

# "INTERNATIONALIZATION" AND THE CONSERVATION OF CANADA'S BOREAL ECOSYSTEMS\*

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Over the past decade, students of domestic public policy have increasingly turned their attention outwards, incorporating analysis of various facets of globalization and internationalization into their accounts of the factors shaping policy processes and outcomes. Scholarship at the junction between comparative public policy and international relations has expanded rapidly, with early generalizations about the importance of attending to extra-territorial influences now beginning to spawn debate over how, and under what conditions, these influences make a difference. This paper explores one important contribution of these debates. It uses Bernstein and Cashore's delineation of pathways of non-domestic influence as a framework for examining the forces influencing the policies and practices that are shaping the fate of Canada's vast boreal forest region.

Exploring what they call *internationalization* ("the in-

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\*A list of acronyms used in this article is provided on page 42.



creased activities and influence of actors, ideas and institutions from beyond state borders"<sup>1</sup>), Bernstein and Cashore seek to demonstrate the utility of distinguishing four pathways of external influence on domestic policy: "use of the global market; international rules and regulations; changes in international normative discourse; and infiltration of the domestic policy-making process."<sup>2</sup> We will use the boreal case to test the potential of the Bernstein and Cashore framework. Our reflections focus on two primary questions. First, are the framework's core distinctions clearcut and useful? Second, is the framework comprehensive enough to capture the range of ways in which non-domestic forces operate, or should additional pathways be delineated?

These reflections on the validity and comprehensiveness of the Bernstein and Cashore model will, we hope, contribute to refinement of theory on the impacts of international factors on domestic policy processes and outcomes. In addition, our examination of the fit between the framework and the case should enhance our understanding of the conditions under which transnational forces influence Canadian environmental policy processes. More specifically, this analysis will help us assess whether, in the years ahead, Canada's

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federal and provincial governments are likely to address threats to boreal ecosystems. Our account, we should emphasize, represents only a preliminary sketch of a story in its early stages. It will be some time before we will be in a position to gauge the impacts of the various forces shaping the fate of the boreal environment.

## **I. THE THREATENED BOREAL**

Canada's boreal region covers about two million square miles,<sup>3</sup> accounting for over 50 per cent of Canada's land mass. The Canadian boreal represents about one-third of the global boreal zone, about one-half of which is in Russia with the remainder in Alaska and the Scandinavian nations.<sup>4</sup> Canada's portion of the boreal contains one-quarter of the world's remaining large intact forests,<sup>5</sup> with most of these "frontier" forests in the northern sections of the boreal.<sup>6</sup> Wetlands, including an estimated 1.5 million lakes and some of Canada's largest river systems, cover about one-third of the area.<sup>7</sup>

The Canadian boreal is threatened by industrial development, agricultural expansion, and climate change. Organizations working to conserve boreal ecosystems frequently remind their audiences that significant knowledge gaps continue to hinder attempts to develop a complete picture of the scope and ecological impacts of these threats. Some "facts" concerning the boreal continue to be in dispute. A clear picture of stressed ecosystems does, nonetheless, emerge from the work of a diverse array of credible scientific authorities. Andrew Nikiforuk offers this assessment, citing the warnings of freshwater ecologist David Schindler, one of Canada's most honored scientists: "An industrial assault on the boreal, combined with a cascade of stressors from acid rain to climate change, is now degrading the forest so quickly that only a few northerly parts may survive intact as isolated parks."<sup>8</sup>

Industrial exploitation of the boreal has been multi-pronged, with the forest, mining, oil and gas, and hydro-electric industries all playing significant roles. The forest industry has advanced steadily northward, aggressively promoted by provincial government policies aimed at attracting investment in pulp, paper, and oriented strandboard mills. In Alberta, the rate of logging increased over 500 per cent between 1970 and 1997.<sup>9</sup> It is estimated that 97 per cent of all merchantable timberlands in the boreal forest have been licensed for timber harvesting.<sup>10</sup> In some southern parts of the boreal, logging by the forest industry has been combined with clearing of forested areas



for agriculture. Rates of deforestation on this agricultural frontier have been estimated to equal or exceed rates in Amazonia in the 1970s and 1980s.<sup>11</sup> All three prairie provinces continue to sell Crown forest land to farmers for conversion.

Oil and gas exploration and production have resulted in considerable ecosystem fragmentation. For example, in 2001 ecological researchers Kevin Timoney and Peter Lee estimated that the web of seismic lines across Alberta exceeded 1.5 million km. in total length, and that the oil and gas industry had laid down at least another 440,000 km. of other linear developments such as pipeline corridors and access roads.<sup>12</sup> They enumerate a long list of oil and gas industry impacts on Alberta's ecosystems, including: "loss and disturbance of habitat; landscape fragmentation, dissection, and shrinkage; wetland and riparian degradation; disturbance of wildlife; increased poaching and hunting on access roads; oil spills; salt-water spills; aquifer depletion and pollution...."<sup>13</sup> Gary Stewart, Ducks Unlimited Canada's leading boreal researcher, notes that in some areas of Alberta, the energy sector harvests as much timber as the forest industry. Like Timoney and Lee, he laments the fact that the Alberta government neither controls nor analyzes cumulative impacts of the two industries.<sup>14</sup>

As noted by the Pembina Institute's Energy Watch program, the effects of the first waves of energy developments are now beginning to be compounded by new stages of oil sands development using "in-situ" technologies.<sup>15</sup> The Pembina Institute emphasizes that these new extraction technologies, "while not requiring the large open pits of surface-mined ores, still result in extensive disturbance to vegetation, wetlands, and wildlife due to the large network of seismic lines, roads and pipelines needed."<sup>16</sup> After nearly 30 years on the backburner, the Mackenzie Valley natural gas pipeline project is once again under active consideration, raising concerns about the fate of the Mackenzie Delta and the numerous world class wetlands in the watershed.<sup>17</sup> In the western boreal, major wetland complexes such as the Peace Athabasca Delta and the Saskatchewan River Delta have already been fundamentally altered by upstream hydro-electric developments. Parts of several other provinces have been similarly affected. A 2000 report by Environment Canada's Environmental Monitoring and Assessment Network said that there are 279 large hydro dams in Canada's boreal shield ecozone (a sub-zone of the boreal), and that 85 per cent of its drainage basins have been altered:



"seventy-seven percent contain major dams, 25 percent have major reservoirs, and 33 percent have rivers whose flows have been altered by water transfers."<sup>18</sup> Dozens more northern hydro projects are on the drawing boards. Proposed projects on rivers in Northern Ontario threaten major wetlands along Hudson Bay, while the Lower Churchill project in Labrador could have a major impact on the eastern boreal.

The effects of global warming are already evident, with climate models predicting that the boreal zone will continue to warm more quickly than areas to the south.<sup>19</sup> Climate change will cause an array of interacting impacts, including "drier average conditions, greater annual climatic variation, melting permafrost, altered surficial hydrology and higher rates of wildfires. Vegetation zones are expected to shift northward and up to 16 million hectares of boreal forest may become suitable for agriculture."<sup>20</sup> Each primary impact is likely to trigger cascades of other changes, many of which are difficult to predict. For example, complex changes will be set in motion as a result of the expected shifts in pest patterns and predator behavior. The impacts of changes in fire patterns will be crucial. Although fire is critical to regeneration of the boreal forest, the evidence to date raises real concerns about forest regeneration under warmer conditions.<sup>21</sup> Analysis of how these changes will affect different species is in its infancy, but there are concerns that many will not be able to adapt or shift ranges quickly enough to survive.<sup>22</sup>

Perhaps better than anyone else, David Schindler has pulled together what is known about the interactive effects of various stressors. "Warming," he says, "is pushing the boreal system to the edge with burning forests and by amplifying the effects of acid rain and ozone holes and logging. We have to adapt our management schemes to give it enough slack to adapt. ... The Canadian press carries all this crap on the tropical rain forest while we have ignored the destruction of the boreal ecosystem taking place under our very noses."<sup>23</sup>

The sense of urgency underlying the work of boreal protection groups reflects not only worries about this tide of threatening developments but also a strong sense of the opportunities presented by the region. Stewart Elgie, an environmental lawyer at the center of efforts to build the boreal conservation movement, puts it this way:

On a global scale, the conservation prospects in the boreal are so much better than any other forest ecosystem. ... For those working on forest conservation, this is really an



attractive place to focus. Most other places are already so heavily fragmented and allocated that there isn't much room left for large-scale conservation. And if you look at the possibilities for large-scale conservation — Brazil, Russia and Canada — only one of those is a stable western democracy. So if you consider these factors, this is a very attractive place for those interested in supporting global forest conservation.<sup>24</sup>

The early stages of Ducks Unlimited Canada's Western Boreal Program (WBP) illustrate the scope of opportunities for global-scale conservation contributions. This research shows that major wetlands complexes throughout the area provide breeding, moulting, and staging habitat for significant percentages of many different waterfowl species, highlighting the significant global impacts Canada could make by protecting these areas.<sup>25</sup>

## II. CANADIAN GOVERNMENTAL RESPONSES

Responses to these threats and opportunities will continue to be structured in fundamental ways by ownership patterns and the Canadian constitution's allocation of responsibilities to federal, provincial, and territorial governments. About 95 per cent of Canada's boreal is publicly owned (i.e. Crown land), with provincial governments controlling over 70 per cent of the total area.<sup>26</sup> The two levels of government have overlapping jurisdiction over the environment. The provincial governments (and increasingly, the territorial governments of the Yukon, the Northwest Territories, and Nunavut) have extensive authority over natural resources and a wide range of environmental policy levers. The extent of federal jurisdiction continues to be debated. Court decisions have supported an expansive interpretation, and proponents of federal activism note several jurisdictional "hooks," citing federal responsibility for migratory birds, fish, climate change, and First Nations.

Jurisdictional ambiguity has meant that much has depended on the assertiveness of particular governments. Kathryn Harrison shows that federal-provincial relations on environmental matters have oscillated between cooperation and conflict, with approaches based on collaboration or "rationalization" prevailing during periods of cooperation, and unilateralism more likely during periods of conflict.<sup>27</sup> She argues that shifts in the relationship result from cyclical trends in the public's level of interest in environmental issues. The



federal government has been moderately assertive during periods of high salience, thus creating some tensions with the provinces. Ebb flows of public concern lead to the restoration of more harmonious relations. In these periods, Ottawa retreats, "passing the buck" to the provinces.<sup>28</sup>

Harrison notes that "while intergovernmental harmony is often presented as an unqualified good, it is by no means clear that such co-operation has contributed to stronger environmental protection and conservation in Canada."<sup>29</sup> Generally speaking, environmentalists contend that the environment would be better served by a stronger federal role. They argue that consistent national standards are needed to discourage "race to the bottom" maneuvering by provinces eager to attract investment, and that the federal government is better positioned than are its provincial counterparts to resist the demands of powerful resource industries.<sup>30</sup> Environmentalists continue to point to jurisdictional bases for a strong federal government role in the boreal, citing as examples federal responsibilities for migratory birds and climate policy. On the latter point, Stewart Elgie says:

The boreal's importance as a carbon sink could provide both a climate policy and an economic rationale for conservation. The boreal is the largest terrestrial carbon storehouse in the world, so maintaining the integrity of boreal ecosystems is really important for maintaining climate balance .... The economic rationale is that in a world where carbon will have value as a traded commodity if Kyoto comes into effect, you've got the potential to actually generate some revenue around carbon storage as well.<sup>31</sup>

In the territories, devolution of responsibility for land and water is underway, with the territorial governments in the process of achieving more "province-like" powers, and First Nations assuming important responsibilities under land claims settlements. But as Elgie emphasizes, although land use planning in the territories must in most cases now be based on tripartite negotiations, it is important to remember that "the federal government is still the legal owner of the land north of 60 [degrees N. latitude]. The federal government routinely tries to forget that, but ultimately it is responsible for what we do with lands in 45 per cent of Canada."<sup>32</sup>

Although a strong boreal-conservation policy package would have to involve a much wider array of measures than just environmental assessment and endangered species protection, the combined



federal-provincial performance in these two areas does illustrate why many Canadian environmentalists question their governments' willingness and capacity to respond to threats to boreal ecosystems. After reviewing the history of federal-provincial dancing around the set of issues raised by arguments for effective environmental assessment (EA) policy, environmental lawyer David Boyd offers this summary appraisal:

A tremendous gulf exists between the theory of EA and the reality of on-the-ground practices in Canada. .... [T]here is a contradiction between governments' stated goal of improving the quality of EA, and government actions in weakening EA legislation and decreasing the staff, budgets, and resources of environmental departments. Canadian EA laws are hamstrung by the exclusion of many projects, activities, plans, and policies with significant environmental impacts. Provincial EA laws are weaker and narrower than [the federal law]. Other fundamental flaws include the unfulfilled commitment to sustainable development; the failure to consider needs, alternatives, and the full range of impacts; the lack of independent decision making; and inadequate opportunities for public participation.<sup>33</sup>

Ian Urquhart underlines the relevance of these concerns for the boreal. His review of provincial forest management policies in the three prairie provinces (Alberta, Saskatchewan, and Manitoba) leads him to express guarded optimism about developments in Saskatchewan.<sup>34</sup> In the other two provinces, however, he finds weak, discretionary environmental assessment policies. Manitoba's Clean Environment Commission, for example, has been roundly criticized by environmentalists because the Manitoba cabinet retains discretion over what the Commission is allowed to examine and how. Urquhart continues:

