



# ***Ethical appeal***

**March 2005**



Duncan Macqueen ([duncan.macqueen@iied.org](mailto:duncan.macqueen@iied.org)) has prepared this tool drawing heavily on commissioned work on ethical dialogue by Nigel Dower, Workineh Kelbessa and Sheelagh O'Reilly (Dower, 2005; Kelbessa, 2005 and O'Reilly, 2005), on forest law by Feja Lesniewska (Lesniewska, 2005) and on forest ethics (Macqueen, 2004; 2005).

## Summary

**Decisions about what happens in the forest often ignore the values of forest-dependent people. We have written this lobbying tool for such marginalized forest-dependent people. Its aim is to broaden and critically examine the values that shape what happens in the forest. We want to give greater weight to the voice of the poor. The tool gives a structured approach to framing and making a complaint within a process of ethical dialogue. It does this by providing a framework for understanding: (i) what a forest ethic is; (ii) how an appeal to forest ethics might be made within a process of dialogue; (iii) and when such appeals might be particularly legitimate and useful for marginalized forest dependent people.**

### ***What is the tool 'Ethical appeal'?***

Human need, capability or aspiration is the subject of many classification systems (such as material subsistence, security, social relationships, creative work, aesthetic appreciation, cultural identity; see Maslow, 1943; Alkire, 2001; Macqueen, 2004, 2005). Forests contribute to the aspirations of many different groups. But forests may not be able to satisfy every group's aspirations at once. For example it may not be possible for a logging company's aspiration for timber to coexist with a local community's aspiration for undisturbed hunting grounds or sacred groves. If we are to avoid conflicts over the remaining depleted forest resources we need to agree some shared aspirations or *values* governing how to use them. Values – how we *ought* to use forest – are the stuff of forest ethics and law. A shared set of forest rights and values (a forest ethic) is necessary to govern how we use forests – usually backed up by a set of enforceable forest laws. Not all people will agree on the weight that each type of aspiration or value should receive in deciding what ought to be done with the forest. But it *is* legitimate to appeal when decision-makers omit entire groups of people, or categories of aspiration in what they decide for the forest sector.

Different participatory rural appraisal approaches are now commonplace in development work. They look at resource use and assets, and at what communities want or are threatened by. This tool overlaps with many of these approaches, but it is distinctive in its focus on values, ethics and law. It attempts to build two conceptual bridges. The first is a bridge between what people value and what they feel ought to happen to the forest (between values and ethics). The second is a bridge between what ought to happen and written agreements to that effect (a bridge between ethics and law). But first, an honest declaration: all of the steps in this tool are based on field experience, but the combined set of steps in this tool has never been road tested as a coherent whole. So feel free to take what is useful and leave what is not. If you have the chance to try it as a whole, please do send feedback.

### ***Why might an 'ethical appeal' be necessary for marginalized forest-dependent people?***

Terrible consequences often come about when the ethics of modern materialism encounter the ethics of local and or indigenous forest-dependent people. (If you are in any doubt see among others: Bodley, 1993; Colchester, 1993; Filer and Sekhran 1998; WRM/FM 1998; Glastra 1999; Indigenous People's Caucus, 1999; GFW/WRI 2000a; 2000b; Fern, 2001; Macqueen, 2001; EIA, 2001, 2003; Forest Watch Indonesia 2002; Schroeder-Wildberg and Cariu, 2003). While some of the worst abuses may be against the law, in many cases the outcomes are legal. Powerful and connected lobbies frequently help to define national legislation to suit their own interests. People without access to the corridors of power need tools through which they can organise, and expose injustice. A recent report on the interaction of the Oromo people with western development programmes is a case in point. It is rare for help to be forthcoming unless the people themselves get organised (Kelbessa, 2005).

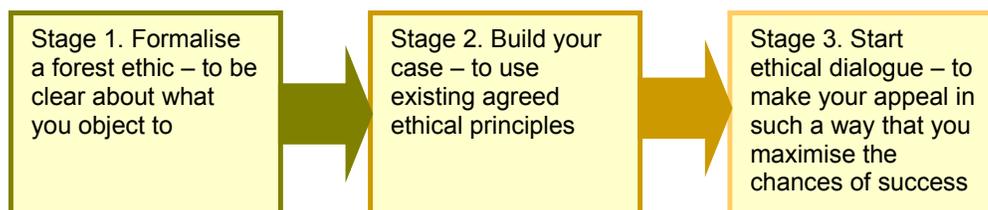
One option to make headway in getting voices heard would be for marginalized people to stress the relativity of values. In other words, we might think it wise to treat the values of marginalized people as unique or special and incomparable with those of marginalizers. Yet this is counterproductive. Dower (2005) argues that there are four reasons why relativism is unhelpful:

- We cannot share an ethic that is *internal* to a group, nor address it coherently to outsiders (even if they are sympathetic) because outsiders belong to other moral groups operating by a completely different non-sharable ethics.
- We cannot appeal to the universal status of being a human being – i.e. we can say nothing about human beings in general in terms of values and norms.
- No basis for international responsibility is available since there is no global moral community within which responsibility might exist.
- We cannot advocate general tolerance because to do so we would need to abandon relativism and claim that tolerance is universal.

A more productive way forward is to argue that there are indeed global values based on human solidarity, even if we have to recast them to respond better to the plight of marginalized groups (see Dower, 2005). It is upon this understanding that we have developed the ‘Ethical appeal’ tool. Evidence from a wide range of campaigns suggest that such appeals can:

- Build alliances in support of marginalized people.
- Strengthen the public profile of marginalized groups so that powerful interests are less likely to try to take advantage.
- Expose the position of the marginalized in a way that cannot easily be dismissed.
- Expose the marginalizer to the position of the marginalized – in the hope that through human solidarity the former will adjust his / her position.
- Expose the position of both marginalizer and marginalized to objective reason by third parties on the understanding that one position will be seen to be objectively reasonable while the other is not.
- Expose the positions of the marginalizer to third parties who have power to enforce redress.

We can use a simple framework to achieve such outcomes. It involves three main stages each of which contains four steps – although please do not feel you have to follow the formula!



There are twelve main steps involved in making an 'ethical appeal' and we group these into three main stages:

### **Stage 1. Formalise a forest ethic**

This stage is all about strengthening your group and making sure that you are all on the same wavelength. By formalising a simple 'forest ethic' you are trying to clarify what rights (e.g. ownership, access and use rights) and values (acceptable or unacceptable behaviour) ought to control what happens in and around the forest. If it were up to your group – what local rules or byelaws would you put in place to make sure that forest use happens as you would like? It is sometimes helpful to start by discussing very broad hopes and fears before looking specifically at forests. Therefore, our suggested steps are:

*Step 1. Look at your aspirations.* Start by discussing and agreeing what is valuable to you. Ask what aspirations are important to your group.

*Step 2. Understand the underlying causes.* Share among yourselves what the source of these values is. Ask whether your aspirations are based on human needs, values intrinsic to other life / objects, or divine will.

*Step 3. Describe the forest's contribution.* Try to link some of these values to the forest or tree resource. Ask how forests help to meet your aspirations.

