

12 From Green to REDD: Protean Power and the Politics of Carbon Sinks

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Forests cover approximately 30 percent of the globe. Estimates suggest that deforestation and unsustainable use of forests are responsible for between 15 percent and 20 percent of annual greenhouse gas emissions.¹ And yet, until recently, deforestation has played a relatively small role in the international rules to govern climate change. From the negotiations on the Framework Convention on Climate Change in the late 1980s and early 1990s, through the development of the carbon markets of Kyoto, only a tiny fraction of intergovernmental efforts has focused on maintaining or enhancing the world's forests. Addressing deforestation seriously entered the climate agenda about eight years ago – despite the fact that carbon “sinks” are a critical component in managing climate change.

Why did this happen? How was the issue of carbon sinks transformed from a footnote in the climate regime to the lead story? This transformation was, in part, the result of the emergence of protean power stemming from the actions of environmental NGOs. Using past experience in forestry and their political acuity, NGOs responded to political defeat in their advocacy efforts with improvisation. In so doing, they helped to bring the issue of sinks to the fore. The end result was the eventual incorporation of protean power within a more traditional frame of control power. This “nested” relationship between the two forms of power shows that this is a limited case of protean power, where complex layers are only evident through an historical analysis.

This chapter demonstrates that NGOs' role in sinks policy is a limited case of protean power, which arose because their material endowments – a virtual monopoly on expertise about the measurement of carbon sinks early in the policy process – eventually coincided with a political window of opportunity, which they recognized and acted upon.

NGOs were the first to develop methods to measure carbon sequestered in carbon sinks, such as forests and grasslands. Since measurement

¹ Intergovernmental Panel on Climate Change (IPCC) 2007.

is a prerequisite for market transactions, these NGOs possessed a body of knowledge that intergovernmental bodies did not. When carbon sinks were virtually eliminated from the global carbon market created by the Kyoto Protocol, NGOs became regulators in their own right, creating a separate “voluntary” market for carbon offsets, which included carbon sinks. (Since NGOs are serving as private regulators, I use the two terms interchangeably throughout the chapter.)

The surprise in the carbon sinks story is that the voluntary market did not exist only in parallel to the Kyoto markets. The twists and turns in the intergovernmental climate negotiations, coupled with NGO improvisation resulted in protean power: ultimately, environmental NGOs moved beyond the realm of partnering with corporations to shaping interstate bargaining as it evolved. Here, protean power emerged as an effect of NGOs’ response to a fluid political situation.

Moreover, and consistent with protean power, these outcomes could not have been anticipated at the outset. NGOs were engaged in a constant process of evolution and adaptation, as a way of maintaining their strategic relevance through the ebbs and flows of the intergovernmental process. Yet, in the end, the practice of protean power was firmly nested within control power. A hierarchy was established, in which practices developed by NGOs were translated and then appropriated into the intergovernmental process. In this sense, the sinks case is an outlier among other cases in the volume as an example of relatively limited protean power.

The role of uncertainty in this case is also somewhat of an outlier. Climate change is perhaps the *most* uncertain of all issues discussed in this volume. The radical uncertainty surrounding increased concentrations of greenhouse gases in the atmosphere is profound, including the threat of abrupt changes in the climate and accelerating positive feedbacks. *Even if* scientists could predict temperature changes accurately, there would still be uncertainty about the consequences of these changes. Wagner and Weitzmann illustrate this contrast quite clearly, noting that “as recently as 2007, consensus science predicted an Arctic free of summer sea ice by the latter half of the century. Today, we are on track to have this occur in closer to ten than fifty years, even though our temperature estimates have not changed.”²

Yet the policy responses to climate change do not reflect the reality of this radical uncertainty. Indeed, the intergovernmental process appears to be almost willfully blind to it. In general, traditional approaches to policymaking (i.e., control power) do not mix well with radical

² Wagner and Zeckhauser 2016.

uncertainty. As Sabel and Victor note, deep uncertainty about the “feasibility of achieving policy outcomes, such as lower emissions, at acceptable costs” makes policymaking under conditions of radical uncertainty very challenging.³ A common response, then, is to focus on what is knowable, assuming a world of risk, rather than one of unknown unknowns. In “risk-based models of power-as-control [actors] assume that they are playing the odds” (Chapter 1, p. 12). Such assumptions, though perhaps inapt, make decision-making easier.

Ironically, this is precisely what happened in the case of climate policy – where radical uncertainty is profound and pervasive, though conspicuously absent from the policymaking process. Most discussions surrounding carbon sinks were limited to operational uncertainty, over which actors can attempt to assert control. Though this is not the usual condition that facilitates protean power; in the instance of carbon sinks, private regulators were able to leverage this operational uncertainty by developing policy tools to create and successfully commodify carbon sinks. This initial operational uncertainty about how to *do* carbon sink projects enabled the emergence of protean power. This is distinct, however, from power that might emerge from the radical uncertainty surrounding the broader effects of climate change. Unable to access the underlying context of radical uncertainty, protean power did not generate more uncertainty, as is described by Bridgen and Andreas in the migration case (Chapter 5). Innovation quickly abated, and was circumscribed – and ultimately nested within the larger ambit of control power.