Also, environmentalists are critical of the fact that, as in Alberta, there is no environmental assessment of the initial decision to assign a forest management licence (FML). Fundamental issues such as the amount of timber that may be cut annually are settled in the FMLs and are thus not subject to an environmental assessment. Furthermore, the commission lacks the institutional capacity a strong environmental assessment agency requires; its members have



tended to be laypeople who lack the sorts of expertise that would strengthen their ability to evaluate projects and management plans; the commission's staff capacity to conduct investigations is too limited. Consequently, the [Commission] is viewed as an example of political symbolism, an agency that has strengthened, not challenged, the industrial forestry model in Manitoba.<sup>35</sup>

The discouraging picture facing Manitoba's environmental non-governmental organizations (ENGOs) was exacerbated in 1999 when the Federal Court threw out an attempt to force the Canadian government to conduct a full environmental assessment of Manitoba's decision to issue Tolko Industries Ltd. a logging license covering a huge tract (11 million hectares) of boreal forest.<sup>36</sup> The court challenge, which was brought by the Manitoba Future Forest Alliance, left the group's lawyer frustrated: "This case is the latest and certainly the most extreme to date of a clear pattern of federal and provincial behaviour. The federal government appears to want out of its responsibility for fish, fish habitat, and migratory birds and prefers to let the provinces do what they want with these jurisdictions."<sup>37</sup>

Assessments of efforts by federal and provincial governments to protect endangered species lead to parallel conclusions. Canada has long been criticized for failing to develop strong policies to protect endangered species. On paper at least, the situation improved with the federal government's adoption of the Species at Risk Act (SARA) in 2003. This legislation, however, has a number of limitations, most of which reflect the federal government's limited jurisdiction over habitat as well as its reluctance to use the constitutional powers it does have. Even SARA's critical habitat sections are limited by application clauses requiring ministerial approval where the territory in question is outside of federal jurisdiction. As well, the federal government has refused to accept arguments that its responsibility for migratory birds provides it with a strong base for broader habitat protection measures. Kate Smallwood, of the Sierra Legal Defense Fund, offers the following assessment:

Despite having extensive constitutional authority to protect migratory birds under *Migratory Birds Convention Act* (MBCA) and their habitat, the federal government has failed to fully exercise this authority under SARA. Under **section 58, mandatory protection for MBCA birds is limited to federal lands and migratory bird sanctuaries**



under the *Migratory Birds Convention Act*. There is discretionary power for federal Cabinet to protect MBCA birds outside federal lands, but this is limited to “habitat to which the [MBCA] applies”. This limitation is problematic because the federal government has sought to restrict habitat protection under the MBCA to nests only. Accordingly, outside federal lands and migratory bird sanctuaries, protection of the critical habitat of MBCA birds is not only discretionary, it is likely going to be restricted to nests only.<sup>38</sup>

According to Smallwood, the “lack of mandatory provisions to protect habitat is the fundamental flaw with SARA. Under SARA, habitat protection comes ‘too little, too late’.”<sup>39</sup> And SARA thoroughly reflects the government’s view that voluntary, incentives-based measures should be the “primary and preferred means of protecting habitat on privately owned lands.”<sup>40</sup> Smallwood continues: “While the conservation community is fully supportive of incentives and stewardship initiatives as a means to protect critical habitat, this approach is all ‘carrot’ but no ‘stick’. The Act fails to provide a legal back up if voluntary initiatives do not work.”<sup>41</sup>

While their extensive jurisdiction over land and water puts the provinces in a strong position to protect endangered species and their habitat, provincial efforts have been spotty and ineffective. Eight of ten provinces have adopted some sort of endangered species legislation, but only two (Nova Scotia and Manitoba) received a grade of ‘C’ or better on a 2001 Canadian Nature Federation report card evaluation of the effectiveness of legislation and programs.<sup>42</sup> As David Boyd notes, the provincial laws that exist are generally “rife with discretion,” making it difficult to hold governments accountable.<sup>43</sup> The federal government claims that SARA will provide it with “safety net” powers that can be used where provincial endangered species efforts are inadequate. Again, though, the mechanisms involved are discretionary, and as its critics have pointed out, the federal government has been very reluctant to employ similar mechanisms in other Canadian environmental laws.<sup>44</sup>

Clearly, then, Canada’s boreal conservation movement faces some daunting challenges. Reflecting on the vision of boreal conservation discussed below, Stewart Elgie notes that achieving ecosystem integrity in the boreal will require integrated environmental measures from multiple jurisdictions: “If one wants to put in place an



integrated vision for conserving ecosystems, it is going to take a coordinated effort from different jurisdictions – the vision has a limited number of large, anchor protected areas from east to west, with buffers and corridors, as well as islands of protection for critical areas like wetlands. Achieving that is going to involve thinking like an ecosystem, not thinking like a province.”<sup>45</sup>

Unfortunately, those hoping to see a realization of such a vision face instead a federal government that has been unwilling to take a lead role in boreal protection, along with provincial governments inclined to use a variety of indirect and direct subsidy policies to promote rapid development of the forest, mineral, oil and gas, soil and water resources of the region. Neither level of government seems disposed to adopt strong environmental protection laws. Meanwhile, cuts to environmental agencies’ budgets and staff levels have increasingly raised doubts about the ability of governments to implement existing policies or lead expansion of the protected areas system. Gary Stewart, the leader of Ducks Unlimited Canada’s Western Boreal Program, elaborates on the latter point, noting that the biggest contribution the federal government could make would be to designate new protected areas north of 60 degrees N. latitude: “The federal government needs to increase its capacity to identify and permanently protect new national wildlife areas. For example, at the Ramparts River complex up in the Mackenzie Valley, we’ve documented sixty pairs of breeding ducks per square mile. One year we had seven or eight per cent of the world’s population of Pacific Loons on that one complex. These are phenomenal numbers. Any place else in the world, these places would be treated as treasures.”<sup>46</sup>

These and other concerns about prospects for strong government measures to conserve the boreal lead to questions about the perceptions and attitudes of Canadians. The area and its problems continue to be “off the map” for many Canadians, including significant proportions of those who would identify themselves as environmentally concerned. On a symbolic level, “the north” is central to the Canadian sense of identity; as Saskatchewan nature writer Candace Savage puts it, the boreal is the “iconic Canadian landscape.”<sup>47</sup> Most Canadians, however, live in large cities in the far south, taking little notice of developments threatening the boreal environment. While threats to wilderness in places like coastal British Columbia have generated concerted, diverse, and sustained responses from the environmental movement, Canadian groups trying to raise alarm



bells about the fate of the boreal have had difficulty capturing media or public attention.

Needless to say, then, Canadian boreal conservation interests have welcomed help from outside the country. American and European allies have responded imaginatively and energetically, in the process illustrating how Canadian environmental politics are being reshaped by the diverse forces of internationalization.

As the next section will show, most external contributions to boreal politics can be traced to a few large U.S. organizations, most notably the Pew Charitable Trusts, Ducks Unlimited Inc., ForestEthics, and the World Resources Institute. To preview the story, a core set of developments originated with decisions taken at Pew, a Philadelphia-based set of charitable funds with “dedicated assets” of \$3.8 billion. Pew grants have underwritten establishment of the Canadian Boreal Initiative, which has assumed an important coordinating role and helped facilitate productive relationships among key domestic players from the environmental, First Nations, and industry sides of the table. Pew support has flowed to various facets of the overall campaign, including the Boreal Songbird Initiative, and extensive conservation-oriented research programs being led by Ducks Unlimited Canada (DUC) and Fiona Schmiegelow of the University of Alberta. DUC’s U.S.-based older sibling, Ducks Unlimited Incorporated (DU Inc.), has ranked the boreal near the top of the list of priority areas in its continental conservation plan, and has played a key role in leveraging grants from Pew and other U.S. sources into larger amounts of financial support for wetlands-focused boreal projects.

ForestEthics, as we will see, has been at the center of the market-based campaigns that have significantly altered the opportunity-constraint complex shaping decisions of forest companies operating in the boreal. And, it can be argued, this whole web of responses would not have happened had it not been for the attention given to the boreal in a 1997 report prepared as part of the World Resources Institute’s Frontier Forests Initiative, *The Last Frontier Forests: Ecosystems and Economies on the Edge*.<sup>48</sup> We will now elaborate on this story and also examine the fit between developments and the expectations generated by Bernstein and Cashore’s framework.



### **III. CANADIAN BOREAL POLICY: APPLYING THE BERNSTEIN-CASHORE FRAMEWORK**

Bernstein and Cashore identify four pathways along which external policy actors may try to influence domestic public policy. Pathways one, two, and three, respectively, involve the application of international material, regulatory, and moral pressures.<sup>49</sup> Pathway four is distinct in that transnational actors choose to “infiltrate” domestic policy processes rather than try to exert external influence.<sup>50</sup> Bernstein and Cashore distill their preliminary observations about the potential of each pathway into hypotheses specifying factors that will influence success or failure. They then use the case of British Columbia (B.C.) eco-forestry policy to illustrate how each pathway presents transnational actors with particular sets of opportunities and constraints. First we will summarize Bernstein and Cashore’s arguments about each pathway and then consider whether that component of the framework helps illuminate significant respects in which the boreal conservation effort has been internationalized.

At the end of this section we should be able to answer two fundamental questions about the comprehensiveness and validity of the Bernstein-Cashore framework. Do all or most boreal-focused initiatives by non-Canadian policy actors flow along the pathways identified by the framework, or does the boreal case suggest that the framework needs to be expanded? Are the pathways fairly distinct, or should the framework be refined to take into account complex interrelationships not considered by its authors?

#### **A. First Pathway: Market-Focused Campaigns**

Transnational actors choosing this path try to use a jurisdiction’s dependence on external markets to press for changes in policy and practices. Boycott threats are used in an attempt to leverage companies, industries, or governments, with the success of these efforts depending on the credibility of the threat as well as on perceptions of possible market losses and economic impacts. Development of boycott strategies often intersects with work on eco-labeling and certification schemes. Campaigners bypass domestic politics, using education and media strategies to inform consumers and alter their purchasing decisions. “Middlemen” companies may also be targeted. Bernstein and Cashore’s preliminary hypotheses center on some fairly obvious determinants of success: the potential of market cam-



paings will vary depending on the degree of reliance on foreign markets, the malleability of consumer behavior, and the likelihood that pressure can be maintained.

Boycott campaigns have been used extensively in both domestic and transnational politics around a wide range of issues.<sup>51</sup> Various environmental organizations have made use of this pathway, with mixed results. Bernstein and Cashore note that recent British Columbia forest policy history illustrates successful deployment. In the 1990s, ENGO-engineered threats to markets in Europe and the U.S. helped persuade B.C. forest companies and the BC government to reform forest practices rules and add more old growth wilderness to the protected areas system. These pressures had a particular impact on developments that shaped the fate of Clayoquot Sound on Vancouver Island. While organizations such as Greenpeace and the Rainforest Action Network point to these policy concessions as a good illustration of the potential of boycott campaigns, Bernstein and Cashore caution that an analysis of the full cycle of B.C. events in the 1990s indicates that “path one strategies are only likely to produce durable policy change when combined with action along other pathways.”<sup>52</sup>

Market-focused campaigns have played a significant part in attempts by external actors to influence policy and practices in the Canadian boreal. The most significant of these have been launched by ForestEthics, a San Francisco-based organization which, interestingly, traces its lineage directly back to British Columbia and the mid-1990s battles over Clayoquot Sound. Launched as the market-focused Clayoquot Rainforest Coalition, ForestEthics is dedicated to protecting endangered forests by increasing awareness of the environmental impacts and ethical dimensions of purchasing decisions made by consumers and distributors.<sup>53</sup>

Describing the boreal as the “second largest roadless area on the planet—the size of 12 Californias laid side by side,”<sup>54</sup> ForestEthics has made the region a centerpiece of its flagship “paper campaign.” Launched in 2000, this campaign seeks to shift paper production towards “post-consumer” recycled fiber, using protests, media coverage, negotiations, and other tactics to pressure large paper retailers to adopt environmental commitments. The first stage of the campaign targeted the office-supply chain, Staples. ForestEthics and its allies organized over 600 demonstrations at the company’s stores, generated a large number of calls and letters, and obtained impres-



sive amounts of media attention. The campaign included ads containing lines such as: "Ever wonder where Staples gets all the paper that it sells? The ugly truth is that thousands of acres of forests are needlessly destroyed every year to supply Staples with cheap, disposable paper products."<sup>55</sup>

ForestEthics declared victory in late 2002, joining Staples to announce that the company would phase out purchases of paper products from "Endangered Forests," including the Canadian boreal. Staples agreed to create a new environmental affairs division, report annually on its environmental performance, and commit to a goal of 30 per cent post-consumer recycled content in all the paper products it sells.<sup>56</sup> Mindful of the importance of rewarding concessions, ForestEthics responded with a new series of ads under headlines such as: "We've been calling Staples names for years: Never thought treehugger would be one of them" and "How leading U.S. companies are saving rainforests without ever chaining themselves to a tree."<sup>57</sup>

ForestEthics immediately announced the paper campaign's next targets: the U.S. catalogue industry, and one of Staples' main competitors, Office Depot. It demanded that Office Depot commit to "meet or beat" Staples' policy commitments, and asked for parallel undertakings from the leaders of the catalogue distribution industry. Noting that each year U.S. companies send Americans over 17 billion catalogues containing over eight million tons of wood fiber,<sup>58</sup> ForestEthics awarded the industry the "Most Wasteful Forest Destroyer" citation, and warned that actions similar to those directed at Staples would begin unless companies committed to getting out of endangered forests and maximizing recycled content.<sup>59</sup>

ForestEthics opened a new stage of its campaign in July 2004, releasing *Bringing Down the Boreal: How U.S. Consumption of Forest Products is Destroying Canada's Endangered Northern Forests*.<sup>60</sup> Under section headings such as "Catalogs – a Paper Trail to the Landfill," and "Disposables – Boreal Forest Going Down the Toilet?" it details which companies operating in the boreal are supplying U.S. consumers with which products, taking pains to praise the three forest companies that have signed the Boreal Forest Conservation Framework (see below). It urges consumers and retailers to reduce consumption of virgin fibers, and to request products with Forest Stewardship Council (FSC) certification.