*Step 4 Define acceptable practices.* Conclude by discussing what rules would be needed to make sure that forests continue to contribute to your values. Ask what acceptable forest practice would involve.

### **Stage 2. Build your case**

This second stage is about preparing for your appeal – making sure your arguments are watertight and your support is strong. It is easier to make a good case if you know that the people who are bothering you are already breaking some agreed ethical principle. National and local governments agree many 'hard' and 'soft' laws and you can introduce some of the Articles in these agreements to strengthen your case. Don't just think of whom you want to confront – it is just as important to get people on your side – and legal advice can often give teeth to your ethical appeal.

*Step 5. Clarify the problem.* Have an honest discussion and be as specific as possible about what it is that is bothering you. Ask what threatens the aspirations of your group.

*Step 6. Use legal support.* Get in touch with someone who can find out what has been agreed in international, national or local law – some of this may strengthen your case. Ask how international conventions, national laws and local traditions might support your case.

*Step 7. Target your audience.* Discuss among yourselves who you want to confront, and also the very important question of whom you want on your side. Ask who must be present and who would help if they were there.

*Step 8. Create pressure for change.* Try to avoid going in cold – think of ways in which you can build up some momentum in advance – but without antagonising people before the start of dialogue. Ask how you might spread your concerns to people who could build pressure in advance.

### **Stage 3. Start ethical dialogue**

The third phase in making an appeal to ethics involves a process of ethical dialogue. This may be a single event, but will more probably be a long process of discussion involving different meetings and different people.

*Step 9. Conduct the appeal on your terms.* Start with a venue that suits you and make sure that any meetings are governed by your rules. Ask what rules of any meeting might be, for example: everyone expresses an opinion – everyone listens – reason guides discussion – there will be future opportunities for discussion if necessary etc.

*Step 10. Introduce 'ethical formats'.* When you do meet to try and resolve your issue, think of ways to build constructive dialogue, rather than just airing grievances. Ask how you could encourage participants to look from the other's point of view and how you could encourage reciprocal give and take?

*Step 11. Try it.* Make the arrangements and invite the people you want to be present. Set out offending practice, legitimate aspirations that it overlooks and reasons why this is not acceptable. Allow the other side to respond. Draw in other allies and decision makers.

*Step 12. Learn from experience.* Discuss how the first phase went – if it is worth continuing or whether different advocacy tactics are necessary. Remember that long-term awareness of the importance of your values may be as important as any short-term gains. Record reactions and outcomes for what you did.

We provide more detail about each of these steps in the sections that follow:

#### **Step 1. Look at your aspirations**

Ethics arise because different people have different *aspirations*. An individual without aspiration has no need to define or defend his or her ethics (i.e. rights and values). When peoples' different aspirations come into contact, it is important to know how each person should behave. Because of this, society develops a set of agreed rights and values – a code of ethics to govern behaviour – and writes some of it into laws. When we fail to articulate or enforce these codes of ethics and laws some groups can get away with treating other groups very badly. A first step in addressing this is to draw attention back to the agreed rights, values – the ethic. It is helpful if marginalized groups can explain how unreasonable actions by outsiders interfere with their aspirations. So our first step is to discuss a group's aspirations.

Since there are many different types of human aspiration, ethics are composite in nature. In other words, individuals or groups weigh up many different parts of a decision against many different types of aspiration before deciding what appropriate behaviour is.

The strength of different parts of your ethic will vary depending on the degree of aspiration involved. The reason for this is that some interactions don't matter much while others clearly do! For example, a logging company threatens your aspiration to continue living because you object to felling trees on your land – you are likely to feel very strongly about it. But if your friend makes a small dent on your aspiration to appreciate beauty by clearing forest for agriculture you are likely to be less strongly against it.

As noted above, considerable research exists on categories of human need, capabilities and aspirations. When you start to discuss the different aspirations of your group, you might want to group your aspirations into useful clusters. For example, you might discuss aspirations for:

- material survival (food, shelter, energy, medicines and other material goods)
- security (self-determinism, non-violence and long term sustainability)
- relationships (both personal, professional and spiritual)
- creative work (personal fulfilment and contribution to society)
- appreciation of beauty (in characters, landscapes, ideas etc.)
- a clear sense of identity (purpose, culture and faith)

A good first step would be to make a list of these main group aspirations. It is worth noting that the things to which you aspire as an individual may be very different from things to which you aspire as a group. Restrict this first discussion to collective or group aspirations. So for example when you ask “What do we aspire to in terms of material survival?” it is more constructive to answer for the group “Adequate access to farm land and good health care” than to answer as an individual “I want a bigger portion for lunch”.

Table 1 (from Macqueen, 2004) shows some of the differences that can result if we chose to discuss collective aspirations rather than individual aspirations:

**Table 1. Distinguishing individualistic and collectivist approaches**

Individualist		Collectivist	
Principal emphases	Practical ground rules	Principal emphases	Practical ground rules
Possession	Only invest if you will get something back	Community	Invest to build up the community / group
Isolation	Exclude non-aligned interests	Coexistence	Ensure diversity is represented fairly
Competition	Exert personal power if possible	Cooperation	Abide by democratic decisions
Self interest	Insist on a personal veto	Collective interest	Include all positive inputs
Scepticism	Demand input to all stages	Confidence in others	Delegate to sub-groups
Immediacy	Maximise personal gains within lifetime	Incrementalism	Build on positives over long term

## Step 2. Understand the underlying causes

Our aspirations are usually based on our primary values – what philosophers call ‘intrinsic values’ – or things that have value in and of themselves. A second step in preparing to make an ethical appeal is to understand what these intrinsic or primary values are for our group. Not all people agree about where value lies. Some people think only humans have intrinsic value. So our ethic would restrict itself to assessing the current or foreseeable future balance of good and bad to humans.

But just because humans assign value (being intelligent) does not mean that we alone are intrinsically valuable. It is quite possible that other things deserve moral consideration (Goodpaster, 1978). For example, many people believe that other animals or plants or even streams and rocks are intrinsically valuable. Other people believe that God or spirits ascribe

value to things – and that humans are merely stewards. It is perfectly valid if the values underpinning your aspiration have little to do with humans and a lot to do with other sources of value. Spiritual beliefs and other living organisms (e.g. spirits, pandas or mahogany trees) observably shape the behaviour of lots of people.

The reason for being clear about underlying values is that other people may not share your basic value judgements. It is always helpful to know whether you are failing to reach agreement because of a failure to understand each other’s position, or because you have fundamental differences in what you value.

### Step 3. Describe the forest’s contribution

Forests contribute to many different human aspirations. They also occupy large land areas over significant periods multiplying the possibilities for conflict between different group aspirations. It is no surprise that we need forest ethics to govern forest use. We define ‘forest ethics’ as a forest-related subset of rights (e.g. rights to forest products and services) and values (e.g. the prevailing notion that sustainable forest management is in some sense ‘good’). Forest ethics are not monochrome. There is a broad possible spectrum of forest ethics, from “maximise financial profits from timber” to “conserve the spiritual value of trees”.

At this point you should have a good understanding of what your group aspires to and what its underlying values are. The next step is to link this with forest resources. The way to do this is simply to brainstorm about what you think forests can contribute to each of your group’s aspirations. Do not be afraid if the answer for some of your categories is nothing!