The relatively restricted role of protean power is both a story of the success of control power as well as one of limiting uncertainty to a less radical form, though in practice it is difficult to disentangle the two. Either way, the effects of protean power are fairly circumscribed. The incorporation of private rules on carbon sinks into public regulations is small. Thus, it fails to catalyze the generative effects that Seybert and Katzenstein describe (Chapter 1, pp. 10–11). Only a small number of public policies on carbon offsets draw on private rules, and, even then, they do so largely for voluntary, rather than compliance-based programs.⁴ In this case, protean power results from improvisation, but is then promptly subsumed into traditional hierarchical models of authority. Thus, in the end, *protean power as an effect of private actors’ efforts is indistinguishable from the status quo of control power*. Without looking at the provenance of individual rules, it is impossible to detect the fingerprints of improvisation and early innovation.

³ Sabel and Victor 2015: 4. ⁴ Green 2017.

Carbon Sinks: An Early History

Carbon sinks sequester carbon dioxide in living matter, such as forests, grasslands, and other terrestrial ecosystems. Given that land-use conversion and deforestation comprise such a large fraction of global emissions, slowing this process through the preservation of carbon sinks is a potentially powerful tool for combatting climate change.

Using carbon sinks as a policy tool is not a new idea. As early as the 1980s, a number of international environmental NGOs created “debt-for-nature swaps.” The precursor to the commodification of carbon was conservation projects, which paid developing country governments to keep trees in the ground. NGOs raised money to purchase the debt of a developing country. In exchange for the cancellation of debt, the developing country agreed to enact conservation measures, usually in the form of protecting large swathes of forests.

The first debt-for-nature swap agreement was concluded in 1987 between Conservation International (CI) and the government of Bolivia. CI purchased US\$650,000 of Bolivian debt (for US\$100,000) and in exchange, Bolivia enhanced legal protections of the Beni Biosphere Reserve, and created surrounding protected areas. It also provided local funds to finance the activities therein.⁵ By the early 1990s, these types of transactions had become a significant phenomenon; twenty-three debt-for-nature swaps were active in 1992 in fourteen countries, ranging from South America to Africa.⁶ All were initiated by environmental NGOs. These efforts were focused more on the preservation of biological diversity than on the climate benefits of sequestering carbon; indeed, climate change had barely appeared on the international agenda at that time.

In addition to debt-for-nature swaps with governments, a number of international NGOs cooperated with large corporations to help them offset their carbon emissions. Applied Energy Services worked with the World Resources Institute, CARE, the Nature Conservancy, and Oxfam to plant trees, fund conservation zones, and promote proper land titling to indigenous peoples to preserve tropical rainforests.⁷ The Nature Conservancy also created one of the longest-running carbon offset projects in concert with a Bolivian NGO and three energy corporations, the Noel Kempff project.⁸ The project has been operating continuously since 1997, and is expected to avoid emissions of 7–10 million metric tons of carbon over thirty years.⁹ It has since been

⁵ Resor 1997. ⁶ Deacon and Murphy 1997. ⁷ Moura Costa and Stewart 1998.

⁸ See at: www.forestcarbonportal.com/project/noel-kempff-mercado-climate-action-project.

⁹ The Nature Conservancy 2009.

re-born as a pilot project under the UN REDD program. REDD is shorthand for “reducing emissions from deforestation and forest degradation, and is a fancy way of saying “keeping trees, grasslands, and other carbon dioxide-absorbing plants in the ground.” UN REDD is one of the many REDD-related programs, and serves as an umbrella organization for the large swathe of international organizations working on REDD.

These activities were the beginnings of protean power that would unexpectedly emerge in later phases of the climate regime. Through the creation of debt-for-nature swaps and other offset projects, environmental NGOs developed both expertise and know-how not present among other actors; this laid the foundation for their future role as private regulators.

As we will see, in later phases of the climate regime, states became interested in reviving carbon sinks as a policy, but lacked the key knowledge to implement it. The first phase of carbon sinks history demonstrates one key characteristic of protean power of this case: actors’ knowledge is not homogeneous. Information available to NGOs was not available to others; their early experience in establishing tools for measurement and creating and commodifying carbon sinks provided them with key knowledge that would be the source of protean power to them in future phases of the climate regime.

