater, control soil quality. They influence local climate and reduce downstream sedimentation and flooding. Forests work as carbon sinks by sequester carbon dioxide from the atmosphere, thus

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<sup>6</sup> For a comprehensive discussion on shared (or mixed) competence in environmental negotiations see Rhinard and Kaeding, 2006.

reducing the greenhouse effect. Furthermore, they have aesthetic value and offer recreational opportunities. (Sharma, 1992, p9) Thus, forests are multidimensional and there are evidently a number of conflicting views of the forests that are internationally significant. As Conca and Dabelko put it:

‘Some see a stock of timber to be exploited for economic gain. Others see a complex ecological system that holds the soil in place, stabilizes the local water cycle, moderates the local climate and fosters biological diversity. Still others see the forests as a home for people and other living things, or perhaps as an ancestral burial ground. Finally, some see the forests as a powerful cultural symbol on broader scales: The forest as a dynamic living system reflects the potential harmony between humanity and nature provides link between the past and the future. [...] [At the international level] forests could be seen as an important source of international economic power or as powerful symbol of global interdependence, where the forests reflects the global consequences of local acts in that its destruction alter global climate or deplete the global stock of biological diversity. For others the forests represent the national sovereignty in that it confirms the right of a nation to do as it sees fit within its territory.’ (Conca and Dabelko, 1998, p2).

The far most acknowledged international forest-related problem is deforestation. Deforestation is not just an environmental problem in itself; it also causes other environmental problems and is having severe effects for the welfare and productivity in many developing countries. There are both natural and human induced causes of deforestation, natural factors include repeated fires, attacks by insects, disease and destruction by storms. Deforestation as a result of human activities is connected to the global economy and involve among others: commercial logging, agriculture, pasture, mining and military activities. (Dimitrov, 2006, p114). Deforestation has been subject for international discussions for a rather long period of time which have taken place in different fora.

### **Global Forest Governance**

Forest issues have emerged as an important priority on the international political agenda for sustainable development. In the 1980s the Tropical Forestry Action Plan (TFAP) was initiated, as a result of the increasing awareness about deforestation in the tropics. The International Tropical Timber Organisation (ITTO) was also established in the 1980s.

Forest issues have also been discussed in negotiations of other conventions, like the Convention of Biological Diversity (CBD), the UN Framework Convention on Climate

Change (UNFCCC), the UN Convention to Combat Desertification and (UNCCD) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Forest governance involves a variety of actors: governments, international organizations such as the Food and Agriculture Organization, the UN Environment Programme, the UN Development Programme and the World Bank. There are also different certification systems, such as the Forest Stewardship Council (FSC) and the Pan European Forest Certification (PEFC). Hence, forest issues are covered by a several fora and involve a number of actors at the international level, showing the importance of forest issues but also a great fragmentation.

In the one process that exclusively focuses on forests, the most burning issue has been the discussions whether or not to start negotiations for a global forest convention. This process has been conducted in the Intergovernmental Panel on Forests (IPF), the Intergovernmental Forum on Forests (IFF) and the UN Forum on Forests (UNFF). The discussions of a global forest convention could be traced back to the late 1980s and at the UNCED meeting it became one of the most controversial issues. (Persson, 2005).

### **The international forest negotiations**

The UNCED-meeting resulted among other things in the signing of two legally binding conventions, the UNFCCC and the CBD. The UNCCD was another result from the discussions at UNCED, but not agreed until 1995. Forest issues were also discussed, and they proved to be the most contentious issues at UNCED, many actors hoped for a forest convention rather than the soft-law principles that were agreed upon (Glück et al, 1996). But there was a fundamental divide between the countries and they could not reach a legally binding agreement. Instead states agreed on a soft law instrument, the “*Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management Conservation and Sustainable Development of all Types of Forests*”, the Forest Principles, which is outlining the general principles of forest protection and sustainable management while affirming the sovereign right of the state to exploit forests.

Occasionally forest issues are referred to as ‘the missing Rio convention’. The debate on the forest issues cut through sensitive issues as sovereignty over natural resources and the need

for the developing countries to achieve economic development on the same terms as the industrialised world already have done on the expense of the environment.

