

ORCHID CONSERVATION 97 KEYNOTE ADDRESS

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Let me first say something about myself. Partly this is because many of you know nothing about me at all; but perhaps more importantly a little autobiography will help you to see where I come from intellectually and will show the somewhat distinctive angle from which I come to the subject of international orchid conservation. What I go on to say about conservation will make better sense that way.

I have been interested in plants since I was very small indeed, but I have never built my career around them. I am neither a scientist nor a commercial grower, but an amateur grower with botanical inclinations, who has done quite a lot of collecting in southeast Asia and in the south Pacific. So far as the Royal Horticultural Society is concerned, I have just retired from twelve years as chairman of its Orchid Committee and as chairman of the Orchid Registration Advisory Committee. I remain chairman of its Working Party on Conservation and Environmental matters, a position which I have held since it was established five years ago.

My roots are in ancient Greece. I started Latin when I was seven and Greek when I was nine, and from thirteen to nineteen I did nothing else—but especially Greek. But although I was a horribly bright child (getting a scholarship to Oxford at sixteen), I never settled down to anything that this might have led my parents to hope for. I was, I suppose, a problem teenager, and my course was erratic. After my first examinations I ran away (by my own choice) to do my national service in the army, came back eighteen months later—but to read botany—only to switch again after a year to read philosophy, politics and economics. When I finally graduated six years after first arriving at Oxford, instead of doing something normal, I ran away again, this time to spend four years in the jute-mills of Calcutta. I next went westward. I returned home from India and shortly afterwards left for the United States on a cheap fare. After five weeks spent crossing the US (mostly in Greyhound buses) I fetched up in Vancouver—down to my last \$14. The “Help Wanted” column of the Vancouver Sun fortunately yielded a job ad which began, “No experience needed . . .,” and I spent the next four years in Saskatchewan, organizing adult education courses and extension

conferences. During that time I did actually get married to an Australian. I have done more than my share of traveling and have indeed tended to look at things in a global perspective since stamp-collecting days in early childhood.

I had not read a book for nine years, but after four years on the prairies the time was ripe, and at the age of 32 I arrived at the University of Chicago to study for a Ph.D. in their Department of Political Science. In my first term a seminar was offered on Plato’s Republic, and I put myself down for it. The right quotation at this point is from T. S. Eliot:

“We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time.”

The second half of my life had begun. Have you ever noticed how hard it is sometimes to tell the difference between running away from something and looking for something?

My point in all this narrative is to indicate where my home territory is: it is the territory occupied by Plato and Aristotle, by the Old Testament prophets and other “wise men” whose central concern is the place of man in the cosmos (mankind’s relations to nature and, if you like, to God) and the related questions about how to act. As Sherlock Holmes observed in another context, “These are deep waters, Watson.” But conservation questions plainly belong somewhere here.

A little more biography is relevant. After four years at Chicago, I finally returned to Britain for good. (It was at this moment that I started growing orchids.) I took a job in the Politics Department of the University of Bristol. There, while my original remit was in the field of political philosophy, it increasingly seemed to me that the traditional agenda of political philosophy (all those questions about order, justice, freedom and so on) had in the contemporary world to be looked at in terms wider than the nation-state. I became increasingly involved in the study and teaching of world politics, and more particularly the politics of the world economy. After twenty-three years I early-retired myself from Bristol, only to be picked up by Shell International to work as a consultant to their central think-tank (brooding about the future of the world), and I

left them last year after eight years. The result of this (more orderly) career is that to the original philosophic or religious concerns (but not replacing them) must be added a robust familiarity with the history and the current realities of the world's economic and political systems. I would argue that these two together are both necessary foundations for thinking about the world's conservation problems.

There is one element more to add. Those old wise men didn't have to worry about what we call "progress." But nowadays coping with progress and its results, and speculating about still more that is to come, is almost the heart of our problem. We can look back at a history of relentless and accelerating change, and we must wonder (apprehension mixed with hope) at what the future will bring. That is why the environment has so shot up the political agenda in recent decades. The sense that something has gone wrong is very common. It is not only a set of practical worries but more a sort of spiritual unease.