We include an example of how you might construct a table to list the contribution of forests to your aspirations in Table 2. Of course, you may want to be more specific about exactly what bits of forest contribute to your aspirations. For example, in Vietnam an endangered coniferous tree ‘*Taiwania*’, locally called ‘Cha Cau’ by the Hmong people<sup>1</sup>, has a number of properties which means that it is widely used for roof shingles and for building houses (O’Reilly, 2005). People from the Hmong ethnic minority have a strong relationship with the tree not only for utilitarian purposes but also culturally. They revere large trees located in one of the villages as ‘father’. So for these people the Cha Cau tree would contribute to their subsistence needs (e.g. for shelter), but they would also contribute to the sense of Hmong cultural identity.

Table 2. The contribution of forests to our aspirations

What do we aspire to	What diverse forests contribute to value
1. Sense of identity	Forest stewardship contributes to our identity, cultural diversity and spirituality
2. Appreciation of beauty	Forest landscapes provide intellectual stimulation and aesthetic appreciation
3. Creative work	Forest management provides various opportunities for creative endeavour
4. Relationships	Forest interactions and competing claims inform a framework of social and environmental justice.
5. Security	Forest ecosystems ensure environmental stability through adjustments to biological diversity
6. Material subsistence	Forest products and services sustain interdependent living organisms

<sup>1</sup> *Taiwania* is known as Bách tán Đài Loan (Vietnamese), Taiwan shan (Chinese), Chaz Kauz (Cha Cau) (H’mong), *Taiwania flousiana* Gaussen (Linnaean classification).

#### **Step 4. Define acceptable practice**

Once you are clear on the ways in which forests contribute to your main aspirations it is possible to discuss the rules and strategy that might be needed to govern those forests. These rules or strategy may already formally exist (for example in national forest law) – but at this stage do not worry too much about what forest authorities have to say. Concentrate instead on what you would like to see happen in practice and how you could ensure that it does.

Let us return to our Vietnamese example – the Hmong people. Local people recognize a strong affinity with the Cha Cau tree. But their practices of burning land to support grazing near the site where the remaining trees are located is helping to destroy the trees (for more detail see O'Reilly, 2005). Repeated burning is also reducing the availability of good grasses. This allows encroachment of unpalatable grasses such as *Imperata cylindrica* and bracken/ferns. The villages closest to the *Taiwania* site are remote (6 hour walk along a horse trail) from the commune office. Despite the endangered nature of the Cha Cau tree, these communities have yet to receive any significant support from government or donor-funded projects. So on the one hand, the Hmong people might want a rule that reduces burning for grazing near to the trees – to allow the trees to regenerate. On the other hand they may also want some support for their conservation activities from the government.

As it happens, a proposal is currently under development, with relevant stage agencies and local people, to develop a 500 ha protected area for the remaining Cha Cau trees as a seed source. China is increasingly planting the tree as a commercial timber species for its fragrant wood and clean grain (it is used as a coffin timber and for construction purposes). A seed source in Vietnam would add a source of income for local people and further encourage conservation. So the rules for local burning control and added value from seed sales combine to make a useful strategy for forest use.

#### **Step 5. Clarify the problem**

It would be very unusual if what happened to the forest in your area was entirely under your control. More commonly, other people's aspirations will trespass on your situation. People with commercial timber interests, aspirations for mining or other extractive industries, proposals for development projects such as tourism and so on will want to control what happens to the forest on which you depend. In some situations this results in some fairly serious problems, conflicts and even armed struggles.

The next step in this tool starts to look at these conflicting interests. What is the main problem or problems from the viewpoint of members in your group? Remember that different members may have very different takes on what the issue is. It is worth taking time to look at the problem in details and break it down into its contributing factors.

The nature of the problem will be different in each case. For example amongst the Oromo people in Ethiopia, there is a belief in the existence of a Supreme Being 'Waaqa' inseparably linked to 'Lafa', the earth, and natural world. For example, the Borena Oromo worship Waaqa under the *korma korbessa* trees. So for the Oromo people land is not simply property to be exploited by humans. It is intrinsically valuable. Looking after it is essential both to securing good land in the future and to cosmic purpose (Kelbessa, 2005). The Gumaro Tea Plantation evicted hundreds of Oromo small peasant farmers from their traditional homes in Gumaro Abo area from 1964 onwards. The plantation was later nationalized and expanded by the military government. The Oromo link to the land and natural resources was broken (for more detail see Kelbessa, 2005). While financial settlement might have made some impact on values linked to material subsistence it would not have compensated for the loss of values to do with the cultural identity linking the people with the land. Clarifying why such interactions

between private sector and communities are such a problem could help in the search for solutions, at least in the future.

Taking another example, local farmers in Ethiopia have used the *endod* or soapberry plant as a shampoo and detergent and for killing snails. However, rather than rewarding local farmers for this knowledge, varieties of the plant are being patented by the University of Toledo (Kelbessa, 2005). Local people consider the injustice of a wealthy university making money while local farmers remain in poverty a major problem.

### Step 6. Use legal support

The two examples above illustrate how difficult and diverse problems facing marginalized forest-dependent people can be. It may be the case that undesirable activities are occurring by outsiders who are simply breaking the law. But as the first example from Ethiopia shows, it is sometimes the government itself (in this case the military regime) who are causing the problem. An obvious first step would be to check whether whatever is happening is or is not legal within the framework of local or national laws. For this you may need help from a group familiar with what the law says.

Where there is clear injustice being perpetrated by those who make local or national laws, an appeal could be made to the international body of law that governs the environment, human rights and economic behavior. For a detailed introductory survey of such legislation please see Lesniewska (2005).

In order to understand how you might use international legislation in your favour you will again probably need legal advice! But much can be done without it. It is highly likely that you are not alone in facing a particular ethical problem. Many other people's aspirations have been suppressed before now and there have been global discussions to define ethical principles that could be agreed at a global level (although so far they have not reached that point).

A useful start would be for you to discuss which major ethical principle is being broken by the problem you face. The Earth Charter is probably the most broadly agreed statement of global ethics (Dower, 2005) – recently adopted by UNESCO and endorsed by the IUCN as a guide to its policies. Table three below lists its 16 agreed ethical principles (which are included in their entirety in Annex 1).

