On the multiplicity of private social and environmental regulation in coffee, forestry and textile: A diachronic analysis of its origins, consequences, and evolution

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Abstract
Social and environmental standards have become significant in the private regulation of several industries. But unlike governmental regulation, multiple standards co-exist in parallel. In this paper we explore the antecedents and consequences of the multiplication of standards, as well as potential scenarios and their conditions for the evolution of competitive standards markets. We draw on an analysis of social and environmental standards in three industries: coffee, forestry, and textile, focusing on the dynamics of how and by whom multiple standards and certification programs are created and evolve. The comparison among the three industries shows different patterns in the evolution of private regulation.

Key-words:
Social responsibility, social and environmental standards, coffee, textile, forestry, evolution, soft-regulation, private governance.
Introduction

Social and environmental standards are a way for firms to express their social responsibility. At the frontier of private and public, they also represent a form of privatization of regulation across national borders. But rather than a unified attempt to govern transnational arenas, the privatization of regulation produces multiple forms of regulation, authorities and competition among private regulators. Over the last decade, diverse sponsors with often very different, even conflicting, interests, motivations and constituencies have developed a remarkable number of social and environmental standards and certification systems, leading to competition among multiple standards and confusion among adopters (Jamali, 2010). At present, a total of about 400 eco-labels and certifications co-exist in various domains such as forestry, fishing, agriculture and textile (Golden 2010; Leipziger, 2003).

Our interest about social and environmental standards touches on several fields of studies, including international business (IB), corporate social responsibility (CSR), and business regulation. The influence of non-governmental agencies on international business has been identified as one of the primary emerging themes of interest in the field of IB (Griffith et al. 2008; Teegen, Doh and Vachani, 2004). Standards are key elements of that phenomenon. CSR and the creation of value to multiple stakeholders have also been identified as important emerging themes of interest in the field of IB (Griffith et al. 2008). Our interest about social and environmental standards touches on both these emerging fields of IB study. Within the field of corporate social responsibility, social and environmental standards can be observed from numerous perspectives, such as more or less effective instruments for the implementation of various dimensions of CSR (Boiral, 2007; Fransen and Kolk 2007; Christmann and Taylor, 2006) or as fora to negotiate about what CSR should be (Turcotte et al. 2011).

Scholars have only begun to examine the phenomenon of standards markets for singular industries, such as textile (Fransen, 2011), tourism (Burgin and Hardiman, 2010) or competitive “standards markets” in coffee (Reinecke, Manning, von Hagen, forthcoming). Yet, what is missing is a cross-sectoral analysis of standards multiplicity that can identify patterns of market dynamics across industries. Indeed, the multiplicity of social and environmental standards poses important questions about an evolving market for private governance: What are the consequences of standards multiplicity for regulating transnational arenas? How can it be explained? How has it evolved? Is it likely to persist over time? In this paper we provide a cross-sectoral study to explore what are antecedents and consequences of this situation, as well the conditions under which multiplicity is likely to sustain or not.

The paper is organised in the following manner. First, we provide a brief overview of the theoretical context concerning social and environmental standards. Then, we describe our methodology and compare the evolution of standards in the coffee, forestry and textile industries. On the base of these observations, we explain the origins of the multiplicity of standards. We then describe the conse-
quences of this multiplicity of standards for actors involved. Finally, we describe the factors explaining the evolution among these populations of standards.

**Theoretical context: Social and environmental standards**

Voluntary standards play a crucial enabling role in the private regulation of corporate conduct. Private regulation is “a process in which non-state actors from more than one country generate behavioral prescriptions that are intended to apply across national borders” (Dingwerth and Pattberg, 2009, p. 711), thereby filling the regulatory gap left by weak states (Brunsson and Jacobsson, 2000; Djelic and Sahlin-Andersson, 2006; Tamm Hallström and Boström, 2010). Standards can hence be seen as a response to the growing disaggregation and globalization of global value chains, which has produced social and environmental challenges, yet a lack of accountability and responsibility for tackling them (Barrientos and Smith 2007). As global trade and financial networks have spread the consequences of local action far across national borders, and global commodity chains (Gereffi and Korzeniewicz 1994) span multiple countries and often move production deliberately to offshore locations that lack labour, environmental or financial regulation, private regulation creates a market- and consumer-based response to the challenge of transnational governance.

Social and environmental standards are ‘non state driven’ in the sense that their workings do not require state intervention (Bernstein and Cashore, 2007). However, states – more so in Europe than in North America – may stimulate and support their development and promulgation. This observation lead Utting (2012) to rather speak of a ‘multistakeholder’ regulation. Social and environmental standards have been defined as a set of “voluntary predefined rules, procedures, and methods to systematically assess, measure, audit and/or communicate the social and environmental behaviour and/or performance of firms” (Gilbert, Rasche and Waddock, 2011, p. 24). Here, ‘voluntary’ must be understood as meaning not imposed through a governmental regulation.

Social and environmental standards are promoted by a diverse group of actors. Social movement-led standards are key examples where social movement organizations have become involved, as standards setters and rule makers, in organising the changes they campaign for. Fairtrade Labelling Organizations, the International Federation of Organic Agricultural Movements (IFOAM) or the Forestry Stewardship Council (FSC), to name some of the most renowned standards initiatives, are prominent examples for standards that have grown out of vibrant grassroots social movements and effective community level campaigning. Rather than concrete market demand for ethical products, as Bartley (2007) argues, social movement activism has been critical to the rise of new institutional arrangements for governing transnational industries. Social and environmental standards are hence seen as democratic and socially progressive as they broaden the basis for participation in global governance. Often organized as non-profit multi-stakeholder organizations with a heterogeneous membership, they involve environmental and social NGOs, producer organizations, traders and retailers, academic institutions, religious organizations and individual members from various countries. Social movement-led standards can be observed in many industries: sustainable forestry (Cashore, Auld, and Newsom 2004; Gulbrandsen 2004, 2008; Pattberg 2007), coffee (Low and Davenport, 2005; Gen-
Firms do not only adopt new standards, but have increasingly acted as co-authors of codes of conduct and engaged in multi-stakeholder initiatives together with governmental and non-governmental organizations (Fransen and Kolk, 2007). Some firms have become authors of their own standards, such as Nike’s Code of Conduct. Other private organizations specialize in defining standards for responsible conduct on behalf of others, such as ISO 14000 for environmental management and ISO 26000 for corporate social responsibility. In addition, intergovernmental organizations have joined the landscape of private regulation, as the examples of the UN Global Compact, the UN’s Principles for Responsible Investment (PRI) or the Sustainability Reporting Guidelines, launched by the Global Reporting Initiative (GRI) show.