So, although it is right to analyze our situation as if it were a set of interlinked practical problems, that is not the whole of it. We need practical solutions, but they may not be available if we think that that is all there is to it. Surely, if blasphemy means anything at all, it must be blasphemy to eliminate the blue whale for the sake of pet food and cosmetics, or the tiger and the rhinoceros in order to bolster the fading sexual powers of aging Orientals?

Mark Bierner said yesterday: "Plant conservation is essential to our survival." He went on to ask: "How can we be so blind?"

The trouble is that we are not here talking about some face-to-face town meeting. We are talking about mankind as a whole—6.5 billion people living on a very varied planet, varied in geography, in climate and in resources. The people themselves vary greatly in their historical experiences and their cultural backgrounds. It is a fundamentally unequal world in which it is not for a moment to be expected that everyone will have the same interests or the same priorities. Any "common decisions" taken by "mankind" will be mediated at every level by political processes and political structures.

If anything is to be done about "our shared environment" and "our common heritage," it will be done politically. And at the global level the political reality is very complicated and the issues (and the divisions on those issues) very large-scale. Indeed to seek to confront those issues and that complexity requires strong nerves.

That is why I will now confine myself to the global level. The explicit focus of this conference has been on more specific and local con-

servation initiatives, which are beyond doubt important and are all too often brushed aside. I do not wish to disparage those initiatives, but I think I can be most useful this evening if I concentrate on the world level, because that is where I think I have some personal expertise.

I turn to CITES. CITES is here to stay. But I disagree with the person who said yesterday that there would be no changes in CITES before he died. I would be more positive than that. There have already been changes, and there are more to come.

Let me qualify what I said a moment ago: "CITES is here to stay." CITES will not go away in the sense that it will vanish and leave us all—scientists, hobbyists and commercial growers alike—in some form-free paper-free utopia of total international freedom. To hanker after that is no better than banging your head against a brick wall. But I think that it will find itself subsumed under and digested by the Biodiversity Convention which, as international regimes go, is an altogether bigger beast. More about that in a little while. For the moment stay with CITES as it is.

As it is, we have to work within it. Make it work better. It will never work *well*; but it can be made to work better. It will never work well because its global scope means that there are inherent problems. It is inextricably part of that divided and unequal world of which I spoke earlier.

Many of the difficulties which people subject to CITES experience are due to the freedom which each Management Authority enjoys in how to implement its responsibilities under the Convention. It is, of course, CITES which gives them that freedom. *But how could it be otherwise?* Other difficulties arise from the fact that different Management Authorities interpret and use that freedom in different ways. *How could that be otherwise?* About the second sort of difficulty there is little that can be done, but about the first, the case is not hopeless.

On the first sort of difficulty, dealing with your own Management Authority, the main thing to be said is that little or nothing is achieved by irritable and adversarial confrontation, especially if that irritation is fueled by a reluctance to face up to the limitations within which Management Authorities have no choice but to act. These are of two sorts: the actual rules of the CITES Convention itself, and the wishes or orders of their political masters (government or political policy) where it matters. A good understanding of both these things is essential.

In the UK we have good consultative arrangements with our Management Authority. They keep us informed. They call regular half-yearly

meetings of what they style “users and traders.” They are always open to advice. Of course we don’t always get what we want, but I am confident that they listen to and value what we have to say and that they bear it in mind when they are at international meetings or advising ministers.

Because we understand the limitations within which our officials work, we also use (in parallel) national and international political channels where that is appropriate. Not everything can be left to discussions with officials no matter how friendly and constructive those discussions might be. The officials, though, are the first port of call, and we work steadily to gain their confidence.

On your domestic front I can give you no advice. You know your situation, as I know ours. But on the international scene there may be something worth saying.