After UNCED forest discussions continued in the Commission on Sustainable Development (CSD), the IPF, 1995-1997, and the IFF, 1997-2000. In October 2000 UNFF was established as a subsidiary body by ECOSOC, in resolution E/2000/35, and it had its first organizational session in 2001. The main objective was to promote the management, conservation and sustainable development of all types of forests. To achieve this main objective, principal functions were identified for UNFF, namely to:

- facilitate implementation of forest-related agreements and foster a common understanding on sustainable forest management (SFM)
- provide for continued policy development and dialogue among governments, international organizations, and Major Groups, as identified in Agenda 21, as well as to address forest issues and emerging areas of concern in a holistic, comprehensive and integrated manner
- enhance cooperation as well as policy and programme coordination on forest-related issues
- foster international cooperation and monitor, assess and report on progress
- strengthen political commitment to the management, conservation and sustainable development of all types of forests

One of the tasks of the forum was to take a position how the future cooperation on forest policy would continue, and at the fifth session the forum would ‘consider with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests’ (UNFF Report on the Organizational and First Sessions, E/2001/42/Rev.1).

At the UNFF-5 the delegates were incapable to reach agreement and could not produce either a ministerial statement or a negotiated outcome. The delegates decided the last day to forward the draft negotiating text to UNFF-6 that was held in February 2006. Thus, the sixth session of the United Nations Forum on Forests (UNFF) took place almost a year after the fifth session that was supposed to be the last session in this process. At UNFF-6 the long-discussed agenda item of whether or not start negotiations on a forest convention was finally abandoned. Instead, it was decided to adopt a non-legally binding instrument on all types of forests at the next session in April 2007. In the final text it was decided that a review will take place in

2015 (Report of the United Nations Forum on Forests Sixth Session (E/CN.18/2006/18 E/2006/42(SUPP)). Hence, the negotiations did not end in 2005, on the contrary it seems like the process has become a never ending story and meanwhile the deforestation continues.

UNFF-6 differs from past meetings in that previous positions have shifted. The EU, one of the longstanding supporters of a legally binding instrument (LBI), put this issue aside at the sixth session and argued instead for developing a voluntary instrument. This is a rather different position since the EU has been in favour of a LBI since the start of the international forest negotiations. These developments, the continuation of the UNFF-process and the change of the EU position, show that there is no opening for a global forest convention. Principally, these conclusions have been reached at the preceding IPF and IFF, although the change of the EU position is new. (ENB, 2006)

### **The Common EU position**

The EU, a successful actor in many other environmental negotiations, has not been able to achieve its long-standing goal with a forest convention. Instead, the EU changed its position at the last negotiation session to a, for the negotiations, more pragmatic view.

The two opening statements of the EU, the first from the fourth session of the IPF 1997 and the second from nine years later at the sixth session of the UNFF 2006 describe the common position of the EU: In its opening statement of the fourth session of the IPF the EU

“stressed the need for a holistic approach that includes economic and development issues not adequately addressed by other conventions. A global forest convention would provide the appropriate framework and would ensure the implementation of the Forest Principles. [...] hoped for a unanimous recommendation to establish an Intergovernmental Negotiating Committee for a global forest convention” (ENB, 1997).

In the EU’s opening statement at UNFF-6 these thoughts were abandoned:

“[...] disappointment at UNFF-5’s failure to reach consensus, and conceded that since achieving an LBI is not a realistic prospect, the EU wished to engage in a pragmatic dialogue that would contribute to SFM for all forest types. [...]also sought clarification of how the LBI issue would be handled at this session”. (ENB, 2006)

This common position of the EU on the international institutional mechanisms (and the other issues concerning the international forest negotiations) emanates from the Council Conclusions, which are the steering document at the internal negotiations among the member states. The Council Conclusions from 1997 concludes that:

“The EU is [...] positive towards a global forest convention on forest.” (EU document 8303/97).

More recent documents are using the same reference. In 2000 one EU statement referring to the Council Conclusions from 1997 when stating that:

“[...] the EU maintains its belief of the requirement to stipulate a clear political and legal foundation, which best could be achieved through negotiations on a legally binding instrument.” (EU document 7662/00).

In the draft council conclusions prepared to the UNFF 5 it is stated that:

“The EU [...] repeats its wish of a powerful international instrument for management, protection and sustainable development for all types of forests over the whole world ... consider the parameters of a mandate for developing legal framework on all types of forests (EU document 8003/05).