Table 3. Global ethical principles that have broad support

<b>Headings and principles of the Earth Charter</b>
<b>I. RESPECT AND CARE FOR THE COMMUNITY OF LIFE</b>
<i>1. Respect Earth and life in all its diversity.</i>
<i>2. Care for the community of life with understanding, compassion, and love.</i>
<i>3. Build democratic societies that are just, participatory, sustainable, and peaceful.</i>
<i>4. Secure Earth's bounty and beauty for present and future generations.</i>
<b>II. ECOLOGICAL INTEGRITY</b>
<i>5. Protect and restore the integrity of Earth's ecological systems, with special concern for biological diversity and the natural processes that sustain life.</i>
<i>6. Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach.</i>
<i>7. Adopt patterns of production, consumption, and reproduction that safeguard Earth's regenerative capacities, human rights, and community well-being.</i>
<i>8. Advance the study of ecological sustainability and promote the open exchange and wide application of the knowledge acquired.</i>
<b>III. SOCIAL AND ECONOMIC JUSTICE</b>
<i>9. Eradicate poverty as an ethical, social, and environmental imperative.</i>

10. <i>Ensure that economic activities and institutions at all levels promote human development in an equitable and sustainable manner.</i>
11. <i>Affirm gender equality and equity as prerequisites to sustainable development and ensure universal access to education, health care, and economic opportunity.</i>
12. <i>Uphold the right of all, without discrimination, to a natural and social environment supportive of human dignity, bodily health, and spiritual well-being, with special attention to the rights of indigenous peoples and minorities.</i>
<b>IV. DEMOCRACY, NONVIOLENCE, AND PEACE</b>
13. <i>Strengthen democratic institutions at all levels, and provide transparency and accountability in governance, inclusive participation in decision making, and access to justice.</i>
14. <i>Integrate into formal education and life-long learning the knowledge, values, and skills needed for a sustainable way of life.</i>
15. <i>Treat all living beings with respect and consideration.</i>
16. <i>Promote a culture of tolerance, non-violence, and peace.</i>

Once you have identified one or two major principles that have been broken – the next step is to identify the main bodies of international legislation that provide hard or soft law in defense of those ethical principles. The work of Lesniewska (2005) presents a series of tables (included in Annex 2) based around major ethical principles such as the need for ecological integrity, social and economic justice and democracy non-violence and peace. Within each table the rows form a list of environmental or human rights or economic agreements at the international level. The columns are subsidiary principles. So for example, if displaced Oromo farmers wished to promote social and economic justice using environmental legislation, one of the columns might be the Earth Charter Principle 12 “Uphold the right of all, without discrimination...” – see the example in Table 4. In the right hand column are listed the articles that support that particular ethical principal.

Table 4. Social and Economic Justice – Environmental Legally Binding Instruments

<b>Legal Instrument</b>	<b>Date</b>	<b>Reservations Allowed Y/N</b>	<b>Earth Charter Principle 12 - Uphold the right of all, without discrimination...</b>
Convention on Biological Diversity (CBD)	1992	N	Article 8.(j) Article 10.(c)
United Nations Framework Convention Climate Change (UNFCCC)	1992	N	
Kyoto Protocol		N	
United Nations Convention to Combat Desertification (UNCCD)	1992	N	Article 10.2 Article 17.1(c) Article 18.1(b)
Convention on Migratory Species	1979	Y	Article III.5(c)
Aarhus Convention	1998	Y	Articles 6-8

You will obviously need help to look up precisely what each of the Articles in these legal agreements says. Lesniewska (2005) provides web addresses for each. It is also worth noting that only some of the world’s countries will have signed up to each agreement. In addition, some of the countries may have opted out of certain aspects of the agreement by using ‘reservation’ clauses. Table 4 and Appendix 2 list which agreements allow reservation clauses.

Having done this legal homework, you may well find that you have international opinion on your side. Even if some of the agreements are not legally binding on the parties that agreed them they can still be used to give credibility to your case – especially if you get the right advocacy groups involved!

### **Step 7. Target your audience**

The individuals or groups who are causing the problem that you face are probably easy to identify. It would be tempting to try to jump straight into discussion with them. But before you do, it is worth checking out whom you would like on your side. In the preceding paragraphs we have noted that it is useful to have legal advice (perhaps contracted by a local NGO) and some form of advocacy group on your side (e.g. the local media). There may also be other people who you would like to involve around the discussion table. For example, it would be useful if you were able to include people who might have authority over the people who are causing you trouble. These people might include government agencies responsible for regulating their activities, investor groups who fund their activities, civil society groups who are responsible for monitoring whatever they are up to. The inclusion of additional groups even if neutral observers means that the position of the marginalized is more likely to be heard and acted on by the powerful. As Dower (2005) notes, this is partly because the sheer presence of others may embarrass companies into doing the 'decent' thing, but often it will be that those others involved being sympathetic to the position of the marginalized may add to their case, by their presence if not by their active participation.

Bear in mind that there are numerous possible options for taking an appeal based on dialogue forward (Dower, 2005). For example:

- Further dialogue within a marginalized group to clarify its position
- Dialogue between marginalized groups in different places to build solidarity and strength in numbers
- Dialogue between marginalized groups and their allies – particularly if it is through these allies that most progress might be made
- Dialogue between the allies based on the case of the marginalized – in situations where it is difficult for the marginalized to be present
- Dialogue between the marginalized and / or their allies and the group causing the problem
- Dialogue between the marginalized and / or their allies and those with some form of authority over the group causing the problem

It can be helpful to view your appeal as a process rather than a one-off event. Within this process, a number of the option described above may become relevant.

### **Step 8. Create pressure for change**

Catching people unawares can result in instant dismissal or a range of other unproductive outcomes. Standard practice for any process of dialogue is to prepare the participants in advance. This may arm the group causing your problem with time to prepare a response, but it will also build trust. Moreover it will allow your allies and higher authorities time to wake up to your message. What you want in the process of dialogue is well-informed groups who

have had time to contemplate your case and to prepare theirs – without aggravating them to the extent that open conflict results!

Opportunities for ethical dialogue may not just occur – you may need to create them. In some cases, an offending company may invite you to discuss your grievances, or may be receptive to the suggestion of talks. But if you do not have such a ‘window of opportunity’ it may be necessary to engineer one. There are various ways of pressuring a group into dialogue. This pressure might come from mass actions, demonstration or by mobilising the support of NGOs and other agents in government, the business world or banks, so that companies feel the need to ‘talk’ which they might not have felt beforehand (Dower, 2005). It is important to recognise that there are variety of means available for advancing the interests of the marginalized, and not all of them need be as measured as an ethical appeal!

One useful tool to create pressure for change is use of the local media. It is rare for powerful people to be immune to public criticism. Building alliances with local radio stations and printed media groups can be a useful strategy. For example in Mozambique radio plays have proved a powerful means of informing local communities about their rights to land under the new land law.

### **Step 9. Conduct the appeal on your terms**

Once your case is ready, give some thought to the process of dialogue that will ensue. Choosing the venue is as good a place to start as any. Too remote and you may reduce the chance that the people you want to participate will be there. Too close to the centre of powerful opponents and you may struggle to reach satisfactory outcome. Think carefully about the type of people you wish to reach, their available time and their ‘tolerance threshold’ for uncomfortable discussion.

A second consideration is the process of dialogue itself. To start with, it is important to understand what dialogue is. Dower (2005) defined it thus:

*“Dialogue... is a form of communication between different actors who need to come to some kind of agreement (normally on how to act in relation to each other, or on the values and norms which provide the basis for this). In a dialogic communication each party is able to express their views freely and are expected to listen openly to the views of others... A dialogue in which there is genuine freedom to express points of view without fear or intimidation and there is genuine willingness to listen and on this basis to come to agreed decisions is already highly ‘ethical’ in terms of the norms internal to its operation (though most actual dialogues fall short of this ideal to some degree)”.*

So when launching into a process of ethical dialogue it is appropriate to restate at the outset that there are expectations of what will happen and that these need to be agreed in advance. A basic minimum for useful discussion would include (Dower, 2005):

- “All parties are free to express their views without intimidation
- All parties are willing to listen to other parties
- Discussion of these views occurs based on the offering of rational arguments or being guided by reason (where the weight of reason is not related to the economic or other bargaining power of the person or party who offers the reason)

- The intention of all parties is to reach a consensus decision which reflects the interests of the various parties”.