You should not underestimate the influence which NGOs can have at Conferences of the Parties or at the Plants Committee. They have a prominent place there, recognized in the text of the Convention itself. Their contribution is welcomed by the Parties as invaluable lubricants in the system. They can, if suitable diplomatic skills are deployed, broker outcomes which the Parties themselves, because of formalities and political rigidities, might be unable to reach on their own.

I attended both the Kyoto and Fort Lauderdale Conferences of the Parties on behalf of the RHS. At both I was able to do (I think) some effective lobbying—at Kyoto on the definition of “artificially propagated” and (especially) the flasks issue, in Fort Lauderdale on nursery registration. At next week’s COP in Harare there seemed to me to be no issue which met the two criteria which determine whether it is worth the RHS’s money to attend: is there an issue of general importance to horticulture; and is any of those issues one where the outcome might be significantly affected by our being there? I so advised the Society, and I will not be going to Harare.

Let me indicate briefly four areas to be watched, where further progress could be made. 1) The down-listing proposal discussed at this Conference. Let more work be done on that, and then start putting it through the CITES machinery. 2) There is the precedent which will be set by the proposal about “supermarket plants,” if it goes through in Harare. What other groups might be argued for? 3) If the proposal to amend the definition of “artificially propagated” goes through in Harare, watch out for proposals to mitigate or remove the anomalies which the revision is all too likely to throw up. 4) We should acknowledge the importance of what has been

achieved so far in giving belated recognition to the special features of plants in a Convention designed for animals. This has been largely due to the work of the Plants Officer, Dr. van Vliet. Many special provisions have been passed by COPs. It would be good if these could be collated and expressed in what might be called a “plant protocol” as a basis to work on for further rationalization.

But I want to go a bit deeper into CITES—and my criticisms may not be exactly what you are expecting. I want to come back to something which I touched on earlier: the Biodiversity Convention. At the European Orchid Congress in Geneva two months ago, I gave a talk in which (among other things) I referred to CITES as the continuation of imperialism by other means and the Biodiversity Convention as an anti-imperialist *riposte* to it. I would like to carry that further.

CITES derives from the Washington Conference of 1972 and is very much a reflection of its times. It reflects very well the post-WW2 period of western (especially the United States) hegemony. The range states are overwhelmingly Third World, and the importing countries are overwhelmingly First World. The standards set in the Convention are First World. So are the international norms assumed. So, in fact, is power within the CITES organization. It is not just that (conveniently) North America, Europe and Oceania each have a place on the organization’s Standing Committee (along with South America, Africa and Asia), though that was an interesting point for muffled controversy (and change) at Fort Lauderdale, but that it is from the First World that the majority of the organization’s key personnel come; and, of course, the bulk of its finance. The enormously influential conservation NGOs are also overwhelmingly First World in both their base of operations and their staffing.

However legitimate the concern about the global conservation problem, CITES is *de facto* an instrument whereby the developed world interferes with the way in which the less-developed countries use their resources. That is increasingly being noticed, and the issue is not going to go away.

I want to close by drawing attention to one of the items on the agenda for next week’s COP in Harare. At the last COP in Fort Lauderdale it was agreed to commission a study of the effectiveness of CITES. The task was contracted to an environmental consultancy in London, with funds largely provided by the US. Even to me the resulting report looked disappointingly superficial. But it will be discussed in Harare. A number of governments (and NGOs) have sent in comments on the report, but I want now to

read you a number of excerpts from just one governmental submission: it comes from Botswana, Malawi, Namibia and Zimbabwe. It makes spirited reading.

"Whatever the perceived 'benefits' of CITES, we are of the opinion that the only measure of the effectiveness of CITES lies in the status and trends of threatened species' populations." The report acknowledges this, yet states, "The impact of CITES on the conservation status of individual species is very complex and cannot be measured easily or precisely. A sample of 12 species was examined and it was found that 'CITES *may* have been effective for just two of these.' This is a remarkable finding. If the impact of CITES is so easily obscured, perhaps there is no impact. The proportion of the review devoted to this topic is disappointingly little—which may be as much the fault of the Standing Committee as of the consultants in the choice of species to be examined It is tempting to conclude that if it cannot be shown simply that CITES has enhanced the survival of species and reduced illegal trade, then we should go no further. These are good enough reasons for returning to the drawing-board. There is something incongruous about the ease with which the report places equal weight on other issues which, in the grand scale of things, are irrelevant if CITES is not achieving its primary goal. The study leaves a huge question mark whether the treaty is actually achieving anything." (p. 6)