Negotiating the Kyoto Protocol: Leveraging Expertise

Environmental NGOs’ early experiences with carbon sinks quickly began to pay dividends. In the negotiations on the Kyoto Protocol in the late 1990s and early 2000s, they were able to parlay the expertise they had cultivated into a decisive force in the intergovernmental negotiations. This force was not so much protean power – since radical uncertainty about the effects of climate change was far removed from the policy debates – but at the nexus between protean and control power. The fluidity of the negotiations allowed NGOs to exercise considerable influence over the discussions around sinks, and, eventually, to ensure that sinks were effectively *excluded* from the market mechanisms of the Kyoto Protocol.

In the intergovernmental arena, the issue of carbon sinks first surfaced in the drafting of the Framework Convention on Climate Change in 1992, but at that point they were discussed only in the most cursory fashion. The real debate about sinks did not begin until the negotiations on the Kyoto Protocol, and, specifically, in the design of the Clean Development Mechanism (CDM). The CDM is one of three market

mechanisms created by the Protocol.¹⁰ It allows developed countries to meet their reduction targets by paying for emissions reductions in the developing world. However, when it was agreed to in 1997, the CDM was little more than an idea. The so-called “Kyoto surprise” was agreed to at the last minute, without any details about how it would actually function.¹¹ As a result, the role of sinks in the CDM was not discussed until after Kyoto was signed, with the bulk of the debate occurring between 1997 and 2001.¹²

The last minute insertion of the CDM was critical in many respects. First, it made the whole agreement possible; it provided a much needed “escape hatch” in the event that countries were unable to meet their reduction commitments domestically. Second, it created a great deal of policy uncertainty. Though states agreed to the basic principles of the CDM, major decisions about how it would actually function were postponed until later. Third, despite postponing key design issues, states did agree to incentivize an early start to the CDM. Article 12, paragraph 10 of the Kyoto Protocol states, “Certified emission reductions obtained during the period from the year 2000 up to the beginning of the first commitment period can be used to assist in achieving compliance in the first commitment period.” This language indicates that early actions could be counted under the CDM, even before the Kyoto Protocol entered into force, and even before states figured out what “counting” really meant.

Thus, even before entry into force, the creation of the CDM set new processes in motion. Those who sought recognition for early action would need ways to demonstrate that action. Thus, shortly after the signature of the Kyoto Protocol in 1997, the process to draft rules began.

The rule-making period was extremely contentious, largely because of an acrimonious debate about the appropriate role of sinks in the CDM. States quickly divided on the issue. The negotiating bloc representing the largest group of developed country emitters strongly supported the use of sinks as a way for developed countries to meet their reduction targets.¹³ The G77 and China, the largest negotiating bloc of developing countries, objected to their use on the grounds that the Protocol should not include any joint measures, but rather should focus solely on developed country

¹⁰ It should be noted that the Kyoto Protocol created two other market mechanisms: joint implementation and international emissions trading. However, the CDM was by far the largest and most complex of the three; as such, I limit my inquiry to the CDM.

¹¹ Werksman 1998.

¹² For a technical account of the issues from an insider perspective, see Fry 2002; 2007.

¹³ This was the so-called JUSCANNZ bloc – Japan, the United States, Canada, Australia, Norway, and New Zealand.

action.¹⁴ Indeed, in its proposed negotiating text, it removed all references to sinks.¹⁵

In addition, most civil society groups participating in the negotiations were also opposed to the inclusion of sinks in the CDM on scientific, moral, and efficacy grounds. Under the auspices of the transnational advocacy network, the Climate Action Network (CAN), they initially pushed for safeguards and other policies that would ensure that sinks projects would not threaten biodiversity or indigenous peoples, and that projects actually produced emissions reductions. Once it became clear that such rules would not be included, they lobbied against the inclusion of sinks as an allowable type of offset project in the CDM. CAN argued that sinks would be hard to measure, would absolve developed countries of obligations to reduce emissions domestically, and, in the end, might not actually reduce overall emissions.¹⁶

From a moral perspective, they argued that sinks would effectively serve as a loophole, allowing developed countries to avoid strong emissions reductions policies at home. (Since technically, there is no limit to the supply of offsets, prices would not necessarily rise in response to increasing demand.) Indeed, domestic inaction was a distinct possibility, depending on the amount of reductions allowed via sinks and other types of offset. The efficacy arguments suggested that the challenges of calculating the level of emissions reductions against a hypothetical baseline (how much carbon would be emitted in the *absence* of the project?) would mean little in the way of actual reductions.¹⁷ One prominent member of CAN, speaking on behalf of his organization, argued that the inclusion of sinks combined might even permit an *increase* in emissions.¹⁸

These different views were further exacerbated by a relative lack of scientific consensus on the matter. In 1998, as states began to consider the design of the Kyoto Protocol, and its market mechanisms, the Subsidiary Body on Scientific and Technical Advice (SBSTA) asked the Intergovernmental Panel on Climate Change (IPCC) to prepare a special report on land-use change and forestry (i.e., sinks) to help inform the

¹⁴ The exception was a small group of Latin American countries that supported the inclusion of sinks. For further details on various nations' positions, see Boyd, Corbera, and Estrada 2008.