There may be other rules that you wish to impose in particular circumstances – such as the order in which people speak, the nature of discussions in plenary or break out groups, reporting rules and so on. These can be especially important if they help to get the process of dialogue started. For example, in the UK some meetings use “Chatham House rules” which do not allow recording or quoting of what went on. This is particularly helpful in allowing frank exchanges without the risk of media coverage that might ruin reputations.

### **Step 10. Introduce ‘ethical formats’**

Although true dialogue is itself highly ‘ethical’ in its operation, there are particular devices that you can use to reduce the risk that people will retrench into their starting position or become adversarial. One option is to label the process as ‘ethical dialogue’ and then use one of a number of possible discussion techniques based on ethical principles. You can use three main tactics here. A first tactic might be to improve the feeling of solidarity between the different groups. It is often useful to follow a plenary introduction by breaking into small groups to perform some joint task. Principles and tips here are:

- Respect for persons – Invite groups to introduce themselves, and to say something positive about the members of another group. There are many different practical ways of facilitating introductory sessions and encouraging people to participate (or refrain!) and listen during dialogue processes (Pretty et al. 1995).
- Human solidarity – Invite members in smaller groups to express how the aspirations of the other group could be met, rather than their own aspirations, i.e. treating other groups ends as legitimate and not merely treating them as means to their own ends. Then have an introductory report back session.

A second tactic is to use ethical forms to expose unacceptable practice:

- The Golden Rule – Invite different groups to assert whether all the other groups could do what they propose to do. Or conversely whether they would like it if this were done to them.
- Democracy – Invite groups to assess what the outcome would be if each individual within the geographical area of the proposed resource use conflict were to have one vote.

A third tactic is to draw people out of their own position and begin to explore opportunities for greater empathy in the treatment of the other group:

- Reciprocity – Invite different groups to express what they would be willing to do of equivalent value in return for another group doing something else of equivalent value – this may open up discussion of what is being valued and start negotiations.
- Partnership – Discuss whether groups could achieve more by forming a partnership, for example a community guarding resource use within a company’s area in return for employment, or a company and a community entering into a joint venture to develop community produce.

## **Step 11. Try it**

By this point in the process, your ethical appeal is already well under way. You will already have consolidated around a set of aspirations, identified the main problem and your underlying causes of concern. You will have identified who you want to draw into your appeal and the structure of the dialogue process that you want to put in place. You will hopefully have allies who can help to put pressure on powerful people through the media or the law. The last step is to launch out into actual practice – drawing together the different parties and starting a process of ethical dialogue with them.

## **Step 12. Learn from experience**

An important element of any appeal is to record carefully what was done and what the impacts or reactions to it were. Creating this type of institutional memory within your group will not only strengthen the group, it will also help new members to learn from what worked and what did not.

If possible, make the reporting process as transparent and widely available as possible. If you are facing an intractable position from an opposing group, producing a careful record of how they have responded to your attempts at dialogue can shame them into action. It is also useful for your allies to be able to draw on and quote written records of how the dialogue process was conducted. Try to produce reporting in a way that will reach these allies. For example, you may want to try and get access to email and Internet to spread your findings more broadly.

Within the IIED power tools series – the very essence of the work has been to record in a simple step-wise format approaches that have been tried in overcoming marginalization. The idea is that sharing examples of what has been tried, what worked and what did not – will embolden other groups to try for themselves. Recording and sharing what you have done is just as important as anything written in this tool!

## **References**

- Alkire, S. (2002) Dimensions of human development. *World Development* 30 (2): 181-205.
- Bodley, J. (1993) Indigenous peoples and development. Pp 275-280 in: Rietbergen, S. (Ed.) *The Earthscan reader in tropical forestry*. Earthscan, London, UK.
- Colchester, M. (1993) Forest peoples and sustainability. pp 61-98 in Colchester M. and Lohmann, L. *The struggle for land and the fate of the forests*. Zed Books, London, UK.
- Dower, N. (2005) How currently marginalized voices might best use ethical dialogue to shape the local, national and international development agendas. IIED, Edinburgh, UK.
- EIA (2001) Timber trafficking. Illegal logging in Indonesia, South East Asia and international consumption of illegally sourced timber. Environmental Investigation Agency and Telepak Indonesia, Emerson Press, London, UK. 33 pp
- EIA (2002) The impact of the timber industry on the environment. 5pp. Environmental Investigation Agency, London, UK.
- Fern (2001) *Forests of fear*. Fern, Moreton-in-Marsh, UK.
- Filer, C. and Sekhran, N. (1998) *Loggers, donors and resource owners. Policy that works for forests and people - Papua New Guinea*. IIED, London, UK. 416pp.

- Forest Watch Indonesia (2002) *The state of the forest – Indonesia*. FWI, Bogor, Indonesia
- GFW/WRI (2000a) *An Overview of logging in Cameroon*. World Resources Institute, Washington, USA
- GFW/WRI (2000a) *A first look at logging in Gabon*. WRI, Washington, USA.
- Indigenous Peoples' Caucus (1999) *Indigenous peoples' Seattle Declaration*. Proceedings of a WTO meeting in Seattle, Washington, 29 November – 3 December 1999. WTO, Washington, USA. <http://www.ienearth.org/>
- Glastra, R. (1999). *Cut and run*. International Development Research Centre/ FOE, Ottawa, Canada.
- Goodpaster, K. E. (1978) *On being morally considerable*. *Journal of Philosophy* 75: 308-325.
- ILO (2001) *Social and labour dimensions of the forest and wood industries on the move*. International Labour Organisation. Sectoral Activities Programme report TMFW1/2001. International Labour Organisation, Geneva, Switzerland. 122pp.
- Kelbessa, W. (2005) *The utility of ethical dialogue for marginalized voices in Africa*. IIED, Edinburgh, UK.
- Lesniewska, F. (2005) *Laws for forests*. IIED, Edinburgh, UK.
- Macqueen, D.J. (2001) *Evidence based policies for good governance*. IIED, London, UK. 118pp.
- Macqueen, D.J. (2004) *Forest Ethics: the role of ethical dialogue in the fate of the forests. Comparing and contrasting the international forest policy dialogue with the Earth Charter Initiative*. Presented at the international conference on "Global ethics, development, environment and the Earth Charter", 14-17 April 2004, University of Aberdeen, Aberdeen, Scotland. IIED, Edinburgh, UK.
- Macqueen, D.J. (2005) *Reverence and responsibility in forest ethics: inserting the meaning of life back into the culture of possession*. Presented at the international workshop on "European forests in ethical discourse" 18-19 January 2005, Berlin, Germany. IIED, Edinburgh, UK.
- Maslow, A.H. (1943) *A theory of human motivation*. *Psychological review* 50: 370-389.
- Pretty, J.N., Guijt, I., Thompson, J. and Scoones, I. (1995) *Participatory Learning and Action – A trainers Guide*. IIED, London, UK.
- Schroeder-Wildberg, E. and Carius, A. (2003) *Illegal logging, conflict and the business sector in Indonesia*. Inwent, Berlin, Germany.
- WRM/FM (1998) *High stakes. The need to control transnational logging companies: a Malaysian case study*. WRM, Montevideo, Uruguay.