"The study fails to point out that an Appendix I listing effectively registers a servitude over land in the range state to which it applies. The land can no longer be used flexibly because conditions apply to the resources on the land." (p. 7)

"There is an entrenched bias in CITES meetings against deleting species from Appendices and towards inclusion of new species. Various efforts made by the Parties to move species which are inappropriately listed have met with a reluctance to accept technical data. It should not be expected that the new criteria will solve the problem." (p. 10)

"We agree strongly that [the relationship with the Convention on Biological Diversity] is a high priority The CBD Secretariat and the CITES Secretariat signed a Memorandum of Understanding in October 1996 This MOU does no more than establish areas of cooperation between the Secretariats and should not be taken to have satisfied any of the more fundamental issues which need to be resolved between the two treaties." (p. 12)

"The study does not consider that CITES should be a demand-driven system, with the demand arising primarily from the range states, to

aid Parties over and above their internal law enforcement efforts through being able to call on the police, customs and wildlife authorities in other countries. Unfortunately CITES has not worked in this manner: it has been used more as a mechanism for some Parties to impose their perceived conservation policies on others." (p. 16)

"We believe that the Precautionary Principle is being selectively used to suit certain pressure groups and a few Parties . . . The study does not address the dissent among CITES Parties and between Parties and NGOs over the Precautionary Principle. This was one of the main stumbling blocks over the acceptance of the new listing criteria and, in the view of many range states, is a mechanism, which, when linked with unreasonable demands for scientific data, could be used to enable the inclusion of more and more species on the Appendices." (pp. 16–17)

The critique notes among "statements of dubious value" in the report: "Global thinking on the issue of nature conservation has undergone a major transformation during the past two decades. CITES has been well placed to contribute to this evolution." The tart comment of the paper is: "We cannot see that CITES has kept up with this evolution." (p. 21)

"The report states . . . the 1992 Convention on Biological Diversity is the broadest and most politically important global conservation convention . . . If CITES were ever to function in synergy with the Biodiversity Convention or as a protocol under that Convention then major revisions would be required. The report also concedes that ". . . comprehensive species management goes beyond the ambit of CITES . . ." This is a very strong argument for subsuming CITES within the CBD where it would be possible to balance conservation efforts over the range of threats affecting species, and avoid the out-of-proportion focus on international trade." (p. 26)

One last acid footnote: "It is noteworthy that the US funding component, which had 'no strings attached to it' when it was confirmed in March 1995, developed conditionalities over a period of nine months, and ended up with the Party which had opposed the study in the first place being selected as the representative of the Parties on the Advisory Committee." (p. 29)

There is much more in this critical paper and, of course, there is much more to the issues involved. But I think that the paper is required reading for anyone who wants to understand the issues. Whether CITES is to be subsumed under the CBD and subordinated to it is a highly political question. We shall have to wait and see. But it can certainly be argued, taking a wide

political and economic perspective, that the CBD better represents emerging 21st-century reality than CITES does.

But for now we must continue to do what we can for plant conservation wherever we happen to find ourselves, operating at local, national or international level. This includes working within CITES as it is, at least for the time being. The conservation problem is real and pressing; it makes itself felt locally and globally; and our moral or spiritual sense will not allow us not to

look for ways of contributing to its *mitigation* at least—mitigation, because I cannot begin to imagine what a *solution* would look like. Just because we call something a problem doesn't (even in this country) mean that there must be a solution to it. We must accept that we cannot foresee everything, let alone control everything.

Let me end with two quotations. The Good Book tells us that "the fear of the Lord is the beginning of wisdom." T. S. Eliot says: "For us there is only the trying; the rest is not our business." But try we must.