¹⁵ UNFCCC 2000. It is worth noting that there were some notable dissenters within the bloc, including the heavily forested nation of Brazil.

¹⁶ These arguments are made repeatedly in the newsletter published by CAN, which was, at the time, the main transnational advocacy network active in the climate negotiations. Some members of CAN, notably those in the United States, did not support the proposed exclusion of sinks, and lobbied for other outcomes. However, the majority of CAN members were in fact opposed. See Duwe 2001; Pulver 2002.

¹⁷ Lecocq and Ambrosi 2007. ¹⁸ Earth Negotiations Bulletin 2000.

negotiations. Many hoped that clear definitions of basic concepts such as forests, afforestation, reforestation, and deforestation would help states to build political consensus.

However, when the report was released in 2000, it did little to advance the collective discussion on sinks. One scholar notes that the IPCC special report “had not brought an end to the epistemic chaos generated by the sink concept.”¹⁹ The lack of scientific consensus contributed to an unanticipated chain of events, and, as we will see below, this provided the opportunity for protean power to emerge. In the absence of epistemic consensus, states staked out different approaches to the measurement of sinks, using approaches consistent with their political preferences.²⁰ This hodge-podge approach continued, and provided the space for the increasingly vociferous objections of environmental NGOs. Their objections almost derailed the negotiations.²¹

The result of this controversy is that sinks play a very limited role in the Kyoto Protocol. Although they are permitted in the CDM, sinks are limited to afforestation and reforestation activities – or more simply, “the establishment of trees on non-treed land.”²² This meant that “avoided deforestation” – that is, keeping trees in the ground – was not permissible under the rules. Sinks projects were also limited temporally to the first commitment period of Kyoto, and quantitatively to 1 percent of 1990 emissions levels times five.²³ These restrictions are evident in the data on the CDM: less than 1 percent of registered CDM projects fall under the category of afforestation and reforestation.²⁴

A conventional reading of this debate is one of failed (or only semi-successful) advocacy by NGOs – a classic case of control power. But a more accurate interpretation, seen through the longer timeline, is as an incomplete case of protean power. Environmental NGOs had worked on sinks initiatives long before the arcane debates surrounding the CDM arose. As a result, they had both knowledge and expertise that others involved in the rule-making process did not. Even the IPCC – ostensibly the designated expert – did not make authoritative claims to knowledge that were expected of it. Thus, the common knowledge assumption operating in conceptualizations of control power did not hold. In one view, environmental NGOs had a relative monopoly on expertise around sinks: they were among the few who had actually *done* the work on these types of offset projects.

Yet, as Seybert and Katzenstein note, protean power generally operates under conditions of radical uncertainty; this scope condition is more

¹⁹ Lovbrand 2009. ²⁰ Fry 2002. ²¹ Boyd, Corbera, and Estrada 2008.

²² Watson et al. 2000, ch. 2. ²³ UNFCCC 2002, Decision 17/CP.7.

²⁴ See at: https://cdm.unfccc.int/Statistics/Public/files/201605/proj_reg_byScope.pdf.

complex in the sinks case. Though clearly, there is radical uncertainty surrounding the effects of climate change, the intergovernmental negotiations took place within a simpler context of calculable political risk. Thus, there is room for protean power, even in cases of operational uncertainty. As they note, protean power is generated in specific moments (Chapter 1, p. 10). The pitched political battle over sinks in the CDM created one of those moments.

The epistemic advantages enjoyed by environmental NGOs can therefore be seen as conferring capabilities in probabilistic situations (intergovernmental negotiations) nested within a more uncertain context (the tangible effects of climate change on the planet). Risks nested within a larger context of radical uncertainty did not enable protean power: private regulators did not use agility to improvise or adapt to uncertainty until *after* their efforts at sinks advocacy had failed (see next section below). However, they were able to refuse the complete exercise of control power (Chapter 2, Figure 2.1). The result was the near-exclusion of sinks from the rules governing the CDM.

Parallel Relations: The Rise of the Voluntary Market

The bulk of the debate about sinks was concluded in 2000 in Marrakesh, Morocco.²⁵ In addition to settling on the rules for the CDM, states also decided that the new market could become operational, even though the Kyoto Protocol had yet to enter into force. The logic to the early start was not only to get the CDM market off the ground, but also to incentivize early reductions, which could eventually be counted toward compliance requirements once Kyoto was legally binding.

The effective exclusion of sinks projects from the CDM, coupled with its early operation, spurred a new phase in the development of sinks in policy and practice. As the Kyoto markets got underway, NGOs involved in early sinks projects and in the debates over CDM design turned to a new strategy: creating their own rules to govern and sell forest carbon.