Standard are thus significant for three reasons: (1) Without standards and, related, certification, market mechanisms for private regulation –the influencing of demand and supply for socially and environmentally superior products– would not be able to function. No information, at least no credible information, would be available to customers, who would otherwise not be able to distinguish between the various offerings. (2) Standards provide yardsticks against which social and environmental performance claims can be assessed. (3) Standards are points of focus, anchors, ‘attractors’, in political debates about social and environmental performance.

However, the multiplicity of promoters and interests involved, and types of standards and enforcement mechanisms have resulted in a competitive “standards market” where multiple standards setting organizations compete for adopters (Reinecke, Manning, von Hagen, forthcoming). As competitive markets for standards have only begun to emerge relatively recently, the multiplicity of standards is a phenomenon that to some might seem remarkable (Djelic, Tamm-Hallstroem, den Hond, 2012). One reason is that the market for social and environmental standards is different from normal product markets in that all standards setters claim to promote the common good by mobilizing the resources of the private sector to forces to tackle the massive challenge of global social and environmental problems.

**Methods: Comparing social standards in the coffee, forestry and textile industries**

Social and environmental standards have become significant in several industries. To better understand the dynamics of standards markets across different sectors, we focus on three industries: coffee, forestry and textile. We focus on these three industries since they have been pioneer industries for the development of social and environmental standards and their relative maturity allows us to observe dynamics over time. In each of these sectors, we describe the origin of the standards, the consequences of their multiplicity and their evolution.

To study social and environmental standards, we use documentary analysis to identify the social and environmental standards and adoption figures available in coffee, forestry, and textiles. We differ-
entiate between them by: year of creation, initial promoter, criteria and processes. We also wanted to know how the markets for these standards are distributed and how the populations of these standards have evolved. Which ones were created when and by whom? How did their volumes grow? Is there mortality among the schemes? Do we observe similar or different patterns among these industries? For the coffee and forestry sector, we also collected data on the volume of certification for each year since its creation. This exercise was more challenging in the textile industry because the information is not made public for most of the large number of standards existing in the sector.

In particular, in the case of the forestry sector, we sought to accurately record the national certified volumes using data from the certification organizations themselves: Forest Stewardship Council (FSC), Sustainable Forestry Initiative (SFI), Canadian Standards Association (CSA), Program for the Endorsement of Forest Certification (PEFC), American Tree Farm System (ATFS) and other organizations or agencies when mentioned. To corroborate the data, it was then compared to the databases of the Food and Agriculture Organization of the United Nations (FAO), which has been publishing an annual newsletter on the lumber industry since 1997 and includes a chapter dealing specifically with forest certification. This prevents the double area calculation that results from a double certification or mutual recognition. Similarly, in the case of coffee data stems from the respective standards organizations themselves and has been cross-checked with external publications.

Findings: Three cases

Standards Multiplicity in Coffee

In coffee, the number of intermediaries and high price volatility since the liberalization of the coffee market, marked by the dismantling of the International Coffee Agreement in 1989 have created particular challenges for the livelihoods of small-scale producers. While small-scale producers tend to grow ecologically friendly shade-grown coffee, preserving the natural habitat of tropical forests, the promotion of large-scale coffee plantation since the so-called “green revolution” of agriculture in the 1970s, has created environmental challenges, including soil erosion, pesticide use and water management, as well as the destruction of habitat for wildlife.

Coffee is widely regarded as a pioneer industry for sustainability standards (Kolk, 2005), which many other sectors have emulated. Since 2001, the market for certified ‘sustainable coffee’ has grown rapidly, whereby numerous standards have emerged providing competing definitions of sustainability (Reinecke et al., forthcoming). It was estimated that global sales of sustainable coffee reached 8% of all green, that is unroasted coffee, exported worldwide in 2009. In the Netherlands 40% and the US 16% of all coffee sold was certified (Giovannucci 2010). Since 2000, certification has grown by around 20% annually thereby establishing a growing, if increasingly fragmented market segment for sustainable coffee (see Figure 1). At least eight major standards initiatives exist to date.
The market for sustainable coffee has changed significantly since the first standards initiatives were launched by social movement organizations. Rather than part of one growing sustainability movement, as often described (e.g. Kolk, 2005), at a closer look, most initiatives had rather idiosyncratic goals and conceptions of sustainability driven by the interests of particular actors at particular times.

Standards in the global coffee industry started with two parallel, rather independent standards initiatives which emerged through coalitions of activists, consumers and producers: Organic (1972) and Fairtrade (1989). The organic standard emerged in the 1970s from a coalition of activists fighting against the increasing use of pesticides and other chemicals and their harmful effects on the health of farmers and the environment. Fairtrade, by comparison, originates in the trade justice movement. Coalitions of NGOs, Alternative Trading Organizations and small producers pursuing a political agenda of empowering small-scale farmers in the Global South culminated in the creation of the first Fairtrade label in the Netherlands (Vanderhoff Boersma, 2009). Fairtrade “resulted from a serendipitous convergence of different local initiatives in alternative commerce” (Gendron et al., 2009, p. 64). In fact, this movement is a composite of movements, particularly, (1) the cooperative movement, which aim to develop a cooperative economy, (2) the charity trade movement, advanced by religious organizations and other NGOs, (3) the solidarity trade, a more political movement opposing capitalism and neo-imperialism, and the developmental trade developed by international trade agencies and religious organizations to assist Southern producers (Gendron et al. 2009; Low and Davenport, 2005).

Parallel to the emergence of Fairtrade, a group of biologists and environmental activists fighting against the destruction of tropical rainforest in Latin America worked on the foundation of the conservation organization Rainforest Alliance, which launched its first sustainability seal for bananas in 1992, initially called ‘Eco-OK,’ followed by coffee in 1995. Around the same time, biologists at the Smithsonian Migratory Bird Institute conducting ornithological field research in Latin America created the “Bird Friendly” certification mark in 1996/7 to protect the habitat of migratory birds. Both standards focused distinctively on the environmental aspect, in particular the importance of shade-grown coffee production.