In these statements it is possible to distinguish the positive attitude to work towards a legally binding instrument on forests. These statements or quotations from EU documents are here interpreted as the coordinated and common EU position on a convention or legally binding instrument on forests. Thus, the common EU position has been in favour of a legally binding instrument, although it seems that the EU abandoned this position at the sixth session due to pragmatic reasons. However, there are some breaks with this pattern.

At IFF-3 the EU opposed references to financing forest conservation in the decision text of the meeting (Dimitrov, 2006, p107). Furthermore, Humphreys describes the position of the EU at the fourth session of the IFF as dominated with coordination problems. ‘The formally agreed on position 1996 was not revisited during the IFF process and by the fourth session some EU member states did not longer support a convention. This led to that the EU could no longer support a convention and the EU could not offer a clear position during the negotiations, the EU neither supported nor opposed a forest convention’ (Humphreys, 2006, pp 85-86). Still, formally the EU argued for a forest convention.

Since the international forest negotiations are subsumed under environment within the EU it is a shared competence area, as outlined above. The member state that holds the presidency speaks on behalf of the member states in the negotiations, and work in close cooperation with the other part of the Troika. Representatives from the Commission are also present at the negotiations. In between the negotiation sessions the EU works out the main strategy and policy lines in the Council Working Group on Forests (WG Forests), this is the preparations of the EU position for the international negotiations. In the international forest negotiations

the EU does not have a written negotiation strategy, as in many other international negotiations; instead the Union departs from the Council Conclusions which are subject to hard negotiations among the member states.<sup>7</sup>

One result that derives from the multidimensionality of forests is that the understanding of the issue area distinguishes at different levels in society. At the international level the forests are treated in the framework of GEG, and at the EU-level forest issues related to the UNFF are subsumed under the environmental policy area. However, within EU the broader forest area is handled across different administrative bodies; in the Commission forest issues are mainly dealt within the Directorate General (DG) Agriculture, but also in DG Development, DG Environment, DG Enterprise, and DG Trade. The international forest negotiations are the responsibility of the DG Environment that is the lead agency. Forest issues are not covered by any treaty. Instead, there is the *Resolution on a Forestry Strategy for the EU*, (European Commission, 2003).

At the national level forest issues are perceived very differently by the member states. The national forest policies of the member states have emerged from the specific forest-concerns in respectively country. The political responsibility for forests is a reflection of this. In Sweden the main responsibility for forest issues is under the Ministry of Industry, while in Denmark and the Netherlands the counterparts are the Ministry of Environment. This has led to that partisan interests have competed on how forest issues should be defined at the EU-level (Jokela, 2006, p197).

### **A case of failed global environmental governance?**

Deforestation has become a recognized environmental problem. The causes are to a large extent connected to both the global economy and to poverty. This is the case with the majority of the environmental issues; they are cross-sectoral and are affecting important economic interests (climate change and the oil industry makes up a good example of this). However, other environmental problems that have been dealt within the framework of GEG are more explicit global problems, e.g. the atmosphere. Forest issues make up a different set of problem with apparent local dimensions.

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<sup>7</sup> I am grateful to the members of the Swedish delegation to UNFF that have been most helpful in outlining how the EU works in these negotiations.

The EU has developed to an important actor within GEG that is based on the internal environmental policies and legislation and also its economic significance. Even though the record in other environmental negotiations not is flawless, the Union has become an environmental leader. But the forest negotiations proved to be too difficult for the EU. The shared competence within the negotiations can not explain these difficulties, it might cause some confusion among other actors, but the EU is still considered as an important actor. Moreover, in other environmental negotiations the shared competence has not been a problem.

The internal differences among the member states have proved to be hard to overcome in this case. These different views are a reflection of the difficulties at the global level, which in turn shows the multidimensionality of forests. The views on the forest issues are connected to interests, where some interests are powerful political and economic interests. This is a case where the GEG framework not is sufficient to handle an environmental issue. The result of the negotiations could be interpreted as an instance of 'failed governance', since they not have led to a hard law agreement. However, they have generated norms, such as sustainable forest management. In this respect, there is a broader impact of global environmental governance that goes beyond formal agreements

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