This “voluntary” market existed alongside the compliance market of the Kyoto Protocol, and grew quickly in the early 2000s. The voluntary market targeted actors – mostly firms – that *chose* to offset their emissions, even though they were not (or not yet) legally bound to do so. Most participants were (and remain) corporate actors gesturing toward their

²⁵ UNFCCC 2002. There were still outstanding technical decisions to be taken about the definitions of afforestation and reforestation, which would affect the CDM; however, the major components of the institution had been agreed upon.

“greenness” through the purchase of offsets in the voluntary market. Some are NGOs, and a small number are individuals.²⁶

The voluntary market grew quickly. Between 2000 and 2014, almost forty private offset standards were created, many focused on sinks.²⁷ The value of the voluntary market, though much smaller than the CDM market, also exploded in the early 2000s, in the limbo years before Kyoto took effect. By 2008, the voluntary market had transacted more than fifteen times more carbon credits than the CDM.²⁸ Many of the private standards that govern offsets in the voluntary market aim to achieve goals beyond the reduction of greenhouse gas emissions. For example, some promote sustainable livelihoods, while others seek to preserve biodiversity. In short, many of these private regulators have chosen a “niche” not covered by the CDM.²⁹

Moreover, despite a very limited role in the CDM, sinks comprise a major part of the voluntary market for carbon offsets. In 2013, the voluntary market transacted US\$140 million in forest carbon credits (i.e., sinks). By contrast, the equivalent figure for the CDM market was just US\$0.2 million.³⁰

Not only does the voluntary market deploy sinks projects widely, they are considered part of best practice. The International Carbon Reduction and Offset Alliance was created in 2008 “to promote best practices in the [voluntary carbon] market.”³¹ Since then, it has created a code of good practice for carbon management, which includes standards on carbon offsets. The code endorses five private offset standards, all of which include sinks. In other words, as private regulators seek to ensure quality and bring uniformity to their rules and standards, they have chosen to include sinks as part of this definition.

Early experiences with debt-for-nature swaps and corporate conservation efforts generated expertise among these NGOs, which they then parlayed into private authority – where non-state actors make rules and set standards that other actors in world politics adopt.³² Their monopoly on expertise provided claims to legitimate authority, and hands-on experience when others had none. These demonstrable successes were critical in the rise of protean power: they were able to overcome the operational uncertainty surrounding sinks – which, as we will see, was important in future phases of policymaking.

Consistent with protean power, improvisation is evident in the rise of the voluntary market. The political losses in the CDM negotiations prompted a new tack by environmental NGOs. Affirmation bred

²⁶ Hamrick and Goldstein 2015. ²⁷ Green 2017. ²⁸ Hamilton et al. 2010.

²⁹ Abbott, Green, and Keohane 2016. ³⁰ Goldstein and Gonzalez 2014.

³¹ See at: www.icroa.org/About-ICROA. ³² Green 2014.

improvisation. Previous failures at control demonstrated that a new tack was needed, one in which the probability or type of success could not necessarily be calculated *ex ante*. NGOs transformed themselves from advocates to regulators.

From Green to REDD: Translating Private Practice to Public Rules

As the voluntary market gathered steam, carbon sinks re-entered the inter-governmental climate negotiations – this time in the form of “REDD”: reducing emissions from deforestation and forest degradation. This third phase of sinks policy, marked by the rise of REDD, demonstrates yet another shift in the relationship between protean and control power.

In the third phase, protean and control power interact in two ways: through translation and appropriation. As Seybert and Katzenstein note, translation occurs when power is exercised across heterogeneous groups, often through non-central actors. Rather than delegating power from one group to another (an example of control power), translation occurs when “agents observe would-be commands, following their own specific reasons as they translate, or are enrolled into, the projects of those who wield control power” (Chapter 2, p. 32). Private actors in the voluntary market used REDD as a mechanism to translate their preferences and experience into the evolving practice of sinks policy, as elaborated by states. Conversely, states appropriated the work done in the voluntary market as part of the broader REDD initiative. In this way, protean power was circumscribed within a broader structure, dominated by control power.

Translation

As the third phase of sinks policy demonstrates, private actors’ limited protean power took yet another new form when the political context around sinks changed. States’ renewed interest in sinks created a window of opportunity for private actors, who were now serving as regulators of the voluntary carbon offset market. They were able to leverage their long-standing experience and know-how; as such, translation gave rise to protean power.

In 2005, Costa Rica and Papua New Guinea (PNG) – two heavily forested countries – proposed that states consider additional ways to reduce emissions by addressing one of its largest sources: deforestation.³³ They founded and were soon backed by a larger “Coalition for Rainforest Nations,” which advocated for new policies to address avoided deforestation and forest

³³ UNFCCC 2005.

degradation – the very activities that were excluded from the CDM.³⁴ These categories of activities were excluded at the outset for fear that they would create perverse incentives for developing countries to threaten to cut down forests in order to receive funding for their “protection.”