In response to fierce battles and campaigning by social movement activists and consumers against well-known coffee brands (Conroy 2007), sustainability became a concern to many mainstream operators. In the late 1990s, coffee companies began adopting social movement-driven standards – and using them to better market their brands. But they also developed their own codes of conduct and standards. Industry-driven initiatives include: Utz Certified, co-founded by the Ahold Coffee Company, in 1997; Starbucks’ C.A.F.E. Practices in 2001; Nestlé’s Nespresso’s AAA Sustainable Quality Program in 2005; the Common Code for the Coffee Community (4C), a sector-spanning membership association, in 2006; and Illy’s Responsible Supply Chain Process standard, in 2011.

Calls for harmonizing implementation systems became louder to reduce the costs of multiple certifications for producers. In an attempt to unify the sustainability standards movement and give it credibility, ISEAL Alliance, a meta-association and coalition of sustainability standards setters, launched its “Code of Good Practice for Setting Social and Environmental Standards” in 2004. Under the auspices of ISEAL in 2011, Fairtrade, SAN/Rainforest Alliance and UTZ Certified jointly declared that
they “share the goal of transforming the world's production systems and value chains to make them more sustainable” (SAN, 2011). These words were increasingly put into practice by developing collaborative trainings, dual audits and dual certifications among these schemes, yet not without compromising the individual identity and brands of standards in the sustainable coffee market.

**Evolution of Standards Multiplicity in Forestry**

The idea of “timber certification” dates back to the 1980s, after environmental pressure groups (ENGOs) like Friends of the Earth, World Wildlife Fund (WWF) and Greenpeace put pressure on states to have them legislate and agree on new commercial practices involving tropic timber products (FSC, 2010; Cashore et al., 2007b). Despite the fact that it was on the agenda of the United Nations Conference on Environment and Development (UNCED – 1992 Earth Summit in Rio), the international community was unable to agree on the content of what was to be the Global Forest Convention, an international framework agreement meant to prevent the deforestation and illegal logging of tropical timber (FSC, 2010).

Other forest-related institutional initiatives including the Intergovernmental Panel on Forests (IPF, 1995 to 1997), Intergovernmental Forum on Forests (IFF, 1997 to 2000) and United Nations Forum on Forests (UNFF, from 2000 to now) also showed how hard it was to come to a legally binding agreement. As Cashore (2007b) explains, failures in trying to implement global forest management policies mainly stemmed from each country’s right to decide on how it planned on managing the exploitation of its natural resources and thus its national sovereignty. To bypass this setback, the intergovernmental negotiation approach was dropped and the protagonists turned to the market and market self-regulation. “The FSC’s creation must be understood in the context of growing frustration with public policy and intergovernmental efforts to ameliorate forest degradation” (Auld and Cashore, 2012). The goal was to slow down deforestation by developing prescriptive standards and principles. Major environmental and social NGOs entered into an alliance with a few forest companies, retailers, governments, the World Bank and philanthropists to create the Forest Stewardship Council. Thus, in 1993, the WWF, together with other ENGOs and a few businesses from more than 25 countries created the Forest Stewardship Council (FSC, 2010). The goal was first to protect tropical timber but the group’s mandate quickly expanded to include timber from all types of forests (tropical, temperate and boreal) (Cashore 2004; Auld, 2008).

At the outset, the FSC forest certification was meant to be a commercial tool used to foster sustainable forest management based on: the establishment of common standards and criteria; the respect of Native communities and peoples; the maintenance of biodiversity; an independent audit of
forest management practices; the identification of certified products; the promotion of sustainable forest management practices (Cashore, 2004). These objectives translate into 10 principles and 56 criteria, which are reviewed periodically and subject to adoption by the General Assembly. To respect these principles and maintain a balance between Northern and Southern countries, the FSC is split into three entities (environment, social and economic), represented equally between the North and South. A fourth entity, for Native peoples, is added to the first three. Given the very nature of the organization, neither governments nor government agencies can be members or submit an application. Also, in order to maintain the FSC’s independence, the same governance structure is used in the member national organizations, except for the entity for Native peoples, which only applies in countries in which there is an actual presence (Auld, 2008). The FSC is a certifying organization for certifiers.

From the start, industry actors challenged the principles and criteria put forth by the FSC. The FSC’s rigidity, high costs of certification, lack of consideration for small producers, the monopolistic pretentions, the lack of consideration for traditional forest practices (Hansen, 1998) were criticized as trade barriers. Producers prioritized national sovereignty and forest manager autonomy. This resulted in a number country-level initiatives (Auld and Cashore, 2012). In the United States, the American Forest and Paper Association (AF&PA) implemented the Sustainable Forestry Initiative (SFI). In Canada, members of the Canadian Pulp and Paper Association (CP&PA is known as the Forest Products Association of Canada since 2001) and various forest producers formed the Canadian Sustainable Forestry Certification Coalition in 1994 and mandated the Canadian Standards Association (CSA) to develop certification criteria. In Europe, the industry implemented the Pan European Forest Certification (PEFC) in 1999. In parallel, other smaller certification organizations, initiated by industrials, were created worldwide (Auld, 2008), for example: the Brazilian Certification System (CERFLOR), Swiss Q-Label, Chilean Certification System (CERTFOR), United Kingdom Woodland Assurance Scheme (UKWAS), Malaysian Timber Certification Council (MTCC), Finnish Forest Certification System (FFCS), Australian Forestry Standard and Lembaga Ekolabel Indonesia (LEI). In the United States, the American Tree Farm System (ATFS), initiated in 1944, also acts as a voluntary certification organization for small producers and family concessions (ATFS, 2010).

The PEFC, the SFI, the CSA and other emerging standards have been working on mutual certification recognition (PEFC, SFI and CSA websites). In 2004, the PEFC recognized the certification schemes of Australia and Chili, the first non-European countries to have their criteria recognized. During that same year, the SFI in the United States and the CSA in Canada became

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1 The CP&PA is known as the Forest Products Association of Canada since 2001.
PEFC representatives in North America. The PEFC then changed its name and became the *Program for the Endorsement of Forest Certification* and worked on establishing itself as a certification organization on an international scale (PEFC, 2009). The PEFC presents itself as an umbrella organization for national certification organizations (PEFC, 2009). Certain organizations whose brand reputation is rather significant, including the SFI, keep their name even though the certification statistics are being recorded by the PEFC, although in most cases, the countries adopt the PEFC prefix.