## **Appendix 1**

### **THE EARTH CHARTER**

**(adopted by the Earth Council in March 2000)**

#### **PREAMBLE**

We stand at a critical moment in Earth's history, a time when humanity must choose its future. As the world becomes increasingly interdependent and fragile, the future at once holds great peril and great promise. To move forward we must recognize that in the midst of a magnificent diversity of cultures and life forms we are one human family and one Earth community with a common destiny. We must join together to bring forth a sustainable global society founded on respect for nature, universal human rights, economic justice, and a culture of peace. Towards this end, it is imperative that we, the peoples of Earth, declare our responsibility to one another, to the greater community of life, and to future generations.

#### ***Earth, Our Home***

Humanity is part of a vast evolving universe. Earth, our home, is alive with a unique community of life. The forces of nature make existence a demanding and uncertain adventure, but Earth has provided the conditions essential to life's evolution. The resilience of the community of life and the well-being of humanity depend upon preserving a healthy biosphere with all its ecological systems, a rich variety of plants and animals, fertile soils, pure waters, and clean air. The global environment with its finite resources is a common concern of all peoples. The protection of Earth's vitality, diversity, and beauty is a sacred trust.

#### ***The Global Situation***

The dominant patterns of production and consumption are causing environmental devastation, the depletion of resources, and a massive extinction of species. Communities are being undermined. The benefits of development are not shared equitably and the gap between rich and poor is widening. Injustice, poverty, ignorance, and violent conflict are widespread and the cause of great suffering. An unprecedented rise in human population has overburdened ecological and social systems. The foundations of global security are threatened. These trends are perilous—but not inevitable.

#### ***The Challenges Ahead***

The choice is ours: form a global partnership to care for Earth and one another or risk the destruction of ourselves and the diversity of life. Fundamental changes are needed in our values, institutions, and ways of living. We must realize that when basic needs have been met, human development is primarily about being more, not having more. We have the knowledge and technology to provide for all and to reduce our impacts on the environment. The emergence of a global civil society is creating new opportunities to build a democratic and humane world. Our environmental, economic, political, social, and spiritual challenges are interconnected, and together we can forge inclusive solutions.

#### ***Universal Responsibility***

To realize these aspirations, we must decide to live with a sense of universal responsibility, identifying ourselves with the whole Earth community as well as our local communities. We are at once citizens of different nations and of one world in which the local and global are linked. Everyone shares responsibility for the present and future well-being of the human family and the larger living world. The spirit of human solidarity and kinship with all life is strengthened when we live with reverence for the mystery of being, gratitude for the gift of life, and humility regarding the human place in nature.

We urgently need a shared vision of basic values to provide an ethical foundation for the emerging world community. Therefore, together in hope we affirm the following interdependent principles for a sustainable way of life as a common standard by which the conduct of all individuals, organizations, businesses, governments, and transnational institutions is to be guided and assessed.

## PRINCIPLES

### **I. RESPECT AND CARE FOR THE COMMUNITY OF LIFE**

#### **1. Respect Earth and life in all its diversity.**

- a. Recognize that all beings are interdependent and every form of life has value regardless of its worth to human beings.*
- b. Affirm faith in the inherent dignity of all human beings and in the intellectual, artistic, ethical, and spiritual potential of humanity.*

#### **2. Care for the community of life with understanding, compassion, and love.**

- a. Accept that with the right to own, manage, and use natural resources comes the duty to prevent environmental harm and to protect the rights of people.*
- b. Affirm that with increased freedom, knowledge, and power comes increased responsibility to promote the common good.*

#### **3. Build democratic societies that are just, participatory, sustainable, and peaceful.**

- a. Ensure that communities at all levels guarantee human rights and fundamental freedoms and provide everyone an opportunity to realize his or her full potential.*
- b. Promote social and economic justice, enabling all to achieve a secure and meaningful livelihood that is ecologically responsible.*

#### **4. Secure Earth's bounty and beauty for present and future generations.**

- a. Recognize that the freedom of action of each generation is qualified by the needs of future generations.*
- b. Transmit to future generations values, traditions, and institutions that support the long-term flourishing of Earth's human and ecological communities.*

In order to fulfil these four broad commitments, it is necessary to:

### **II. ECOLOGICAL INTEGRITY**

#### **5. Protect and restore the integrity of Earth's ecological systems, with special concern for biological diversity and the natural processes that sustain life.**

- a. Adopt at all levels sustainable development plans and regulations that make environmental conservation and rehabilitation integral to all development initiatives.*
- b. Establish and safeguard viable nature and biosphere reserves, including wild lands and marine areas, to protect Earth's life support systems, maintain biodiversity, and preserve our natural heritage.*
- c. Promote the recovery of endangered species and ecosystems.*
- d. Control and eradicate non-native or genetically modified organisms harmful to native species and the environment, and prevent introduction of such harmful organisms.*
- e. Manage the use of renewable resources such as water, soil, forest products, and marine life in ways that do not exceed rates of regeneration and that protect the health of ecosystems.*
- f. Manage the extraction and use of non-renewable resources such as minerals and fossil fuels in ways that minimize depletion and cause no serious environmental damage.*

**6. Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach.**

- a. Take action to avoid the possibility of serious or irreversible environmental harm even when scientific knowledge is incomplete or inconclusive.
- b. Place the burden of proof on those who argue that a proposed activity will not cause significant harm, and make the responsible parties liable for environmental harm.
- c. Ensure that decision making addresses the cumulative, long-term, indirect, long distance, and global consequences of human activities.
- d. Prevent pollution of any part of the environment and allow no build-up of radioactive, toxic, or other hazardous substances.
- e. Avoid military activities damaging to the environment.

**7. Adopt patterns of production, consumption, and reproduction that safeguard Earth's regenerative capacities, human rights, and community well-being.**

- a. Reduce, reuse, and recycle the materials used in production and consumption systems, and ensure that residual waste can be assimilated by ecological systems.
- b. Act with restraint and efficiency when using energy, and rely increasingly on renewable energy sources such as solar and wind.
- c. Promote the development, adoption, and equitable transfer of environmentally sound technologies.
- d. Internalize the full environmental and social costs of goods and services in the selling price, and enable consumers to identify products that meet the highest social and environmental standards.
- e. Ensure universal access to health care that fosters reproductive health and responsible reproduction.
- f. Adopt lifestyles that emphasize the quality of life and material sufficiency in a finite world.

**8. Advance the study of ecological sustainability and promote the open exchange and wide application of the knowledge acquired.**

- a. Support international scientific and technical cooperation on sustainability, with special attention to the needs of developing nations.
- b. Recognize and preserve the traditional knowledge and spiritual wisdom in all cultures that contribute to environmental protection and human well-being.
- c. Ensure that information of vital importance to human health and environmental protection, including genetic information, remains available in the public domain.