In the proposal, Costa Rica and PNG insisted that “their emphasis is on carbon emissions, not ‘sinks.’”³⁵ Yet REDD is clearly a sink by another name: what was once avoided deforestation was reborn with a new name and lots of political support.³⁶

REDD was a clear call for experimentation – a way to reduce states’ uncertainty about how to “do” sinks policy. Local uncertainty was a factor in REDD’s creation: states had only limited knowledge about sinks; this would have to be corrected if REDD were to be adopted as climate policy. The Costa Rica and PNG proposal was an incremental and non-binding way to correct this “operational” uncertainty.

Thus, in 2007, following the lead of Costa Rica and PNG, states endorsed a multifaceted approach, encouraging parties “to explore a range of actions . . . including demonstration activities” to preserve carbon sinks.³⁷ The decision also provides guidelines on the methods and approaches to use. However, the breadth and flexibility of the guidelines indicate that they are essentially a *carte blanche* to all those interested to go forth and experiment.

A number of international organizations have organized REDD programs – viewing this as a way to participate in climate policy, and potentially garner more resources.³⁸ The most prominent is UN REDD, which was launched in 2008 to run demonstration projects to ascertain how REDD could be carried out in practice. It is a collaboration of the Food and Agriculture Organization, the UN Development Programme, and the UN Environment Programme. There are now national programs in sixteen countries, funded by approximately \$US120 million in contributions by Denmark, Japan, Norway, and Spain.³⁹ There are a variety of other efforts by international organizations, including the Forest Carbon Partnership Facility (run by the World Bank); the Forest Investment

³⁴ The Coalition for Rainforest Nations began as Bolivia, Central African Republic, Chile, Congo, Costa Rica, Democratic Republic of the Congo, Dominican Republic, and Nicaragua, and has since expanded considerably into an intergovernmental organization comprising both developed and developing nations.

³⁵ UNFCCC 2005.

³⁶ There has been an evolution from RED to REDD to REDD+, where each successive version includes more activities. RED included only avoiding deforestation and was the acronym describing the original Costa Rican and PNG proposal. REDD adds the additional category of forest degradation. REDD+ includes other measures to sustainably manage forests.

³⁷ UNFCCC 2007. ³⁸ Jinnah 2011. ³⁹ See at: www.un-redd.org.

Program (run jointly by multilateral development banks); and the International Climate and Forest Initiative (funded by Norway). The Global Environment Facility also funds projects on sustainable forest management and REDD. The Coalition for Rainforest Nations, the original proponents of REDD, also have a host of activities to promote its implementation at the national level.

The intergovernmental call and international organizations' response can be viewed as a classic example of control power. States took a decision, setting an agenda for action, and empowering agents with the appropriate capabilities and resources to respond. The flexibility in agents' choice of response should not be conflated with protean power, since the structures clearly indicate and circumscribe the desired outcomes. Direct action leads to a set of anticipated, though not previously specified outcomes: control power in practice.

By contrast, the involvement of environmental NGOs and other private actors in REDD can be viewed as an act of translation and an effect of protean power. The voluntary market, somewhat unexpectedly, became an important site for implementing REDD. Private actors were able to use their existing knowledge and activities through unanticipated channels – yet these were in the service of the exercise of control power.

Following the Costa Rica/PNG call for experimentation, there was a precipitous increase in the amount of forest carbon traded on the voluntary market. In 2009, the think-tank EcoSystem Marketplace noted that despite measuring transactions since before 2002, two-thirds of all market value for forestry credits occurred between 2007 and mid-2009.⁴⁰ This significant uptick clearly coincides with the emergence of REDD on the intergovernmental agenda. Moreover, their research shows that in 2009, 96 percent of all carbon sink projects came from the voluntary market.⁴¹ What was once a separate market, created largely in response to the discontent with control power, now became the primary locus for sinks activities. By contrast, and as noted earlier, sinks projects were nearly non-existent in the CDM: fewer than 1 percent of all CDM projects were sinks projects.

Indeed, a more careful look at the voluntary market demonstrates how private regulators were able to translate their existing activities into REDD activities. For instance, despite the fact that REDD was initially a state proposal, to be incorporated into the intergovernmental climate regime, a private regulator, the Verified Carbon Standard, was the first entity to transact REDD credits.⁴² In addition, some of the earliest conservation projects have been converted by private actors into REDD projects under the intergovernmental regime. For example, the previously

⁴⁰ Hamilton et al. 2009: xii. ⁴¹ Hamilton et al. 2010. ⁴² Reuters 2011.

mentioned Noel Kempff conservation project was initiated by environmental NGOs in 1997; it has since been transformed into a REDD project under the auspices of the intergovernmental regime.