In 1998, the World Bank and WWF agreed on a strategic alliance meant to certify 200 million hectares (M. ha.) by 2005, or 6% of the world’s forest cover (FAO, 1998). As shown in figure 2 between 1993, year during which the FSP certification was implemented, the volume of certified forests, considering all certifications, increased from 1 million hectare in 1996 to 360 millions in 2010 (Oliver, 2009 and FAO, 2010). In terms of area, this represents approximately 9% of the world’s forest cover.

The emergence of national certifications changed the portrait of international certification drastically. From 1999 to 2000, the volume increased from 18 M. ha to 62 M. ha mainly because of the massive certification of Canadian (CSA 5.4 M ha, ISO 15.7 M ha.) and American forests (SFI 24 M ha). Between 2002 and 2005, the volume increased from 125 M ha to 240 M ha, thus exceeding the objective of 200 million hectares set by the World Bank and WWF. During this period, certification progressed mainly in the North, 58% of certified lands being in North America and 33% in countries of the European Economic Community. As of 2010, the progression of certification remains concentrated in the Northern hemisphere (FAO, 2005-2010).

We can thus distinguish two phases separated by the integration, in 2005, of numerous national certifications under the umbrella of the PEFC. From six European countries in 2000, the PEFC, now recognizes 28 national programs including the American SFI (2005) and ATFS (2008) certifications, the Canadian CSA (2005) certification and almost all independent certifications developed between 1993 and 2000, including the CERFLOR, Swiss Q-Label, CERTFOR, MTCC, FFCS, Australian Forestry Standard, and ISO 14001 and ISO 14061 (PEFC, 2009).

During the same period, the FSC recognized 18 national organizations and 36 national criteria schemes on the basis of their principles². Lembaga Ekolabel Indonesia (LEI), from Indonesia, is the only independent initiative that met the FSC criteria and became part of it (FSC, 2009).

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In general, numerous factors contributed to the progression of the adoption of certifications by forest companies, namely: (1) actions from environmental NGOs and their pressures on distributors and retailers (Schepers, 2010); (2) the impact of a certification in the construction industry that promotes forest certifications; and, and although not as significantly as of yet, (3) the influences of socially responsible banks and investors. ENGO actions on large distributors led to an increase in the demand on the world market. Thus, from the end of the 1980s, ENGOs like Greenpeace and the World Wildlife Fund orchestrated vast awareness campaigns targeting large consumers of forest products, including softwood lumber, sawn lumber and paper pulp. The impacts of these actions translated into the adoption of codes of conduct and procurement policies that had tangible impacts on the demand for certified forest products (Cashore et al., 2007). Also, in 2002, Time Inc, the editor of Time magazine and more than one hundred magazines worldwide, set out to increase the use of paper stemming from certified forests from 25% to 80% in 2005\(^3\). At the same time, other editors and timber product distributors set similar goals. This was namely the case for do it yourself renovation centres such as Home Depot in North America and B&Q in Europe and superstores such as Staples and IKEA that complied with the ENGOs’ demands and adopted procurement policies for certified products (Cashore et al., 2007). Use of FSC-certified timber is one of the performance criteria of the LEED (Leadership in Energy and Environmental Design) construction certification, developed and governed by the US Green Building Council.

**Evolution of Standards Multiplicity in Textile**

In textile, the development of the global value chain controlled by multinationals pushed supplier companies to become more flexible in their operations to meet market demands regarding the quantity and quality of products, production cost and delivery, thereby influencing working conditions in factories. Multinationals became all the more vulnerable to negative media coverage when they subcontracted their production to factories in the South, where employees were alleged to suffer from bad working conditions. At the same time, corporate identity (brand image) and reputation became paramount concerns to corporations and could be used as a leverage for global labour activists.

In the textile industry, several, largely overlapping, private governance schemes exist. Pressures from international labour union movements played an important part in the process of developing social standards in the textile industry. Initially, codes of conduct were developed by single firms or business associations. Codes of conduct can be adopted unilaterally by companies in the industry and drawn up by corporations or business groups, regardless of whether their main base of operation is local or expatriate. The codes are used to guide the practices of firms and their partners, including

\(^3\) [http://www.timeinc.com/community/sustainability.php](http://www.timeinc.com/community/sustainability.php)
corporate suppliers and subcontractors. During the 1980s and 1990s, the International Textile, Garment and Leather Worker's Federation encouraged American textile companies to adopt more socially responsible conduct. Following up this initiative, in May 1995, the Clothing Manufacturers' Association of the United States and the Amalgamated Clothing Textiles Workers' Union signed a seminal agreement on the application of a code of conduct to be implemented on a national scale in companies and among subcontractors (Sajhau 1997). This code established minimum standards for wages, working hours, child labour, the right to associate, non-discrimination, and health and safety. Similarly, the American Apparel and Manufacturer Association, American Apparel and Footwear Association among other business associations, created a code of conduct. The aim was to create an environment in which the US manufacturing industry can operate competitively within the globalized economy while establishing minimum standards for work conditions among suppliers and subcontractors.4

A number of corporations, such as Levi’s, Nike, and Reebok, introduced their own corporate codes of conduct in the 1990s. These codes of conduct have often been developed and adopted in a context of tension. By way of illustration, Nike reacted to negative media coverage by drafting and adopting a code of conduct (The Nike Code of Conduct) the same year that Levi's introduced its code, which also applies to its suppliers. Yet again, the same year, in reaction to these initiatives, Reebok, Nike’s main competitor, developed its Human Rights Production Standard — a code very similar to that of Nike. Worldwide Responsible Apparel Production (WRAP) is yet another example of this kind of code.