**III. SOCIAL AND ECONOMIC JUSTICE**

**9. Eradicate poverty as an ethical, social, and environmental imperative.**

- a. Guarantee the right to potable water, clean air, food security, uncontaminated soil, shelter, and safe sanitation, allocating the national and international resources required.
- b. Empower every human being with the education and resources to secure a sustainable livelihood, and provide social security and safety nets for those who are unable to support themselves.
- c. Recognize the ignored, protect the vulnerable, serve those who suffer, and enable them to develop their capacities and to pursue their aspirations.

**10. Ensure that economic activities and institutions at all levels promote human development in an equitable and sustainable manner.**

- a. Promote the equitable distribution of wealth within nations and among nations.
- b. Enhance the intellectual, financial, technical, and social resources of developing nations, and relieve them of onerous international debt.
- c. Ensure that all trade supports sustainable resource use, environmental protection, and progressive labor standards.

*d. Require multinational corporations and international financial organizations to act transparently in the public good, and hold them accountable for the consequences of their activities.*

**11. Affirm gender equality and equity as prerequisites to sustainable development and ensure universal access to education, health care, and economic opportunity.**

- a. Secure the human rights of women and girls and end all violence against them.*
- b. Promote the active participation of women in all aspects of economic, political, civil, social, and cultural life as full and equal partners, decision makers, leaders, and beneficiaries.*
- c. Strengthen families and ensure the safety and loving nurture of all family members.*

**12. Uphold the right of all, without discrimination, to a natural and social environment supportive of human dignity, bodily health, and spiritual well-being, with special attention to the rights of indigenous peoples and minorities.**

- a. Eliminate discrimination in all its forms, such as that based on race, color, sex, sexual orientation, religion, language, and national, ethnic or social origin.*
- b. Affirm the right of indigenous peoples to their spirituality, knowledge, lands and resources and to their related practice of sustainable livelihoods.*
- c. Honor and support the young people of our communities, enabling them to fulfil their essential role in creating sustainable societies.*
- d. Protect and restore outstanding places of cultural and spiritual significance.*

**IV. DEMOCRACY, NONVIOLENCE, AND PEACE**

**13. Strengthen democratic institutions at all levels, and provide transparency and accountability in governance, inclusive participation in decision making, and access to justice.**

- a. Uphold the right of everyone to receive clear and timely information on environmental matters and all development plans and activities which are likely to affect them or in which they have an interest.*
- b. Support local, regional and global civil society, and promote the meaningful participation of all interested individuals and organizations in decision making.*
- c. Protect the rights to freedom of opinion, expression, peaceful assembly, association, and dissent.*
- d. Institute effective and efficient access to administrative and independent judicial procedures, including remedies and redress for environmental harm and the threat of such harm.*
- e. Eliminate corruption in all public and private institutions.*
- f. Strengthen local communities, enabling them to care for their environments, and assign environmental responsibilities to the levels of government where they can be carried out most effectively.*

**14. Integrate into formal education and life-long learning the knowledge, values, and skills needed for a sustainable way of life.**

- a. Provide all, especially children and youth, with educational opportunities that empower them to contribute actively to sustainable development.*
- b. Promote the contribution of the arts and humanities as well as the sciences in sustainability education.*
- c. Enhance the role of the mass media in raising awareness of ecological and social challenges.*
- d. Recognize the importance of moral and spiritual education for sustainable living.*

**15. Treat all living beings with respect and consideration.**

- a. *Prevent cruelty to animals kept in human societies and protect them from suffering.*
- b. *Protect wild animals from methods of hunting, trapping, and fishing that cause extreme, prolonged, or avoidable suffering.*
- c. *Avoid or eliminate to the full extent possible the taking or destruction of non-targeted species.*

**16. Promote a culture of tolerance, nonviolence, and peace.**

- a. *Encourage and support mutual understanding, solidarity, and cooperation among all peoples and within and among nations.*
- b. *Implement comprehensive strategies to prevent violent conflict and use collaborative problem solving to manage and resolve environmental conflicts and other disputes.*
- c. *Demilitarize national security systems to the level of a non-provocative defense posture, and convert military resources to peaceful purposes, including ecological restoration.*
- d. *Eliminate nuclear, biological, and toxic weapons and other weapons of mass destruction.*
- e. *Ensure that the use of orbital and outer space supports environmental protection and peace.*
- f. *Recognize that peace is the wholeness created by right relationships with oneself, other persons, other cultures, other life, Earth, and the larger whole of which all are a part.*

**THE WAY FORWARD**

As never before in history, common destiny beckons us to seek a new beginning. Such renewal is the promise of these Earth Charter principles. To fulfil this promise, we must commit ourselves to adopt and promote the values and objectives of the Charter.

This requires a change of mind and heart. It requires a new sense of global interdependence and universal responsibility. We must imaginatively develop and apply the vision of a sustainable way of life locally, nationally, regionally, and globally. Our cultural diversity is a precious heritage and different cultures will find their own distinctive ways to realize the vision. We must deepen and expand the global dialogue that generated the Earth Charter, for we have much to learn from the ongoing collaborative search for truth and wisdom.

Life often involves tensions between important values. This can mean difficult choices. However, we must find ways to harmonize diversity with unity, the exercise of freedom with the common good, short-term objectives with long-term goals. Every individual, family, organization, and community has a vital role to play. The arts, sciences, religions, educational institutions, media, businesses, nongovernmental organizations, and governments are all called to offer creative leadership. The partnership of government, civil society, and business is essential for effective governance.

In order to build a sustainable global community, the nations of the world must renew their commitment to the United Nations, fulfil their obligations under existing international agreements, and support the implementation of Earth Charter principles with an international legally binding instrument on environment and development.

Let ours be a time remembered for the awakening of a new reverence for life, the firm resolve to achieve sustainability, the quickening of the struggle for justice and peace, and the joyful celebration of life.

## Appendix 2

### Legal instruments and the articles within them that support the main ethical principles of the Earth Charter

Table 1. Ethical principles of ecological integrity supported by environmental legally binding instruments (Source Lesniewska, 2005)

Legal Instrument	Date	Reservations Permitted Y/N	Conservation and Restoration	Precautionary Approach	Production within Sustainable Limits	Build Understanding of Biodiversity
International Tropical Timber Agreement	1994	N	Article 21.4(b) Article 26.1(b) Article 27.2		Article 1.(b),(f) Article 21.1 Article 21.4 (a)	
Convention on Biological Diversity	1992	N	Article 1. Article 7. Article 8. Article.10 (d)	Article 8.(g)	Article 6.(b) Article.11	Article 12. Article 17. Article 18.
Cartagena Protocol	2000		Article 2.4 Article 4.	Article 1. Article 2.5		
UNFCCC	1992	N	Article 2	Article 3.3		Article 8.
Kyoto Protocol	1997	N	Article 2.1(ii) Article 3.3, 3.4		Article 10.(c)	
UNCCD	1994	N	Article 2.2 Article 4.2(d) Article10.2(c)			
CITES	1973	Y	Article II Article III.2(a),3(a) Article IV 2(a), 3, 6(a)			
Convention on World Heritage	1972	Y	Articles 2 - 7			
Ramsar	1971	Y	Article 4 & 5			
Convention on Migratory Species	1979	Y	Article 1.4 Article II.1 Article III 4(a),(c) Article IV.1 Article V.5 (e-m)			Article V.5(n)
Aarhus Convention	1998	Y				