In addition, two privately created carbon standards, the Verified Carbon Standard and the Climate, Community and Biodiversity Alliance⁴³ (CCBA) created rules governing REDD, specifically for the purpose of being integrated into domestic regulatory regimes. The CCBA standard, called REDD+SES, is specifically designed to be used by governments at multiple scales: “to support the development and implementation of effective social and environmental safeguards for government-led strategies and action plans for REDD+.”⁴⁴ Five nations – Ecuador, Nepal, Tanzania, Brazil, and Indonesia – are currently implementing the standard. All but Indonesia have government representatives participating in the standards committee, which oversees standards development and implementation.

The Verified Carbon Standard is also targeting governments as end users of its standards. It has created what is referred to as a “nested REDD” standard, which allows bottom-up REDD projects to nest within existing regulatory frameworks. This name is appropriate, given that it can also be construed as a manifestation of the nesting of protean power within the broader ambit of control power. According to the program’s website, it “establishes a clear pathway for existing and new subnational jurisdictional activities and projects to be integrated (or ‘nested’) within broader (higher-level) jurisdictional REDD+ programs.”⁴⁵ Like the REDD+SES standard, it is being piloted in multiple nations. Its advisory council includes representatives from states as well as NGOs.

In sum, the renewed interest in sinks, now dubbed REDD, allowed for a happy coalescence between control and protean power. The voluntary market became a legitimate place where a once-ostracized policy could be successfully implemented. This allowed private actors to engage in translation – bringing their “outsider” efforts within the ambit of control power.

Appropriation

From the perspective of states, now demanding the incorporation of sinks into intergovernmental policy, the intersection of control and protean power can be viewed as an act of appropriation. By the time the REDD proposal emerged, carbon sinks projects were now a long-standing policy,

⁴³ Technically, CCBA is a “tag,” not a carbon standard. It enumerates criteria for carbon reduction projects to ensure their sustainability, but does not contain rules for measuring emissions reductions.

⁴⁴ See at: www.redd-standards.org/redd-ses. ⁴⁵ See at: www.v-c-s.org/JNR.

vetted by many, and increasingly bought and sold on the voluntary market. With less operational uncertainty surrounding them, they could be safely brought into the ambit of control power.

The reversal is striking. The Costa Rica/PNG proposal did not spark the same acrimonious objections that surrounded the CDM negotiations. In fact, the opposite was true: previously opposed actors embraced REDD. The EU had opposed all manner of flexibility mechanisms, including sinks in the CDM. By contrast, in July 2008, the EU tabled a proposal to promote REDD activities, which emphatically endorsed the potential of sinks to combat climate change: “We shall not, in the EU’s view, succeed in limiting global warming to 2 degrees Celsius without efforts in all sectors. This includes action to reduce emissions from deforestation and forest degradation.”⁴⁶

China also did an about-face. As part of the G77, it had earlier tabled a proposal that systematically deleted all references to sinks. Now, China called for “innovative incentives . . . for emission reductions from avoided deforestation, conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries.”⁴⁷

Finally, the CAN followed states’ lead. It had lobbied extensively to exclude sinks, and particularly avoided deforestation from the CDM, but it also changed its views. In 2006, it tabled a position paper in which it “strongly welcomes the initiative to discuss reducing emissions from deforestation as proposed by PNG and Costa Rica and discussed at COP-11 in Montreal.”⁴⁸ Shortly thereafter a representative of Greenpeace addressed the plenary on behalf of CAN, noting that a discussion about deforestation was “long overdue.”⁴⁹

Conclusion: The Productive Intersection of Protean and Control Power

By 2006, the acrimony and contention surrounding sinks had all but disappeared. While a full explanation of this shift is beyond the scope of this chapter, the improvisation of private actors, in their creation of the voluntary market was at the very least a contribution to this renewed enthusiasm for sinks in a number of different ways. The early entry of private actors in the world of carbon sinks led to several unanticipated, and arguably unintentional, outcomes.

First, their expertise led to strong views about what was and was not desirable in the realm of forest carbon. In turn, this led to the mobilization

⁴⁶ UNFCCC 2008a. See FCCC/SBSTA/2008/MISC.4. ⁴⁷ UNFCCC 2008b.

⁴⁸ CAN 2006. ⁴⁹ CAN 2007.

of advocacy efforts, and successful refusal: in part due to their advocacy efforts, private actors were able to keep most sinks projects *out* of the CDM. As Seybert and Katzenstein point out (Chapter 1, Figure 1.1), their successful refusal was a preliminary step – and likely a necessary condition – for the innovation that later produced protean power.

Second, with the knowledge developed through early “green” conservation projects, private actors seized upon the exclusion of sinks in the CDM as an opportunity. They reoriented their efforts, transforming themselves from advocates to regulators. This shift cemented their protean power, albeit in a limited fashion. The voluntary market became *the* locus for sinks projects, rendering the intergovernmental markets (i.e., control power), all but irrelevant. Instead of further fights over what the regulatory framework for sinks would look like, would-be consumers simply took their preferences to the voluntary market. Since the emissions reductions required by Kyoto were relatively modest, sinks did not *have* to be part of the bargain. An easier solution, recognized by environmental NGOs, was to create a market for willing participants where they would not be bogged down by political constraints.