While little research has been done on how those on opposite sides of boycott politics perceive their opponents' motives and strategies, it seems reasonable to assume that increased use of the tactic by environmental organizations and others has led those threatened to develop increasingly sophisticated ways of assessing the credibility of claims about the likelihood and magnitude of impacts. In return, those designing market campaigns no doubt recognize the importance of maintaining and enhancing the credibility of boycott threats. And such considerations underline the point that these threats will dissipate unless energy is invested in nurturing and expanding the size and intensity of the audience of potential boycotters.

Given these factors it is not surprising that boreal conservation organizations scanning the political landscape for possible allies and supporters have recognized the potential significance of the U.S.'s large community of bird enthusiasts. These organizations will, then, be closely watching a new effort, the Boreal Songbird Initiative (BSI). Using funds dispensed by the Pew Charitable Trusts under the auspices of the Canadian Boreal Initiative, the BSI aims to educate U.S. birdwatchers and naturalists about the importance of the boreal forest to migratory birds.<sup>61</sup> According the BSI's Marilyn Heiman, it was born out of brainstorming among key individuals at Pew and their allies: "They thought that a good experiment would be to see if migratory birds would be a way to connect Americans to the boreal forests of Canada and Alaska."<sup>62</sup> The BSI is not expressly committed to bolstering the audience receptive to boreal-centred boycott messages. If its consciousness-raising work has the desired impacts on American birders, however, expansion of the audience receptive to campaigns like those initiated by ForestEthics seems likely.

Along with its partners in the Boreal Songbird Network (the American Bird Conservatory, Ducks Unlimited, the National Wildlife Federation, and the Natural Resources Defense Council), the BSI wants to raise awareness of the boreal and assist efforts to conserve it. Estimating that there are at least 45 million "bird enthusiasts" in the U.S.,<sup>63</sup> it plans to use various "outreach" approaches to persuade groups and individuals to try to influence Canadian government and industry policies. It will use a two-pronged approach: "create a buzz about the boreal in the U.S. and translate that attention into action."<sup>64</sup> BSI leaders frequently note that those concerned about declining songbird populations have directed most of their attention to de-



struction of wintering habitat in Central and South America, while largely ignoring the fragmentation of boreal nesting habitat resulting from industrial development.

The BSI's efforts to date have been based in considerable part on a comprehensive study by Peter Blancher of Bird Studies Canada. Entitled *Importance of Canada's Boreal Forest to Landbirds*,<sup>65</sup> this report was jointly commissioned by the BSI and the Canadian Boreal Initiative, and released in May, 2003 on the eve of International Migratory Bird Day. Blancher presents striking findings demonstrating the boreal's importance. He estimates that boreal breeders account for close to 30 per cent of all landbirds in Canada and the U.S. combined.<sup>66</sup> At least 2.5 billion landbirds (from 186 different species) migrate out of the boreal each year, with most of these going to or through the U.S..<sup>67</sup> This number includes an estimated 600 million warblers (from 27 species), and 900 million sparrows (from 25 species). In breeding season, Blancher notes, the boreal is home to at least half of the world breeding populations of over 40 different landbird species, including more than 90 per cent of the global populations of Palm, Tennessee, and Connecticut warblers.<sup>68</sup> For 14 species, the boreal provides breeding habitat for over 80 per cent of global populations. The U.S. is the biggest recipient of birds migrating out of the boreal. An estimated one billion boreal migrants winter in the U.S.,<sup>69</sup> comprising about 10 per cent of the U.S. winter bird population.<sup>70</sup> During the fall and spring migration periods, boreal birds make up, respectively, 17 per cent and 31 per cent of U.S. birds.<sup>71</sup>

The BSI and others have described the boreal's importance for species other than those covered in the Blancher report. For example, Ducks Unlimited Canada has shown that the western boreal provides breeding habitat for 12-14 million ducks (from 23 species) each year, and moulting-staging habitat for tens of millions more.<sup>72</sup> In addition, it estimates that Ontario's boreal forest produces at least 7 million waterfowl annually, and that three-quarters of the world's black ducks breed in the eastern boreal.<sup>73</sup> As well, the BSI estimates that the boreal provides important staging and resting habitat for an estimated 100 million shorebirds migrating to and from arctic breeding grounds.<sup>74</sup>

The Blancher report has received wide coverage in birding circles (as well as some coverage in the media generally),<sup>75</sup> and has helped generate important spin-offs. For example, boreal birds were a focus of Christmas bird count events across the U.S. in 2003.



As noted, the BSI and other members of the Boreal Songbird Network have not proposed links between their educational work and future boycott campaigns. They certainly have not been reluctant, however, to highlight the connection between boreal habitat worries and U.S. consumption patterns. For example, BSI material stresses that American public attention is critical because U.S. consumers purchase much of the pulp and wood, oil and gas, and hydroelectric power extracted from the boreal.<sup>76</sup> These views are enunciated by the spokesperson for one of the members of the Boreal Songbird Network, the National Wildlife Federation. According to its Senior Vice-President for Conservation Programs, Jamie Rappaport Clark:

[C]onsumer choices made in this country are driving much of the demand for the resources of the boreal. The United States purchased 20 billion dollars worth of Canadian forest products in 2001, most of it cut from the boreal. ... Large amounts of the paper Americans receive every day as junk mail, advertising inserts and catalogues comes from Canada's boreal forest. ... More than a third of all newsprint in the United States comes from the boreal forest. ... We are also the largest user of Canada's oil and gas, consuming about 35 billion dollars in Canadian energy products each year. Increasing U.S. demand is fuelling a rapid expansion of oil and gas development in the unspoiled boreal wilderness.<sup>77</sup>

Other organizations have supported efforts to highlight the connection between the fate of the boreal and U.S. consumption patterns. In 2001, for example, the Earth Island Institute launched its "Boreal Footprint Project" in an attempt to increase Americans' understanding of their role in boreal destruction.<sup>78</sup>

To return to our assessment of the Bernstein-Cashore framework, we can say that nondomestic organizations concerned with conservation of the Canadian boreal region have made extensive use of pathway one approaches. Educational activity led by the Boreal Songbird Initiative and others has set the stage for more extensive exploration of this path in the future. Although Canadian governments do not seem unduly worried at present, concerted and carefully-targeted actions by millions of American consumers would undoubtedly have a major impact on government and company policies. Our brief sketch provides a reminder that a wide range of



initiatives will determine whether birders and other U.S. consumers can be galvanized into action. While Bernstein and Cashore cannot be criticized for failing to elaborate fully the range of factors likely to shape the success of boycott efforts, our survey suggests that any analysis must focus considerable attention on whether adequate foundations have been constructed.

Further elaboration of the pathways framework should also reflect on the role of investors: are influences emanating from “green” consumers enhanced by pressures exerted by “ethical” or “green” investors? Suncor, the energy company that has joined the Canadian Boreal Initiative, would be an interesting case to consider. It is not, according to Gordon Lambert, Vice President for Sustainable Development, much affected by market campaigns. He notes that the “fungible” nature of the commodities it delivers would make it difficult to zero in on customers. He does, however, believe that Suncor’s efforts on the sustainability front have some positive impacts on its ability to raise capital: Those efforts, he says, expose us to a broader range of prospective shareholders, so there are strategic benefits.

Another benefit is that European investors do have company sustainability records and commitments more solidly on their radar screen. For Europeans, it’s becoming a more legitimate factor in how even mainstream funds select firms. We’ve wanted to grow our European investor base for some time, so we do find our sustainability efforts are valued there. Whereas in North America, it’s unfortunate, but for the mainstream investment community they just doesn’t have legitimacy.<sup>79</sup>

Further research will be also needed to assess what impacts market-based campaigns have had on companies exploiting the boreal. These campaigns do appear to have affected some important companies, including giant retailers such as Staples and Home Depot, and major forest companies such as the three that have endorsed the Canadian Boreal Initiative (Tembec, Domtar, and Alberta-Pacific). But even superficial consideration of the companies that have adopted environmentally progressive management approaches suggests that a uni-causal, market pressure interpretation is inadequate. We know, for instance, that at least some of these companies embraced strong sustainability principles before market-based campaigns became a factor. Also, as companies’ varied re-



sponses on the issue of certification (and to the Canadian Boreal Initiative) indicate, the industry is not of one mind about how to respond. Jim Lopez, a vice-president of Tembec, the forest company that has been most aggressive in pursuing FSC certification, puts it this way: "There aren't too many companies that, if they were being quite honest, would say they aren't concerned about market-based campaigns. Some companies don't know quite what to do about it; we at Tembec feel the environmental policies and strategies we're implementing put us in a pretty good defensive position."<sup>80</sup>

## **B. Second Pathway: International Rules**

Transnational actors can influence domestic policy by participating in the development and/or enforcement of rules such as those embodied in trade agreements, the policies of international organizations, or issue-specific treaties. Significant rules may be developed by nongovernmental or hybrid organizations such as the International Organization for Standardization, as well as by intra-state processes. Bernstein and Cashore observe that transnational actors increasingly tread this pathway by participating in treaty negotiations and other international rule development processes, as well as by pushing for rule compliance.<sup>81</sup> As they note, rules can be seen as a resource for transnational actors and transnational-domestic coalitions trying to pressure non-compliant governments: "For example, they can publicize noncompliance, pressure governments to live up to their commitments, or press governments to launch disputes against other countries which do not fulfill their obligations."<sup>82</sup> Clearly, as Bernstein and Cashore's hypotheses suggest, the efficacy of such pressure will depend on whether the rule in question is enforceable and accepted, and on whether the targeted jurisdiction fears that non-compliance will lead to loss of markets or investor confidence.<sup>83</sup>

Bernstein and Cashore find that transnational ENGOs involved in the B.C. eco-forestry case had limited opportunities to use pathway two strategies. At one stage in the softwood lumber trade war, some groups endorsed the stance taken by U.S. forest industry groups, reckoning that lower harvest results might result if, under U.S. trade law, B.C. was deemed to be subsidizing its forest companies through below-market timber prices. As well, these and other ENGOs did participate in attempts to develop a strong global forestry convention, and then, after these were crushed at meetings preceding the 1992 "Earth Summit" in Rio de Janeiro, in efforts to



develop strong private regulatory programs based on forest certification.<sup>84</sup>

Analysis of the boreal conservation case generates parallel conclusions: where possible, non-domestic groups have joined their Canadian allies in reminding Canada of its obligations under international conventions. But because international biodiversity and forest protection rules are weak, Second Pathway strategies have played a relatively small role.

Environmentalists frequently remind Canada of its responsibilities under the Convention on Biological Diversity (CBD). Pressure from both inside and outside the country played a role in the politics leading to the recent passage of national endangered species legislation (SARA, noted above), a development that will likely have some impact on the federal government's level of involvement in boreal issues.<sup>85</sup> These reminders have also been a part of boreal campaigning. For example, Birdlife International, a global alliance of bird conservation organizations from over 100 countries, gave the CBD a prominent place in a recent call for boreal conservation. Citing a recommendation from a 1999 Canadian Senate subcommittee report on the boreal,<sup>86</sup> it argued: "Canada has committed to implementation of the Convention on Biological Diversity forest work program, ... which calls for renewed effort for conservation and sustainable use of forests. As host to the Convention secretariat, and as a leading player in the Convention, Canada must not delay implementation of its Senate recommendation to protect at least 20 per cent of the boreal forest."<sup>87</sup>

Disappointment over slow progress towards development of a global sustainable forests convention led boreal advocates to join allied forest conservation organizations in pushing for a strong, proactive certification scheme.<sup>88</sup> Like other environmental organizations, they have worked for adoption of the Forest Stewardship Council (FSC) certification approach,<sup>89</sup> and have often merged these efforts with market-focussed campaigning. Regional FSC standards have been developed for the boreal.<sup>90</sup> The Canadian arm of one of the FSC's strongest backers, WWF International, has worked with international groups such as the Rainforest Alliance to successfully push companies such as Tembec and Domtar to commit to achieving FSC certification.<sup>91</sup>

Bird conservation interests have played a significant part in another Second Pathway approach that could have significant impli-



cations for the boreal. ENGOs on both sides of the border have begun to explore the potential of the 1916 Canada–U.S. Convention for the Protection of Migratory Birds and, more specifically, the Canadian government’s implementing legislation, the Migratory Birds Convention Act (MBCA). While this Act has provided a key foundation for the activities of Canada’s wildlife protection agency, the Canadian Wildlife Service (CWS), the MBCA’s habitat protection clauses are fairly weak. Nonetheless, ENGOs have argued that the migratory bird treaty could provide a basis for much more aggressive habitat protection than has heretofore been adopted by the federal government. Here as elsewhere, ENGO arguments boil down to the claim that the federal government’s reluctance to step on the toes of the provinces and politically powerful resource development interests has led it to adopt a much too restrictive view of its environmental management powers. For example, during debate over Canada’s recently adopted endangered species legislation, environmentalists frequently cited an expert opinion contending that the federal government had wide power to protect migratory bird habitat under its responsibilities for implementing pre-1931 “Empire Treaties.”<sup>92</sup>

In a case that has direct implications for the boreal, a cross-border ENGO alliance has recently sought to spotlight Canada’s migratory bird protection performance by using the “citizen submission” sections of the North American Free Trade Agreement “environmental side agreement,” the North American Agreement on Environmental Cooperation (NAAEC).<sup>93</sup> Under Sections 14-15 of NAAEC, citizens or organizations can file submissions alleging that one of the governments party to the agreement is not adequately enforcing one of its environmental laws. In a submission to the Commission for Environmental Cooperation (CEC) filed in 2002, a cross-border coalition of eight groups alleged that Canada was failing to effectively enforce subsection 6(a) of Canada’s *Migratory Birds Regulations* with respect to logging in Ontario.<sup>94</sup> The case is now in its final stages. The CEC Council has authorized the CEC Secretariat to prepare a “factual record” which will likely legitimate at least to some extent the concerns raised in the submission.