Given increasing doubts about the effectiveness of unilateral, self-enforced codes of conduct, the textile industry shows an increasing trend towards multi-stakeholder standards that are applicable across multiple firms and developed and monitored by third-party certifiers. The first generation of multi-stakeholder standards were designed in partnership between activists groups and firms, including the Fair Wear Foundation (FWF, Netherlands, 1995), Fair Labor Association (FLA, USA, 1995), Social Accountability International (SAI, American-European, 1996) and the Ethical Trading Initiative (ETI, UK, 1996). The Fair Labor Association (FLA) is of particular importance. The FLA is a network of companies, human rights and labour organizations, and colleges and universities seeking to improve working conditions. FLA accredited companies are expected to implement systems to ensure that the FLA Code of Conduct is upheld throughout their supply chain. The FLA system is predicated on verification through independent monitoring. Participating companies must remediate problems found through internal and external monitoring visits and findings are posted on the FLA Web site. The FLA also includes a third-party complaint system that allows labour unions, NGOs and companies to notify the FLA of incidents of non-compliance regarding any FLA-accredited facility (Leipziger 2003).

Frustrated with the influence of businesses in the governance process, student activists and the American trade union representatives set up the Worker Rights Consortium (WRC, USA, 1999) with

the particular aim to exclude firms in from the standard’s governance but to amplify the voice of university representatives, labor experts, union representatives and NGOs (Fransen 2011; O’Rourke 2003).

Similarly, the parallel creation of industry-led governance initiatives can be attributed to the division between firms and labor activist groups over governance and implementation procedures. Direct targeting of brand producers by activists creates a confrontational atmosphere between NGOs and firms, and can hence discouraged some firms from adopting the NGO-sponsored initiatives (Sasser et al. 2006). Rather than settle conflicts conclusively or yield to demands by activists, firms often find it more beneficial to sponsor their own, industry-controlled standards alongside activist standards (Fransen 2011). Retailers’ frustration over activists’ attacks by the Clean Clothes Campaign (CCO), in negotiations over the creation of a joint Fair Wear Foundation (FWF), led them to refocus their efforts on private regulatory solutions elsewhere (Fransen 2012). This not only encouraged firms to create their own standards, but influenced the future willingness of firms to cooperate with NGO-sponsored standards. Many firms hence left existing initiatives to create industry-led, and controlled initiatives, including the Worldwide Responsible Apparel Production program (WRAP, USA, 2000) by American retailers and the Business Social Compliance Initiative (BSCI, pan-European, 2004). Turcotte et al. (2007) show how, in a particular conflict in the textile sector, contestants strategically promoted specific standards. The company initially preferred an industry-led standard, while the activists were pushing for the adoption of a societal-led standard. The activists felt that industry-led standards were lowering the bar and not properly addressing their concerns and thus pursued their campaign against the company until it adopted a societal-led standard. In the end, the company had adopted five standards before the controversy ceased.

Firms and industry representatives have been complaining that the multiplicity of different schemes can create so-called ‘audit fatigue’, inefficiency, confusion about requirements, lack of transparency, lack of accountability, and higher costs for companies and their suppliers. In response, industry-led standards may establish common platforms to harmonize the various, yet sometimes diverging Codes of Conducts and monitoring systems that individual companies have created to improve their social compliance with basic labor standards. The BSCI, for example, presents itself as a harmonization effort in order to avoid audit duplications within the same factory. Similarly, the Global Social Compliance Program (GSCP), a cross-industry platform for global retail, is a business driven program created “by and for global buying companies wanting to work collaboratively on improving the sustainability (social and environmental) of their often shared supply base (GSCP website, 2012).

Despite increasing collaboration among certain actors, disagreement among private governance organizations prevails and impedes the establishment of common labor standards, as Fransen (2011) documents in the clothing industry. As a result of these great differences between both ends of the spectrum, both societal-led and industry-led standards persist. Standards markets do not only provide choice to interested firms, but the example of the textile industry also shows that private governance organizations behave more and more like market players as they tailor their ‘regulatory service offerings’ to a fragmented market in terms of sectors, geography and ideology.
Standards requirements on labour regulation are based on codes resulting from intergovernmental agreements that were negotiated on an international level and accepted by national governments. They date back to the 1970s when the OECD’s Guidelines for Multinational Enterprises and the ILO’s Tripartite Declaration of Principles Concerning Multinational Enterprises were adopted. These principles, which were initially intended to be coercive, were in fact presented as being voluntary and non-binding. The ILO principles have been cited as the touchstone for the vast majority of codes in the textile, clothing and shoe industries. Oftentimes, these principles are included in the law of suppliers’ country, which however may not be enforced in the hope to create a climate more conducive to commerce. O’Rourke (2004) has shown that in several cases both societal-led standards and activists campaign were instrumental to have the regulations enforced.

Origins, consequences, and evolution of standards multiplicity

1. Origins of the multiplicity of standards

Regarding the origin of multiple standards, we observe various patterns of how multiple standards emerge. Our results show that in the coffee sector, private regulation initially originated from groups advancing social and environmental issues, corporate codes and multi-stakeholder initiatives appeared later. In forestry, private regulation started with a multi-stakeholder initiative instigated by NGOs, after which industry standards were introduced. In textile, the pattern is similar, except that we could describe a preliminary episode where social movement critiqued the industry and specific companies without proposing standards. Social activists pressured companies through ‘naming and shaming’ campaigns, to which corporations responded by advancing corporate codes of conduct. This was followed a few years later by a multi-stakeholder initiative (AIP) and standards supported by activist groups. Also there were intergovernmental agreements that were negotiated on an international level and accepted by national governments back to the 1970s.

Despite these differences, we suggest five main reasons common across all three sectors that have led to the multiplicity of social and environmental standards.

Multiplicity of issues. First, different standards serve different purposes. They may focus on organizational process or performance, and address different issues, such as human or labour rights or the environment. In some sectors a variety of topics is important to social movements. In coffee, the protection of forests/biodiversity is important to Bird friendly and Rainforest Alliance standards, while Fairtrade is primarily concerned with farmers’ wages/income. Similarly, in textile, there is a host of labor issues, but also environmental aspects of yarn/cloth production from raw materials, environmental aspects in production of cotton. Hence, there are a variety of topic specific standards.