In the first two phases of sinks policy, the effects of NGO improvisation were certainly limited. The voluntary market was (and remains) a fraction of the size of carbon markets created to comply with domestic and international climate regulations. The voluntary market, while an important realm for policy experimentation, was politically at the margins of the climate debate. Until it wasn't.

The gridlock in the negotiations led states to look for new policy areas upon which they could begin to build consensus and action. Sinks, previously abandoned as too politically contentious and too difficult to measure, were resurrected. The new emphasis on finding common ground, coupled with an understanding of the limits that uncertainty imposed, created yet another shift in sinks policy – and an opportunity for a largely compatible confluence of protean and control power.

This confluence is consistent with experimentalist accounts of governance, which identify uncertainty as an important driver of successful cooperation. Sabel and Victor describe an “experimentalist governance” approach to climate policy: “Experimentalist governance emphasizes that regulator and regulated, alike, rarely know what is feasible when they begin to tackle a problem under uncertainty; it prizes a diversity of efforts rather than monopoly. It identifies and continuously improves upon solutions that work.”⁵⁰

⁵⁰ Sabel and Victor 2015: 4.

This relatively easy arrangement can be attributed to the fact that protean power was translated and nested within the overarching framework of control power. Environmental NGOs and others in the voluntary market translated their goals into those that were compatible with the larger objectives of REDD. Ayoub (Chapter 4) makes a similar point about translation in the context of LGBT rights in Europe. Despite the universality of human rights, advocates had to engage in the translation of universal norms to “local” practice. This local tailoring of rights-based claims allowed LGBT advocates in Poland to overcome homophobic claims that sexual rights were incongruent with national identity.

The nesting of protean power within control power met the political aspirations of all the actors involved, without any serious challenges to the status quo. As a result, there was minimal pushback. Nesting resulted in the appropriation of private rules by states. In a way, appropriation can be viewed as the desired pinnacle of protean power in the case of sinks: private rules are legitimated through their incorporation into public rules. Protean power becomes invisible, taking on the mantle of traditional hierarchical structures.

By contrast, Erickson’s (Chapter 11) case on arms control shows how protean power directly challenged states’ freedom to defend themselves in the manner of their choosing. As a result, powerful states developed technological work-arounds to arms restrictions wherever possible, and, absent the ability to dodge new rules, they challenged them directly. In the sinks case, such challenges were rendered moot through processes of appropriation.

In cases of limited uncertainty, such as this one, nesting is perhaps the most desirable outcome for private regulators. Radical uncertainty is a scope condition for protean power, but it was simply too far removed from the political discussion to have any generative effects. The radical uncertainty surrounding the effects of climate change is a separate consideration from the nuts and bolts of carbon markets. Thus, private regulators – those exercising some degree of protean power – did the best they could, given the constraints they faced.

This is not to say that protean power is absent from the story of sinks. Two decades of experience with carbon sinks produced a surprising, and initially unknowable, outcome – the nesting of protean power within a larger framework of control power. The *de facto* uncertainty of previous phases of sinks policy helped environmental NGOs to develop the expertise, and eventually the power, to create and implement rules governing carbon sinks. As Seybert and Katzenstein note, the unforeseen outcomes of previous activities are emblematic of protean power: “Under conditions of uncertainty it is not necessarily strategic actions but their

emerging byproducts that create the most consequential effects” (Chapter 1, p. 16). *Ex post*, as observers we can see that NGOs’ loss on their campaign against sinks was a decisive moment in the production of protean power. It precipitated their shift from advocates to regulators and further embedded their operational expertise.

Moreover, there were some unanticipated outcomes along the way. Despite the expansive set of rules created by the Kyoto Protocol – easily conceptualized as control power – sinks policy never operated within that domain. Indeed, the voluntary market continues to be an important player for sinks projects. And some of the private actors involved in it have become increasingly involved in rule-making at the national and subnational levels. The interrelationships established between public and private, protean and control power will not be easily undone.

This limited case of protean power can be read as a revised recipe for successful advocacy in a world of control power. Though protean power is by definition unpredictable, important patterns emerge. First, advocates often seek to shift the framing of issues so that they are more amenable to their goals. In this case, reframing worked in the other way. States set the frame (choosing to revive sinks policy through REDD), and private regulators sought to populate that frame with a specific meaning (or in this case, set of practices) – their existing forestry projects.⁵¹ Second, as is often highlighted in the social movements literature, environmental NGOs moved between “inside” and “outside” the halls of policymaking. This movement (and, perhaps, the blurring of who was where and when) allowed protean power to emerge even within established channels of control power.

⁵¹ Tarrow 1994.