Despite its obvious deficiencies, the citizen submission procedure does have some potential for those trying to spotlight inadequate environmental policy performance in front of a transnational audience. This case (along with one based on a parallel complaint filed against the U.S. Fish and Wildlife Service<sup>95</sup>) has contributed to



pressure to re-evaluate longstanding policies of ignoring the “incidental take” of migratory birds that results from logging and other resource development activity. Canadian bird conservationists (including those within Environment Canada) hope that the CEC factual record will provide a foundation for efforts to promote the view that the federal government must take a stronger role in managing bird habitat.

Returning to our assessment of Bernstein and Cashore, we can say that although the boreal conservation movement has limited opportunities to use rule-based regimes, students and practitioners of transnational environmental politics would be advised to consider carefully the ways in which the Second Pathway might be applied. In most cases, as here, imaginative campaigners ought to be able to identify tactics for bringing international rules into play.

### **C. Third Pathway: International Normative Discourse**

Transnational actors may also try to influence policy processes in target jurisdictions by placing internationally-accepted norms, symbols, and principles at the center of their campaigns. They may, for example, try to shame policy makers into living up to international expectations, or highlight discrepancies between governments’ performance and standards explicit or implicit in the rhetoric they are using to legitimate their policies and practices. These and other Third Pathway strategies operate “through moral suasion and communicative action rather than coercion or enforcement.”<sup>96</sup> Although potentially powerful norms and principles may be closely associated with international institutions and rules, Bernstein and Cashore stress the importance of distinguishing between this pathway and the previous one: “Along this path, international institutions matter because they embody norms of appropriate behaviour. This path thus emphasizes that even if an institution appears weak along one dimension, such as providing binding rules, it may still play a powerful normative role that would be overlooked if institutions were treated monolithically.”<sup>97</sup> The success of “normative internationalization” strategies will depend on various conditioning factors, including the moral vulnerability of the target, the potency of the symbols utilized, and the degree to which criticisms resonate with domestic values.<sup>98</sup>

Bernstein and Cashore credit Third Pathway strategies with a significant role in B.C. forest environment politics in the 1990s, noting



how transnational non-governmental organizations (NGOs) and their domestic allies made effective reference to new norms of biodiversity and ecosystem management that came to dominate forest management discourse during this period.<sup>99</sup> During an important period in the mid-1990s, the B.C. government's concern for its international reputation also made it attentive to arguments that each jurisdiction should endeavor to protect at least 12 per cent of its territory, to charges that B.C. logging practices were turning the province into "Brazil of the North," and to critiques questioning its commitment to addressing the grievances of First Nations.

The promotion and use of international normative standards by non-domestic groups is easy enough to detect in the boreal case. Canada is often reminded of its obligations to conserve biodiversity and endangered species. As we have already seen, boreal conservation groups have shown themselves adept at the art of symbolic politics. Here, as elsewhere in wilderness politics, we find frequent references to wolves and other charismatic species, skilled juxtapositioning of images of pristine nature against those of clearcut devastation, and careful attention to the importance of timing and staging for maximum impact. For example, in 2003, an alliance of Greenpeace, ForestEthics, and the Natural Resources Defense Council (NRDC) released its report, *Through the Trees, the Truth behind Logging in Canada*, at the Quebec City meetings of the World Forestry Congress, a UN-affiliated conference at which the host country always tries to showcase its forestry practices to the hundreds of forest scientists in attendance.<sup>100</sup> In her remarks accompanying the release, the NRDC's Susan Casey-Lefkowitz reminded Canadians that the organizations' members and supporters "do not want to see a global treasure like the boreal lost so that companies can make toilet paper from old-growth trees."<sup>101</sup>

It is also noteworthy that organizations such as the Sweden-based Taiga Rescue Network have linked the boreal environment to social justice issues, seeking to raise concerns about the rights and economic conditions of Canada's Aboriginal peoples.<sup>102</sup> Illustrating how environmental and justice elements are frequently pulled together, the above-noted Greenpeace-ForestEthics-NRDC report points out that Canada's boreal forests "contain a rich cultural legacy and are a source of sustenance for Indigenous Peoples—First Nations and Metis. Almost 80 per cent of Canada's more than 1-million Aboriginal people live in more than 600 communities in Canada's



forest regions and many depend on wilderness lands, waters, and wildlife for their livelihood and spiritual well-being."<sup>103</sup>

It will be some time before we are able to assess the impact of various strategies on Canadian boreal policy. When this story is written, it will probably show a range of ways in which evolving international norms were drawn into the boreal politics discourse.<sup>104</sup> It will also undoubtedly remind us that these impacts result from interactions between NGO strategies and particular time- and location-specific political contexts. It will, that is, highlight a point made by Keck and Sikkink (and underlined by Bernstein and Cashore): much depends on "how activists' messages carried and resonated with domestic concerns, culture, and ideology at the particular historical moment in which they campaigned."<sup>105</sup>

For non-domestic boreal campaigners, recognition of this general point will continue to be accompanied by more specific reminders about fundamental structural features of the Canadian environmental policy making system. In particular, these lessons will highlight the importance of provincial governments. They will underline the federal government's weak leverage over the provinces on environment and resource development questions, and reinforce the point that messages that resonate with politically significant segments of Canadian society and even with important loci of central government power may have little impact on developments in particular provinces. We will continue to see variation in the political situations facing different provincial governments. As shown in Ian Urquhart's comparative analysis of boreal forest policies in the prairie provinces, different political contexts translate into different policy responses.<sup>106</sup> No one should expect that the combination of political factors that promoted and facilitated the British Columbia government's positive response to transnational influences in the 1990s will be replicated any time soon in its neighbor to the east. In a parallel way, as developments outlined below suggest, we can also expect differences in the way companies respond to conservationist arguments.

Again, the early history of boreal politics indicates that Bernstein and Cashore's map is well-conceived. Their illumination of the Third Pathway reminds us that in most policy case studies, we must attend carefully to the politics of legitimation. Government and industry attempts to legitimate policies and practices increasingly depend on their ability to craft credible links to international norms. Their



adversaries will continue to scrutinize these efforts, endeavoring where possible to “spring the legitimation trap” by exposing instances where “talking the talk” is not matched by “walking the walk.”<sup>107</sup>

#### **D. Fourth Pathway: Infiltrating Domestic Policy Processes**

In some situations, say Bernstein and Cashore, transnational actors may try to alter the power balance among domestic interests by providing resources, ideas, or expertise to existing groups, or by promoting the creation of new groups or coalitions.<sup>108</sup> In most cases, linkages to domestic interests will be critical, since foreign organizations choosing to engage in direct policy advocacy are likely to be vulnerable to the argument that they are interfering in domestic politics or violating popular sovereignty. Success will also depend on key characteristics of the pre-existing policy network, including openness, state autonomy from business interests, and the capacity of state actors to implement policy choices.<sup>109</sup>

This pathway was extensively utilized in the B.C. eco-forestry case. Transnational ENGOs responded quickly to the increase in the openness of forest policy networks that followed the 1991 election of the New Democratic Party. External actors focused particularly on the forest land use policy network, deploying a variety of resource transfer and coalition-building strategies in an attempt to influence decisions on the designation of protected areas and special management zones.<sup>110</sup> The importation of various political resources helped transform the dynamics of B.C. wilderness politics. These resources enhanced the movement’s expertise and capacity in fields such as GIS mapping, sharply increased the number of full-time ENGO employees, and spawned important new players such as the Sierra Legal Defence Fund, BC Wild, and BC Spaces for Nature.

While the term “the infiltration of domestic processes” may leave the wrong impression, importation of resources has had an undoubted impact on the domestic politics around boreal conservation. An important chain of developments began in the 1980s with work by the Sweden-based Taiga Rescue Network aimed at raising global awareness and concern. This work received a major boost in 1997 with the release of *The Last Frontier Forests: Ecosystems and Economies on the Edge*.<sup>111</sup> This report, particularly its graphic map displays showing a huge swath of green across the top of the continent, played an important role in focusing attention on the



global significance of the North American boreal. Perhaps most significantly, it helped galvanize interest among key staff at the Pew Charitable Trusts.<sup>112</sup> Pew disperses grants totaling about \$165 million per year under seven different programs (culture, education, environment, health and human services, public policy, religion, and "venture fund").<sup>113</sup> While over 90 per cent of its "grantmaking" goes to U.S. organizations, Pew has supported a small number of projects outside of the U.S. Most of these are in Canada and are "either Trusts-initiated" or of "historical interest." In 2002, Pew made 31 grants totaling \$39.5 million under its environment program. Four of these were under its "Old-Growth Forests and Wilderness Protection" sub-program, which is credited with helping protect more than 162 million acres of critical habitat across North America since its inception in the early 1990s.<sup>114</sup>

Through its old growth and wilderness sub-program, Pew has been a major supporter of Canadian boreal conservation work, joining smaller Canadian foundations that began to contribute to this effort in the 1990s.<sup>115</sup> Interestingly, Pew's decision to give priority to the boreal seems to have resulted not from a Canadian request for support, but in somewhat independent fashion, from the realization of key Pew players that boreal forests constituted a significant portion of the globe's remaining frontier forests. After engaging a pair of consultants to explore the Canadian ENGO and First Nations landscape, Pew decided on arrangements that channel support into Canada through Ducks Unlimited.<sup>116</sup>

So far, Pew has committed over \$12 million to boreal campaigns, with most of this going towards promoting public education and the formation of a broad-based Canadian alliance. In 2002, it gave the Canadian Boreal Trust \$4.5 million for a scientifically based public education campaign, and in 2003 it granted another \$4.5 million to the Trust's successor organization, the Canadian Boreal Initiative (CBI), for the same purpose.

The CBI has begun to support research on policy and conservation biology, public education activities, and various forest conservation initiatives. In December, 2003, it announced that "an extraordinary alliance" of ENGOS, First Nations, and resource corporations had developed and endorsed a landmark conservation framework. This alliance, the leaders of which will henceforth be known as the Boreal Leadership Council, appears to have been modeled on arrangements that have facilitated productive dialogue between ENGOS



and industry actors (and in some cases First Nations) in other recent Canadian land use disputes.<sup>117</sup> Interestingly, however, the designers of the CBI chose to leave government agencies on the side-lines.

Some of the members of the Boreal Leadership Council have already been introduced. It includes four environmental groups (Ducks Unlimited Canada, the Canadian Parks and Wilderness Society, ForestEthics, and WWF Canada), three Aboriginal organizations (Deh Cho First Nations, Innu Nation, and Poplar River First Nation), three major forest companies (Tembec Inc., Domtar Inc., and Alberta-Pacific Forest Industries Inc. [Al-Pac]), and one energy company (Suncor Energy Inc).<sup>118</sup> The alliance reflects groundwork laid by organizations such as Ducks Unlimited Canada and WWF Canada.<sup>119</sup>

The Boreal Forest Conservation Framework aims to “conserve the cultural, sustainable economic and natural values” of the boreal. Specifically, it calls for protection of at least 50 per cent of the region in a network of large, interconnected protected areas. On the other half of the landscape, it calls for “sustainable communities, world-leading ecosystem-based resource management practices and state-of-the-art stewardship practices.”<sup>120</sup> These goals, the team says, are aimed at avoiding the negative effects of habitat fragmentation on sensitive wildlife populations and are supported by recent research in conservation biology and landscape ecology.<sup>121</sup> The First Nations’ supporters of the framework have already developed large-scale planning processes based on the same principles, using traditional ecological knowledge, the guidance of elders, and conservation biology.