Table 2. Ethical principles of social and economic justice supported by environmental legally binding instruments (Source Lesniewska, 2005)

Legal Instrument	Date	Reservations Allowed Y/N	Poverty	Equitable and sustainable business	Gender Equality	No discrimination, especially to minority and indigenous peoples
CBD	1992	N	Article 20.4	Article 10. (a),(e)		Article 8.(j) Article 10.(c)
UNFCCC	1992	N	Article 4.7	Article 3.4 Article 3.5 Article 4.(d)		
Kyoto Protocol		N	Article 11			
UNCCD	1992	N	Article 3(d) Article 4.2(c) Article 4.3 Articles 5-7 Article 10.4 Article 20.1(d)	Article 4.2(b)	Article 5(d)	Article 10.2 Article 17.1(c) Article 18.1(b)
Convention on Migratory Species	1979	Y				Article III.5(c)
Aarhus Convention	1998	Y				Articles 6-8

Table 3. Ethical principles of democracy non-violence and peace supported by environmental legally binding instruments (Source Lesniewska, 2005)

Legal Instrument	Date	Reservations Allowed: Y/N	Democratic decision making	Participation based on respect for all peoples	Culture of tolerance	Integrate skills into education curriculum
CBD	1992	N	Article 14.1(a),(c) Article 23.3	Article 4.(b) Article 14.(e) Article 23.5	Article 3.	Article.11
UNFCCC	1992	N		Article 3.1 and 3.2		Article 6.
Kyoto Protocol	1997	N				Article 10(e)
UNCCD	1994	N	Article 10.2(f)	Article 3.(a),(c) Article 10.2 Article 17.1(f)		Article 5.(d) Article 19.1.3(e)
CITES	1973	Y	Article 7			
Convention on World Heritage	1972	Y				Article 27
Aarhus Convention	1998	Y	Article 3.1 Article 4.1 Article 5. Article 9.	Article 1. Article 3.8 & 3.9 Articles 6 – 8		Article 3.3

Table 4. Ethical principles of ecological integrity supported by environmental non-legally binding instruments (Source Lesniewska, 2005)

<b>Instrument</b>	<b>Date</b>	<b>Conservation and Restoration</b>	<b>Precautionary Approach</b>	<b>Production within Sustainable Limits</b>	<b>Build Understanding of Biodiversity</b>
Rio Declaration	1992	Principle 4 Principle 7	Principle 15	Principle 3 Principle 8 Principle 12	
Rio Forest Principles	1992	Principle 3.(a) Principle 8.(a), (b) Principle 15		Principle 2.(a) Principle 6.(c – e) Principle 7.(a) Principles 8.(d – f)	Principle 4.
Agenda 21	1992	Section II, particularly C11		C2.9, 2.20 C4 C 8.5(d) C10.3 C11	
Johannesburg Declaration	2002				
Johannesburg Plan of Implementation	2002	Sec IV 44 Sec IV 44		Sec III, IV, V	
Millennium Declaration	2000	Sec IV para 23			

Table 5. Ethical principles of social and economic justice supported by environmental non-legally binding instruments (Source Lesniewska, 2005)

<b>Instrument</b>	<b>Date</b>	<b>Poverty</b>	<b>Equitable and sustainable business</b>	<b>Gender Equality</b>	<b>No discrimination, especially to minority and indigenous peoples</b>
Rio Declaration	1992	Principle 5 Principle 6 Principle 11	Principle 16	Principle 20	Principle 14 Principle 22 Principle 23
Rio Forest Principles	1992	Principles 7.(a),(b) Principle 9.(b) Principle 10 Principle 11	Principle 1.(b) Principle 5.(a) Principle 9.(a),(c) Principle 12.(d) Principle 13.(b-d)	Principle 5.(b)	Principle 5.(a) Principle 8.(f) Principle 12.(d)
Agenda 21	1992	C3 C4.3 C5	C2	C24	C11.(i) C26
Johannesburg Declaration	2002	Para. 21 - 24	Para. 27 -29	Para. 20	Para. 25
Johannesburg Plan of Implementation	2002	Sec II Sec VIII para 45(e)	Sec II para 18	Sec I para 3 Sec II para 7(d)	Sec II para 7 (e) Sec IV para 45(h)
Millennium Declaration	2000	Para 19		C20 C25	C6

Table 6. Ethical principles of democracy, non-violence and peace supported by environmental non-legally binding instruments (Source Lesniewska, 2005)

<b>Instrument</b>	<b>Date</b>	<b>Democratic decision making</b>	<b>Participation based on respect for all peoples</b>	<b>Culture of tolerance</b>	<b>Integrate skills into education curriculum</b>
Rio Declaration	1992	Principle 26	Principle 10		
Rio Forest Principles	1992		Principle 2.(b),(d)		
Agenda 21	1992	Section III			
Johannesburg Declaration	2002	Para. 31-32	Para. 17 Para. 26		
Johannesburg Plan of Implementation	2002		Sec I para 5		Sec II para 7(g) Sec II para 8(d)
Millennium Declaration	2000	C25	C6		C6

Table 7. Ethical principles of social and economic justice supported by human rights legally binding instrument

<b>Legal Instrument</b>	<b>Date</b>	<b>Reservations Allowed Y/N</b>	<b>Poverty</b>	<b>Equitable and sustainable business</b>	<b>Gender Equality</b>	<b>No discrimination, especially to minority and indigenous peoples</b>
UNDHR	1948	Y			Article 2 Article 16 Article 25.2	Articles 1 – 10 Article 22
ICCPR	1966	Y			Article 3	Article 1 Article 10 Article 12.1 Article 16 Article 27
ICESCR	1966	Y	Article 11	Article 6.(1) Articles 7 -9 Article 10.(2)	Article 3 Article 10.(2)	Article 1(1),(2)
ILO 169	1989	Y	Article 4.1 Article 7.1 Article 11 Article 15.2 Article 19 Article 23			Article 2.2 (c) Article 3 Article 4.3 Article 5 Article 13-14 Article 15.1 Article 20 Article 31

Table 8. Ethical principles of democracy non-violence and peace supported by human rights legally binding instrument

Legal Instrument	Date	Reservations Allowed: Y/N	Democratic decision making	Participation based on respect for all peoples	Culture of tolerance	Integrate skills into education curriculum
UNDHR	1948	Y	Article 20 Article 21	Article 2 Article 21 Article 27	Article 29.2	Article 26
ICCPR	1966	Y		Article 19 Article 21 Article 22 Article 25	Article 2(1) Article 6 - 9 Article 14 Article 17 Article 18	
ICESCR	1966	Y			Article 1(1)	Article 6.2 Article 13 Article 14
ILO 169	1989	Y	Article 2.2(a) Article 6.1(a) Article 7.3 Article 17 Article 30 Article 32	Article 2.2(b) Article 6.1(b) Article 15.2 Article 16	Article 1 Article 4.2 Article 8 Article 9	