Multiplicity of promoters. Secondly, we observe that standards originate from a variety of actors representing different interests. Large multinationals, NGOs created by industry actors, consultancies, NGOs created by social movement activists, labour unions or affiliated organizations, educational institutions and governments may all formulate their own signature codes. There is an increasing trend towards multi-stakeholder governance, including businesses and industry
representatives, NGOs and/or labour union movements. Standards promoters are also embedded in different institutional contexts. Different parties responded to the existing standards by creating new standards that incorporated the requirements and opportunities afforded by the national contexts in which parties operated (Manning et al., 2011).

**Multiplicity of types of standards.** The way standards are governed and enforced differs fundamentally. Private standards vary in whether or not, and how, they are verified, ranging from self-audited verification to independent, third party certification (Turcotte, de Bellefeuille, den Hond, 2007). Corporate specific or sector spanning codes of conduct can be considered the ‘lightest’ form of private regulation, as they entail a voluntary commitment whose performance is neither verified nor certified. ‘Heavier’ forms of private regulation include processes of external, 3rd party verification and certification, which are often championed by social movement-led standards. Gilbert, Rasche and Waddock (2011) further distinguish between principle-based standards providing broadly-defined guidelines for responsible behavior (e.g. UN Global Compact, see Rasche and Kell 2010), reporting standards providing a standardized framework for non-financial reporting (e.g. Global Reporting Initiative, see Etzion and Ferraro 2010), certification standards providing stringent tools for monitoring and certification (e.g. Forest Stewardship Council, see Bartley 2007) and, lastly, process standards defining methods and processes to guide corporations towards responsible practice (e.g. ISO 2600 Tamm-Hallström 2008).

**Learning.** When social and environmental issues in export markets emerged as concerns in Western markets, neither businesses nor activists had full understanding of how to redress the mishaps. Standards addressed this uncertainty in the market (Fransen, 2010, p. 15), resulting in gradual adaptation of standards over time, but more so, the development of new standards in response to experience—whether positive or negative. Furthermore, we see constant revisions and updates in standards, since standards are usually reviewed on a regular basis. Mostly standards adapt standards requirements, such as adding components or specifying others, without changing the name of the standard. In other cases, standards revision may be visible in the name, (e.g. GRI1, GRI2, GRI3). We also see differentiation of standards, notably by business firms. For example, the “Naturbest” standard differentiated into “Naturbest Leder” [leather] and “Naturbestplus”; OekoTex100 evolved into Oeko-Tex1000. We also see how dissatisfaction in the experience with some standards results in proposals for other standards.

**Competition.** Product certification and labelling, enabled by standards, can be seen as a commercial strategy for differentiation that pays off if the revenues are greater than the costs associated with certification. Standards retain different criteria and interpretations of sustainability in order to better position themselves on the standards market (Reinecke et al. forthcoming). To the extent that markets for standardized products grow, it is likely that competitors seek to gain (greater) market share.

2. **Consequences of the multiplicity of standards.**

The multiplicity of standards may have various consequences. Table 1 presents them for various types of stakeholders.

INSERT TABLE 1 ABOUT HERE
On the positive side, the proliferation of social and environmental standards may in itself, irrespective of content, increase the legitimacy for such standards as a category, as well as legitimacy for the general idea of social and environmental aspects of products and production as relevant criteria for product differentiation. Therefore, an increase might be expected in the number of social and environmental standards, in the number of firms adopting such standards, as well in the relative market share of standard-approved, certified products. It may also contribute to shaping the definition of sustainability, manifesting a continued debate on what sustainability is, and thereby avoid a hegemonic definition established by a monopoly standard. The development of a greater number of standards allows to address more specific issues, corresponding to the particular concerns of various pressure groups, and hopefully better respond to the needs of vulnerable groups or entities, e.g. workers, environment, children, endangered species. For consumers, the existence of standards is a way to gain information about the social and environmental performance of the company they are buying from. For companies, suppliers as well as transnational buyers, adopting standards signals conformity with global institutional pressures (Lim and Tsutsui, 2011). It thus may contribute to maintain or regain reputation, perhaps to differentiate, and often is a condition for suppliers to access markets. The multiplicity of standards provides a greater choice. From the perspective of governments from the consumer countries, standards reduce the demand for governmental regulation, in line with the neoliberal policies (Kinderman, 2012). It may also contribute to levelling the playing field for labour costs. For the governments of producer countries, as O’Rourke (2004) showed in cases from Asia, standards and ‘name and shame’ campaign may have the effect of a private enforcement of public regulation. Also, some countries, as it is the case for Morocco, may see it as an opportunity to differentiate and gain a competitive advantage.

However, there may also be less positive consequences. The multiplicity of standards risks lowering the bar, thus offering a poor potential for governance and protection of vulnerable groups (Reed, 2012). UNEP (2009: 37) commenting on certification in the fishery sector, says that “many business … have concerns over certification. They worry about multiple labels confusing consumers, about the negative implications in terms of competition with non-certified products being sold alongside certified ones, and about educating consumers about certification when there is still relatively little certified product available to buy.” In other sectors, producers, to the extent that they produce for different brands/retailers and have adopted different standards, may face added costs of complying to multiple standards (Muttersbaugh, 2005). Alternatively, they risk choosing standards that do not satisfy stakeholders and critics (Turcotte et al. 2007). Representatives from producer countries have often considered social standards and their multiplication as a form of non-tariff barrier to trade. Or, it may result in confusion in the market, as consumers are no longer able to differentiate between standards, to meaningfully choose among them (Mueller, Santos and Seuring 2009). Or, assuming equal reputation for the standards available, firms might be opportunistic in selecting those standards that best meet their purposes, which may favour the least stringent standards. The co-existence of standards that ‘raise the bar’ with those that ‘lower the bar’ (Raynolds et al. 2007; Bitzer, Francken, Glasbergen, 2008) has arguably led to ‘a race to the bottom’ (Macdonald 2007). Whereas each individual instance of private regulation can be said to increase transparency and trust in the production
chain regarding the issues highlighted in the regulation, the aggregate effect of multiple regulations might be a decrease in transparency and trust—a counter-productive and undesirable effect.

Whether or not positive or negative consequences stemming from the multiplicity of standards occur, depends on the dynamics in what might be called the market for standards. Given these important roles of standards in private regulation, as well as the potential consequences of a multiplicity of standards in specific sectors, we seek to understand why and how multiple standards emerge, and we examine scenarios for how standards markets evolve.