Numerous major corporations, including forestry giants such as the Weyerhaeuser Corp. and Abitibi-Consolidated, remain outside the coalition, leading to interesting questions about what factors account for different companies’ stances on the framework. Here it is important to note that none of the companies that have become signatories are marginal players in their sectors. Suncor, for example, is a major integrated energy company with 4,000 employees.<sup>122</sup> It plans to invest over one billion dollars per year for the next several years in order to more than double the output of its Alberta oil sands operations, which operate on leases covering 1,800 sq. km. and produce 216,000 barrels of oil per day. Tembec manages 13 million hectares of Canadian forest land in six provinces, employs 11,000 people, and sells \$4 billion worth of pulp, paper and wood products



produced by 50 manufacturing units.<sup>123</sup> The three forest industry signatories all rank among the top ten in terms of annual volume of fiber harvested from the boreal.<sup>124</sup>

What differentiates these companies from others in their sectors? Each makes a sound business case for pursuing strong commitments to sustainable development and corporate social responsibility. Each, according to CBI Director Cathy Wilkinson, is "looking at taking on voluntary environmental commitments and for new ways of doing business."<sup>125</sup> The forest companies on the list, for example, have histories of working productively with ENGOs (Al-PAC with Ducks Unlimited Canada, and Tembec with WWF Canada). As noted, these companies have established good track records on FSC certification,<sup>126</sup> and have been rewarded with recognition as forward-looking entities that appreciate the value of finding proactive solutions to environmental issues.<sup>127</sup> They are (and have been) headed by people who see themselves as being at the vanguard of new corporate thinking on social and environmental responsibility. Jim Lopez of Tembec describes an "epiphany" that led his company to adopt new approaches: "Societal standards for users of Crown resources are going to continue evolving. What was acceptable 10 years ago isn't acceptable now, and what's acceptable now probably won't be acceptable ten years from now ... We've realized that you need to be flexible and dynamic if you're going to keep ahead of the curve instead of fighting rearguard actions."<sup>128</sup> Gordon Lambert of Suncor offers a similar reflection: "We took a leap of faith. That was based on our sense that better answers come through dialogue, and that we'd rather be at the table than not. It's not a certainty that CBI is going to be the success we want it to be, ... but we simply feel we've never been worse off by being at the table versus not."<sup>129</sup> Suncor, he says, operates on the premise that it has to earn societal consent to operate, a position that leads to different approaches from those companies that believe they have an inherent right to operate. The latter position "puts you in a defensive mode;... you are apt to say 'who are you to challenge my right to conduct my business activities ... I'm not obligated to respond, as long as we're aligned with government's approvals and permits that have been provided to me ... then by definition, I'm doing all that's reasonable'." Al-Pac's former President and CEO, Bill Hunter, says: "There is a new wave of CEO thinking about the triple bottom line [profit, environment and social effects]. It's ethical; it's moral; it's access to raw materials



in the long term. Society should demand that and will demand that. ....I'm scared, but if this [the CBI] works, man, oh, man, what a model it will be for the world."<sup>130</sup>

Hunter's approach made Al-Pac an ideal partner for Ducks Unlimited Canada (DUC). Gary Stewart of DUC says the relationship reflects the business model that his organization has sought to apply in its boreal programs:

We've tried to develop relationships that can lead to partnerships. We try to get to know people really well, make sure there are no hidden agendas, establish some trust, share a vision, and then move forward working at high levels. We want to develop these really true partnerships, and you can't do that with everybody. It's all about leadership ... That's the model. When I started six or seven years ago, I had three companies that were recommended to me as being enlightened, progressive companies, companies that weren't afraid of the consequences of science. I went after all three, and one of them was true and right and it was Al-Pac. The others didn't pan out.<sup>131</sup>

On the spectrum of environmental organizations, Ducks Unlimited obviously sits some distance from ForestEthics, another one of the CBI's ENGO representatives. In that ForestEthics' campaigns have directly confronted the forest industry, its inclusion could be considered risky, but according to a key designer of the initiative, Stewart Elgie, "bringing in a group that was involved in market campaigns seemed like an important way of making sure that the solution might stick. They're not going to be outside the tent."<sup>132</sup> According to another player near the center, it was actually the forest companies' representatives who pushed for including ForestEthics.<sup>133</sup> Elgie observes that over the course of their brief histories, market-oriented ENGOs like ForestEthics have had to develop positions on what good forest development looks like. Reflecting on the early stages of the process that led to the CBI, he continues:

[We] more or less kept market campaign groups at arm's length because you can't be trying to build solutions and tossing hand grenades around. But it was necessary to maintain coordination with them because the work they were doing is an important driver on forest conservation issues even if their strategy wasn't our primary strategy. ... It is fair to say that a lot of the forest conservation



achievements in Canada in the last ten years have been driven — or at least supported — in large part by market pressure. What is bringing timber companies to the table is the fact that their buyers are asking questions and demanding that they do something. It isn't the only factor, but it's been one of the biggest changes ... that helped to put a lot of these issues over the top.<sup>134</sup>

ForestEthics has certainly not put its boreal-oriented market campaigns on hold. Its July 2004 release of *Bring down the Boreal* indicates that, if anything, it intends to escalate efforts to push U.S. consumers and retailers to reject uncertified boreal products. Still, its decision to sign the CBI does suggest that it is willing to continue investing political capital in searching for a *modus vivendi* with the forest industry. For their part, the forest company signatories continue to see benefits in what they characterize as the "big tent" approach. Tembec's Jim Lopez offers the following comment on ForestEthics' latest report: "What they did is by no means endorsed by Tembec or the other forest industry signatories. ... [But] the whole idea was to allow for different points of view. We thought there would be real benefits to having them in the tent. While I do not endorse certain parts of the press release they put out, I can say that we've had a great opportunity to educate each other about what's good and not so good about the industry first hand."<sup>135</sup>

It remains to be seen whether ForestEthics' participation in the CBI will encourage or discourage other forest companies from joining Tembec, Al-Pac and Domtar at the CBI table. Likewise, it is not clear what role market campaigns will play in the future. Cathy Wilkinson of the CBI says:

We don't know yet what role those kinds of actions will play. The opportunity is now to develop pro-active solutions. International interest and awareness have grown strongly, so it makes sense that in the absence of strong conservation outcomes, we are going to see more and more calls for Canada to do things differently. It seems only logical that this could be part of what transpires. What that will look like, or when it might happen is a good question. ... ForestEthics came to the table because they recognize that it takes a lot of energy to start from a constructive place while still recognizing that these levers are important. There's a place for the push and pull ....<sup>136</sup>



The leaders of the CBI see it as being involved in a two-track strategy. On one hand, they want to continue developing and selling a national vision and building a strong base of scientific information. On the other, they want to take full advantage of conservation opportunities as they occur, influencing outcomes in land use planning and protected areas processes, First Nations land claims negotiations, and forest certification deliberations.<sup>137</sup>

As noted, the CBI's approach to achieving the first goal is unique. The multi-stakeholder processes involved in solving other major Canadian resource use issues have been designed and/or sponsored by governments, and have included (usually in key roles) government representatives.<sup>138</sup> The architects of the CBI have taken a different tack, choosing to leave governments on the sidelines until the list of endorsements from First Nations, environmental groups, and especially, resource industry stakeholders can be expanded. Some of the provinces, it seems clear, will be difficult to persuade. One CBI participant reports that, "Some of the provincial governments were not happy with our position on the CBI. They thought we were stepping into their jurisdiction: 'Who were we to try to set the tone or targets for their area of responsibility?' So we ruffled a few feathers."<sup>139</sup> Another said, "Some of the provincial governments weren't particularly pleased with the CBI, because it puts pressure on them. They see themselves as the managers of the resource, and their reaction is 'who are these folks to come along and tell us how to do our business'."<sup>140</sup>

While the Boreal Forest Conservation Framework's protected areas targets go well beyond anything so far embraced by any provincial or territorial government, boreal conservationists are involved in some promising land use planning and protected areas initiatives. Cathy Wilkinson notes, for example, that the Innu Nation's forest management planning negotiations with the government of Newfoundland and Labrador have led to some important set asides for ecological reasons. The CBI has also supported groups working to identify protected areas and appropriate development opportunities on the east side of Lake Winnipeg and in northern Saskatchewan.<sup>141</sup> For the foreseeable future, boreal conservation advocates will try to promote the framework's grand vision while pursuing initiatives focused on specific parts of the overall area.

Ducks Unlimited's Western Boreal Program (WBP) deserves special consideration. Pew has provided strong financial support for



DUC's efforts to conserve the boreal. This work, which has so far focused on the western boreal<sup>142</sup> (and more specifically, on the 20-25 per cent of the western boreal that is wetland), has been supported by a wide array of government, industry, and NGO partners. It has also begun to receive funding from the North American Wetlands Conservation Act (NAWCA), which authorizes U.S. government spending on projects deemed eligible for matching money. Under NAWCA, grants from Pew and other U.S. donors have been leveraged into larger amounts, with DUC's U.S. parent organization, Ducks Unlimited Inc., playing a central role in designing arrangements.

Ducks Unlimited Inc. has dubbed the boreal region "the other duck factory" in recognition of the fact that its importance as waterfowl nesting territory almost matches that of the Prairie pothole region of the mid-continent.<sup>143</sup> The importance Ducks Unlimited now attaches to the boreal was evident in the latest updating of its continental conservation plan. In a ranking of priority areas carried out as part of this exercise, the western boreal placed among the top 5 out of 32 areas.<sup>144</sup> As noted, DUC estimates that the western boreal hosts 12-14 million breeding ducks each year, and stresses that the importance of the breeding, staging, and moulting habitat provided by the region increases during Prairie drought years. Its research has shown that every year, even in non-drought times, tens of millions of ducks and geese migrate north from the prairies to moult before beginning the fall migration south.

Begun in 1997 as the Western Boreal Forest Initiative, DUC's project was renamed the Western Boreal Program in 2002.<sup>145</sup> DUC aims to ensure that:

Canada's boreal forest will remain an ecologically intact and productive habitat that will continue to sustain a high diversity and abundance of wetlands, waterfowl and associated water birds. We want Canada's boreal forest to remain a vast mosaic of forests, rivers, wetlands and lakes that will continue to function with ecological integrity and support historical numbers of breeding, moulting, and migrating waterfowl and other wetland-dependent wildlife.... Our goal is to help conserve all of the wetlands in Canada's boreal forest through a combination of ecosystem-based sustainable development, that utilizes state-of-the-art best management practices, and by promoting the establishment of an extensive network of large, intercon-



nected wetland-rich protected areas. DUC will use our foundation of strong science and strategic partnerships to help us move toward this goal.<sup>146</sup>

The boreal initiative represents a departure from Ducks Unlimited's traditional approach and foci, which have centered around restoration of wetlands habitat on private lands: "Traditional restoration efforts are unlikely by themselves to be effective or efficient in conserving the vast and diverse WBF [Western Boreal Forest]. Therefore, extensive mechanisms such as the influencing of public policy, using extension programs, and influencing industrial corporate policy will be employed to guide human impacts on the landscape in a wetland and waterbird friendly direction."<sup>147</sup> Here, as in all Ducks Unlimited's work, however, we find a strong emphasis on science-based planning and on developing links to partners.<sup>148</sup>

Over fifty partners are contributing to various facets of DUC's WBP. In another example of U.S. influence on boreal politics, early stages of scientific work have been based in part on data gathered in aerial surveys conducted by the U.S. Fish and Wildlife Service since 1955 across the Canadian and Alaskan boreal.<sup>149</sup> These and other reconnaissance data have helped DUC define a series of large study areas.<sup>150</sup> In these, it is doing satellite mapping of habitat, detailed water bird surveys, along with analyses of hydrology, water chemistry, and determinants of wetlands productivity.<sup>151</sup> The scientific side of DUC's boreal project encompasses a range of other projects. For example, DUC has been at the center of detective work on the complex mystery of why two boreal-nesting species, Scaup and Scoters, are suffering serious population declines.<sup>152</sup>

DUC's scientific work has begun to generate planning and project accomplishments. As an example of progress, it cites a watershed-based conservation plan partnership with Al-Pac. The two have signed a memorandum of understanding (MOU) to govern their "watershed-based conservation" partnership in an 11.5 million hectare area in the company's Forest Management Area.<sup>153</sup> The agreement articulates a shared vision, core values and approaches, and sets out a series of steps that are supposed to lead to integration of a conservation program into Al-Pac's operating plan. According to the MOU, this program will "establish a new standard for sustainable industrial development of the Western Boreal Forest (WBF), achieved through innovative policy, land use practices and partnership development. Watershed-based conservation ... will demonstrate the



potential to maintain the watersheds of the WBF as healthy ecosystems, consisting of a vast mosaic of lakes, forests, rivers, and wetlands."<sup>154</sup> The program will demonstrate Al-Pac's "commitment to world leadership in best forest management practices" and allow it to "achieve certification by independent third parties for its exemplary environmental management practices."<sup>155</sup> For its part, DUC hopes to use this model as a template for agreements with other forest companies operating in the boreal.<sup>156</sup> Both partners hope the partnership will help provincial and First Nations governments see the value of watershed-based planning.

DUC's leaders distinguish between the approaches and challenges governing its work in the prairie provinces, and those shaping its "north of 60" operations. In the territories (Yukon, Northwest Territories [NWT], and Nunavut), it has focussed on trying to attain protected area status for large wetlands complexes. It has had to adapt to evolution of the institutional landscape, particularly to the territorial governments' accession to more province-like status, and to the completion of land claims settlements that devolve substantial land management authority to First Nations.<sup>157</sup> Cooperative endeavors with these different players have begun to pay dividends. The leader of the WBP, Gary Stewart, cites some examples:

North of 60 ... we have been doing work on some of these large, key wetland complexes and post-glacial lakebed complexes. These are also very important traditional areas for cultural purposes used for hunting, fishing, trapping, and gathering. Science combined with the traditional knowledge has identified these areas as wetlands of global significance .... Armed with this type of information, you can really capture the attention of governments and industry, and initiate long-term protection strategies that exclude industrial development, yet allow traditional uses. In the Northwest Territories, the protected areas strategy is a community driven process where communities identify areas they want to protect .... We have joined with them on several projects. [For example,] there are two big peninsulas in Great Bear Lake that the Sahtu First Nations are promoting through permanent protection through Parks Canada under the National Parks Act. We are documenting wetland and water bird values that are significant in both of these areas. ... [A]nother large area



that we are involved in at Mills Lake Horn Plateau is 25,000 square km. in size. ... The sponsoring agency is the Canadian Wildlife Service through the Wildlife Act. It will become a National Wildlife Area that will preclude all industrial development and yet allow all of the traditional uses. .... The most recent example deals with the high duck densities at the Ramparts River through the community of Fort Good Hope in the Sahtu settlement area. ... [W]e are working with the community to move that through to protection.<sup>158</sup>

Ducks Unlimited's focus on the ecological integrity of wetlands systems means that compared to other boreal conservation groups, it puts less emphasis on forest industry impacts and more on the other four sources of pressure on boreal habitat; agricultural expansion, oil and gas development, hydro dams, and climate change. According to Gary Stewart, good forest practices such as replanting, restoration of roaded areas, and measures to minimize impacts on watersheds can mitigate the consequences of logging. On the other hand, agricultural conversion, which has been especially rapid in southern sections of the boreal such as the Aspen and Peace parkland areas of Alberta, can cause longer-lasting problems: "Once the woods are cleared for pasture or grain fields, they don't go back."<sup>159</sup>

Returning to our appraisal of the Bernstein and Cashore model, we can say that the boreal case suggests that the ways outside interests can influence domestic policy processes are every bit as diverse as the range of strategies and resources deployed by the organizations they are trying to help. The main medium of external influence here has been financial, and Pew and others appear to have given the recipient organizations considerable freedom to design their programs. As a result, outside support has had an impact on a wide range of work, including network building, educational initiatives, and scientific analysis.

The fact that Ducks Unlimited Canada, the WWF-Canada and other recipient organizations have emphasized building partnerships with a range of stakeholders (along with the fact that they represent the less-adversarial side of the Canadian ENGO spectrum), means that Pew and other U.S. organizations supporting Canadian boreal work have not faced concerns about external interference. This dimension of the story could become interesting if these funders were to become more directive than they have been, or if Canadian



recipients of outside funding become more adversarial in their approach or more critical of Canadian governments, companies, or industries. But unless the cast changes significantly, such a turn in the plot seems unlikely. Organizations such as WWF Canada are moderate organizations that have shown themselves able to maintain good relations with even those governments they criticize. And the main product of Pew's investments, the Canadian Boreal Initiative, is charting new ground as a leader in the development of collaboration between environmentalists and extractive industries.

Additional research would be required to test Bernstein and Cashore's hypotheses on how the utilization of the Fourth Pathway might be conditioned by the openness of Canadian policy networks, or by the capacity and autonomy of the state actors involved. Here, again, the multi-jurisdictional and multi-threat characteristics of the boreal policy challenge would likely manifest themselves in complex results, with efforts such as those embarked upon by Ducks Unlimited Canada and the CBI shown to have diverse impacts across different jurisdictions and economic sectors. Bernstein and Cashore suggest that "where authority is fragmented, successful penetration of policy networks will still lead to only minimal policy influence."<sup>160</sup> This expectation seems reasonable, although it might be argued that networks of organizations such as those examined in this section will be able to counter fragmentation by bringing together business players from across the sectors, and by helping or pressuring different levels of government to coordinate their responses more effectively.

Analyses of north-south ENGO cooperation often end up pinpointing "capacity building" as one of the major ways in which North American and European groups can help make a difference elsewhere.<sup>161</sup> The boreal case suggests that this generalization can be extended to cover Canada-U.S. environmental interaction. As we have noted, many of the key decisions affecting the future of the boreal will be made by provincial or territorial governments in places such as Saskatchewan or the Northwest Territories. In jurisdictions like these, ENGOS are still small, politically disadvantaged, and very much in need of the kind of political resources external allies can deliver.<sup>162</sup> Even major national organizations face difficult challenges in trying to coordinate action across Canada's diverse geographical and political landscapes.



#### IV. CONCLUSIONS

We started with two primary goals: first, to explore the potential of the Bernstein and Cashore framework; and second, to assess, in at least a preliminary way, the forces shaping the responses of Canadian governments to concerns about conservation of boreal ecosystems.

The Bernstein and Cashore framework provides a coherent and serviceable basis for understanding the ways in which transnational actors are influencing the political dynamics around boreal conservation issues. Each of the four pathways is currently “in play” and likely to remain relevant. Boreal politics underline a couple of points made by Bernstein and Cashore. First, each of these pathways may encompass a wide assortment of strategies and approaches. Second, as the links between strategies on different pathways (for example, normative and market-based strategies) illustrate, we can expect to find that as they design and adapt strategies, NGOs slide naturally from one pathway to the next. These and other complexities aside, this test case does not indicate a need to augment, or collapse, Bernstein and Cashore’s categories. They have also done a good job of introducing the questions and dilemmas likely to confront those using each pathway, and of illuminating the forces likely to influence the effectiveness of these efforts.

The internationalization of boreal politics has had a pronounced impact on the set of forces that will shape the responses of Canadian governments to threats to boreal ecosystems. Whether we focus on the lineup of significant players, on the political resources and strategies they deploy, or on the problem definitions dominating debate, we find clear evidence that the evolution of boreal politics over the past decade has been significantly influenced by pressures and ideas originating from beyond Canadian borders. As a result, the capacity of Canadian boreal conservation interests has been enhanced, and concern over the fate of the boreal has been expanded, both inside and outside of Canada.

Documenting increased internationalization is much easier than deciphering its impact on policies and practices. This paper has not sought to do the latter, but in addition to demonstrating increasingly extensive and diverse international involvement in boreal politics, it has also noted examples of changes in policies and industry practices. Further analysis will be needed to evaluate the extent of these changes and to test alternative hypotheses about causes.



The first part of this research will, among other things, have to address the question of the extent to which the forest industry has been persuaded to make meaningful shifts away from the industrial forestry model. With most merchantable timberland in the boreal already licensed for harvesting, the fate of the boreal will depend heavily on whether the industry can be persuaded to adopt the sustainable logging practices that ecologists regard as eminently doable.<sup>163</sup>

The second priority must be to assess the determinants of the changes (and non-changes) observed. Assuming that we continue to see variation across both provincial governments and companies in the direction, scope, and pace of change, comparative case study analysis should be able to generate useful evidence concerning the factors that promote or impede changes in resource management policy and practice. On the company side, for example, analysis might profitably focus on differences between laggard companies and the four companies that have distinguished themselves as particularly progressive by endorsing the CBI. While we would expect case studies of companies such as Tembec and Suncor to show that internationalization has had significant impacts, analysis would likely also uncover complex sets of causes, including ones linked to the personal philosophies of company founders and leaders. Such analysis could, for example, explore the interesting case of Suncor, a company that has not been subject to the kind of market-based pressures felt by its forest industry counterparts in the CBI, and one whose philosophy of minimizing environmental impacts seems to have been established before internationalization (or even politicization) of the boreal became a major factor.<sup>164</sup>

Looking ahead, it is clear that none of these remaining questions about the extent or causes of change can be adequately addressed without putting the boreal movement and its potential into broader context. The forces we have described as reflecting internationalization will, most certainly, continue competing with developments associated with the broader term, "globalization."<sup>165</sup> As Ian Urquhart has so persuasively pointed out, the fate of the boreal is likely to be much influenced by the structural evolution of the international forest products industry, including factors such as the success of low-cost competitors in places like Brazil and Indonesia.<sup>166</sup> The critical question, then, may turn out to be whether the boreal conservation movement can generate sufficient political influence to confront



industry “logics” shaped in considerable part by competitors that, from an environmental point of view, deserve to be themselves subjected more intensely to international pressures paralleling those chronicled in this paper.

Would the course of boreal politics have unfolded in the same way had transnational actors not invested in trying to influence events? This, the core counterfactual question, also needs further research, but the evidence cited here supports a resolutely negative answer. Transnational actors played integral roles in generating the sets of forces that have so far shaped outcomes. It is true that not all of these contributions were irreplaceable; for example, it is possible that even without Pew support, Canadians would have pulled together something akin to the Canadian Boreal Initiative. Canadian foundations, after all, were involved before Pew embraced boreal issues. It is, however, unlikely that the timing or scale of this initiative would have been the same had it not been for Pew’s intervention. Likewise, Canadian consumers could theoretically exert some influence on suppliers of products from the boreal, but clearly, market-based campaigns have much more potential when they are directed at, and backed by, American and European consumers.

It is clear that in the years ahead, Canadian governments and resource industries will have to grapple with a complex array of forces pushing for boreal conservation. In certain respects, the past decade in Canadian environmental politics will have prepared them for what they are likely to face. Non-Canadian NGOs and foundations have been involved in many issues, often in ways that enlist the support of U.S. or European consumers of Canadian products, or in ways aimed at highlighting the gap between Canadian performance and the principles Canada professes to embrace. Our survey, however, has also highlighted some respects in which the boreal story will likely be different from those that have unfolded in other zones of Canadian environmental politics. For example, the growing importance of the migratory bird dimension has the potential to bring into play a segment of the U.S. environmental community that has not previously been inclined to look northward. If it lives up to its early promise, the Pew-supported Canadian Boreal Initiative will identify important zones of ENGO-industry consensus, thereby significantly altering the constraint-opportunity structures that have shaped provincial and federal responses to other ecosystem/biodiversity conservation issues. Canadian governments, it goes without saying, are



not used to seeing significant forest company voices endorsing visions based on 50 per cent protected areas targets.

In this area of environmental politics, then, the nature and impacts of outside influences will continue to evolve. It seems clear that, from this point on, Canadian governments pondering boreal options will be scrutinized and influenced by a strong transnational boreal conservation movement. This is good news for boreal ecosystems, and for those concerned about the significance of these ecosystems for climate change, migratory birds, and biodiversity generally. One might even hope that in the years ahead, Canada, by responding boldly and positively to the arguments of the movement, will put itself in a strong position to exert moral suasion on other countries.



## ACRONYMS

Al-Pac	Alberta-Pacific Forest Industries
BSI	Boreal Songbird Initiative
CBD	Convention on Biological Diversity
CBI	Canadian Boreal Initiative
CEC	Commission for Environmental Cooperation
CWS	Canadian Wildlife Service
DUC	Ducks Unlimited Canada
EA	environmental assessment
ENGO	environmental non-governmental organization
FML	Forest Management Licence
FSC	Forest Stewardship Council
GIS	geographic information system
MBCA	Migratory Birds Convention Act
MOU	memorandum of understanding
NAAEC	North American Agreement on Environmental Cooperation
NAWCA	North American Wetlands Conservation Act
NGO	non-governmental organization
NRDC	Natural Resources Defense Council
NWT	Northwest Territories
SARA	Species at Risk Act
WBF	western boreal forest
WBP	Western Boreal Program
WWF	World Wildlife Fund



## NOTES

<sup>1</sup> Steven Bernstein and Benjamin Cashore, "Globalization, Four Paths of Internationalization and Domestic Policy Change: The Case of EcoForestry in British Columbia, Canada," *Canadian Journal of Political Science* XXXIII (1) (March 2000), 70. Elaborating, they continue, "internationalization is used to refer to when policies within domestic jurisdiction face increased scrutiny, participation, or influence from transnational actors and international institutions, and the rules and norms they embody" (72). Like others, Bernstein and Cashore are at pains to distinguish internationalization from globalization, which they say, "concerns increasing economic transactions that transcend borders" (70). According to Grace Skogstad, at least four processes are folded into the concept of globalization: economic ("deepening integration of markets"), political ("restructuring of power relations"), cultural ("diffusion of values, tastes and norms"), and ideological ("displacement of embedded liberalism by market liberalism"). See Grace Skogstad, "Globalization and Public Policy: Situating Canadian Analyses," *Canadian Journal of Political Science* XXXIII (4) (December 2000), 3.

<sup>2</sup> Bernstein and Cashore, 68

<sup>3</sup> Or 530 billion hectares (52 million km<sup>2</sup>). These estimates are based on the Canadian Boreal Initiative's definition of the boreal as including "all subdivisions of the coniferous forest, including mixed forest/agricultural conversion areas to the south and taiga/barren ground transition areas to the North." See Canadian Boreal Initiative, "The Boreal Forest Conservation Framework: Summary," 2, at [www.borealcanada.ca/framework\\_rationale\\_e.cfm](http://www.borealcanada.ca/framework_rationale_e.cfm). (viewed December 18, 2003).

<sup>4</sup> Fen Montaigne, "The Great Northern Forest: Boreal," *National Geographic* 201(6) (June 2002)

<sup>5</sup> Canadian Boreal Initiative, "About Canada's Boreal," at [www.borealcanada.ca/about\\_boreal\\_e.cfm](http://www.borealcanada.ca/about_boreal_e.cfm) (viewed December 31, 2003); and Canada, Senate, Senate Sub-Committee on the Boreal Forest, *Competing Realities: The Boreal Forest at Risk* (Ottawa:1999), 9, citing Dirk Bryant, Daniel Nielsen and Laura Tangle, *The Last Frontier Forests: Ecosystems and Economies on the Edge* (Washington, DC: World Resources Institute, 1997), 12. Bryant *et al.* estimate that only about one-fifth of the world's forests remain intact or undisturbed.