3. Evolution of standards

Scenario’s for possible developments

Fransen (2010: 153), based on Murphy (2004), proposes three scenarios for the evolution of multiple standards. First, a race to the top in which the most stringent standard(s) win out in a competition; second, a race to the bottom in which the least stringent standard(s) win out in a competition; and persistent heterogeneity; and third, a corollary of these scenarios. In the third scenario, competition between standards for market share among consumers and producers, i.e. adoption by business firms, occurs, and therefore the least adopted standard may disappear from the market. But our findings indicate a fourth scenario, such as mutual recognition and collaboration among social and environmental standards, leading to new forms of “collaborative governance” (Rasche, 2010). Indeed, in all three sectors, we observed multiple standards, but growing cooperation among different standards. Another trend is convergence towards certification as best-practice. Existing standards not only acknowledge, recognize and accept each other’s existence, but have started to cooperate in joint certification exercises or mutual recognition of each other’s certification, such as in coffee or forestry.

Cooperation among standards has been re-enforced by the ISEAL Alliance, a global membership association for social and environmental standards systems. However, as the coffee sector illustrates, this is unlikely to result in the situation where standards and certification schemes disappear from the market. Rather, it pushes for harmonization in the sustainability standards arena and limits the possibility of newcomer standards to enter the market.

Based on a cross-sectoral analysis of the evolution of standards in the coffee, forestry and textile industries respectively, we identified different patterns in the evolution of private regulation in these sectors. Our findings suggest that this depends on the relational dynamics of the transnational governance field, and several factors are important. These factors point to conditions under which competing standards continue to compete independently of each other, rather than merge (or develop recognition agreements like in forestry) or disappear. They also indicate conditions under which standards are more likely to cooperate with each other.

A. Confrontation among standards promoters

One important factor is whether relations among standards promoters are confrontational or cooperative. The multiplicity of standards is a reflection of the pursuit of political interests by individual parties, who have rival problem definitions and seek their own formulations, hence contributing to diversity. From a political-institutional view, transnational private regulation “reflect[s] the negotiated
settlements and institution-building projects that arise out of conflicts” among states, activists and firms (Bartley, 2007, p. 299). Yet, rather than to settle conflicts conclusively or yield to demands by activists, firms often find it more beneficial to sponsor their own, industry-led standards alongside social-movement-led, activist standards (Fransen 2012). This points the most impactful conflict, which seems to be the sustained conflict between different types of standards sponsors.

(i) Opposition between social movement-led standards and industry-led standards

In all three sectors, we saw a clear opposition between social movement-led standards and industry-led standards. This indicates that clear differentiation between social-movement-led standards and industry-led standards in a standards market tends to perpetuate standards multiplicity. Standards differ fundamentally when they were initially created by and predominantly governed by social movement activists seeking to change the status quo or by mainstream organizations seeking to maintain the established economic order. There are several noteworthy differences as far as what social movement groups versus corporate actors believe codes and certifications should achieve. For instance, social movement-sponsored standards tend to insist on a robust audit mechanism, whereas industry-sponsored standards often promote standards that are easier to adopt and monitors. The question of verifying the implementation of standards and the monitoring of standards has thus come to the fore as a deep-level issue that has been the subject of numerous controversies.

Here, the ideological stance of social movement activists may explain whether social movement-led standards take a confrontational or cooperative towards corporations (den Hond and de Bakker, 2007). For example, direct targeting created a confrontational atmosphere between NGOs and firms in forestry, and hence discouraged some firms from adopting the NGO-sponsored FSC initiative (Sasser et al., 2007). Similarly in coffee, Fairtrade Labelling, rooted in a social movement led by Alternative Trading Organizations and initially called “alternative” trade (Low and Davenport, 2005: 147; VanderHoff Boersma 2009), positioned itself in opposition to big brands in some consumer countries. This not only encouraged firms to create their own standards, such as the Dutch coffee roaster giant Ahold’s sponsorship of the UTZ Certified standard illustrates, but influences future willingness of firms to cooperate with NGO-sponsored standards. Non-cooperative behaviour furthermore is perceived as a threat to firms’ fundamental decision-making autonomy (Sasser et al., 2007).

For firms, the balance between their quests for autonomy, reputational requirements and expertise in dealing with social and environmental challenges may explain whether they adopt an existing standard or create their own standards. Firms are reluctant to cede authority over their operations to independent NGOs or connect their brand names to independent labels over which they do not have control may choose to create their own standard. In coffee, Starbucks’ C.A.F.E. Practices, Nespresso AAA or Illy are all examples of single-firm based standards. Including criteria on traceability and quality, they are likely to be intended to bolster the company’s commercial strategy (Alvarez et al. 2010). However, Starbucks’ C.A.F.E.’s recent partnership with Fairtrade and and Nespresso’s recent partnership with the Rainforest Alliance indicates that Starbucks’ C.A.F.E. Practices and Nespresso AAA lacked the stringency and credibility of an independent, 3rd party certification standard and the moral legitimacy of a social-movement-led standard.
(ii) Multiplicity of views and preferences among social movement-led standards

Even among social movement-led standards, we see standards variations. In comparison, in the forest industry relations among social movement-led standards are rather consensual. In the coffee industry there is a high variety among social movement-led standards because it started from an amalgam of several different movements, including religious actors, left-leaning political actors, labour activists as well as environmental activists. Completion among social movement-led standards could also be seen as a form of ‘ideological’ competition on a market for ideas for a sort of ‘moral authority’ (Shamir 2008). This is not a purely commercial way of competition, but it explains why different social movement standards are equally in competition with each other. One example is the split within Fairtrade over ideological differences. As of 31 December 2011 Fair Trade USA ended its membership with Fairtrade International (FLO) and launched an independent standard and certification system. The reason was that Fair Trade USA wanted to expand its standard to plantations and estates in coffee. FLO, in contrasts, insists on limiting certification to coffee cooperatives, a cornerstone of Fairtrade Labelling. This ideological divergence over which types of producers should be favoured reflects the ongoing dynamics of the standards market and points to the likely continuation of multiple social movement-led standards.

(iii) Multiplicity of views and preferences among industry-led standards

The textile industry is an example that shows that even among industry-led standards multiplicity of views and preferences preserve standards multiplicity. On the contrary, in the forest industry, we observed “fusion” or agreements between the industry sector standards.

B. The structure and complexity of the value chain

Finally, another factor concerns the structure of the value chain. Coffee and textile are both commodity markets, oriented at producing for export. Production largely takes place in similar countries, namely in developing countries. However, the dynamics in coffee trade are dominated by spot markets with long-term contracts—and less, but increasingly so, by direct sourcing through comparatively few, consolidated major coffee buyers. Textile, in contrast, is dominated by greatly shifting demands under tight deadlines to meet changing fashion according to seasons and tastes. The supply chain is long and the production process is highly fragmented within and across countries with differing involvement of retailers in the manufacturing process. This may explain why in textile, we see the highest level of fragmentation of different types of standards and codes of conduct. In coffee and forestry, the supply chain, while still fragmented and spanning national borders, is shorter and processing involves fewer intermediaries compared to textile.

Drivers for standards convergence.

We can point at several drivers for standards convergence. First of all, there are costs to multiplicity: coordination costs, costs associated with multiple certifications, audit fatigue. Costs are beared by different parties and can be politically constructed. Political pressures for greater standards efficiency—raising critical awareness of the costs of standards multiplicity—may come from donor organizations, intergovernmental agencies, or meta-organizations providing tools for impact assessment.
(ISEAL). A second driver is credibility. Firm standards and codes of conduct appear to be less credible than social movement-based standards, even among unexpected stakeholders, such as investors (Bouslah et al. 2011). Another driver is expertise. Single firms may not have expertise to deal with social and environmental issues at the far end of their supply chains adequately. We could observe firms gain credibility and expertise through partnerships with NGOs (e.g. WWF) or developmental agencies (GTZ + 4C in coffee). Some firms have adopted double-standards rather than give up on their own standards. For instance, Starbucks and Nespresso have their own standards, in addition with Fairtrade and Rainforest Alliance respectively. Fairtrade and organic is also a popular combination.

Surprisingly, the above factors (cost of multiplicity, credibility, expertise and meta-organizations) tend not to reduce standards multiplicity. Note that there is a difference between convergence of standards requirements (e.g. standards look more similar, adopt similar governance mechanisms such as multi-stakeholder governance and 3rd party certification) and convergence of whole standards (merger, disappearance of weak standards). Generally, we see convergence of the former type and a sort of ‘meta-standardization’, quasi mergers (agreements of recognition) but less so disappearance. In coffee, even the bird friendly standard survives and grows despite marginal trade volumes. Instead, we see greater cooperation between standards.

In sum, despite growing cooperation among standards, the level of sustained contestation among standards setters and adopters remains high enough to preserve the identity of individual standards. Even if meta-organizations such as ISEAL can promote harmonization and dissolve existing conflicts, deep-seated contestation among key standards components is likely to sustain the co-existence of multiple standards, as such collaborative efforts can also fail, e.g. in the case of JO-IN (Joint Initiative on Accountability and Worker’s Rights) (Fransen, 2011).

**Conclusion**

Our study contributes to transnational governance studies, and the multiplicity of standards in particular. First, while scholars have convincingly shown why and how private standards emerge (e.g. Bartley 2007), we expand this area of study by going beyond nascent fields and explain the dynamics that illuminate the maturation of transnational governance fields. By examining the relational dynamics of transnational governance fields, our analysis throws light on how the relation between social movements and corporations shape the evolution of standards markets.

Second, while social and environmental standards have received growing scholarly attention, most studies have focused on sectors in isolation, hence missing the cross-sectoral linkages and differences that help us understand the condition under which transnational governance fields afford the social legitimacy for many standards to exist.
References


UNECE/FAO Forest Products Annual Market Reviews, 1997–2010


Table 1: Consequences of the multiplicity of standards for various actors (stakeholders)

<table>
<thead>
<tr>
<th>Consequences/actors</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
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<tbody>
<tr>
<td>Standards setting organizations</td>
<td>Get social standards better known</td>
<td>High competition</td>
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<tr>
<td></td>
<td>Increase overall legitimacy of standards</td>
<td>Reduces impact of individual standard</td>
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<tr>
<td>Marginalised groups or entity (e.g. workers, environment)</td>
<td>Additional means of protection</td>
<td>Limited capacity of governance</td>
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<tr>
<td>Pressure groups</td>
<td>Additional mean of intervention that does not involve governments</td>
<td>Limited capacity of control</td>
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<tr>
<td></td>
<td></td>
<td>Risk of lowering the bar</td>
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<tr>
<td>Consumers</td>
<td>Information about the social and environmental performance of the company</td>
<td>Risk of confusion between standards that raise the bar and those that lower the bar (greenwashing)</td>
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<tr>
<td>Producers – Suppliers</td>
<td>Market access</td>
<td>Higher uncertainty</td>
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<td></td>
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<td>Pressure to adopt multiple standards to satisfy the demands of multiple buyers</td>
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<tr>
<td></td>
<td></td>
<td>Higher certification and implementation costs</td>
</tr>
<tr>
<td>Businesses- Transnational buyers</td>
<td>Product differentiation</td>
<td>Higher uncertainty</td>
</tr>
<tr>
<td></td>
<td>Opportunity to maintain or regain reputation</td>
<td>Potential risk to choose the « wrong » standard, i.e. that would not satisfy their stakeholders</td>
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<td></td>
<td>Signal conformity with global institutional pressures</td>
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<td></td>
<td>Greater choice among standards</td>
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<tr>
<td>Government (producer country)</td>
<td>Additional indicator of responsibility</td>
<td>Loss of control</td>
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<td></td>
<td>Private enforcement of existing regulation</td>
<td>May be perceived as a non-tariff barrier to trade</td>
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<tr>
<td></td>
<td>May be perceived as a competitive advantage (e.g. case of Morocco).</td>
<td></td>
</tr>
<tr>
<td>Government (consumer country)</td>
<td>Reduces demand for governmental regulation, in line with neo-liberal policies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>May contribute to ‘levelling the playing field’ for labour costs</td>
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</table>
Figure 1: Evolution of coffee standards volumes, adopted from Reinecke et al. forthcoming

Figure 2: Evolution of the number of hectares of forest certified by environmental standards

Sources: FAO, FSC, PEFC, SFI et certification watch
Figure 3: Evolution of forestry standards volumes