<sup>6</sup> For example, by 1998, it was estimated that only about ten per cent of Alberta's boreal forest could be considered wild Eoin Kenny, "Alberta's wild forests disappearing," Canadian Press Newswire June 22, 1998, citing a report by Richard Thomas for Alberta's Environment Department.

<sup>7</sup> Canadian Boreal Initiative, "About Canada's Boreal"

<sup>8</sup> Andrew Nikiforuk, "Schindler's warning: Will it be heard?" *Globe and Mail*, February 24, 2000

<sup>9</sup> Kevin Timony and Peter Lee, "Environmental management in resource-rich Alberta, Canada: first world jurisdiction, third world analogue?" *Journal of Environmental Management* 63 (2001), 394

<sup>10</sup> Candace Savage, "The singing forest," *Canadian Geographic* (January / February 2004), 46, citing Keith Hobson, a research scientist at the Prairie and Northern Wildlife Research Centre of the Canadian Wildlife Service

<sup>11</sup> Ian Urquhart, "New Players, Same Game? Managing the Boreal Forest on Canada's Prairies," in *Canadian Forest Policy: Adapting to Change*, ed by Michael Howlett (Toronto: University of Toronto Press, 2001), 318, citing Alberta ecologist Richard Thomas in Alberta Environmental Protection, "The Final Frontier: Protecting Landscape and Biological Diversity within Alberta's Boreal Forest Natural Region," *Protected Areas Report* 13 (March 1998), 9. See also Gary Stewart, "A Review of Boreal Forest Conservation Planning in Western Canada" (unpublished address provided by the author), 2.

<sup>12</sup> Timony and Lee, 397-8

<sup>13</sup> *Ibid*, 397.

<sup>14</sup> Stewart, "A Review," 3

<sup>15</sup> Gail MacCrimmon, quoted in Pembina Institute, "News Releases: Survival of Boreal Forests Threatened," May 15, 2000

<sup>16</sup> Pembina Institute, "Patchwork Policy, Fragmented Forests: *In situ* oil sands, industrial development and the ecological integrity of Alberta's boreal forest," Executive Summary, at [www.pembina.org/pubs/p-policy2.htm](http://www.pembina.org/pubs/p-policy2.htm). (viewed April 25, 2001). See also Mary Griffiths and Dan Woynillowicz, *Oil and Troubled Waters: Reducing the Impact of the Oil and Gas Industry on Alberta's Water Resources* (Drayton Valley, AB: Pembina Institute for Appropriate Development, 2003).



<sup>17</sup> See for example, Sierra Club of Canada, "Mackenzie Valley Pipeline and Alberta Oil Sands," April 28, 2004

<sup>18</sup> Canada, Environment Canada, Environmental Monitoring and Assessment Network (EMAN), *Ecological Assessment of the Boreal Shield Ecozone* (Ottawa: Minister of Public Works and Government Services, 2000), 29 Cited in Don Sullivan, "Crown-owned Emerald Jewel on the Brink," Boreal Forest Network, *Newsletter* (Summer 2003). The report can be found at: <http://www.ec.gc.ca/soer-ree/English/SOER/CRAengfin.cfm> (viewed July 25, 2004).

<sup>19</sup> Taras Grescoe, "Temperature rising: the Mackenzie Basin," *Canadian Geographic* 117 (6) (November/December 1997), 36-44

<sup>20</sup> Ducks Unlimited, *Ducks Unlimited's Conservation Plan: Meeting the annual life cycle needs of North America's waterfowl* (Unpublished draft, January 2001), 31-2

<sup>21</sup> Grescoe, and Montaigne

<sup>22</sup> Grescoe

<sup>23</sup> Quoted in Nikiforuk

<sup>24</sup> Stewart Elgie, interview, March 15, 2004

<sup>25</sup> For example, Gary Stewart of Ducks Unlimited Canada notes that this research has uncovered numerous instances where single wetland complexes host significant proportions of particular species. For instance, studies of the breeding populations at the Ramparts River complex in the Northwest Territories found that it was hosting 7.5 per cent of the continental population of Pacific Loons, while studies of moulting birds at Utikuma Lake in Alberta documented the presence of over 5 per cent of the continental population of Western Grebes. See Stewart, "A Review," 4.

<sup>26</sup> Canada, Senate, Senate Sub-Committee on the Boreal Forest, 1

<sup>27</sup> Kathryn Harrison, "Federal-Provincial Relations and the Environment: Unilateralism, Collaboration, and Rationalization," in *Canadian Environmental Policy: Context and Cases*, ed by Debora L. VanNijnatten and Robert Boardman (Second ed.) (Toronto: Oxford University Press, 2002), 125-33.



<sup>28</sup> *Ibid*, 133-4.

<sup>29</sup> *Ibid*, 139.

<sup>30</sup> *Ibid*, 124.

<sup>31</sup> Elgie interview

<sup>32</sup> *Ibid*

<sup>33</sup> David Boyd, *Unnatural Law: Rethinking Canadian Environmental Law and Policy* (Vancouver: UBC Press, 2003), 161-2

<sup>34</sup> Urquhart, 327-30

<sup>35</sup> *Ibid*, 327.

<sup>36</sup> Martin Mittelstaedt, "Firm gets go-ahead to log massive Manitoba forest," *Globe and Mail*, June 22, 1999

<sup>37</sup> Canadian Environmental Defence Fund, "Canadian Citizens Punished for Challenging the Federal Government to Protect the Boreal Forest," (News release, July 8, 1999)

<sup>38</sup> Kate Smallwood, *A Guide to Canada's Species at Risk Act* (Vancouver: Sierra Legal Defence fund, May 2003), 30, emphasis in original See also 32-33.

<sup>39</sup> *Ibid*, 27.

<sup>40</sup> *Ibid*, 28, citing Canada, Environment Canada, "Canada's Plan for Protecting Species at Risk – An Update," December 1999, 8.

<sup>41</sup> *Ibid*, 28.

<sup>42</sup> Cited by Boyd, 190

<sup>43</sup> Boyd, 194

<sup>44</sup> Smallwood, 36

<sup>45</sup> Elgie interview

<sup>46</sup> Gary Stewart, interview, March 25, 2004

<sup>47</sup> Savage, 40



<sup>48</sup> Bryant, *et al* The authors say: "After Russia's, the world's largest expanse of frontier forest is an unbroken 6,500-kilometer arc of boreal forest stretching from Newfoundland to Alaska. These North American forest ecosystems — still vast and relatively undisturbed in northernmost Canada and interior Alaska —store a significant proportion of the global total of biotic carbon and supply much of the world's growing demand for forest products. They also provide livelihoods for thousands of indigenous people and a refuge for woodland caribou, grizzly bear, grey wolf, and other large mammals that once ranged widely across the continent. As a group, these frontiers rank among the least threatened in the world (approximately a quarter of the area is threatened). Even so, they are being pushed steadily northward by mineral extraction, hydroelectric development, and skyrocketing demand for wood fiber, especially paper products" (42). See also Forests Watch Canada, *Canada's Forests at a Crossroads: An Assessment in the Year 2000* (Washington D.C., World Resources Institute, 2000).

<sup>49</sup> Bernstein and Cashore, 95

<sup>50</sup> *Ibid*, 75.

<sup>51</sup> For one survey of current and recent boycotts, see the website of "EthicalConsumer" at [www.ethicalconsumer.org](http://www.ethicalconsumer.org).

<sup>52</sup> Bernstein and Cashore, 90

<sup>53</sup> ForestEthics, "About ForestEthics" at [www.forestethics.org/about/](http://www.forestethics.org/about/) (viewed January 21, 2004).

<sup>54</sup> ForestEthics, "The Paper Campaign: Paper from Paper, not from Trees!" at [www.forestethics.org/paper/](http://www.forestethics.org/paper/) (viewed January 21, 2004).

<sup>55</sup> See [www.forestethics.org/paper/](http://www.forestethics.org/paper/) (viewed January 21, 2004).

<sup>56</sup> ForestEthics, "Office Supply Superstore Staples Inc Agrees to Historic Endangered Forest and Recycling Policy," November 12, 2002 at: [www.forestethics.org/html/eng/536.shtml](http://www.forestethics.org/html/eng/536.shtml) (viewed January 21, 2004).

<sup>57</sup> See [www.forestethics.org/paper/](http://www.forestethics.org/paper/) (viewed January 21, 2004).

<sup>58</sup> ForestEthics, "The Paper Campaign: Paper from Paper, not from Trees" See also ForestEthics, "Catastrophic Consumption: The Real Cost of Retail Catalogs" at [www.forestethics.org/paper/](http://www.forestethics.org/paper/) (viewed January 21, 2004).



<sup>59</sup> ForestEthics, "Environmental Campaign Against Catalog Industry Launched with Award for Environmental Destruction" (June 3, 2003) at [www.forestethics.org/paper/](http://www.forestethics.org/paper/) (viewed January 21, 2004).

<sup>60</sup> Available at [www.forestethics.org](http://www.forestethics.org).

<sup>61</sup> Boreal Songbird Initiative, "America's Migratory Birds and the Great Northern Forest – a Call for Conservation" At [www.borealbirds.org](http://www.borealbirds.org) (viewed May 14, 2003).

<sup>62</sup> Marilyn Heiman (Boreal Songbird Initiative), interview, January 26, 2004

<sup>63</sup> Estimates here have ranged as high as 70 million, but Marilyn Heiman cites a figure of 46 million, with 18 million of these people who say they would take a trip of at least 10 miles to watch birds (Heiman interview) This estimate is based on a survey reported in, U.S. Fish & Wildlife Service (Genevieve Pullis La Rouché), *Birding in the United States, A Demographic and Economic Analysis: Addendum to the 2001 National Survey of Fishing, Hunting and Wildlife-Associated Recreation* (Washington DC: USFWS, n.d).

<sup>64</sup> Boreal Songbird Initiative, "America's Migratory Birds"

<sup>65</sup> Peter Blancher, *Importance of Canada's Boreal Forest to Landbirds* (Port Rowan, ON: Bird Studies Canada, December 2002). Blancher uses the term "landbird" to include "vultures, hawks, grouse, doves, cuckoos, owls, nighthawks, swifts, hummingbirds, kingfishers, woodpeckers and passerines (or perching birds, often referred to as songbirds" (5).

<sup>66</sup> *Ibid*, 1.

<sup>67</sup> *Ibid*, 13. This estimate is based on an estimated 3 – 5 billion landbirds in the boreal at the end of breeding season (10), an estimated 93% of these migrating out of the boreal after breeding season (13), and the claim that most of these migrants leave Canada for the winter (1).

<sup>68</sup> *Ibid*, 15-6.

<sup>69</sup> *Ibid*, 1, 17-21.

<sup>70</sup> *Ibid*, 25-9.

<sup>71</sup> *Ibid*, 2, 21-4.



<sup>72</sup> Ducks Unlimited, *Ducks Unlimited's Commitment to Boreal Conservation*

<sup>73</sup> *Ibid*

<sup>74</sup> Boreal Songbird Initiative, "America's Migratory Birds," and "Fate of Many Birds in the US Rests with Little-Known Canadian Boreal Forest," (May 6, 2003)

<sup>75</sup> For example, Peter Blancher, "A Very Important Bird Area," *Bird Conservation* (June 2003), 8-9; Savage; and James Gorman, "For Billions of Birds, an Endangered Haven," *New York Times*, September 23, 2003

<sup>76</sup> Boreal Songbird Initiative, "America's Migratory Birds"

<sup>77</sup> Jamie Rappaport Clark, National Wildlife Federation, "Migrating birds bring fate of far-off forest closer to home," (May 2003)

<sup>78</sup> See Chanda Meek, "Below the Aurora Borealis: Northern Forests at Risk," *Earth Island Journal* 16 (1) (Spring 2001) In this and other aspects of its boreal conservation work, Earth Island works with two allies: the Sweden-based Taiga Rescue Network, and the Winnipeg-based Boreal Forest Network. See also ForestEthics, *Bringing Down the Boreal: How U.S. Consumption of Forest Products is Destroying Canada's Endangered Northern Forests* (July 2004).

<sup>79</sup> Gordon Lambert, Interview, July 29, 2004

<sup>80</sup> Jim Lopez, Interview, July 23, 2004

<sup>81</sup> Bernstein and Cashore, "Globalization, Four Paths," 78-81 See also Bernstein and Cashore, "The International-Domestic Nexus: The Effects of International Trade and Environmental Politics on the Canadian Forest Sector," in *Canadian Forest Policy: Adapting to Change*, ed. by Michael Howlett (Toronto: University of Toronto Press, 2001).

<sup>82</sup> Bernstein and Cashore, "Globalization, Four Paths," 80

<sup>83</sup> *Ibid*, 80-1.

<sup>84</sup> For a good account, see Tim Bartley, "Certifying Forests and Factories: States, Social Movements, and the Rise of Private Regulation in the Apparel and Forest Products Fields," *Politics & Society* 31(3) (September 2003), 447-8, 451-3



<sup>85</sup> The degree to which species at risk considerations will come into play should, however, not be exaggerated. For example, in a May 2000 letter responding to concerns about the impacts of boreal development on birds, the Minister of Environment stated that at present, there are no boreal-nesting neotropical migrant forest birds listed as at risk (threatened or endangered) in Canada. He explains: "Biological endemism is low and the wildlife is largely made up of widespread types. [The history of the boreal forest zone's colonization by plants and animals] partially explains the low level of endangerment among bird species in the boreal forest." As a result, SARA will not be applicable to recovery planning for boreal forest songbirds. "Nonetheless," he continues, "some of the species are rare and could be vulnerable to extensive exploitation. As forestry activity is expanding rapidly in many areas of Canada's boreal forest, it will be necessary to track its effects on birds. ... My department's Canadian Wildlife Service assigns high priority to those species and is working to monitor their populations and to build conservation plans for them through Partners in Flight Canada." David Anderson to Jeremy Wilson, May 17, 2000.

<sup>86</sup> Canada, Senate, Canada, Senate, Senate Sub-Committee on the Boreal Forest

<sup>87</sup> Canadian Nature Federation, "Global Conservation Groups tell Canada, 'Act Now to Save Boreal Forest'," June 5, 2003

<sup>88</sup> Bernstein and Cashore, "The International-Domestic Nexus," 74-81

<sup>89</sup> For a comparison between the FSC scheme and some of the major competing forest certification schemes, see Fred Gale, "*Caveat Certificatum: The Case of Forest Certification*," in *Confronting Consumption*, ed Thomas Princen, Michael Maniates, and Ken Conca, 275-300 (Cambridge, MA: MIT Press, 2002).

<sup>90</sup> Forest Stewardship Council Canada, "FSC Canada's Boreal Forest Standard Unanimously Approved," December 12, 2003; and Forest Stewardship Council Canada Working Group, "Companion Document to the National Boreal Standard," September 20, 2003

<sup>91</sup> WWF Canada, "Tembec's five million acre forest certification is the largest in Canadian history," April 4, 2003; and WWF Canada, "Domtar – WWF-Canada partnership leads to groundbreaking FSC certification effort," November 14, 2003



<sup>92</sup> The Honourable Gerald La Forest and Dale Gibson, "Constitutional authority for federal protection of migratory birds, other cross-border species, and their habitat in endangered species legislation," November 1999, 14, 2

<sup>93</sup> Jeremy Wilson, "The Commission for Environmental Cooperation and North American Migratory Bird Conservation: the Potential of the NAAEC Citizen Submission Procedure," *Journal of International Wildlife Law and Policy* 6 (3) (2003) The organizations are: Canadian Nature Federation, Canadian Parks and Wilderness Society, Earthroots, Federation of Ontario Naturalists, Great Lakes United (based in Buffalo, New York), Sierra Club (United States), Sierra Club of Canada, and Wildlands League.

<sup>94</sup> All documents on the case can be found at the Citizen Submissions section of the CEC website: < <http://wwwcec.org/citizen/index.cfm?varlan=english> >.

<sup>95</sup> The US case is also covered in Wilson, "The Commission for Environmental Cooperation"

<sup>96</sup> Bernstein and Cashore, "Globalization, Four Paths," 82

<sup>97</sup> *Ibid*

<sup>98</sup> *Ibid*, 83.

<sup>99</sup> *Ibid*, 92-3. See also Jeremy Wilson, "Talking the Talk and Walking the Walk: Reflections on the Early Influence of Ecosystem Management Ideas," *Canadian Forest Policy: Adapting to Change*, ed. by Michael Howlett (Toronto: University of Toronto Press, 2001), Chap. 3. ENGOs had, of course, played an important role in engineering the shift that undermined the old sustained yield – integrated resource management discourse and established the biodiversity discourse. See Jeremy Wilson, *Talk and Log: Wilderness Politics in British Columbia, 1965-96* (Vancouver: UBC Press, 1998), 13-16.

<sup>100</sup> Greenpeace, "New report reveals Canada's boreal forest under siege," September 19, 2003

<sup>101</sup> Quoted in *ibid*

<sup>102</sup> Established in 1992, the Taiga Rescue Network works with grassroots groups across the boreal region to address environmental and social



issues. It has an international coordination centre in Sweden, and includes about 200 organizations in Canada, Russia, Alaska, and Scandinavia. See Taiga Rescue Network "History," at [www.taigarecue.org/index](http://www.taigarecue.org/index) (viewed January 21, 2004). See also, Chanda Meek, "Below the Aurora Borealis: Northern Forests at Risk," *Earth Island Journal* 16 (1) (Spring 2001).

<sup>103</sup> Greenpeace, NRDC, and ForestEthics, *Through the Trees* (2003), 4

<sup>104</sup> For example, future use might be made of the "Framework of Cooperation between Environment Canada and the US. Department of the Interior in the Protection and Recovery of Wild Species at Risk," (signed in 1997). (See Canada, Environment Canada, "Canada-U/S/ cooperation on endangered species protection and recovery: backgrounder," at [www.ec.gc.ca/press/usa4\\_b\\_e.htm](http://www.ec.gc.ca/press/usa4_b_e.htm)), or various agreements pertaining to the arctic environment. For examples, see Robert Boardman, "Milk-and-Potatoes Environmentalism: Canada and the Turbulent World of International Law," in *Canadian Environmental Policy: Context and Cases*, ed. by Debora L. VanNijnatten and Robert Boardman (Second ed.) (Toronto: Oxford University Press, 2002), 306 – 9.

<sup>105</sup> Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998), 73, quoted by Bernstein and Cashore, "Internationalization: Four Paths," 81.

<sup>106</sup> Urquhart, 318-30

<sup>107</sup> See Wilson, *Talk and Log*, 13-16, and Chap 10; and Wilson, "Talking the Talk," Chap. 3.

<sup>108</sup> Bernstein and Cashore, "Internationalization: Four Paths," 75, 83-5

<sup>109</sup> *Ibid*, 85-6.

<sup>110</sup> *Ibid*, 95-8.

<sup>111</sup> Bryant, *et al* See also Forests Watch Canada.

<sup>112</sup> The Pew Charitable Trusts, "About Us," at [www.pewtrusts.org](http://www.pewtrusts.org) (viewed January 28, 2004).

<sup>113</sup> Total grant figures are from *Ibid* and are for 2002 grants. About 285 separate grants were awarded that year.



<sup>114</sup> The Pew Charitable Trusts, "Grants Information: Environment, Program Overview," at [www.pewtrusts.org](http://www.pewtrusts.org) (viewed January 28, 2004).

<sup>115</sup> Canadian funders include the Gordon Foundation, the Metcalfe Foundation, and the Ivey Foundation

<sup>116</sup> Ducks Unlimited was seen as a good fit, not only because it had already become involved in boreal conservation, but because of its long experience in transferring funds between the two countries. A management committee, which oversees the grants, is comprised of two representatives from DU – one each from DU Canada's Western Boreal Program and DU Incorporated's Sacramento office (which has responsibilities for Alaska) – along with two representatives from Pew, and the Executive Director of the Canadian Boreal Initiative.

<sup>117</sup> For example, the Ontario Lands for Life process, and the BC Great Bear Rainforest and Commission on Resources and Environment (CORE) processes

<sup>118</sup> Canadian Boreal Initiative, "Boreal Leadership Council," December 1, 2003

<sup>119</sup> It has been described as bearing the imprint of the president of WWF Canada, Monte Hummel, in that it reflects: "years of negotiation, carefully researched science, big vision and decades of non-confrontational power-brokering at the highest levels" Alanna Mitchell, "Coalition aims to save boreal forest," *Globe and Mail*, December 1, 2003.

<sup>120</sup> Canadian Boreal Initiative, "The Boreal Forest Conservation Framework," at [www.borealcanada.ca/framework\\_e.cfm](http://www.borealcanada.ca/framework_e.cfm) (viewed December 18, 2003).

<sup>121</sup> Canadian Boreal Initiative, "The Boreal Forest Conservation Framework: Rationale"

<sup>122</sup> Gordon Lambert (Suncor Energy Inc VP Sustainable Development) and John Rogers (VP Investor Relations), "Sustainable Development and Sustainable Shareholder Value," Presentation at Globe Foundation, Eighth biennial conference on business and the environment, March 31, 2004.

<sup>123</sup> Tembec Ltd, "While its President receives the Rainforest Alliance Lifetime Achievement Award ..." press release, May 20, 2004; and



"Tembec's five-million-acre forest certification is the largest in Canadian history," press release, April 4, 2003.

<sup>124</sup> See ForestEthics, *Bringing down the Boreal*, 12

<sup>125</sup> Cathy Wilkinson, interview, March 4, 2004

<sup>126</sup> On Tembec's efforts to have all of its operating area certified under the FSC, see Ben Parfitt, "Great Enemies," *Report on Business*, March 2004, 67-9; and Tembec, "Tembec's five-million-acre forest certification"

<sup>127</sup> Suncor, for example, has won a place on the Dow Jones Sustainability index and has been rated as a leader in Corporate Social Responsibility by *Report on Business Magazine*

<sup>128</sup> Lopez interview

<sup>129</sup> Lambert interview

<sup>130</sup> Quoted in Mitchell, "Coalition aims"

<sup>131</sup> Stewart interview

<sup>132</sup> Elgie interview

<sup>133</sup> The interviewee preferred not to be identified

<sup>134</sup> Elgie interview

<sup>135</sup> Lopez interview

<sup>136</sup> Wilkinson interview

<sup>137</sup> *Ibid*

<sup>138</sup> For example, the Commission on Resources and Environment (CORE) processes that had an integral role in resolving land use issues in British Columbia in the 1990s See Wilson, *Talk and Log*, Chap. 11.

<sup>139</sup> Interviewee preferred to remain anonymous

<sup>140</sup> Interviewee preferred to remain anonymous

<sup>141</sup> For example, on the East Side of Lake Winnipeg, see Western Canada Wilderness Committee, *Annual Report for the Year ended 30 April 2003* (Vancouver, 2003), 7



<sup>142</sup> The western boreal stretches “approximately 4500 km from southeast to northwest between latitudes 47 - 60° North. The confluence of Alberta, British Columbia and the Northwest Territories lies approximately at its center.” A. Lee Foote, and Gary R. Stewart, “Western Boreal Forest: Summary and Overview,” (White Paper: DU Pacific Flyway Regional Office, 1999).

<sup>143</sup> Ducks Unlimited (Matt Young), “The Other Duck Factory,” April 19, 2002

<sup>144</sup> Stewart interview

<sup>145</sup> Duncan Morrison, “The Western Boreal Forest,” *Birdscapes* (Winter 2002), 14-5; Canada, Environment Canada, *Canadian Habitat Matters 2003* (Ottawa: Environment Canada, 2003), 5

<sup>146</sup> Ducks Unlimited, “Ducks Unlimited’s Commitment to Boreal Conservation” See also Ducks Unlimited, *Ducks Unlimited’s Conservation Plan*, 30-34.

<sup>147</sup> Ducks Unlimited Canada and Ducks Unlimited Inc, *Ducks Unlimited’s Vision for the Western Boreal Forest* (October 2000).

<sup>148</sup> See Stewart, “A Review of Boreal Forest Conservation Planning”

<sup>149</sup> *Ibid*

<sup>150</sup> Initially, eight study areas were defined More are being added. See *Ibid*.

<sup>151</sup> Quoted in Canada, Environment Canada, *Canadian Habitat Matters*, 5 See also Stewart, “A Review of Boreal Forest Conservation Planning.”

<sup>152</sup> For descriptions of this research see, for example, Glen Martin, “The Case of the Disappearing Ducks,” *National Wildlife* 40 (3) (April/May 2002); Bob Weber, “Missing ducks mystify scientists,” *Vancouver Sun*, September 15, 2003; and Alanna Mitchell, “The Case of the Missing Ducks,” *Globe and Mail*, August 16, 2003

<sup>153</sup> “MOU between Alberta-Pacific Forest Industries, Inc (Al-Pac) and Ducks Unlimited regarding Watershed-based Conservation Partnership for the Al-Pac FMA Area,” August 27, 2002.

<sup>154</sup> *Ibid*, B-1.



<sup>155</sup> *Ibid*, B-2, and B-5.

<sup>156</sup> A number of such partnerships have already been struck. In early 2004, for example, DUCS and WWF-Canada announced that the Forest Products Association of Canada would be providing \$1 million in support of several research projects in the boreal. See Ducks Unlimited Canada, "Forest Industry takes Step Towards Boreal Conservation." At: [www.ducks.ca/news/2004/040126pr.html](http://www.ducks.ca/news/2004/040126pr.html) (viewed February 26, 2004).

<sup>157</sup> See, for example, Government of the Northwest Territories, Ministry of Aboriginal Affairs, "Devolution" At: [http://www.gov.nt.ca/MAA/index\\_devolution.htm](http://www.gov.nt.ca/MAA/index_devolution.htm) (viewed April 4, 2004).

<sup>158</sup> Stewart, "A Review of Boreal Forest Conservation Planning"

<sup>159</sup> Stewart, "A Review of Boreal Forest Conservation Planning"

<sup>160</sup> Quoted in Martin, "The Case of the Disappearing Ducks."

<sup>161</sup> Bernstein and Cashore, "Internationalization: Four Paths," 86

<sup>162</sup> See, for example, Robert O. Keohane, Peter M. Hass, and Marc A. Levy, "The Effectiveness of International Environmental Institutions," in *Institutions for the Earth: Sources of Effective International Environmental Protection*, ed. by P. M. Hass, R. O. Keohane, and M. A. Levy (Cambridge, MA: MIT Press, 1993.)

<sup>163</sup> See, for example, Urquhart, 329.

<sup>164</sup> For one discussion of the sustainable logging approach, see Savage, 46, citing Hobson

<sup>165</sup> See Lambert and Rogers, 2.

<sup>166</sup> See note 1 *supra*.

<sup>167</sup> Urquhart, 330-7.